

# Texas State Board of Examiners of Marriage and Family Therapists

Board Meeting Agenda for  
Friday, April 5, 2024, 1 p.m.

The April 5, 2024 meeting of the Texas State Board of Examiners of Marriage and Family Therapists will be held by videoconference call, as authorized under Texas Government Code section 551.127. The presiding officer will be physically present at Abilene Christian University, Biblical Studies Building, Room 126, 1850 Teague Blvd., Abilene, Texas 79601. Other board members may appear at the scheduled meeting in-person or via videoconference call. This location will be open to the public, but seating is limited to first come, first served.

In lieu of attending in person, members of the public are encouraged to access and participate virtually in this meeting by entering the URL address <https://us02web.zoom.us/j/82489591306> into their web browser. Telephone access numbers and additional videoconference call access information can be found in the attached addendum. An electronic copy of the agenda and meeting materials will be made available at [www.bhec.texas.gov](http://www.bhec.texas.gov) prior to the meeting. A recording of the meeting will be made available on the Council's YouTube channel after the meeting is adjourned. To obtain a copy of the recording, please contact the Council's public information officer at [Open.Records@bhec.texas.gov](mailto:Open.Records@bhec.texas.gov).

For members of the public wishing to give public comment, once the public comment item is reached on the agenda after the meeting convenes, the presiding officer will allow those who are attending in person to give public comment first and then ask those joining by computer to use the "raise hand" feature to indicate who would like to make a public comment. Those individuals who raise their hand will then be unmuted to give public comment. Once all of the individuals with raised hands have been given an opportunity to make public comment, the individuals appearing by telephone will be unmuted and asked whether they would like to make a public comment. Please note that public comment is not intended for a discussion or a question-and-answer session with the Board. Additionally, when making a public comment, please identify yourself and whether you are speaking individually or on behalf of an organization. All public comments will be limited to 3 minutes, unless otherwise directed by the presiding officer. In lieu of providing public comment during the meeting, you may submit written public comments by clicking here: <https://forms.office.com/r/PX8T8nTWRA>. Only those written public comments received by 5pm on the last business day before the meeting will be submitted to the board members for their consideration. No written comments received will be read aloud during the meeting.

Please note that the board may request input during the meeting from any interested parties or members of the public during its discussion of an agenda item.

If you are planning to attend this meeting and need auxiliary aids, services or materials in an alternate format, please contact the Council at least 5 working days before the meeting date. PHONE: (512) 305-7700, TTY/RELAY TEXAS: 711 or 1-800-RELAY TX.

The board may go into Executive Session to deliberate any item listed on this agenda if authorized under Texas Open Meetings Act, Government Code, Ch. 551.

The board may discuss and take action concerning any matter on the agenda and in a different order from what it appears herein.

## **MFT BOARD MEETING AGENDA FOR FRIDAY, APRIL 5, 2024, 1 P.M.**

(Merchant, Bartee, Elder, Ezell, Parrish, Reyna, Richardson, Smith)

1. Call meeting to order.
2. Public Comment.
3. Approval of minutes of the January 26, 2024, videoconference Board meetings.
4. Board review and possible action regarding appeals of application for licensure denials.

5. Board review and possible action regarding agreed orders to be executed by the Board.
6. Board review and possible action regarding contested cases from the State Office of Administrative Hearings (SOAH).
7. Report of agreed orders executed by the Council's Executive Director.
8. Report of cases dismissed by the Council's Executive Director.
9. Status report of quarterly enforcement case activities.
10. Report from Committee Chairs per Title 22 of the Texas Administrative Code, §801.11(f):
  - A. Report from Ethics Committee Chair Dr. Elder.
  - B. Report from Licensing Standards Committee Chair Dr. Merchant.
  - C. Report from Outreach Committee Chair Dr. Merchant.
  - D. Report from Professional Development Committee Chair Dr. Bartee.
  - E. Report from Rules Committee Chair Dr. Merchant.
11. Discussion and possible action concerning recommendations from the October 27, 2023, Virtual Townhall; November 7, 2023, and January 12, 2024, Rules Committee meetings; January 26, 2024 Board meeting; and February 26 and March 18, 2024, Rules Committee meetings for changes in Title 22 of the Texas Administrative Code,
  - A. §801.114 *Academic Course Content*: to add remedy for incomplete supervised clinical internship that fails to satisfy academic requirements.
  - B. §801.115 *Academic Requirements and Supervised Clinical Internship Equivalency for Applicants Currently Licensed as an LMFT in Another Jurisdiction* is repealed to align with current statute.
  - C. §801.142 *Supervised Clinical Experience Requirements and Conditions*: clarifies hour requirements; removes limit to supervision by telephone, if the supervisor determines live video is inaccessible; limits excess practicum award to those enrolled in qualified program before September 1, 2025; and repeals provisions concerning applicants who hold non-Texas LMFT license.
12. Discussion and possible action regarding jurisprudence exam:
  - A. Discussion and possible action concerning the quarterly summary from the Texas State Board of Examiners of Marriage and Family Therapists' Jurisprudence Exam vendor.
  - B. Discussion and possible action related to changes in the Board's Jurisprudence Exam.
13. Discussion and possible action regarding changes to the Supervisory Agreement Form discussed at the December 8, 2023, Professional Development Committee meeting; January 26, 2024 Board meeting; and February 20, 2024, Council meeting. The Council's motion carried: to return the form to the MFT Board, requesting consideration of changing the sentence structure to the bulleted item regarding Associate's right to change supervisors and, if needed to file complaint against supervisor.
14. Report from the Board Chair concerning current challenges and accomplishments; lawsuits; interaction with stakeholders, state officials, and staff; committee appointments and functions; workload of Board members; conferences; and general information regarding the routine functioning of the Board.
15. Report from the Board's Delegates to the Texas Behavioral Health Executive Council regarding the activities of the Executive Council, including
  - A. The Council's rulemaking actions taken at its February 20, 2024 meeting including adopted rules and
  - B. Proposed rules; and
  - C. Other Council updates.

16. Report from the Board Administrator concerning operations, organization, and staffing; workload processing and statistical information; status of rulemaking; customer service accomplishments, inquiries, and challenges; media, legislative, and stakeholder contacts and concerns; special projects; and general information regarding the routine functioning of the program.
17. Discussion and possible action regarding future priorities and activities of the Board.
18. Announcements and comments not requiring Board action, such as statements regarding conferences and other recent or upcoming events.
19. Adjournment.

This meeting is open to the public. No reservations are required and there is no cost to attend this meeting.

CONTACT: Sarah Faszholz, Board Administrator  
Texas State Board of Examiners of Marriage and Family Therapists  
Visit BHEC's Contact Us webpage at <https://www.bhec.texas.gov/contact-us/index.html> and select "Administration and Executive Leadership" from the drop-down menu to send an email.

## **Addendum: Additional Videoconference and Telephone Conference Call Information**

When: April 5, 2024 1 p.m. Central Time (US and Canada)

Topic: Texas State Board of Examiners of Marriage and Family Therapists' April 5, 2024 Regular Meeting

Please click the link below to join the webinar: <https://us02web.zoom.us/j/82489591306>

Or One tap mobile :

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Dial(for higher quality, dial a number based on your current location):

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<b>2nd Quarter FY24 STATUS REPORT</b>	<b>2Q FY24 Dec 1, 2023 to Feb 29, 2024</b>	<b>1Q FY24 Sep 1, 2023 to Nov 30, 2023</b>	<b>4Q FY23 June 1, 2023 to Aug 31, 2023</b>	<b>3Q FY23 Mar 1, 2023 to May 31, 2023</b>
New Complaints Received	<b>185</b>	143	151	156
Pending Complaints	<b>512</b> TSBEP-237 TSBSWE-125 TSBEMFT-34 TSBEP-116	431 TSBEP-195 TSBSWE-102 TSBEMFT-23 TSBEP-111	407 TSBEP-177 TSBSWE-103 TSBEMFT-21 TSBEP-106	385 TSBEP-153 TSBSWE-124 TSBEMFT-18 TSBEP-90
Pending Priority 1 Complaints (Imminent Physical Harm & Sexual Misconduct)	<b>49</b> TSBEP-27 TSBSWE-6 TSBEMFT-6 TSBEP-10	43 TSBEP-24 TSBSWE-5 TSBEMFT-2 TSBEP-12	46 TSBEP-28 TSBSWE-7 TSBEMFT-1 TSBEP-10	47 TSBEP-25 TSBSWE-13 TSBEMFT-0 TSBEP-9
Agreed Orders Signed	<b>16</b>	26	25	31
Complaints Dismissed by Staff	<b>89</b>	94	105	87
Complaints Dismissed by Member Boards	<b>0</b>	0	0	0
Total Complaints Resolved	<b>105</b>	120	130	118
Complaints Reviewed at an ISC	<b>30</b>	48	14	31
<b>Pending Cases by Fiscal Year</b>				
FY2019	<b>0</b>	0	0	1
FY2020	<b>5</b>	5	8	11
FY2021	<b>12</b>	14	17	32
FY2022	<b>33</b>	50	63	93
FY2023	<b>176</b>	227	319	248
FY2024	<b>286</b>	135	0	0
<b>Total</b>	<b>512</b>	431	407	385
<b>Compliance with Disciplinary Orders</b> [total / non-compliant]				
Staff monitors respondents' compliance with orders. Staff works with respondent or respondent's attorney to regain compliance. Those who do not comply may receive a new complaint, alleging noncompliance with an order, and if the allegations are supported by sufficient evidence, a new order may impose harsher sanctions.	<b>44</b> TSBEP-23/2 TSBSWE-7 TSBEMFT-5/1 TSBEP-9	50 TSBEP-25/1 TSBSWE-9/3 TSBEMFT-7/1 TSBEP-9	41 TSBEP-20/1 TSBSWE-7 TSBEMFT-6/1 TSBEP-8	47 TSBEP-26 TSBSWE-4 TSBEMFT-5/1 TSBEP-12

Rule: 801.114. Academic Course Content

Action: Proposed Amendments

Comment: The proposed amendments have been made so the rule will better align with Section 502.252 of the Occupations Code.

801.114. Academic Course Content.

(a) An applicant who holds a graduate degree in a mental health-related field must have course work in each of the following areas:

(1) theoretical foundations of marriage and family therapy--three semester hours;

(2) assessment and treatment in marriage and family therapy--12 semester hours;

(3) human development, gender, multicultural issues and family studies--six semester hours;

(4) psychopathology--three semester hours;

(5) professional ethics--three semester hours;

(6) applied professional research--three semester hours; and

(7) supervised clinical internship--12 months or nine semester hours.

(b) An applicant who begins a graduate degree program in marriage and family therapy or a mental health-related field on or after August 1, 2017, must complete course work and the minimum required semester hours in each of the following areas (the earliest class reported on one of an applicant's official transcripts denotes the start of a program):

(1) theoretical knowledge and foundations of marriage and family therapy--three semester hours--including the historical development, theoretical and empirical foundations, and contemporary conceptual directions of the field of marriage and family therapy;

(2) assessment and treatment in marriage and family therapy--12 semester hours--including but is not limited to treatment approaches specifically designed for use with a wide range of diverse couples, families, and children, including sex therapy, same

- sex couples, young children, adolescents, interfaith couples, crisis intervention, and elderly;
- (3) human development, gender, multicultural issues and family studies--six semester hours;
  - (4) psychopathology--three semester hours--including traditional psycho-diagnostic categories including knowledge and use of the Diagnostic and Statistical Manual of Mental Disorders;
  - (5) professional ethics--three semester hours--including professional identity of the marriage, couple, and family therapist, including professional socialization, scope of practice, professional organizations, licensure and certification; and ethical issues related to the profession of marriage, couple, and family therapy as well as the practice of individual therapy;
  - (6) applied professional research--three semester hours--including research evidence related to MFT, becoming an informed consumer of research, and research and evaluation methods;
  - (7) treatment of addictions and management of crisis situations--no minimum requirements;
  - (8) supervised clinical internship--12 months or nine semester hours. During the supervised clinical internship, the applicant must have 300 hours of experience, of which:
    - (A) at least 150 hours must be direct client contact hours; and
    - (B) of the 150 direct client contact hours, at least 75 hours must be direct client contact with couples and families.
- (c) The remaining courses needed to meet the 45 or 60 graduate semester hour requirement must be marriage and family therapy or related course work in areas directly supporting the development of an applicant's professional marriage and family, individual, or group therapy skills.
- (d) ~~Staff may issue an LMFT Associate license to an applicant who has a deficiency in pre-graduate internship months, semester hours, or clock hours required by subsection (a)(7) or (b)(8) of this section, but must require the applicant to complete the deficient months, semester hours, or clock hours in addition to the post-graduate, licensed supervised clinical experience requirements in §801.142 of this title (relating to Supervised Clinical Experience Requirements and Conditions) before awarding an LMFT license to that applicant.~~

Remedy for Incomplete Supervised Clinical Internship.

