

# Texas State Board of Social Worker Examiners

Board Meeting Agenda for January 9, 2026, 10 a.m.

The January 9, 2026 meeting of the Texas State Board of Social Worker Examiners will be held by videoconference call, as authorized under Texas Government Code §551.127. One or more board members may appear at the scheduled meeting via videoconference call or in-person, and the presiding member will be physically present at 1801 Congress Avenue, Suite 4.300, Austin, Texas 78701. In the event of internet connectivity problems, the physical meeting location will be moved to 1801 Congress Avenue, Suite 7.102 or 7.301, Austin, Texas 78701. These alternate locations will be open to the public, but seating is limited to first come, first served. Due to the size of these alternate meeting rooms, public seating will be limited by their relative occupancy ratings.

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/88927873942> 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 who wish to give public comment, after the meeting convenes and the public comment item is reached on the agenda, the presiding member 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 allowed to unmute and 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 asked whether they would like to make a public comment. (Those attending by phone use \*6 to unmute.) 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 via <https://forms.office.com/r/eSi61PWYrn>. Only those written public comments received by 5 p.m. on the last business day prior to 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: 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.

## SW BOARD MEETING AGENDA FOR JANUARY 9, 2026, 10 A.M.

1. Call to order. *Includes roll call and excusal of absences if necessary.*
2. Welcome and announcements. *Includes items of public interest and concern.*
3. Public Comment. *Comments will be received from individuals attending in person, by virtual meeting, and by phone.*

INFORMATIONAL ITEMS – NO ACTIONS WILL BE TAKEN.

4. Reports on general matters.
  - a. Report from the Board Chair. *May include discussion of 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.*
  - b. Report from the Board's Delegates to the Texas Behavioral Health Executive Council. *May include discussion regarding the activities of the Executive Council, including recently proposed or adopted rules.*
  - c. Report from the Board Administrator and other staff. *May include discussion of operations, organization, and staffing; workload processing and statistical information; 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.*
  - d. Reports from Committees.
    1. Report from Ethics Committee Chair Mr. Brumley.
    2. Report from Licensing Standards and Qualification Committee Chair Ms. Delapeña.
    3. Report from Professional Development Committee Chair Mr. Trevino.
    4. Report from Rules Committee Chair Ms. Andrade.

MATTERS FOR POTENTIAL BOARD ACTION

5. Board discussion and possible action to re-elect or replace public member delegate to the Texas Behavioral Health Executive Council per Texas Occupations Code §507.051 *Executive Council Membership*, Quida Pryor, whose term as delegate expires February 1, 2026, per Title 22 of the Texas Administrative Code [§881.4](#), *Council Member Terms*.
6. Licensing matters. *May include discussion of licensing regulations and operations as they pertain to application processing.*
  - a. Board review and possible action on appeal of license applications, including Edward Hoggard, Theresa Kelly, Marjorie Landron, and Jimmy McGuire.
7. Examination matters. *May include reports from the Board's jurisprudence exam vendor and discussion of exam content and format.*
  - a. Board review and possible action related to changes in the Board's jurisprudence exam.
8. Enforcement matters. *May include discussion of quarterly enforcement activities, as well as discussion of agreed orders executed or cases dismissed by the Council's Executive Director.*
  - a. Board review and possible action regarding contested cases from State Office of Administrative Hearings (SOAH) Docket No. 510-25-18192 in the matter of Yalonda Pone.
  - b. Board review and possible action regarding agreed orders to be executed by the Board.
9. Rulemaking. *May include discussion and referral of potential rule changes to the Rules Committee, as well as discussion of the status of rule proposals sent to the Executive Council.*
  - a. Adoption of Rules: Discussion and possible action to recommend adoption of new rules, amendments, or repeal of rules in Title 22 of the Texas Administrative Code:
    1. [§781.102](#) *Definitions*
    2. [§781.302](#) *The Practice of Social Work*
    3. [§781.303](#) *General Standards of Practice*
    4. [§781.322](#) *Child Custody Evaluations*

5. [§781.401](#) *Qualifications for Licensure*
  6. §781.402 [[Proposed Repeal](#)] *Clinical Supervision for LCSW and Non-Clinical Supervision for Independent Practice Recognition*
  7. [§781.402](#) *Types of Supervision*
  8. §781.403 [[Proposed Repeal](#)] *Independent Practice Recognition (Non-Clinical)*
  9. [§781.403](#) *Supervision Process*
  10. [§781.404](#) *Recognition as a Supervisor*
  11. §781.405 [[Proposed Repeal](#)] *Application for Licensure*
  12. [§781.405](#) *Clinical Supervision for Licensed Clinical Social Worker*
  13. §781.406 [[Proposed Repeal](#)] *Required Documentation of Qualifications for Licensure*
  14. [§781.406](#) *Independent Practice Recognition*
  15. [§781.407](#) *Prohibited Independent Practice*
  16. [§781.419](#) *Licensing of Military Service Members, Military Veterans, and Military Spouses*
  17. [§781.805](#) *Schedule of Sanctions*
- b. Proposal of Rules: Discussion and possible action to recommend proposal of new rules, amendments, or repeal of rules in Title 22 of the Texas Administrative Code:
10. Discussion and possible action concerning July 11, 2025, letter from Council Chair, John Bielamowicz, to board members and licensees, calling for insights and suggestions to enhance disaster response.
  11. Discussion and possible action concerning Texas Behavioral Health Executive Council's December 18, 2025, Ketamine-Assisted Therapy: A Townhall Discussion on Ethical Practice, Patient Safety, and Professional Standards.
  12. Recommendations for agenda items for the next meeting.
  13. Adjournment.

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

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

When: January 9, 2026, 10 a.m. Central Time (US and Canada)

Topic: Texas State Board of Social Worker Examiners' January 9, 2026 meeting

Join from PC, Mac, iPad, or Android: <https://us02web.zoom.us/j/88927873942>

Phone one-tap:

+13462487799,,88927873942# US (Houston)

+16699009128,,88927873942# US (San Jose)

Join via audio:

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 669 444 9171 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

Webinar ID: 889 2787 3942

International numbers available: <https://us02web.zoom.us/j/88927873942>

### Summary of Council's Activities

A. Affecting Title 22 of the Texas Administrative Code (22 TAC), the Council's rulemaking actions taken at its October 14, 2025, meeting, included adopted rules, published in the November 7, 2025, *Texas Register* and **effective November 9, 2025**:

1. [§882.1](#) *Application Process* – standardizes the expiration of incomplete license applications at 180 days from the date of receipt.
2. [§882.2](#) *General Application File Requirements* – specifies that calculation of time periods for licensed experience shall begin when the relevant license is issued.
3. [§882.21](#) *License Statuses* – allows licensees with a delinquent license to convert that license into inactive status.

B. Affecting 22 TAC, the Council's rulemaking actions taken at its October 14, 2025, meeting included approval for publication of the following proposed rules. Proposed rules were published in the December 5, 2025, *Texas Register*, and the public comment period ended at 5 p.m. on January 4, 2026:

1. [§781.102](#) *Definitions* – updates language related to supervisors to remove terminology that suggests the Council approves individual supervisory relationships.
2. [§781.302](#) *The Practice of Social Work* – updates rule references to clinical and non-clinical supervision plans.
3. [§781.303](#) *General Standards of Practice* – requires a licensee who provides services to a client, who concurrently receives services from another provider, to seek consent from the client to contact the other provider and to strive to establish a collaborative relationship with that provider and clarifies a licensee must report any knowledge of unlicensed practice.
4. [§781.322](#) *Child Custody Evaluations* – conforms the rule to the statutory changes made to §§107.104 and 107.112 of the Family Code by H.B. 2340 from the 89th Legislature, Regular Session (2025).
5. [§781.401](#) *Qualifications for Licensure* – aligns the rule with statutory language, uses more plain language to describe licensure requirements, replacing the phrase "Council-approved supervisor" with the more accurate term "qualified supervisor," and removes language related to the independent practice recognition specialty, which is proposed to be included in a new rule.
6. [§781.402](#) [[Proposed Repeal](#)] *Clinical Supervision for LCSW and Non-Clinical Supervision for Independent Practice Recognition*
7. [§781.402](#) *Types of Supervision* – consolidates existing rule language regarding the types of supervision provided by social work licensees and makes non-substantive edits, using more plain, direct language.
8. [§781.403](#) [[Proposed Repeal](#)] *Independent Practice Recognition (Non-Clinical)*
9. [§781.403](#) *Supervision Process* – consolidates existing rule language regarding the supervision process and requirements supervisors must perform; clarifies the type of records a supervisor must keep, including a detailed log of supervision sessions and a plan for the custody of records in the event a supervisor ceases practice; requires a supervisee to notify supervisors of any pending complaints against the supervisee and to share a copy of any remediation plan with all current and future supervisors; and makes non-substantive edits to use more plain, direct language.
10. [§781.404](#) *Recognition as a Supervisor* – consolidates existing rule language regarding the requirements to hold supervisor status, clarifies that a supervisor must hold a social work license issued by the Council, adds requirements for actions a licensee must take if supervisor status is revoked or expires, and removes language related to types of supervision and the supervision process, which is proposed to move to other consolidated rule sections.

11. §781.405 [[Proposed Repeal](#)] *Application for Licensure*
12. [§781.405](#) *Clinical Supervision for Licensed Clinical Social Worker* – consolidates existing rule language related to accruing clinical supervised experience and applying to reclassify LMSW to LCSW, including what information must be submitted to the Council with the application; clarifies how an LMSW may continue to perform clinical social work services after completing supervised experience requirements; and makes non-substantive edits to use more plain, direct language.
13. §781.406 [[Proposed Repeal](#)] *Required Documentation of Qualifications for Licensure*
14. [§781.406](#) *Independent Practice Recognition* – consolidates existing rule language related to the independent practice recognition (IPR) specialty, including requirements to qualify for the specialty designation and qualification to supervise the experience required to earn the specialty; clarifies that an LBSW or LMSW under supervision toward the IPR designation may own and operation a non-clinical practice under that supervision; and makes non-substantive edits to use more plain, direct language.
15. [§781.407](#) *Prohibited Independent Practice* – consolidates existing rule language related to prohibitions on independent social work practice, including that an LMSW working towards an LCSW may not own or operate a private practice to provide clinical social work services; expands the guidelines the Council will rely on; and makes clarifying edits to better guide a determining whether independent practice is occurring.
16. [§781.419](#) *Licensing of Military Service Members, Military Veterans, and Military Spouses* – aligns the Council's rules with changes made to Texas Occupations Code Chapter 55 by the 89th Legislature, regarding licensing of military service members, veterans, and spouses.
17. [§781.805](#) *Schedule of Sanctions* –

C. Affecting 22 TAC, the Council's rulemaking actions taken at its October 14, 2025, meeting included approval for publication of the following proposed rules. Proposed rules were published in the December 12, 2025, *Texas Register*, and the public comment period ended at 5 p.m. on January 11, 2026:

1. [§882.60](#) *Special Provisions Applying to Military Service Members, Veterans, and Spouses* – aligns the Council's rules with changes made to Texas Occupations Code Chapter 55 by the 89th Legislature regarding licensing of military service members, veterans, and spouses.
2. [§882.61](#) *Special Licensing Provisions for Service Members and Military Spouses* – aligns the Council's rules with changes made to Texas Occupations Code Chapter 55 by the 89th Legislature regarding licensing of military service members, veterans, and spouses.
3. [§884.11](#) *Informal Conferences* – streamlines the enforcement process and better aligns it with other agency rules.
4. [§885.1](#) *Executive Council Fees* – removes a prior fee schedule that has not been in effect for over two years; adds a fee for requesting an 11" by 14" wall printing of a license; and conforms language to other rule changes that rename Licensed Specialists in School Psychology to School Psychologist.

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

1. FY2025 4<sup>th</sup> Quarter Performance Measures
2. [Guideline for Use of New and Emerging Practices or Technologies](#)
3. Office of the Governor - Texas Regulatory Efficiency Office rule review

**4th QUARTER PERFORMANCE MEASURES  
FISCAL YEAR 2025**

Submitted to the  
Governor's Office of Budget and Planning  
and the Legislative Budget Board

by

**Texas Behavioral Health Executive  
Council**

  
Executive Director

Revised October 13, 2025

  
Date

**Efficiency/Output Measures with Cover Page and Update Explanation**  
 88th Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

10/13/2025 1:14:51PM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
<u>1-1-1 LICENSING</u>					
1 # NEW LICENSEES ISSUED					
Quarter 1	9,300.00	2,734.00	2,734.00	29.40 %	1,860.00 - 2,790.00
Quarter 2	9,300.00	2,890.00	5,624.00	60.47 % *	4,185.00 - 5,115.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of new licenses issued is 9,300, or 2,325 per quarter. During the second quarter of FY 25, the agency exceeded its target by issuing 2,890 for the quarter. The agency cannot predict how many applicants will qualify for licensure, and processes all applications in a timely manner.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of new licenses issued each quarter (with the exception of the fourth quarter, when there are more applications received) is averaging over 2,800 due to the dedication and efficiency of the licensing staff and the significant workforce shortage of behavioral health providers. The licensing staff will continue to process all qualified applicants, and therefore the agency believes this measure will continue to be met or exceeded during the biennium. Additionally, the agency has requested that this target be increased to 12,000 in its 2026-2027 LAR.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Output Measures**

1 # NEW LICENSEES ISSUED

Quarter 3	9,300.00	2,901.00	8,525.00	91.67 % *	6,510.00 - 7,440.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of new licenses issued is 9,300, or 2,325 per quarter. During the third quarter of FY 25, the agency exceeded its target by issuing 2,901 for the quarter. The agency cannot predict how many applicants will qualify for licensure, and processes all applications in a timely manner.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of new licenses issued each quarter (with the exception of the fourth quarter, when there are more applications received) is averaging over 2,800 due to the dedication and efficiency of the licensing staff and the significant workforce shortage of behavioral health providers. The licensing staff will continue to process all qualified applicants, and therefore the agency believes this measure will continue to be met or exceeded during the biennium. Additionally, this target has been increased to 12,000 for the 2026-2027 biennium.

\* Varies by 5% or more from target.

Efficiency/Output Measures with Cover Page and Update Explanation  
 88th Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

10/13/2025 1:14:51PM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
1 # NEW LICENSEES ISSUED					
<b>Quarter 4</b>	9,300.00	3,568.00	12,093.00	130.03 % *	8,835.00 - 9,765.00
<u>Explanation of Variance:</u> FACTORS CAUSING THE VARIANCE:					
The FY25 target for number of new licenses issued is 9,300, or 2,325 per quarter. During the fourth quarter of FY 25, the agency exceeded its target by issuing 3,568 for the quarter. The agency cannot predict how many applicants will qualify for licensure, and processes all applications in a timely manner.					
HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:					
The number of new licenses issued each quarter (with the exception of the fourth quarter, when there are more applications received) is averaging over 3,000 due to the dedication and efficiency of the licensing staff and the significant workforce shortage of behavioral health providers. The licensing staff will continue to process all qualified applicants, and therefore the agency believes this measure will continue to be met or exceeded during the biennium. Additionally, this target has been increased to 12,000 for the 2026-2027 biennium.					
<u>Explanation of Update:</u> Tracking change.					
2 # LICENSE RENEWALS					
<b>Quarter 1</b>	29,000.00	8,458.00	8,458.00	29.17 %	5,800.00 - 8,700.00

\* Varies by 5% or more from target.

**Efficiency/Output Measures with Cover Page and Update Explanation**  
 88th Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

10/13/2025 1:14:51PM

Agency code: 510

Agency name: **Behavioral Health Executive Council**

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
2 # LICENSE RENEWALS					
<b>Quarter 2</b>	29,000.00	8,777.00	17,235.00	59.43 % *	13,050.00 - 15,950.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of licenses renewed is 29,000, or 7,250 per quarter. During the second quarter of FY 25, the agency exceeded its target by renewing 8,777 licenses. As the agency's licensee population increases, the renewals will continue to increase.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

All license renewals are required to be submitted online and are approved automatically by the online licensing system, unless the licensee is under audit or the agency hasn't received the licensee's fingerprint criminal history results. Licensing staff have little control over how many licensees will choose to renew their license, and therefore how many renewals get processed. However, the agency believes this target will continue to be met or exceeded during the biennium. Additionally, the agency has requested that this target be increased to 34,500 in its 2026-2027 LAR.

\* Varies by 5% or more from target.

**Efficiency/Output Measures with Cover Page and Update Explanation**  
 88th Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

10/13/2025 1:14:51PM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
2 # LICENSE RENEWALS					
<b>Quarter 3</b>	29,000.00	9,218.00	26,453.00	91.22 % *	20,300.00 - 23,200.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of licenses renewed is 29,000, or 7,250 per quarter. During the third quarter of FY 25, the agency exceeded its target by renewing 9,218 licenses. As the agency's licensee population increases, the renewals will continue to increase.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

All license renewals are required to be submitted online and are approved automatically by the online licensing system, unless the licensee is under audit or the agency hasn't received the licensee's fingerprint criminal history results. Licensing staff have little control over how many licensees will choose to renew their license, and therefore how many renewals get processed. However, the agency believes this target will continue to be met or exceeded during the biennium. Additionally, this target has been increased to 34,500 for the 2026-2027 biennium.

\* Varies by 5% or more from target.

**Efficiency/Output Measures with Cover Page and Update Explanation**  
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10/13/2025 1:14:51PM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
2 # LICENSE RENEWALS					
<b>Quarter 4</b>	29,000.00	10,082.00	36,535.00	125.98 % *	27,550.00 - 30,450.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of licenses renewed is 29,000, or 7,250 per quarter. During the fourth quarter of FY 25, the agency exceeded its target by renewing 10,082 licenses. As the agency's licensee population increases, the renewals will continue to increase.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

All license renewals are required to be submitted online and are approved automatically by the online licensing system. Licensing staff have little control over how many licensees will choose to renew their license, and therefore how many renewals get processed. However, the agency believes this target will continue to be met or exceeded during the biennium. Additionally, this target has been increased to 34,500 for the 2026-2027 biennium.

