

## REPORT OF THE EXECUTIVE DIRECTOR

### NATIONAL ISSUES

**AHRQ CE study:** The Agency for Health Research and Quality published notice of the agency's intention to conduct a study related to continuing education for health care providers. "AHRQ wants to assess the impact continuing education has on clinician behavior, its perceived value, and whether or not education on comparative effectiveness research made a difference in a clinician's confidence in applying comparative effectiveness research in practice, understanding the application of such research, and improved ability to counsel patients on treatment and management alternatives." For more information, visit: <http://edocket.access.gpo.gov/2011/2011-4130.htm>

**Infection prevention initiatives lead to nationwide success:** In a recent Morbidity and Mortality Weekly Report, the CDC found that nationwide ICU central line-associated infections decreased by almost 60 percent between 2001 and 2009. The decrease in infection rates is responsible for saving tens of thousands of lives and over a billion dollars. The prevention initiatives included "implementing better hand hygiene, using full-barrier precautions when inserting central venous catheters, cleaning the skin with chlorhexidine, avoiding the femoral site for catheter insertion and removing unnecessary catheters." It is expected that lessons learned from central line-associated infections can be used to decrease other types of health care related infections. For more information, visit: <http://www.ama-assn.org/amednews/2011/03/14/prl20314.htm>

**Checklists shown to reduce ventilator-associated pneumonia:** Checklists and better communication are attributed to the 70 percent reduction of the incidence of ventilator-associated pneumonia in hospitals throughout Michigan. The checklist required hospital staff to elevate a patient's head, administer antacids, prevent blood clots, reduce sedation and conduct daily assessments of breathing tubes. For more information, visit: <http://www.ama-assn.org/amednews/2011/03/07/prse0311.htm>

**Disparities remain despite quality improvement:** The 2010 national health care quality and disparities report from the Agency for Healthcare Research and Quality shows that strides have been made in overall patient safety, but access to care and disparity issues remain. "Quality is improving slowly. Across all 179 measures of health care quality tracked in the reports, almost two-thirds showed improvement. However, median rate of change was only 2.3% per year. Access is not improving. Across the 22 measures of health care access tracked in the reports, about 60% did not show improvement and 40% were headed in the wrong direction." Access issues are more likely to affect minorities and low income populations. For more information visit: <http://www.ama-assn.org/amednews/2011/03/14/prsc0314.htm>

**National Quality Strategy:** The U.S. Department of Health and Human Services has recently released its National Quality Strategy. The strategy is designed to "create national aims and priorities to guide local, state, and national efforts to improve the quality of health care in the

United States.” The strategy’s aims are threefold: better care, healthy people and communities, and affordable care. Within these aims, six additional priorities include: “Making care safer by reducing harm caused in the delivery of care. Ensuring that each person and family are engaged as partners in their care. Promoting effective communication and coordination of care. Promoting the most effective prevention and treatment practices for the leading causes of mortality, starting with cardiovascular disease. Working with communities to promote wide use of best practice to enable health living. Making quality care more affordable for individuals, families, employers, and governments by developing and spreading new health care delivery models.”

For more information, visit: <http://www.hhs.gov/news/press/2011pres/03/20110321a.html>

**Presidential Study Directive-9 calls on all Cabinet Secretaries and other agency heads to find better ways to provide support to military families:** The report states, “This report provides the Federal Government’s response to that challenge by identifying four strategic priorities that address the primary challenges facing our military families”.

1. Enhance the well-being and psychological health of the military family.
2. Ensure excellence in military children’s education and their development.
3. Develop career and educational opportunities for military spouses.
4. Increase child care availability and quality for the Armed Forces.

Under # 3 above, the following strategies are outlined.

- 3.1 By increasing opportunities for Federal careers;
- 3.2. By increasing opportunities for private-sector careers;
- 3.3. By increasing access to educational advancement;
- 3.4. By reducing barriers to employment and services due to different State policies and standards; and
- 3.5. By protecting the rights of service members and families.

3.4 includes state licensure requirements.

## **STATE ISSUES**

**Fraudulent Schools of Nursing:** Board staff have not received any new complaints of fraudulent nursing education programs operating in Texas. We continue to serve as a resource to other state boards of nursing and, most recently, the New York State Education Department.

Board staff was last scheduled to appear at the Office of the Attorney General (OAG) trial against Esther Medical Tutorial on October 26, 2010 in Dallas, Texas. However, court proceedings against Esther’s were re-scheduled due to an internal OAG issue. Board staff anticipates appearing and testifying as an expert witness when the trial is formally re-scheduled.

**Health Professions Council:** The Health Professions Council (HPC) met on March 7, 2011 for its regular quarterly meeting. The Regulatory Data Base Project, which provides new licensure,

discipline, and other data functions for four of the agencies continues toward implementation with the “Go Live” date delayed until May. The Council published its annual report for 2010 in February. A copy of this report is attached. (**See Attachment A**).

**BOARD ISSUES**

**BON Bulletin Articles** : The April issue of the *Board of Nursing Bulletin* contains an article announcing our new Board members.; an article by a nurse who is a TPAPN advocate; and an article on myths and facts concerning the Nurse Licensure Compact.

**Board Development**: At each board meeting, a board development session is held. Pursuant to discussions with the Board in January and with Richard Gibbs, Board Development Liaison, at this meeting a presentation will be given on Wednesday afternoon from 1 p.m .- 5 p.m. by representatives of national accrediting organizations on their programs and processes.

**Just Culture**: Staff continue to dialogue with other Boards of Nursing on the relationship of Just Culture principles to regulation. At the NCSBN Mid Year meeting, March 14-16, 2011, there was an educational session on Just Culture. The Executive Director participated in a panel of states sharing experiences with Just Culture.

**AGENCY ISSUES**

**Nursing Jurisprudence Examination**: The Jurisprudence examination required for initial licensure by Texas Occupations Code Section 301.252, License Application, was implemented in September 2008. Access to the Board’s examination is available through the website, <http://www.bon.state.tx.us/olv/je.html>. Those applying for initial licensure by exam or endorsement **after** September 1, 2008 must pass the Jurisprudence Exam in order to be eligible for licensure. Attached are statistics for Jurisprudence exam takers for past fiscal years and through the second quarter of FY 11. (**See Attachment B**).

**Online Jurisprudence Prep and CE Courses**: The number of participants for the online jurisprudence prep and online CE courses for the first quarter, FY2011 was:

<b>Nurse Jurisprudence Prep Course:</b>		<b>CE Online Course:</b>	
December	235	December	24
January	343	January	36
February	343	February	43
Total	921	Total	103

**Website**: The following changes/updates have been made to the Board’s website since the October Board meeting:

- Posted new: Requirements for Refresher Programs, Extensive Orientations and Nursing Academic Courses – F A Q pages . ([http://www.bon.state.tx.us/nursingeducation/faq\\_refresher.html](http://www.bon.state.tx.us/nursingeducation/faq_refresher.html)), pdf included in Six Month Temporary Permit Applications.
- Posted updated BON webinar and workshop information.
- Posted updated Nursing Education Guideline, 3.1.1.a Proposal to Establish a New Vocational Nursing Program
- Posted updated Nursing Education Guideline, 3.1.1.c Proposal to Establish a New AND, BSN, or MSN Program
- Posted updated Nursing Education Guideline, 3.1.1.f Approval of Program Outside Texas to Conduct Clinicals
- Posted updated Nursing Education Guideline, 3.1.2.a Initiating or Reactivating and Extension Program
- Posted updated Nursing Education Guideline, 3.2.1.a Writing a Self Study
- Posted updated Nursing Education Guideline, 3.4.1.a Approval Process for New Dean, Director or Coordinator
- Posted updated Nursing Education Guideline, 3.8.3.a Precepted Clinical Learning Experiences
- Posted updated Nursing Education Guideline, 3.8.4.a Utilizing Clinical Teaching Assistants and Skills Lab Instructors
- Posted updated NCLEX-RN five year pass rate by school (2010)
- Posted updated Advanced Practice Registered Nurse (APRN) paper application
- Posted Request for Proposal (RFP) Professional Consultant Services for Advanced Practice Nursing
- Posted proposed rule §213.33 (relating to Factors Considered for Imposition of Penalties/Sanctions)
- Posted proposed rule §217.4 (relating to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction)
- Posted 2011 Agency Rule Review Plan
- Posted updated BON Rules and Regulations (January 2011)
- Posted new: Guidelines for Physical and Psychological Evaluations. (html and pdf forms - <http://www.bon.state.tx.us/disciplinaryaction/eval-guidelines.html>)
- Posted Disciplinary Action and Imposter listings from January Newsletter.

**Key Meetings and Presentations: attended/presented by the Executive Director and Staff since the last Board meeting.** (Does not include internal meetings with staff) .

#### **Executive Director meetings, conference calls, and presentations**

*Conference Call:* Texas Center for Nursing Workforce Studies Advisory Committee met by conference call due to weather conditions, February 2, 2011.

*Meeting:* with the Department of Aging and Disability Services (DADS) regarding the issue of a paid foster (family member/guardian) and their ability to continue to provide care without involving the RN and the delegation process, February 8, 2011, Austin.

*Hearing/Testimony:* House Appropriations Subcommittee on the budget of the Board of nursing, February 16, 2011, Capitol, Austin.

*Conference Call:* Nurse Licensure Compact Administrators (NLCA) Compliance Committee Meeting to discuss development of Compliance Self Audit for Compact States, February 18, 2011.

*Conference Call:* NLCA Executive Committee meeting, February 18, 2011.

*Hearing/Testimony:* Senate Finance Committee on the budget of the Board of nursing, February 23, 2011, Capitol, Austin.

*Conference:* *Developing the Workforce to Provide Health Care for an Expanding Population of Insured* Conference, February 28, 2011, University of Texas System, Austin.

*Conference Call:* co-chairs of the NLCA Compliance Committee to plan compliance tool development activities, March 2, 2011.

*Conference Call:* NLCA Executive Committee meeting, March 3, 2011.

*Meeting:* Health Professions Council Quarterly Meeting, March 7, 2011, Austin.

*Meeting:* with Executive Director Evaluation subcommittee of the Texas Board of Nursing, March 7, 2011, Austin.

*Meeting:* with Dr. Dorothy Otto from the University of Texas Health Science Center at Houston School of Nursing to plan a survey of nurses on their knowledge of jurisprudence, March 9, 2011, Austin.

*Meeting:* of DADS and the BON with stakeholder group of nurses and providers to discuss the issues of unlicensed persons administering medications to intellectually disabled clients and LVNs taking call for complaints with this same population, March 10, 2011, Austin.

*Meeting:* semi-annual face to face meeting of NLCA, March 13, 2011, Chicago.

*Meeting:* NCSBN Mid Year meeting, March 14-16, 2011, Chicago.

*Meeting:* NCSBN Uniform Licensure Requirements Committee, March 14-15, 2011, Chicago.

*Meeting:* with representatives of St. Michaels LVN nursing program to discuss status and recommendations to the Board of Nursing at their April meeting, March 24, 2011, Board offices.

*Meeting:* with DADS to discuss data available from self reports and surveys of programs who serve intellectually disabled individuals, March 25, 2011, at DADS offices, Austin.

*Conference Call:* with agency and legislative representatives of the State of Illinois to discuss the Nurse Licensure Compact, April 1, 2011.

*Hearing/Testimony:* on HB 2092 regarding Self Directed / Semi Independent status for the Texas Boards of Nursing and Pharmacy, April 6, 2011, Capitol, Austin.

*Hearing:* of Senate Finance Committee mark up of SB 1 including the Texas Board of Nursing budget, April 7, 2011, Capitol, Austin.

*Meeting:* with Representative Truitt, DADS, BON and stakeholders regarding HB 3611 relating to the administration of medications for persons with intellectual and developmental disabilities, April 8, 2011, Capitol, Austin.

*Hearing:* Senate Nominations Committee to confirm the nominations of BON Board Members, April 11, 2011, Capitol, Austin.

*Meeting:* of DADS and the BON with stakeholder group of nurses and providers to discuss an MOU between DADS and the BON to conduct a pilot study to examine the issues of unlicensed persons administering medications to intellectually disabled clients and LVNs taking call for complaints with this same population, March 10, 2011, Capitol, Austin.

*Webinar:* NCSBN Webinar on English Proficiency Examinations, April 14, 2011.

*Orientation:* New Board of Nursing Member Orientation, April 15, 2011, Board offices, Austin.

#### **Director of Operations Meetings and Presentations:**

*Training:* Operations Training Meeting on Nurse Licensure Compact Rules; December 9, 2010, Austin.

*Meeting:* Texas Nurses Association Government Affairs Committee meeting; January 15, 2011, Austin.

*Presentation:* Texas League for Vocational Nurses, January 20, 2011, Temple.

**Director of Nursing Meetings and Presentations:**

*Presentation:* Texas Organization of Associate Degree Nurses, *BON Differentiated Essential Competencies*, February 10, 2011, Austin.

*Conference:* *Developing the Workforce to Provide Health Care for an Expanding Population of Insured* Conference, February 28, 2011, University of Texas System, Austin.

*Meeting:* Taxonomy of Error Root Cause Analysis of Practice (TERCAP) - Responsibility, March 2 - 3, 2011, Chicago.

*Meeting:* Taxonomy of Error Root Cause Analysis of Practice (TERCAP) for Texas Employers, March 9, 2011, Austin.

*Webinar Presentation:* with the Texas Team Subcommittee on Clinical Placement, March 28, 2011, for Central and South Regions.

*Webinar Presentation:* with the Texas Team Subcommittee on Clinical Placement for East and Gulf Coast Regions, March 28, 2011.

**Education Consultants Meetings and Presentations:**

*Presentation:* Deans & Directors Meeting, February 11, 2011, Austin .

*Presentation:* Deans/Directors/Coordinators Orientation, February 18, 2011, Austin.

*Presentation:* Informal Information Session for Interest in Starting an Education Program, February 24, 2011, Austin.

*Meeting:* Texas Workforce Commission, Texas Higher Education Coordinating Board, March 7, 2011, Austin.

*Presentation Attendance:* Texas Team's "Texas Summit on Advancing Health through Nursing", March 18, San Antonio.

*Meeting:* St. Michael LVN Program, March 24, 2011, Austin.

*Meeting:* TCNWS Advisory Committee Meeting, April 6, 2011, Austin.

**Practice Consultants Meetings and Presentations:**

*Presentation:* Central Texas College Educators, *Nursing Peer Review*, February 11, 2011, Killeen.

*Presentation:* Department of State Health Services Regional Nurse Administrators *Nursing Scope of Practice*, March 3, 2011, Austin.

**Advanced Practice Consultants Meetings and Presentations:**

*Presentation:* Texas Clinical Nurse Specialists, *Scope of Practice for CNSs in Texas*, April 15, 2011, Austin.

*Conference Committee:* NCSBN APRN Committee, February 28 - March 1, 2011.

Quarterly Statistics Where Executive Director Closed Cases in Compliance with Board Policy:

**Case Resolution Report**  
**December 1, 2010 through February 28, 2011**

<b>Type of Action</b>	<b>Total</b>
No Jurisdiction	4
No Violation	5
No Action	594
Insufficient Evidence	142
Admonish	34
Without Prejudice	566
TPAPN Referrals	77
EEP Referrals	11
Corrective Actions	29
<b>Totals</b>	<b>1462</b>

## LVN DISCIPLINARY ORDERS

Time frame: December 1, 2010, through February 28, 2011

<b>DISCIPLINARY</b>	
25	<p><b>FINE WITH REMEDIAL EDUCATION</b></p> <p>17 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was</p> <ul style="list-style-type: none"><li>given by failing to disclose a criminal history</li></ul> <ul style="list-style-type: none"><li>1 Violated professional boundaries of the nurse/client relationship</li><li>1 Failed to adequately care for patient when he left the patient in the car of a Homebound Teacher, who was<ul style="list-style-type: none"><li>not trained to provide medical interventions</li></ul></li><li>1 Distributed a test blueprint for the Comprehensive nursing program examination for fourth semester<ul style="list-style-type: none"><li>students</li></ul></li><li>1 Failed to follow procedures for wastage procedures; made false entries on Death/Discharge summary<ul style="list-style-type: none"><li>1 As a private nurse was not present to intervene when a patient's ventilate and pulse ox machines began to<ul style="list-style-type: none"><li>alarm</li></ul></li></ul></li><li>3 Practiced without a valid license</li></ul>

15	<p><b>REMEDIAL EDUCATION</b></p> <ul style="list-style-type: none"> <li>1 Failed to follow physicians orders for the administration of Azithromycin</li> <li>1 Failed to assess, report, and/or document when she was informed by a CNA that a resident had bruising <ul style="list-style-type: none"> <li>to her right outer breast and inner right arm</li> </ul> </li> <li>1 Failed to completely and accurately document the signs, symptoms and responses to the Noroc and Dilaudid he administered</li> <li>1 Failed to administer and/or incorrectly administered medications to patients</li> <li>1 Posed information on her Facebook profile regarding the diagnosis, behavior, and distinguishing characteristics of patients in her care</li> <li>1 Failed to personally administer medications dissolved in milk as required</li> <li>1 Failed to clarify with the physician an order to administer insulin resulting in medication errors</li> <li>1 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was <ul style="list-style-type: none"> <li>given by failing to disclose a criminal history</li> </ul> </li> <li>1 Administered Morphine via the wrong route</li> <li>1 Used confidential information she retained from her employment to contact a patient</li> <li>1 Failed to correctly transcribe the physician's orders she received to the Medication Administration Record</li> <li>1 Failed to adequately assess and intervene when the patient complained of bloody vomit and pain</li> <li>1 Inappropriately delegated to a certified nurse aid the preparation of a microwave prepared heating pad</li> <li>1 Failed to consult with the physician after TDCJ inmate became agitated, assaultive, suicidal, threatening <ul style="list-style-type: none"> <li>and uncooperative and failed to document the administration of Haldol and Cogentin</li> </ul> </li> <li>1 Failed to ensure that all medications were administered to at least 9 residents</li> </ul>
13	<p><b>TPAPN BOARD ORDER</b></p> <ul style="list-style-type: none"> <li>1 Granted Pre-Trial Diversion Program for the offense of Attempt to Obtain Controlled Substance by Fraud</li> <li>1 Intemperate use of Alcohol violating current TPAPN Order</li> <li>1 Misappropriated Hydrocodone</li> <li>1 Misappropriated Hydrocodone</li> <li>1 Convicted of Possession of Marijuana and the state jail felony offense of Possession of a Controlled <ul style="list-style-type: none"> <li>Substance: Methamphetamine</li> </ul> </li> <li>1 Admitted for treatment of polysubstance dependence</li> <li>1 Diagnosed with having a history of Xanax abuse and depression</li> <li>1 Arrested and found to have in possession several types of narcotics</li> <li>1 Granted a deferred judgment for two counts of Possession fo Marijuana</li> <li>1 Misappropriated Lortab and Hydrocodone, convicted of Driving While Intoxicated</li> <li>1 Intemperate use of Toradol, Morphine and Phenergan</li> <li>1 Engaged in intemperate use and/or unlawful use of Cocaine and Marijuana</li> <li>1 Deferred judgment for Obtaining Dangerous Drugs by Forged Prescription</li> </ul>

