Health Professions Council

Annual Report

To the

Governor
Lieutenant Governor
Speaker of the House of Representatives

February 1, 2018

Board of Nursing
Board of Pharmacy
Texas Medical Board
Office of the Governor
Texas Optometry Board
Board of Dental Examiners
Funeral Service 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
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 over 45 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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Framework

Members

For over twenty years, the Texas Health Professions Council (HPC) has provided a unique solution for the multiple challenges of state regulation of health professions. The State of Texas in 1993 created the Health Professions Council 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.

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. the Governor’s office.
15. the 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. Continuing in their leadership roles, the presiding officer (Chair) is Chris Kloeris, Executive Director from the Texas Optometry Board The assistant presiding officer (Vice-Chair) is Kelly Parker, Executive Director for the Texas State Board of Dental Examiners. Council officers serve two-year terms ending August 31 of odd numbered years.
STATUTORY REQUIREMENTS

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 agency had received 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. This cooperation has achieved the results of consolidation without the associated costs and upheaval.

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/FUNDING

The Health Professions Council employs a small staff (currently only 7 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. Agencies continue to offer written support for the Council in their individual Legislative Appropriations Requests.

Statutory language provides for the participating agencies to be collocated in the William P. Hobby Building at 333 Guadalupe St. to facilitate resource sharing. The remaining agencies are housed at the Department of State Health Services.
Economies of Scale

INFORMATION TECHNOLOGY SHARING

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, accounting and finance, 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.

Web Administrator Position: During the 83rd Regular Session the Legislature approved the funding for a Web Administrator. The position has been used as designed to update the web infrastructure, design and security for all of the participating agencies. The position was filled in September of 2013 and work began in earnest. The Council continues to see improvement in the agency websites both from a security and content standpoint. Agencies that have recently completed Sunset Reviews that included website updates have been prioritized to ensure compliance with the recent recommendations.

Gartner Security Project: In December of 2013 the Council agreed to participate in a program with the Department of Information Resources that provides a comprehensive analysis of the state of information technology security. The study provided the agencies with an in depth look at their current IT security, and provide best practices and any gap analysis the analysts discover. This service, using experts from Gartner Inc, would have been impossible from a cost standpoint if it were not for the agreement with DIR. The study was completed in the spring of 2014. The agencies met and determined that it would begin to implement the recommendations that had the highest impact and could fit within their current budget. The Council has been unsuccessful in securing an additional Full Time Equivalent to implement the remaining recommendations. The Council will request additional funding for the position in the next Legislative Session. Past success with the current ITSS framework that the Council takes their mission seriously by providing the most benefit at the lowest cost.
Shared Database System: The database system has been up and running since May 31, 2011 although work began in 2009. With any large scale system start up, the agencies participating in the Shared Solution experienced many challenges. The Council continues to work with the vendor to resolve issues that arise.

In Fiscal Year 2013 the agencies began the process of adding the Texas Funeral Service Commission to the database. That implementation is complete and the Texas Funeral Service Commission is online. This implementation another example of HPC responding to the changing environment of government regulation. Serving the needs of the State of Texas is at the core of our mission. The Council saw minimal interference with the agencies that are currently on the database system.

In Fiscal Year 2016 a complete update of the database software and infrastructure was completed. This upgrade added much needed improvements to various aspects of the system. First, the upgrade was completed in the cloud using Amazon Web Based Services. This allows for virtually no downtime related to system overloads, maintenance or other power outages. Further, it allows for a level of redundancy that had been steadily depreciated as various vendors took over the previous system in the state data center. Last, it allows the proprietors of the system to manage maintenance and repair and eliminates an additional level of bureaucracy that existed within the state datacenter. By having staff that are versed in the proprietary system, the Council will be able to manage any other agencies that need database services in the future.

Information Technology Sharing: The Council regularly studies the resources and needs of member agencies for Information Technology support. In light of the aforementioned Gartner Report, the Council has requested one additional Full Time Equivalent. 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. The Gartner Report further supported that assertion.

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, our own and one from the Texas Optometry Board to provide direct ongoing support services to twelve (12) of the smaller member agencies in the Hobby Building. The staff positions are funded through contributions from the agencies. This program has been operating since November 1, 2003.
For the Eighty Fourth Legislative Session (84th Reg), the Council requested additional funding for an additional Systems Support Analyst. The goal of this shared position is to address the recommendations of the Gartner Report. In today’s technological environment, infrastructure and websites are under constant attack. Therefore, being able to respond to those attacks are critical. Based on the Council’s success with the ITSS program, agencies are confident that their website upgrades will be a success. In December of 2017 the State Auditor’s Office began a thorough examination of the Information Technology Services the Council provides.

HUMAN RESOURCES 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 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. Until a time that the Council determines a need for a full time FTE to fulfill the position, the Council continues to provide various services. As Human Resources issues become more complex, the agencies will review the needs for HR professionals at the Council.

TRAINING 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 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. The training is part of the Council’s performance measures.
OTHER OPPORTUNITIES FOR SHARING

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.

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.
Regulatory Best Practices

AREAS OF SHARED INTEREST

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.

**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 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 80th Regular Session significant progress was made in this direction. Council staff is worked diligently with the HPRC and DIR to implement the provisions of the Minimum Data Set. After the planned Regulatory Database System becomes operational only one agency will rely significantly on DIR to retain MDS information.
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.
Responsiveness

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.

Toll Free Complaint Line

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 the public is referred to one of our boards or 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.

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 Department of Information Resources Occupational Licensing Steering Committee, and other workgroups and task forces. This approach allows member agencies to achieve representation and input into these processes.
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. Texas is growing rapidly, which indicates that the agencies will see increased workloads in the near future. Meeting the challenges of that increased workload is an opportunity the Council looks forward to in 2018.
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<thead>
<tr>
<th>Health Professions Council - Administrative Office Budget</th>
<th>FY 2017 Budgeted</th>
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<tr>
<td>Board of Chiropractic Examiners</td>
<td>$19,261</td>
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<td>Board of Dental Examiners</td>
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<td>Texas Medical Board</td>
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<td>Board of Nursing</td>
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<td>Executive Council of Occupational Therapy and Physical Therapy Examiners</td>
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<td>Texas Optometry Board</td>
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<td>Board of Pharmacy</td>
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<td>Board of Podiatric Medical Examiners</td>
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<td>Texas Department of State Health Services:</td>
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<td>Board of Examiners of Psychologists</td>
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<td>Board of Veterinary Medical Examiners</td>
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<td>Texas Funeral Service Commission</td>
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<td>Texas Board of Plumbing Examiners</td>
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<td>Texas Board of Land Surveying</td>
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<td>Office of Public Insurance Counsel</td>
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<td>TOTAL MEMBER AGENCY TRANSFERS</td>
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Health Professions Council
Reports on State to State Comparison of Licensee and Costs Per Licensee

1. Texas Costs compared with California Department of Consumer Affairs
2. Texas Costs compared with Florida Department of Health
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<table>
<thead>
<tr>
<th>Profession</th>
<th>TEXAS FY2017* Estimated</th>
<th>Number ** of Licensees</th>
<th>Cost per Licensee</th>
<th>Expenditures</th>
<th>Number of Licensees</th>
<th>Cost per Licensee</th>
<th>Expenditures Difference</th>
<th>Number of Licensees</th>
<th>Cost per Licensee</th>
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<tbody>
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<td>Chiropractic</td>
<td>$816,666</td>
<td>11,324</td>
<td>$72.12</td>
<td>$4,012,000</td>
<td>18,356</td>
<td>$218.57</td>
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<td>86,410</td>
<td>$49.00</td>
<td>$14,111,000</td>
<td>108,936</td>
<td>$129.53</td>
<td>$9,876,598</td>
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<td>139,412</td>
<td>$100.10</td>
<td>$65,012,000</td>
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<td>$51,056,609</td>
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<td>$265.51</td>
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<td>Nurse &amp; LVN</td>
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<td>414,935</td>
<td>$27.48</td>
<td>$54,506,000</td>
<td>558,123</td>
<td>$97.66</td>
<td>$43,104,644</td>
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<td>$102.28</td>
<td>$1,753,000</td>
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<td>$212.54</td>
<td>$1,277,513</td>
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<td>PT/OT (2)</td>
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<td>Veterinarians</td>
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<td><strong>Totals</strong></td>
<td><strong>$43,614,874</strong></td>
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<td><strong>$52.22</strong></td>
<td><strong>$177,084,000</strong></td>
<td><strong>1,090,769</strong></td>
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<td><strong>255,549</strong></td>
<td><strong>$110.13</strong></td>
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(1) For the purpose of comparison, the expenditures and number of licensees for California 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 California Physical and Occupational Therapy Boards are combined since they are combined in Texas.