Explanation of Update: Tracking change.

2-1-1 ENFORCEMENT

1 COMPLAINTS RESOLVED

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Output Measures**

1 COMPLAINTS RESOLVED

Quarter 1	610.00	69.00	69.00	11.31 % *	122.00 - 183.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of complaints resolved is 610, or 152 per quarter. During the first quarter of FY 25, the agency fell short of its target by resolving only 69 complaints.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The agency had 670 pending complaints at the end of this quarter and received 178 complaints during the first quarter. While the investigatory time and resources needed to resolve a complaint vary according to the nature and type of complaint received, the agency believes it can closely approach this target assuming it is able to maintain full or near-full staffing level of investigative staff. However, roughly 80% of the existing pending complaints have been investigated and referred to the legal division. Therefore, the agency has requested additional staff attorneys in its 26-27 LAR to address this.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
1 COMPLAINTS RESOLVED					
<b>Quarter 2</b>	610.00	193.00	262.00	42.95 % *	274.50 - 335.50
<p><u>Explanation of Variance:</u> FACTORS CAUSING THE VARIANCE:</p> <p>The FY25 target for number of complaints resolved is 610, or 152 per quarter. During the second quarter of FY 25, the agency exceeded its target by resolving 193 complaints.</p> <p>HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:</p> <p>The agency had 633 pending complaints at the end of this quarter and received 157 complaints during the first quarter. While the investigatory time and resources needed to resolve a complaint vary according to the nature and type of complaint received, the agency believes it can closely approach this target assuming it is able to maintain full or near-full staffing level of investigative staff. However, roughly 80% of the existing pending complaints have been investigated and referred to the legal division, which is understaffed. Therefore, the agency has requested additional staff attorneys in its 26-27 LAR to address this.</p>					
<b>Quarter 3</b>	610.00	167.00	429.00	70.33 %	427.00 - 488.00

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Output Measures**

1 COMPLAINTS RESOLVED

Quarter 4	610.00	178.00	607.00	99.51 %	579.50 - 640.50
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Explanation of Update: No change.

2 COMPLAINTS PENDING

Quarter 1	500.00	670.00	670.00	134.00 % *	475.00 - 525.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of complaints pending is 500. During the first quarter of FY 25, the agency had 670 complaints pending. Of this amount, approximately 80% of these are substantive complaints that have been sent to the legal division after the investigation has been completed.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The agency needs additional staff attorneys to process the substantive complaints that are referred to the legal division in a shorter timeframe. The agency believes that the average complaints pending will continue to exceed the target of 500 for the remainder of the biennium, even assuming the Council is able to maintain full or close-to-full staffing levels. The agency has requested additional staff attorneys in its 26-27 LAR to address this.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
2 COMPLAINTS PENDING					
<b>Quarter 2</b>	500.00	633.00	633.00	126.60 % *	475.00 - 525.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of complaints pending is 500. During the second quarter of FY 25, the agency had 633 complaints pending. Of this amount, approximately 80% of these are substantive complaints that have been sent to the legal division after the investigation has been completed.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The agency needs additional staff attorneys to process the substantive complaints that are referred to the legal division in a shorter timeframe. The agency believes that the average complaints pending will continue to exceed the target of 500 for the remainder of the biennium, even assuming the Council is able to maintain full or close-to-full staffing levels. The agency has requested additional staff attorneys in its 26-27 LAR to address this.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
2 COMPLAINTS PENDING					
<b>Quarter 3</b>	500.00	682.00	682.00	136.40 % *	475.00 - 525.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of complaints pending is 500. During the third quarter of FY 25, the agency had 682 complaints pending. Of this amount, approximately 70% of these are substantive complaints that have been sent to the legal division after the investigation has been completed.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The agency needs additional staff attorneys to process the substantive complaints that are referred to the legal division in a shorter timeframe. The agency believes that the average complaints pending will continue to exceed the target of 500 for the remainder of the biennium, even assuming the Council is able to maintain full or close-to-full staffing levels. The agency has requested additional funding to fill two staff attorney positions in its 26-27 LAR to address this.

\* Varies by 5% or more from target.

**Efficiency/Output Measures with Cover Page and Update Explanation**  
 88th Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

10/13/2025 1:14:51PM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
2 COMPLAINTS PENDING					
Quarter 4	500.00	747.00	747.00	149.40 % *	475.00 - 525.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for number of complaints pending is 500. At the end of FY 25, the agency had 747 complaints pending. Of this amount, approximately 65% of these are substantive complaints that have been sent to the legal division after the investigation has been completed.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The agency needs additional staff attorneys to process the substantive complaints that are referred to the legal division in a shorter timeframe. The agency received additional funding to fill two staff attorney positions in its 26-27 LAR to address this.

Explanation of Update: Tracking change. Tracking change.

**Efficiency Measures**

1-1-1 LICENSING

1 AVG TIME TO PROCESS APP (DAYS)

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Efficiency Measures**

1 AVG TIME TO PROCESS APP (DAYS)

Quarter 1	55.00	29.81	29.81	54.20 % *	52.25 - 57.75
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for the average time for license issuance is 55 days. In the first quarter of FY 25, the agency bested this measure by having an average license issuance time of only 30 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance for FY 24 was 30 days. This number has remained an average of 30 days, due to the dedication and efficiency of the licensing staff. The agency believes that this target will continue to be met or beat during the biennium assuming the Council is able to maintain full or close-to-full staffing levels. Additionally, the agency requested that this target be lowered to 35 days in its 2026-2027 LAR.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Efficiency Measures**

1 AVG TIME TO PROCESS APP (DAYS)

Quarter 2	55.00	31.92	30.90	56.18 % *	52.25 - 57.75
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for the average time for license issuance is 55 days. In the second quarter of FY 25, the agency bested this measure by having an average license issuance time of only 32 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance for FY 24 was 30 days. This number has remained an average of 30-31 days, due to the dedication and efficiency of the licensing staff. The agency believes that this target will continue to be met or beat during the biennium assuming the Council is able to maintain full or close-to-full staffing levels. Additionally, the agency requested that this target be lowered to 35 days in its 2026-2027 LAR.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
-----------------------	-------------	-------------	----------	--------------------------	--------------

**Efficiency Measures**

1 AVG TIME TO PROCESS APP (DAYS)

Quarter 3	55.00	30.91	30.91	56.20 % *	52.25 - 57.75
-----------	-------	-------	-------	-----------	---------------

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for the average time for license issuance is 55 days. In the third quarter of FY 25, the agency bested this measure by having an average license issuance time of only 31 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance for FY 24 was 30 days. This number has remained an average of 30-31 days, due to the dedication and efficiency of the licensing staff. The agency believes that this target will continue to be met or beat during the biennium assuming the Council is able to maintain full or close-to-full staffing levels. Additionally, this target has been lowered to 35 days for the 2026-2027 biennium.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Efficiency Measures**

1 AVG TIME TO PROCESS APP (DAYS)

Quarter 4	55.00	24.87	29.12	52.95 % *	52.25 - 57.75
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for the average time for license issuance is 55 days. In the fourth quarter of FY 25, the agency bested this measure by having an average license issuance time of only 25 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance for FY 24 was 30 days. This number has remained an average of 30 days, due to the dedication and efficiency of the licensing staff. The agency believes that this target will continue to be met or beat during the biennium assuming the Council is able to maintain full or close-to-full staffing levels. Additionally, this target has been lowered to 35 days for the 2026-2027 biennium.

Explanation of Update: Tracking change.

2-1-1 ENFORCEMENT

1 AVG TIME/COMPLAINT RESOLUTION

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
<b>Efficiency Measures</b>					
1 AVG TIME/COMPLAINT RESOLUTION					
Quarter 1	625.00	309.94	309.94	49.59 % *	593.75 - 656.25

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for the average time for complaint resolution is 625 days. In the first quarter of FY 25, the agency bested this measure by having an average processing resolution time of 310 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for complaint resolution for FY 24 was 312 days. This number has now slightly decreased to an average of 310 days. Even with the dedication and efficiency of the enforcement and legal staff, the agency needs additional staff attorneys to process the substantive complaints that are referred to the legal division in a shorter timeframe. The agency believes that while this target on average will continue to be met or beat during the biennium, the quarterly average may begin to increase, even assuming the Council is able to maintain full or close-to-full staffing levels. The agency has requested additional staff attorneys in its 26-27 LAR to address this. Additionally, the agency has requested that this target be lowered to 375 days in its 2026-2027 LAR.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Efficiency Measures**

1 AVG TIME/COMPLAINT RESOLUTION

Quarter 2	625.00	288.04	293.81	47.01 % *	593.75 - 656.25
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for the average time for complaint resolution is 625 days. In the second quarter of FY 25, the agency bested this measure by having an average processing resolution time of 288 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for complaint resolution for FY 24 was 312 days. This number has now slightly decreased to an average of 294 days. Even with the dedication and efficiency of the enforcement and legal staff, the agency needs additional staff attorneys to process the substantive complaints that are referred to the legal division in a shorter timeframe. The agency believes that while this target on average will continue to be met or beat during the biennium, the quarterly average may begin to increase, even assuming the Council is able to maintain full or close-to-full staffing levels. The agency has requested additional staff attorneys in its 26-27 LAR to address this. Additionally, the agency has requested that this target be lowered to 375 days in its 2026-2027 LAR.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Efficiency Measures**

1 AVG TIME/COMPLAINT RESOLUTION

Quarter 3	625.00	301.15	296.67	47.47 % *	593.75 - 656.25
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for the average time for complaint resolution is 625 days. In the third quarter of FY 25, the agency bested this measure by having an average processing resolution time of 301 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for complaint resolution for FY 24 was 312 days. This number has now slightly decreased to an average of 296 days. Even with the dedication and efficiency of the enforcement and legal staff, the agency needs additional staff attorneys to process the substantive complaints that are referred to the legal division in a shorter timeframe. The agency believes that while this target on average will continue to be met or beat during the biennium, the quarterly average may begin to increase, even assuming the Council is able to maintain full or close-to-full staffing levels. The agency has requested additional funding to fill two staff attorney positions in its 26-27 LAR to address this. Additionally, this target has been lowered to 375 days for the 2026-2027 biennium.

\* Varies by 5% or more from target.

**Efficiency/Output Measures with Cover Page and Update Explanation**

10/13/2025 1:14:51PM

88th Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2025 Target	2025 Actual	2025 YTD	Percent of Annual Target	Target Range
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**Efficiency Measures**

1 AVG TIME/COMPLAINT RESOLUTION

Quarter 4	625.00	288.91	294.30	47.09 % *	593.75 - 656.25
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY25 target for the average time for complaint resolution is 625 days. In the fourth quarter of FY 25, the agency bested this measure by having an average processing resolution time of 289 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for complaint resolution for FY 24 was 312 days. This number has now slightly decreased to an average of 295 days. Even with the dedication and efficiency of the enforcement and legal staff, the agency needs additional staff attorneys to process the substantive complaints that are referred to the legal division in a shorter timeframe. The agency believes that while this target on average will continue to be met or beat during the biennium, the quarterly average may begin to increase, even assuming the Council is able to maintain full or close-to-full staffing levels. The agency received additional funding to fill two staff attorney positions in its 26-27 LAR to address this. Additionally, this target has been lowered to 375 days for the 2026-2027 biennium.

Explanation of Update: Tracking change.

\* Varies by 5% or more from target.

# TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL



## MEMBERS OF THE COUNCIL

John K. Bielamowicz, Chair

Ryan T. Bridges  
Brian C. Brumley, M.S.S.W.  
Mark E. Cartwright, Ph.D.  
Steven Hallbauer  
Lee A. Hampton, Jr.  
Lisa V. Merchant, Ph.D.  
Quida Pryor  
Christopher S. Taylor, Ph.D.

Darrel D. Spinks  
Executive Director

## **Guidelines for Use of New Technologies or Emerging Practices**

Advancements in technology and scientific knowledge often result in a corresponding adoption of these technologies and/or new areas of practice by mental and behavioral health care providers. However, the rapid and dynamic appearance of these new facets of professional services makes it difficult for state regulations and professional ethics to keep up with specific language governing the use of new technologies or practices. The Council has developed this guidance document to assist licensees when considering whether and how to use new technologies or practices, including considerations of how general practice standards and ethics may apply.

### **What is considered a new technology or an emerging practice area?**

A new technology is one that has not yet been widely employed in the professional community, such that its application, impact, and limitations are not fully known. An emerging practice area will include methods of treatment or practice modalities that are not yet widely employed in the professional community, do not have generally accepted training standards, and/or have not been widely rejected by the professional community as violating reasonable standards of care.

A method, modality, or technology is likely not emerging or new if it is generally recognized as standard practice by local, state, or federal agencies, or is reimbursed by third-party payer agreements (e.g., insurance), or state or federal reimbursement programs (e.g., Medicaid, Medicare, Tricare).

### **Core ethical and regulatory practice standards:**

Regardless of the tools, methods, or technologies they use, licensees are fully responsible for the services they provide and must continue to meet basic ethical and practice standards, including:

- Licensees must be appropriately educated and trained in any methods, modalities, or technologies they employ.
- Licensees must have sufficient knowledge to evaluate whether use of a technology or practice is appropriate in a given situation or for a particular client.
- Licensees are ultimately responsible for all clinical judgments and therapeutic decisions regarding assessment, diagnosis, and treatment.
- Licensees must ensure the accuracy and completeness of client records and protect the confidentiality and security of all client data, regardless of the technology or methods used.
- If a licensee delegates responsibilities involving new technologies or practices to others, the licensee must ensure that those individuals are properly trained, competent, and ethically using the tools.
- A supervising licensee remains accountable for supervisees' actions to the same extent they would with any form of practice.

### **Competency to employ new technologies or practices**

In emerging areas where established training standards do not exist, licensees must take reasonable steps to ensure their competence.

- In the absence of recognized practice standards, licensees should consider the best application of generally accepted professional ethical principles.

### **Consent and safeguards**

Licensees must stay informed about the safety, accuracy, and effectiveness of any technology or practice used. Licensees must also ensure the client provides sufficient informed consent given the services being provided.

- Licensees should consider whether there are appropriate steps when employing new technologies or practices to protect clients and others from potential harm.
- When using technology-based or virtual services (e.g., telehealth), licensees should consider adopting protocols to address client emergencies or technological failures, including alternate methods of contact and referral to local crisis resources.
- When using an emerging practice, licensees should consider adopting emergency preparedness policies or other procedures to identify potential safety risks, particularly physical or medical, that may arise as a result of the practice and develop a plan for addressing such emergencies to prevent patient harm.

- When employing a new technology or practice, licensees should consider providing a client some or all of the following information, as appropriate to that client:
  - The method, modality, or technology being used;
  - Its intended purpose, capabilities, and limitations;
  - Any reasonably foreseeable adverse effects or risks;
  - Steps the licensee or client can take to reduce potential risks or harm; and/or
  - The client's right to decline or opt out of its use.

### **Continued responsibility after use of new technologies or emerging practices**

Licensees must regularly evaluate the effectiveness of any practice method, modality, or technology used. If a method or tool does not appear to benefit the client or causes adverse effects, the licensee must adjust or discontinue its use.

### **Limitations of new technologies or practices**

The use of any new or emerging practice or technology does not expand a licensee's scope of practice, nor alter their ethical responsibilities or prohibitions.

- Council licensees are not authorized to perform medical procedures or to prescribe, dispense, or administer medications.
- Licensees must maintain clear and appropriate professional boundaries when using technologies that facilitate informal or asynchronous communication (e.g., text messaging, social media, apps with chat features).

**From:** Darrel Spinks  
**Sent:** Tuesday, October 14, 2025 10:38 PM  
**To:** Cristina de Luna; Diane Moore; Sarah Faszholz  
**Cc:** Robert Romig  
**Subject:** Fw: OOG Request – Agency Review for TREO Initiative

Just an FYI...something that needs to be shared with your respective boards in their next meeting under the BHEC report.

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**From:** Darrel Spinks  
**Sent:** Tuesday, October 14, 2025 10:32 PM  
**Cc:** Robert Romig; Patrick Hyde; Brenda Skiff  
**Subject:** Fw: OOG Request – Agency Review for TREO Initiative

Council Members:

With passage of SB14 the 89<sup>th</sup> Legislature created the [Texas Regulatory Efficiency Office](#). Jerome Greener, the Presiding Officer of TREO was [appointed by Gov. Abbott on Sept. 17<sup>th</sup>](#) and today I received the following email.

With the appointment of Mr. Greener as the presiding officer and receipt of this email, I believe we should expect TREO to begin reviewing our rules and rulemaking processes in the near future, possibly this year.

I wanted to inform you that I will immediately begin developing a plan to conduct the rule review requested by the Office of the Governor (OOG) as part of the TREO initiative. This effort will focus on identifying administrative rules that may be outdated, redundant, or otherwise suitable for streamlining, in alignment with TREO's goals of reducing regulatory burdens and improving transparency.

Please note that the nature and scope of this review will differ from the quadrennial rule review required under Section 2001.039 of the Government Code. While the quadrennial review is a statutory requirement focused on evaluating the continued need for existing rules, this TREO-led initiative is a more targeted effort aimed at identifying specific categories of rules for potential revision or repeal, including:

- Rules that restate statute
- Outdated or redundant rules
- Rules lacking statutory authority
- Discretionary rules
- Rules incorporating external standards by reference

I will keep you updated as the planning progresses. Please feel free to give me a call if you have any questions. My direct office line is (512) 305-7702.