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**VOLUNTARY SURRENDER**

- 3 Convicted of three counts of Driving While Intoxicated
- 1 Intemperate use of Benzodiazepine; misappropriated Lortab
- 1 Non disclosure of criminal record including a felony of Evading Arrest Detention with Vehicle
- 1 Intemperate use of Tetrahydrocannabinol, Codeine, Morphine, Oxazepam, Temazepam, Tramadol,
  - Hydrocodone, Hydromorphone, and Oxymorphone
- 1 Charged with 6 counts of Driving While Intoxicated with the last two charged at a felony level
- 1 Misappropriation and Intemperate use of Vicodin
- 1 Convicted of two counts of the felony offense of Delivery of a Controlled Substance
- 1 Non disclosure of Third Degree felony offense of Fraudulent Prescription
- 1 Convicted of Conspiracy to Commit Theft and Receipt of Stolen US Mail and Use of Unauthorized Access
  - 1 Disciplinary action taken by another licensing authority
  - 1 Convicted of the State Jail felony offense of Theft of Property and granted a deferred judgment for the
    - State Jail felony offense of Securing Execution of Document by Deception
  - 1 Observed on video hitting a patient in the chest, face and side of the head, shaking the patient forcefully by
    - the arm, hitting the patient on the face with a diaper and restraining his hands while changing his diaper
- 4 Non compliance with previous Board Order, submitted a statement of Voluntary Surrender
- 1 Non compliance with previous Board Order
- 1 Failed to disclose a deferred judgment for the state jail felony offense of Endangering a Child
- 5 Submitted a statement of Voluntary Surrender

## LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2010, through February 28, 2011

34	<p><b>ENDORSEMENTS</b></p> <ul style="list-style-type: none"><li>1 Disciplinary action taken by another licensing authority</li><li>1 Convicted of the felony offense of Knowingly Make a False Statement</li><li>1 Convicted of Driving Under the Influence and Possession of Paraphernalia</li><li>1 Convicted of two counts of Driving While Intoxicated</li><li>1 Convicted of three counts of Theft</li><li>1 Deferred Judgment for the Third Degree felony offense of Forgery and Grand Theft</li><li>1 Convicted of the felony offense of Aggravated Robbery with Deadly Weapon</li><li>27 No Grounds for Denial</li></ul>
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**APPLICANTS/ PETITIONERS**

- 5 Non-disclosure of Criminal History
- 1 Convicted of Driving While License Suspended, Criminal Trespass and Unlawful Make Loud/Raucous
  - Nosie; deferred adjudication for Theft
- 1 Deferred Judgment for the felony offense of Welfare Fraud and misdemeanor Theft by Check
- 1 Deferred Judgment for the offense of Aiding in Unlawful Supplying of ID Card/False Statement in Obtaining Driver's License
- 1 Convicted of Interference with the Duties of a Public Servant
- 2 Deferred Judgment for the felony offense of Possession of Marijuana
- 1 Deferred Judgment for the felony offense of Secure Execution of Document by Deception and convicted
  - of misdemeanor Theft
- 1 Deferred Judgment for the Third Degree felony offense of Deadly Conduct Discharges Firearm Individuals
  - 1 Deferred Judgment for Driving While Intoxicated; convicted of Disorderly Conduct and Assault Causing Bodily Injury
- 1 Diagnosed with Bipolar Disorder II
- 1 Convicted of two counts of Driving While Intoxicated and one count of Possession of Marijuana
- 1 Deferred Judgement for the Second Degree felony offense of Possession of Marijuana, convicted of
  - misdemeanor offense of Driving While Intoxicated
- 2 Convicted of the felony offense of Burglary of Habitation
- 1 Deferred Judgment for the State Jail felony offense of Evading Arrest/Detention With Vehicle and misdemeanor Theft of Property
- 1 Deferred Judgment for the State Jail felony offense of Possession of a Controlled Substance
- 3 Deferred Judgement for the felony offense of Burglary of Building
- 1 Convicted of Failure to Stop and Give Information, Harassment, Assault Causing Bodily Injury and two
  - counts of Driving While Intoxicated
- 1 Convicted of three counts of Driving While Intoxicated
- 1 Deferred Judgment for the State Jail felony offense of Theft 1,500 - \$20,000; convicted of Theft of Service
  - 1 Convicted of Theft of Service, Knowingly Damage Property and Driving While License Suspended
  - 1 Deferred Judgment for the Third Degree felony offense of Unauthorized Use of a Motor Vehicle
  - 1 Deferred Judgment for the State Jail felony offense of Credit Card Abuse
  - 2 Entered treatment for Alcohol Abuse
  - 1 Diagnosed with Opiate Dependence
  - 1 Deferred Judgment for the State Jail felony offense of Tampering with Government Record
  - 1 Deferred Judgment for the felony offense of Failure to Stop and Render Aid and convicted of the misdemeanor of Theft of Property
  - 1 Deferred Judgment for the Second Degree felony offense of Aggravated Assault with a Deadly Weapon
    - and misdemeanor offense of Theft by Check
  - 1 Convicted for the felony offense of Unlawful Delivery of Marijuana
  - 1 Convicted of Aiding and Abetting Illegal Entry
  - 1 Pre-Trial Diversion for Battery and Assault
  - 1 Convicted of the felony offense of Unauthorized Use of Vehicle, deferred judgment for misdemeanor

**APPLICANTS/ PETITIONERS cont.**

- 1 Deferred Judgment for two counts of the Third Degree felony offense of Violation of Protection Order;
  - convicted of misdemeanor offense of Violation of Protective Order and Evading Arrest
- 1 Convicted of Disorderly Conduct, Theft and Driving While Intoxicated
- 1 Convicted of Criminal Mischief, Harassment, Resisting Arrest and two counts of Unlawfully Carrying a Weapon
- 1 Deferred Judgment for the State Jail felony offense of Secure Execution of Document by Deception
  - 1 Convicted of the First Degree felony offense of Possession of a Controlled Substance, Namely Cocain
  - 1 Convicted of five counts of Theft by Check, one counts of Criminal Mischief, Harassment and Assault
  - 1 Convicted of the State Jail felony offense of Credit Card Abuse and Forgery of a Financial Instrument and the misdemeanor offenses of Driving While Intoxicated and Theft of Property by Check
  - 1 Pre-Trial Diversion for Improper Relationship Between Educator and Student
  - 1 Convicted of Possession of Marijuana, Possession of a Controlled Substance, False ID and Resisting Arrest; Entered Treatment for alcohol abuse
  - 1 Deferred Judgment for the Third Degree felony offense of Engaging in Organized Criminal Activity
  - 1 Convicted of felony offense of Possession of a Controlled Substance and the misdemeanor offense of Driving While Intoxicated
  - 1 Deferred Judgment for the First Degree felony offense of Theft Over \$1,500 But Less Than \$20,000
    - 1 Convicted of False Report to a Police Officer and four counts of Theft by Check
    - 2 Convicted of the felony offense of Tampering with Governmental Records
  - 1 Deferred Judgment for the Second Degree felony offense of Burglary of Habitation, and the misdemeanor offenses of Theft by Check and False Report to Police Officer
  - 1 Deferred Judgment for the Second Degree felony offense of Obtaining a Controlled Substance by Fraud
    - 1 Convicted of Criminal Trespass Inhabitation/Super Fund Site
    - 1 Convicted of Theft of Public Money
    - 1 Convicted of Criminal Mischief, Obscene Language, Possession of Marijuana and two counts of Public Intoxication
  - 1 Convicted of the Second Degree felony offense of Aggravated Assault with a Deadly Weapon
  - 1 Deferred Judgment for the Third Degree felony offense of Possession of Marijuana
  - 1 Conviction of the offense of Transporting a Certain Alien within the United States
  - 1 Deferred Judgment for the Second Degree felony offense of Unlawful Possession of Marijuana
  - 1 Convicted of Assault Causes Bodily Injury and Possession of Marijuana
  - 1 Deferred Judgment for the misdemeanor offense of Securing Execution of Document by Deception
    - 1 Denial of Licensure
- 356 No Grounds for Denial/Youthful Indiscretion

## LVN CORRECTIVE ACTION

Time frame: December 1, 2010, through February 28, 2011

16	<p><b>CORRECTIVE ACTION</b></p> <ul style="list-style-type: none"> <li>2 Non disclosure of Theft by Check</li> <li>1 Non disclosure of Fail to Return a Leased Motor Vehicle</li> <li>2 Non disclosure of Theft</li> <li>1 Non disclosure of Terroristic Threat</li> <li>1 Non disclosure of Failure to ID Fugitive</li> <li>5 Non disclosure of Driving While Intoxicated</li> <li>1 Non disclosure of Attempted Theft Amended from Forgery</li> <li>1 Non disclosure of Fleeing from Police Officer</li> <li>1 Practiced without a valid nursing license</li> <li>1 Non disclosure of Cruelty to Animals</li> </ul>
7	<p><b>ENDORSEMENTS</b></p> <ul style="list-style-type: none"> <li>1 Non disclosure of Blood Alcohol Content</li> <li>1 Non disclosure of Theft</li> <li>1 Non disclosure of Shoplifting</li> <li>1 Non disclosure of Battery/Cause Bodily Harm</li> <li>1 Non disclosure of Disorderly Conduct</li> <li>2 Non disclosure of Driving While Impaired</li> </ul>
14	<p><b>APPLICANTS/ PETITIONERS</b></p> <ul style="list-style-type: none"> <li>1 Non disclosure of Failure to Appear</li> <li>1 Non disclosure of False Reporting to Authorities</li> <li>2 Non disclosure of Assault</li> <li>1 Non disclosure of Theft of Personal Property</li> <li>1 Non disclosure of Driving While License Suspended</li> <li>6 Non disclosure of Theft</li> <li>1 Non disclosure of Theft by Check</li> <li>1 Non disclosure of Sale of Alcohol Beverage to a Minor</li> </ul>

## RN DISCIPLINARY ORDERS

Time frame: December 1, 2010, through February 28, 2011

<b>DISCIPLINARY</b>	
25	<p><b>FINE WITH REMEDIAL EDUCATION</b></p> <ul style="list-style-type: none"><li>13 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was<ul style="list-style-type: none"><li>given by failing to disclose a criminal history</li></ul></li><li>1 Misappropriated two vials of insulin belonging to patients, who had been discharged from the hospital</li><li>1 Practiced as a Psychiatric/Mental Health Nurse Practitioner without Board authorization</li><li>1 Inappropriately signed documentation of the administration of three sets of pre-operative eye drops<ul style="list-style-type: none"><li>1 Made a false entry in the medical record</li><li>1 Inappropriately transferred Morphine from a deceased resident's prescription bottle to a prescription bottle<ul style="list-style-type: none"><li>that belong to another resident</li></ul></li></ul></li><li>1 Misappropriated Intravenous supplies from her employer for the purpose of starting an IV on a co-worker.</li><li>1 Had knowledge that unlicensed personnel were administering pre-operative medicated eye drops to<ul style="list-style-type: none"><li>patients in the pre-operative reception area without Registered Nurse supervision</li></ul></li><li>1 Failed to document the administration of medications</li><li>1 Distributed a test blueprint for the Comprehensive nursing program examination for fourth semester<ul style="list-style-type: none"><li>students</li></ul></li><li>1 Made an inappropriate and sexually suggestive comment to a patient</li><li>1 Signed prescriptions using the ordering physicians' initials without counter-signing with her own signature</li><li>1 Practiced as an Acute Adult Nurse Practitioner without maintaining certification</li></ul>

**REMEDIAL EDUCATION**

- 1 Failed to ensure the safety of a patient when she did not use sterile technique by inserting the same Foley catheter a second time
- 1 Used confidential information she retained from her employment to contact a patient
- 1 Improperly inserted a rectal enema into a patient in that he failed to remove the protective cap prior to insertion
- 1 Administered medications to patient that were ordered for another patient
- 1 Failed to perform a nurse visit or refer another nurse to make a visit
- 1 Failed to institute appropriate nursing interventions for a patient who had a diagnosis of Intermittent Explosive Behavior
- 1 Administered Amphotericin B to a patient intravenously rather than as a bladder irrigation as ordered
- 1 Inappropriately delegated the administration of medications to two Certified Nursing Assistants
- 1 Failed to administer Androgel to a patient as ordered by physician.
- 1 Administered normal Saline and Heparin intravenous flushes to patients prepared by another nurse; inappropriately used the same syringe to flush the needleless peripherally inserted catheter
- 1 Allowed a student with a fever to return to class instructing her to return if her fever continued
- 1 Failed to document the initial assessment within an initial 8 hours time frame
- 1 Failed to obtain an order from the physician to discontinue the intravenous infusion when the site became unuseable
- 1 Failed to either reassess or to adequately document reassessment of patient
- 1 Was confrontational with patient's family
- 1 Administered Morphine via the wrong route
- 1 Inappropriately "corrected" the narcotic count sheet when she reduced the count of Hydrocodone belonging to a resident by two tablets, without accounting for those two tablets
- 1 Submitted skilled nursing visit notes with the wrong patient's signature

32	<p><b>VOLUNTARY SURRENDER</b></p> <ul style="list-style-type: none"> <li>1 Refused treatment through TPAPN</li> <li>2 Disciplinary action taken by another licensing authority</li> <li>1 Convicted of three counts of Driving While Intoxicated - two misdemeanor and one Third Degree felony</li> <li>1 Non compliance with previous Board Order, submitted a statement of Voluntary Surrender</li> <li>1 Failure to disclose criminal history, submitted a statement of Voluntary Surrender</li> <li>1 Misappropriated Morphine, diagnosed with Bi-polar Disorder</li> <li>1 Failed to assess and intervene while caring for a Resident whose write was swollen and tender, submitted a statement of Voluntary Surrender</li> <li>1 Convicted of the felony offense of Possession of Marijuana 4 oz - 51 lbs</li> <li>1 Lacked fitness to practice professional nursing</li> <li>1 Admitted to having a drinking problem with alcohol and drinking a half gallon of Vodka everyday</li> <li>1 Attempted to pass fraudulent, unauthorized prescriptions for Xanax, Lorazepam, Norco, Propoxyphene, Effexor, Geodon, Seroquel, &amp; Tramethazine, deferred judgment for felony offense of Poss CS by Fraud</li> <li>1 Failed to disclose a deferred judgment for the state jail felony offense of Endangering a Child</li> <li>9 Non compliance with previous Board Order</li> <li>1 Misappropriated Ativan, Morphine and Demerol; Intemperate use of Morphine and Dilaudid</li> <li>1 Convicted of the Third Degree felony offense of Indecency with a Child by Exposure - 3 counts</li> <li>8 Submitted a statement of Voluntary Surrender</li> </ul>
14	<p><b>TPAPN BOARD ORDER</b></p> <ul style="list-style-type: none"> <li>1 Deferred judgment for Obtaining Dangerous Drugs by Forged Prescription</li> <li>1 Engaged in intemperate use and/or unlawful use of Cocaine and Marijuana</li> <li>1 Lacked fitness to practice in that while on duty she was found to have an unsteady gait, an inability to stay awake or concentrate and spoke incoherently</li> <li>1 Hospitalized for Major depression, anxiety and borderline personality disorder</li> <li>1 Intemperate use of Propoxyphene</li> <li>1 Granted entry into a Pre-Trial Diversion Program for the state jail felony offense of Attempt to Obtain Controlled Substance by Fraud</li> <li>1 Lacked fitness to practice I that while on duty she was found sleeping in her patient's room, observed to be disoriented, she tripped and fell onto a patient</li> <li>1 Intemperate use of Amphetamines and Methamphetamines</li> <li>1 Intemperate use of Alcohol violating current TPAPN Order</li> <li>1 Convicted of three counts of Driving While Intoxicated in 2010</li> <li>1 Exhibited confused behaviors, was unable to answer questions, fell out of a chair, put tow packages of KY jelly in his nose, swayed when he was standing, and his speech was slurred</li> <li>1 Intemperate use of Cocaine and Marijuana</li> <li>1 Signed a three year stipulated agreement with the Arizona Board of Nursing's Chemically Addicted Nurse Diversion Option (CANDO) Program</li> <li>1 Lacked fitness to practice in that while on duty she was yelling, causing disruptions and smelled of alcohol</li> </ul>

## RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2010, through February 28, 2011

91	<p><b>ENDORSEMENTS</b></p> <ul style="list-style-type: none"><li>6 Disciplinary action taken by another licensing authority</li><li>1 Entered treatment for addiction to alcohol and narcotic drugs</li><li>1 Convicted of Domestic Abuse Assault w/o Intent to Cause Injury and Simple Assault</li><li>1 Pre-Trial Diversion for the Level 9 offense of Theft</li><li>1 Convicted of Unauthorized Use of a Vehicle and two counts of Theft</li><li>1 Deferred Judgment for Fleeing Police Officer; Disciplinary action taken by another licensing authority; entered treatment for chemical dependency; and diagnosed with bipolar Disorder</li><li>8 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement</li><li>72 No Grounds for Denial</li></ul>
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**APPLICANTS/ PETITIONERS**

- 4 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination
- 2 Denial of Licensure
  - 1 Convicted of the misdemeanor offenses of Driving While Intoxicated and Public Intoxication
  - 1 Deferred Judgment for the State Jail felony offense of Forgery by Passing
  - 1 Deferred Judgment for the Third Degree felony offense of Possession of Marijuana
  - 1 Convicted of three counts of Driving While Intoxicated, five counts of Driving While License Suspended
  - 1 Convicted of Criminal Trespass, Offenses Against a Public Place, Disorderly Conduct, Criminal Mischief,
    - and Driving While Intoxicated
  - 1 Deferred Judgment for the Third Degree felony offense of Theft of Service \$750.00
  - 1 Convicted of the felony offense of Conspiracy to Possess with Intent to Distribute a Schedule I Controlled Substance, To-Wit Heroin
  - 1 Deferred Judgment for the Third Degree felony offense of Theft Auto \$750 - \$20,000
  - 1 Deferred Judgment for the State Jail felony offense of Criminal Mischief and convicted of Driving While Intoxicated
  - 1 Convicted of the felony offense of Misprision of a Felony
  - 5 Convicted of two counts of Driving While Intoxicated
  - 1 Convicted of Possession fo Marijuana and Driving While Intoxicated
  - 1 Deferred Judgement for Unlawful Possession of a Controlled Substance - Marijuana and convicted of Driving While Intoxicated
  - 1 Substance Abuse Disorder
  - 1 Convicted of two counts of Driving While Intoxicated and two counts of Driving While License Suspended
  - 1 Convicted of the felony offense of Theft Over \$500 - \$14999 and the misdemeanor offenses of Theft
  - 1 Convicted of Possession of Drug Paraphernalia, Wrongfully Have in your Possession some amount of Marijuana, two counts of Assault; Deferred Judgment for Unauthorized use of Cable Device
  - 4 Disciplinary action taken by another Licensing Authority
  - 1 Deferred Judgment for the Fourth Degree felony offense of Breaking and Entering, convicted of misdemeanor offense of Driving While Under the Influence of Liquor
  - 1 Deferred Judgment for the State Jail felony offense of Possession of a Controlled Substance - Cocain;
    - entered treatment for alcohol/drug abuse
  - 2 Deferred Judgment for the State Jail felony offense of Credit Card Abuse
  - 1 Deferred Judgment for three misdemeanor counts of Theft and one count of Third Degree Felony offense of Securing Execution of Document by Deception
  - 1 Convicted of the Third Degree felony offense of Credit Card Abuse, State Jail felony offense of Theft Under \$1500, and two counts of the misdemeanor offenses of Theft and Evading Arrest
  - 1 Deferred Judgment for felony offense of Robbery
  - 1 Deferred Judgment for the Third Degree felony offense of Injury to a Child Under 15 years
  - 1 Deferred Judgment for the misdemeanor offense of Burglary of Vehicle and convicted of Driving While License Invalid