* Source: This is an estimate of agency FY2016 expenditures from the agency's Operating Budget Section II.C.

** Source: Health Professions Council Annual Report, February 1, 2017

*** Source: 2017 California Department of Consumer Affairs Annual Report
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<table>
<thead>
<tr>
<th>Profession</th>
<th>TX FY2017* Estimated</th>
<th>TX Number ** of Licensees</th>
<th>TX Cost per Licensee</th>
<th>TX FY2017 Expenditures</th>
<th>TX Number of Licensees</th>
<th>TX Cost per Licensee</th>
<th>TX Expenditures Difference</th>
<th>TX Number of Licensees***</th>
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<th>Comparison of Florida to Texas</th>
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<td>$(5.30)</td>
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</tr>
<tr>
<td><strong>Totals</strong></td>
<td>$42,540,333</td>
<td>824,275</td>
<td>$51.61</td>
<td>$45,251,231</td>
<td>738,605</td>
<td>$61.27</td>
<td>$2,710,898</td>
<td>(85,670)</td>
<td>$9.66</td>
<td></td>
</tr>
</tbody>
</table>

(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 FY2016 expenditures from the agency's Operating Budget Section II.C.

** Source: Health Professions Council Annual Report, February 1, 2017

*** Source: Florida Department of Health Division of Medical Quality Assurance Annual Report and Long Range Plan Fiscal Year 2016-2017

**** Numbers in parentheses indicate how many additional licensees Texas has than Florida
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Appendix A – Health Professions Council
Disciplinary Data
# Total Number of Licensees & Registrants (As of August 31, 2017)

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doctors of Chiropractic – Active</td>
<td>5,538</td>
</tr>
<tr>
<td>Doctors of Chiropractic – Active, CE Deficiencies, Eligible to Renew</td>
<td>118</td>
</tr>
<tr>
<td>Doctors of Chiropractic – Suspended due to Discipline, Eligible to Renew</td>
<td>4</td>
</tr>
<tr>
<td>Doctors of Chiropractic – Probation due to Discipline, Eligible to Renew</td>
<td>15</td>
</tr>
<tr>
<td>Doctors of Chiropractic – Expired, Eligible to Renew</td>
<td>266</td>
</tr>
<tr>
<td>Doctors of Chiropractic – Inactive, Eligible to Renew</td>
<td>663</td>
</tr>
<tr>
<td>Chiropractic Radiologic Technologists – Active</td>
<td>69</td>
</tr>
<tr>
<td>Chiropractic Radiologic Technologists – Expired, Eligible to Renew</td>
<td>36</td>
</tr>
<tr>
<td>Chiropractic Clinics (Facilities) – Active Registration</td>
<td>4,225</td>
</tr>
<tr>
<td>Chiropractic Clinics (Facilities) – Expired, Eligible to Renew</td>
<td>390</td>
</tr>
</tbody>
</table>

# Number of New Licenses or Registrations Issued

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doctors of Chiropractic</td>
<td>301</td>
</tr>
<tr>
<td>Chiropractic Radiologic Technologists</td>
<td>24</td>
</tr>
<tr>
<td>Chiropractic Clinics (Facilities)</td>
<td>420</td>
</tr>
</tbody>
</table>

# Numbers of Licenses or Registrations Renewed

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doctors of Chiropractic – Active Renew</td>
<td>5,543</td>
</tr>
<tr>
<td>Doctors of Chiropractic – Inactive Renew</td>
<td>692</td>
</tr>
<tr>
<td>Doctors of Chiropractic – Suspension Renew</td>
<td>1</td>
</tr>
<tr>
<td>Chiropractic Radiologic Technologists (Rad Techs)</td>
<td>61</td>
</tr>
<tr>
<td>Chiropractic Clinics (Facilities)</td>
<td>3,104</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of Active DC's Renewing Licenses Online</td>
<td>84%</td>
</tr>
</tbody>
</table>

# Jurisdictional Complaints Received or Re-Opened

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Complaints Received</td>
<td>502</td>
</tr>
<tr>
<td>Less: Number of Non-Jurisdictional Complaints</td>
<td>9</td>
</tr>
</tbody>
</table>

# Jurisdictional Complaints Resolved

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Jurisdictional Complaints Resolved with Disciplinary Action</td>
<td>20.27%</td>
</tr>
<tr>
<td>Average Time to Resolve a Jurisdictional Complaint</td>
<td>120.8 Days</td>
</tr>
</tbody>
</table>

# Jurisdictional Complaints Resulting in Disciplinary Action

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licenses Revoked or Surrendered in Lieu of Revocation</td>
<td>7</td>
</tr>
<tr>
<td>Licenses Suspended, No Probation</td>
<td>1</td>
</tr>
<tr>
<td>Licenses Suspended, Probation</td>
<td>3</td>
</tr>
<tr>
<td>Licenses Suspended, Probation Plus Fine/Stipulations</td>
<td>7</td>
</tr>
<tr>
<td>Cease &amp; Desist Orders Issued</td>
<td>40</td>
</tr>
<tr>
<td>Fine Plus Stipulations</td>
<td>14</td>
</tr>
<tr>
<td>Fine Only</td>
<td>13</td>
</tr>
<tr>
<td>Formal Letter of Reprimand Plus Fine/Stipulation</td>
<td>3</td>
</tr>
<tr>
<td>Formal Letter of Reprimand Only</td>
<td>2</td>
</tr>
<tr>
<td>Stipulations</td>
<td>0</td>
</tr>
<tr>
<td>Additional CE Requirements</td>
<td>13</td>
</tr>
</tbody>
</table>

# Types of Complaints Received in FY17

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of Diligence or Gross Inefficient Practice</td>
<td>34</td>
</tr>
<tr>
<td>Complaint Category</td>
<td>Count</td>
</tr>
<tr>
<td>--------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Unprofessional Conduct (Fraud, Sexual Misconduct, Billing for Services Not Rendered, Solicitation, Over-Treating/Over-Charging, Patient Abandonment)</td>
<td>39</td>
</tr>
<tr>
<td>Practicing Outside Scope of Practice</td>
<td>11</td>
</tr>
<tr>
<td>Advertising</td>
<td>21</td>
</tr>
<tr>
<td>Criminal Conviction</td>
<td>2</td>
</tr>
<tr>
<td>Practicing Chiropractic without a License or with an Expired License OR Operating a Facility without a Registration or with an Expired Registration</td>
<td>317</td>
</tr>
<tr>
<td>Failure to Comply with a Board Order</td>
<td>5</td>
</tr>
<tr>
<td>Failure to Report Change of Address</td>
<td>0</td>
</tr>
<tr>
<td>Failure to Furnish Records or Maintain Adequate Records</td>
<td>19</td>
</tr>
<tr>
<td>Default on Student Loan</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>27</td>
</tr>
</tbody>
</table>

**Note:** Some complaints allege a combination of the above categories. For accounting purposes, each complaint is only counted once above.
Texas State Board of Dental Examiners  
Health Professions Council Member  
FY 2017 Annual Submission of Complaint Information

1). Total Number Regulated by Agency: 112,299
   - Dentists (1): 17,972
   - Dental Hygienists (2): 14,094
   - Dental Assistants (3): 65,238
   - Dental Laboratories and Mobile Facilities: 901

2). Total Who Became Subject to Regulation in Previous Year: 1,837
   - Dentists: 1,058
   - Dental Hygienists: 779