Darrel

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**From:** Cesar Puesan <[cesar.puesan@gov.texas.gov](mailto:cesar.puesan@gov.texas.gov)>  
**Sent:** Tuesday, October 14, 2025 4:00 PM

**To:** Cesar Puesan <[cesar.puesan@gov.texas.gov](mailto:cesar.puesan@gov.texas.gov)>

**Subject:** OOG Request – Agency Review for TREO Initiative

Good afternoon,

I hope this email finds everyone well. The Office of the Governor (OOG) is asking agencies to begin self-identifying certain types of administrative rules as part of an upcoming initiative led by the Texas Regulatory Efficiency Office (TREO). Starting later this year, TREO will begin working collaboratively with state agencies to review and streamline administrative rules, and this early review will help prepare for that effort.

TREO, created within OOG earlier this year, is focused on helping agencies reduce regulatory burdens, eliminate outdated or redundant rules, and improve transparency for Texans. Please note: there is no hard deadline for this task. Agencies do not need to send OOG anything at this time and do not need to start repealing any rules. The only request is to review your administrative code and catalog any rules that meet the following criteria:

- Rules that wholly or mostly restate state or federal statute
- Outdated or redundant rules
- Rules the agency no longer has statutory authority to enforce
- Discretionary rules (rules not directed by the Legislature)
- Rules that incorporate other standards by reference

If any rules are required by statute to remain in place (i.e., would require legislative action to amend or repeal), please make note of that as well.

The intent is to strengthen coordination between OOG and the Governor's agencies to ensure rules remain current, necessary, and consistent with statutory authority.

Please let me know if you have any questions or if it would be helpful to discuss further.

Sincerely,

Cesar

**Cesar Puesan**

Budget and Policy Advisor

Office of the Governor Greg Abbott

1100 San Jacinto Blvd. Austin, Texas 78701

[cesar.puesan@gov.texas.gov](mailto:cesar.puesan@gov.texas.gov)

956-647-7810

## 2024 pass rate summary report

**Jurisdiction:** Texas

**Date:** August 2025

The table presents the numbers of examinations administered to candidates who were authorized by the state or jurisdiction listed above. Figures indicate the percentage of first-time, repeat, and total test-takers who passed the indicated exam categories during the year 2024. Note that test-takers who are unsuccessful may repeat the examination more than once.

Exam category and group type	Total number of examinations	Pass rate	
		Number	Percent
<b>Bachelors</b>			
First-time	273	118	43.2
Repeat	159	37	23.3
Total	432	155	35.9
<b>Masters</b>			
First-time	2,125	1,442	67.9
Repeat	1,354	406	30.0
Total	3,479	1,848	53.1
<b>Clinical</b>			
First-time	1,457	1,081	74.2
Repeat	683	277	40.6
Total	2,140	1,358	63.5
<b>Advanced Generalist</b>			
First-time	0	0	-
Repeat	0	0	-
Total	0	0	-
<b>Associate</b>			
First-time	0	0	-
Repeat	0	0	-
Total	0	0	-

**TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL**  
**1st QUARTER MEASURES**  
**FY 2026**

Number of Licenses Renewed (from ald12)

LSSP	485
LIC	660
LPA	73
LPC	3973
MFT	517
LBSW	390
LMSW	1519
LCSW	2008
AP	11

Total 9,636

Number of Licenses Issued (from ald11 and BO)

LPA	17
PLP	140
LIC	102
LSSP	19
LPCA	669
LPC	154
LPC Upgrade	598
MFTA	82
MFT	32
MFT Upgrade	66
LBSW	41
LMSW	551
LCSW	212
LMSW Upgrade	35
LCSW Upgrade	383
TEMP SW	10

Total 3,111

Number of Complaints Resolved (from BO report)

LP/LPA	15
LSSP	1
LPC	107
MFT	5
SW	30
Total	158

Percent of Complaint Resolved Within Six Months (from BO report)

1 <sup>st</sup> Qtr	83/158 =	53%
2 <sup>nd</sup> Qtr		
3 <sup>rd</sup> Qtr		
4 <sup>th</sup> Qtr		
YTD	83/158=	53%

Percent of Complaints Resolved resulting in Disciplinary Action (from BO report)

1 <sup>st</sup> Qtr	19/158 =	12%
2 <sup>nd</sup> Qtr		
3 <sup>rd</sup> Qtr		
4 <sup>th</sup> Qtr		
YTD	19/158 =	12%

Average Time for Complaint Resolution (from BO report)

1 <sup>st</sup> Qtr	48,875 days to resolve 158 complaints = 309.34 days	
2 <sup>nd</sup> Qtr		
3 <sup>rd</sup> Qtr		
4 <sup>th</sup> Qtr		
YTD	48,875 days to resolve 158 complaints =	309.34 days

Number of Complaints Pending (from BO report) 818

Closed	7
File at SOAH	0
ISC Scheduled	25
Legal Review	473
NOV Sent	3
Open	3
Under Investigation	307

Average Time for Application Processing (from BO report) (**Bold averages only**)

1 <sup>st</sup> Qtr	76,193 days to process 2,985 applications =	25.53 days
2 <sup>nd</sup> Qtr		
3 <sup>rd</sup> Qtr		
4 <sup>th</sup> Qtr		
YTD	76,193 days to process 2,985 applications =	25.53 days

<b>LPA Initial</b>	<b>2079 days to process 43 applications =</b>	<b>48.35</b>
LPA Final	4070 days to process 17 applications =	239.42
<b>LIC Initial</b>	<b>5839 days to process 151 applications =</b>	<b>38.67</b>
LIC Final	18997 days to process 102 applications =	186.25
<b>LSSP</b>	<b>1091 days to process 19 applications =</b>	<b>57.43</b>
<b>Temp LIC</b>	<b>747 days to process 22 applications =</b>	<b>33.96</b>
<b>LPC Initial</b>	<b>9378 days to process 154 applications =</b>	<b>60.90</b>
<b>LPCA Initial</b>	<b>16785 days to process 669 applications =</b>	<b>25.09</b>
<b>LPC Upgrade</b>	<b>6466 days to process 597 applications =</b>	<b>10.83</b>
<b>MFT License</b>	<b>3011 days to process 32 applications =</b>	<b>94.10</b>
MFTA License	11435 days to process 82 applications =	139.46
<b>MFTA Upgrade</b>	<b>815 days to process 66 applications =</b>	<b>12.35</b>
<b>SW License</b>	<b>9254 days to process 532 applications =</b>	<b>17.40</b>
<b>SW OOS License</b>	<b>12260 days to process 272 applications =</b>	<b>45.80</b>
<b>SW Upgrade</b>	<b>8182 days to process 418 applications =</b>	<b>19.58</b>
<b>Temp SW License</b>	<b>286 days to process 10 applications =</b>	<b>28.60</b>

- Those in **BOLD** are the applications we have more control over (i.e. we are not waiting for them to take and pass a national exam).

Calculations reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_

**TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL  
ANNUAL MEASURES  
FY 2026**

Number of Jurisdictional Complaints Received FY25 (from BO report) 228

Percent of Licensees With No Recent Violations

Total	287 disciplinary actions
Less duplicates	-54 duplicates
Total unduplicated	233 disciplinary actions

Number of individuals (unduplicated) licensed as of 8/31/2025: 90,366

$90,366 - 233 = 90,133$

$90,133/90,366 = 99.75\%$

Calculation Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_

**1st QUARTER PERFORMANCE MEASURES**  
**FISCAL YEAR 2026**

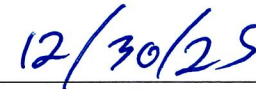
Submitted to the  
Governor's Office of Budget and Planning  
and the Legislative Budget Board

by

**Texas Behavioral Health Executive  
Council**

  
\_\_\_\_\_  
Executive Director

December 30, 2025

  
\_\_\_\_\_  
Date

**Efficiency/Output Measures with Cover Page and Update Explanation**  
 89th Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

12/30/2025 11:50:10AM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2026 Target	2026 Actual	2026 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
<u>1-1-1 LICENSING</u>					
1 # NEW LICENSEES ISSUED					
<b>Quarter 1</b>	12,000.00	3,111.00	3,111.00	25.93 %	2,400.00 - 3,600.00
2 # LICENSE RENEWALS					
<b>Quarter 1</b>	34,500.00	9,636.00	9,636.00	27.93 %	6,900.00 - 10,350.00
<u>2-1-1 ENFORCEMENT</u>					
1 COMPLAINTS RESOLVED					
<b>Quarter 1</b>	500.00	158.00	158.00	31.60 % *	100.00 - 150.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY26 target for number of complaints resolved is 500, or 125 per quarter. During the first quarter of FY26, the agency exceeded its target by resolving 158 complaints. This is due to the efficiency and dedication of the investigative and legal staff.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The agency had 818 pending complaints at the end of this quarter and received 228 new complaints during this quarter. While the investigatory time and resources needed to resolve a complaint vary according to the nature and type of complaint received, the agency believes it will continue to exceed this target assuming it is able to maintain full or near-full staffing level of investigative and legal staff. Additionally, the agency is receiving more complaints than anticipated, which should lead to more resolved complaints, given that the agency was able to hire two new staff attorneys at the beginning of FY26 to help with resolution of the substantive complaints.

\* Varies by 5% or more from target.

**Efficiency/Output Measures with Cover Page and Update Explanation**  
 89th Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

12/30/2025 11:50:10AM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2026 Target	2026 Actual	2026 YTD	Percent of Annual Target	Target Range
<b>Output Measures</b>					
2 COMPLAINTS PENDING					
Quarter 1	850.00	818.00	818.00	96.24 %	807.50 - 892.50

**Efficiency Measures**

1-1-1 LICENSING

1 AVG TIME TO PROCESS APP (DAYS)

Quarter 1	35.00	25.53	25.53	72.94 % *	33.25 - 36.75
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY26 target for the average time for license issuance is 35 days. In the first quarter of FY26, the agency bested this measure by having an average license issuance time of only 26 days. This is due to the efficiency and dedication of the licensing staff.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance in FY25 was 30 days. This number has decreased in the first quarter of FY26 due to the dedication and efficiency of the licensing staff. As long as the Council is able to maintain full or close-to-full staffing levels in this division, the agency will continue to meet or beat this target during the 2026-2027 biennium.

2-1-1 ENFORCEMENT

1 AVG TIME/COMPLAINT RESOLUTION

\* Varies by 5% or more from target.

**Efficiency/Output Measures with Cover Page and Update Explanation**  
 89th Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

12/30/2025 11:50:10AM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2026 Target	2026 Actual	2026 YTD	Percent of Annual Target	Target Range
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**Efficiency Measures**

1 AVG TIME/COMPLAINT RESOLUTION

Quarter 1	375.00	309.30	309.30	82.48 % *	356.25 - 393.75
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY26 target for the average time for complaint resolution is 375 days. In the first quarter of FY26, the agency bested this measure by having an average processing resolution time of 310 days. This is due to the efficiency and dedication of the investigative and legal staff.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

In FY25, even with the dedication and efficiency of the enforcement and legal staff, the agency needed additional staff attorneys to process the substantive complaints that were referred to the legal division in a shorter timeframe. The agency has been able to hire two new staff attorneys at the beginning of FY26 and believes that as long as the Council is able to maintain full or close-to-full staffing levels in this division, the agency will continue to meet or beat this target during the 2026-2027 biennium.

\* Varies by 5% or more from target.

**COMPLAINT NO. 2024-00218**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**MIKI TESH**

**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:

FOR THE STAFF OF THE COUNCIL:



\_\_\_\_\_  
Miki Tesh  
Clinical Social Worker  
License #53341



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

DATE SIGNED: 7/1/25

DATE SIGNED: 7/7/25

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



\_\_\_\_\_  
Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2024-00372**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**MARY MILLER**

**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 Mary Miller (“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 (#19483) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. On March 29, 2024, the Council filed a complaint alleging that from on or about April 1, 2022 to on or about March 20, 2024, Respondent conducted the practice of social work without an active license.

**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 may have violated Council Rule 882.23(a).

**ORDER**

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. Respondent, by signing this Agreed Order, hereby voluntarily and permanently **RESIGNS** his or her license (#19483) in lieu of further adjudication by the Council on these matters.
2. Respondent shall return his or her license to the Council no later than fourteen (14) days after the date this order is ratified.

### **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:

FOR THE STAFF OF THE COUNCIL:

  
Mary Miller  
Clinical Social Worker  
License #19483

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

DATE SIGNED: July 22, 2025

DATE SIGNED: 7/23/25

APPROVED, RATIFIED, AND ENTERED THIS 23<sup>rd</sup> DAY OF July, 2025.

  
Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2024-00385**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

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

**KIMBERLY EERKES**

**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 Kimberly Eerkes (“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 (#23039) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. In June of 2022, Respondent submitted a renewal application with all required documentation and payment but was unaware that the Council required a fingerprint-based criminal background check, so without Respondent’s knowledge, the renewal was not completed.
3. From June of 2022 to January of 2024, Respondent unintentionally conducted the practice of social work without an active license.
4. This is the first and only complaint that has been filed against Respondent’s license.

**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 882.23(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 one hundred and twenty (120) days of the date this order is ratified, an administrative penalty in the total amount of \$1,000.00; of which \$800.00 represents administrative costs and \$200.00 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:

FOR THE STAFF OF THE COUNCIL:

Kimberly A. Eerkes  
Kimberly Eerkes  
Clinical Social Worker  
License #23039

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

DATE SIGNED: 7/21/25

DATE SIGNED: 7/21/25

APPROVED, RATIFIED, AND ENTERED THIS 22nd DAY OF July, 2025.

Darrel Spinks  
Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2024-00458**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**PAULA HERN**

**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 Paula Hern (“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 (#03511) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From June of 2022 to April of 2024, Respondent unintentionally conducted the practice of social work without an active license.

**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 882.23(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 \$1,000.00; of which \$800.00 represents administrative costs and \$200.00 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.**

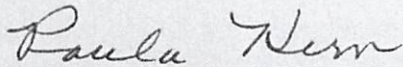
**WAIVERS**

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:

FOR THE STAFF OF THE COUNCIL:



Paula Hern  
Clinical Social Worker  
License #03511



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

DATE SIGNED: 7/23/25

DATE SIGNED: 8/20/25

APPROVED, RATIFIED, AND ENTERED THIS 21<sup>st</sup> DAY OF August, 2025.



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Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2024-00461**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**RUBY JOHNSON**

**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 Ruby Johnson (“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 (#39640) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about January 1, 2024 until on or about April 23, 2024, Respondent engaged in the practice of social work with a delinquent license.

**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 882.23(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 sixty (60) 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**

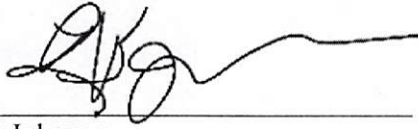
**RESPONDENT'S FAILURE TO COMPLY WITH ONE OR MORE TERMS OF THIS ORDER MAY CONSTITUTE A VIOLATION OF 22 TEXAS ADMINISTRATIVE CODE §884.55 REQUIRING FURTHER DISCIPLINARY ACTION.**

**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:



Ruby Johnson  
Clinical Social Worker  
License #39640

DATE SIGNED: 6/24/25

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: 6/25/25

APPROVED, RATIFIED, AND ENTERED THIS 30<sup>th</sup> DAY OF June, 202~~4~~5



Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2024-00522**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

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

**ANDREANA WASHINGTON**

**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 Andreana Washington (“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 baccalaureate social worker (#27677) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about October 1, 2022 until on or about May 1, 2024, Respondent engaged in the practice of social work without an active license.

**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 Rule 882.23.

**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 (120) days of the date this order is ratified, an administrative penalty in the total amount of \$1,800.00; of which \$1,600.00 represents administrative costs and \$200.00 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.**

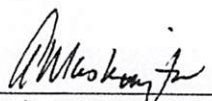
**WAIVERS**


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:

FOR THE STAFF OF THE COUNCIL:

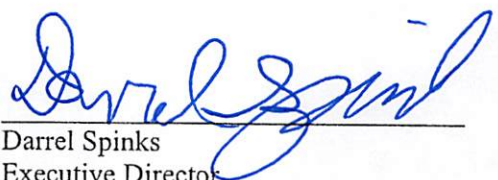
  
\_\_\_\_\_  
Andreana Washington  
Baccalaureate Social Worker  
License #27677

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

DATE SIGNED: 7/15/25

DATE SIGNED: 7/16/25

APPROVED, RATIFIED, AND ENTERED THIS 16<sup>th</sup> DAY OF July, 2025.



A handwritten signature in blue ink, appearing to read "Darrel Spinks", is written over a horizontal line.

Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2024-00565**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**GEORGIANNA WEBB**

**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 Georgianna Webb (“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 baccalaureate social worker (#60385) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. Respondent engaged in the practice of social work without an active license from on or about August 8, 2022 until on or about April 28, 2024.

**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 882.23(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 \$2,000.00; of which \$1,800.00 represents administrative costs and \$200.00 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:

FOR THE STAFF OF THE COUNCIL:

  
\_\_\_\_\_  
Georgianna Webb  
Baccalaureate Social Worker  
License #60385

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

DATE SIGNED: 7-4-2025

DATE SIGNED: 7/9/25

APPROVED, RATIFIED, AND ENTERED THIS 10<sup>th</sup> DAY OF July, 2025.



---

Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

T.B.H.E.C.

COMPLAINT NO. 2024-00598

2025 AUG -5 PM 2:07

IN THE MATTER OF

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BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL

THE TEXAS STATE BOARD  
OF SOCIAL WORKER  
EXAMINERS

ROBERT LEYENDECKER

**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(c), 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 Robert Leyendecker (“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 (#24033) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about November 1, 2022 until on or about July 31, 2024, Respondent engaged in the practice of social work without a valid license.

**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 882.23(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 \$1,500.00; of which \$1,400.00 represents administrative costs and \$100.00 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.**

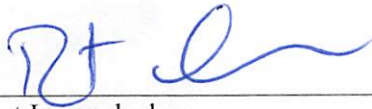
**WAIVERS**

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:

FOR THE STAFF OF THE COUNCIL:



Robert Leyendecker  
Clinical Social Worker  
License #24033



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

DATE SIGNED: 8-1-25

DATE SIGNED: 8/6/25

APPROVED, RATIFIED, AND ENTERED THIS 7<sup>th</sup> DAY OF August, 2025.



Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2025-00023**

**IN THE MATTER OF**

**MARY EARNEST**

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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 Mary Earnest (“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 (#05301) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From September of 2022 to September of 2024, Respondent engaged in the practice of social work without an active license.

**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 Rule 882.23(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 \$2,000.00; of which \$1,800.00 represents administrative costs and \$200.00 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:

FOR THE STAFF OF THE COUNCIL:



Mary Earnest  
Clinical Social Worker  
License #05301

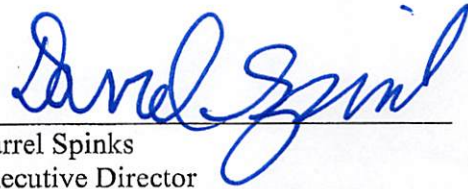


Brian Clark  
Texas Bar No. 24099457  
Staff Attorney  
Texas Behavioral Health Executive Council  
1801 Congress Ave., Suite 7.300  
Austin, Texas 78701

DATE SIGNED: 6-23-25

DATE SIGNED: 6/24/25

APPROVED, RATIFIED, AND ENTERED THIS 30<sup>th</sup> DAY OF June, 2025.



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Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2025-00044**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**KELLY FEDDERN**

**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 Kelly Feddern (“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 (#41203) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about September 1, 2023 to on or about September 19, 2024, Respondent conducted the practice of social work without an active license.

**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 882.23(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 \$1,000.00; of which \$800.00 represents administrative costs and \$200.00 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:

FOR THE STAFF OF THE COUNCIL:

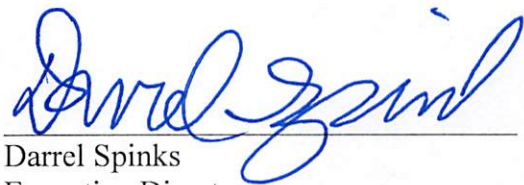
  
Kelly Feddern  
Clinical Social Worker  
License # 41203

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

DATE SIGNED: 7/18/25

DATE SIGNED: 7/25/25

APPROVED, RATIFIED, AND ENTERED THIS 25<sup>th</sup> DAY OF July, 2025.



Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2025-00128**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**SCOTT ACKERSON**

**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 Scott Ackerson (“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 master social worker (#34439) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about October 1, 2022 to on or about November 5, 2024, Respondent conducted the practice of social work without an active license.

**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 882.23(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 \$1,500.00; of which \$1,300.00 represents administrative costs and \$200.00 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.**

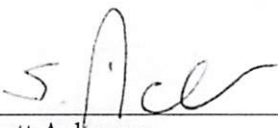
**WAIVERS**


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:

FOR THE STAFF OF THE COUNCIL:

  
\_\_\_\_\_  
Scott Ackerson  
Master Social Worker  
License #34439

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

DATE SIGNED: 7/21/2025

DATE SIGNED: 7/21/25

APPROVED, RATIFIED, AND ENTERED THIS 22nd DAY OF July, 2025.



Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NOS. 2025-00219 AND 2025-00225**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**YSAURA MAGNUS-LAWSON**

**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 Ysaura Magnus-Lawson (“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 master social worker (#115925) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From September of 2024 until March of 2025, Respondent represented herself as a licensed master social worker before being granted a social work license.

**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 Tx Occ. Code §505.351(b).

**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 \$1,000.00; of which \$900.00 represents administrative costs and \$100.00 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:

FOR THE STAFF OF THE COUNCIL:

  
\_\_\_\_\_  
Ysaura Magnus-Lawson  
Master Social Worker  
License #115925

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

DATE SIGNED: 06/16/2025

DATE SIGNED: 6/18/25

APPROVED, RATIFIED, AND ENTERED THIS 20<sup>th</sup> DAY OF June, 2025.



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Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2025-00439**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**JENNIFER WHITTEN**

**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 Jennifer Whitten (“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 (#18116) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From January of 2023 to April of 2025, Respondent conducted the practice of social work without an active license.

**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 882.23(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 \$2,000.00; of which \$1700.00 represents administrative costs and \$300.00 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.**

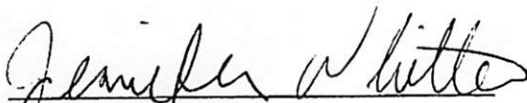
**WAIVERS**

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.

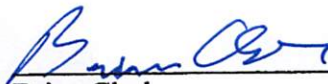
THE RESPONDENT, BY SIGNING THIS ORDER, AGREES TO ITS TERMS, ACKNOWLEDGES UNDERSTANDING OF THE FORMAL NOTICES, FINDINGS OF FACT, AND CONCLUSIONS OF LAW SET FORTH HEREIN AND COVENANTS TO SATISFACTORILY COMPLY WITH THE MANDATES OF THIS ORDER IN A TIMELY MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES 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:

FOR THE STAFF OF THE COUNCIL:



Jennifer Whitten  
Clinical Social Worker  
License #18116

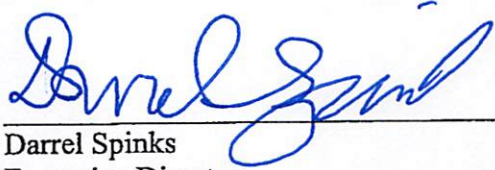


Brian Clark  
Texas Bar No. 24099457  
Staff Attorney  
Texas Behavioral Health Executive Council  
1801 Congress Ave., Suite 7.300  
Austin, Texas 78701

DATE SIGNED: 08/04/2025

DATE SIGNED: 8/7/25

APPROVED, RATIFIED, AND ENTERED THIS 7<sup>th</sup> DAY OF August, 2025.



Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2025-00476**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**COREY ROBINSON**

**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 Corey Robinson (“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 master social worker (#65655) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about July 1, 2023 to on or about April 28, 2025, Respondent conducted the practice of social work without an active license.

**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 882.23(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 sixty (60) days of the date this order is ratified, an administrative penalty in the total amount of \$1,000.00; of which \$800.00 represents administrative costs and \$200.00 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:

FOR THE STAFF OF THE COUNCIL:

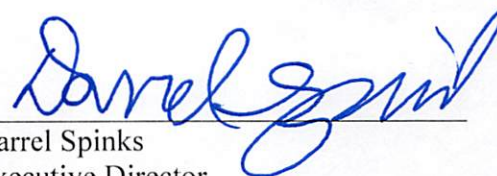
  
\_\_\_\_\_  
Corey Robinson  
Master Social Worker  
License #65655

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

DATE SIGNED: 7/18/25

DATE SIGNED: 7/21/25

APPROVED, RATIFIED, AND ENTERED THIS 22<sup>nd</sup> DAY OF July, 2025.



Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2025-00484**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**TRACY TAYLOR**

**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 Tracy Taylor (“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 baccalaureate social worker (#17431) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about September 30, 2022 to on or about April 16, 2025, Respondent conducted the practice of social work without an active license.

**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 882.23(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 \$2,100.00 represents administrative costs and \$400.00 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:

FOR THE STAFF OF THE COUNCIL:

Tracy Taylor

\_\_\_\_\_  
Tracy Taylor  
Baccalaureate Social Worker  
License #17431



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

DATE SIGNED: 07.21.2025

DATE SIGNED: 7/21/25

APPROVED, RATIFIED, AND ENTERED THIS 22<sup>nd</sup> DAY OF July, 2025.



Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2023-00097**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

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

**MARIA ROMEO**

**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 Maria Romeo ("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 master social worker (#57116) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about November 1, 2021, to on or about April 16, 2022, Respondent engaged in the practice of social work while Respondent's license was delinquent.
3. Respondent failed to set and maintain professional boundaries when Respondent exchanged text messages unrelated to therapy with a client and drove to a client's residence.
4. Respondent failed to cooperate with a Council investigation when Respondent failed to adequately respond to a Notice of Violation sent by the Council.

**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(8), 781.303(7), 781.304(j), 882.23(a), and 884.30.

**ORDER**

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. Respondent's license is **SUSPENDED** for a period of two (2) years from the effective date of this order. However, the two (2) years of suspension shall be **PROBATED**, so long as Respondent complies with all state and federal statutes and regulations pertaining to the practice of social work. Although the probated suspension ordered herein will result in Respondent's license being restricted, Respondent shall take all steps necessary to renew and maintain Respondent's license while this order is in effect. Respondent's license shall remain on restricted status until all terms of this order have been satisfactorily completed.
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.
3. Respondent shall be required to practice under the supervision of a practice monitor for a period of one (1) year from the date this order is ratified. Respondent shall, within fourteen (14) days of the date this order is ratified, submit to the Council or its designee for approval the name and qualifications of a social worker supervisor who has agreed to serve as a practice monitor. The Respondent must submit a copy of the practice monitor's CV and receive written approval from the Council, or its designee, before any of the practice monitoring Respondent receives may be acceptable to meet the requirements of this order. The practice monitor shall (1) be a Texas-licensed social worker supervisor with no record of disciplinary actions; (2) have no business, professional, personal, or other relationship with Respondent that would interfere with the practice monitor's function or duties; and (3) possess specialized knowledge, education and experience in the same field of practice as that of Respondent.

Once approved, the practice monitor shall submit to the Council or its designee a monitoring contract and plan by which Respondent's practice shall be monitored for compliance with ethical and legal practice standards, as well as the terms of this Order. Monitoring shall consist of at least one (1) hour of individual face-to-face meetings every week. The Respondent shall provide the practice monitor with a copy of this Order and access to Respondent's records. Respondent shall execute a release authorizing the practice monitor to divulge any information the Council or its designee may request.

It shall be Respondent's responsibility to assure the practice monitor submits written reports to the Council or its designee on a quarterly basis verifying that monitoring has taken place and providing an evaluation of Respondent's performance. At the Council's discretion, if any of these reports provides sufficient concern, the Council may impose

further monitoring requirements and/or take other appropriate actions to ensure the safety of the public.

In the event Respondent's monitor indicates that Respondent is fit to practice social work, but makes recommendations concerning reasonable steps Respondent must or should take to enhance or maintain Respondent's fitness to practice social work, Respondent shall comply with any and all recommendations made by Respondent's monitor. If Respondent refuses or fails to follow the recommendations, Respondent agrees that Respondent's license shall be SUSPENDED, without further hearings, informal settlement procedures, or any right of appeal for judicial review; pending further review of Respondent by the Council, or its designee.

If the monitor concludes there is sufficient concern or need to impose further requirements, restrictions, and/or take other appropriate actions to ensure the safety of the public the Council, or its designee, may do so at its own discretion. In the event Respondent refuses or fails to follow the additional requirements or restrictions imposed by the Council, or its designee, Respondent agrees that Respondent's license shall be SUSPENDED, without further hearings, informal settlement procedures, or any right of appeal for judicial review; pending further review of Respondent by the Council, or its designee.

If the practice monitor cannot continue the monitoring engagement, Respondent shall get approval from the Council or its designee for a new practice monitor. If no new practice monitor is approved, Respondent shall not practice until a new practice monitor has been approved. If Respondent does not have at least one (1) hour of individual face-to-face supervision every week Respondent's license shall be SUSPENDED, without further hearings, informal settlement procedures, or any right of appeal for judicial review, until supervision resumes and the practice monitor submits a report attesting to Respondent's fitness to provide social work services in safe and competent manner. During any period of suspension, non-practice, or non-supervision by a practice monitor, the one (1) year practice monitoring time period shall be tolled and shall not apply to the reduction of this required one (1) year practice monitoring time period. Respondent shall pay all costs associated with this practice monitoring requirement. **RESPONDENT AGREES THAT ANY FAILURE TO COMPLY WITH THE PRACTICE MONITORING REQUIREMENTS, OR ANY OTHER TERM IN THIS ORDER, SHALL CONSTITUTE IMMEDIATE GROUNDS FOR REVOCATION OF RESPONDENT'S LICENSE.**

#### **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:

FOR THE STAFF OF THE COUNCIL:

Maria Romeo

Maria Romeo  
Master Social Worker  
License #57116

Brian Clark

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

DATE SIGNED: Sept. 18, 2025

DATE SIGNED: 9/23/25

APPROVED, RATIFIED, AND ENTERED THIS 30<sup>th</sup> DAY OF September, 2025.

Darrel Spinks

Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2024-00252**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

**PHYLLIS CLYMER**

**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 Phyllis Clymer (“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 (#52577) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From on or about November 1, 2022 to on or about February 6, 2024, Respondent engaged in the practice of social work without an active license.

**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 882.23(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 \$1,000.00; of which \$800.00 represents administrative costs and \$200.00 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.**

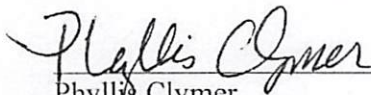
WAIVERS


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:

FOR THE STAFF OF THE COUNCIL:

  
\_\_\_\_\_  
Phyllis Clymer  
Clinical Social Worker  
License #52577

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

DATE SIGNED: Feb. 13, 2025

DATE SIGNED: 9/30/25

APPROVED, RATIFIED, AND ENTERED THIS 30<sup>th</sup> DAY OF September, 2025.



---

Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

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

**SOPHIA MORENO**

**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 Sophia Moreno (“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 master social worker (#52665) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From January 31, 2021 until January of 2023, Respondent engaged in the practice of social work with an expired license.

**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 882.23(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 \$1,000.00; of which \$800.00 represents administrative costs and \$200.00 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.**

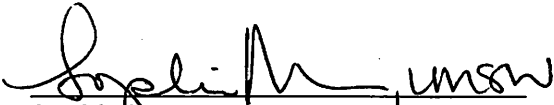
**WAIVERS**


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:

FOR THE STAFF OF THE COUNCIL:

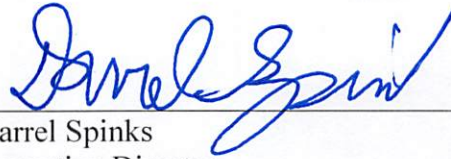
  
Sophia Moreno  
Master Social Worker  
License #52665

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

DATE SIGNED: 8/13/25

DATE SIGNED: 9/10/25

APPROVED, RATIFIED, AND ENTERED THIS 11<sup>th</sup> DAY OF September, 2025.



---

Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2024-00390**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

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

**JESSE RAMEL**

**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 Jesse Ramel (“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 (#61096) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. From December of 2022 to March of 2024, Respondent conducted the practice of social work without an active license.

**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 882.23(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 \$1,500.00; of which \$1,300.00 represents administrative costs and \$200.00 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**

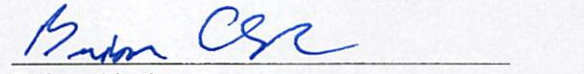
On the underlying investigative file, Respondent has waived his or her right to an informal settlement conference, a formal hearing before an Administrative Law Judge at the State Office of Administrative Hearings (SOAH), and judicial review pursuant to Texas Government Code Chapter 2001, in exchange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

FOR THE STAFF OF THE COUNCIL:

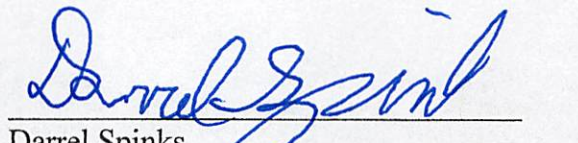
  
Jesse Ramel  
Clinical Social Worker License  
#61096

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

DATE SIGNED: 8/21/25

DATE SIGNED: 8/25/25

APPROVED, RATIFIED, AND ENTERED THIS 3rd DAY OF September, 2025.

  
Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

**COMPLAINT NO. 2025-00807**

**IN THE MATTER OF**

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**BEFORE THE TEXAS BEHAVIORAL  
HEALTH EXECUTIVE COUNCIL**

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

**ROSALINDA HEIDER**

**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 Rosalinda Heider (“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 (#52695) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. Respondent failed to set and maintain professional boundaries with a client.
3. Respondent violated client confidentiality when Respondent shared information about a client to her husband.

**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(7) and (8).

## ORDER

### IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Respondent's license is hereby REPRIMANDED.
2. Respondent, within thirty (30) days of the date this order is ratified, shall complete and submit proof of completion of six (6) hours of professional development relating to boundaries and six (6) hours of professional conduct related to scope of practice. This professional development is in addition to the professional development hours required for license renewal. Respondent will pay all costs of the coursework.
3. Pursuant to Rule 781.404(b)(8)(M) Respondent's status as a supervisor is hereby revoked. Once the terms of this order have been completed Respondent may then reapply for supervisor status. Respondent must meet all applicable licensure rules and requirements at the time of reapplication for supervisor status, the fact that Respondent previously held supervisor status does not guarantee Respondent's future application will be approved.

## 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.**

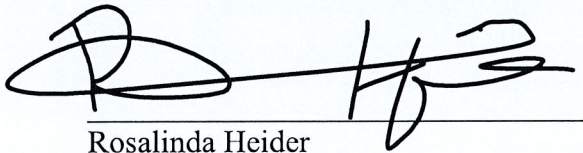
## WAIVERS

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.

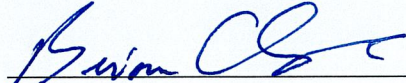
THE RESPONDENT, BY SIGNING THIS ORDER, AGREES TO ITS TERMS, ACKNOWLEDGES UNDERSTANDING OF THE FORMAL NOTICES, FINDINGS OF FACT, AND CONCLUSIONS OF LAW SET FORTH HEREIN AND COVENANTS TO SATISFACTORILY COMPLY WITH THE MANDATES OF THIS ORDER IN A TIMELY MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES 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:

FOR THE STAFF OF THE COUNCIL:



Rosalinda Heider  
Clinical Social Worker  
License #52695

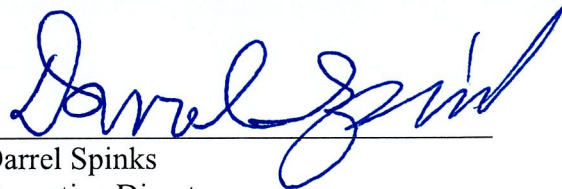


Brian Clark  
Texas Bar No. 24099457  
Staff Attorney  
Texas Behavioral Health Executive Council  
1801 Congress Ave., Suite 7.300  
Austin, Texas 78701

DATE SIGNED: 11/13/25

DATE SIGNED: 11/19/25

APPROVED, RATIFIED, AND ENTERED THIS 21<sup>st</sup> DAY OF November, 20 25.