- (1) An applicant who has a deficiency in pre-graduate internship months, semester hours, or clock hours required by subsection (a)(7) or (b)(8) of this section, may petition for permission to remediate an area of deficiency. An applicant may not however, petition for the waiver or modification of the requisite degree or passage of the requisite examinations.
- (2) The Council may allow an applicant to remediate a deficiency identified in paragraph (1) of this subsection if the applicant can demonstrate:
  - (A) the requirement is not mandated by federal law, the state constitution or statute, or 22 TAC Part 41; and
  - (B) the remediation would not adversely affect the public welfare.
- (3) The Council may approve or deny a petition under this subsection, and in the case of approval, may condition the approval on reasonable terms and conditions designed to ensure the applicant's education, training, and experience provide reasonable assurance that the applicant has the knowledge and skills necessary for the practice of marriage and family therapy.



Rule: 801.115. Academic Requirements and Supervised Clinical Internship  
Equivalency for Applicants Currently Licensed as an LMFT in Another  
Jurisdiction

Action: Proposed Repeal

Comment: The proposed repeal has been made so the licensing rules better align with  
Chapter 502 of the Occupations Code

~~801.115. Academic Requirements and Supervised Clinical Internship Equivalency for  
Applicants Currently Licensed as an LMFT in Another Jurisdiction.~~

~~An applicant currently licensed as a marriage and family therapist in another  
jurisdiction of the United States who does not meet the academic requirements in  
§801.114 of this title (relating to Academic Course Content) may be considered to  
have met the requirements according to the following:~~

- ~~(1) If an applicant has been licensed as an LMFT in another United States  
jurisdiction for the two years immediately preceding the date the  
application is received, the academic requirements (including the  
internship) are considered met.~~
- ~~(2) If an applicant has been licensed as an LMFT in another United States  
jurisdiction for less than two consecutive years immediately preceding the  
date the application is received, staff may grant one month of credit for  
every two months of independent marriage and family therapy practice  
toward any deficit in the academic internship requirement.~~

Rule: 801.142. Supervised Clinical Experience Requirements and Conditions

Action: Proposed Amendment

Comment: The proposed amendments change the amount of supervision hours that may be counted towards licensure that are provided by telephone. Additionally, proposed amendments have been made so the rule will better align with Section 502.252 of the Occupations Code.

§801.142. Supervised Clinical Experience Requirements and Conditions. An applicant for LMFT must complete supervised clinical experience acceptable to the council.

(1) The LMFT Associate must have completed a minimum of two years of work experience in marriage and family therapy, which includes a minimum of 3,000 hours of supervised clinical practice. The required 3,000 hours must include at least 1,500 hours providing direct clinical services, of which:

~~(A) at least 1,500 hours providing direct clinical services, of which:~~

~~(A)(i) no more than 750 hours may be provided via technology-assisted services (as approved by the supervisor); and~~

~~(B)(ii) at least 500 hours must be providing direct clinical services to couples or families.~~

~~(B) of the 200 hours of council-approved supervision, as defined in §801.2 of this title (relating to Definitions), of which:~~

~~(i) at least 100 hours must be individual supervision; and~~

~~(ii) no more than 50 hours may be provided by telephonic services, but there is no limit for hours by live video.~~

(2) The remaining required hours, not covered by subsection (1) above, may come from related experiences, including workshops, public relations, writing case notes, consulting with referral sources, etc.

- (3) An LMFT Associate must obtain a minimum of 200 hours of supervision by an LMFT-S during the required 3,000 hours, and at least 100 of these hours must be individual supervision.
- (A) An LMFT Associate, when providing services, must receive a minimum of one hour of supervision every week, except for good cause shown.
- (B) Supervision may be provided in person or by live video or, if the supervisor determines that in-person or live video supervision is not accessible, by telephone.
- (C) An LMFT Associate may apply up to 100 graduate internship supervision hours toward the required 200 hours of supervision required for licensure as an LMFT.
- (4) For an LMFT applicant who begins the graduate degree program used for their license application before September 1, 2025, staff Staff may count graduate internship hours exceeding the requirements set in §801.114(b)(8) of this title (relating to Academic Course Content) toward the minimum requirement of at least 3,000 hours of supervised clinical practice under the following conditions.
- (A) No more than 500 excess graduate internship hours, of which no more than 250 hours may be direct clinical services to couples or families, completed under a Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) accredited graduate program may be counted toward the minimum requirement of at least 3,000 hours of supervised clinical practice.
- (B) No more than 400 excess graduate internship hours, of which no more than 200 hours may be direct clinical services to couples or families, completed under a non-COAMFTE-accredited graduate program may be counted toward the minimum requirement of at least 3,000 hours of supervised clinical practice.
- ~~(C) No more than 100 excess graduate internship supervision hours may be counted toward the minimum requirement of at least 200 hours of council approved supervision.~~
- (5) An LMFT Associate may practice marriage and family therapy in any setting under supervision, such as a private practice, public or private agencies, hospitals, etc.

- (6) During the post-graduate, supervised clinical experience, both the supervisor and the LMFT Associate may have disciplinary actions taken against their licenses for violations of the Act, the Council Act, or council rules.
- (7) Within 30 days of the initiation of supervision, an LMFT Associate must submit to the council a Supervisory Agreement Form for each council approved supervisor.
- (8) An LMFT Associate may have no more than two council-approved supervisors at a time, unless given prior approval by the council or its designee.
- ~~(9) Except as specified in paragraph (4) of this section, hours of supervision and supervised clinical experience accrued toward an out-of-state LMFT license may be accepted only by endorsement.~~
  - ~~(A) The applicant must ensure supervision and supervised experience accrued in another jurisdiction is verified by the jurisdiction in which it occurred and that the other jurisdiction provides verification of supervision to the council.~~
  - ~~(B) If an applicant has been licensed as an LMFT in another United States jurisdiction for the two years immediately preceding the date the application is received, the supervised clinical experience requirements are considered met. If licensed for any other two-year period, the application will be reviewed to determine whether clinical experience requirements have been met in accordance with council rules, 22 Texas Administrative Code §882.1 (relating to Application Process).~~
- (9)~~(10)~~ Applicants with a master's degree that qualifies under §§801.112 and 801.113 may count any supervision and experience (e.g., practicum, internship, externship) completed after conferral of the master's degree and as part of a doctoral program, toward the supervision and experience requirements set out in §801.142. A doctoral program must lead to a degree that qualifies under §§801.112 and 801.113 before the Council will award credit for supervision and experience under this provision.

### Summary of Council's Activities

A. Affecting Title 22 of the Texas Administrative Code (22 TAC), the Council's rulemaking actions taken at its February 20, 2024 meeting, included adopted rules, published in the March 22, 2024, *Texas Register* and effective March 27, 2024:

1. [§801.2](#) *Definition* - adds a definition for independent practice.
2. [§801.48](#) *Record Keeping, Confidentiality, Release of Records, and Required Reporting* - makes it clear that any licensee in private practice must establish a plan of custody and control for a client's records.
3. [§801.142](#) *Supervised Clinical Experience Requirements and Conditions* - increases from 500 to 750, the number of direct hours an Associate may provide by technology-assisted services and count toward satisfying licensure requirements.
4. [§801.143](#) *Supervisor Requirements* - removes the 12-supervisees-per-supervisor limit, allowing supervisors to determine the number of supervisees for whom they can provide adequate supervision.
5. [§801.305](#) *Schedule of Sanctions* [repeal and replace] - corrects a *Texas Register* submission error. The same chart that was proposed in the August 5, 2022, issue of the *Texas Register* but the outdated chart was submitted and published as adopted in the November 18, 2022 issue of the *Texas Register*. The format of this newly adopted schedule of sanctions chart is easier to use. This adopted schedule of sanctions chart aligns with the changes made to §801.302, which reduced the number of severity levels from five to four by combining the two previous suspension levels. Therefore, violations of §§801.44(t) and (v), 801.47, and 801.57(e) are no longer be split between two types of suspension levels. Additionally, the sanctions for §801.47(a) and (b) are separated, which are a suspension and revocation respectively. Section 801.44(s) - (v) has been updated to correspond to the correct rule and sanction. Amendments were made to §801.143(h) - (k) so corresponding amendments have been made in §801.305. Lastly, some typographical errors were corrected.
6. [§882.23](#) *License Required to Practice* - clarifies when an individual is conducting a professional service in Texas, which is regulated by the Executive Council.
7. [§882.28](#) *Update to Degree on a License* - implements a process to update the degree listed on a license.
8. [§883.1](#) *Renewal of a License* – requires a licensee, who is selected for CE audit, to also submit a self-query report from the National Practitioner Data Bank.
9. [§884.1](#) *Timeliness of Complaints* - provides notice and clarity that the rule of limitations for the timeliness of a complaint does not apply to applications for reinstatement.
10. [§885.1](#) *Executive Council Fees* - provides additional notice to applicants and licensees of the potential disciplinary action that may result from attempting to refund fees paid to the Council; and adds new fee to correspond with §882.28, regarding updates to degrees on licenses.

B. Affecting 22 TAC, the Council's rulemaking actions taken at its February 20, 2024 meeting, included the following proposed rules:

1. §801.143 *Supervisor Requirements* – sets equitable requirements for supervisor status and standardizes provisions concerning automatic revocation of supervisor status after disciplinary order imposes probated suspension, suspension, or revocation of the license.
2. §801.261 *Requirements for Continuing Education* – adds requirement for one hour of continuing education in crisis management, which may include but need not be limited to client deterioration and safety issues, suicide and mass casualty event prevention, natural disaster, personal trauma, family crisis, domestic violence, child abuse, and elder abuse.

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3. §801.201 *Temporary License* - creates a temporary Texas license for marriage and family therapists who are licensed to practice independently in another jurisdiction. NOTE: the Council voted to publish proposed rule at a later date (when rule for corresponding fee is also proposed).

C. Other Council updates include but may not be limited to the following.

1. NEW! Renewal Confirmation Emails
2. 2023 Customer Service Survey Report
3. 2024 Quadrennial Rule Review

Rule: 801.143. Supervisor Requirements

Action: Proposed Amendment

Comment: Amendments in yellow were proposed in the September 22, 2023 issue of the *Texas Register* and will be reviewed by the Board at the January 26, 2024 meeting for possible adoption.

Amendments in green are possible proposed changes for the Board to consider at the January 26, 2024 meeting. The changes in yellow can first be adopted, and then these changes in green can then be proposed in the *Texas Register*.