3.) Total Number of Complaints Received by Category (5): 1,175
   - Failure to Meet Standard of Care 530
   - Fraud 7
   - Dishonorable Conduct 210
   - Business Promotion 8
   - Over-diagnosis 6
   - Patient Hospitalization 105
   - Failure to Abide by Rules 11
   - Practice Dentistry Without a License 39
   - Abandonment 10
   - Sanitation 15
   - Allow Auxiliary to Practice Dentistry 10
   - Drug Diversion 3
   - Impairment 5
   - Failure to Comply with Board Order 7
   - Patient Mortality 15
   - Narcotics 2
   - Operating a Lab Without a License 2
   - Other 49
   - Administration 26
   - Professional Conduct 20
   - Anesthesia 8
   - Self Report 87

5.) Total Fees Collected by Agency: $11,814,143
   - Health Related Profession Fees 8,523,540
   - Peer Assistance Program Fees 148,385
   - Health Related Profession Fees-HB11, GR Incr 300
   - Administrative Penalties 1,000
   - Administrative Services Fees 42,893

6.) Agency Expenses: $4,203,605
   - Salaries and Wages 2,627,136
   - Other Personnel Costs 858,007
   - Professional Fees and Services 364,530
   - Fuels and Lubricants 0
   - Consumable Supplies 25,262
   - Utilities 32,007
Travel 93,220
Rent - Building 346
Rent - Machine and Other 12,443
Other Operating Expenses 733,967
Capital Expenditures

7.) Unfunded Agency Needs:
N/A.

(1) Total Dentists includes Dentists and Faculty Dentists.
(2) Total Dental Hygienists includes Dental Hygienists and Faculty Dental Hygienists.
(3) Total Dental Assistants includes Dental Assistants, CP Dental Assistants, NO Dental Assistants, and Sealant Dental Assistants. Dental Assistants who hold two or more certificates are counted more than once (per each certificate held).
(4) Total Number Regulated by Agency includes out-of-state figures.
(5) Some complaints have more than one allegation of the same and/or different type.

Note: Numbers may differ slightly from those contained in previous reports or other publications as a result of recent efforts to improve the accuracy of TSBDE data.
Texas Funeral Service Commission  
Health Professions Council Member  
FY 2017 Annual Submission of Complaint Information

Number of individuals regulated by the agency 4,924  
Number of facilities regulated by the agency 1,545  
Number of new individual licenses 384  
Number of new facility licenses 85

**Jurisdictional complaints received, by classification**

<table>
<thead>
<tr>
<th>Classification</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cemetery Issues</td>
<td>3</td>
</tr>
<tr>
<td>Crematory Issues</td>
<td>2</td>
</tr>
<tr>
<td>Licensing Issues</td>
<td>8</td>
</tr>
<tr>
<td>Service Issues</td>
<td>96</td>
</tr>
<tr>
<td>Vital Statistics</td>
<td>5</td>
</tr>
<tr>
<td>Inspection</td>
<td>30</td>
</tr>
<tr>
<td>Health &amp; Safety Code 361</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>147</strong></td>
</tr>
</tbody>
</table>

**Non-jurisdictional complaints referred to another agency (TDI, TDB)**

29

**Jurisdictional complaints resolved, by resolution type**

<table>
<thead>
<tr>
<th>Resolution Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administratively Closed – No Violation</td>
<td>106</td>
</tr>
<tr>
<td>Administrative Penalty</td>
<td>11</td>
</tr>
<tr>
<td>Agreed Order – Probation</td>
<td>0</td>
</tr>
<tr>
<td>Agreed Order – Payment Plan</td>
<td>10</td>
</tr>
<tr>
<td>Agreed Order – Warning Letter</td>
<td>7</td>
</tr>
<tr>
<td>Compliance Served</td>
<td>1</td>
</tr>
<tr>
<td>Dismissed</td>
<td>4</td>
</tr>
<tr>
<td>Revocation of License</td>
<td>0</td>
</tr>
<tr>
<td>Suspended (Cease &amp; Desist)</td>
<td>0</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>1</td>
</tr>
<tr>
<td>SOAH – Commission Agreed Order</td>
<td>0</td>
</tr>
<tr>
<td>SOAH – Commission Administrative Penalty</td>
<td>2</td>
</tr>
<tr>
<td>SOAH – Commission Order Other</td>
<td>1</td>
</tr>
<tr>
<td>SOAH – Commission Order to Dismiss</td>
<td>0</td>
</tr>
<tr>
<td>SOAH – Commission Order to Revoke</td>
<td>0</td>
</tr>
<tr>
<td>SOAH – Miscellaneous Closure by Agency</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>143</strong></td>
</tr>
</tbody>
</table>

**Non-jurisdictional complaints referred to another agency (TDI, TDB)**

29
Fees collected by the agency for FY 2017

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional Fees</td>
<td>1,670,863</td>
</tr>
<tr>
<td>Administrative Penalties</td>
<td>22,066</td>
</tr>
<tr>
<td>eStrategy Testing Fees</td>
<td>13,091</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,706,020</strong></td>
</tr>
</tbody>
</table>

Expenses of the agency for FY 2017

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries &amp; Wages</td>
<td>541,211</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>65,640</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>33,463</td>
</tr>
<tr>
<td>Consumables</td>
<td>4,438</td>
</tr>
<tr>
<td>Utilities</td>
<td>1,940</td>
</tr>
<tr>
<td>Travel</td>
<td>37,915</td>
</tr>
<tr>
<td>Rent – Building</td>
<td>384</td>
</tr>
<tr>
<td>Rent – Machine and Other</td>
<td>2,844</td>
</tr>
<tr>
<td>Other Operating Expenses</td>
<td>138,350</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$826,185</strong></td>
</tr>
</tbody>
</table>

Statutory Authority: Texas Occupations Code Chapter 651
1. Total number of licensees: 139,412
   - Physicians: 81,253
   - Acupuncturists: 1,260
   - Physician Assistant: 8,556
   - Surgical Assistant: 469
   - Allied Health Professionals: 47,874

2. Total number of new licenses issued: 9,812
   - Physicians: 4,719
   - Acupuncturists: 71
   - Physician Assistant: 699
   - Surgical Assistant: 43
   - Allied Health Professionals: 4,280

3. Total number of renewal licenses issued: 69,270
   - Physicians: 41,562
   - Acupuncturists: 1,225
   - Physician Assistant: 241
   - Allied Health Professionals: 17,684

4. Total number of complaints received: 8,114

5. Total number of investigations opened: 2,055
   - Physicians: 1,519
   - Acupuncturists: 7
   - Physician Assistant: 91
   - Surgical Assistants: 1
   - Allied Health Professionals: 404
   - Other: 33

6. Total number of investigations completed: 1,816
   - Physicians: 1,606
   - Acupuncturists: 8
   - Physician Assistant: 89
   - Surgical Assistant: 4
   - Allied Health Professionals: 92
   - Other: 17

7. Total number and types of board-approved disciplinary actions taken: 338

<table>
<thead>
<tr>
<th>2017</th>
<th>Physician</th>
<th>Acupuncturists</th>
<th>Physician Assist.</th>
<th>Surgical Assist.</th>
<th>AHPs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Temporary Suspension &amp; Restriction</td>
<td>19</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Revocation/Surrender</td>
<td>39</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Suspension</td>
<td>22</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Restriction</td>
<td>139</td>
<td>1</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Reprimand</td>
<td>27</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Administrative Penalty</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Cease and Desist</td>
<td>28</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Licensed with Conditions</td>
<td>9</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Licensed Denied following SOAH Hearing</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Total number of disciplinary actions</td>
<td>286</td>
<td>2</td>
<td>15</td>
<td>1</td>
</tr>
</tbody>
</table>

8. Total number and types of remedial plans: 255

<table>
<thead>
<tr>
<th>2017</th>
<th>Physician</th>
<th>Acupuncturists</th>
<th>Physician Assist.</th>
<th>Surgical Assist.</th>
<th>AHPs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Remedial Plans</td>
<td>179</td>
<td>2</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>Licensure Remedial Plans</td>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td>----</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Remedial Plans</td>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Statutory Authority:** Physicians-Texas Occ. Code, Chapter 164; Physicians Assistants-Texas Occ. Code, Chapter 204; Acupuncturists-Texas Occ. Code, Chapter 205; Allied Health Professionals; SB202 license types (Perfusionists-Texas Occ. Code, Chapter 603, Medical Physicists-Texas Occ. Code, Chapter 602, Medical Radiologic Technologists-Texas Occ. Code, Chapter 601 and Respiratory Care Practitioners-Texas Occ. Code, Chapter 604) transferred during FY 2016.
Under the requirements of SB 104 (78R), TMB is required to submit a report each fiscal year that “provides aggregate information about all complaints received by the board categorized by type of complaint, including administrative, quality of care, medical error, substance abuse, other criminal behavior, and the disposition of those complaints by category.” (VTCA, OCCUPATIONS CODE §154.002). This report includes all complaints that were conducted under the provisions of SB 104 for licensed physicians and have been resolved from 9/1/16 through 8/31/17.