**APPLICANTS/ PETITIONERS cont.**

- 1 Deferred Judgment for the misdemeanor offenses of Assault, Attempted Unauthorized Use of a Motor Vehicle and Theft
- 1 Deferred Judgment for the State Jail felony offense of Forgery of Financial Instrument
- 1 Deferred Judgment for the First Degree felony offense of Aggravated Robbery
- 1 Convicted of the Third Degree felony offense of Theft
- 1 Convicted of the Second Degree felony offense of Arson
- 1 Deferred Judgment for the Fourth Degree felony offense of Possession of Marijuana With Intent to Distribute
- 1 Deferred Judgment for the State Jail felony offense of Welfare Fraud
- 1 Deferred Judgment for the State Jail felony offense of Theft
- 1 Convicted of the felony offense of Distribute/Deliver/Manufacture/Produce or Attempt to Possess W/Intent to Distribute/Deliver/Manufacture/Produce a Controlled Substance
- 1 Pre-Trial Diversion for Possession of Marijuana; convicted of Driving While Intoxicated
- 1 Convicted of four counts of Theft
- 1 Convicted of Motor Vehicular Homicide by Negligence
- 1 Deferred Judgment for the State Jail felony offense of Possession with Intent to Deliver Diazepam and Alprazolam
- 1 Deferred Judgment for two counts of the Third Degree felony offense of Violation fo Protective Order;  
convicted of the misdemeanor offense of Evading Arrest
- 1 Convicted of the offense of Theft
- 467 No Grounds for Denial/Youthful Indiscretion

## RN CORRECTIVE ACTION

Time frame: December 1, 2010, through February 28, 2011

15	<p><b>CORRECTIVE ACTION</b></p> <ul style="list-style-type: none"> <li>7 Non disclosure of Driving While Intoxicated</li> <li>1 Non disclosure of Criminal Trespass</li> <li>1 Non disclosure of Harassment</li> <li>1 Non disclosure of Reckless Conduct</li> <li>2 Practiced without a valid nursing license</li> <li>1 Non disclosure of Theft by Check</li> <li>1 Non disclosure of Fleeing from Police Office</li> <li>1 Non disclosure of Obstructing Roadway</li> </ul>
12	<p><b>ENDORSEMENT</b></p> <ul style="list-style-type: none"> <li>5 Non disclosure of Driving a Motor Vehicle While Under the Influence of Alcohol</li> <li>1 Non disclosure of Possession of Blank Check, Etc.</li> <li>2 Non disclosure of Theft</li> <li>1 Non disclosure of Controlled Substance: Illegal Possession</li> <li>1 Non disclosure of Fraudulent Check</li> <li>1 Non disclosure of Insufficient Funds Check</li> <li>1 Non disclosure of Reckless Endangerment</li> </ul>
6	<p><b>APPLICANTS/ PETITIONERS</b></p> <ul style="list-style-type: none"> <li>1 Non disclosure of Possession of Marijuana</li> <li>1 Non disclosure of Driving While Intoxicated</li> <li>1 Non disclosure of Theft by Check</li> <li>1 Non disclosure of Disorderly Conduct</li> <li>1 Non disclosure of Wrongful Use and Possession of a Controlled Substance - Marijuana</li> <li>1 Non disclosure of Assault Causes Bodily Injury</li> </ul>

## RN DEFERRED DISCIPLINE

Time frame: December 1, 2010, through February 28, 2011

2	<p><b>DEFERRED DISCIPLINE</b></p> <ul style="list-style-type: none"> <li>1 Failed to adequately document assessments and status of patient</li> <li>1 Misappropriated Lidocaine belonging to the facility</li> </ul>
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# Health Professions Council

## Annual Report

To the

**Governor**  
**Lieutenant Governor**  
**Speaker of the House of Representatives**



February 1, 2011

*Board of Nursing*  
*Board of Pharmacy*  
*Texas Medical Board*  
*Office of the Governor*  
*Texas Optometry Board*  
*Board of Dental Examiners*  
*Funeral Services Commission*  
*Board of Chiropractic Examiners*  
*Board of Examiners of Psychologists*  
*Board of Physical Therapy Examiners*  
*Board of Podiatric Medical Examiners*  
*Board of Veterinary Medical Examiners*  
*Board of Occupational Therapy Examiners*  
*Department of State Health Services, Professional Licensing and Certification Unit*



# TEXAS HEALTH PROFESSIONS COUNCIL

Annual Report for 2010

*An Efficient Model for Licensing and Regulation*

## Members

**Katherine Thomas**

*Board of Nursing*

**Gay Dodson**

*Texas State Board of Pharmacy*

**Mari Robinson**

*Texas Medical Board*

**Sherri Sanders-Meek**

*Texas State Board of Dental*

*Examiners*

**Dewey Helmcamp**

*Texas State Board of Veterinary*

*Medical Examiners*

**Sherry Lee,**

*Texas State Board of Examiners of*

*Psychologists*

**John Maline,**

*Executive Council of Physical Therapy*

*and Occupational Therapy Examiners*

**Hemant Makan**

*Texas State Board of Podiatric*

*Medical Examiners*

**Glenn Parker**

*Texas Board of Chiropractic*

*Examiners*

**Chris Kloeris**

*Texas Optometry Board*

**Chet Robbins**

*Texas Funeral Services Commission*

**Cindy Bourland**

*Department of State Health Services*

**Barabara Deane**

*Office of the Attorney General*

**Becky Dean**

*Governor's Office*

## **Staff**

**John Monk, Administrative Officer**

**Patricia Ortiz, Administrative Asst.**

*Health Professions Council*

*333 Guadalupe, Ste 2-220*

*Austin, TX 78701*

*(512) 305-8550*

The Texas Health Professions Council (HPC) provides a unique solution for the multiple challenges of state regulation of health professions. The State of Texas created HPC to achieve the benefits of consolidation without sacrificing, the quality, independence, accessibility and accountability of independent health licensing and regulatory agencies. Originally, established in 1993, the Council has a membership of 15 agencies that represent a total of 35 professional licensing boards, certification programs, documentation programs, permit programs or registration programs; the Office of the Attorney General and the Office of the Governor. Executive Directors of each of the member agencies actively participate. Through this collaborative effort, the HPC has realized economies of scales in the areas of Information Technology, human resources and staff training. The HPC fosters a spirit of cooperation between agencies striving to achieve regulatory best practices and better serve their respective constituencies.

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Appendix A – Agencies Reports on Disciplinary Action Data

Appendix B – Agencies Reports on Fees and Expenses (SB 1058 81<sup>st</sup> Reg)

Appendix C – Agencies Reports on Unfunded Needs (SB 1058 81<sup>st</sup> Reg)

Appendix D –Agencies Reports on Number of Persons Regulated by County\*

\*Due to document size, provided as pdf on CD. Also available on Council Website ([www.hpc.state.tx.us](http://www.hpc.state.tx.us))

# Framework

- Members
- Statutory Requirements
- Staffing/Funding

The Texas Health Professions Council (HPC) provides a unique solution for the multiple challenges of state regulation of health professions. The State of Texas created HPC to achieve the potentially desirable outcomes of consolidation of small independent health licensing and regulatory agencies without sacrificing the quality, independence, accessibility and accountability of individual boards.

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**Members:** The Council consists of one representative from each of the following:

- (1) the Texas Board of Chiropractic Examiners;
- (2) the State Board of Dental Examiners;
- (3) the Texas Optometry Board;
- (4) the State Board of Pharmacy;
- (5) the Texas State Board of Podiatric Medical Examiners;
- (6) the State Board of Veterinary Medical Examiners;
- (7) the Texas Medical Board;
- (8) the Texas Board of Nursing;
- (9) the Texas State Board of Examiners of Psychologists;
- (10) the Texas Funeral Service Commission;
- (11) the entity that regulates the practice of physical therapy;
- (12) the entity that regulates the practice of occupational therapy;
- (13) the Texas Department of State Health Service's Professional Licensing and Certification Unit
- (14) Governor's office.
- (15) Office of the Attorney General

The Council elects from its members a presiding officer and an assistant presiding officer to conduct the business of the Council. Currently, the presiding officer (Chair) is Katherine A. Thomas, Executive Director for the Board of Nursing. The assistant presiding officer (Vice-Chair) is Gay Dodson, Executive Director for the State Board of Pharmacy. Council officers serve two-year terms ending August 31 of odd numbered years.

**The Health Professions Council** was created on the recommendation of the Texas Sunset Commission to achieve the efficiency and effectiveness goals of consolidation while avoiding the creation of a new bureaucracy. Repeated efforts to consolidate boards under one umbrella agency had received only varied support while generating heated opposition from the professional associations. Experience in other states had shown that large umbrella agencies sometimes failed to meet the perceived benefits and desired objectives of improved consumer service and decreased costs (fig 1). Problems of consolidation included increased response time for services, decreased quality of services, lack of expertise in regulated professions, and decreased disciplinary actions against licensees. Studies show consolidations often failed to achieve economies of scale.

The Council has mitigated problems of competition and conflict among the licensed professions by fostering an atmosphere of communication and cooperation. It has provided a forum for discussion of issues and allowed a coordinated response to legislative issues when requested by elected officials. The Council has no authority over member agencies.

**Staffing and Funding:** The Health Professions Council employs a small staff (currently only 5 FTEs are assigned to the agency), to coordinate and or complete the tasks of the Council. The HPC staff is organized as a separate state agency (#364). Its staff report to the Council directly through supervision of its manager, the Administrative Officer, by the Council Chair. The Council utilizes its staff, along with committees consisting of staff from member agencies to carry out its activities. The Council is funded entirely by transfer of funds from member agencies. A rider in the biennial appropriations bill specifies prorated amounts. Additional amounts are transferred by member agencies to pay for shared services such as technology support and toll-free phone service on a usage basis. During the last Legislative Session (81<sup>st</sup> Regular) the Council was added additional transfers for the purchase of a shared regulatory database system. A report of financial support by member agencies is provided at the end of this report.

Eighty percent of the participating agencies are collocated in the William P. Hobby Building at 333 Guadalupe St. to facilitate resource sharing.

# Economies of Scale

- Information Technology Sharing
- Human Resources Program
- Training Opportunities

The Council has developed areas to realize cost savings across agencies. These economies of scale have been found primarily in the area of information technology. Other areas that undergo regular review to ensure best practices are incorporated in all of the regulatory agencies that the Council supports include Human Resources and employee training.

Employees benefit through increased training opportunities, access to employee assistance programs, and opportunities to refine job skills as administrative sharing allows greater staff specialization. The Council network provides opportunities for communication, shared expertise and joint problem-solving.

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**Shared Database System:** The Texas Department of Information Resources notified agencies that they will no longer be providing cold site recovery floor space as part of their Master Service Agreement. Moreover, agencies were informed that legacy databases would no longer be supported under upcoming contracts with IBM. Agencies were left to determine their own course of action in the case of a disaster or system failure.

The Council's IT Committee along with members of the Council's ITSS met with representatives from the Department of Information Resources to discuss issues related to database hardware and software. This meeting stemmed from conversations regarding how to proceed with the purchase and design of new database systems for member agencies. The Council wrote a letter to DIR leadership requesting a meeting to discuss future plans. At the Council's request, leadership at DIR was asked to respond to concerns regarding legacy systems. DIR created a Task Force to develop recommendations. The Task Force was further divided into three groups. One of those groups, the Licensing Workgroup was chaired by the Council's own Administrative Officer.

HPC took the lead in finding enterprise Licensing and Regulatory software for the management of licensing, enforcement legal and some accounting functions. The Legislature awarded funding for the regulatory database system. Implementation of this unprecedented project began in earnest at the beginning of Fiscal Year 2010. Three additional staff were added to the Council to oversee the implementation. They include a Project Manger, a Database Administrator, and a Systems Analyst. Together the team adds value to the six participating agencies that would otherwise need to develop their

own solutions and likely duplicate this effort. It should be noted that the Council was successful in enjoining two additional agencies, the Texas Board of Land Surveying and the Texas Board of Plumbing Examiners in the project to further promote the Council's goal of realizing economies of scale, sharing resources, and developing best practices across small state agencies.

**Information Technology Sharing:** The Council has studied the resources and needs of member agencies for Information Technology support. The Council found that although some of its larger members (the Medical Board, the Board of Pharmacy, and the Board of Nursing) had resources devoted to meet its Information Technology support needs (or at least to address their needs in a prioritized fashion), some of the other smaller members struggled to meet their needs. In the past, only limited Network Manager Services had been shared by members of the Council.

Some agencies had planned to cut back on already inadequate resources devoted to this area in order to absorb cuts in their budget in the FY 04/05 biennium. The Council created a Shared Services Committee and assigned that committee to investigate models to provide member agencies the most efficient IT support possible. The Committee developed a program that facilitates sharing of information technology knowledge and resources among all of the member agencies in the Hobby building through its Technology Committee. In addition to the Regulatory Database Program, this program also utilizes staff (one from the Texas State Board of Dental Examiners and one from the Texas Optometry Board) to provide direct ongoing support services to eight (8) of the smaller member agencies in the Hobby Building. The staff positions are funded through contributions from the eight member agencies.

During the previous reporting period it was noted that all of the member agencies located in the Hobby Building are utilizing the imaging system. The Shared Document Imaging System was updated to allow for remote access. This feature allows member agencies to input data directly from their offices rather than transporting source documents to the center and then back. This feature will provide a more efficient means for inputting information. Additionally, agencies are able to scan images remotely and upload them to the server with little or no interruption of staff scheduling. As the Regulatory Database comes online the Imaging System will integrate into the system to provide an electronic archive that will provide additional online services. The ITSS staff is developing data to determine goal dates for significant archival storage on the system, freeing up space in agencies.

**Human Resources Pilot Program:** The Human Resources Committee studied the needs of member agencies to determine what, if any, assistance the Council staff could provide in the area of Human Resources. The Council has developed a pilot program to take a role in the HR functions of member agencies. The recommended program includes the basic job tasks of a Human Resource Specialist I. Specifically, it allows for the coordinating and processing of newly hired and terminating employees. It also includes the administration of employment screenings, evaluation of candidates and background checks.

In discussing this pilot program, the committee felt that these functions could be implemented into the current role of HPC. This would result in zero cost to the members. After the program was running smoothly, it is the belief of the committee that further more detailed Human Resources duties could be carried out by a Human Resource Specialist I. The Council believes that an employee sharing program such as the model designed for Information Technology would result in savings to members. In this scenario, a Memorandum of Understanding would be designed and a new FTE employee would be hired to carry out more complex duties of Human Resources. In Fiscal Year 2010, Council Staff continued their support of agencies in the hiring of new member employees. The Council has had preliminary discussions with agencies and the Legislative Budget Board to review the potential hiring of a dedicated Human Resources Specialist. At a recent council meeting the Council reviewed the proposal and in light of the current financial uncertainty determined it would be best to table the proposal for review at a future time. In an effort to aid the program one of the council staff completed certification for the Professional in Human Resources Certification.

**Training/Information Dissemination Opportunities:** The member agencies share training opportunities for member agencies. One member agency staff member from the Board of Nursing offers new employee EEO training. HPC staff handle the coordination and documentation of the training. HPC staff have also coordinated training opportunities available through the State Auditor's Office. The SAO offers training to agencies when the number of attendees is at or above minimums needed to justify providing the training at another location. HPC provides a regular forum for the Employee's Retirement System staff to give presentations to member agency employees on investments through the Citistreet program.

HPC also works with the National Certified Investigator/Inspector Training (NCIT) program of the Council on Licensure, Enforcement, and Regulation (CLEAR) to provide training locally approximately once a year, providing the highest quality training at the lowest possible cost for HPC members and other state agencies employing investigators. Periodically, throughout the year CLEAR provides remote access training through the use of webinars. HPC has regularly provided access to these webinars on behalf of the members.

Fiscal Year 2008 was the first year in which the number of people trained through HPC training opportunities was measured. The Council expanded their training opportunities in Fiscal Year 2009 and will work with the Texas Workforce Commission in Fiscal Year 2010 to provide additional opportunities at lower cost to agencies located in the Hobby Building. The Council is pleased to report that the performance measure goal related to training was attained. The Council has been able to provide onsite training on topics such as Accounting, the Texas Register, Equal Employment Opportunity, Risk Management, and Board Member Training. Holding training onsite has been a great convenience to member agencies. The Council fully expects to meet the goals set forth by the legislature.

**Courier Services:** The Texas Medical Board (TMB) coordinates the sharing of a courier service with all of the member agencies in the Hobby building to facilitate movement of priority communication, and deposits, etc. with the Comptroller's office. TMB coordinates the contract, pays the vendor, and bills agencies based on use. Other non-HPC member small state agencies located in the Hobby building participate in this sharing as well.

**Employee Assistance Program:** HPC member agencies participate as a group in an employee assistance program (EAP).

**Legislative Tracking:** HPC member agencies have worked together to improve member agencies' Legislative Tracking. Smaller agencies that could not afford to purchase the services of Legislative Tracking Services, such as Texas Legislative Service or Gallery Watch, have gained access to that service at a much lower cost by sharing the service. In addition, the HPC Administrative Officer tracks legislation and keeps member agencies aware of legislation that could affect member agencies as a group.

# Regulatory Best Practices

- Criminal Background Checks
- Improved Customer Service
- Board Member Training Program

The Council regularly brings new topics for members to discuss and review. This allows new ideas and practices to be thoroughly vetted prior to implementation. This saves both time and money. By allowing all agencies access to the expertise of both large and small agencies, ideas are reviewed with a depth of knowledge not often found in a single umbrella agency structure. This cooperation requires little, if any, additional appropriations or significant time commitments from any single agency and the results are available to all of the member agencies. The Council meetings serve further as a forum for member agency Executive Directors to identify common issues faced in licensing and regulation, share perspectives, and often move toward consistent policy stances.

Below are examples where agencies have found opportunities to implement regulatory best practices.