801.143. Supervisor Requirements.

(a) To apply for supervisor status, an LMFT must be in good standing and submit:

(1) an application and applicable fee;

(2) documentation of the completion of at least 3,000 hours of LMFT practice over a minimum of 3 years; and

(3) documentation of one of following:

(A) successful completion of a 3-semester-hour, graduate course in marriage and family therapy supervision from an accredited institution;

(B) a 40-hour continuing education course in clinical supervision; or

(C) successful completion of an American Association for Marriage and Family Therapy (AAMFT) approved Fundamentals of Supervision course.

(a) To apply for supervisor status, an LMFT in good standing must submit an application and applicable fee as well as documentation of the of following:

(1) completion of at least 3,000 hours of LMFT practice over a minimum of 3 years; and

(A) successful completion of a 3-semester-hour, graduate course in marriage and family therapy supervision from an accredited institution; or

~~(B) — a 40-hour continuing education course in clinical supervision; or~~

~~(2) — designation as an approved supervisor or supervisor candidate by the American Association for Marriage and Family Therapy (AAMFT).~~

- (b) A supervisor may not be employed by the person he or she is supervising.
- (c) A supervisor may not be related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood or adoption) to the person whom he or she is supervising.
- (d) Within 60 days of the initiation of supervision, a supervisor must process and maintain a complete supervision file on the LMFT Associate. The supervision file must include:
  - (1) a photocopy of the submitted Supervisory Agreement Form;
  - (2) proof of council approval of the Supervisory Agreement Form;
  - (3) a record of all locations at which the LMFT Associate will practice;
  - (4) a dated and signed record of each supervision conference with the LMFT Associate's total number of hours of supervised experience, direct client contact hours, and direct client contact hours with couples or families accumulated up to the date of the conference; ~~and~~
  - (5) an established plan for the custody and control of the records of supervision for each LMFT Associate in the event of the supervisor's death or incapacity, or the termination of the supervisor's practice; and
  - ~~(6)(5)~~ a copy of any written plan for remediation of the LMFT Associate.
- (e) Within 30 days of the termination of supervision, a supervisor must submit written notification to the council.
- (f) Both the LMFT Associate and the council-approved supervisor are fully responsible for the marriage and family therapy activities of the LMFT Associate.



- (1) The supervisor must ensure the LMFT Associate knows and adheres to all statutes and rules that govern the practice of marriage and family therapy.
  - (2) A supervisor must maintain objective, professional judgment; a dual relationship between the supervisor and the LMFT Associate is prohibited.
  - (3) A supervisor may only supervise the number of individuals for which the supervisor can provide adequate supervision not supervise more than 12 persons at one time.
  - (4) If a supervisor determines the LMFT Associate may not have the therapeutic skills or competence to practice marriage and family therapy under an LMFT license, the supervisor must develop and implement a written plan for remediation of the LMFT Associate.
  - (5) A supervisor must timely submit accurate documentation of supervised experience.
- (g) Supervisor status expires with the LMFT license.
- (h) A supervisor who fails to meet all requirements for licensure renewal may not advertise or represent himself or herself as a supervisor in any manner.
- (i) A supervisor whose license status is other than "current, active" is no longer an approved supervisor. Supervised clinical experience hours accumulated under that person's supervision after the date his or her license status changed from "current, active" or after removal of the supervisor designation will not count as acceptable hours unless approved by the council.
- (j) Upon execution of a Council order for probated suspension, suspension, or revocation of the LMFT license with supervisor status, the supervisor status is revoked. A licensee whose supervisor status is revoked must: A supervisor who becomes subject to a council disciplinary order is no longer an approved supervisor. The person must:
- (1) inform each LMFT Associate of the council disciplinary order;
  - (2) refund all supervisory fees received after date the council disciplinary order was ratified to the LMFT Associate who paid the fees; and
  - (3) assist each LMFT Associate in finding alternate supervision.

- (k) Supervision of an LMFT Associate without being currently approved as a supervisor is grounds for disciplinary action.
- (l) The LMFT Associate may compensate the supervisor for time spent in supervision if the supervision is not part of the supervisor's responsibilities as a paid employee of an agency, institution, clinic, or other business entity.
- (m) At a minimum, the 40-hour continuing education course in clinical supervision, referenced in subsection ~~(a)(3)(B)~~ ~~(a)(4)(B)~~ of this rule, must meet each of the following requirements:
  - (1) the course must be taught by a graduate-level licensee holding supervisor status issued by the Council;
  - (2) all related coursework and assignments must be completed over a time period not to exceed 90 days; and
  - (3) the 40-hour supervision training must include at least:
    - (A) three (3) hours for defining and conceptualizing supervision and models of supervision;
    - (B) three (3) hours for supervisory relationship and marriage and family therapist development;
    - (C) twelve (12) hours for supervision methods and techniques, covering roles, focus (process, conceptualization, and personalization), group supervision, multi-cultural supervision (race, ethnic, and gender issues), and evaluation methods;
    - (D) twelve (12) hours for supervision and standards of practice, codes of ethics, and legal and professional issues; and
    - (E) three (3) hours for executive and administrative tasks, covering supervision plan, supervision contract, time for supervision, record keeping, and reporting.
- (n) Subsection (m) of this rule is effective May 1, 2023

Rule: 801.261. Requirements for Continuing Education

Action: Proposed Amendment

Comment: The proposed amendment adds one hour of crisis management to the required hours of continuing education needed for the renewal of a license.

801.261. Requirements for Continuing Education

(a) Minimum Continuing Education Hours Required

- (1) An LMFT must complete 30 hours of continuing education during each renewal period that they hold a license. The 30 hours of continuing education must include 6 hours in ethics and 3 hours in cultural diversity or competency. Additionally, effective September 1, 2024, the 30 hours of continuing education must also include 1 hour of continuing education in crisis management.
- (2) A licensee may carry forward to the next renewal period, a maximum of 10 hours accrued during the current renewal period if those hours are not needed for renewal.

(b) Special Continuing Education Requirements. The special continuing education requirements set out in this subsection may be counted toward the minimum continuing education hours required under subsection (a) of this section.

- (1) A licensee with supervisory status must complete 6 hours of continuing education in supervision.
- (2) A licensee with supervisory status must take and pass the jurisprudence examination. One hour of continuing education in ethics may be claimed for passing the jurisprudence examination.
- (3) A licensee who provides telehealth services must complete 2 hours of continuing education in technology-assisted services.

(c) Acceptable ethics hours include, but are not limited to continuing education on:

- (1) state or federal laws, including agency rules, relevant to the practice of marriage and family therapy;
- (2) practice guidelines established by local, regional, state, national, or international professional organizations;

- (3) training or education designed to demonstrate or affirm the ideals and responsibilities of the profession; and
  - (4) training or education intended to assist licensees in determining appropriate decision-making and behavior, improve consistency in or enhance the professional delivery of services, and provide a minimum acceptable level of practice.
- (d) Acceptable cultural diversity or competency and crisis management activities. Hours include, but are not limited to continuing education regarding age, disability, ethnicity, gender, gender identity, language, national origin, race, religion, culture, sexual orientation, and socio-economic status.
- (1) Cultural diversity or competency hours include, but are not limited to continuing education regarding age, disability, ethnicity, gender, gender identity, language, national origin, race, religion, culture, sexual orientation, and socio-economic status.
  - (2) Crisis management hours include, but are not limited to continuing education regarding suicidal ideation, homicidal ideation, abuse or neglect, domestic violence, crisis prevention, and crisis or disaster response.
- (e) Acceptable Continuing Education Activities.
- (1) All continuing education hours must have been received during the renewal period unless allowed under subsection (a)(3) of this section, and be directly related to the practice of marriage and family therapy;
  - (2) The Council shall make the determination as to whether the activity claimed by the licensee is directly related to the practice of marriage and family therapy;
  - (3) Except for hours claimed under subsection (h) of this section, all continuing education hours obtained must be designated by the provider in a letter, email, certificate, or transcript that displays the licensee's name, topic covered, date(s) of training, and hours of credit earned.
  - (4) Multiple instances or occurrences of a continuing education activity may not be claimed for the same renewal period.
- (f) Licensees must obtain at least fifty percent of their continuing education hours from one or more of the following providers:

- (1) an international, national, regional, state, or local association of medical, mental, or behavioral health professionals;
  - (2) public school districts, charter schools, or education service centers;
  - (3) city, county, state, or federal governmental entities;
  - (4) an institution of higher education accredited by a regional accrediting organization recognized by the Council for Higher Education Accreditation, the Texas Higher Education Coordinating Board, or the United States Department of Education;
  - (5) religious or charitable organizations devoted to improving the mental or behavioral health of individuals;
  - (6) A graduate-level licensee with supervisor status;
  - (7) a hospital or hospital system, including any clinic, division, or department within a hospital or hospital system; or
  - (8) any provider approved or endorsed by a provider listed herein.
- (g) Licensees shall receive credit for continuing education activities according to the number of hours designated by the provider, or if no such designation, on a one-for-one basis with one credit hour for each hour spent in the continuing education activity.
- (h) Notwithstanding subsection (f) above, licensees may claim continuing education credit for each of the following activities:
- (1) Passage of the jurisprudence examination. Licensees who pass the jurisprudence examination may claim 1 hour of continuing education in ethics.
  - (2) Preparing and giving a presentation at a continuing education activity. The maximum number of hours that may be claimed for this activity is 5 hours.
  - (3) Authoring a book or peer reviewed article. The maximum number of hours that may be claimed for this activity is 5 hours.
  - (4) Teaching or attending a graduate level course. The maximum number of hours that may be claimed for this activity is 5 hours.

- (5) Self-study. The maximum number of hours that may be claimed for this activity is 1 hour. Self-study is credit that is obtained from any type of activity that is performed by an individual licensee acting alone. Such activities include, but are not limited to, reading materials directly related to the practice of marriage and family therapy. Time spent individually viewing or listening to audio, video, digital, or print media as part of an organized continuing education activity, program, or offering from a third-party is not subject to this self-study limitation and may count as acceptable education under other parts of this rule.
- (6) Successful completion of a training course on human trafficking prevention described by §116.002 of the Occupations Code. Licensees who complete this training may claim 1 hour of continuing education credit.
- (i) The Council does not pre-evaluate or pre-approve continuing education providers or hours.
- (j) Licensees shall maintain proof of continuing education compliance for a minimum of 3 years after the applicable renewal period.
- (k) Subsection (f) of this rule is effective January 1, 2024.

Rule: §801.201. Temporary License.

Action: Proposed New Rule

Comment: The proposed new rule creates a temporary Texas license for marriage and family therapists who are licensed to practice independently in another jurisdiction. Temporary license holders are allowed to use this license for up to thirty (30) days within one year from the date of issuance, and the thirty days are not required to be consecutive. Temporary license holders are required to report the use of this license after utilizing the full thirty days or the expiration of one year from licensure, whichever occurs first.

§801.201. Temporary License.

- (a) A temporary license may be issued to an applicant seeking to practice in this state for a limited time and purpose. To be eligible for temporary licensure, an applicant must:
  - (1) submit a completed application for temporary licensure;
  - (2) pay the application fee;
  - (3) submit proof that the applicant is actively licensed, certified, or registered to practice independently, without supervision, as a marriage and family therapist by another jurisdiction; and
  - (4) submit documentation indicating that the applicant is in good standing with that jurisdiction;
- (b) Applicants meeting the requirements for temporary licensure shall be granted a temporary license authorizing the delivery of marriage and family therapy services for no more than thirty (30) days. Upon utilization of the full thirty days, or the expiration of one year from the date of licensure, whichever occurs first, the temporary license shall expire.
- (c) Upon utilization of the full thirty days, or the expiration of one year from the date of licensure, whichever occurs first, the temporary licensee must submit written notification to the Council of the dates the licensee delivered marriage and family therapy services in this state.
- (d) Temporary licensees are subject to all applicable laws governing the practice of marriage and family therapy in this state, including the Licensed Marriage and Family Therapist Act and Council rules.
- (e) An applicant for permanent licensure in this state is not eligible for temporary licensure. Upon receipt of an application for permanent licensure by a temporary license holder, any temporary license held by an applicant shall expire without further action or notice by the Council.