In preparing this report, the Board identified eight categories of complaints (including the five listed above) and their final dispositions. Within each of the eight complaint categories is a list of the associated violations (as provided by the Medical Practice Act) that fall within that category. This report includes only the primary allegation for each complaint at the time of the board action concerning the complaint, and does not include secondary allegations of violations that may be associated with a complaint. For dismissed cases, this is determined by the primary allegation at the time the investigation was filed. For cases with action, this is determined by the primary violation identified as the reason for the action.

### Complaint Categories with Associated Violations of the Medical Practice Act

<table>
<thead>
<tr>
<th>1. Administrative</th>
<th>2. Violation of Law/Criminal Behavior</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to release medical records</td>
<td>Unlicensed practice of medicine</td>
</tr>
<tr>
<td>Failure to report liability claims to the board</td>
<td>Operating an unlicensed pharmacy</td>
</tr>
<tr>
<td>Commits a rule violation-general</td>
<td>Conviction of felony or misdemeanor of moral turpitude</td>
</tr>
<tr>
<td>Fails to change address with the board</td>
<td>Performing a criminal abortion</td>
</tr>
<tr>
<td>CME</td>
<td>Violation of state or federal law connected</td>
</tr>
<tr>
<td>Failure to keep drug records</td>
<td>with physician’s practice</td>
</tr>
<tr>
<td></td>
<td>Failure to sign a death certificate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Medical Error-</th>
<th>4. Mental/Physical Impairment-</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Errors</td>
<td>Illness</td>
</tr>
<tr>
<td></td>
<td>Mental Impairment</td>
</tr>
<tr>
<td></td>
<td>Physical Impairment</td>
</tr>
<tr>
<td></td>
<td>Adjudged to be of unsound mind</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. Quality of Care</th>
<th>6. Disciplinary action by peers, another state, or military</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fails to keep proper medical records</td>
<td>Peer Review</td>
</tr>
<tr>
<td>Violates Rule 170-pain management rule</td>
<td>Discipline by another state</td>
</tr>
<tr>
<td>Improper Delegation</td>
<td>Discipline by the military</td>
</tr>
<tr>
<td>Failure to supervise delegates</td>
<td></td>
</tr>
<tr>
<td>Delegation to an unqualified person</td>
<td></td>
</tr>
<tr>
<td>Practice inconsistent w/public health &amp; welfare</td>
<td></td>
</tr>
<tr>
<td>Recurring health care liability claims</td>
<td></td>
</tr>
<tr>
<td>Prescribing to a habitual user</td>
<td></td>
</tr>
<tr>
<td>Non-therapeutic prescribing or treatment</td>
<td></td>
</tr>
<tr>
<td>Prescribing in a manner inconsistent with public health and welfare</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. Substance Abuse</th>
<th>8. Unprofessional Conduct-</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Disposition of Complaints by Category

<table>
<thead>
<tr>
<th>Substance Abuse, incl. drunkenness and drug abuse</th>
<th>False, misleading or deceptive advertisement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to provide explanation of fees</td>
<td></td>
</tr>
<tr>
<td>Solicitation of patients</td>
<td></td>
</tr>
<tr>
<td>False or fraudulent billing</td>
<td></td>
</tr>
<tr>
<td>Breach of confidentiality</td>
<td></td>
</tr>
<tr>
<td>Failure to report a physician who poses a threat to the public</td>
<td></td>
</tr>
<tr>
<td>Failure to comply with a board subpoena</td>
<td></td>
</tr>
<tr>
<td>Fraud on application, taking a licensure exam, etc.</td>
<td></td>
</tr>
<tr>
<td>Impersonating a physician or physician allowing impersonation</td>
<td></td>
</tr>
<tr>
<td>Employing a person whose medical license is cancelled, suspended or revoked</td>
<td></td>
</tr>
<tr>
<td>Associating in medical practice with a person whose medical license is cancelled, suspended or revoked OR who is unlicensed</td>
<td></td>
</tr>
<tr>
<td>Aiding or abetting in the unlicensed practice of medicine</td>
<td></td>
</tr>
<tr>
<td>Performs an abortion on a minor without parental consent</td>
<td></td>
</tr>
<tr>
<td>Abusive Behavior</td>
<td></td>
</tr>
<tr>
<td>Violation of a Board order</td>
<td></td>
</tr>
<tr>
<td>Failure to communicate with a patient</td>
<td></td>
</tr>
<tr>
<td>Non-sexual boundary violation</td>
<td></td>
</tr>
<tr>
<td>Sexual boundary violation</td>
<td></td>
</tr>
<tr>
<td>Writing false or fictitious prescriptions</td>
<td></td>
</tr>
<tr>
<td>Drumming patients</td>
<td></td>
</tr>
<tr>
<td>Failure to pay student loans</td>
<td></td>
</tr>
</tbody>
</table>

The following table shows the total number of complaints resolved in each category and the type of disposition for each complaint: resolved with disciplinary action against physician (license revocation/surrender, license suspension, license restriction, reprimand or administrative penalty); resolved with a cease and desist order; resolved with physician entering into a remedial plan; resolved with a referral to PHP; or dismissed. A grand total of 1,508 complaints that were opened under SB104 requirements were resolved in FY ‘17.

<table>
<thead>
<tr>
<th>1. Administrative</th>
<th>2. Violation of Law/Criminal Behavior</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disciplinary Actions:</td>
<td>Disciplinary Actions:</td>
</tr>
<tr>
<td>Revocation/Voluntary Surrender</td>
<td>2</td>
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<tr>
<td>Restriction/Terms and Cond.</td>
<td>1</td>
</tr>
<tr>
<td>Administrative Penalty</td>
<td>1</td>
</tr>
<tr>
<td>Remedial Plans:</td>
<td>45</td>
</tr>
<tr>
<td>Total Actions:</td>
<td>48</td>
</tr>
<tr>
<td>---------------</td>
<td>----</td>
</tr>
<tr>
<td>Total Dismissed:</td>
<td>23</td>
</tr>
<tr>
<td>Total Complaints Resolved:</td>
<td>71</td>
</tr>
</tbody>
</table>

3. Medical Error  
Disciplinary Actions:  
Restriction/Terms and Cond. | 1 | Revocation/Voluntary Surrender | 5 |
| Restriction/Terms and Cond. | 4 |

Remedial Plans: | 3 |  
Referral to PHP | 10 |

<table>
<thead>
<tr>
<th>Total Actions:</th>
<th>4</th>
<th>Total Actions:</th>
<th>19</th>
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</thead>
<tbody>
<tr>
<td>Total Dismissed:</td>
<td>10</td>
<td>Total Dismissed:</td>
<td>13</td>
</tr>
<tr>
<td>Total Complaints Resolved:</td>
<td>14</td>
<td>Total Complaints Resolved:</td>
<td>32</td>
</tr>
</tbody>
</table>

5. Quality of Care  
Disciplinary Actions:  
Revocation/Voluntary Surrender | 4 | Revocation/Voluntary Surrender | 5 |
| Suspension | 1 |
| Restriction/Terms and Cond. | 60 | Restriction/Terms and Cond. | 12 |
| Reprimand | 11 | Reprimand | 8 |
| Remedial Plans: | 51 |

<table>
<thead>
<tr>
<th>Total Actions:</th>
<th>126</th>
<th>Total Actions:</th>
<th>30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Dismissed:</td>
<td>625</td>
<td>Total Dismissed:</td>
<td>24</td>
</tr>
<tr>
<td>Total Complaints Resolved:</td>
<td>751</td>
<td>Total Complaints Resolved:</td>
<td>54</td>
</tr>
</tbody>
</table>