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**Criminal Background Checks:** The Council is in the process of developing a uniform policy regarding the processing of criminal background checks for the member agencies. The Texas Board of Nursing has taken the lead on sharing their experience in implementing background checks on both initial licensees and renewals. That experience will help smaller agencies develop well thought out procedures.

**Improved Customer Service:** The Council has also created a resource list of member agency staff that can communicate in languages other than English. Member agencies have agreed to share staff when it is needed to communicate effectively with customers.

**Board Member Training Program:** The Council has established a training program for the governing bodies (boards) of member agencies. The training has been compiled into a training manual. Each agency must customize the basic training program to include agency/board specific information. The training manual is updated every two years, following the Regular Legislative session.

**Policy and Procedure Development:** In the past the Council, through its committees has developed model policies and procedures for risk management, disaster recovery, and workforce policy/procedures. When new reporting requirements are mandated member agency staff meet on an ad hoc basis to review the requirements and instructions. As a group, they clarify expectations and seek further clarification to facilitate quality reporting.

**Minimum Data Set:** The Statewide Health Coordinating Council's recommends that the licensing boards for those health related professions named should change their licensing forms and data systems to include the collection of the minimum data set on an annual or biennial basis. During the last session significant progress was made in this direction. Senate Bill 29 (80<sup>th</sup> Regular) provided for the collection of the data needed for statistical analysis by the Health Profession Resource Center, a division of the Statewide Health Coordinating Council which is located in the Texas Department of State Health Services.

Last year, Council staff worked diligently with the HPRC and DIR to implement the provisions of SB 29. An evaluation of the system is not available at this time. Council members are proud of their work in this area and are pleased to provide the information to HPRC. It should be noted that the planned Regulatory Database System will implement fields consistent with the Minimum Data Set.

The agencies participating in the in the database program are currently in the testing phase of the interface that will provide the Minimum Data Set. When the system comes online only a few remaining agencies will be supported by DIR in this area.

**Peer-to-Peer Sharing/General Sharing:** Member agencies back up each other in administrative functions such as accounting, purchasing, and payroll. These back up arrangements are typically short term in nature, such as for occasions when employees are out on illnesses, vacations or other short terms. However, in some cases, agencies may provide these services to one another for longer periods of time (such as for an extended vacancy) with or without compensation through interagency contract. Agencies with certified purchasers assist agencies that are too small to have staff on board with such expertise through a "purchasing pool." Member agency employees consult with one another, peer to peer, throughout the administrative and regulatory departments and divisions. There is a cost savings to member agencies when their staff share their efforts that cannot be specifically calculated. For example, agency financial staff routinely consult each other when preparing major financial reports such as the Annual Financial Report and the Legislative Appropriations Request. As a result of this relationship between member agency staff, reports are completed quicker, procedures are developed more efficiently, and other state agencies enjoy a reduction in inquiries and clarifications on required reports and procedures. HPC member agencies embrace the spirit of cooperation within the Health Professions Council. The larger member agencies often allow their staff to assist smaller agencies with tasks that the larger agencies are better equipped to handle. Although it cannot be quantified, it is expected

that the assistance provided by larger agencies has prevented smaller agencies from having to request additional funding for staff to handle the routine administrative requirements of being a state agency.

**Annual Report:** The Council prepares an annual report that includes a statistical compilation of numbers of licensees, numbers of complaints and enforcement actions taken by member agencies/boards. The annual report also includes a summary of the Council's activities over the past year and recommendations for statutory changes to improve the regulation of health care professionals.

# Responsiveness

- Toll Free Complaint Line
- Representation in Statewide Forums

The Health Professions Council serves a wide variety of constituents. First and foremost it serves the citizens of Texas. The shared toll-free complaint line directly benefits consumers who can place one toll-free call to obtain information or initiate a complaint against any licensed health professional. Many consumers lack information necessary to determine which board to go to with their complaint. The greatest benefit to consumers is preservation of independent boards with specific expertise in investigation and resolution of consumer problems. Consumers and taxpayers benefit indirectly from improved efficiency and from cooperation among agencies, which produces cooperative rulemaking and less reliance on the administrative law system to resolve conflicts.

Licensees benefit from retention of independent boards, which are more responsive and accessible to licensees, and from increased efficiency of the agencies. As more administrative tasks are shared, staff with specific expertise are more available to respond to needs of licensees and consumers. The Council goes to great lengths to ensure that all of their customers are served.

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**Telephone Complaint System:** The Council operates a complaint system, which allows consumers to file complaints against any state-licensed health professional by calling one toll-free number. The shared complaint line improves effectiveness and efficiency by providing easy “one-stop” access for consumers and significant cost-savings for individual agencies. The 1-800 line receives an average of 2,250 calls per month, of those calls approximately 500 are routed to HPC staff. HPC receives a variety of inquiries. Many times we refer the public to one of our boards, but we also receive inquiries that we refer to other state agencies. The cost of the system is shared by member agencies, which split the cost of equipment and lines and pay for long distance charges based on the percentage of calls assigned to each agency each month.

**Representation in statewide forums:** The Council has assigned the Administrative Officer to represent HPC member agencies at meetings involving statewide forums. The Administrative Officer represents the views of member agencies in their licensing/regulatory role, generally. The Administrative Officer communicates back to the member agencies. Member agencies may increase their own participation in these forums, depending on the nature of the issues. The Council, through the HPC Chair also assigns member agencies to “outside” committees, as appropriate. Examples of the forums include the Texas Health Care Policy Council, the Statewide Health Coordinating Council (SHCC) planning sessions for the state health plan and the East Texas Rural

Access Program (ETRAP). This approach allows member agencies to achieve representation and input into these processes.

During previous legislative sessions, the Health Professions Council worked with the Legislative Budget Board and the Governor's Office to develop a performance measure directly related to representing members at various statewide forums. Fiscal Year 2008 was the first year in which this has been quantified. The Council met their requirement and will continue to seek areas to represent the Council.

## **Future Opportunities**

The Health Professions Council's activities are mandated legislatively, identified by the Council to provide means for member regulatory agencies to coordinate administrative and regulatory efforts; or requested by various legislative entities or oversight bodies, such as the Governor's office, individual members of the Texas Senate or House of Representatives, the LBB, Comptroller's office, etc.

As agencies continue to align solutions with their own business processes there is a strong desire within the Council to anticipate future opportunities. As mentioned before the Council regularly reviews areas where agencies could improve services while still focusing on their core missions. In addition to expanding the Human Resources Pilot Program, the Council will work closely with the Governor's Office and the Legislative Budget Board to realize streamlined and consistent practices on behalf of the member agencies. It is clear that Texas is growing rapidly, which indicates that the agencies will see increased workloads as the need for enforcement and licensure continue to grow. Meeting the challenges of that increased workload is an opportunity the Council looks forward to in 2011.

# Cost of Regulation Comparison between Texas and Florida (fig 1)

Profession	TEXAS			FLORIDA ***			Comparison of Florida to Texas		
	FY2010* Estimated	Number ** of Licensees	Cost per Licensee	FY2010 Expenditures	Number of Licensees	Cost per Licensee	FY2009 Expenditures Difference	Number of Licensees****	Cost per Licensee
Chiropractic	\$562,698	9,678	\$58.14	\$1,359,116	7,826	\$173.67	\$796,418	(1,852)	\$115.52
Dental	\$2,617,789	50,459	\$51.88	\$3,745,761	26,351	\$142.15	\$1,127,972	(24,108)	\$90.27
Medical (1)	\$8,970,000	74,428	\$120.52	\$18,983,613	78,859	\$240.73	\$10,013,613	4,431	\$120.21
Nurse & LVN	\$8,573,930	320,703	\$26.73	\$18,940,943	240,468	\$78.77	\$10,367,013	(80,235)	\$52.03
Optometry	\$437,057	3,714	\$117.68	\$682,701	3,128	\$218.25	\$245,644	(586)	\$100.58
PT/OT (2)	\$944,215	27,373	\$34.49	\$1,489,039	29,766	\$50.02	\$544,824	2,393	\$15.53
Pharmacy	\$5,867,328	83,276	\$70.46	\$5,697,144	71,149	\$80.07	\$(170,184)	(12,127)	\$9.62
Podiatric	\$216,972	1,364	\$159.07	\$469,642	1,790	\$262.37	\$252,670	426	\$103.30
Psychologists	\$855,225	8,237	\$103.83	\$894,845	4,579	\$195.42	\$39,620	(3,658)	\$91.60
Veterinarians	\$959,693	7,491	\$128.11	\$1,142,619	8,538	\$133.83	\$182,926	1,047	\$5.71
<b>Totals</b>	<b>\$30,004,907</b>	<b>586,723</b>	<b>\$51.14</b>	<b>\$53,405,423</b>	<b>472,454</b>	<b>\$113.04</b>	<b>\$23,400,516</b>	<b>(114,269)</b>	<b>\$61.90</b>
2009 Totals	\$31,998,513	550,241	\$41.60	\$65,126,818	381,791	\$171	\$33,128,305	-387448	\$128.98
(1) For the purpose of comparison, the expenditures and number of licensees for Florida Acupuncture, Medicine, Osteopathic, and Physician Assistants are combined since they are combined in Texas.									
(2) For the purpose of comparison, the expenditures and number of licensees for the Florida Physical and Occupational Therapy are combined since they are combined in Texas.									
* Source: This is an estimate of agency FY2010 expenditures from the Legislative Budget Recommendations 2010-2011 Biennium.									
** Source: Health Professions Council Annual Report, February 1, 2010									
*** Source: Florida Department of Health Division of Medical Quality Assurance 2009-2010 Annual Report.									
**** Numbers in parentheses indicate how many additional licensees Texas has than Florida									

**Health Professions Council  
Administrative Office Budget**

	<b>2010 Estimated Expended</b>
<b>Salaries and Wages</b>	<b>\$253,487</b>
<b>Other Personnel Costs</b>	<b>\$4,260</b>
<b>Professional Fees and Services</b>	<b>\$2,190,446</b>
<b>Consumable</b>	<b>\$1,231</b>
<b>Utilities</b>	<b>\$4,948</b>
<b>Travel</b>	<b>\$11.25</b>
<b>Other Operating Expense</b>	<b>\$59,407</b>
<i>TOTAL</i>	<b>\$2,513,779</b>
<b>Board of Chiropractic Examiners</b>	<b>\$5,435</b>
<b>Board of Dental Examiners</b>	<b>\$20,187</b>
<b>RDB Share</b>	<b>\$644,427</b>
<b>Texas Medical Board</b>	<b>\$25,646</b>
<b>Board of Nursing</b>	<b>\$22,638</b>
<b>Executive Council of Occupational Therapy and Physical Therapy Examiners</b>	<b>\$11,004</b>
<b>Texas Optometry Board</b>	<b>\$5,481</b>
<b>RDB Share</b>	<b>\$47,784</b>
<b>Board of Pharmacy</b>	<b>\$20,384</b>
<b>RDB Share</b>	<b>\$943,228</b>
<b>Board of Podiatric Medical Examiners</b>	<b>\$4,877</b>
<b>Texas Department of State Health Services: Professional Licensing and Certification Division</b>	<b>\$11,846</b>
<b>Board of Examiners of Psychologists</b>	<b>\$9,082</b>
<b>Board of Veterinary Medical Examiners</b>	<b>\$93,339</b>
<b>Texas Funeral Service Commission</b>	<b>\$8,173</b>
<b>TOTAL MEMBER AGENCY TRANSFERS</b>	<b>\$153,221</b>
<b>Participating RDB Agencies outside HPC Transfers</b>	<b>\$623,530</b>

# Appendix A – Health Professions Council Disciplinary Data

1. Total Number of Licensees & Registrants (As of August 31, 2010)		9,678
Doctors of Chiropractic (DCs) – Active	4,839	
Doctors of Chiropractic (DCs) – Expired, eligible to renew	289	
Doctors of Chiropractic (DCs) – Inactive, eligible to renew	657	
Chiropractic Radiologic Technologists – Active	82	
Chiropractic Radiologic Technologists – Expired, eligible to renew	17	
Chiropractic Clinics, Active Registration	3,457	
Chiropractic Clinics, Expired, eligible to renew	337	
2. Number of New Licenses or Registrations Issued		790
Doctors of Chiropractic	286	
Chiropractic Radiologic Technologists	16	
Chiropractic Clinics	488	
3. Numbers of Licenses or Registrations Renewed		9,279
Doctors of Chiropractic	5,876	
Chiropractic Radiologic Technologists (Rad Techs)	70	
Chiropractic Clinics (Facilities)	3,333	
Percentage of Active DCs Renewing Licenses Online	90.40%	
4. Jurisdictional Complaints Received or Re-Opened		275
Total number of complaints received	287	
Less: Number of non-jurisdictional complaints received	(17)	
Number of jurisdictional complaints received	270	
Previously Closed Jurisdictional Complaints Re-Opened	5	
5. Jurisdictional Complaints Resolved		
Total number of jurisdictional complaints resolved		247
Total number of complaints resolved with disciplinary action		71
Percent of jurisdictional complaints resolved with disciplinary action		28.74%
Average Time to Resolve a Jurisdictional Complaint		464.06 days
6. Disciplinary Actions Taken		71
Licenses Revoked or Surrendered in lieu of revocation	12	
Licenses Suspended – No probation	5	
Licenses Suspended, Probation plus Fine/Stipulations	9	
Cease & Desist Orders Issued, No Fine	0	
Cease & Desist Orders Issued, With Fine	1	
Fine Plus Stipulations	3	
Fine Only	38	
Formal Letter of Reprimand Plus Fine/Stipulation	2	
Formal Letter of Reprimand Only	1	
Statutory Authority: Texas Occupations Code Chapter 201 (The Texas Chiropractic Act)		

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|--|------------|
| 1. Amount of fees collected by the agency: | Appendix B |
| 2. Expenses of the Agency:                 | Appendix C |
| 3. Unfunded Needs:                         | Appendix D |

## Texas State Board of Dental Examiners

1.	Total Number of Licenses:		58,141
	Dentists	17,312	
	Dental Hygienists	13,009	
	Dental Laboratories	1,064	
	Dental Assistants	26,756	
2.	Total Number of new licenses issued:		6,510
	Dentists	957	
	Dental Hygienists	563	
	Dental Laboratories	50	
	Dental Assistants	4,940	
3.	Total number of renewal licenses issued:		49,857
	Dentists	13,811	
	Dental Hygienists	10,798	
	Dental Laboratories	828	
	Dental Assistants	24,420	
4.	Total number complaints received:		1,082* <sup>1</sup>
5.	Total number of jurisdictional complaints received:		1222
	Administration	10	
	Business Promotion	120	
	Dental Labs	14	
	Self-report	87	
	PDWOL	34	
	Professional Conduct	489	
	Quality of Care	431	
	Sanitation	37	
6.	Total number of jurisdictional complaints resolved		982
7.	Average length of time required for jurisdictional complaint resolution		431.8
8.	Number of cases heard at settlement conferences		124
9.	Number of cases at SOAH		66
10.	Cases disposed by board order		251
11.	Number of Board Orders		192

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<sup>1</sup> Some complaints have multiple allegations

12.	Total number of board-approved disciplinary actions taken:	190
	Suspension/Probated	53
	Suspension/Downtime	3
	Reprimand	44
	Surrender	12
	Warning	72
	Revocation	6
	Mandatory Retirement	0
13.	Amount of fees collected by the agency:	Appendix B
14.	Expenses of the Agency:	Appendix C
15.	Unfunded Needs:	Appendix D

**Texas Medical Board**

1.	Total number of licensees:		<b>78,361</b>
	Physicians:	71,906	
	Acupuncturists:	955	
	Physician Assistant:	5,206	
	Surgical Assistant:	294	
2.	Total number of new licenses issued:		<b>7,066</b>
	Physicians:	6,450	
	Acupuncturists:	74	
	Physician Assistant:	511	
	Surgical Assistant:	31	
3.	Total number of renewal licenses issued:		<b>40,845</b>
	Physicians:	34,390	
	Acupuncturists:	919	
	Physician Assistant:	5,383	
	Surgical Assistant:	153	
4.	Total number of complaints received:	6,849	
5.	Total number of investigations opened:		<b>2,661</b>
	Physicians:	2,490	
	Acupuncturists:	4	
	Physician Assistant:	144	
	Other:	23	
6.	Total number of investigations completed:		<b>2,846</b>
	Physicians:	2,693	
	Acupuncturists:	3	
	Physician Assistant:	126	
	Surgical Assistant/Other:	24	
7.	Total number and types of board-approved disciplinary actions taken:	556	

	2010		
	<u>Physician</u>	<u>Acupuncturists</u>	<u>Physician Assist.</u>
Temporary Suspension & Restriction	6	0	0
Revocation/Surrender	56	0	1
Suspension	13	1	2
Restriction	241	0	10
Reprimand	36	0	1
Administrative Penalty	176	1	4
Cease and Desist	6	2	0
Total number of disciplinary actions	534	4	18

Statutory Authority: Physicians-Texas Occupations Code Annotated, Chapter 164  
Physicians Assistants-Texas Occupations Code Annotated, Chapter 204  
Acupuncturists-Texas Occupations Code Annotated, Chapter 205

## Disposition of Complaints by Category

<b>1. Administrative</b>		<b>2. Criminal Behavior/Violation of Law</b>	
Disciplinary Actions:		Disciplinary Actions:	
Revocation/Voluntary Surrender	1	Revocation/Voluntary Surrender	11
Restriction/Terms and Cond.	6	Suspension	4
Administrative Penalty	101	Restriction/Terms and Cond.	7
		Reprimand	1
		Administrative Penalty*	61
		Cease and Desist	7
<b>Total Actions:</b>	<b>108</b>	<b>Total Actions:</b>	<b>91</b>
Total Dismissed:	154	Total Dismissed:	118
<b>Total Complaints Resolved:</b>	<b>262</b>	<b>Total Complaints Resolved:</b>	<b>209</b>
<b>3. Medical Error</b>		<b>4. Mental/Physical Impairment</b>	
Disciplinary Actions:		Disciplinary Actions:	
Administrative Penalty	1	Revocation/Voluntary Surrender	15
<b>Total Actions:</b>	<b>1</b>	Suspension	2
Total Dismissed:	12	Rehabilitation Order	2
<b>Total Complaints Resolved:</b>	<b>13</b>	<b>Total Actions:</b>	<b>19</b>
		<b>Total Dismissed:</b>	<b>49</b>
		<b>Total Complaints Resolved:</b>	<b>68</b>
<b>5. Quality of Care</b>		<b>6. Disciplinary action by peers, another state, or military</b>	
Disciplinary Actions:		Disciplinary Actions:	
Revocation/Voluntary Surrender	22	Revocation/Voluntary Surrender	1
Restriction/Terms and Cond.	232	Restriction/Terms and Cond.	8
Reprimand	46	Reprimand	4
Administrative Penalty	11	Administrative Penalty	4
<b>Total Actions:</b>	<b>311</b>	<b>Total Actions:</b>	<b>17</b>
<b>Total Dismissed:</b>	<b>1390</b>	<b>Total Dismissed:</b>	<b>33</b>
<b>Total Complaints Resolved:</b>	<b>1701</b>	<b>Total Complaints Resolved:</b>	<b>50</b>
<b>7. Substance Abuse</b>		<b>8. Unprofessional Conduct</b>	
Disciplinary Actions:		Disciplinary Actions:	
Suspension	2	Revocation/Voluntary Surrender	13
Restriction/Terms and Cond.	2	Restriction/Terms and Cond.	17
Rehabilitation Order	7	Reprimand	16
<b>Total Actions:</b>	<b>11</b>	Administrative Penalty	6
<b>Total Dismissed:</b>	<b>35</b>	<b>Total Actions:</b>	<b>52</b>
<b>Total Complaints Resolved:</b>	<b>46</b>	<b>Total Dismissed:</b>	<b>311</b>
		<b>Total Complaints Resolved:</b>	<b>363</b>

\* Based on legislative input, at the Oct. 25, 2010 board meeting, the Board extended a grace period for licensees to come into compliance with the law concerning the Texas Electronic Death Registry. Based on this action, 52 of these administrative penalties will be retracted.