Darrel Spinks  
Executive Director  
Texas Behavioral Health Executive Council

Rule: 781.102. Definitions.

Action: Adopted Amendments.

Comment: The adopted amendments update language related to supervisors to remove terminology that suggests the Council approves individual supervision relationships and to align with changes proposed in other rules.

§781.102. Definitions. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Accredited colleges or universities--An educational institution that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, the Texas Higher Education Coordinating Board, or the United States Department of Education.
- (2) Act--The Social Work Practice Act, Texas Occupations Code, Chapter 505, concerning the licensure and regulation of social workers.
- (3) Agency--A public or private employer, contractor or business entity providing social work services.
- (4) Assessment--An ongoing process of gathering information about and reaching an understanding of the client or client group's characteristics, perceived concerns and real problems, strengths and weaknesses, and opportunities and constraints; assessment may involve administering, scoring and interpreting instruments designed to measure factors about the client or client group.
- (5) Association of Social Work Boards (ASWB)--The international organization which represents regulatory boards of social work and administers the national examinations utilized in the assessment for licensure.
- (6) Board--Texas State Board of Social Worker Examiners.
- (7) Case record--Any information related to a client and the services provided to that client, however recorded and stored.
- (8) Client--An individual, family, couple, group or organization that receives social work services from a person identified as a social worker who is licensed by the Council.
- (9) Clinical social work--A specialty within the practice of master social work that requires applying social work theory, knowledge,

methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or bio-psychosocial functioning of individuals, couples, families, groups, and/or persons who are adversely affected by social or psychosocial stress or health impairment. Clinical social work practice involves using specialized clinical knowledge and advanced clinical skills to assess, diagnose, and treat mental, emotional, and behavioral disorders, conditions and addictions, including severe mental illness and serious emotional disturbances in adults, adolescents and children. Treatment methods may include, but are not limited to, providing individual, marital, couple, family, and group psychotherapy. Clinical social workers are qualified and authorized to use the Diagnostic and Statistical Manual of Mental Disorders (DSM), the International Classification of Diseases (ICD), Current Procedural Terminology (CPT) codes, and other diagnostic classification systems in assessment, diagnosis, and other practice activities. The practice of clinical social work is restricted to either a Licensed Clinical Social Worker, or a Licensed Master Social Worker under clinical supervision in employment or under a clinical supervision plan.

- (10) Confidential information--Individually identifiable information relating to a client, including the client's identity, demographic information, physical or mental health condition, the services the client received, and payment for past, present, or future services the client received or will receive. Confidentiality is limited in cases where the law requires mandated reporting, where third persons have legal rights to the information, and where clients grant permission to share confidential information.
- (11) Conditions of exchange--Setting reimbursement rates or fee structures, as well as business rules or policies involving issues such as setting and cancelling appointments, maintaining office hours, and managing insurance claims.
- (12) Counseling, clinical--The use of clinical social work to assist individuals, couples, families or groups in learning to solve problems and make decisions about personal, health, social, educational, vocational, financial, and other interpersonal concerns.
- (13) Counseling, supportive--The methods used to help individuals create and maintain adaptive patterns. Such methods may include, but are not limited to, building community resources and networks, linking clients with services and resources, educating clients and

informing the public, helping clients identify and build strengths, leading community groups, and providing reassurance and support.

- (14) Council--The Texas Behavioral Health Executive Council.
- (15) Consultation--Providing advice, opinions and conferring with other professionals regarding social work practice.
- (16) Continuing education--Education or training aimed at maintaining, improving, or enhancing social work practice.
- (17) Council on Social Work Education (CSWE)--The national organization that accredits social work education schools and programs.
- (18) Direct practice--Providing social work services through personal contact and immediate influence to help clients achieve goals.
- (19) Dual or multiple relationship--A relationship that occurs when social workers interact with clients in more than one capacity, whether it be before, during, or after the professional, social, or business relationship. Dual or multiple relationships can occur simultaneously or consecutively.
- (20) Electronic practice--Interactive social work practice that is aided by or achieved through technological methods, such as the web, the Internet, social media, electronic chat groups, interactive TV, list serves, cell phones, telephones, faxes, and other emerging technology.
- (21) Examination--A standardized test or examination, approved by the Council, which measures an individual's social work knowledge, skills and abilities.
- (22) Equivalent or substantially equivalent--A a licensing standard or requirement for an out-of-state license that is equal to or greater than a Texas licensure requirement shall be deemed equivalent or substantially equivalent.
- (23) Executive Director--~~The~~ the executive director for the Texas Behavioral Health Executive Council. The executive director may delegate responsibilities to other staff members.
- (24) Exploitation--Using a pattern, practice or scheme of conduct that can reasonably be construed as primarily meeting the licensee's needs or benefitting the licensee rather than being in the best

interest of the client. Exploitation involves the professional taking advantage of the inherently unequal power differential between client and professional. Exploitation also includes behavior at the expense of another practitioner. Exploitation may involve financial, business, emotional, sexual, verbal, religious and/or relational forms.

- (25) Field placement--A formal, supervised, planned, and evaluated experience in a professional setting under the auspices of a CSWE-accredited social work program and meeting CSWE standards.
- (26) Fraud--A social worker's misrepresentation or omission about qualifications, services, finances, or related activities or information, or as defined by the Texas Penal Code or by other state or federal law.
- (27) Full-time experience--Providing social work services thirty or more hours per week.
- (28) Group supervision for licensure or for specialty recognition-- Providing supervision to a minimum of two and a maximum of six supervisees in a designated supervision session.
- (29) Health care professional--A licensee or any other person licensed, certified, or registered by the State of Texas in a health related profession.
- (30) Impaired professional--A licensee whose ability to perform social work services is impaired by the licensee's physical health, mental health, or by medication, drugs or alcohol.
- (31) Independent clinical practice--The practice of clinical social work in which the social worker, after having completed all requirements for clinical licensure, assumes responsibility and accountability for the nature and quality of client services, pro bono or in exchange for direct payment or third party reimbursement. Independent clinical social work occurs in independent settings.
- (32) Independent non-clinical practice--The unsupervised practice of non-clinical social work outside of an organizational setting, in which the social worker, after having completed all requirements for independent non-clinical practice recognition, assumes responsibility and accountability for the nature and quality of client services, pro bono or in exchange for direct payment or third party reimbursement.

- (33) Independent Practice Recognition--A specialty recognition related to unsupervised non-clinical social work at the LBSW or LMSW category of licensure, which denotes that the licensee has earned the specialty recognition, commonly called IPR, by successfully completing additional supervision which enhances skills in providing independent non-clinical social work.
- (34) Individual supervision for licensure or specialty recognition-- Supervision for professional development provided to one supervisee during the designated supervision session.
- (35) LBSW--Licensed Baccalaureate Social Worker.
- (36) LCSW--Licensed Clinical Social Worker.
- (37) License--A regular or temporary Council-issued license, including LBSW, LMSW, and LCSW. Some licenses may carry an additional specialty recognition, such as LMSW-AP, LBSW-IPR, or LMSW-IPR.
- (38) Licensee--A person licensed by the Council to practice social work.
- (39) LMSW--Licensed Master Social Worker.
- (40) LMSW-AP--Licensed Master Social Worker with the Advanced Practitioner specialty recognition for non-clinical practice. This specialty recognition will no longer be conferred after September 1, 2017. Licensees under a supervision plan for this specialty recognition before September 1, 2017 will be permitted to complete supervision and examination for this specialty recognition.
- (41) Non-clinical social work--Professional social work which incorporates non-clinical work with individuals, families, groups, communities, and social systems which may involve locating resources, negotiating and advocating on behalf of clients or client groups, administering programs and agencies, community organizing, teaching, researching, providing employment or professional development non-clinical supervision, developing and analyzing policy, fund-raising, and other non-clinical activities.
- (42) Person--An individual, corporation, partnership, or other legal entity.

- (43) Psychotherapy--Treatment in which a qualified social worker uses a specialized, formal interaction with an individual, couple, family, or group by establishing and maintaining a therapeutic relationship to understand and intervene in intrapersonal, interpersonal and psychosocial dynamics; and to diagnose and treat mental, emotional, and behavioral disorders and addictions.
- (44) Recognition--Authorization from the Council to engage in the independent or specialty practice of social work services.
- (45) Rules--Provisions of this chapter specifying how the Council implements the Act--as well as Title 22, Chapters 881-885 of the Texas Administrative Code.
- (46) Social work case management--Using a bio-psychosocial perspective to assess, evaluate, implement, monitor and advocate for services on behalf of and in collaboration with the identified client or client group.
- (47) Social worker--A person licensed under the Act.
- (48) Social work practice--Services which an employee, independent practitioner, consultant, or volunteer provides for compensation or pro bono to effect changes in human behavior, a person's emotional responses, interpersonal relationships, and the social conditions of individuals, families, groups, organizations, and communities. Social work practice is guided by specialized knowledge, acquired through formal social work education. Social workers specialize in understanding how humans develop and behave within social environments, and in using methods to enhance the functioning of individuals, families, groups, communities, and organizations. Social work practice involves the disciplined application of social work values, principles, and methods including, but not limited to, psychotherapy; marriage, family, and couples intervention; group therapy and group work; mediation; case management; supervision and administration of social work services and programs; counseling; assessment, diagnosis, treatment; policy analysis and development; research; advocacy for vulnerable groups; social work education; and evaluation.
- (49) ~~Supervisor, Council approved~~--A person who holds a social work license with the Council and has received recognition of supervisor status to provide supervision in Texas, meeting the requirements set out in §781.402 of this title (relating to Clinical Supervision for LCSW and Non-Clinical Supervision for Independent Practice Recognition), to supervise a licensee towards the LCSW,

~~Independent Practice Recognition, or as a result of a Council order.~~  
A Council-licensed ~~approved~~ supervisor will denote having this specialty recognition by placing a "-S" after their credential initials, e.g., LBSW-S, LMSW-S or LCSW-S.

- (50) Supervision--Supervision includes:
- (A) administrative or work-related supervision of an employee, contractor or volunteer that is not related to qualification for licensure, practice specialty recognition, a disciplinary order, or a condition of new or continued licensure;
  - (B) clinical supervision of a Licensed Master Social Worker in a setting in which the LMSW is providing clinical services; the supervision may be provided by a Licensed Professional Counselor, Licensed Psychologist, Licensed Marriage and Family Therapist, Licensed Clinical Social Worker or Psychiatrist. This supervision is not related to qualification for licensure, practice specialty recognition, a disciplinary order, or a condition of new or continued licensure;
  - (C) clinical supervision of a Licensed Master Social Worker, who is providing clinical services and is under a supervision plan to fulfill LCSW supervised experience ~~supervision~~ requirements for achieving the LCSW; a Licensed Clinical Social Worker with who is a Council-approved supervisor status delivers this supervision;
  - (D) non-clinical supervision of a Licensed Master Social Worker or Licensed Baccalaureate Social Worker who is providing non-clinical social work service toward qualifications for independent non-clinical practice recognition; this supervision is delivered by a Council-approved supervisor with independent practice recognition, appropriate category of licensure, and supervisor status; and
  - (E) Council-ordered supervision of a licensee by a Council-approved supervisor pursuant to a disciplinary order or as a condition of new or continued licensure.
- (51) Supervision hour--A supervision hour is a minimum of 60 minutes in length.
- (52) Termination--Ending social work services with a client.

- (53) Waiver--The suspension of educational, professional, and/or examination requirements for applicants who meet the criteria for licensure under special conditions based on appeal to the Council.

DRAFT

Rule: 781.302. The Practice of Social Work

Action: Adopted Amendments

Comment: The adopted amendments update rule references to clinical and non-clinical supervision plans, to align with other proposed rule changes.

§781.302. The Practice of Social Work

- (a) Practice of Baccalaureate Social Work--Applying social work theory, knowledge, methods, ethics and the professional use of self to restore or enhance social, psychosocial, or bio-psychosocial functioning of individuals, couples, families, groups, organizations and communities. Baccalaureate Social Work is generalist practice and may include interviewing, assessment, planning, intervention, evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, problem solving, supervision, consultation, education, advocacy, community organization, and policy and program development, implementation, and administration. An LBSW may only practice social work in an agency employment setting or under contract with an agency, unless under a non-clinical supervision plan per §781.406(c) ~~781.402(d)(1)~~ of this title.
- (b) Practice of Independent Non-Clinical Baccalaureate Social Work--An LBSW recognized for independent practice, known as LBSW-IPR, may provide any non-clinical baccalaureate social work services in either an employment or an independent practice setting. An LBSW-IPR may work under contract, bill directly for services, and bill third parties for reimbursements for services. An LBSW-IPR must restrict his or her independent practice to providing non-clinical social work services.
- (c) Practice of Master's Social Work--Applying social work theory, knowledge, methods and ethics and the professional use of self to restore or enhance social, psychosocial, or bio-psychosocial functioning of individuals, couples, families, groups, organizations and communities. Master's Social Work practice may include applying specialized knowledge and advanced practice skills in assessment, treatment, planning, implementation and evaluation, case management, mediation, counseling, supportive counseling, direct practice, information and referral, supervision, consultation, education, research, advocacy, community organization and developing, implementing and administering policies, programs and activities. An LMSW may engage in Baccalaureate Social Work practice. An LMSW may only practice social work in an agency employment setting or under contract with an agency, unless under a non-clinical supervision plan per §781.406(c) ~~781.402(d)(1)~~ of this title. An LMSW may practice clinical social work, as defined by subsection (f)

of this section, in an agency employment setting or under contract with an agency if under clinical supervision per §781.402(a)(2) ~~781.404(a)(2)~~ of this title or under a clinical supervision plan with an LCSW supervisor per §781.402(a)(3) and §781.405(a) ~~781.404(a)(3)~~ of this title.

- (d) **Advanced Non-Clinical Practice of LMSWs**--An LMSW recognized as an Advanced Practitioner (LMSW-AP) may provide any non-clinical social work services in either an employment or an independent practice setting. An LMSW-AP may work under contract, bill directly for services, and bill third parties for reimbursements for services. An LMSW-AP must restrict his or her practice to providing non-clinical social work services.
- (e) **Independent Practice for LMSWs**--An LMSW recognized for independent practice may provide any non-clinical social work services in either an employment or an independent practice setting. This licensee is designated as LMSW-IPR. An LMSW-IPR may work under contract, bill directly for services, and bill third parties for reimbursements for services. An LMSW-IPR must restrict his or her independent practice to providing non-clinical social work services.
- (f) **Practice of Clinical Social Work**--The practice of social work that requires applying social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, and/or persons who are adversely affected by social or psychosocial stress or health impairment. The practice of clinical social work requires applying specialized clinical knowledge and advanced clinical skills in assessment, diagnosis, and treatment of mental, emotional, and behavioral disorders, conditions and addictions, including severe mental illness and serious emotional disturbances in adults, adolescents, and children. The clinical social worker may engage in Baccalaureate Social Work practice and Master's Social Work practice. Clinical treatment methods may include but are not limited to providing individual, marital, couple, family, and group therapy, mediation, counseling, supportive counseling, direct practice, and psychotherapy. Clinical social workers are qualified and authorized to use the Diagnostic and Statistical Manual of Mental Disorders (DSM), the International Classification of Diseases (ICD), Current Procedural Terminology (CPT) Codes, and other diagnostic classification systems in assessment, diagnosis, treatment and other practice activities. An LCSW may provide any clinical or non-clinical social work service or supervision in either an employment or independent practice setting. An LCSW may work under contract, bill directly for services, and bill third parties for service reimbursements.
- (g) A licensee who is not recognized for independent practice and who is not under a non-clinical supervision plan must not engage in any independent

practice that falls within the definition of social work practice in §781.102 of this title (~~relating to Definitions~~) unless the person is licensed in another profession and acting solely within the scope of that license. If the person is practicing professionally under another license, the person may not use the titles "licensed master social worker," "licensed social worker," or "licensed baccalaureate social worker," or any other title or initials that imply social work licensure.

- (h) An LBSW or LMSW who is not recognized for independent practice may bill directly to patients or bill directly to third party payers if the LBSW or LMSW is under a formal supervision plan.

Rule: 781.303. General Standards of Practice

Action: Adopted Amendments

Comment: The adopted amendment would require a licensee who provides services to a client who concurrently receives services from another provider to seek consent from the client to contact the other provider and to strive to establish a collaborative relationship with that provider. The amendment also clarifies a licensee must report any knowledge of unlicensed practice.

§781.303. General Standards of Practice. This section establishes standards of professional conduct required of a social worker. The licensee, following applicable statutes:

- (1) shall not knowingly offer or provide professional services to an individual concurrently receiving professional services from another mental health services provider except with that provider's knowledge. If a licensee learns of such concurrent professional services, the licensee must immediately request release from the client ~~shall take immediate and reasonable action~~ to inform the other mental health services provider and strive to establish a positive and collaborative professional relationship;
- (2) shall terminate a professional relationship when it is reasonably clear that the client is not benefiting from the relationship. If continued professional services are indicated, the licensee shall take reasonable steps to facilitate transferring the client by providing the client with the name and contact information of three sources of service;
- (3) shall not evaluate any individual's mental, emotional, or behavioral condition unless the licensee has personally interviewed the individual or the licensee discloses with the evaluation that the licensee has not personally interviewed the individual;
- (4) shall not persistently or flagrantly over treat a client;
- (5) shall not aid and abet the unlicensed practice of social work by a person required to be licensed under the Act and must report to the council knowledge of any unlicensed practice;
- (6) shall not participate in any way in falsifying licensure applications or any other documents submitted to the Council;
- (7) shall ensure that, both before services commence and as services progress, the client knows the licensee's qualifications and any intent to delegate service provision; any restrictions the Council

has placed on the licensee's license; the limits on confidentiality and privacy; and applicable fees and payment arrangements;

- (8) if the client must barter for services, shall ~~it is the professional's responsibility to~~ ensure that the client is in no way harmed. The value of the barter shall be agreed upon in advance and shall not exceed customary charges for the service or goods; and
- (9) shall ensure that the client or a legally authorized person representing the client has signed a consent for services. A licensee shall obtain and keep a copy of the relevant portions of any court order, divorce decree, power of attorney, or letters of guardianship authorizing the individual to provide substitute consent on behalf of the minor or ward.