7. Substance Abuse  
Disciplinary Actions:  
Revocation/Voluntary Surrender | 2 | Revocation/Voluntary Surrender | 17 |
| Suspension | 1 | Suspension | 7 |
| Restriction/Terms and Cond. | 8 | Restriction/Terms and Cond. | 24 |
| Reprimand | 10 |
| Referral to PHP | 9 |

<table>
<thead>
<tr>
<th>Total Actions:</th>
<th>20</th>
<th>Total Actions:</th>
<th>79</th>
</tr>
</thead>
</table>

8. Unprofessional Conduct  
Disciplinary Actions:  
Revocation/Voluntary Surrender | 17 |
| Suspension | 7 |
| Restriction/Terms and Cond. | 24 |
| Reprimand | 10 |
| Remedial Plans: | 21 |
Texas Medical Board  
Health Professions Council Member  
FY 2017 Annual Submission of Complaint Information

<table>
<thead>
<tr>
<th></th>
<th>FY 2017</th>
<th>Total Dismissed: 343</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Dismissed:</strong></td>
<td>15</td>
<td></td>
</tr>
<tr>
<td><strong>Total Complaints Resolved:</strong></td>
<td>35</td>
<td>422</td>
</tr>
</tbody>
</table>
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Board of Nursing – RN Statistics (FY 2017)

1. Total number of licensees: 310,509
2. Total number of new licenses issued: 22,589
3. Total number of renewal licenses issued: 143,097
4. Total number of complaints received: 8,720
5. Total number of jurisdictional complaints received: 8,146
6. Total number of jurisdictional complaints resolved: 9,764
7. Avg. length of time required for jurisdictional complaint resolution: 84 days
8. Total number of disciplinary sanctions imposed: 1,337

Limited Licenses 19
Remedial Education 51
Remedial Education - Deferred 10
Reprimand 1
Reprimand with Stipulations 103
Revocation 134
Stipulations (Other) 4
Suspend (Enforced) 33
Suspend/Probate 106
Voluntary Surrender 101
Warning 4
Warning with Stipulations - Deferred 5
Warning with Stipulations 253
Warning with Stipulations - KSTAR 26
Warning with Stipulations - Deferred KSTAR 5
Reinstated with Stipulations 39
Deny Reinstatement 6
Enforced Suspension - TPAPN 30
Fine and Remedial Education 29
Petitioner for Licensure - Denied by Executive Director 14
Petitioner for Licensure - Denied 1
Petitioner for Licensure - Enforced Suspension -TPAPN 6
Petitioner for Licensure - Fine and Remedial Education 21
Petitioner for Licensure - Stipulations 128
Petitioner for Licensure - Confidential TPAPN Order 19
Petitioner for Licensure - Remedial Education 119
Petitioner for Licensure - TPAPN Order 9
Confidential TPAPN Order 33
TPAPN Order 28

Statutory Authority: Texas Occupations Code, Chapters 301, 303 and 304.
### Board of Nursing – LVN Statistics (FY 2017)

1. Total number of licensees: 104,426
2. Total number of new licenses issued: 5,785
3. Total number of renewal licenses issued: 49,297
4. Total number of complaints received: 4,162
5. Total number of jurisdictional complaints received: 4,102
6. Total number of jurisdictional complaints resolved: 4,713
7. Avg. length of time required for jurisdictional complaint resolution: 104 days
8. Total number of disciplinary sanctions imposed: 997

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reprimand</td>
<td>2</td>
</tr>
<tr>
<td>Fine and Remedial Education</td>
<td>23</td>
</tr>
<tr>
<td>Voluntary Surrender</td>
<td>79</td>
</tr>
<tr>
<td>Limited License</td>
<td>7</td>
</tr>
<tr>
<td>Remedial Education</td>
<td>43</td>
</tr>
<tr>
<td>Remedial Education - Deferred</td>
<td>6</td>
</tr>
<tr>
<td>Reprimand with Stipulations</td>
<td>95</td>
</tr>
<tr>
<td>Revocation</td>
<td>172</td>
</tr>
<tr>
<td>Suspend/Probate</td>
<td>94</td>
</tr>
<tr>
<td>Stipulations (Other)</td>
<td>2</td>
</tr>
<tr>
<td>Suspend (Enforced)</td>
<td>26</td>
</tr>
<tr>
<td>Deny Reinstatement</td>
<td>10</td>
</tr>
<tr>
<td>Warning</td>
<td>6</td>
</tr>
<tr>
<td>Warning with Stipulations</td>
<td>228</td>
</tr>
<tr>
<td>Warning with Stipulations - Deferred</td>
<td>7</td>
</tr>
<tr>
<td>Warning with Stipulations - KSTAR</td>
<td>8</td>
</tr>
<tr>
<td>Warning with Stipulations - Deferred KSTAR</td>
<td>2</td>
</tr>
<tr>
<td>Reinstated with Stipulations</td>
<td>49</td>
</tr>
<tr>
<td>Enforced Suspension - TPAPN</td>
<td>12</td>
</tr>
<tr>
<td>Petitioner for licensure - Denied by Executive Director</td>
<td>1</td>
</tr>
<tr>
<td>Petitioner for licensure - Fine and Remedial Education</td>
<td>16</td>
</tr>
<tr>
<td>Petitioner for licensure - Stipulations</td>
<td>37</td>
</tr>
<tr>
<td>Petitioner for licensure - Confidential TPAPN Order</td>
<td>7</td>
</tr>
<tr>
<td>Petitioner for licensure - Remedial Education</td>
<td>36</td>
</tr>
<tr>
<td>Petitioner for licensure - TPAPN Order</td>
<td>3</td>
</tr>
<tr>
<td>Confidential TPAPN Order</td>
<td>15</td>
</tr>
<tr>
<td>Reinstatement with TPAPN</td>
<td>1</td>
</tr>
<tr>
<td>TPAPN Order</td>
<td>10</td>
</tr>
</tbody>
</table>

Statutory Authority: Texas Occupations Code, Chapters 301, 303 and 304.
Texas State Board of Occupational Therapy Examiners
Health Professions Council Member
FY 2017 Annual Submission of Complaint Information

1. Total number of licensees: 15,604
2. Total number of new licenses issued: 1,363
3. Total number of renewal licenses issued: 6,381
4. Total number of complaints received: 241
5. Total number of jurisdictional complaints received: 241
6. Total number of jurisdictional complaints resolved: 268
7. Average length of time required for jurisdictional complaint resolution: 108 Days
8. Total number and types of board-approved disciplinary actions taken: 32
   - Cease and Desist: 0
   - Community Service: 12
   - Suspension: 18
   - Surrender/Revocation: 2
9. Complaint Types Occupational Therapy:
   - Criminal history/drug history: 87
   - Practiced w/ expired license: 5
   - Fraudulent billing/documentation: 31
   - Practiced in an unregistered facility: 5
   - Patient injury/neglect/abandonment: 14
   - Failed CE audit/Late Renewal: 84
   - Disciplinary action taken by another jurisdiction: 3
   - Practicing beyond the scope of Licensure: 3
   - Practiced without a valid license: 3
   - Failure to Properly Supervise: 3
   - HIPAA Violation: 5

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

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

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

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(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
Health Professions Council Member
FY 2017 Annual Submission of Complaint Information
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1. Total number of licensees: 4,649
2. Total number of new licenses issued: 228
3. Total number of renewal licenses issued: 4,480
4. Total number of complaints received: 133
5. Total number of jurisdictional complaints received: 114
   - Violation Act or Rules: 68
   - Standard of care: 19
   - Criminal charges: 19
   - Fraud: 3
   - Professional misconduct: 1
   - Advertising: 1
   - Prescription Violation: 1
   - Expired License/Unlicensed: 2
6. Total number of jurisdictional complaints resolved: 116
7. Average length of time required for jurisdictional complaint resolution: 142.31 days
8. Total number and types of board-approved disciplinary actions taken: 17
   - Probation Revocation: 1
   - License Suspended (probated): 1
   - Letter Agreement: 1
   - Administrative Penalty: 13
   - Cease and Desist: 1