**Board of Nursing – RN Statistics (FY 2010)**

1. Total number of licensees:		229,798
2. Total number of new licenses issued:		16,026
3. Total number of renewal licenses issued:		105,711
4. Total number of complaints received:		9,604
5. Total number of jurisdictional complaints received:		9,469
6. Total number of jurisdictional complaints resolved:		8,273
7. Ave. length of time required for jurisdictional complaint resolution:		172 days
8. Total number (licensees) and types of board-approved Disciplinary sanctions imposed:		1,110
Applicant/Petitioner - w/Stipulations (TS, TSX, TTO)	192	
Applicant Denied (GD,TD)	13	
Compact - Voluntary Surrender	0	
Cease and Desist Order (CDO)	0	
Denied Reinstatement (DR)	19	
Enforced Suspension/TPAPN (ET)	3	
Exception Denied (ED)	3	
Fine (FI)	0	
Fine W/Remedial Education (FR)	114	
License Denied (LD)	2	
Limited License (LI)	15	
Peer Assistance Order (PAO)	0	
Probation (PR)	0	
Reinstated-Clear (RC)	0	
Reinstated-W/Stipulations (RI)	25	
Remedial Education (RE)	73	
Reprimand W/Stipulations (RS) (CS)	54	
Reprimand (RP)	0	
Reinstated w/TPAPN (RT)	7	
Revocation (RV)	90	
Stipulation Only (ST)	0	
Stipulation - Exec (STX)	0	
Suspend/Probate (SP)	40	
Suspension (S) (SU)	40	
TPAPN Order (TPO)	91	
Voluntary Surrender (VS)	145	
Warning (W) (WA)	0	
Warning W/Stipulation (WS)	184	
Warning-Delinquent (WD)	0	

Statutory Authority: Texas Occupations Code, Chapters 301, 303 and 304.

**Board of Nursing – LVN Statistics (FY 2010)**

1. Total number of licensees:	90,905
2. Total number of new licenses issued:	6,263
3. Total number of renewal licenses issued:	41,644
4. Total number of complaints received:	7,470
5. Total number of jurisdictional complaints received:	7,421
6. Total number of jurisdictional complaints resolved:	6,156
7. Ave. length of time required for jurisdictional complaint resolution:	196 days
8. Total number (licensees) and types of board-approved Disciplinary sanctions imposed:	990
Applicant/Petitioner - w/Stips (TS, TSX, TTO)	160
Applicant Denied (TD)	16
Cease and Desist Order (CDO)	1
Denied Reinstatement (DR)	13
Enforced Reinstatement/TPAPN (ET)	2
Exception Denied (ED)	1
Fine (FI)	0
Fine and Remedial Education (FR)	103
License Denied (LD)	0
Limited License (LI)	2
Probation (PR)	1
Reinstated-w/Stips (RI)	13
Remedial Education (RE)	56
Reprimand w/Stips (RS) (CS)	33
Reprimand (RP)	0
Reinstated w/TPAPN (RT)	1
Revocation (RV)	175
Suspend/Probate (SP)	45
Suspension (S) (SU)	14
Stipulations (ST)	0
TPAPN Order (TPO)	53
Voluntary Surrender (VS)	124
Warning w/Stipulation (WS)	117
Warning (W) (WA)	60

**Statutory Authority:**

02/2004 - Texas Occupations Code, Chapters 301, 303 and 304.

**Texas State Board of Physical Therapy Examiners**

Total # of licensees	17,349
Total # of new licenses issued	1,427
Total # of renewal licenses issued	7,658
Total # of complaints received	402
Total # of jurisdictional complaints received	402
Total # of jurisdictional complaints resolved	331
Avg length of time required for jurisdictional complaint resolution	131 days
Total # and types of board-approved disciplinary action taken	41
Letter of Reprimand	0
Community Service	22
Suspension	19
Revocation/Surrender	0
Fine	0

**Complaint Types – Physical Therapy**

Criminal history/drug history	190
CE Audit failure	60
Fraudulent ad for "physical therapy"	16
Patient injury/neglect/abandonment	48
Practiced with expired license	20
Practiced without a license	0
Fraudulent billing/documentation	16
Practiced in an unregistered facility	24
Disciplinary action taken by another jurisdiction	20
Practiced beyond the scope of licensure	0
Failure to Properly Supervise Subordinates	4
Fraudulent Application	4

Statutory Authority: Title 3, Subtitle H, Chapter 454, Occupations Code.

“Sec. 452.351. GROUNDS FOR DENIAL OF LICENSE OR DISCIPLINE OF LICENSE HOLDER.

(a) The board may deny, suspend, or revoke a license, place a license holder on probation, reprimand a license holder, impose an administrative penalty, or otherwise discipline a license holder if the applicant or license holder has:

(b) The board shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of this chapter or a rule adopted by the board.

**Texas State Board of Occupational Therapy Examiners**

Total # of licensees	10,024
Total # of new licenses issued	877
Total # of renewal licenses issued	4,181
Total # of complaints received	179
Total # of jurisdictional complaints received	179
Total # of jurisdictional complaints resolved	140
Avg length of time required for jurisdictional complaint resolution	116 days
Total # and types of board-approved disciplinary action taken	17
Letter of Reprimand	1
Community Service	6
Suspension	10
Revocation/Surrender	1
Fine	0

**Complaint Types - Occupational Therapy**

Criminal history/drug history	98
Practiced w/ expired license	5
Fraudulent billing/documentation	11
Practiced in an unregistered facility	22
Practiced without a license	2
Patient injury/neglect/abandonment	18
Failed CE audit	7
Disciplinary action taken by another jurisdiction	16
Practiced beyond the scope of licensure	0

Statutory Authority:

Title 3, Subtitle H, Chapter 454, Occupations Code:

“Sec. 454.301. GROUNDS FOR DENIAL OF LICENSE OR DISCIPLINE OF LICENSE HOLDER.

(a) The board may deny, suspend or revoke a license, or take other disciplinary action against a license holder if the applicant or license holder has:

(b) The board shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of this chapter or a rule adopted by the board

**Texas Optometry Board**

- 1. Total number of licensees: 3,866
- 2. Total number of new licenses issued: 171
- 3. Total number of renewal licenses issued: 3,686
- 4. Total number of complaints received: 191
- 5. Total number of jurisdictional complaints received: 174

Standard of Care	37
Violation of Act/Rules Other	89
Crime - Applicant	14
Prescription Release- Glasses	10
Practicing w/o License	3
Advertising	3
Professional Identification	3
Prescription Release- Contacts	4
Professional Misconduct	3
Control by Optical	2
Drugs/ Alcohol	1
Insurance	3
Crime - Reported	1
Records Release	1

- 6. Total number of jurisdictional complaints resolved: 152
- 7. Average length of time required for jurisdictional complaint resolution: 108 days
- 8. Total number and types of board-approved disciplinary actions taken: 15
  - Licenses Suspended: 2
  - Administrative Penalties: 13

Statutory Authority: Texas Occupations Code, Chapter 351

**Texas State Board of Pharmacy**

1.	Total number of licensees:		83,276
	Pharmacists:	26,551	
	Pharmacies:	6,762	
	Pharmacy Technicians:	36,134	
	Pharmacy Technician trainees:	13,829	
2.	Total number of new licenses issued:		14,241
	Pharmacists:	1,394	
	Pharmacies:	511	
	Pharmacy Technicians:	4,922	
	Pharmacy Technician trainees:	7,414	
3.	Total number of renewal licenses issued:		30,314
	Pharmacists:	13,500	
	Pharmacies:	3,181	
	Pharmacy Technicians:	13,633	
<b>4.</b>	<b>Total number of complaints received:</b>		
5.	Total number of jurisdictional complaints received:		5,661
6.	Total number of jurisdictional complaints resolved:		5,463
7.	Average length of time required for jurisdictional complaint resolution:		182 days

PHARMACISTS, PHARMACIES, INTERNS, AND APPLICANTS FOR LICENSURE

Revoke	11
Revoke and Fine	03
Retire (unable to apply for reinstatement)	01
Restrict	07
Suspension	05
Suspension with Conditions	01
Suspension followed by Probation with Conditions	21
Suspension and Fine	03
Suspension/Probation	01
Suspension/Probation with Conditions	15
Suspension/Probation and Fine	05
Suspension/Probation/Fine with Conditions	14
Grant License or Intern Registration with Suspension	00
Grant License or Intern Registration with Restrictions	00
Grant License or Intern Registration with Probation/Fine/ Conditions	02
Grant License or Intern Registration with Probation	03
Grant License or Intern Registration with Probation and Conditions	07
Grant License or Intern Registration with Reprimand and Fine	01
Grant License or Intern Registration with Reprimand	02
Grant License or Intern Registration with Fine	16
Grant Reinstatement with Probation/Conditions	03
Deny or Issuance of License	00
Fine	73
Fine and Conditions	57
Find and Reprimand	03
Fine and Reprimand with Conditions	46
Reprimand with Conditions	26
Reprimand	13
Grant Modification of Previously Entered Order	05
Total	344

TECHNICIANS, TECHNICIAN TRAINEES AND APPLICANTS FOR TECHNICIAN OR  
TECHNICIAN TRAINEE REGISTRATION

See next page. PLEASE DO NOT COMBINE STATISTICS FROM PAGES 2 AND 3.  
TSBP wishes to report disciplinary statistics on pharmacists/pharmacies separately from  
disciplinary statistics on technicians/tech trainees.

TECHNICIANS, TECHNICIAN TRAINEES AND APPLICANTS FOR TECHNICIAN OR  
TECHNICIAN TRAINEE REGISTRATION

Revoke	132
Revoke and Fine	01
Retire (unable to apply for reinstatement)	00
Restrict	00
Suspension	07
Suspension, followed by Probation	00
Suspension with Conditions and Fine	00
Suspension with Conditions and Fine, followed by Probation	01
Suspension with Conditions, followed by Probation	22
Suspension/Probation with Conditions	17
Suspension/Probation with Conditions and Fine	03
Fine	77
Fine and Reprimand	07
Reprimand	24
Grant Registration with Suspension	05
Grant Registration with Probation	04
Grant Registration with Probation/Conditions	24
Grant Registration with Probation/Conditions and Fine	03
Grant Registration with Probation and Fine	05
Grant Registration with Fine	53
Grant Registration with Fine and Reprimand	11
Grant Registration with Reprimand	64
Deny Registration	00
Grant Reinstatement of Registration with Fine	01
Grant Modification of previously entered Order	03
Total	464

**Texas State Board of Podiatric Medical Examiners**

1.	Total number of licensees:	972
	Radiology Technologists	392
2.	Total number of new licenses issued:	45
3.	Total number of renewal licenses issued:	972
4.	Total number of complaints received:	100
5.	Total number of jurisdictional complaints received:	89
6.	Total number of jurisdictional complaints resolved:	57
7.	Average length of time required for jurisdictional complaint resolution:	336 days
8.	Total number and types of board-approved disciplinary actions taken:	10
	Continuing Education:	8
	Revocation:	1
	Unlicensed Practice:	1
	Impaired Physician:	0

Statutory Authority: Texas Occupations Code, Chapter 202

TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS  
HPC ANNUAL REPORT  
FISCAL YEAR 2010

Number of individuals regulated by the agency	7051
Number of licenses regulated by the agency	8237
Number of new licensees	571

Complaints received, by classification

Administrative Violations	13
General Forensic	6
General Therapy	29
Sexual Misconduct	6
Child Custody	22
School Psychology	7
C.E. Violations	95
Cease/Desist	6
Miscellaneous	2
Total	186

Complaints resolved, by resolution type

Dismiss – No Violation	65
Disciplinary Action – Agreed Order	32
Resigned in Lieu of Adjudication	2
Dismissed – C.E. Complaint	70
Resigned in Lieu of Adjudication – C.E.	9
Dismiss – Cease/ Desist Order	6
Dismiss – C.E. Fine	11
Applicant Eligibility Order	5
Total	197

**Texas State Board of Veterinary Medical Examiners**

1.	Total number of licensees:	7491
2.	Total number of new licenses issued:	396
3.	Total number of renewal licenses issued:	6818
4.	Total number of complaints received:	478
5.	Total number of jurisdictional complaints received:	478
	Standard of Care: (Negligence, malpractice etc.)	180
	Controlled Substance Registration: (Expired)	125
	Practicing Veterinary Medicine without License:	53
	Unprofessional Conduct: (Includes; honesty, Allowing illegal practice, violation of a Board Order, Record keeping, unauthorized treatment, Loan defaults)	56
	Continuing Educations Violations: (shortage of hours)	38
	Criminal Activity:	03
	Other/Misc:	19
	Substance Abuse: (Alcohol and Drug abuse)	04
6.	Total number of non-jurisdictional complaints received: 3	N/A
7.	Total number of jurisdictional complaints resolved:	537
8.	Average length of time required for jurisdictional complaint resolution:	242 days
9.	Total number and types of board-approved disciplinary actions taken:	75
	Revocation:	0
	Voluntary Surrender:	1
	Reprimand:	18
	Reprimand, with fine:	8
	Fine Only:	48

Statutory Authority: Occupation Code, §801.401. The Board may revoke or suspend a license, impose a civil penalty, place a licensee or person whose license has been suspended on probation, or reprimand a licensee. The Board may require that a licensee who violates this Act participate in continuing education programs. The Board may also require a suspended licensee on probation to report regularly to the Board or limit practice to the areas prescribed by the Board.

1 As of end of Fiscal Year 2010 (08-31-2010), includes provisional license.

2 As reported by the licensee.

3 The agency receives few non-jurisdictional complaints and they are not tracked.

**TEXAS FUNERAL SERVICE COMMISSION**  
**HPC ANNUAL REPORT**  
**FISCAL YEAR 2010**

Number of individuals regulated by the agency	4263
Number of facilities regulated by the agency	1416
Number of new individual licenses	345
Number of new facility licenses	103

**Jurisdictional complaints received, by classification**

Crematory Issues	1
Licensing Issues	11
Service Issues	154
Vital Statistics	2
Undetermined	59
Total	227
Complaints referred to Texas Dept. of Banking, Non Jurisdictional	31
Complaints referred to Texas Dept. of Insurance, Non Jurisdictional	1

**Jurisdictional complaints resolved, by resolution type**

Administratively Closed – No Violation	140
Dismissed at Informal Conference	16
Dismissed per Office of Attorney General	1
Letter of Warning Issued	29
Administrative Penalty	11
Probations	17
Revocations	1
Cease and Desist Order/License Suspensions	10
Total	225
Complaints referred to Texas Dept. of Banking, Non-jurisdictional	31
Complaints referred to Texas Dept. of Insurance, Non Jurisdictional	1

**Department of State Health Services (DSHS)  
Division for Regulatory Services  
Health Care Quality Section  
Professional Licensing and Certification Unit**

Advisory Board of Athletic Trainers  
Chemical Dependency Counselor Licensing Program  
Code Enforcement Officer Registration Program  
Contact Lens Permit Program  
Council on Sex Offender Treatment  
Texas State Board of Examiners of Dietitians  
Dyslexia Therapist and Dyslexia Practitioner Licensing Program (implemented 9/1/10)  
State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments  
Texas State Board of Examiners of Marriage and Family Therapists  
Massage Therapy Licensing Program  
Medical Radiologic Technologist Certification Program  
Texas Board of Licensure for Professional Medical Physicists  
Texas Midwifery Board  
Offender Education Program  
Optician Registry Program  
Texas Board of Orthotics and Prosthetics  
Perfusionist Licensing Program  
Personal Emergency Response System (PERS) Provider Licensing Program  
Texas State Board of Examiners of Professional Counselors  
Respiratory Care Practitioner Certification Program  
Sanitarian Registration Program  
Texas State Board of Social Worker Examiners  
State Board of Examiners for Speech-Language Pathology and Audiology

**Funding**

The DSHS Professional Licensing and Certification Unit (PLCU) is organizationally placed within the Division for Regulatory Services, Health Care Quality Section. PLCU functions as a consolidated licensing operation for 23 regulatory programs and consists of:

- 8 governor-appointed licensing boards, each with independent rulemaking and enforcement authority;
- 2 governor-appointed licensing boards, each with independent enforcement authority and quasi-independent rulemaking authority;
- 1 licensing board appointed by the DSHS Commissioner with independent enforcement authority and quasi-independent rulemaking authority; and
- 12 licensing programs that do not have appointed boards, and for which the rulemaking authority is the Executive Commissioner of the Health and Human Services Commission and the enforcement authority is DSHS.

The boards and programs within PLCU do not function as independent state agencies. DSHS provides the staff, facilities, and infrastructure necessary to administer each program. PLCU operates with a functional organizational structure characterized by resource-sharing across programs.

PLCU is funded through the legislative appropriation to DSHS for Strategy D.1.4 (Health Care Professionals). This appropriation funds a total of 26 programs within DSHS, not all of which are organizationally placed within PLCU. The legislative appropriation is made to DSHS, not to the individual boards, programs, or unit.

Total fee revenue collected by PLCU programs in Fiscal Year 2010 was \$9,297,897 and total expenses of PLCU programs was \$5,030,589. Not all licensing fees collected by PLCU programs were appropriated to DSHS nor dedicated to the operation of PLCU. Most PLCU programs experience growth each year in the numbers of license holders; these increases are accompanied by greater demand for licensure services, including new and renewed license issuance, consumer complaint intake and processing, investigations, disciplinary action, and enforcement. In the 81st Legislature, 2009, an exceptional item request was approved for additional regulatory capacity at DSHS, but no additional resources were allocated to the Health Care Professionals strategy. However, DSHS has worked with the Legislative Budget Board to allocate some of the new funding to this strategy, which will help address the needs of the growing programs.