781.322. 781.322. Child Custody Evaluations.

Action: Adopted Amendments

Comment: The adopted amendments are made to conform the rule to the statutory changes made to Sections 107.104 and 107.112 of the Family Code by H.B. 2340 from the 89th Legislature, Regular Session (2025).

§781.322. Child Custody Evaluations.

- (a) Licensees shall comply with Texas Family Code, Chapter 107, Subchapters D, E, and F, concerning Child Custody Evaluation, Adoption Evaluation, and Evaluations in Contested Adoptions.
- (b) A licensee who has completed a doctoral degree and at least 10 court-ordered child custody evaluations under the supervision of an individual qualified by the Texas Family Code, Chapter 107 to perform child custody evaluations is qualified to conduct child custody evaluations under Texas Family Code, Chapter 107. All other licensees must comply with the qualification requirements stipulated in Texas Family Code, Chapter 107.
  - (1) In addition to the minimum qualifications set forth by this rule, an individual must complete at least eight hours of family violence dynamics training provided by a family violence service provider to be qualified to conduct child custody evaluations.
  - (2) In addition to the qualifications prescribed by this rule, to be qualified to conduct a child custody evaluation, an individual must complete, during the two-year period preceding the evaluation, at least three hours of initial or continuing training, as applicable, related to the care of a child with an intellectual disability or developmental disability, including education, therapy, preparation for independent living, or methods for addressing physical or mental health challenges.
- (c) Any complaint relating to the outcome of a child custody evaluation or adoption evaluation conducted by a licensee must be reported to the court that ordered the evaluation, Council rule §884.3 of this title.
- (d) Disclosure of confidential information in violation of Texas Family Code, §§107.111, 107.1111, or §107.163, or failure to redact any social security numbers or child's birth date from records subject to disclosure under 107.112 before making the records available, is grounds for disciplinary action, up to and including revocation of license, by the Council.

- (e) A licensee who provides services concerning a matter which the licensee knows or should know will be utilized in a legal proceeding, such as a divorce, child custody determination, disability claim, or criminal prosecution, must comply with all applicable Council rules in this chapter regardless of whether the licensee is acting as a factual witness or an expert.
- (f) A licensee may not provide therapy and any other type of service, including but not limited to a child custody evaluation or parenting facilitation, in the same case, whether such services are delivered sequentially or simultaneously.
- (g) Licensees may not offer an expert opinion or recommendation relating to the conservatorship of or possession of or access to a child unless the licensee has conducted a child custody evaluation relating to the child under Texas Family Code, Chapter 107, Subchapter D.
- (h) Prior to beginning ~~Licensees providing~~ child custody evaluations or adoption evaluations, licensees shall, ~~prior to beginning the evaluation, in writing~~ inform the parties in writing of:
  - (1) the limitations on confidentiality in the evaluation process; and
  - (2) the basis of fees and costs and the method of payment, including any fees associated with postponement, cancelation and/or nonappearance, and the parties' pro rata share of the fees and costs as determined by the court order or written agreement of the parties.
- (i) A Licensed Baccalaureate Social Worker shall not conduct child custody evaluations or adoption evaluations unless qualified to provide such services by another professional license or otherwise by Texas Family Code, Chapter 107.

Rule: 781.401. Qualifications for Licensure

Action: Adopted Amendment

Comment: The adopted amendments align the rule with statutory language and use more plain language to describe licensure requirements, including to replace the phrase “Council-approved supervisor” with the more accurate term “qualified supervisor.” The amendments also remove language related to the independent practice recognition specialty, which is proposed to be included in a new rule.

781.401. Qualifications for Licensure.

(a) ~~Licensure.~~ The following education and experience is required for licensure as designated. ~~If an applicant for a license has held a substantially equivalent license in good standing in another jurisdiction for one year immediately preceding the date of application, the applicant will be deemed to have met the experience requirement under this chapter.~~

(1) Licensed Clinical Social Worker (LCSW).

(A) ~~Has been conferred a doctoral or master's degree in social work from a Council on Social Work Education (CSWE)-CSWE-accredited social work program, or a doctoral degree in social work from an accredited institution of higher learning acceptable to the Council, and has documentation in the form of a university transcript of successfully completing a field placement in social work.~~

(B) Has documentation in the form of a university transcript of successfully completing a field placement in social work.

(C)~~(B)~~ Has had 3000 hours of supervised professional clinical experience over a period of at least 24 months, or its equivalent if the experience was completed in another jurisdiction. Hours accrued in non-clinical settings may be used to satisfy the requirements of this rule if the applicant works at least 4 hours per week providing clinical social work as defined in §781.102 of this title.

(D)~~(C)~~ Has had a minimum of 100 hours of supervision, over the course of the 3000 hours of supervised experience, with a qualified supervisor. ~~Council-approved supervisor.~~ If the social worker completed supervision in another jurisdiction, the social worker shall have the supervision verified by the regulatory authority in the other jurisdiction.

If such verification is impossible, the social worker may request that the Council accept alternate verification of supervision. If an applicant for a license has held a substantially equivalent license in good standing in another jurisdiction for one year immediately preceding the date of application, the applicant will be deemed to have met the experience requirement under this chapter.

~~(E)(D)~~ Has passed the Clinical examination administered nationally by ASWB.

(2) Licensed Master Social Worker (LMSW).

(A) Has been conferred a doctoral or master's degree in social work from a social work program that is accredited by, or in candidacy for accreditation by, CSWE. ~~CSWE-accredited social work program, or a doctoral degree in social work from an accredited university acceptable to the Council, and has documentation in the form of a university transcript of successfully completing a field placement in social work.~~

~~(B)~~ Has documentation in the form of a university transcript of successfully completing a field placement in social work.

~~(C)(B)~~ Has passed the Master's examination administered nationally by ASWB.

(3) Licensed Baccalaureate Social Worker (LBSW).

(A) Has been conferred a baccalaureate degree in social work from a social work program that is accredited by, or in candidacy for accreditation by CSWE. ~~CSWE-accredited social work program.~~

(B) Has passed the Bachelors examination administered nationally by ASWB.

~~(b) Specialty Recognition. The following education and experience is required for Independent Non-clinical Practice specialty recognitions.~~

~~(1) Is currently licensed in the State of Texas as an LBSW or LMSW.~~

~~(2) While fully licensed as a social worker has had 3000 hours of supervised full time social work experience over a minimum two-year period, or its equivalent if the experience was completed in~~

~~another state. Supervised professional experience must comply with §781.404 of this title and all other applicable laws and rules.~~

~~(3) — Has had a minimum of 100 hours of supervision, over the course of the 3000 hours of experience, with a Council-approved supervisor. If supervision was completed in another jurisdiction, the social worker shall have the supervision verified by the regulatory authority in the other jurisdiction. If such verification is impossible, the social worker may request that the Council accept alternate verification.~~

(b)(e) All applicants ~~Applicants~~ for a license must complete the Council's social work jurisprudence examination and submit proof of completion at the time of application.

Rule: 781.402. Clinical Supervision for LCSW and Non-Clinical Supervision for Independent Practice Recognition.

Action: Adopted Repeal

Comment: The adopted repeal removes the current rule in conjunction with proposed new rules that restructure and consolidate existing rule language.

~~§781.402. Clinical Supervision for LCSW and Non-Clinical Supervision for Independent Practice Recognition.~~

- ~~(a) A person who has obtained a temporary license may not begin the supervision process toward independent non-clinical practice or independent clinical practice until the regular license is issued.~~
- ~~(b) To accrue supervised clinical experience required for the issuance of a LCSW:
  - ~~(1) an LMSW shall complete a supervision plan form prescribed by the Council, or a form with substantially equivalent information, and signed by both the LMSW and the Council-approved clinical supervisor;~~
  - ~~(2) the Council-approved clinical supervisor shall keep a supervision file on the LMSW that includes the supervision plan, list of locations where the LMSW provides supervised clinical services, and a log of clinical experience and supervision earned by the LMSW;~~
  - ~~(3) the Council-approved clinical supervisor shall submit a completed and signed supervision verification form prescribed by the Council when the LMSW submits an application for re-categorization; and~~
  - ~~(4) the LMSW shall submit an application for re-categorization of his or her licensure to LCSW upon fulfillment of the supervision requirements.~~~~
- ~~(c) An LMSW who plans to apply for the LCSW may not open an independent social work practice to provide clinical social work to clients.~~
- ~~(d) To accrue supervised experience required for an LBSW or an LMSW to apply for Independent Practice Recognition the LBSW or LMSW shall:
  - ~~(1) complete a supervision plan form prescribed by the Council, or a form with substantially equivalent information, and signed by both the LBSW or LMSW and the Council-approved supervisor;~~~~

- ~~(2) — the Council approved supervisor shall keep a supervision file on the LBSW or LMSW that includes the supervision plan, list of locations where the LBSW or LMSW provides supervised services, and a log of experience and supervision earned by the LBSW or LMSW;~~
  - ~~(3) — the Council approved supervisor shall submit a completed and signed supervision verification form prescribed by the Council when the LBSW or LMSW submits an application for Independent Practice Recognition; and~~
  - ~~(4) — submit an application for Independent Practice Recognition upon fulfillment of the supervision requirements.~~
- ~~(e) — A licensee who is required to be supervised as a condition of initial licensure, continued licensure, or disciplinary action must:~~
- ~~(1) — submit one supervisory plan for each practice location to the Council for approval by the Council or its designee within 30 days of initiating supervision;~~
  - ~~(2) — submit a current job description from the agency in which the social worker is employed with a verification of authenticity from the agency director or his or her designee on agency letterhead or submit a copy of the contract or appointment under which the licensee intends to work, along with a statement from the potential supervisor that the supervisor has reviewed the contract and is qualified to supervise the licensee in the setting;~~
  - ~~(3) — ensure that the supervisor submits reports to the Council on a schedule determined by the Council. In each report, the supervisor must address the supervisee's performance, how closely the supervisee adheres to statutes and rules, any special circumstances that led to the imposition of supervision, and recommend whether the supervisee should continue licensure. If the supervisor does not recommend the supervisee for continued licensure, the supervisor must provide specific reasons for not recommending the supervisee. The Council may consider the supervisor's reservations as it evaluates the supervision verification the supervisee submits; and~~
  - ~~(4) — notify the Council immediately if there is a disruption in the supervisory relationship or change in practice location and submit a new supervisory plan within 30 days of the break or change in practice location.~~

~~(f) This rule shall apply to all pending applications, supervision plans awaiting review or previously approved, as well as all future applications filed with the Council.~~

DRAFT

Rule: 781.402 Types of Supervision

Action: Adopted New Rule

Comment: The adopted new rule will consolidate existing rule language regarding the types of supervision provided by social work licensees. The new language makes non-substantive edits to use more plain, direct language.

§781.402. Types of Supervision.

(a) Types of supervision.

(1) Administrative or work-related oversight of an employee, contractor or volunteer that is not related to qualification for licensure, practice specialty recognition, a disciplinary order, or a condition of new or continued licensure. This supervision does not require recognition by the Council.

(2) Clinical supervision of an LMSW in a setting in which the LMSW is providing clinical services. This supervision may be provided by a Licensed Professional Counselor, Licensed Psychologist, Licensed Marriage and Family Therapist, Licensed Clinical Social Worker (LCSW), or Psychiatrist. This supervision is not related to qualification for licensure, practice specialty recognition, a disciplinary order, or a condition of new or continued licensure.

(3) Clinical supervision of an LMSW, who is providing clinical services and is under a supervision plan to fulfill supervision requirements for achieving the LCSW. This supervision must be provided by a Licensed Clinical Social Worker who holds supervisor status.

(4) Non-clinical supervision of an LMSW or Licensed Baccalaureate Social Worker (LBSW) who is providing non-clinical social work service toward qualifications for independent non-clinical practice recognition.

(5) Council-ordered supervision of a licensee by an approved supervisor pursuant to a disciplinary order or as a condition of new or continued licensure.

(b) A licensee with supervisor status may perform the following supervisory functions.

- (1) An LCSW may supervise clinical experience toward the LCSW license, non-clinical experience toward the Independent Practice Recognition (non-clinical), and Council-ordered supervision.
  - (2) An LMSW with the Independent Practice Recognition (non-clinical) or Advanced Practitioner (AP) recognition may supervise an LBSW's or LMSW's non-clinical experience toward the non-clinical Independent Practice Recognition, and an LBSW or LMSW (non-clinical) under Council-ordered supervision.
  - (3) An LBSW with the non-clinical Independent Practice Recognition may supervise an LBSW's non-clinical experience toward the non-clinical Independent Practice Recognition, and an LBSW under Council-ordered supervision.
- (c) A supervisor shall supervise only those supervisees who provide services that fall within the supervisor's own competency.

Rule: 781.403. Independent Practice Recognition (Non-Clinical)

Action: Adopted Repeal

Comment: The adopted repeal removes the current rule in conjunction with proposed new rules that restructure and consolidate existing rule language.

~~§781.403. Independent Practice Recognition (Non-Clinical)~~

- ~~(a) — An LBSW or LMSW who seeks to obtain the specialty recognition of independent non-clinical practice shall meet requirements and parameters set by the Council in §781.401 of this title (relating to Qualifications for Licensure).~~
- ~~(b) — An individual supervising an LBSW for independent non-clinical practice recognition shall be an LBSW recognized for independent non-clinical practice; an LMSW recognized for independent non-clinical practice; an LMSW-AP; or an LCSW. The supervisor shall be Council-approved.~~
- ~~(c) — An individual supervising an LMSW for the independent non-clinical practice recognition shall be Council-approved and shall be an LMSW recognized for independent non-clinical practice, an LMSW-AP, or an LCSW.~~
- ~~(d) — A person who has obtained only the temporary license may not begin supervision until the Council issues a regular license.~~
- ~~(e) — The Council may use the Internal Revenue Service (IRS) guidelines developed in 1996 to demonstrate whether a professional is an independent contractor or an employee. These guidelines revolve around the control an employer has in an employer-employee relationship, in which the employer has the right to control the "means and details" by which services are performed.
  - ~~(1) — Behavioral control. The employer can control the employee's behavior by giving instructions about how the work gets done rather than simply looking at the end products of work. The more detailed the instructions, the more control the employer exercises. An employer requiring that employees be trained for the job is also an example of behavioral control, though contractors may also go through training.~~
  - ~~(2) — Financial control. The employer determines the amount and regularity of payments to employees. A contractor is typically paid when he/she completes the work, and the contractor usually sets a timeframe for completing the work. The most important element of~~~~

financial control is that a contractor has more freedom to make business decisions that affect the profitability of his/her work. A contractor, for instance, may invest in renting an office or buying equipment, while the employee does not. While employees are usually reimbursed for job-related expenses, the contractor may or may not be reimbursed, but lack of reimbursement usually signals that a worker is independent. An independent contractor often makes his or her services available to other potential clients, while an employee does not.

(3) — Relationship of the parties. The intent of the relationship is significant. The relationship is usually outlined in the written contract and gives one party more control than the other. If a company gives a worker employee benefits, the worker is an employee. The ability to terminate the relationship is another evidence of control in the relationship. If the employer-employee relationship appears to be permanent, it denotes an employee, not contractor, relationship. If a worker performs activities that are a key aspect of the company's regular business, that denotes an employee status.

(f) — An LBSW or LMSW who plans to apply for the specialty recognition of non-clinical independent practice shall follow procedures set out in §781.402 of this title (relating to Clinical Supervision for LCSW and Non-Clinical Supervision for LMSW AP and Independent Practice Recognition).

(g) — An LBSW or LMSW may practice independently when the LMSW or LBSW holds the independent practice specialty recognition, or when under a supervision plan for independent practice but the Council-approved supervisor is still responsible for the acts or omissions of the supervisee while providing services under the supervision plan.

Rule: 781.403. Supervision Process

Action: Adopted New Rule

Comment: The adopted new rule consolidates existing rule language regarding the supervision process and requirements supervisors must perform. The new language clarifies the type of records a supervisor must keep, including a detailed log of supervision sessions and a plan for the custody of records in the event a supervisor ceases practice. The new language requires a supervisee to notify supervisors of any pending complaints against the supervisee, and to share a copy of any remediation plan with all current and future supervisors. The new language also makes non-substantive edits to use more plain, direct language.

§781.403. Supervision Process.

- (a) A supervisor providing any form of supervision, other than administrative or work-related supervision described in §781.402(a)(1) of this title, must comply with the following:
- (1) The supervisor is obligated to keep legible, accurate, complete, signed supervision notes and must be able to produce such documentation for the Council if requested. The notes shall document the content, duration, and date of each supervision session.
  - (2) A social worker may only provide supervision to a supervisee employed in another setting with written approval of the employer. A copy of the approval must be kept in the supervisor's files.
  - (3) A supervisor who is otherwise compensated for supervisory duties may not charge or collect a fee or anything of value from the supervisee for the supervision services provided to the supervisee.
  - (4) The supervisor shall ensure that the supervisee knows and adheres to the laws and rules governing the practice of social work.
  - (5) A supervisor shall not be employed by or under the employment supervision of the person who he or she is supervising.
  - (6) A supervisor shall not be a family member of the person being supervised.
  - (7) The supervisor and supervisee shall avoid forming any relationship with each other that impairs the objective, professional judgment and prudent, ethical behavior of either.