Unfunded Needs Of The Agency:
The agency submitted exception items in the Legislative Appropriations Request for the agency and the Health Professions Council. At this time the agency is examining the costs associated with the increasing reliance on information technology and the costs associated, including security, hardware and software updates, and disaster recovery.
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1. Total number of licensees: 112,521
   Pharmacists: 34,642
   Pharmacies: 8,084
   Pharmacy Technicians: 42,918
   Pharmacy Technician trainees: 22,868
   Pharmacy Interns: 4,009

2. Total number of new licenses issued: 20,081
   Pharmacists: 2,151
   Pharmacies: 549
   Pharmacy Technicians: 4,785
   Pharmacy Technician trainees: 12,596

3. Total number of renewal licenses issued: 37,529
   Pharmacists: 17,623
   Pharmacies: 3,493
   Pharmacy Technicians: 16,413

4. Total number of complaints received: 6,398

5. Total number of jurisdictional complaints received: 6,356

6. Total number of jurisdictional complaints resolved: 5,897

7. Average length of time required for jurisdictional complaint resolution: 153 days

8. Total number of disciplinary orders entered: 525
   Revocation 67
   Retire 05
   Suspension 62
   Probation 86
   Fine 204
   Reprimand 72
   Restriction 04
   Modification 19
   Reinstatement 06
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1. Total number of licensees: 27,703
2. Total number of new licenses issued: 2,471
3. Total number of renewal licenses issued: 6,268
4. Total number of complaints received: 450
5. Total number of jurisdictional complaints received: 450
6. Total number of jurisdictional complaints resolved: 409
7. Average length of time required for jurisdictional complaint resolution: 110 days
8. Total number and types of board-approved disciplinary actions taken: 36
   Community Service: 18
   Suspension: 18
9. Complaint Types Physical Therapy:
   - Criminal history/drug history: 153
   - Failed CE audit: 140
   - Fraudulent ad for “Physical Therapy”: 15
   - Patient injury/neglect/abandonment: 22
   - Practiced w/ expired license: 50
   - Fraudulent billing/documentation: 153
   - Practiced in an unregistered facility: 140
   - Disciplinary action taken by another jurisdiction: 15
   - Practice beyond the scope of licensure: 22
   - Failure to Properly Supervise Subordinates: 50
   - Malpractice/HIPPA: 1
   - Inappropriate Sexual Contact with Patient: 5

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.
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Texas State Board of Examiners of Psychologists
Health Professions Council Member
FY 2017 Annual Submission of Complaint Information

Number of individuals regulated by the agency  8,429
Number of licenses regulated by the agency    9,598
Number of new licenses            708

Jurisdictional complaints received, by classification

Administrative Violations  12
General Forensic          10
General Therapy          36
Sexual Misconduct        12
Child Custody            17
School Psychology         7
C.E. Violations          29
Cease/Desist             0
Miscellaneous             4

Total          127

Jurisdictional complaints resolved, by resolution type

Dismiss – No Violation  53
Disciplinary Action    14
Resigned in Lieu of Adjudication  2
Dismiss – C.E. Complaint    79
Resigned in Lieu of Adjudication – C. E.  2
Dismiss – Cease/ Desist Order  2
Dismiss – C. E. Fine        11
Applicant Eligibility Order  2
Revoked                    1
Dismiss with Letter        1

Total          167
Texas State Board of Examiners of Psychologists
Health Professions Council Member
FY 2017 Annual Submission of Complaint Information

Fees collected by the agency for FY 2017

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Professional Fees</td>
<td>$1,663,034</td>
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<tr>
<td>Administrative Penalties</td>
<td>11,050</td>
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<tr>
<td>eStrategy Testing Fees</td>
<td>21,760</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$1,695,844</strong></td>
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Expenses of the agency for FY 2017

<table>
<thead>
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<th>Expense</th>
<th>Amount</th>
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<td>Salaries and Wages</td>
<td>$593,571</td>
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<tr>
<td>Other Personnel Costs</td>
<td>72,823</td>
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<tr>
<td>Professional Fees and Services</td>
<td>48,032</td>
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<tr>
<td>Consumables</td>
<td>6,296</td>
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<tr>
<td>Utilities</td>
<td>1,197</td>
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<tr>
<td>Travel</td>
<td>25,338</td>
</tr>
<tr>
<td>Rent – Building</td>
<td>2,610</td>
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<tr>
<td>Rent – Machine and Other</td>
<td>4,760</td>
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<td>Other Operating Expenses</td>
<td>180,016</td>
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<td><strong>Total</strong></td>
<td><strong>$934,643</strong></td>
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<td>Description</td>
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<tr>
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</tr>
<tr>
<td>1</td>
<td>Total number of licensees(^1):</td>
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<tr>
<td>2</td>
<td>Total number of new licenses issued(^1):</td>
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<td>3</td>
<td>Total number of complaints received:</td>
</tr>
<tr>
<td>4</td>
<td>Total number of jurisdictional complaints received:</td>
</tr>
<tr>
<td>5</td>
<td>Total number of non-jurisdictional complaints received:</td>
</tr>
<tr>
<td>6</td>
<td>Total number of jurisdictional complaints resolved:</td>
</tr>
<tr>
<td>7</td>
<td>Average length of time required for complaint resolution:</td>
</tr>
<tr>
<td>8</td>
<td>Total number of on-site compliance inspections:</td>
</tr>
<tr>
<td>9</td>
<td>Total number of by mail compliance inspections(^2):</td>
</tr>
<tr>
<td>10</td>
<td>Total number and types of board-approved disciplinary actions taken:</td>
</tr>
<tr>
<td>11</td>
<td>Annual agency budget:</td>
</tr>
</tbody>
</table>

Statutory Authority: Occupation Code, Chapter 801

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\(^1\) As of end of Fiscal Year 2017 (08-31-2017). Includes provisional licenses. Does not include temporary emergency licenses issued for Hurricane Harvey relief efforts.

\(^2\) The agency no longer conducts compliance inspections by mail.
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Advisory Board of Athletic Trainers (transferred to TDLR on 10/01/2016)
Chemical Dependency Counselor Licensing Program
Code Enforcement Officer Registration Program (transferred to TDLR 11/01/2017)
Council on Sex Offender Treatment
Texas State Board of Examiners of Dietitians (transferred to TDLR on 10/01/2016)
Dyslexia Therapists and Practitioners (transferred to TDLR on 10/01/2016)
State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments (transferred to TDLR on 10/01/2016)
Texas State Board of Examiners of Marriage and Family Therapists
Massage Therapy Licensing Program (transferred to TDLR 11/01/2017)
Texas Midwifery Board (transferred to TDLR on 10/01/2016)
Offender Education Program (transferred to TDLR 11/01/2017)
Texas Board of Orthotics and Prosthetics (transferred to TDLR on 10/01/2016)
Texas State Board of Examiners of Professional Counselors
Sanitarian Registration Program (transferred to TDLR 11/01/2017)
Texas State Board of Social Worker Examiners
State Board of Examiners for Speech-Language Pathology and Audiology (transferred to TDLR on 10/01/2016)

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 9 regulatory programs and consists of:

• 4 governor-appointed licensing boards, each with independent rulemaking and enforcement authority;
• 5 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 2016 was $8,733,412 and total expenses of PLCU programs was $4,079,348. 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. Senate Bill 202, which was passed by the 84th Legislature, mandated the deregulation of 3 PLCU programs, the transfer of 4 to the Texas Medical Board, and the transfer of 12 to the Texas Department of Licensing and Regulation.
**Advisory Board of Athletic Trainers**

1. Total number of licensees: 4,113  
   - Athletic Trainers: 4,072  
   - Temporary Athletic Trainers: 41

2. Total number of new licenses issued: 30
3. Total number of renewal licenses issued: 24
4. Total number of complaints received: 0
5. Total number of jurisdictional complaints received: 0
6. Total number of complaint investigations completed: 1
7. Total number of jurisdictional complaints resolved: 1  
   - Cease and Desist: 1
8. Average length of time required for jurisdictional complaint resolution: 185

9. Total fees collected: $470,548
10. Total expenses: $142,786

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: 10,648
   - Licensed Chemical Dependency Counselors 5,876
   - Registered Counselor Interns 4,509
   - Clinical Training Institutions 257
   - Certified Clinical Supervisors 6