**Advisory Board of Athletic Trainers**

1. Total number of licensees:		2,642
Athletic Trainers	2,607	
Temporary Athletic Trainers	35	
2. Total number of new licenses issued:		262
3. Total number of renewal licenses issued:		1121
4. Total number of complaints received:		14
Standard of Care/Service/Product	13	
Unlicensed Person/Facility	1	
5. Total number of jurisdictional complaints received:		14
6. Total number of complaint investigations completed:		4
7. Total number of jurisdictional complaints resolved:		15
Cease and Desist	12	
Probated Suspension	1	
Revocation	1	
Warning Letter	1	
8. Average length of time required for jurisdictional complaint resolution:		103 days
9. Total fees collected:		\$420,152
10. Total expenses:		\$181,014

Statutory Authority: Occupations Code, Chapter 451

\* Please see Table 1 for information regarding the number of license holders by county.

**Chemical Dependency Counselor Licensing Program**

1. Total number of licensees:		7,827
Licensed Chemical Dependency Counselors	4,671	
Registered Counselor Interns	2,919	
Clinical Training Institutions	232	
Certified Clinical Supervisors	5	
2. Total number of new licenses issued:		1140
3. Total number of renewal licenses issued:		2,185
4. Total number of complaints received:		116
Abuse/Neglect/Exploitation	3	
Client Rights	1	
Confidentiality	1	
Criminal History	9	
Fraud/Deceit/Bribery	7	
Sexual Misconduct	10	
Standard of Care/Service/Product	36	
Unauthorized Activity	1	
Unlicensed Person/Facility	4	
Unprofessional Conduct	44	
5. Total number of jurisdictional complaints received:		107
6. Total number of complaint investigations completed:		88
7. Total number of jurisdictional complaints resolved:		100
License Expiration	4	
No Violation	7	
Not Substantiated	36	
Violation Found and Corrected	1	
Withdrawal	2	
Administrative Penalty	2	
Cease and Desist	2	
Emergency Suspension	4	
Probated Suspension	2	
Reprimand	4	
Revocation	5	
Surrender	7	
Suspension	1	
Warning Letter	23	
8. Average length of time required for jurisdictional complaint resolution:		231 days
9. Total fees collected:		\$403,298**
10. Total expenses:		\$921,832**

Statutory Authority: Occupations Code, Chapter 504

\* Please see Table 1 for information regarding the number of license holders by county.

\*\* Fee and expense totals include both the Chemical Dependency Counselor Licensing Program and the Offender Education Programs

**Code Enforcement Officer Registration Program**

1. Total number of licensees:		2,158
Code Enforcement Officers	2,070	
Code Enforcement Officers in Training	88	
2. Total number of new licenses issued:		395
3. Total number of renewal licenses issued:		864
4. Total number of complaints received:		16
Criminal History	1	
Fraud/Deceit/Bribery	5	
Standard of Care/Service/Product	4	
Unlicensed Person/Facility	5	
Unprofessional Conduct	1	
5. Total number of jurisdictional complaints received:		15
6. Total number of complaint investigations completed:		4
7. Total number of jurisdictional complaints resolved:		9
No Violation	5	
Not Substantiated	1	
Withdrawal	1	
Surrender	1	
Warning Letter	1	
8. Average length of time required for jurisdictional complaint resolution:		151 days
9. Total fees collected:		\$128,841
10. Total expenses:		\$65,434

Statutory Authority: Occupations Code, Chapter 1952

\* Please see Table 1 for information regarding the number of license holders by county.



**Council on Sex Offender Treatment**

1. Total number of licensees:		461
Sex Offender Treatment Providers	412	
Affiliate Sex Offender Treatment Providers	35	
Provisional Sex Offender Treatment Providers	14	
2. Total number of new licenses issued:		32
3. Total number of renewal licenses issued:		189
4. Total number of complaints received:		15
Abuse/Neglect/Exploitation	1	
Advertising/Mislabeled	1	
Fraud/Deceit/Bribery	1	
Standard of Care/Service/Product	8	
Unprofessional	4	
5. Total number of jurisdictional complaints received:		12
6. Total number of complaint investigations completed:		1
7. Total number of jurisdictional complaints resolved:		12
No Violation	7	
Administrative Penalty	1	
Suspension	2	
Warning Letter	2	
8. Average length of time required for jurisdictional complaint resolution:		194 days
9. Total fees collected:		\$53,861
10. Total expenses:		\$59,339

Statutory Authority: Occupations Code, Chapter 110

\* Please see Table 1 for information regarding the number of license holders by county.

**Texas State Board of Examiners of Dietitians**

1. Total number of licensees:		4,496
Licensed Dietitians	4,472	
Provisional Licensed Dietitians	24	
2. Total number of new licenses issued:		393
3. Total number of renewal licenses issued:		1,946
4. Total number of complaints received:		6
Standard of Care/Service/Product	3	
Unlicensed Person/Facility	3	
5. Total number of jurisdictional complaints received:		5
6. Total number of complaint investigations completed:		2
7. Total number of jurisdictional complaints resolved:		5
No Violation	3	
Cease and Desist	2	
8. Average length of time required for jurisdictional complaint resolution:		167 days
9. Total fees collected:		\$247,835
10. Total expenses:		\$72,930

Statutory Authority: Occupations Code, Chapter 701

\* Please see Table 1 for information regarding the number of license holders by county.

**State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments**

1. Total number of licensees:		672
Fitter/Dispenser of Hearing Instruments	510	
Temporary Training Permits	115	
Apprenticeship Permits	47	
2. Total number of new licenses issued:		100
3. Total number of renewal licenses issued:		230
4. Total number of complaints received:		19
Advertising/Mislabeled	1	
Fraud/Deceit/Bribery	4	
Financial	1	
Standard of Care/Service/Product	12	
Unprofessional Conduct	1	
5. Total number of jurisdictional complaints received:		19
6. Total number of complaint investigations completed:		3
7. Total number of jurisdictional complaints resolved:		25
No Violation	16	
Violation Found and Corrected	1	
Withdrawal	2	
Administrative Penalty	3	
Warning Letter	3	
8. Average length of time required for jurisdictional complaint resolution:		225 days
9. Total fees collected:		\$189,318
10. Total expenses:		\$90,834

Statutory Authority: Occupations Code, Chapter 402

\* Please see Table 1 for information regarding the number of license holders by county.

**Texas State Board of Examiners of Marriage and Family Therapists**

1. Total number of licensees:		3,150
Marriage and Family Therapists	2,846	
Marriage and Family Therapist Associates	304	
2. Total number of new licenses issued:		220
3. Total number of renewal licenses issued:		1,445
4. Total number of complaints received:		49
Confidentiality	6	
Fraud/Deceit/Bribery	4	
Sexual Misconduct	1	
Standard of Care/Product	14	
Unlicensed Person/Facility	7	
Unprofessional Conduct	17	
5. Total number of jurisdictional complaints received:		48
6. Total number of complaint investigations completed:		41
7. Total number of jurisdictional complaints resolved:		33
No Violation	11	
Not Substantiated	1	
Withdrawal	2	
Administrative Penalty	1	
Cease and Desist	1	
Denial	1	
Probated Suspension	1	
Reprimand	3	
Revocation	1	
Surrender	1	
Suspension	1	
Warning Letter	9	
8. Average length of time required for jurisdictional complaint resolution:		384 days
9. Total fees collected:		\$236,601
10. Total expenses:		\$229,459

Statutory Authority: Occupations Code, Chapter 502

\* Please see Table 1 for information regarding the number of license holders by county.

### **Massage Therapy Licensing Program**

1. Total number of licensees:		28,745
Massage Therapists	26,534	
Massage Therapy School/Training Programs	58	
Massage Therapy Instructors	1,335	
Massage Therapy Establishments	818	
2. Total number of new licenses issued:		2306
3. Total number of renewal licenses issued:		11,847
4. Total number of complaints received:		450
Advertising/Mislabeled	16	
Criminal History	31	
Fraud/Deceit/Bribery	11	
Sexual Misconduct	53	
Standard of Care/Service/Product	38	
Unlicensed Person/Facility	293	
Unprofessional Conduct	8	
5. Total number of jurisdictional complaints received:		441
6. Total number of complaint investigations completed:		64
7. Total number of jurisdictional complaints resolved:		439
License Expiration	5	
No Violation	31	
Not Substantiated	25	
Violation Found and Corrected	15	
Withdrawn	3	
Administrative Penalty	47	
Cease and Desist	156	
Denial	43	
Probated Suspension	18	
Reprimand	9	
Revocation	21	
Surrender	18	
Warning Letter	48	
8. Average length of time required for jurisdictional complaint resolution:		143 days
9. Total fees collected:		\$2,111,131
10. Total expenses:		\$795,070

Statutory Authority: Occupations Code, Chapter 455

\* Please see Table 1 for information regarding the number of license holders by county.

**Medical Radiologic Technologist Certification Program**

1. Total number of licensees:		26,554
Medical Radiologic Technologists	21,471	
Temp Medical Radiologic Technologists	594	
Limited Medical Radiologic Technologists	472	
Temp Limited Medical Radiologic Technologists	312	
Non-Certified Technicians	3,459	
Limited Curriculum Providers	3	
Non-Certified Technician Programs	24	
Hardship Exemptions	219	
2. Total number of new licenses issued:		2,934
3. Total number of renewal licenses issued:		12,214
4. Total number of complaints received:		36
Abuse/Neglect/Exploitation	2	
Criminal History	6	
Fraud/Deceit/Bribery	7	
Standard of Care	8	
Unauthorized Activity	1	
Unlicensed Person/Facility	6	
Unprofessional Conduct	6	
5. Total number of jurisdictional complaints received:		34
6. Total number of complaint investigations completed:		11
7. Total number of jurisdictional complaints resolved:		32
License Expiration	2	
No Violation	6	
Not Substantiated	5	
Violation Found and Corrected	1	
Administrative Penalty	2	
Cease and Desist	4	
Probated Suspension	1	
Reprimand	1	
Revocation	1	
Surrender	1	
Warning Letter	8	
8. Average length of time required for jurisdictional complaint resolution:		321 days
9. Total fees collected:		\$1,041,386
10. Total expenses:		\$435,506

Statutory Authority: Occupations Code, Chapter 601

\* Please see Table 1 for information regarding the number of license holders by county.

**Texas Board of Licensure for Professional Medical Physicists**

1. Total number of licensees:		596
Medical Physicists	471	
Temp Medical Physicists	125	
2. Total number of new licenses issued:		48
3. Total number of renewal licenses issued:		274
4. Total number of complaints received:		0
5. Total number of jurisdictional complaints received:		0
6. Total number of complaint investigations completed:		0
7. Total number of jurisdictional complaints resolved:		0
8. Average length of time required for jurisdictional complaint resolution:		0 days
9. Total fees collected:		\$84,565
10. Total expenses:		\$30,239

Statutory Authority: Occupations Code, Chapter 602

\* Please see Table 1 for information regarding the number of license holders by county.

**Texas Midwifery Board**

1. Total number of licensees:		204
Midwives	202	
Approved Midwifery Courses	2	
2. Total number of new licenses issued:		16
3. Total number of renewal licenses issued:		83
4. Total number of complaints received:		15
Advertising/Mislabeling		
Failure to Maintain/Release Records	1	
Fraud/Deceit/Bribery	1	
Standard of Care/Service/Product	11	
Unlicensed Person/Facility	2	
5. Total number of jurisdictional complaints received:		13
6. Total number of complaint investigations completed:		2
7. Total number of jurisdictional complaints resolved:		24
No Violation	7	
Administrative Penalty	7	
Probated Suspension	4	
Reprimand	2	
Warning Letter	4	
8. Average length of time required for jurisdictional complaint resolution:		388 days
9. Total fees collected:		\$54,085
10. Total expenses:		\$39,964

Statutory Authority: Occupations Code, Chapter 203

\* Please see Table 1 for information regarding the number of license holders by county.

**Offender Education Programs**

1. Total number of certificate holders:		2404***
DWI Education Instructors	458	
DWI Intervention Instructors	342	
Alcohol Education Program for Minor Instructors	412	
Drug Offender Education Program Instructors	421	
DWI Education Programs	208	
DWI Intervention Programs	153	
Alcohol Education Program for	211	
Drug Offender Education Programs	199	
2. Total number of new certificates issued:		87
3. Total number of renewal registrations issued		326
4. Total number of complaints received:		19
Criminal History	7	
Financial	1	
Fraud/Deceit/Bribery	3	
Standard of Care/Service/Product	7	
Unlicensed Person/Facility	1	
5. Total number of jurisdictional complaints received:		17
6. Total number of complaint investigations completed:		0
7. Total number of jurisdictional complaints resolved:		2
Violation Found and Corrected	1	
Withdrawal	1	
8. Average length of time required for jurisdictional complaint resolution:		926 days
9. Total fees collected:		\$403,298**
10. Total expenses:		\$921,832**

Statutory Authority:

- Drug Offender Education Programs  
Transportation Code §§521.371 - 521.377
- DWI Education Programs  
Code of Criminal Procedure, Art. 42.12, §13(h)
- DWI Intervention Programs  
Code of Criminal Procedure, Art. 42.12, §13(j)
- Alcohol Education Programs for Minors  
Alcoholic Beverage code, §106.115

\* Please see Table 1 for information regarding the number of license holders by county.

\*\* Fee and expense totals include both the Chemical Dependency Counselor Licensing Program and the Offender Education Programs

\*\*\*Transition to a new database revealed a reporting error in the previous system. The FY2008 and FY2009 numbers of certificate holders were over-reported.

**Optician's Registry Program**

1. Total number of registrants:		165
Opticians-Dual	59	
Registered Contact Lens Technicians	8	
Registered Spectacle Dispensers	98	
2. Total number of new registrations issued:		10
3. Total number of renewal registrations issued:		46
4. Total number of complaints received:		0
5. Total number of jurisdictional complaints received:		0
6. Total number of complaint investigations completed:		0
7. Total number of jurisdictional complaints resolved:		1
Withdrawal	1	
8. Average length of time required for jurisdictional complaint resolution:		218 days
9. Total fees collected:		\$32,789**
10. Total expenses:		\$19,775**

Statutory Authority: Occupations Code, Chapter 352

\* Please see Table 1 for information regarding the number of license holders by county.

\*\* Fee and expense totals include both the Contact Lens Permit Program and the Opticians' Registry

**Texas Board of Orthotics and Prosthetics**

1. Total number of licensees:		783
Licensed Prosthetist/Orthotists	405	
Registered Prosthetist/Orthotist Students	47	
Temporary Prosthetist/Orthotists	2	
Registered Prosthetist/Orthotist Technicians	24	
Licensed Prosthetist/Orthotist Assistants	54	
Accredited Prosthetic/Orthotic Facility	251	
2. Total number of new licenses issued:		96
3. Total number of renewal licenses issued:		277
4. Total number of complaints received:		82
Abuse/Neglect/Exploitation	2	
Fraud/Deceit/Bribery	8	
Standard of Care/Service/Product	17	
Unlicensed Person/Facility	48	
Unprofessional Conduct	7	
5. Total number of jurisdictional complaints received:		80
6. Total number of complaint investigations completed:		37
7. Total number of jurisdictional complaints resolved:		50
No Violation	11	
Not Substantiated	16	
Administrative Penalty	2	
Cease and Desist	2	
Civil Penalty	1	
Denial	7	
Reprimand	1	
Warning Letter	10	
8. Average length of time required for jurisdictional complaint resolution:		347 days
9. Total fees collected:		\$149,961
10. Total expenses:		\$92,628

Statutory Authority: Occupations Code, Chapter 605

\* Please see Table 1 for information regarding the number of license holders by county.



**Personal Emergency Response System (PERS) Licensing Program**

1. Total number of registrants/licenses:		282
PERS Registrants-Individuals	232	
PERS Licenses-Businesses	50	
2. Total number of new applications (licenses and registrants):		67
3. Total number of renewals (licenses and registrants):		127
4. Total number of complaints received:		0
5. Total number of jurisdictional complaints received:		0
6. Total number of complaint investigations completed:		0
7. Total number of jurisdictional complaints resolved:		0
8. Average length of time required for jurisdictional complaint resolution:		0
9. Total fees collected:		\$48,925
10. Total expenses:		\$20,087

Statutory Authority: Health and Safety Code, Chapter 781

\* Please see Table 1 for information regarding the number of license holders by county.

**Texas State Board of Examiners of Professional Counselors**

1. Total number of licensees:		17,270
Licensed Professional Counselors	14,751	
Professional Counselor Interns	2,519	
2. Total number of new licenses issued:		2,158
3. Total number of renewal licenses issued:		6,795
4. Total number of complaints received:		205
Abuse/Neglect/Exploitation	3	
Advertising/Mislabeled	4	
Client Rights	1	
Confidentiality	8	
Criminal History	8	
Financial	1	
Fraud/Deceit/Bribery	12	
Order Non-Compliance	1	
Sexual Misconduct	17	
Standard of Care/Service/Product	72	
Unauthorized Activity	1	
Unlicensed Person/Facility	15	
Unprofessional Conduct	62	
5. Total number of jurisdictional complaints received:		177
6. Total number of complaint investigations completed:		130
7. Total number of jurisdictional complaints resolved:		134
Licensed Expiration	6	
No Violation	46	
Not Substantiated	16	
Violation Found and Corrected	1	
Administrative Penalties	9	
Cease and Desist	2	
Probated Suspension	13	
Reprimand	7	
Revocation	7	
Surrender	4	
Suspension	2	
Warning letters	20	
Withdrawal	1	
8. Average length of time required for jurisdictional complaint resolution:		351 days
9. Total fees collected:		\$1,105,215
10. Total expenses:		\$574,145

Statutory Authority: Occupations Code, Chapter 503

\* Please see Table 1 for information regarding the number of license holders by county.

**Respiratory Care Practitioner Certification Program**

1. Total number of licensees:		13,500
Respiratory Care Practitioners	13,245	
Temporary Respiratory Care Practitioners	255	
2. Total number of new licenses issued:		1,030
3. Total number of renewal licenses issued:		5,948
4. Total number of complaints received:		28
Confidentiality	2	
Criminal History	4	
Fraud/Deceit/Bribery	2	
Order Non-Compliance	1	
Required Activity Not Performed	1	
Sexual Misconduct	1	
Standard of Care/Services/Product	9	
Unauthorized Activity	1	
Unlicensed Person/Facility	3	
Unprofessional Conduct	4	
5. Total number of jurisdictional complaints received:		25
6. Total number of complaint investigations completed:		14
7. Total number of jurisdictional complaints resolved:		24
License Expiration	4	
No Violation	3	
Not Substantiated	3	
Violation Found and Corrected	1	
Cease and Desist	2	
Denial	1	
Emergency Suspension	1	
Probated Suspension	3	
Reprimand	1	
Revocation	3	
Surrender	1	
Warning	1	
8. Average length of time required for jurisdictional complaint resolution:		357 days
9. Total fees collected:		\$769,398
10. Total expenses:		\$312,188

Statutory Authority:

Occupations Code, Chapter 604

\* Please see Table 1 for information regarding the number of license holders by county.



