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Submitted by Jan Friese, Executive Director

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HB 1501: Texas Behavioral Health Executive Council

Creation of the Texas Behavioral Health Executive Council is well underway. It is complex to transition three licensing boards housed at the Health and Human Services Committee plus one independent licensing agency into a single new state agency. Aligning administrative procedures is time consuming. BHEC's website was launched on time and has links to each of the licensing boards administratively housed there. Forms, data, and procedures are reasonably accessible. Overall, key milestones have been met, although there are several areas that merit attention.

Rule review and adoption timelines have been delayed. Legislation enacted last session to add the Governor's office to the rule review process appears to contribute to the longer rule review and adoption process. While SB 1995 (86R) specifies that the sole purpose for the Governor's office review is to protect against anti-trust rules that may be adopted by boards that have a majority of professional members, they have expanded the scope of their reviews adding needless delays to rules that have already been reviewed by both the individual licensing boards and the Behavioral Health Executive Council. We strongly recommend that BHEC be exempt from the Governor's rule review since BHEC is a public majority board and the Governor's involvement has caused additional delays. BHEC was created to reduce delays and streamline procedures.

Maintaining license records for more than 50,000 licensees is no easy task. Plans to move application procedures completely online will help. The volume of applications, however, require additional staffing to maintain reasonable completion rates. When the licensing boards were housed at HHSC, they were understaffed because less than 50% of license fee revenue was allocated to each board. For BHEC to achieve the administrative efficiencies that were intended in HB 1501, we request that a minimum of 75% of all license fees be appropriated to support BHEC with a specific designation for additional staff.

BHEC has the potential to be a model agency to manage the administrative functions of the licensing boards housed there. It is designed to streamline procedures, reduce duplication, and expedite licensing and regulation responsibilities. Removing the Governor's oversight of its rule adoption procedures and increasing the percentage of license fees allocated to BHEC are two strategies that will support its success.