2. Total number of new licenses issued: 1,607
3. Total number of renewal licenses issued: 2,525

4. Total number of complaints received: 106
   - Abuse/Neglect/Exploitation 5
   - Advertising/Mislabeling 2
   - Confidentiality 6
   - Criminal History 18
   - Fraud/Deceit/Bribery 2
   - Sexual Misconduct 2
   - Standard of Care/Service/Product 10
   - Unlicensed Person/Facility 3
   - Unprofessional Conduct 58

5. Total number of jurisdictional complaints received: 104

6. Total number of complaint investigations completed: 226

7. Total number of jurisdictional complaints resolved: 74
   - Cease and Desist 3
   - License Expiration 4
   - No Violation 9
   - Not Substantiated 14
   - Probation 4
   - Revocation 1
   - Surrender 2
   - Suspension 6
   - Warning Letter 31

8. Average length of time required for jurisdictional complaint resolution: 453

9. Total fees collected: $437,462
10. Total expenses: $240,952

Statutory Authority: Occupations Code, Chapter 504

* Please see Table 1 for information regarding the number of license holders by county.
Code Enforcement Officer Registration Program

1. Total number of licensees: 2,417
   - Code Enforcement Officers 2,303
   - Code Enforcement Officers in Training 114

2. Total number of new licenses issued: 304

3. Total number of renewal licenses issued: 912

4. Total number of complaints received: 13
   - Fraud/Deceit/Bribery 1
   - Standard of Care/Service/Product 2
   - Unlicensed Person/Facility 8
   - Unprofessional Conduct 2

5. Total number of jurisdictional complaints received: 9

6. Total number of complaint investigations completed: 1

7. Total number of jurisdictional complaints resolved: 12
   - Cease & Desist 3
   - No Violation 1
   - Not Substantiated 6
   - Warning 2

8. Average length of time required for jurisdictional complaint resolution: 97

9. Total fees collected: $136,532

10. Total expenses: $56,858

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: 570
   - Sex Offender Treatment Providers: 446
   - Affiliate Sex Offender Treatment Providers: 124

2. Total number of new licenses issued: 66

3. Total number of renewal licenses issued: 239

4. Total number of complaints received: 27
   - Confidentiality: 1
   - Fraud/Deceit/Bribery: 1
   - Sexual Misconduct: 1
   - Standard of Care/Service/Product: 7
   - Unlicensed Person/Facility: 1
   - Unprofessional Conduct: 16

5. Total number of jurisdictional complaints received: 26

6. Total number of complaint investigations completed: 5

7. Total number of jurisdictional complaints resolved: 10
   - License Expiration: 1
   - No Violation: 8
   - Warning Letter: 1

8. Average length of time required for jurisdictional complaint resolution: 574 days

9. Total fees collected: $97,264

10. Total expenses: $79,343

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: 6,031
   Licensed Dietitians 6,018
   Provisional Licensed Dietitians 13

2. Total number of new licenses issued: 112

3. Total number of renewal licenses issued: 45

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: $278,493

10. Total expenses: $79,753

Statutory Authority: Occupations Code, Chapter 701

* Please see Table 1 for information regarding the number of license holders by county.
**Dyslexia Therapists and Practitioner Licensing Program**

1. Total number of licensees: 957
   - Dyslexia Practitioners 44
   - Dyslexia Therapists 913

2. Total number of new licenses issued: 21
3. Total number of renewal licenses issued: 10

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: $66,062
10. Total expenses: $48,688

Statutory Authority: Occupations Code, Chapter 403

* 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: 953
   - Fitter/Dispenser of Hearing Instruments 668
   - Temporary Training Permits 218
   - Apprenticeship Permits 67

2. Total number of new licenses issued: 6
3. Total number of renewal licenses issued: 1

4. Total number of complaints received: 3
   - Fraud/Deceit/Bribery 1
   - Standard of Care/Service/Product 2

5. Total number of jurisdictional complaints received: 3
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: $172,505
10. Total expenses: $113,844

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: 3,608
   - Marriage and Family Therapists 3,086
   - Marriage and Family Therapist Associates 522

2. Total number of new licenses issued: 450

3. Total number of renewal licenses issued: 1,411

4. Total number of complaints received: 60
   - Advertising/Mislabeling 3
   - Confidentiality 2
   - Criminal History 2
   - Fraud/Deceit/Bribery 3
   - Sexual Misconduct 3
   - Standard of Care/Product 21
   - Unlicensed Person/Facility 3
   - Unprofessional Conduct 23

5. Total number of jurisdictional complaints received: 54

6. Total number of complaint investigations completed: 33

7. Total number of jurisdictional complaints resolved: 101
   - Cease and Desist 5
   - License Expiration 3
   - No Violation 62
   - Not Substantiated 5
   - Probation 3
   - Violation Found & Corrected 1
   - Surrender 2
   - Suspension 1
   - Warning Letter 18
   - Withdrawn 1

8. Average length of time required for jurisdictional complaint resolution: 640

9. Total fees collected: $279,541

10. Total expenses: $258,286

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: 32,975
   - Massage Therapists: 30,027
   - Massage Therapy Educational Programs: 54
   - Massage Therapy Instructors: 1,294
   - Massage Therapy Establishments: 1,600

2. Total number of new licenses issued: 3,569

3. Total number of renewal licenses issued: 13,847

4. Total number of complaints received: 381
   - Advertising/Mislabeling: 1
   - Criminal History: 9
   - Fraud/Deceit/Bribery: 13
   - Sexual Misconduct: 63
   - Standard of Care/Service/Product: 32
   - Unlicensed Person/Facility: 245
   - Unprofessional Conduct: 18

5. Total number of jurisdictional complaints received: 381

6. Total number of complaint investigations completed: 15

7. Total number of jurisdictional complaints resolved: 317
   - Cease and Desist: 221
   - No Violation: 2
   - Not Substantiated: 2
   - Revocation: 1
   - Surrender: 4
   - Warning Letter: 28
   - Withdrawn: 59

8. Average length of time required for jurisdictional complaint resolution: 142

9. Total fees collected: $2,350,348

10. Total expenses: $620,499

Statutory Authority: Occupations Code, Chapter 455

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

1. Total number of licensees: 298
   - Midwives: 296
   - Approved Midwifery Courses: 2

2. Total number of new licenses issued: 3

3. Total number of renewal licenses issued: 1

4. Total number of complaints received:
   - Standard of Care/Service/Product: 1

5. Total number of jurisdictional complaints received: 1

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: $67,554

10. Total expenses: $55,781

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: 2,194
   - DWI Education Instructors: 440
   - DWI Intervention Instructors: 328
   - Alcohol Education Program for Minor Instructors: 144
   - Drug Offender Education Program Instructors: 424
   - DWI Education Programs: 236
   - DWI Intervention Programs: 189
   - Alcohol Education Program for Minors: 120
   - Drug Offender Education Programs: 248
   - TX Youth Tobacco Awareness Program: 65

2. Total number of new certificates issued: 275
3. Total number of renewal registrations issued: 577
4. Total number of complaints received: 20
   - Advertising/Mislabeling: 2
   - Confidentiality: 2
   - Criminal History: 1
   - Fraud/Deceit/Bribery: 2
   - Standard of Care/Service/Product: 6
   - Unlicensed Person/Facility: 3
   - Unprofessional Conduct: 4

5. Total number of jurisdictional complaints received: 18
6. Total number of complaint investigations completed: 2
7. Total number of jurisdictional complaints resolved: 18
   - Cease and Desist: 3
   - License Expiration: 3
   - No Violation: 1
   - Not Substantiated: 3
   - Warning: 8

8. Average length of time required for jurisdictional complaint resolution: 526
9. Total fees collected: $80,766
10. Total expenses: $676,768

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
- Texas Youth Tobacco Awareness Program
  Health & Safety Code, Chpt 161
* Please see Table 1 for information regarding the number of license holders by county.
**Texas Board of Orthotics and Prosthetics**