**Texas State Board of Social Worker Examiners**

1. Total number of licensees:		20,895
Licensed Clinical Social Workers	6,629	
Licensed Master Social Workers-Advanced Practitioner	416	
Licensed Master Social Workers	7,700	
Temp Licensed Master Social Workers	76	
Licensed Baccalaureate Social Workers	6,021	
Temp Licensed Baccalaureate Social Workers	53	
2. Total number of new licenses issued:		1,418
3. Total number of renewal licenses issued:		9,580
4. Total number of complaints received:		147
Abuse/Neglect/Exploitation	8	
Advertising/Mislabeling	1	
Confidentiality	7	
Criminal History	6	
Fraud/Deceit/Bribery	10	
Sexual Misconduct	8	
Standard of Care/Service/Product	43	
Unlicensed Person/Facility	22	
Unprofessional Conduct	42	
5. Total number of jurisdictional complaints received:		131
6. Total number of complaint investigations completed:		132
7. Total number of jurisdictional complaints resolved:		118
No Violation	25	
Not Substantiated	32	
Cease and Desist	7	
Civil Penalty	2	
Probated Suspension	10	
Reprimand	3	
Revocation	7	
Surrender	1	
Suspension	1	
Warning Letter	30	
8. Average length of time required for jurisdictional complaint resolution:		288 days
9. Total fees collected:		\$1,117,089
10. Total expenses:		\$617,166

Statutory Authority: Occupations Code, Chapter 505

\* Please see Table 1 for information regarding the number of license holders by county.

**State Board of Examiners for Speech-Language Pathology and Audiology**

1. Total number of licensees:		14,364
Speech Language Pathologists	10,222	
Temp Speech Language Pathologists	8	
Speech Language Pathologist Interns	582	
Speech Language Pathologist Assistants	2,419	
Audiologists	1,097	
Audiologist Interns	32	
Audiologist Assistants	4	
2. Total number of new licenses issued:		1,959
3. Total number of renewal licenses issued:		5,544
4. Total number of complaints received:		67
Advertising/Mislabeled	1	
Financial	2	
Fraud/Deceit/Bribery	6	
Standard of Care/Service/Product	32	
Unlicensed Person/Facility	24	
Unprofessional Conduct	2	
5. Total number of jurisdictional complaints received:		64
6. Total number of complaint investigations completed:		6
7. Total number of jurisdictional complaints resolved:		41
License Expiration	1	
No Violation	17	
Administrative Penalty	1	
Cease and Desist	4	
Probated Suspension	1	
Reprimand	8	
Warning Letter	4	
Withdrawn	5	
8. Average length of time required for jurisdictional complaint resolution:		219 days
9. Total fees collected:		\$928,089
10. Total expenses:		\$395,564

Statutory Authority: Occupations Code, Chapter 401

\* Please see Table 1 for information regarding the number of license holders by county.

Table 1 Legend of Abbreviations	
<b>AT</b>	Athletic Trainers
<b>AU</b>	Audiologists
<b>CEO</b>	Code Enforcement Officers
<b>CL</b>	Contact Lens Dispensers
<b>CSOT</b>	Council on Sex Offender Treatment (Licensed Sex Offender Treatment Providers)
<b>DT</b>	Dietitians
<b>FD</b>	Fitters & Dispensers of Hearing Instruments
<b>LCDC</b>	Lic. Chemical Dependency Counselors
<b>LPC</b>	Lic. Professional Counselors
<b>MFT</b>	Marriage & Family Therapists
<b>MP</b>	Medical Physicists
<b>MRT</b>	Medical Radiologic Technologists
<b>MT</b>	Massage Therapists
<b>MW</b>	Midwives
<b>O&amp;P</b>	Orthotists & Prosthetists
<b>OE</b>	Offender Education Providers
<b>Opt.</b>	Opticians
<b>Perf.</b>	Perfusionists
<b>PERS</b>	Personal Emergency Response System Providers
<b>RCP</b>	Respiratory Care Practitioners
<b>RS</b>	Registered Sanitarians
<b>SLP</b>	Speech-Language Pathologists
<b>SW</b>	Social Workers

The county statistics include individuals regulated by the licensing program and do not include facilities or business entities that may be regulated in some programs. There may be minor variances between the county total and the overall total for the program as reported on previous pages, since the statistical information was not extracted on the same date.

Table 1: Licensed Individuals by Program, by County of Residence PLCU FY2010

COUNTY	PROGRAM FY10																							Total by County	
	AT	AU	CEO	CP	DT	FD	LCDC	LPC	MFT	MP	MT	MW	OE	O&P	Opt.	Perf.	PERS	RCP	RS	SLP	SO	SW	XR		
ANDERSON	4	1	5	1	3		14	21	1		36	3	6	1				36	2	16	2	28	41	221	
ANDREWS	1		2		1		3	3			10		1					8		6		2	11	48	
ANGELINA	7	2	8		19	9	23	62	5		50		10	5	3	2	1	85	5	34	5	90	158	583	
ARANSAS	5		5		1	2	7	17			26	1	2					7	3	6	2	7	17	108	
ARCHER	2	1	2		3	3	2	10			9		1					12	1	6		8	22	82	
ARMSTRONG					1			2										3					1	7	
ATASCOSA	6		4	1	3		10	13	1		30		1	1				16	2	14		28	38	168	
AUSTIN	3		3		3	1	4	10	3	1	22		1			1		6		11	2	11	35	117	
BAILEY	1		1				1	1			2							1		2		1	5	15	
BANDERA	1		3		4	2	6	17	1		40		3	1				13	1	16		12	24	144	
BASTROP	4	1	8		5	1	24	50	2		101		11	1				24	6	23	1	62	43	367	
BAYLOR					1		3	2	1		1							1		1		4	4	18	
BEE	2		5		3	1	6	12	1		19						1	14		8	2	18	31	123	
BELL	28	15	20		44	10	99	211	46	11	237		19	7	3	5		160	14	97	9	327	203	1565	
BEXAR	139	91	110	6	322	41	474	1371	272	56	1857	12	85	62	9	29	17	852	101	864	28	1492	1699	9989	
BLANCO	1	1			6		4	2	2		14		1					2	4	3	1	11	10	62	
BORDEN		1	3				1	2			1		1					3		2		2	2	18	
BOSQUE			1		2	1	1	9			24		3	1				8		3		5	15	73	
BOWIE	5	3	4		8	6	32	62	8	2	42	1	7	3		3	2	65		52	1	49	132	487	
BRAZORIA	38	9	41	2	69	6	107	147	30	11	298	1	58	8		11		238	14	105	2	189	424	1808	
BRAZOS	25	4	21	1	41	6	60	104	16	3	197	1	20	2	1	3		41	24	57	3	83	104	817	
BREWSTER	2	1	1				3	13	2		16		3					4	1	6		10	6	68	
BRISCOE								5			5							1		2		1	1	10	
BROOKS							3				1							1		3		1	2	11	
BROWN	6	1	2		2	4	29	37	2		27		5				1	17	2	15	1	39	38	228	
BURLESON	2		2				3				15							8		7		3	15	55	
BURNET	4	1	8		2	1	25	28	4		61		4					10	8	15		29	39	239	
CALDWELL	9		6		5	1	11	16	1		38	1	7					32	8	13	7	26	36	217	
CALHOUN	1		2				4	7	1		13		4					12	1	8		5	16	74	
CALLAHAN	2		2		2	2	4	19	2		18	1						12	1	8		21	29	123	
CAMERON	29	4	29	3	36	13	61	116	15	1	289	4	23	3	6	8	5	254	10	249	1	175	332	1666	
CAMP	1		1		3		2	3			3	1						4	3	2		5	5	33	
CARSON							2				9							3		7		5	11	37	
CASS					1	1	9	11			19		7	2			1	13		16	1	11	29	121	
CASTRO			1				1	3			2		1						4	1	3		13	29	
CHAMBERS	3		2		3		5	7	1		16		6					11	1	2		6	23	86	
CHEROKEE	6		3		1		16	28	5		25		3				1	23	2	11	2	48	42	216	
CHILDRESS			1					1			7							2		3		2	7	23	
CLAY							4	8	1		13		2					12		7		12	26	85	
COCHRAN					1			3			2		1					2				1	4	14	
COKE	2		1		1		2	1	1		1											3	6	18	
COLEMAN	4						8	4			8		1					6	1	2	1	4	9	48	
COLLIN	73	49	78	2	213	14	128	710	100	16	972	8	29	15	2	9	8	427	40	636	9	611	753	4902	
COLLINGSWORTH					1			3										1		2		3	7	17	
COLORADO	1		1		1	1	6	7			14		2	1				11	3	2		8	32	90	
COMAL	27	3	9		59	6	31	116	21	1	198	5	8	9	1	1		74	13	98	6	150	134	970	
COMANCHE					1		6	7			5		1				2	7	1	3		10	9	54	
CONCHO											5						1	2		2			5	15	
COOKE	2	1	3	1			8	22	3		42		4	1				12	3	11		20	36	169	
CORYELL	4	2	4			1	31	37	6		43	2	5					13	3	15	2	34	32	234	
COTTLE											2									1			1	4	
CRANE	2						1	1			3							2		2			5	16	
CROCKETT	2		1					3			3								1				8	16	
CROSBY	1		1				1	4	1		14		3					5		8		1	22	61	

Table 1: Licensed Individuals by Program, by County of Residence PLCU FY2010

PROGRAM	FY10																					
CULBERSON	1		1																		3	5
DALLAM			1																		1	8
DALLAS	175	127	359	12	451	34	606	1868	358	48	2704	10	139	65	20	23	8	1070	106	1192	38	1706
DAWSON	2		1				1	5			7		2					1			3	10
DE WITT	1		1		2		1	11			17		3					13		4	7	16
DEAF SMITH	1				1			4			15		1					6		6	11	15
DELTA			3				1	3	1		3		3					2	2		3	5
DENTON	89	41	62		154	18	99	482	74	7	772	1	26	12	4	3	4	246	35	404	11	425
DICKENS								1			2							1		1	1	3
DIMITT	1				1		2	3			1									3	2	4
DONLEY							1				2		1					1		2	4	2
DUVAL	1						12	1			5		1			1		1		5	2	5
EASTLAND	4		1		1		13	8	2		10		4				8	1	6	14	10	
ECTOR	12	7	8	2	9	4	64	73	6	1	107		13	3		1	119	8	37	5	55	
EDWARDS	1		1				1	1			3							1	3		1	12
EL PASO	77	14	76	3	80	16	235	286	48	6	502	20	27	16	6	7	7	335	6	376	6	446
ELLIS	17	2	31	1	21	4	38	118	16	1	149		11	2			83	11	61	2	98	
ERATH	10	2	4		4	1	20	36	2		32		4				1	8	2	13	2	
FALLS	1	2	2		4		7	5			9		1	1				7	1	10	22	
FANNIN		1	4		2		10	9	2		24						2	14	2	13	21	
FAYETTE	2	1			5	2	5	11	3		20		1					6		8	1	
FISHER					1						3							2			1	
FLOYD			1								4							2		1	2	
FOARD																		1		1	10	
FORT BEND	68	29	36	3	137	8	146	340	64	21	533	1	32	8	5	15	2	439	30	341	11	
FRANKLIN	1		4				3	6			7	1						9		4	4	
FREESTONE	2		2	1	2		2	12	3		12		1					8	2	5	8	
FRIO	2		1				5	1			6								3	3	9	
GAINES	3				1		3	2			10		3					2		6	1	
GALVESTON	33	19	36		53	5	104	189	56	9	354	2	12	9	3	5	3	202	25	167	8	
GARZA			1					3			3							7		1	4	
GILLESPIE	2	1	1		4	1	5	16	5		59		2					7	3	14	30	
GLASSCOCK		1			1															1	1	
GOLIAD	2		1		1		1	8			10							11	2	1	4	
GONZALES	1		1	2	1		6	4	1		17		3					5		5	6	
GRAY	2		2		2		4	3			24		1					5	1	6	7	
GRAYSON	6	1	19		16	5	39	80	9		104	1	12	4			3	45	8	53	5	
GREGG	18	6	9	2	22	12	60	85	9	2	101		20	3		2		73	7	75	1	
GRIMES	3	2			5		6	20	4		44		1		1	1		11	2	11	1	
GUADALUPE	28	2	9		19	8	31	83	9		129	2	14	1	1		1	66	7	70	2	
HALE	2		3		5	1	21	30	1		24		6					9		6	2	
HALL											2										1	
HAMILTON	2		2		2		6	5			10							4		3	7	
HANSFORD					1		1	2			4							3		1	1	
HARDEMAN								2			7									1	7	
HARDIN	7	4	3		7	2	14	32			41		6					42	4	25	2	
HARRIS	241	140	105	18	658	72	1167	2193	552	138	3838	13	157	77	28	60	10	1520	127	1556	54	
HARRISON	7		3		10	4	30	21	5		36		3	2			2	18	3	14	30	
HARTLEY								1			3								4	3	1	
HASKELL		1	1		1		1	1			6		1					3		1	3	
HAYS	30	4	9		13	7	69	133	20		209	2	13					75	23	59	5	
HEMPHILL								2			6							1		2	1	
HENDERSON	7		5		5	1	14	25	5		46		2					26	4	17	1	
HIDALGO	54	8	58		111	12	163	230	8	3	464	12	34	9	2	4	5	251	12	742	4	
HILL	4		6		5		7	14			28		5					21		5	1	
HOCKLEY	6	1	3		5	1	4	7			17		2			1	1	19	3	17	1	
HOOD	4	2	8		11	2	12	38	7		60	2	3					27	9	12	2	
HOPKINS	2		1		5		10	19	1		18		4	2				30	4	14	37	

Table 1: Licensed Individuals by Program, by County of Residence PLCU FY2010

PROGRAM	FY10																							
HOUSTON	1		1		2	1	3	9			13					13		4	2	12	19	85		
HOWARD	2	1	5		4		7	9	2		24			3		11		2		28	22	122		
HUDSPETH	2						4	4	1		10					5		11		1	10	48		
HUNT	9	3	15	1	5	1	19	54	6	1	64	1	10		2	18	8	25		50	55	347		
HUTCHINSON	2		3		1			5	1		12		2			6		8	1	11	15	67		
IRION	6	1			1		3	9			14	1				11		10		6	16	78		
JACK	1		1		1		2	11	2		14					4		7		7	18	68		
JACKSON			1		3		1	1			10		1			9	2	5		5	17	56		
JASPER	2	1	3		7	2	2	12			48	1	2			23	5	15		24	54	201		
JEFF DAVIS	2				1			3			4								1	3		14		
JEFFERSON	17	15	21	1	47	6	143	132	16	4	148		17	7	1	6	5	201	7	94	7	1458		
JIM HOGG							1				2					2				1	1	7		
JIM WELLS	1	1	3		9	1	38	21	1		29		8			4	18	1	32	27	40	234		
JOHNSON	16	4	14		22	8	32	65	9	1	158	1	11	9		81	8	61	2	142	211	855		
JONES	3	1	2		1	1	9	6	2		7		4			14		7		8	19	84		
KARNES	1		1		1		2	4			5		4			2	2	4		7	10	43		
KAUFMAN	17	2	43		7	3	30	49	10		119	2	5	3		48	13	40		76	124	591		
KENDALL	3	1	2		19	2	15	56	9	2	76		3	2		17	7	21	2	34	30	302		
KENEDY																						0		
KENT							1	1										2		1	3	8		
KERR	6	4	4		13	12	64	69	16		72		7		3	1	26	5	15	3	59	423		
KIMBLE							2				5					1					2	10		
KING																1						1		
KINNEY								1			4							2		2		9		
KLEBERG	6		4		5		46	13	1		17		7		1	13	1	37		17	15	184		
KNOX	1							1			4					1		1		7	3	17		
LA SALLE	1		1				2	4	1							1		1		3	2	15		
LAMAR	3	1	3		6	5	11	34	3	1	30		6	3	1	2	2	31	1	16	1	278		
LAMB			1		1		3	5			5		3			3		3		2	15	38		
LAMPASAS	2		5		1		19	15	4		25		1		1	1	8		9	1	14	132		
LAVACA	2		2		2		3	4		1	13		5			20		5		13	22	92		
LEE			2		1		5	14	2		13		2					3	5	10	10	67		
LEON							1	3			17					3		1	1	3	9	38		
LIBERTY	4	1	14		3	2	18	12	1		50	1	12			4	26	3	13	1	9	235		
LIMESTONE	2		2				5	3	1		15		7			4	13		6	1	12	90		
LIPSCOMB											3							2			1	6		
LIVE OAK	1				2		1	3			12		1			3		6			5	34		
LLANO	1	1	4		1	3	11	7	2		23		4			6	1	7		9	28	108		
LOVING																						0		
LUBBOCK	94	30	23	2	71	20	123	255	71	7	310	1	24	10	1	8	4	221	26	202	7	282	448	2240
LYNN		1	1					1			10		1			2		1			7	24		
MADISON			1			1	3	8			9					5		2	1	6	8	44		
MARION					1		3	2			10					3		4		4	6	33		
MARTIN								8			1					2		1		2	2	16		
MASON			1				1	4			4						1	3		4	6	20		
MATAGORDA	4		3		1	3	3	11	3		15		5			5	1	8		11	43	116		
MAVERICK	4		9	1	1		6	8	1		6	2	2			16		17		11	15	99		
MCCULLOCH	1		1		1		1	5			4					3		3		4	7	30		
MCLENNAN	46	10	19	3	35	17	76	169	19	2	145	1	22	4	2	3	1	140	15	143	3	317	294	1486
MCMULLEN								1			1											1		
MEDINA	4	1	6		12		14	19	3	1	35		2		1	17	4	38	1	22	55	235		
MENARD					1			2			2					1		1			2	7		
MIDLAND	14	8	9	3	27	7	55	89	11	1	161	1	12	8	1	2	2	122	4	46	1	79	168	831
MILAM	3		1				4	5	1		14		5		1	7	2	4		6	20	73		