- (b) All supervision toward licensure or specialty recognition must meet the following conditions.
- (1) The supervisor shall keep a supervision file on each supervisee that includes:
- (A) a supervision plan;
  - (B) a clearly defined job description and list of responsibilities for each of the supervisee's positions held during the supervised experience, including a discussion of any position or duties not subject to supervision;
  - (C) a list of locations where the supervisee provides supervised services;
  - (D) a log of experience and supervision earned by the supervisee that reflects the date and duration of each supervision meeting, the accumulated hours of non-clinical experience, and the accumulated hours of clinical supervised experience, if any;
  - (E) an established plan for the custody and control of the records of supervision for the supervisee in the event of the supervisor's death or incapacity or termination of the supervisor's practice,
  - (F) copy of written approval from the supervisee's employing agency agreeing to outside supervision, and
  - (G) a copy of any written plan for remediation of the supervisee described in 781.403(d) of this section.
- (2) A supervisor is responsible for developing a well-conceptualized supervision plan with the supervisee, and for updating that plan whenever there is a change in agency of employment, job function, goals for supervision, or method by which supervision is provided.
- (3) Before entering into a supervisory plan, the supervisor shall be aware of actual or intended service terms and conditions between a supervisee and their clients. The supervisor shall not provide supervision if the supervisee is practicing outside the authorized scope of the license. If the supervisor believes that a social worker is practicing outside the scope of the license, the supervisor shall make a report to the Council.

- (4) Supervision toward licensure or specialty recognition may occur in one-on-one sessions, in group sessions, or in a combination of one-on-one and group sessions. Sessions may transpire in the same geographic location, or via audio, web technology or other electronic supervision techniques that comply with HIPAA and Texas Health and Safety Code, Chapter 611, and/or other applicable state or federal statutes or rules.
- (5) Supervision groups shall have no fewer than two supervisees and no more than six.
- (6) The Council considers supervision toward licensure or specialty recognition to be supervision which promotes professional growth. Therefore, all supervision formats must encourage clear, accurate communication between the supervisor and the supervisee, including case-based communication that meets standards for confidentiality. Though the Council favors supervision formats in which the supervisor and supervisee are in the same geographical place for a substantial part of the supervised experience, the Council also recognizes that some current and future technology, such as using reliable, technologically-secure computer cameras and microphones, can allow personal face-to-face, though remote, interaction, and can support professional growth. Supervision formats must be clearly described in the supervision plan, explaining how the supervision strategies and methods of delivery meet the supervisee's professional growth needs and ensure that confidentiality is protected.
- (7) Supervision toward licensure or specialty recognition must extend over a full 3000 hours over a period of not less than 24 full months for Licensed Clinical Social Worker (LCSW) or Independent Practice Recognition (IPR). Even if the individual completes the minimum of 3000 hours of supervised experience and minimum of 100 hours of supervision prior to 24 months from the start date of supervision, supervision which meets the Council's minimum requirements shall extend to a minimum of 24 full months.
- (8) Supervision shall occur in proportion to the number of actual hours worked for the 3,000 hours of supervised experience. No more than 10 hours of supervision may be counted in any one month, or 30-day period, as appropriate, towards satisfying minimum requirements for licensure or specialty recognition.

(c) A supervisor who agrees to provide Council-ordered supervision of a licensee must understand the Council order and follow the supervision stipulations outlined in the order. The supervisor must address with the

licensee those professional behaviors that led to Council discipline, and must help to remediate those concerns while assisting the licensee to develop strategies to avoid repeating illegal, substandard, or unethical behaviors.

- (d) If the supervisor determines that the supervisee lacks the professional skills and competence to practice social work under an independent license, the supervisor shall develop and implement a written remediation plan for the supervisee. If a supervisee receives a remediation plan, the supervisee must provide a copy of the remediation plan to any other current or future supervisors, as well as any relevant documentation regarding successful completion of the plan.
- (e) The supervisor and the supervisee bear professional responsibility for the supervisee's professional activities. Supervisees notified of a pending complaint against them must inform each of their supervisors of the complaint. If a supervisee is informed of a pending complaint against them, the supervisee must notify each of their supervisors of the complaint.
- (f) A supervisee who provides client services for payment or reimbursement shall submit billing to the client or third-party payers which clearly indicates:
- (1) the services provided; and
  - (2) who provided the services; and specifying
  - (3) the supervisee's licensure category; and
  - (4) the fact that the licensee is under supervision.
- (g) If either the supervisor's or supervisee's license is revoked, suspended, placed on probated suspension, or becomes delinquent or expired during supervision, supervision hours accumulated during that time will not be accepted unless approved by the Council.

Rule: 781.404. Recognition as a Council-approved Supervisor and the Supervision Process.

Action: Adopted Amendments

Comment: The adopted amendments would consolidate existing rule language regarding the requirements to hold supervisor status. The amendments clarify that a supervisor must hold a social work license issued by the Council, and adds requirements for actions a licensee must take if supervisor status is revoked or expires. Language related to types of supervision and the supervision process is proposed to move to other consolidated rules.

§781.404. Recognition as a Council-approved Supervisor and the Supervision Process.

(a) ~~Types of supervision include:~~

- ~~(1) administrative or work-related supervision of an employee, contractor or volunteer that is not related to qualification for licensure, practice specialty recognition, a disciplinary order, or a condition of new or continued licensure;~~
- ~~(2) clinical supervision of a Licensed Master Social Worker in a setting in which the LMSW is providing clinical services; the supervision may be provided by a Licensed Professional Counselor, Licensed Psychologist, Licensed Marriage and Family Therapist, Licensed Clinical Social Worker or Psychiatrist. This supervision is not related to qualification for licensure, practice specialty recognition, a disciplinary order, or a condition of new or continued licensure;~~
- ~~(3) clinical supervision of a Licensed Master Social Worker, who is providing clinical services and is under a supervision plan to fulfill supervision requirements for achieving the LCSW; a Licensed Clinical Social Worker who is a Council-approved supervisor delivers this supervision;~~
- ~~(4) non-clinical supervision of a Licensed Master Social Worker or Licensed Baccalaureate Social Worker who is providing non-clinical social work service toward qualifications for independent non-clinical practice recognition; this supervision is delivered by a Council-approved supervisor; or~~
- ~~(5) Council-ordered supervision of a licensee by a Council-approved supervisor pursuant to a disciplinary order or as a condition of new or continued licensure.~~

~~(a)(b)~~ A person who wishes to hold supervisor status [~~be a Council-approved supervisor~~] must file an application, and pay the applicable fee, and meet the following qualifications.

(1) ~~Be A Council-approved supervisor must be~~ actively licensed in good standing by the Council as an LBSW, an LMSW, or an LCSW, ~~or be recognized as an Advanced Practitioner (LMSW-AP), or hold the equivalent social work license in another jurisdiction.~~

(2) ~~Have The person applying for Council-approved status must have practiced in the at his/her~~ category of licensure for two years. ~~The Council-approved supervisor shall supervise only those supervisees who provide services that fall within the supervisor's own competency.~~

~~(2) The Council-approved supervisor is responsible for the social work services provided within the supervisory plan.~~

(3) ~~Have The Council-approved supervisor must have~~ completed a 40-hour supervisor's training program acceptable to the Council.

~~(b)~~ Licensed practice in another jurisdiction under an equivalent scope of practice may count toward the two-year minimum experience requirement.

~~(c)(A)~~ At a minimum, the 40-hour supervisor's training program must meet each of the following requirements:

~~(1)(i)~~ the course must be taught by a licensed social worker holding both the appropriate license classification, and supervisor status issued by the Council;

~~(2)(ii)~~ all related coursework and assignments must be completed over a time period not to exceed 90 days; and

~~(3)(iii)~~ the 40-hour supervision training must include at least:

~~(A)(I)~~ three (3) hours for defining and conceptualizing supervision and models of supervision;

~~(B)(II)~~ three (3) hours for supervisory relationship and social worker development;

~~(C)(III)~~ 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)(IV)~~ twelve (12) hours for supervision and standards of practice, codes of ethics, and legal and professional issues; and

~~(E)(V)~~ three (3) hours for executive and administrative tasks, covering supervision plan, supervision contract, time for supervision, record keeping, and reporting.

~~(B)~~ Subparagraph (A) of this paragraph is effective September 1, 2023.

~~(4)~~ The Council approved supervisor must submit required documentation and fees to the Council.

~~(5)~~ When a licensee is designated Council approved supervisor, he or she may perform the following supervisory functions.

~~(A)~~ An LCSW may supervise clinical experience toward the LCSW license, non-clinical experience toward the Independent Practice Recognition (non-clinical), and Council-ordered probated suspension;

~~(B)~~ An LMSW-AP may supervise non-clinical experience toward the non-clinical Independent Practice Recognition; and Council-ordered probated suspension for non-clinical practitioners;

~~(C)~~ An LMSW with the Independent Practice Recognition (non-clinical) who is a Council-approved supervisor may supervise an LBSW's or LMSW's non-clinical experience toward the non-clinical Independent Practice Recognition; and an LBSW or LMSW (non-clinical) under Council-ordered probated suspension;

~~(D)~~ An LBSW with the non-clinical Independent Practice Recognition who is a Council-approved supervisor may supervise an LBSW's non-clinical experience toward the non-clinical Independent Practice Recognition; and an LBSW under Council-ordered probated suspension.

~~(d)(6)~~ A The approved supervisor must renew the approved supervisor status in conjunction with the biennial license renewal. The approved supervisor may surrender supervisory status by documenting the choice on the appropriate Council renewal form and subtracting the supervisory renewal

~~fee from the renewal payment.~~ If a licensee who has surrendered supervisory status desires to regain supervisory status, the licensee must reapply and meet the current requirements for ~~approved~~ supervisor status.

~~(e)(7)~~ A supervisor must maintain an active license and supervisor status, as well as the qualifications described in this section while he or she is providing supervision.

~~(8)~~ A Council approved supervisor who wishes to provide any form of supervision or Council ordered supervision must comply with the following:

~~(A)~~ The supervisor is obligated to keep legible, accurate, complete, signed supervision notes and must be able to produce such documentation for the Council if requested. The notes shall document the content, duration, and date of each supervision session.

~~(B)~~ A social worker may contract for supervision with written approval of the employing agency. A copy of the approval must accompany the supervisory plan submitted to the Council.

~~(C)~~ A Council approved supervisor who is otherwise compensated for supervisory duties may not charge or collect a fee or anything of value from the supervisee for the supervision services provided to the supervisee.

~~(D)~~ Before entering into a supervisory plan, the supervisor shall be aware of all conditions of exchange with the clients served by her or his supervisee. The supervisor shall not provide supervision if the supervisee is practicing outside the authorized scope of the license. If the supervisor believes that a social worker is practicing outside the scope of the license, the supervisor shall make a report to the Council.

~~(E)~~ A supervisor shall not be employed by or under the employment supervision of the person who he or she is supervising.

~~(F)~~ A supervisor shall not be a family member of the person being supervised.

~~(G)~~ A supervisee must have a clearly defined job description and responsibilities.

- ~~(H) — A supervisee who provides client services for payment or reimbursement shall submit billing to the client or third-party payers which clearly indicates the services provided and who provided the services, and specifying the supervisee's licensure category and the fact that the licensee is under supervision.~~
- ~~(I) — If either the supervisor or supervisee has an expired license or a license that is revoked or suspended during supervision, supervision hours accumulated during that time will be accepted only if the licensee appeals to and receives approval from the Council.~~
- ~~(J) — A licensee must be a current Council-approved supervisor in order to provide professional development supervision toward licensure or specialty recognition, or to provide Council-ordered supervision to a licensee. Providing supervision without having met all requirements for current, valid Council-approved supervisor status may be grounds for disciplinary action against the supervisor.~~
- ~~(K) — The supervisor shall ensure that the supervisee knows and adheres to Subchapter B, Rules of Practice, of this Chapter.~~
- ~~(L) — The supervisor and supervisee shall avoid forming any relationship with each other that impairs the objective, professional judgment and prudent, ethical behavior of either.~~
- ~~(M) — Should a supervisor become subject to a Council disciplinary order that person is no longer a Council-approved supervisor and must so inform all supervisees, helping them to find alternate supervision. The person may reapply for Council-approved supervisor status by meeting the terms of the disciplinary order and having their license in good standing, in addition to submitting an application for Council-approved supervisor, and proof of completion of a 40-hour Council-approved supervisor training course, taken no earlier than the date of execution of the Council order.~~
- ~~(N) — Providing supervision without Council-approved supervisor status is grounds for disciplinary action.~~

- (O) — A supervisor shall refund all supervisory fees the supervisee paid after the date the supervisor ceased to be Council-approved.
- (P) — A supervisor is responsible for developing a well-conceptualized supervision plan with the supervisee, and for updating that plan whenever there is a change in agency of employment, job function, goals for supervision, or method by which supervision is provided.
- (9) — A Council-approved supervisor who wishes to provide supervision towards licensure as an LCSW or towards specialty recognition in Independent Practice (IPR) or Advanced Practitioner (LMSW-AP), which is supervision for professional growth, must comply with the following:
- (A) — Supervision toward licensure or specialty recognition may occur in one-on-one sessions, in group sessions, or in a combination of one-on-one and group sessions. Session may transpire in the same geographic location, or via audio, web technology or other electronic supervision techniques that comply with HIPAA and Texas Health and Safety Code, Chapter 611, and/or other applicable state or federal statutes or rules.
- (B) — Supervision groups shall have no fewer than two members and no more than six.
- (C) — Supervision shall occur in proportion to the number of actual hours worked for the 3,000 hours of supervised experience. No more than 10 hours of supervision may be counted in any one month, or 30-day period, as appropriate, towards satisfying minimum requirements for licensure or specialty recognition.
- (D) — The Council considers supervision toward licensure or specialty recognition to be supervision which promotes professional growth. Therefore, all supervision formats must encourage clear, accurate communication between the supervisor and the supervisee, including case-based communication that meets standards for confidentiality. Though the Council favors supervision formats in which the supervisor and supervisee are in the same geographical place for a substantial part of the supervision time, the Council also recognizes that some current and future technology, such as using reliable, technologically-secure

computer cameras and microphones, can allow personal face-to-face, though remote, interaction, and can support professional growth. Supervision formats must be clearly described in the supervision plan, explaining how the supervision strategies and methods of delivery meet the supervisee's professional growth needs and ensure that confidentiality is protected.

- (E) — Supervision toward licensure or specialty recognition must extend over a full 3000 hours over a period of not less than 24 full months for LCSW or Independent Practice Recognition (IPR). Even if the individual completes the minimum of 3000 hours of supervised experience and minimum of 100 hours of supervision prior to 24 months from the start date of supervision, supervision which meets the Council's minimum requirements shall extend to a minimum of 24 full months.
  - (F) — The supervisor and the supervisee bear professional responsibility for the supervisee's professional activities.
  - (G) — If the supervisor determines that the supervisee lacks the professional skills and competence to practice social work under a regular license, the supervisor shall develop and implement a written remediation plan for the supervisee.
  - (H) — Supervised professional experience required for licensure must comply with §781.401 of this title and §781.402 of this title and all other applicable laws and rules.
- (10) — A Council approved supervisor who wishes to provide supervision required as a result of a Council order must comply with this title, all other applicable laws and rules, and/or the following:
- (A) — A licensee who is required to be supervised as a condition of initial licensure, continued licensure, or disciplinary action must:
    - (i) — submit one supervisory plan for each practice location to the Council for approval by the Council or its designee within 30 days of initiating supervision;
    - (ii) — submit a current job description from the agency in which the social worker is employed with a verification of authenticity from the agency director

or his or her designee on agency letterhead or submit a copy of the contract or appointment under which the licensee intends to work, along with a statement from the potential supervisor that the supervisor has reviewed the contract and is qualified to supervise the licensee in the setting;

(iii) ensure that the supervisor submits reports to the Council on a schedule determined by the Council. In each report, the supervisor must address the supervisee's performance, how closely the supervisee adheres to statutes and rules, any special circumstances that led to the imposition of supervision, and recommend whether the supervisee should continue licensure. If the supervisor does not recommend the supervisee for continued licensure, the supervisor must provide specific reasons for not recommending the supervisee. The Council may consider the supervisor's reservations as it evaluates the supervision verification the supervisee submits; and

(iv) notify the Council immediately if there is a disruption in the supervisory relationship or change in practice location and submit a new supervisory plan within 30 days of the break or change in practice location.

(B) The supervisor who agrees to provide Council ordered supervision of a licensee who is under Council disciplinary action must understand the Council order and follow the supervision stipulations outlined in the order. The supervisor must address with the licensee those professional behaviors that led to Council discipline, and must help to remediate those concerns while assisting the licensee to develop strategies to avoid repeating illegal, substandard, or unethical behaviors.

(C) Council ordered and mandated supervision timeframes are specified in the Council order.

(f) Should a supervisor become subject to a Council disciplinary order that imposes a probated suspension, suspension, or revocation, that person's supervisor status is revoked. The person may reapply for supervisor status by:

- (1) meeting the terms of the disciplinary order;
- (2) having their license in good standing;
- (3) completing a 40-hour supervisor training course, taken no earlier than the date of execution of the Council order; and
- (4) submitting a new application for supervisor status.

(g) If a licensee loses their authorization to provide supervision, either through failure to maintain an active license and status or through a disciplinary action, the supervisor must immediately inform all supervisees and assist them to find alternate supervision. The licensee shall refund all supervisory fees the supervisee paid after the date the supervisor ceased to hold supervisor status.

(h) Providing supervision without appropriate licensure and supervisor status is grounds for disciplinary action.