1. Total number of licensees: 1005
   - Licensed Prosthetist/Orthotists: 481
   - Registered Prosthetist/Orthotist Students: 117
   - Temporary Prosthetist/Orthotists: 9
   - Registered Prosthetist/Orthotist Technicians: 19
   - Licensed Prosthetist/Orthotist Assistants: 70
   - Accredited Prosthetic/Orthotic Facility: 309

2. Total number of new licenses issued: 9
3. Total number of renewal licenses issued: 2
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: $149,292
10. Total expenses: $106,043

Statutory Authority: Occupations Code, Chapter 605

* 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: 24,865
   - Licensed Professional Counselors: 20,172
   - Professional Counselor Interns: 4,689
   - Professional Counselor Provisional: 4

2. Total number of new licenses issued: 3,107

3. Total number of renewal licenses issued: 9,125

4. Total number of complaints received: 309
   - Advertising/Mislabeling: 7
   - Confidentiality: 16
   - Criminal History: 26
   - Fraud/Deceit/Bribery: 14
   - Order Non-Compliance: 2
   - ReOpen/ReInstate: 1
   - Sexual Misconduct: 13
   - Standard of Care/Service/Product: 68
   - Unlicensed Person/Facility: 27
   - Unprofessional Conduct: 135

5. Total number of jurisdictional complaints received: 302

6. Total number of complaint investigations completed: 226

7. Total number of jurisdictional complaints resolved: 183
   - Cease and Desist: 1
   - License Expiration: 17
   - No Violation: 100
   - Not Substantiated: 9
   - Probation: 6
   - Reprimand: 3
   - Surrender: 3
   - Violation Found and Corrected: 7
   - Warning: 34
   - Withdrawal: 3

8. Average length of time required for jurisdictional complaint resolution: 949

9. Total fees collected: $1,599,897

10. Total expenses: $656,267

Statutory Authority: Occupations Code, Chapter 503

* Please see Table 1 for information regarding the number of license holders by county.
## Sanitarian Registration Program

1. Total number of registrants: 1,301
   - Registered Professional Sanitarians: 1,228
   - Registered Sanitarians in Training: 73

2. Total number of new licenses issued: 116

3. Total number of renewal licenses issued: 496

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:
   - Warning: 1

8. Average length of time required for jurisdictional complaint resolution: 1,012


10. Total expenses: $76,129

Statutory Authority: Occupations Code, Chapter 1953

* 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: 25,122
   - Licensed Clinical Social Workers: 8,700
   - Licensed Master Social Workers-Advanced Practitioner: 285
   - Licensed Master Social Workers: 10,932
   - Temp Licensed Master Social Workers: 102
   - Licensed Baccalaureate Social Workers: 5,068
   - Temp Licensed Baccalaureate Social Workers: 35

2. Total number of new licenses issued: 2,507

3. Total number of renewal licenses issued: 10,960

4. Total number of complaints received: 150
   - Advertising/Mislabeling: 2
   - Confidentiality: 2
   - Criminal History: 12
   - Fraud/Deceit/Bribery: 11
   - Order Non-Compliance: 1
   - Sexual Misconduct: 10
   - Standard of Care/Service/Product: 35
   - Unlicensed Person/Facility: 20
   - Unprofessional Conduct: 57

5. Total number of jurisdictional complaints received: 149

6. Total number of complaint investigations completed: 150

7. Total number of jurisdictional complaints resolved: 266
   - Administrative Penalty: 1
   - Cease and Desist: 4
   - No Violation: 133
   - Not Substantiated: 6
   - License Expiration: 19
   - Probation: 21
   - Revocation: 1
   - Surrender: 1
   - Suspension: 2
   - Warning Letter: 74
   - Withdrawal: 4

8. Average length of time required for jurisdictional complaint resolution: 874

9. Total fees collected: $1,282,629

10. Total expenses: $500,168

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: 21,360
   - Speech Language Pathologists: 14,094
   - Temp Speech Language Pathologists: 6
   - Speech Language Pathologist Interns: 888
   - Speech Language Pathologist Assistants: 4,908
   - Audiologists: 1,383
   - Audiologist Interns: 67
   - Temporary Audiologist: 0
   - Audiologist Assistants: 14

2. Total number of new licenses issued: 165
3. Total number of renewal licenses issued: 113
4. Total number of complaints received:
   - Standard of Care/Service/Product: 1
5. Total number of jurisdictional complaints received: 1
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: $1,155,888
10. Total expenses: $367,183

Statutory Authority: Occupations Code, Chapter 401

* Please see Table 1 for information regarding the number of license holders by county.
Appendix B - Health Professions Council

FY 17 Estimated Fees Collected Section IV.D Operating Budget
To comply with Section 6, SB 1058 (81st Regular)

FY 17 Estimated Expenses Section II.C Operating Budget
To comply with Section 6, SB 1058 (81st Regular)
## Appendix B Estimated Fees and Revenues

<table>
<thead>
<tr>
<th>Agency</th>
<th>FY 2017 Revenue Estimate**</th>
<th>FY 2017 Expenses Estimate**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas State Board of Chiropractic Examiners</td>
<td>$1,244,892</td>
<td>$854,648</td>
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<tr>
<td>Texas State Board of Dental Examiners</td>
<td>$9,038,870</td>
<td>$4,234,402</td>
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<tr>
<td>Texas Funeral Service Commission</td>
<td>$1,706,020</td>
<td>$826,185</td>
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<tr>
<td>Texas Medical Board</td>
<td>$26,736,890</td>
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<tr>
<td>Texas Board of Nursing</td>
<td>$14,021,254</td>
<td>$11,401,356</td>
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<tr>
<td>Texas Optometry Board</td>
<td>$1,068,032</td>
<td>$475,487</td>
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<tr>
<td>Texas State Board of Pharmacy</td>
<td>$10,715,391</td>
<td>$9,037,607</td>
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<tr>
<td>Executive Council of Physical Therapy and Occupational Therapy Examiners</td>
<td>$1,984,120</td>
<td>$1,074,541</td>
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<td>Texas State Board of Podiatric Medical Examiners</td>
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<td>Texas State Board of Examiners of Psychologists</td>
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<tr>
<td>Texas State Board of Veterinary Medical Examiners</td>
<td>$1,984,120</td>
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**Estimated Fees Collected Section IV.D Operating Budget/Estimated Expenses Section II.C Operating Budgets for FY 2017**
Appendix C - Health Professions Council
Unfunded Needs of the Agency

To comply with Section 6, SB 1058 (81st Regular)
# Appendix C - Health Professions Council

## Unfunded Needs of the Agency

To comply with Section 6, SB 1058 (81st Regular)

<table>
<thead>
<tr>
<th>Agency</th>
<th>(6) any unfunded needs of the agency.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chiropractic</td>
<td>Agency will outline unfunded needs in their upcoming Legislative Appropriations Request</td>
</tr>
<tr>
<td>Dental</td>
<td>Agency will outline unfunded needs in their upcoming Legislative Appropriations Request</td>
</tr>
<tr>
<td>Funeral Serv</td>
<td>Agency will outline unfunded needs in their upcoming Legislative Appropriations Request</td>
</tr>
<tr>
<td>Medical Board</td>
<td>Agency will outline unfunded needs in their upcoming Legislative Appropriations Request</td>
</tr>
<tr>
<td>Nurse</td>
<td>Agency will outline unfunded needs in their upcoming Legislative Appropriations Request</td>
</tr>
<tr>
<td>Optometry</td>
<td>The agency submitted exception items in the Legislative Appropriations Request for the agency and the Health Professions Council. At this time the agency is examining the costs associated with the increasing reliance on information technology and the costs associated, including security, hardware and software updates, and disaster recovery.</td>
</tr>
<tr>
<td>Agency</td>
<td>Information</td>
</tr>
<tr>
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<tr>
<td>Pharmacy</td>
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<tr>
<td>Vet Med</td>
<td>Agency will outline unfunded needs in their upcoming Legislative Appropriations Request</td>
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Appendix D - Health Professions Council Agencies Reports on Number of Persons Regulated by County*

*To comply with Section 6, SB 1058 (81st Regular)*

Licensee by County requirement is available online at the Texas Department of State Health Services Health Professions Resource Center. That information is available here: [http://www.dshs.state.tx.us/chs/hprc/health.shtm](http://www.dshs.state.tx.us/chs/hprc/health.shtm)