(f) A temporary license holder may not receive another temporary license until the expiration of one year from the date of issuance of their last temporary license, regardless of whether that license is active or expired.





Jennifer Noack  
To: Darrel Spinks



Wed 12/13/2023 8:43 AM

 Renewal approved letter.pdf  
465 KB

Darrel,

Attached is the letter that goes into their online inbox, and it is also attached in VR to their renewal, under the Attachments checklist item, where their application summary and online payment documents are attached upon submission. The wording on their email is the same as this letter, but it also informs them that there is a letter in their online inbox with this same information.

Jenni



- Thank you!
- Got it, thanks!
- Received, thank you.

- Reply
- Forward



Texas Behavioral Health Executive Council  
1801 Congress Ave, Suite 7.300  
Austin, TX 78701

12/13/2023

[REDACTED]

RE: License Renewal

Dear [REDACTED]

This letter is to inform you of the successful renewal of your license. You are encouraged to use the license verification function on our website to print out a copy of the verification as it will show your license status and expiration date. That page can be found here: <https://www.bhec.texas.gov/verify-a-license/index.html>

If you would like to purchase a renewal permit with your new expiration date you can do so by using your account in the online licensing system. The cost is \$10 per renewal permit.

Thank you for completing the renewal of your license.

Regards,

Texas Behavioral Health Executive Council



## **Report on Customer Service for 2023**

**Texas Behavioral Health Executive Council**

**1801 Congress., Ste. 7.300**

**Austin, Texas 78701**

**(512) 305-7700**

**[www.bhec.texas.gov](http://www.bhec.texas.gov)**

The Texas Behavioral Health Executive Council (Council) was created by the 86th Legislature in 2019 following consecutive reviews of its member boards by the Sunset Advisory Commission. The Council is designed to play a central role in the regulation of behavioral health services and social work practice in Texas by providing active state supervision of its member boards, as well as creating administrative efficiencies through functional alignment and economies of scale.

The Council's member boards consist of the Texas State Board of Examiners of Marriage and Family Therapists, the Texas State Board of Examiners of Professional Counselors, the Texas State Board of Examiners of Psychologists, and the Texas State Board of Social Worker Examiners.

## **Inventory of External Customers**

The Council's primary customers for purposes of its licensing and enforcement strategies are its applicants, licensees, and complainants. However, the Council also considers anyone who contacts the agency seeking information or assistance to be a customer. The Council has attempted to identify unique customers with Question No. 1 in the survey.

## **Information-Gathering Method of Survey**

The Council conducted an online customer service satisfaction survey from October 26, 2023 through December 31, 2023. The Council sent survey invitations to its 81,585 email subscribers and placed a link to the survey on its website. The Council received 3,466 responses to its request for feedback.

In addition to the questions and topics required by Section 2114.002(b) of the Government Code (i.e., Question Nos. 12 through 19), the Council posed several other questions to assist it with identifying problem areas and improving services.

## **Survey Analysis**

The survey reflects an overall level of satisfaction with the Council's customer service, with all areas trending satisfied.

With regard to the statutorily required areas of evaluation (i.e., Question Nos. 12 through 19), more respondents expressed satisfactory experiences with the Council in the 9 areas surveyed than those who expressed unsatisfactory experiences.

Based upon the survey responses received, the Council will continue to look for ways to improve its telephone customer service and access and usability of the website, i.e., make it more user-friendly.

While the Council believes its use of SurveyMonkey and iContact is the best methodology for conducting the requisite customer service satisfaction survey, the Council believes that additional staff trained in the design and analysis of surveys, or funding to contract with a third-party vendor to conduct the survey will be necessary to improve the survey process.

A copy of the Council's customer service satisfaction survey is attached hereto and incorporated herein for all pertinent purposes. Responses to Question Nos. 11, 20, and 21 have not been included in the attached survey because of their voluminous nature but are available for copying and inspection under the Public Information Act.

## **Performance Measure Information**

### **Outcome Measures**

Overall Satisfaction Rate: Among the respondents, 54.7% reported being satisfied, 29.36% remained neutral (including N/A responses), and 15.93% expressed dissatisfaction.

### **Output Measures**

Total Customers Surveyed: 81,585

Number of Responses Received: 3,466

Response Rate: 4.25%

### **Efficiency Measures**

Cost per Customer Surveyed: The total cost per individual surveyed is \$0.12 and the total cost per respondent is \$2.73. Costs were calculated by adding the annual subscription fee for SurveyMonkey and iContact over the biennium and then dividing that figure by the total number of individuals surveyed and the number of actual respondents.

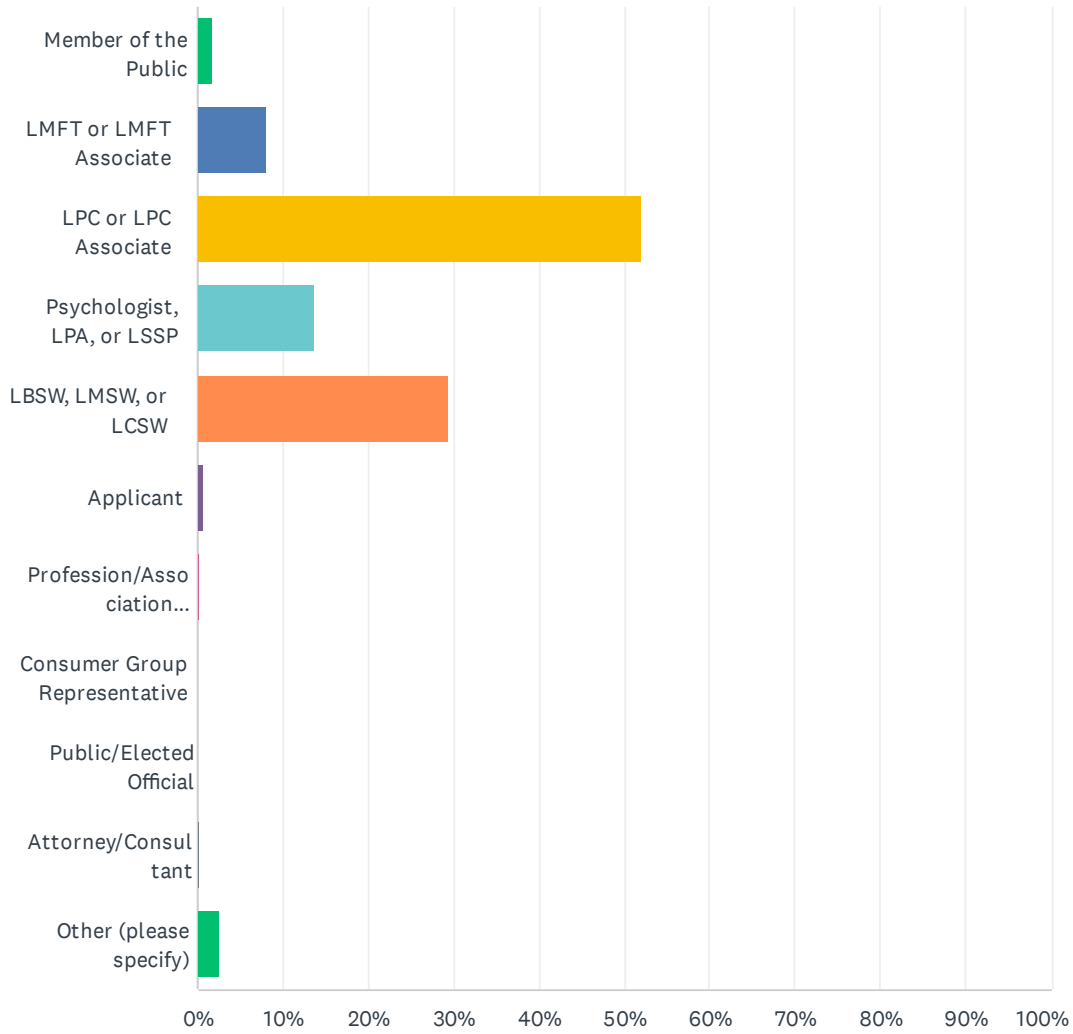
### **Explanatory Measures**

Total Customers Identified: The Council has 1,698 applicants and 77,429 licensees as its primary customers, but our customers also include individuals who contact the agency seeking information or assistance.

Total Customer Groups Inventoried: According to the survey responses to Question No. 1, there are 12 groups that responded to the survey.

## Q1 Please identify yourself: (check all that apply)

Answered: 3,466 Skipped: 0



2023 Texas Behavioral Health Executive Council Customer Service Survey

ANSWER CHOICES	RESPONSES	
Member of the Public	1.79%	62
LMFT or LMFT Associate	8.17%	283
LPC or LPC Associate	52.02%	1,803
Psychologist, LPA, or LSSP	13.56%	470
LBSW, LMSW, or LCSW	29.37%	1,018
Applicant	0.66%	23
Profession/Association Representative	0.32%	11
Consumer Group Representative	0.03%	1
Public/Elected Official	0.03%	1
Attorney/Consultant	0.14%	5
Other (please specify)	2.51%	87
Total Respondents: 3,466		

**Q2 Please provide the following information if you would like the Council to contact you with any questions it may have regarding your survey responses.**

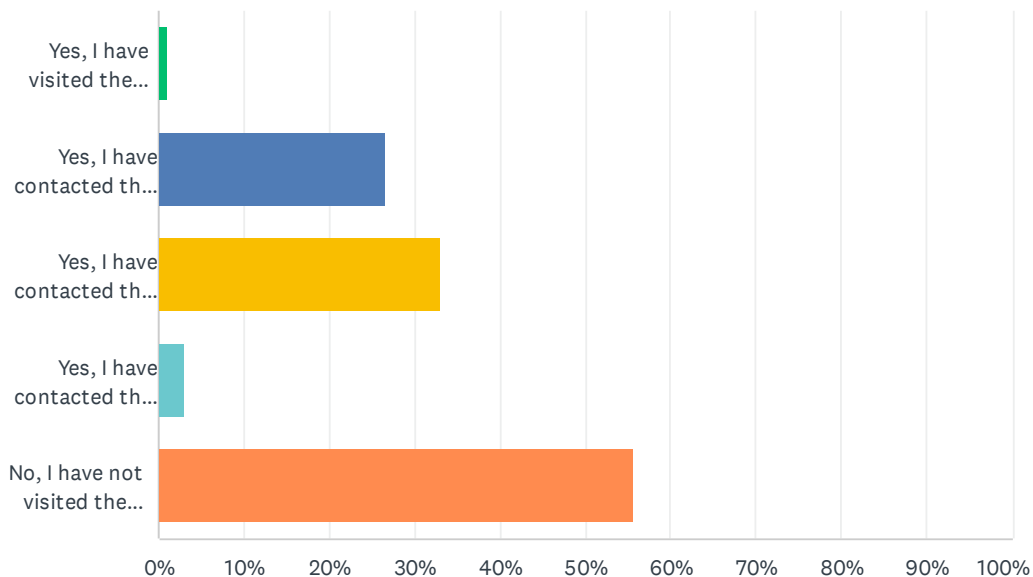
Answered: 1,209 Skipped: 2,257

ANSWER CHOICES	RESPONSES	
Name	97.27%	1,176
Company	49.21%	595
Address	88.92%	1,075
Address 2	16.63%	201
City/Town	91.65%	1,108
State/Province	95.20%	1,151
ZIP/Postal Code	90.98%	1,100
Country	86.77%	1,049
Email Address	95.37%	1,153
Phone Number	90.24%	1,091



### Q3 In the past year, have you visited the Executive Council's office or contacted us by phone, email, or letter? (check all that apply)