Rule: 781.405. Application for Licensure

Action: Adopted Repeal

Comment: The adopted repeal removes the current rule in conjunction with proposed new rules that restructure and consolidate existing rule language.

~~§781.405. Application for Licensure. A licensure or specialty application must be submitted in accordance with Council rules §882.1 of this title (relating to Application Process) and §882.2 of this title (relating to General Application File Requirements).~~

Rule: 781.405. Clinical Supervision for Licensed Clinical Social Worker

Action: Adopted New Rule

Comment: The adopted new rule consolidates existing rule language related to applying for a clinical social worker license, including what information must be submitted to the Council with the application. The new language also clarifies how an LMSW may continue to perform clinical social work services after completing LCSW experience requirements. The new language also makes non-substantive edits to use more plain, direct language.

§781.405. Clinical Supervision for Licensed Clinical Social Worker.

- (a) To accrue supervised clinical experience required for the issuance of a Licensed Clinical Social Worker (LCSW), a Licensed Master Social Worker (LMSW) and their LCSW supervisor shall complete a supervision plan, on a form prescribed by the Council or a form with substantially equivalent information, signed by both the LMSW and the LCSW supervisor.
- (b) The LMSW shall submit an application to reclassify the LMSW licensure to an LCSW license upon fulfillment of the supervision requirements and passage of the ASWB Clinical exam.
  - (1) The applicant must provide the appropriate supervision plans and verification forms. The documentation must include the names and contact information of all supervisors; beginning and ending dates of supervision; job description; and average number of hours of social work activity per week.
  - (2) The applicant's experience must have been in a position providing social work services, under the supervision of a qualified supervisor, with written evaluations to demonstrate satisfactory performance.
  - (3) The applicant must maintain and, upon request, provide to the Council documentation of employment status, pay vouchers, or supervisory evaluations.
- (c) Upon request of the LMSW, the LCSW supervisor shall submit a completed and signed supervision verification form prescribed by the Council, within 30 days. ~~of the completion of the supervisee's hours or upon termination of the supervisor-supervisee relationship.~~
- (d) An LMSW that has completed clinical supervision for an LCSW license may, but is not required to, continue to provide clinical social work

services under the supervision plan with their LCSW supervisor. An LCSW supervisor may, but is not required to, continue to provide clinical supervision to an LMSW that has completed their clinical supervised experience hours. An LMSW that has completed clinical supervision may not provide clinical social work services outside of appropriately supervised practice until issuance of an LCSW license.

- (e) A person who has obtained a temporary license may not begin the supervision process toward independent clinical practice until the regular license is issued.

DRAFT

Rule: 781.406. Required Documentation of Qualifications for Licensure.

Action: Adopted Repeal

Comment: The adopted repeal removes the current rule in conjunction with proposed new rules that restructure and consolidate existing rule language.

~~§781.406. Required Documentation of Qualifications for Licensure.~~

~~(a) Application form. An applicant for licensure must submit a completed official application form with all requested information.~~

~~(b) Education verification.~~

~~(1) The applicant's education must be documented by official college transcripts from social work educational units accredited by CSWE.~~

~~(2) Degrees for licensure as an LBSW or LMSW must be from programs accredited or in candidacy for accreditation by CSWE.~~

~~(c) Experience verification.~~

~~(1) An applicant's experience for licensure or for specialty recognition must meet the requirements of §781.401 of this title (relating to Qualifications for Licensure), §781.402 of this title (relating to Clinical Supervision for LCSW and Non-Clinical Supervision for Independent Practice Recognition), and §781.404 of this title (relating to Recognition as a Council-approved Supervisor and the Supervision Process). The applicant must document the names and addresses of supervisors; beginning and ending dates of supervision; job description; and average number of hours of social work activity per week. The applicant must further document the appropriate supervision plan and verification form for each practice location.~~

~~(2) The applicant's experience must have been in a position providing social work services, under the supervision of a qualified supervisor, with written evaluations to demonstrate satisfactory performance.~~

~~(3) The applicant must maintain and, upon request, provide to the Council documentation of employment status, pay vouchers, or supervisory evaluations.~~

Rule: 781.406. Independent Practice Recognition.

Action: Adopted New Rule

Comment: The adopted new rule consolidates existing rule language related to the independent practice recognition (IPR) specialty, including requirements to qualify for the specialty designation and qualification to supervise the experience required to earn the specialty. The new language clarifies that an LBSW or LMSW under supervision toward the IPR designation may own and operate a non-clinical practice under that supervision. The new language also makes non-substantive edits to use more plain, direct language.

§781.406. Independent Practice Recognition.

- (a) A person must meet the following education and experience requirements for Independent Non-clinical Practice specialty recognition.
- (1) Is currently licensed in the State of Texas as a Licensed Baccalaureate Social Worker (LBSW) or Licensed Master Social Worker (LMSW).
  - (2) While licensed as a social worker has had 3000 hours of supervised social work experience over a minimum two-year period, or its equivalent if the experience was completed in another state.
  - (3) Has had a minimum of 100 hours of supervision, over the course of the 3000 hours of experience, with an appropriate supervisor. If supervision was completed in another jurisdiction, the social worker shall have the supervision verified by the regulatory authority in the other jurisdiction. If such verification is impossible, the social worker may request that the Council accept alternate verification.
- (b) The following are qualified supervisors for accruing supervised experience toward Independent Practice Recognition.
- (1) An individual supervising an LBSW for independent non-clinical practice recognition shall hold supervisor status and be an LBSW recognized for independent non-clinical practice, an LMSW recognized for independent non-clinical practice, a Licensed Master Social Worker-Advanced Practitioner (LMSW-AP), or a Licensed Clinical Social Worker (LCSW).
  - (2) An individual supervising an LMSW for the independent non-clinical practice recognition shall hold supervisor status and be an

LMSW recognized for independent non-clinical practice, an LMSW-AP, or an LCSW.

- (c) To accrue supervised experience required for an LBSW or an LMSW to apply for Independent Practice Recognition, the LBSW or LMSW shall complete a supervision plan, on a form prescribed by the Council or a form with substantially equivalent information, signed by both the LBSW or LMSW and the supervisor.
- (d) An LBSW or LMSW shall submit an application for Independent Practice Recognition upon fulfillment of the supervision requirements.
  - (1) The applicant must provide the appropriate supervision plans and verification forms. The documentation must include the names and contact information of all supervisors; beginning and ending dates of supervision; job description; and average number of hours of social work activity per week.
  - (2) The applicant's experience must have been in a position providing social work services, under the supervision of a qualified supervisor, with written evaluations to demonstrate satisfactory performance.
  - (3) The applicant must maintain and, upon request, provide to the Council documentation of employment status, pay vouchers, or supervisory evaluations.
  - (4) Applicants must complete the Council's social work jurisprudence examination and submit proof of completion at the time of application.
- (e) The supervisor shall complete and sign a supervision verification form prescribed by the Council when the LBSW or LMSW submits an application for Independent Practice Recognition.
- (f) An LBSW or LMSW may own and operate their own non-clinical practice when under a supervision plan for independent practice. The LBSW's or LMSW's supervisor is responsible for the acts or omissions of the supervisee while providing services under the supervision plan.
- (g) A person who has obtained a temporary license may not begin the supervision process toward independent practice recognition until the regular license is issued.
- (h) An LBSW-IPR who applies to reclassify LBSW to LMSW is no longer recognized for non-clinical independent practice. To regain the non-

clinical independent practice recognition, the LMSW must satisfy the requirements for IPR. Supervised experience hours accrued before the issuance of an LMSW license cannot be considered for LMSW-IPR.

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Rule: 781.407. Prohibited Independent Practice.

Action: Adopted New Rule

Comment: The adopted new rule consolidates existing rule language related to prohibitions on independent social work practice, including that an LMSW working towards an LCSW may not own or operate a private practice to provide clinical social work services. The new language expands the guidelines the Council will rely on and makes clarifying edits to better guide a determining whether independent practice is occurring.

§781.407. Prohibited Independent Practice.

- (a) A Licensed Master Social Worker who plans to apply for a Licensed Clinical Social Worker license may not own or operate a private practice to provide clinical social work to clients.
- (b) A licensee who is not recognized for independent practice and who is not under a non-clinical supervision plan must not engage in any independent practice that falls within the definition of social work practice in §781.102 of this title unless the person is licensed in another profession and acting solely within the scope of that license.
- (c) A social worker provides services under the direction of an employing agency, and is not practicing independently, when the employer has the right to control the means and details by which services are performed, regardless of whether the social worker is a full-time or part-time employee or an independent contractor. The Council will use guidelines developed by the Internal Revenue Service (IRS) and the Texas Workforce Commission, to demonstrate whether a professional is performing independent practice. Such guidelines include:
  - (1) Behavioral control. An employer can control the social worker's behavior by giving instructions about how work gets done rather than simply receiving the end products of the work. The more detailed the instructions, the more control an employer exercises.
  - (2) Financial control. The employer determines the amount and regularity of payment to employees. An independent practitioner typically negotiates a timeframe for completing work and receiving payment. Independent practitioners have more freedom to make business decisions that affect the profitability of their work, such as investing in equipment or renting an office. Employees typically do not invest their own finances into an employing agency. Employees are usually reimbursed for job-related expenses,

whereas independent practitioners often must negotiate reimbursement as part of the total agreed compensation.

- (3) Relationship of the parties. The nature of the relationship between the employer and the social worker is usually outlined in a written contract with clear intent whether the employing agency has control over the social worker and whether the employer is assuming responsibility for the social worker as an employee. Signs that a social worker is an employee include: if the employment relationship is permanent or ongoing, if an employer gives the social worker employee benefits, and if the social worker is retained to perform key aspects of the employer's day-to-day business.

Rule: 781.419 Licensing of Military Service Members, Military Veterans, and Military Spouses.

Action: Adopted Amendment

Comment: The adopted amendments align the Council's rules with changes made to Texas Occupations Code Chapter 55 by the 89th Legislature regarding licensing of military service members, veterans, and spouses.

§781.419. Licensing of Military Service Members, Military Veterans, and Military Spouses.

(a) An applicant applying for licensure under this section must comply with Council rule ~~§882.60 of this title (relating to Special Provisions Applying to Military Service Members, Veterans, and Spouses).~~

~~(b) Licensing requirements that either match or exceed Texas requirements are considered substantially equivalent.~~

~~(b)(e)~~ For an application for a license submitted by a verified military service member or military veteran, the applicant shall receive credit towards any licensing or apprenticeship requirements, except an examination requirement, for verified military service, training, or education that is relevant to the occupation, unless he or she holds a restricted license issued by another jurisdiction or if he or she has an unacceptable criminal history as described by the Act and this chapter.

Rule: 781.805. Schedule of Sanctions.

Action: Adopted Amendment

Comment: The adopted amendments adjust the schedule of sanctions to align with other rule consolidation proposals.

§781.805. Schedule of Sanctions. The following standard sanctions shall apply to violations of the Act and these rules.

Figure: 22 TAC §781.805

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Figure: 22 TAC §781.805

Rule	Level 1: Revocation (Admin Penalty: not less than \$250; no more than \$5,000 per day)	Level 2: Suspension (Admin Penalty: not less than \$250; no more than \$5,000 per day)	Level 3: Probated Suspension (Admin Penalty: not less than \$250; no more than \$5,000 per day)	Level 4: Reprimand (Administrative Penalty: not less than \$250; no more than \$5,000 per day)
§781.301(1)			X	
§781.301(2)				X
§781.301(3)			X	
§781.301(5)				X
§781.301(6)				X
§781.301(7)				X
§781.301(8)				X
§781.301(9)	X			
§781.301(10)		X		
§781.301(11)			X	
§781.301(12)				X
§781.301(13)				X
§781.302			X	
§781.303(1)				X
§781.303(2)				X
§781.303(3)				X
§781.303(4)			X	
§781.303(5)	X			
§781.303(6)	X			
§781.303(7)				X
§781.303(8)			X	
§781.303(9)				X
§781.304(a)				X
§781.304(b)		X		
§781.304(c)			X	
§781.304(d) and (p)				X
§781.304(e), (l), and (q)				X
§781.304(f)				X
§781.304(g)				X
§781.304(h)				X
§781.304(i)				X
§781.304(j)			X	

§781.304(m)				X
§781.304(n)			X	
§781.304(o)				X
§781.305(b) and (c)	X			
§781.305(g)(1)-(4)			X	
§781.306(a) and (b)				X
§781.307(a)				X
§781.307(b)				X
§781.307(c)			X	
§781.308		X		
§781.309(1) and (4)				X
§781.309(2)			X	
§781.309(3)				X
§781.309(5)				X
§781.309(6)				X
§781.310(a) and (b)		X		
§781.310(c) and (e)			X	
§781.310(d)				X
§781.311(b) and (g)				X
§781.311(c) and (d)				X
§781.311(e)				X
§781.311(f)(1-4)			X	
§781.312(b)				X
§781.316(a), (c), and (d)				X
§781.317(a)				X
§781.317(b)			X	
§781.320(e)			X	
§781.321(d)			X	
§781.321(ff)			X	
§781.322(f)			X	
§781.322(g)		X		
§781.322(h)(1) and (2)				X
§781.322(i)			X	
§781.402(c)			<u>X</u>	
§781.403(a)				<u>X</u>
§781.403(b)(2)				<u>X</u>
§781.403(c)			<u>X</u>	
§781.403(d)				<u>X</u>
§781.403(f)			<u>X</u>	
{§781.404(b)(1)}			<del>X</del>	

{§781.404(b)(7)}		{X}		
{§781.404(b)(8)(A)}				{X}
{§781.404(b)(8)(C)}				{X}
{§781.404(b)(8)(E) and (L)}				{X}
{§781.404(b)(8)(F)}				{X}
{§781.404(b)(8)(H)}			{X}	
{§781.404(b)(8)(J)}		{X}		
{§781.404(b)(8)(K)}				{X}
{§781.404(b)(8)(M)}		{X}		
{§781.404(b)(8)(N) and (O)}	{X}			
{§781.404(b)(8)(P)}				{X}
{§781.404(b)(9)(G)}				{X}
{§781.404(b)(10)(B)}			{X}	
§781.404(e)		X		
§781.404(f)		X		
§781.404(g)	X			
§781.404(h)		X		
§781.405(d)			X	
§781.406(b)			X	

# TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL



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Executive Director

Dear Colleagues, and to each of the licensees of BHEC,

In the wake of the tragedy in the Hill Country, we find ourselves grieving alongside families and communities across Texas. So many have reached out to the Council, staff, Board and Council Members, and to each other, trying to figure out how to help those grieving the worst possible losses.

That's why I'm writing to you now.

Governor Abbott has included disaster response as part of the upcoming special session agenda. As the Legislature begins its work, we must also ask ourselves, and the licensees we serve, how we can better marshal and direct our collective mental health resources during times of trauma, tragedy, or disaster.

I am asking each of you to begin this conversation in your respective Boards. Bring forward your ideas, the good ones, the messy ones, even the half-formed ones. Engage your professional communities. Place this issue on your meeting agendas. Let's gather insights and suggestions from across our fields about how we might better connect our incredible mental health professionals to those who need them most.

By "we," I don't mean just our state agency. I mean "we" as Texans who are in the business of serving the mental health needs of Texans, or those of us who serve them in our function as an agency. In this mission, "we" are all on the same team.

When I'm trying to make sense of tragedy that cannot be made sense of, I remember something Mr. Rogers said. To paraphrase: when he saw tragedy unfolding on the news, his mother would turn to him and say, "*Look for the helpers. You'll always find people who are helping, and you'll know there's hope.*"

When we look across Texas right now, we see these helpers, giving selflessly, heedless of danger. They are the first responders.

In the days, weeks, and months ahead, though, wounds will remain and there will need to be a different kind of response. It will be our mental health professionals who quietly step in. With compassion and skill, they will be with grieving parents. In a few weeks, they will be with our kids in schools. They will help them carry and process their grief, and walk with them through the long, unseen work of healing.

BHEC was not built as a response agency. But that doesn't mean we are without a role. We know who our licensees are. We know where they are. And as a state agency, we certainly have the infrastructure to help coordinate and communicate.

July 11, 2025  
Page 2 of 2

So, I'm asking you to approach this problem with this understanding: We either provide mental health services, or we serve someone who does. What more can we do? What can we do better? Discuss it. Write it down. And send it up.

With gratitude for your service and partnership,

A handwritten signature in blue ink that reads "John K. Bielamowicz". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

John K. Bielamowicz  
Presiding Member  
Texas Behavioral Health Executive Council

**From:** Texas Behavioral Health Executive Council  
**Sent:** Monday, June 2, 2025 8:03 AM  
**Subject:** Advanced Registration for Disaster Preparedness



# Texas Behavioral Health Executive Council

1801 Congress Ave., Ste. 7.300  
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Texas State Board  
of Examiners of  
Marriage and Family  
Therapists

Texas State Board  
of Examiners of  
Professional  
Counselors

Texas State Board  
of Examiners of  
Psychologists

Texas State Board  
of Social Worker  
Examiners

Dear Subscriber:

The Texas Behavioral Health Executive Council is fully aware of the devastation and loss that disasters such as hurricanes, floods, fires, and pandemics can bring to Texas and its citizens. As a result, the following information is being provided to assist licensees with volunteering their unique skillsets in anticipation of the next disaster.

Licensees wishing to volunteer their services for future recovery efforts may contact the [Texas Disaster Volunteer Registry](#), [The American Red Cross](#), or their national, state or local associations to inquire about volunteer opportunities.

The Council would also encourage all of its licensees to explore registering with the [Texas Disaster Volunteer Registry](#), [the Medical Reserve Corps](#), or the [Emergency System for Advance Registration of Volunteer Health Professionals](#). Advance registration and preparation will not only reduce the administrative burden of verifying volunteers' identity and credentials during a disaster, but more importantly, it will help ensure your professional skills are brought to bear on those affected by the disaster as quickly as possible.

Thank you in advance for your volunteer service!