

COMPLAINT NO. 2024-00218

IN THE MATTER OF

MIKI TESH

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**BEFORE THE TEXAS BEHAVIORAL
HEALTH EXECUTIVE COUNCIL**

**THE TEXAS STATE BOARD
OF SOCIAL WORKER
EXAMINERS**

AGREED ORDER

Pursuant to the authority under §507.305 of the Texas Occupations Code, §2001.056 of the Government Code, and 22 Texas Administrative Code §884.12(e), the Executive Director for the Texas Behavioral Health Executive Council ("Council") hereby approves, ratifies, and enters this Agreed Order with the following Findings of Fact, Conclusions of Law, and Order of the Council, which have been approved and accepted by Miki Tesh ("Respondent") and which constitutes a full settlement and compromise of the complaint currently pending against Respondent before the Council in the above-referenced and numbered matter.

FINDINGS OF FACT

1. Respondent is licensed as a clinical social worker (#53341) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. On or about September 15, 2023, Respondent issued an Emotional Support Animal Accommodation letter which diagnosed a client with a mental health condition and determined that the condition resulted in the client having a "psychiatric disability."
3. Respondent's only contact with the client was reviewing a questionnaire the client filled out and a brief phone call that discussed administrative issues.
4. Respondent's assessment process was inadequate and did not meet accepted professional standards to diagnose or determine disability.
5. Respondent has implemented numerous corrective actions to ensure that a similar violation does not occur.

CONCLUSIONS OF LAW

1. Respondent voluntarily received a license from the Council and, therefore, is bound by the provisions of Chapters 505 and 507 of the Texas Occupations Code and the Rules of the Council, 22 Texas Administrative Code Parts 34 and 41.
2. Violation of the Council's Rules is unprofessional conduct and constitutes grounds for the

imposition of sanctions under §§505.451, 507.301, and 507.351 of the Texas Occupations Code.

3. Based on the above Findings of Fact, the Council finds that Respondent violated Council Rules 781.301(5) and (12), 781.303(3), and 781.316(a).

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Respondent's license is hereby REPRIMANDED.
2. Respondent is assessed and shall pay, within thirty (30) days of the date this order is ratified, an administrative penalty in the total amount of \$2,500.00; of which \$2,000.00 represents administrative costs and \$500.00 represents administrative penalty.

WARNING

RESPONDENT'S FAILURE TO COMPLY WITH ONE OR MORE TERMS OF THIS ORDER MAY CONSTITUTE A VIOLATION OF 22 TEXAS ADMINISTRATIVE CODE §884.55 REQUIRING FURTHER DISCIPLINARY ACTION.

WAIVERS

On the underlying investigative file, Respondent has waived his or her right to an informal settlement conference, a formal hearing before an Administrative Law Judge at the State Office of Administrative Hearings (SOAH), and judicial review pursuant to Texas Government Code Chapter 2001, in exchange for the conditions set out in this Agreed Order.

THE RESPONDENT, BY SIGNING THIS ORDER, AGREES TO ITS TERMS, ACKNOWLEDGES UNDERSTANDING OF THE FORMAL NOTICES, FINDINGS OF FACT, AND CONCLUSIONS OF LAW SET FORTH HEREIN AND COVENANTS TO SATISFACTORILY COMPLY WITH THE MANDATES OF THIS ORDER IN A TIMELY MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES THAT HE OR SHE HAS AGREED TO THIS ORDER UPON THE ADVICE AND CONSENT OF COUNSEL, OR THAT HE OR SHE HAS HAD THE OPPORTUNITY TO HAVE THIS ORDER REVIEWED BY COUNSEL OF HIS OR HER CHOICE.

FOR THE RESPONDENT:



Miki Tesh
Clinical Social Worker
License #53341

DATE SIGNED: 7/1/25

FOR THE STAFF OF THE COUNCIL:



Brian Clark
Texas Bar No. 24099457
Staff Attorney
Texas Behavioral Health Executive Council
1801 Congress Ave., Suite 7.300
Austin, Texas 78701

DATE SIGNED: 7/7/25

APPROVED, RATIFIED, AND ENTERED THIS 10th DAY OF July, 2025.



Darrel Spinks
Executive Director
Texas Behavioral Health Executive Council