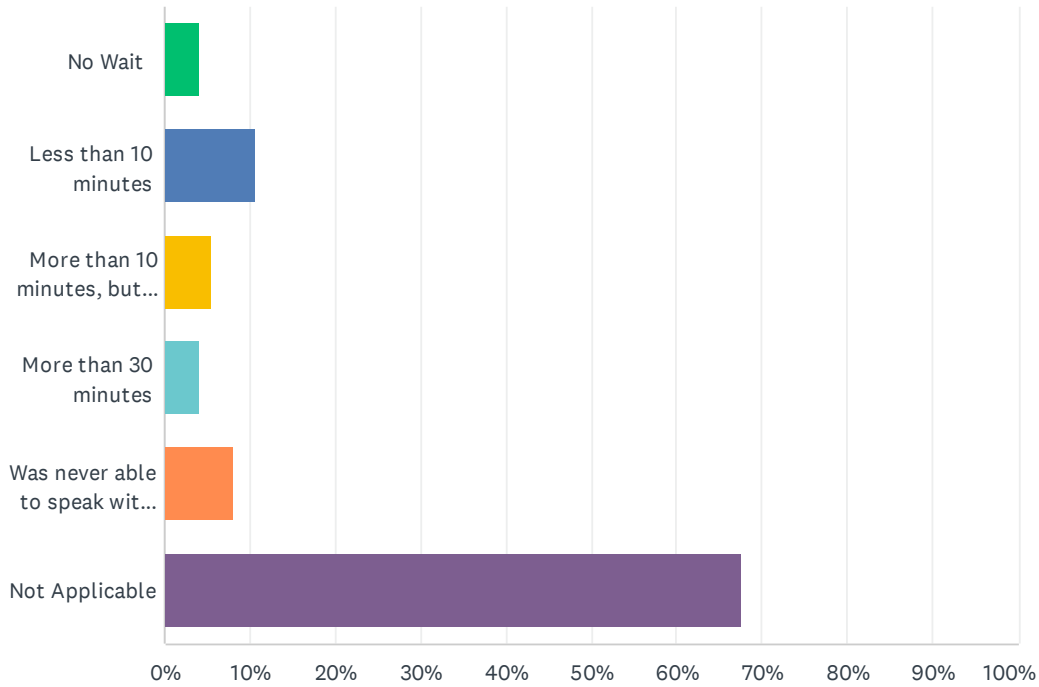
Answered: 3,037 Skipped: 429



ANSWER CHOICES	RESPONSES	
Yes, I have visited the Executive Council's office in person.	1.09%	33
Yes, I have contacted the Executive Council by phone.	26.70%	811
Yes, I have contacted the Executive Council by email.	33.03%	1,003
Yes, I have contacted the Executive Council by letter.	2.90%	88
No, I have not visited the Executive Council's office or contacted it by phone, email, or letter.	55.68%	1,691
Total Respondents: 3,037		

### Q4 If you contacted the Executive Council by phone, how long did you have to wait before a representative took your call?

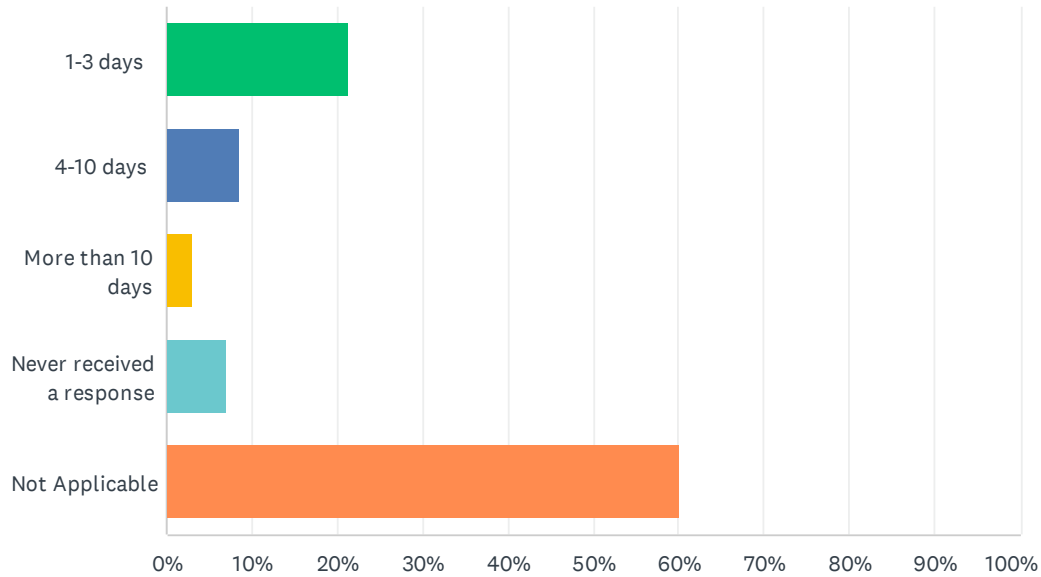
Answered: 2,826 Skipped: 640



ANSWER CHOICES	RESPONSES	
No Wait	4.14%	117
Less than 10 minutes	10.69%	302
More than 10 minutes, but less than 30 minutes	5.56%	157
More than 30 minutes	4.03%	114
Was never able to speak with a representative	8.00%	226
Not Applicable	67.59%	1,910
<b>TOTAL</b>		<b>2,826</b>

## Q5 If you contacted the Executive Council by email, how long before you received a response?

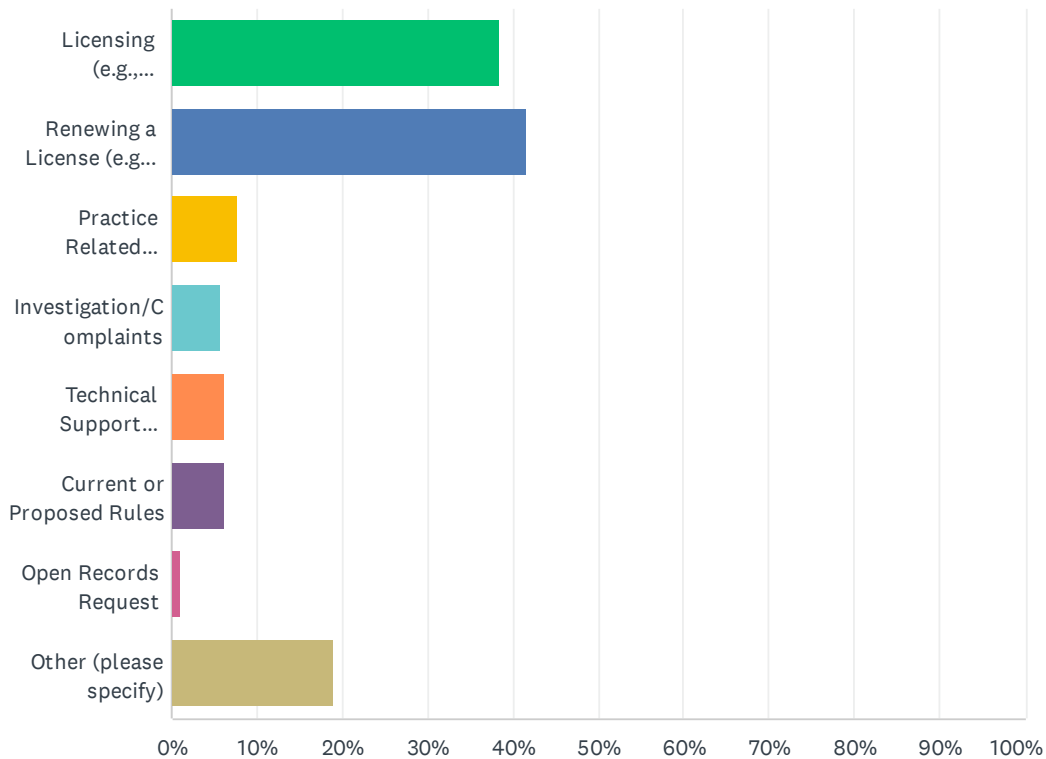
Answered: 2,870 Skipped: 596



ANSWER CHOICES	RESPONSES	
1-3 days	21.22%	609
4-10 days	8.47%	243
More than 10 days	3.03%	87
Never received a response	7.14%	205
Not Applicable	60.14%	1,726
<b>TOTAL</b>		<b>2,870</b>

## Q6 What was the nature of your contact with us? (check all that apply)

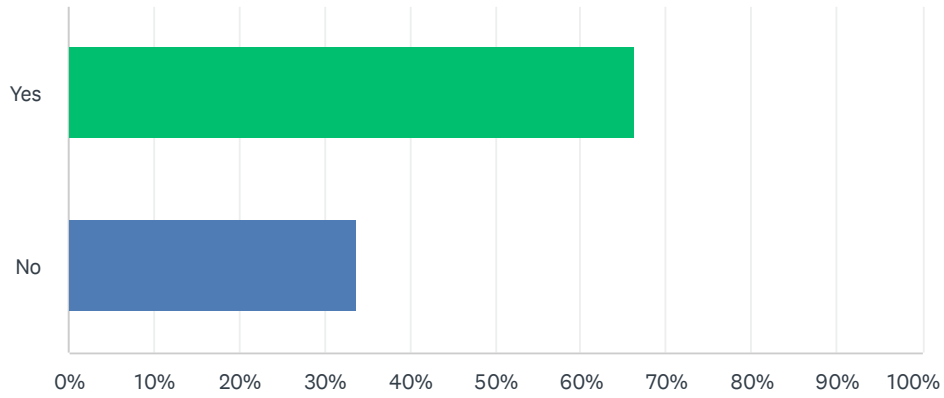
Answered: 1,770 Skipped: 1,696



ANSWER CHOICES	RESPONSES	
Licensing (e.g., applications for initial or upgraded licensure, applications for supervisory status)	38.42%	680
Renewing a License (e.g., renewals, CE audits)	41.58%	736
Practice Related Questions (e.g., telehealth, duty to report convictions or sexual misconduct)	7.57%	134
Investigation/Complaints	5.76%	102
Technical Support Assistance	6.16%	109
Current or Proposed Rules	6.16%	109
Open Records Request	1.13%	20
Other (please specify)	18.87%	334
Total Respondents: 1,770		