Table 1: Licensed Individuals by Program, by County of Residence PLCU FY2010

PROGRAM	FY10																									
MILLS	2		2		2		2		6		4						1		3		8		5		35	
MITCHELL			1		1				1		1					1		1		3		3		6		22
MONTAGUE		1	1		1		3		7		18						1		13		7		10		81	
MONTGOMERY	28	13	14	1	53	11	97	221	51	4	359	2	25	4	2	6	1	153	17	163	9	132	285	1651		
MOORE	2						1	4			9							6		3		6		41		
MORRIS	1	1						3			8		1					8		6		8		15	51	
MOTLEY			1															1		1		1		4	8	
NACOGDOCHES	25	3	6		21		20	48	3		35		5	1	1	2		40	5	48	1	79	42	385		
NAVARRO	4	1	5		4	2	4	28	2		31		9	5			3	22	2	8	2	20	39	191		
NEWTON	3				1	2	2	1			6		1					4		2		4	14	40		
NOLAN	1		1				6	7	3		9		4					7	1	3		9	9	60		
NUECES	34	8	13		60	15	175	277	43	3	288	2	37	9	2	7	2	188	6	162	5	217	369	1922		
OCHILTREE	1				1	1		3			4		2					2					5	19		
OLDHAM								9			2							2				4	1	18		
ORANGE	8	1	4		5		29	31	2		32		2			1	2	53	4	15	1	28	122	349		
OUT OF ST/NOT FOUND	182	135	63	3	334	26	237	1231	277	155	1287	20	12	16	7	41	37	1471	32	955	15	1605	2447	10588		
PALO PINTO	2				3		8	4			16		4				1	12		11		9	15	85		
PANOLA	2				1		4	5			16		3	1				10	2	16		15	17	92		
PARKER	16	7	14		26	6	21	75	11	1	164	3	7	4	1	1		90	9	70		108	183	817		
PARMER			1				1	1			6		2							1		3	10	25		
PECOS	1		5				3				5		2					2		4		1	12	35		
POLK	1		2	1	1	4	14	22	2		27	1	6					31	5	11		16	46	190		
POTTER	18	7	4	1	32	8	49	217	28	3	231	3	16	5	1	2	2	177	14	85	7	209	322	1441		
PRESIDIO			1					2			4							1					1	9		
RAINS			1		1		4	2			4							4				4	5	25		
RANDALL	8	1	1	1	6	1	12	46	3	1	40	1	1	1			2	27	4	40	4	40	57	297		
REAGAN								2			2							1				1	3	7		
REAL					2			2	1		7				1			2		1		4	2	22		
RED RIVER					1		1	2			8		1	1				9	1	3		6	13	46		
REEVES	1		1				1				1							3		2		2	5	17		
REFUGIO								1			10							6		3		5	3	28		
ROBERTS								2			2							1		1			1	4		
ROBERTSON					1	3	1	2			13		1					3		2		5	9	40		
ROCKWALL	14	5	25		15	8	17	84	17	3	144	1	3	1		4	2	66	4	80		62	146	701		
RUNNELS	1		1		1			4	1		12						1	1		4		7	10	43		
RUSK	2		5		3		43	11	1		32	1	2	1				19	1	16		37	47	221		
SABINE	2	1					3	4			5							6		2		2	7	32		
SAN AUGUSTINE			1			1		2			1							6	1			4	9	25		
SAN JACINTO		1	3				2	10			17		1				1	9	1	4	1	9	11	70		
SAN PATRICIO	7	2	9	1	2		28	21		1	45	1	4		1			42	2	17	2	22	72	279		
SAN SABA			1		1		1	1			2									1		2	2	11		
SCHLEICHER								1	1		2											2	7	13		
SCURRY	1		1				1	1	1		11		2					4		4		7	6	38		
SHACKELFORD		1			1		5	1			3							2		2		1	5	19		
SHELBY	3		1		2		2	12	3		9		1		1			5	1	4	1	13	9	67		
SHERMAN											1											1	1	5		
SMITH	49	10	19	2	52	29	111	164	20	6	218	4	22	10		8	3	209	23	136	6	180	373	1654		
SOMERVELL	2		3			2	2	9			11		2					10	1	4		12	13	71		
STARR	3			1	8		10	11			15		2					6		51		14	27	148		
STEPHENS	1		2				22	2			10		3					3	1			6	5	55		
STERLING	1							2			3									1				7		
STONEWALL							1	1												1				3		
SUTTON								1			2							2				1	4	10		
SWISHER	1		2	1			4	2			5							4		3		1	3	26		
TARRANT	216	75	218	8	324	32	447	1309	233	28	1848	14	88	33	9	18	13	896	69	860	27	1769	1877	10411		
TAYLOR	33	12	8		25	6	61	150	52	2	115	1	12	8	1	4	1	104	9	104	5	166	191	1070		

Table 1: Licensed Individuals by Program, by County of Residence PLCU FY2010

	PROGRAM FY10																									
TERRELL																								2	6	
TERRY	1		3				1	1	1		2							3					1	3	8	26
THROCKMORTON							1	3	1		3												2	10		
TITUS	2				1		6	13	1		6							11	1	14		13	19	87		
TOM GREEN	32	8	10	5	20	3	65	88	8		100		18	3	1	3	2	75	9	45	3	66	108	672		
TRAVIS	111	84	40	4	252	14	402	1218	227	15	2396	24	71	21	4	13	10	300	103	669	35	2063	735	8811		
TRINITY					1		2	10	2		4		1	1			1	9		5		7	16	59		
TYLER			2		2		2	12			14							15	1	10		13	28	99		
UPSHUR	1	1	3		1	2	15	19	2		23	1	5				2	24		16	1	21	55	192		
UPTON							1				2							1		1		1	5	11		
UVALDE	1		1		2	3	11	18			11		3				8	3	12		9	29	111			
VAL VERDE	2	1	1	1	5	1	3	8	1		13	2	2				1	9	1	13		13	21	98		
VAN ZANDT	6	1	7				2	18	26	2	49		2	1			1	32	4	19	1	25	64	260		
VICTORIA	7	5	4	2	17	9	12	75	9		64		11	3		2	1	117	6	49	1	60	104	558		
WALKER	3	1	5	1	4	2	31	48	7	1	26		9		1		9	6	11	2	29	24	220			
WALLER	1		2		12		8	30	2		47		4				15	1	27		18	39	206			
WARD	2		2				3	2	1		12						4		2	1	4	8	41			
WASHINGTON	4		4		10	2	5	20	5		34	1	3				1	6	3	8		22	17	145		
WEBB	14	1	35	2	26	2	130	71	2		68	1	9	2	1		3	35	14	128		77	126	747		
WHARTON	2	1	8		6	1	4	21	2		28				1		7		12		18	71	182			
WHEELER											4						1		1		2	8	16			
WICHITA	25	1	11	2	17	10	25	104	21	1	117		8	2		2	3	86	2	47	1	158	171	814		
WILBARGER	3		2		1		9	14	1		19						3		5	1	41	9	108			
WILLACY	2		1		3		1	6			11		5				1		13		11	18	72			
WILLIAMSON	51	29	30	1	72	6	121	306	53	6	573	1	45	7	7	1	3	197	42	205	8	391	395	2550		
WILSON	3	1	1		2		8	20			35	1	3		1		22	5	19	2	28	47	198			
WINKLER	1		2				1				3						3	1	2		3	3	16			
WISE	6	1	6	1	3		10	16			56		6		1		38	1	11		26	63	245			
WOOD	5	1	1		4	1	31	26	6		41	1	5				19	2	6	1	25	39	214			
YOAKUM	2		1		1		1				4		2				1					7	19			
YOUNG			1		2	1	6	1			21		2				5		5		13	8	65			
ZAPATA	1		3				6	1			3						1		11			6	32			
ZAVALA	1		1				2	2			1										3	9	19			
<b>TOTAL</b>	<b>2635</b>	<b>1117</b>	<b>2147</b>	<b>111</b>	<b>4480</b>	<b>672</b>	<b>7522</b>	<b>17323</b>	<b>3138</b>	<b>589</b>	<b>26289</b>	<b>207</b>	<b>1625</b>	<b>525</b>	<b>158</b>	<b>336</b>	<b>216</b>	<b>13426</b>	<b>1269</b>	<b>13120</b>	<b>437</b>	<b>20756</b>	<b>26164</b>	<b>144262</b>		

# Appendix B - Health Professions Council

## FY 10 Estimated Fees Collected Section IV.D Operating Budget

*To comply with Section 6, SB 1058 (81<sup>st</sup> Regular)*

## FY 10 Estimated Expenses Section II.C Operating Budget

*To comply with Section 6, SB 1058 (81<sup>st</sup> Regular)*

**Appendix B Estimated Fees and Revenues**

<b>Agency</b>	<b>FY 2010 Revenue Estimate</b>	<b>FY 2010 Expenses Estimate</b>
Texas State Board of Chiropractic Examiners	\$2,315,000	\$642,485
Texas State Board of Dental Examiners	\$6,963,088	\$2,771,845
Texas Funeral Services Commission	\$1,562,141	\$801,751
Texas Medical Board	\$30,236,692	\$11,519,230
Texas Board of Nursing	\$13,267,000	\$8,463,179
Texas Optometry Board	\$1,453,494	\$526,858
Texas State Board of Pharmacy		\$6,110,971
Executive Council of Physical Therapy and Occupational Therapy Examiners	\$3,703,479	\$1,141,398
Texas State Board of Podiatric Medical Examiners	\$431,440	\$242,988
Texas State Board of Examiners of Psychologists	\$2,165,711	\$972,374
Texas State Board of Veterinary Medical Examiners	\$2,543,560	\$1,011,657

# Appendix C - Health Professions Council

## Unfunded Needs of the Agency

*To comply with Section 6, SB 1058 (81<sup>st</sup> Regular)*

## Appendix C - Health Professions Council

### Unfunded Needs of the Agency

*To comply with Section 6, SB 1058 (81<sup>st</sup> Regular)*

Agency	(8) any unfunded needs of the agency.
Chiropractic	None
Dental	None
Funeral Serv	<p>Agency staff must often refer telephone calls and inquiries to the Assistant Attorney General assigned to this agency in coordination with the Administrative Law Division located at the Office of the Attorney General (OAG). The Assistant Attorney General assigned to this agency represents 15 other regulatory agencies. Due to the workload of the OAG, a reply to these inquiries/investigations received at the Texas Funeral Service Commission takes several weeks if not months.</p> <p>General Counsel for the TFSC is needed to reduce the agency's pending investigation caseload, to litigate SOAH cases more expeditiously, and to facilitate answers to problems the consuming public and death care professionals face regarding the death care industry. The agency also receives inquiries from members of the Texas Legislature for a timely solution to one of their constituent's concerns regarding death care related issues. A General Counsel would be immediately available to help resolve the matters based on the agency's jurisdiction with the laws currently in effect.</p> <p>Currently, TFSC investigators and the legal assistant must use their own judgment to determine whether the results of an investigation warrant a violation of law or rule. Having a General Counsel on staff to review the investigative summary and findings would ensure every aspect of the complaint has been examined thereby protecting the consuming public.</p>

Nurse

Advanced Practice Registered Nurse Applications - In the past three years, the APRN section has experienced a consistent high number of applications for initial approval which has created a backlog and a delay in processing applications. These applications require a high level of expertise regarding APRN practice and education in the State of Texas and within the United States. Along with the consistently high number of applications, the review of the applications has become more complex due to new rules implemented by the board in the past few years. These rules require review of transcripts and course descriptions to assure specific course content. With new requirements, comes additional correspondence and phone calls. To alleviate the backlog and decrease the number of days it takes to process an application, we have hired two part-time contract workers. One is an APRN and the other is an administrative assistant. We do not anticipate this trend to slow down and further anticipate additional Compact APRN applications upon implementation of the APRN Compact in fiscal year 2011. We are requesting two FTEs to assist in this area. If we are unable to maintain the two contract workers, we anticipate the number of days to approve an APRN application will stay at 70 days and most likely climb higher to 90 days as the backlog increases.

Criminal Background Checks - New/Accepted Student Program - This new program has been a big success being implemented by schools of nursing faster than expected. This program provides board reviews of criminal background history for students prior to admission to schools of nursing to determine eligibility for licensure. This program also allows programs to determine whether students should be admitted to clinical learning experiences given past criminal background history. We anticipated that up to 50 schools of nursing would adopt this process but that number has tripled to over 150. This means the number of prospective students completing the criminal background process has grown exponentially. Along with this growth has come additional files to review for eligibility issues from both examination and endorsement applications. The average case load for one operations staff member has gone from 324 in fiscal year 2007 to 1,035 in fiscal year 2008, 1,499 in fiscal year 2009 and 1,637 in fiscal year 2010. In that same time period, the same staff member have opened, reviewed and closed 1,139 examination and endorsement eligibility cases in fiscal year 2007, 2,031 cases in fiscal year 2008, 2,987 cases in fiscal year 2009 and 3,267 cases in fiscal year 2010. One person cannot handle this consistently growing caseload. We did not anticipate the consistent growth in "hits" from our criminal background checks. The Texas Board of Nursing has hired four additional temporary staff to assist with administrative duties but we are close to filling all appropriated staff positions (96.7) and since temporary staff count towards our FTE cap, we will exceed that cap if we do not get additional FTEs and will be forced to let go all temporary staff. The schools of nursing and new students participating in this program are currently experiencing a 60 day turn-a-round from receipt of a school roster to completion of background check reviews. Without the temporary staff, this time frame will increase to 120 days.

<p>Optometry</p>	<p>To control costs, the agency continues to put additional emphasis on the agency's website to deliver information and to automate much of the license renewal process. The agency also continues to participate in sharing arrangements with other Health Profession Council agencies.</p> <p>The agency's database is being replaced this year. The agency is sharing the cost of the replacement database with five other agencies so that a sufficient database is obtained at the lowest possible cost. As the database is installed, issues are arising that may require additional programming beyond the contracted amount. Although every effort will be made to find solutions that do not need additional programming, it appears that additional expenses may be necessary in 2012.</p> <p>The additional 2.5 percent reduction means that the agency cannot fill a half-time administrative assistant position that has been extremely valuable to the agency the last two years.</p>
<p>Pharmacy</p>	<p>Although the TSBP was successful in obtaining additional appropriations for the requested exceptional items during the 82nd Legislative session, a number of unfunded mandates continue to cause annual increases in areas such as hazardous and longevity pay, gasoline, postage, mileage and hotel per diem.</p> <p>Additionally, in FY2010, all agencies were faced with an ordered 5% budget reduction for FY2010 and an additional 2.5% budget reduction for FY2011. In light of these budget reductions and potential future decreases in the State of Texas budget for 2012-2013, the agency's ability to provide quality customer service, information, and protection to the citizens of Texas will be severely tested.</p> <p>If the tight State of Texas budget for 2012-2013 results in decreases in appropriations for TSBP, these decreases will severely impact the agency's ability to provide quality customer service, information, and protection to the citizens of Texas.</p>
<p>PT/OT</p>	<p>None</p>

<p>Podiatry</p>	<p>We received funding for our 81st Session/2009 LAR for FY 2010/2011 in full.</p> <p>Future needs are being analyzed as we work through the present FY 2010 5% Reduction and are awaiting the 82nd Session Strategic Planning &amp; LAR process for later this year to present future needs and their requisite funding.</p>
<p>Psychologists</p>	<p>Given the dire economic situation of the state, the Texas State Board of Examiners of Psychologists is requesting no additional funds for unfunded needs of the agency at this time. However, when the economy of the state recovers, the agency will seek higher salaries for its staff based on the 2010 State Auditor's report which states that the average salary at this agency is \$7,400 below the average salary of Article VIII agencies.</p>
<p>Vet Med</p>	<p>None</p>
<p>DSHS PLCU</p>	<p>Funding</p> <p>The DSHS Professional Licensing and Certification Unit (PLCU) is organizationally placed within the Division for Regulatory Services, Health Care Quality Section. PLCU functions as a consolidated licensing operation for 23 regulatory programs and consists of:</p> <ul style="list-style-type: none"> <li>• 8 governor-appointed licensing boards, each with independent rulemaking and enforcement authority;</li> <li>• 2 governor-appointed licensing boards, each with independent enforcement authority and quasi-independent rulemaking authority;</li> <li>• 1 licensing board appointed by the DSHS Commissioner with independent enforcement authority and quasi-independent rulemaking authority; and</li> <li>• 12 licensing programs that do not have appointed boards, and for which the rulemaking authority is the Executive Commissioner of the Health and Human Services Commission and the enforcement authority is DSHS.</li> </ul>

The boards and programs within PLCU do not function as independent state agencies. DSHS provides the staff, facilities, and infrastructure necessary to administer each program. PLCU operates with a functional organizational structure characterized by resource-sharing across programs.

PLCU is funded through the legislative appropriation to DSHS for Strategy D.1.4 (Health Care Professionals). This appropriation funds a total of 26 programs within DSHS, not all of which are organizationally placed within PLCU. The legislative appropriation is made to DSHS, not to the individual boards, programs, or unit.

Total fee revenue collected by PLCU programs in Fiscal Year 2010 was \$9,297,897 and total expenses of PLCU programs was \$5,030,589. Not all licensing fees collected by PLCU programs were appropriated to DSHS nor dedicated to the operation of PLCU. Most PLCU programs experience growth each year in the numbers of license holders; these increases are accompanied by greater demand for licensure services, including new and renewed license issuance, consumer complaint intake and processing, investigations, disciplinary action, and enforcement. In the 81st Legislature, 2009, an exceptional item request was approved for additional regulatory capacity at DSHS, but no additional resources were allocated to the Health Care Professionals strategy. However, DSHS has worked with the Legislative Budget Board to allocate some of the new funding to this strategy, which will help address the needs of the growing programs.

Appendix D - Health Professions Council  
Agencies Reports on Number of Persons  
Regulated by County\*

*To comply with Section 6, SB 1058 (81<sup>st</sup> Regular)*

\*Due to document size, provided as pdf on CD. Also available on Council Website ([www.hpc.state.tx.us](http://www.hpc.state.tx.us))

Board of Nursing

Measure	Totals FY'08	Totals FY'09	Totals FY'10	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Running FY 2011 Total
<b>Nursing Jurisprudence Exam</b>	<b>n/a</b>	<b>18,886</b>	<b>27,177</b>	<b>6,149</b>	<b>5,982</b>	<b>0</b>	<b>0</b>	<b>12,131</b>
Exam Not Completed		825	1,845	307	256	0	0	563
Percentage Not Completed		4.37%	6.79%	4.99%	4.28%	??	??	4.64%
Did Not Passed		485	1,602	566	562	0	0	1,128
Percentage Did Not Pass		2.57%	5.89%	9.20%	9.39%	??	??	9.30%
Exam Passed		17,576	23,730	5,276	5,164	0	0	10,440
Percentage Exam Passed		93.06%	87.32%	85.80%	86.33%	??	??	86.06%
<b>NJE - Breakdown by Applicant Group</b>								
<b>LVN-Candidate</b>		<b>4,627</b>	<b>7,266</b>	<b>1,646</b>	<b>1,597</b>	<b>0</b>	<b>0</b>	<b>3,243</b>
Exam Not Completed		282	835	105	93			198
Did Not Passed		177	723	209	226			435
Exam Passed		4,168	5,708	1,332	1,278			2,610
<b>LVN-Endorsement</b>		<b>938</b>	<b>1,384</b>	<b>433</b>	<b>355</b>	<b>0</b>	<b>0</b>	<b>788</b>
Exam Not Completed		57	94	25	17			42
Did Not Passed		90	193	96	92			188
Exam Passed		791	1,097	312	246			558
<b>RN-Candidate</b>		<b>8,104</b>	<b>10,929</b>	<b>2,137</b>	<b>2,360</b>	<b>0</b>	<b>0</b>	<b>4,497</b>
Exam Not Completed		265	569	80	68			148
Did Not Passed		35	250	85	74			159
Exam Passed		7,804	10,110	1,972	2,218			4,190
<b>RN-Endorsement</b>		<b>5,217</b>	<b>7,598</b>	<b>1,933</b>	<b>1,670</b>	<b>0</b>	<b>0</b>	<b>3,603</b>
Exam Not Completed		221	347	97	78			175
Did Not Passed		183	436	176	170			346
Exam Passed		4,813	6,815	1,660	1,422			3,082