## Q7 Did staff answer your question(s)?

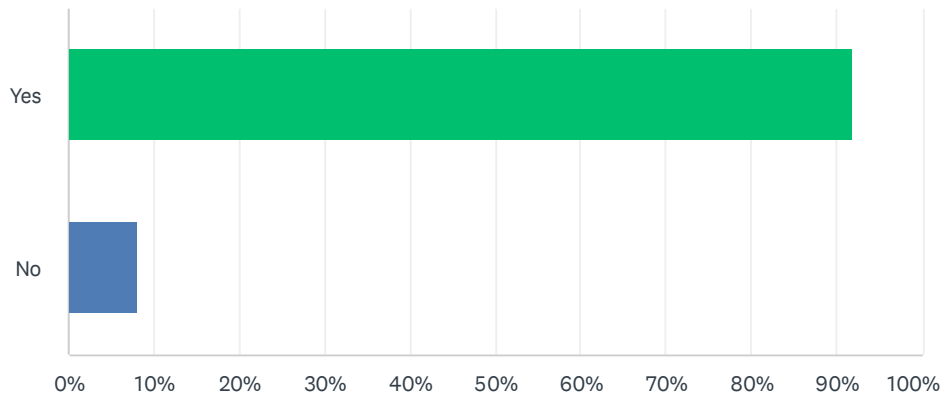
Answered: 1,697 Skipped: 1,769



ANSWER CHOICES	RESPONSES	
Yes	66.29%	1,125
No	33.71%	572
<b>TOTAL</b>		<b>1,697</b>

## Q8 In the past year, have you visited the Executive Council's website?

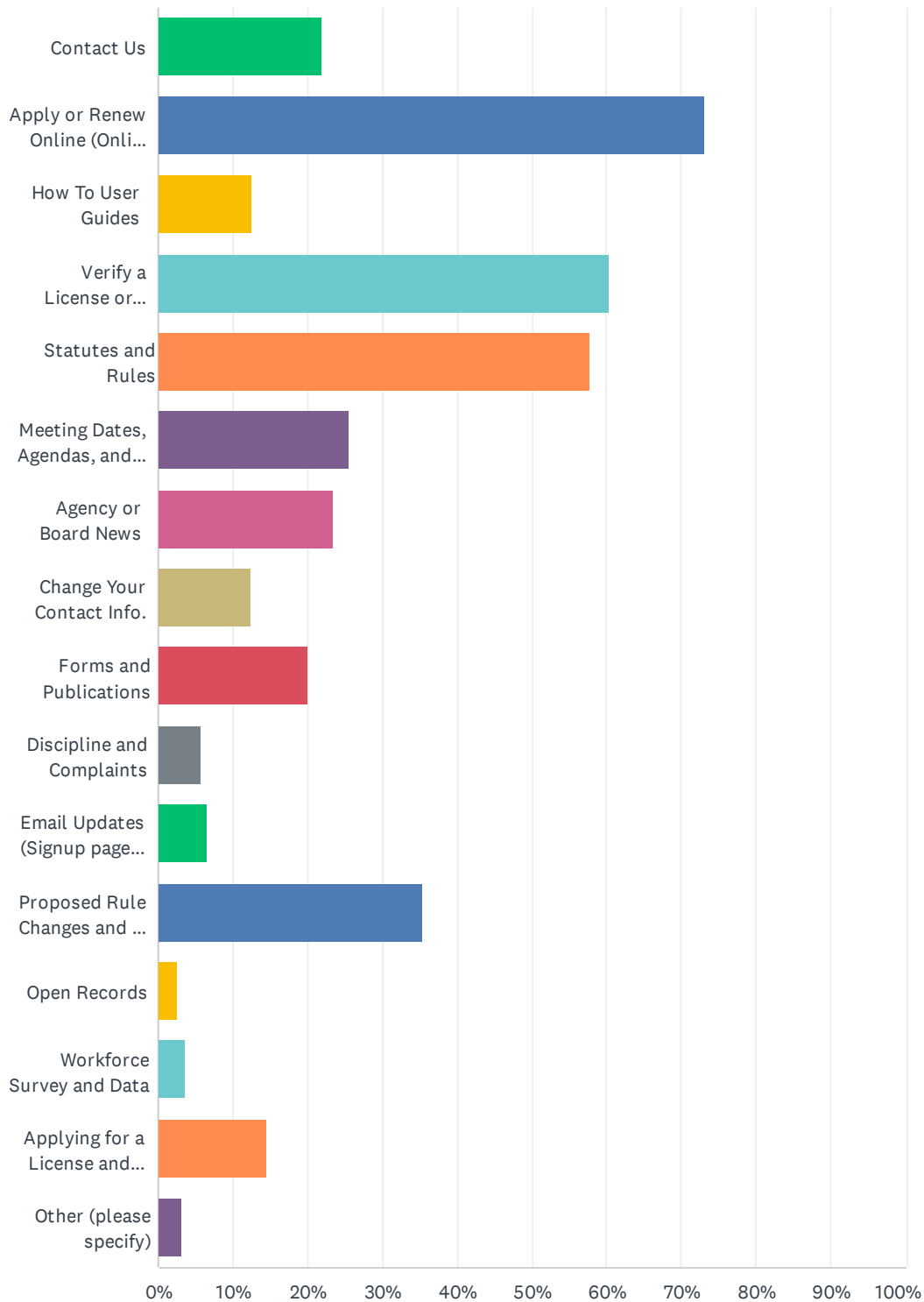
Answered: 2,907 Skipped: 559



ANSWER CHOICES	RESPONSES	
Yes	91.92%	2,672
No	8.08%	235
<b>TOTAL</b>		<b>2,907</b>

## Q9 Which section(s) of the website did you visit (check all that apply)

Answered: 2,771 Skipped: 695



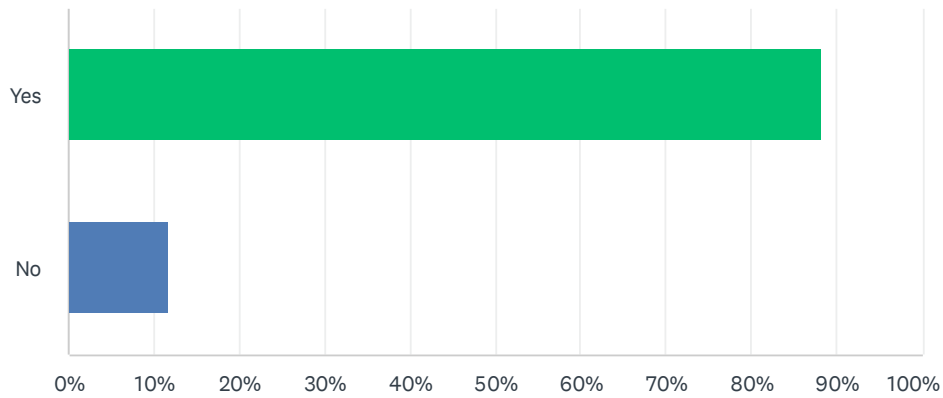
2023 Texas Behavioral Health Executive Council Customer Service Survey

ANSWER CHOICES	RESPONSES	
Contact Us	22.01%	610
Apply or Renew Online (Online Licensing System)	73.04%	2,024
How To User Guides	12.56%	348
Verify a License or Check License Status	60.34%	1,672
Statutes and Rules	57.74%	1,600
Meeting Dates, Agendas, and Minutes	25.66%	711
Agency or Board News	23.53%	652
Change Your Contact Info.	12.41%	344
Forms and Publications	19.99%	554
Discipline and Complaints	5.77%	160
Email Updates (Signup page for agency's email subscription service)	6.60%	183
Proposed Rule Changes and the Rulemaking Process	35.44%	982
Open Records	2.63%	73
Workforce Survey and Data	3.72%	103
Applying for a License and Timelines	14.51%	402
Other (please specify)	3.28%	91
Total Respondents: 2,771		



## Q10 Was the information obtained from the website helpful?

Answered: 2,750 Skipped: 716



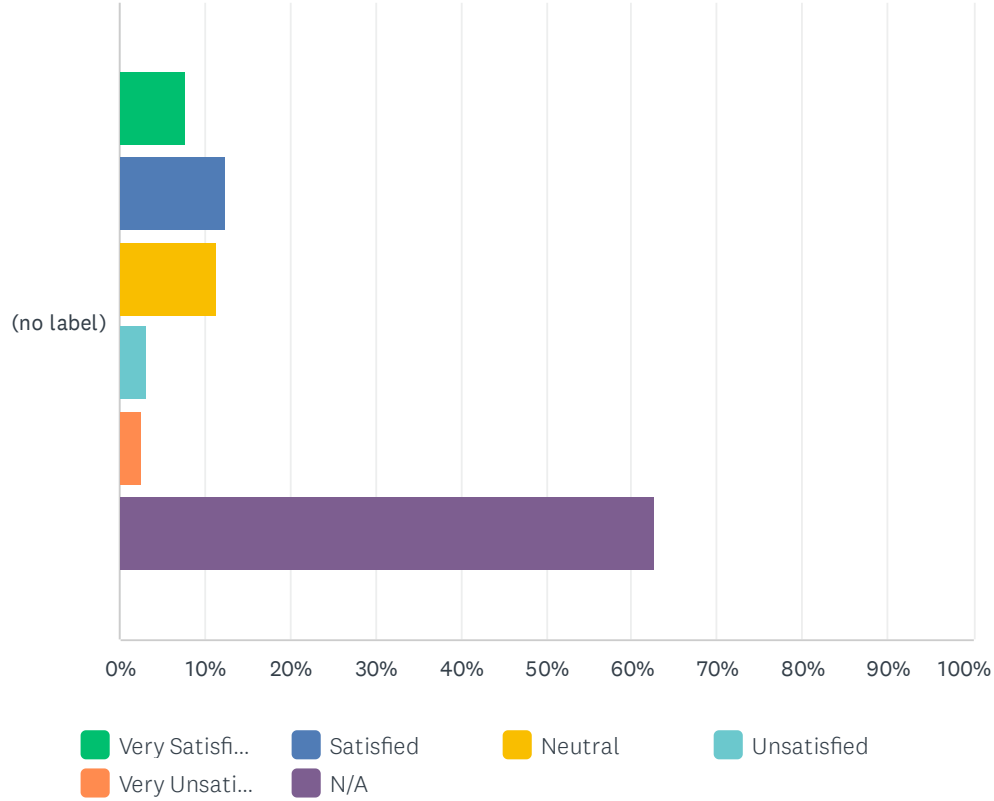
ANSWER CHOICES	RESPONSES	
Yes	88.25%	2,427
No	11.75%	323
<b>TOTAL</b>		<b>2,750</b>

## Q11 What changes or improvements, if any, would you recommend for the website?

Answered: 1,114 Skipped: 2,352

### Q12 How satisfied are you with the agency's facilities, including your ability to access the agency, the office location, signs, and cleanliness?

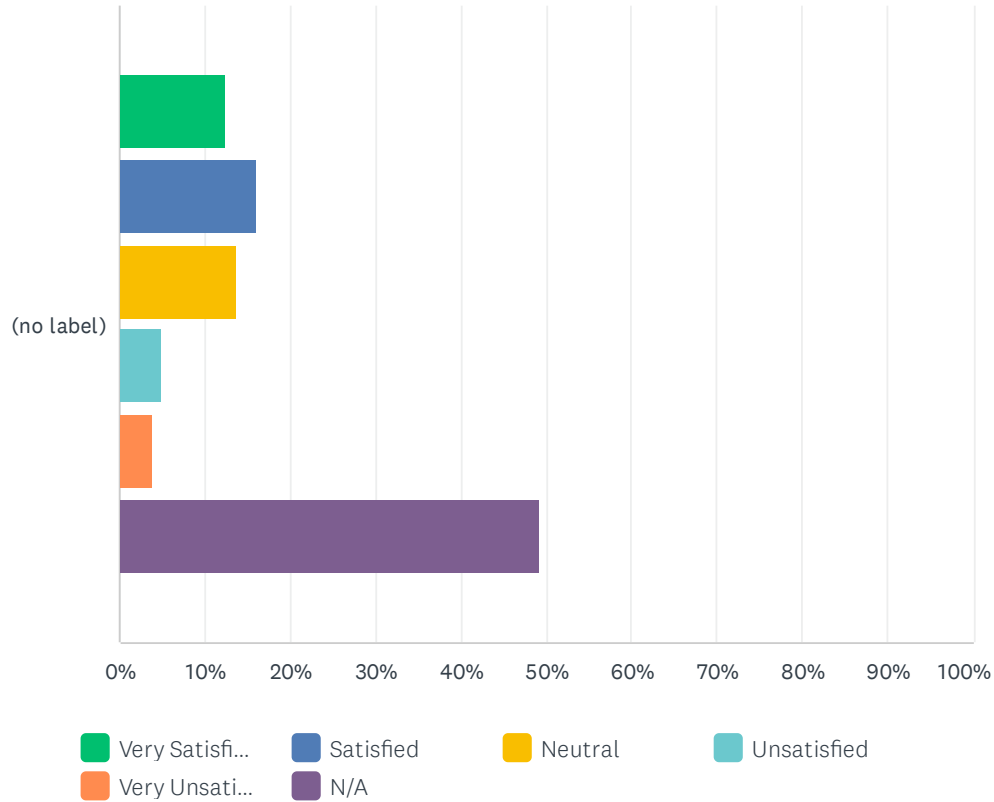
Answered: 2,723 Skipped: 743



	VERY SATISFIED	SATISFIED	NEUTRAL	UNSATISFIED	VERY UNSATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
(no label)	7.75% 211	12.41% 338	11.24% 306	3.23% 88	2.61% 71	62.76% 1,709	2,723	3.52

Q13 How satisfied are you with agency staff, including employee courtesy, friendliness, and knowledgeability, and whether staff members adequately identify themselves to customers by name, including the use of name plates or tags for accountability.

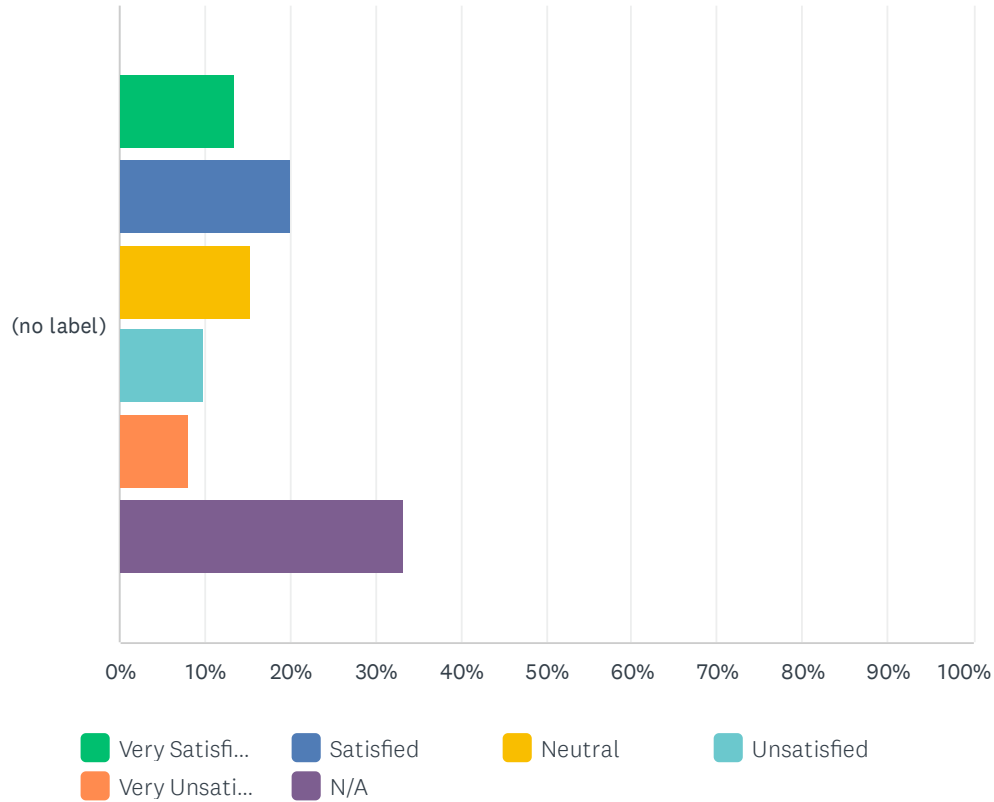
Answered: 2,716 Skipped: 750



	VERY SATISFIED	SATISFIED	NEUTRAL	UNSATISFIED	VERY UNSATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
(no label)	12.37% 336	15.98% 434	13.73% 373	4.82% 131	3.83% 104	49.26% 1,338	2,716	3.56

### Q14 How satisfied are you with agency communications, including toll-free telephone access, the average time you spend on hold, call transfers, access to a live person, letters, electronic mail, and any applicable text messaging or mobile applications?

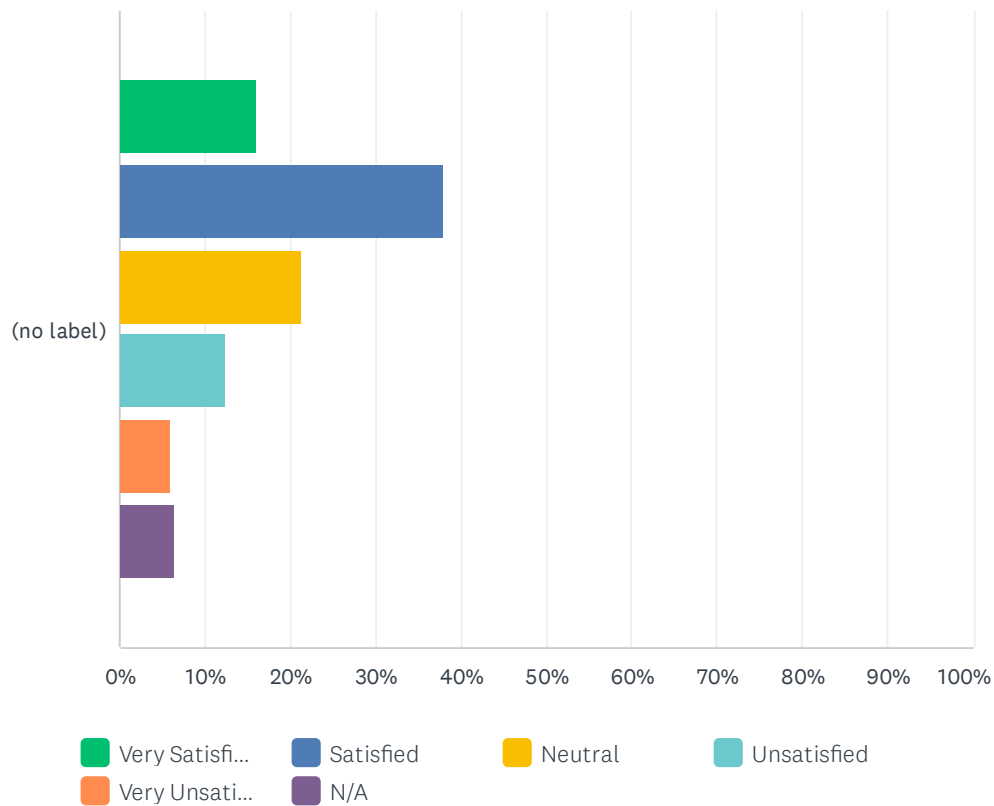
Answered: 2,715 Skipped: 751



	VERY SATISFIED	SATISFIED	NEUTRAL	UNSATISFIED	VERY UNSATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
(no label)	13.52% 367	20.00% 543	15.36% 417	9.83% 267	8.07% 219	33.22% 902	2,715	3.32

**Q15 How satisfied are you with the agency's internet site, including the ease of use of the site, mobile access to the site, information on the location of the site and the agency, and information accessible through the site such as a listing of services and programs and whom to contact for further information or to complain?**

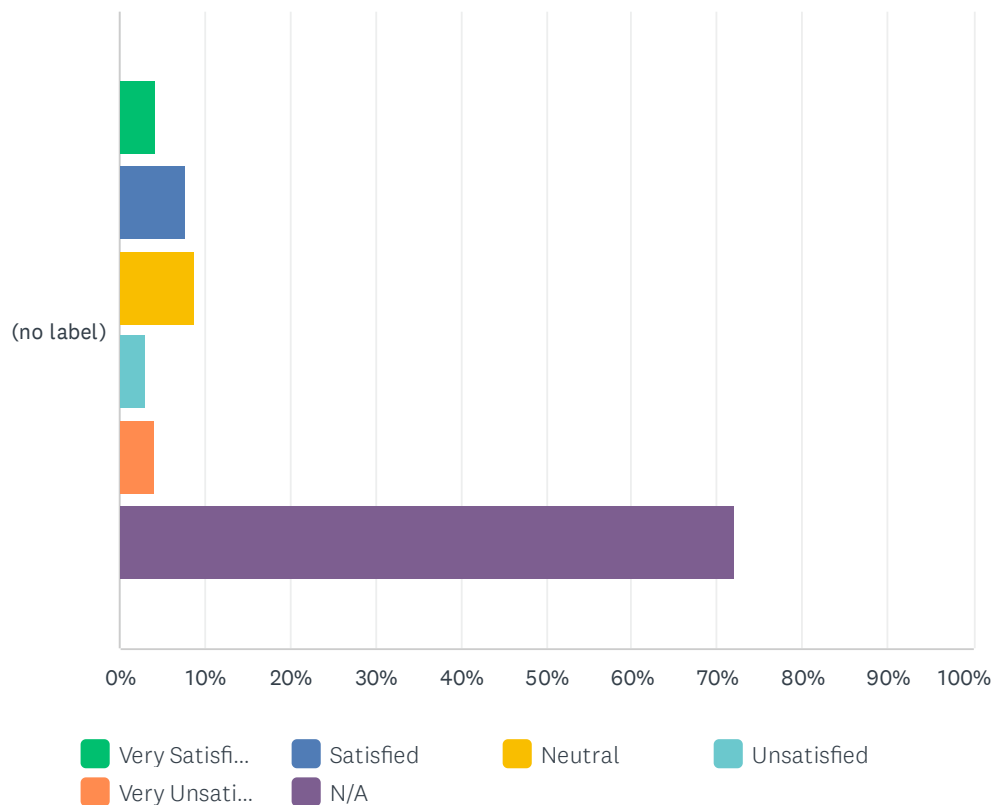
Answered: 2,716 Skipped: 750



	VERY SATISFIED	SATISFIED	NEUTRAL	UNSATISFIED	VERY UNSATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
(no label)	16.09% 437	37.89% 1,029	21.39% 581	12.37% 336	5.96% 162	6.30% 171	2,716	3.49

### Q16 How satisfied are you with the agency's complaint handling process, including whether it is easy to file a complaint and whether responses are timely?

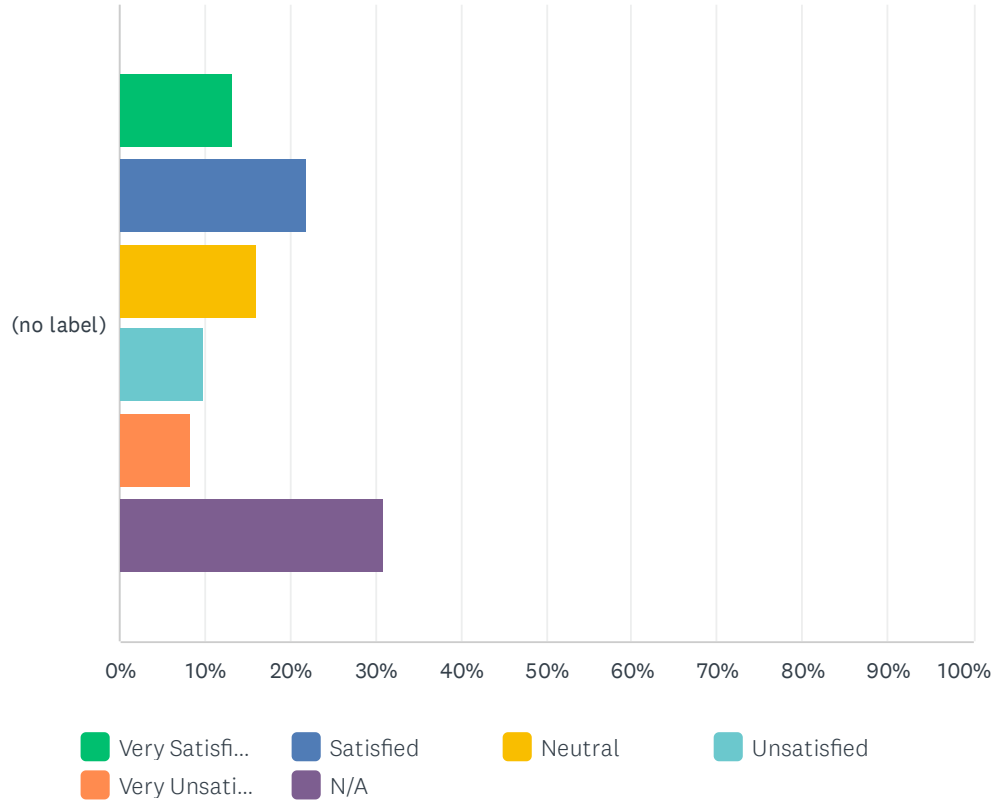
Answered: 2,711 Skipped: 755



	VERY SATISFIED	SATISFIED	NEUTRAL	UNSATISFIED	VERY UNSATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
(no label)	4.24%	7.75%	8.78%	3.06%	4.13%	72.04%	2,711	3.18
	115	210	238	83	112	1,953		

### Q17 How satisfied are you with the agency's ability to timely serve you, including the amount of time you wait for service in person, by phone, by letter, or by email?

Answered: 2,710 Skipped: 756

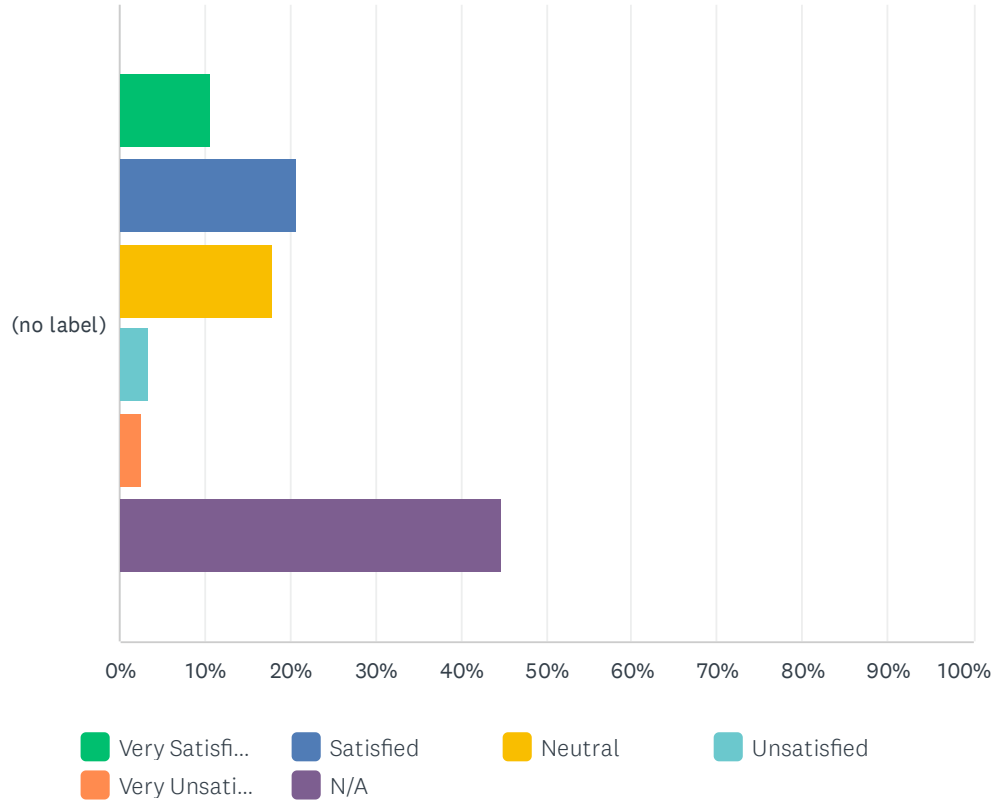


	VERY SATISFIED	SATISFIED	NEUTRAL	UNSATISFIED	VERY UNSATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
(no label)	13.14% 356	21.96% 595	15.98% 433	9.85% 267	8.27% 224	30.81% 835	2,710	3.32



### Q18 How satisfied are you with any agency brochures or other printed information, including the accuracy of that information?

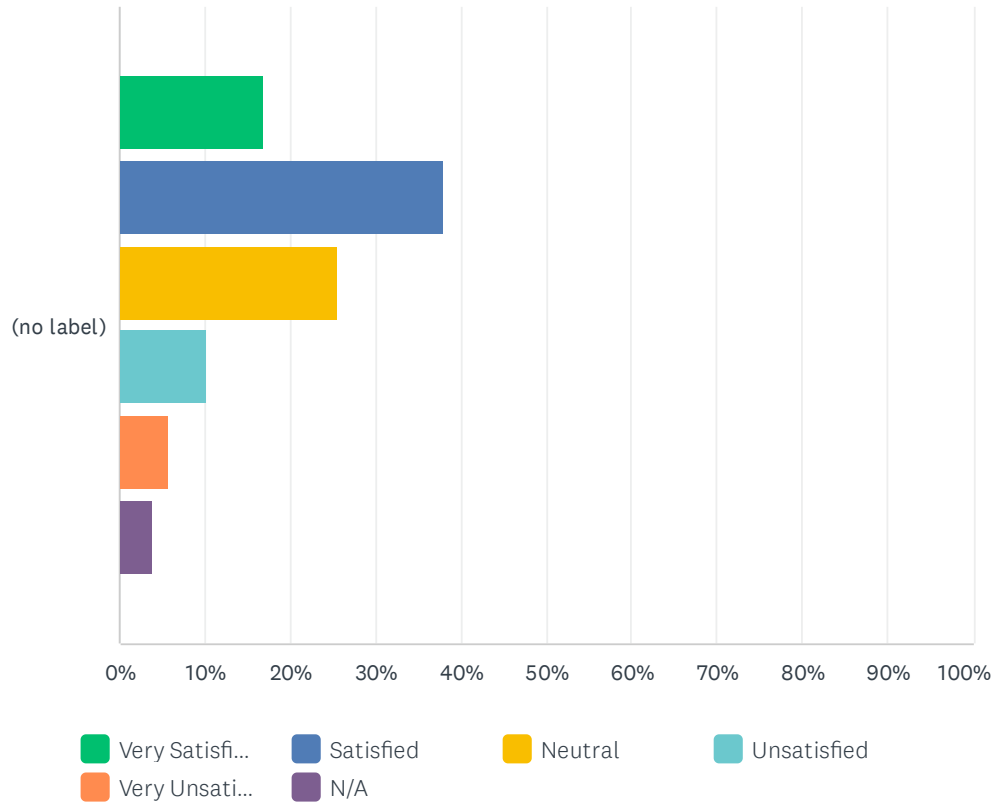
Answered: 2,705 Skipped: 761



	VERY SATISFIED	SATISFIED	NEUTRAL	UNSATISFIED	VERY UNSATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
(no label)	10.65% 288	20.74% 561	17.89% 484	3.36% 91	2.48% 67	44.88% 1,214	2,705	3.61

## Q19 Please rate your overall satisfaction with the agency.

Answered: 2,724 Skipped: 742



	VERY SATISFIED	SATISFIED	NEUTRAL	UNSATISFIED	VERY UNSATISFIED	N/A	TOTAL	WEIGHTED AVERAGE
(no label)	16.78% 457	37.92% 1,033	25.62% 698	10.24% 279	5.69% 155	3.74% 102	2,724	3.52

## Q20 What functions or services do you feel the Executive Council does a good job of providing?

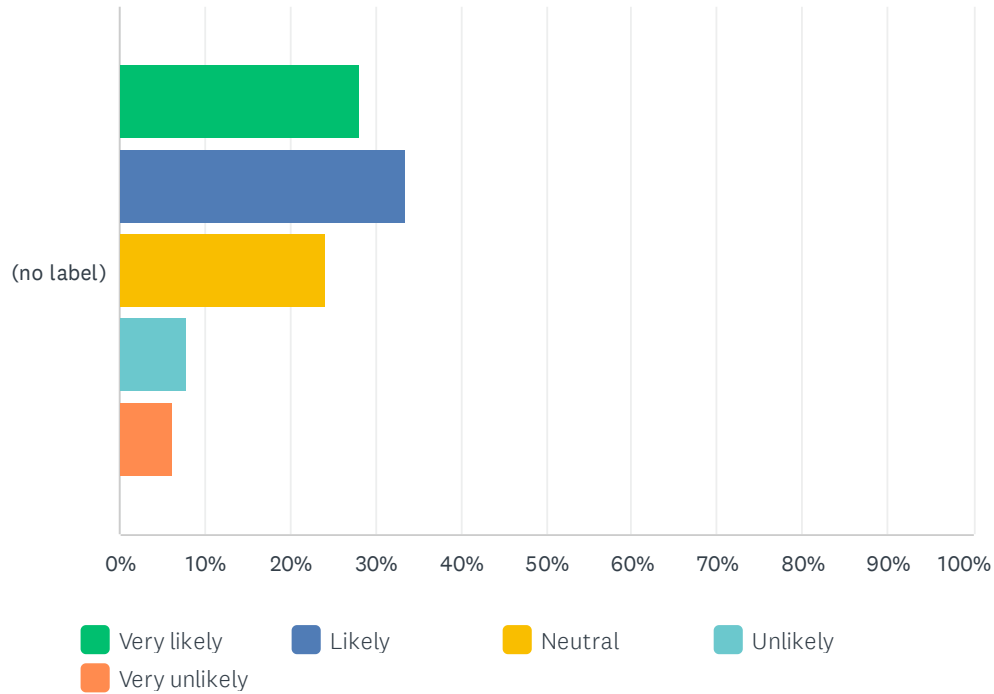
Answered: 1,266 Skipped: 2,200

## Q21 What functions or services do you feel the Executive Council needs to improve upon?

Answered: 1,280 Skipped: 2,186

## Q22 How likely are you to recommend that your colleagues contact the Executive Council for answers or assistance?

Answered: 2,543 Skipped: 923



	VERY LIKELY	LIKELY	NEUTRAL	UNLIKELY	VERY UNLIKELY	TOTAL	WEIGHTED AVERAGE
(no label)	28.23%	33.50%	24.14%	7.90%	6.21%	2,543	3.70
	718	852	614	201	158		

## 2024 BHEC Rule Review - Proposed Timeline and Focus Areas

### **February/March 2024**

- Staff review all rules to confirm statutory authority and determine whether legal requirements or standard practice has changed in a way that may require rule amendments.

### **April/May 2024**

- Rule committee members will be sent materials to review and identify rules that may need amendment or repeal.

### **May/June 2024**

- Rule committees meet to discuss findings and identify rules for re adoption, amendment, or repeal.

### **June/July 2024**

- Staff publishes formal notice of rule review to seek public comment.
- Staff presents updates at board meetings regarding anticipated proposals to readopt, amend, or repeal rules.

### **July/August 2024**

- Staff host townhall-style meetings to solicit licensee and public comment on potential re adoption, amendment, or repeal of rules.

### **September/October 2024**

- Staff present final rule review findings and proposals to each board.
- Boards vote on re adoption or repeal of rules or direct staff to develop individual rule amendment proposals.
  - Re adoption of rules would become effective upon final approval.
  - Repeal of rules would be published as a new notice in the Texas Register and considered for adoption at the next board meeting.
  - Amendments would be offered for proposal in the Texas Register at the next (and subsequent) board meetings.

### **January/February 2025**

- Boards would consider final approval of repeal of rules identified through rule review process.
- Staff would present potential rule amendments as new rulemaking proposals to be published in the Texas Register.

### **Questions to guide rule review:**

1. Do any rules lack statutory authority to enforce?
2. Have any statutory, legal, or standard practice requirements changed, such that a rule no longer accurately reflects agency and industry practice?
3. Does the application of any rule or interaction of multiple rules cause operational problems for the agency?
4. Do any rule requirements exceed the level of regulation necessary to protect the public?
5. Do any rule requirements need amendment to more effectively regulate the profession?