

Health Professions Council Annual Report

Summary:

The Health Professions Council (HPC) was established by the Legislature in 1993 to achieve the potentially desirable outcomes of consolidation of small independent health licensing agencies without sacrificing the quality, independence, accessibility and accountability of individual boards. The Council has 15 agencies that represent 35 professional licensing boards, certification programs and the Governor's Office. The Council elects a presiding officer and assistant presiding officer to conduct the business of the Council. The presiding officer (Chair) is Katherine Thomas, Executive Director for the Board of Nursing. The assistant presiding officer (Vice-Chair) is Gay Dodson, Executive Director for the Board of Pharmacy. Although member agencies license and regulate health professionals, the HPC does not license or regulate health care professionals. The Council meets at least four times a year. Meetings are open to the public and posted with the Office of the Secretary of State. HPC is required to submit an annual report to State leadership. The FY 2009 report is attached.

Recommendation:

For information only; no action required.

Health Professions Council

Annual Report

To the

Governor
Lieutenant Governor
Speaker of the House of Representatives



February 1, 2010

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 2009

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

Sherry 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*

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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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*Due to document size, provided as pdf on CD. Also available on Council Website (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.

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.

Rules: Although member agencies license and regulate health professionals, the Health Professions Council does not license or regulate health professionals. The Council meets at least four times a year. Meetings are open to the public and are posted with the Office of the Secretary of State. During Fiscal Year 2009, the Council added a third position outlined in the bylaws.

“The officer-elect shall in the absence of the chair and vice-chair, preside over the meetings of the Council and perform any duties delegated by the chair.”

This position, the officer-elect, utilizes best practices regarding succession training. If an officer resigns their position, the officer-elect can fill the void.

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. The Council was cited as an innovation by the Pew Health Professions Commission in its December, 1995 report *Reforming Health Care Workforce Regulation*.

Staffing/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 (81st 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 on page fourteen 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.

Shared Database System: In July 2006, 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 is chaired by the Council's own Administrative Officer and currently oversees the development of recommendations to DIR. The group includes both HPC agencies as well as agencies outside the Council. DIR began evaluating database vendors who responded to DIR's Request For Offer DIR-SDD-TMP-110. DIR's purchasing group will select vendors who will become statewide providers of regulatory licensing software.

Due to the timeline created by the Legislative Budget Board (LBB) for the submissions of Legislative Appropriations Requests, the Licensing Workgroup determined that they would need to conduct their own analysis of current vendors of regulatory licensing software. Through an information request to DIR the Council received the names of their respondents to DIR's RFO DIR-SDD-TMP-110. Upon receipt of the list the Council contacted the seven respondents to request more information. Of the seven, four, responded to this request. Three agreed to travel to Austin for on site demonstrations, while one responded via email.

During this time various member agencies along with Council staff developed an information schematic to help inform agencies of the needs of all other member agencies. As the deadline for submission to DIR's RFO DIR-SDD-TMP-110 passed, the Council sent an IT staff member from the Council to assist in their evaluation of the vendors. Discussions and meetings with DIR continued during this process. It should be noted that no one involved in the evaluation of the RFO discussed the project with members of HPC.

After the Workgroups analysis of the vendor submissions, the group narrowed the list down to two. The vendors were invited back for them to get additional information to help determine their ability to complete a project of this magnitude. Another round of meetings with both vendors resulted in the workgroup selecting one vendor.

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 Manager, 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. This aspect of the program began officially November 1, 2003. The 76th Legislature appropriated funds for a document imaging system.

It was reported in the last Annual Report that all of the member agencies located in the Hobby Building are utilizing the imaging system. Again, with no additional appropriations 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. 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 is 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 2009, Council Staff supported agencies in the hiring of over fifty (50) 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. A future review will determine the success of the program and explore further opportunities for human resource assistance by Council staff.

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.

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 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 (80th 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.

Presently, Council staff is working 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.

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.

Member Agency Complaint Process Study: The 77th Legislature passed HB 2408, sponsored by Representative Glen Maxey. The bill required HPC to study the process by which complaints are compiled, handled, adjudicated, and the extent to which complaint information is made available to the public. The report was to include recommendations for a standard procedure for the handling of complaints and a method that provided the most complete public access to complaint information.

The study was completed and submitted to the Lieutenant Governor, Speaker of the House, and members of the House Public Health Committee and the Senate Health and Human Services Committee on January 31, 2002.

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.

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. 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 2010.

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

Profession	TEXAS			FLORIDA ***			Comparison of Florida to Texas		
	FY2009* Estimated	Number ** of Licensees	Cost per Licensee	FY2009 Expenditures	Number of Licensees	Cost per Licensee	FY2009 Expenditures Difference	Number of Licensees****	Cost per Licensee
Chiropractic	\$544,627	9,141	\$59.58	\$1,920,574	6,736	\$285.12	\$1,375,947	(2,405)	\$225.54
Dental	\$2,086,614	44,590	\$46.80	\$4,206,516	20,209	\$208.15	\$2,119,902	(24,381)	\$161.36
Medical (1)	\$11,788,074	74,840	\$157.51	\$18,643,767	52,491	\$355.18	\$6,855,693	(22,349)	\$197.67
Nurse & LVN	\$8,801,772	295,565	\$29.78	\$25,447,514	240,468	\$105.82	\$16,645,742	(55,097)	\$76.05
Optometry	\$473,092	3,714	\$127.38	\$1,100,278	2,260	\$486.85	\$627,186	(1,454)	\$359.47
PT/OT (2)	\$1,329,228	24,024	\$55.33	\$3,808,959	22,939	\$166.05	\$2,479,731	(1,085)	\$110.72
Pharmacy	\$4,835,475	82,017	\$58.96	\$5,445,028	22,022	\$247.25	\$609,553	(59,995)	\$188.30
Podiatric	\$296,380	1,211	\$244.74	\$486,921	1,759	\$276.82	\$190,541	548	\$32.08
Psychologists	\$978,377	7,830	\$124.95	\$3,058,043	4,369	\$699.94	\$2,079,666	(3,461)	\$574.99
Veterinarians	\$864,874	226,307	\$3.82	\$1,009,218	8,538	\$118.20	\$144,344	(217,769)	\$114.38
Totals	\$31,998,513	769,239	\$41.60	\$65,126,818	381,791	\$170.58	\$33,128,305	(387,448)	\$128.98
2008 Totals	\$24,047,834	506,193	\$47.51	\$45,086,673	454,883	\$99	\$21,038,839	51310	\$51.61
(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 FY2009 expenditures calculated by adding the FY2007 expenditures from the Legislative Budget Estimates 2010-2011 Biennium to the indirect costs listed in the General Appropriations Act - 81st Leg., R.S.									
** Source: Health Professions Council Annual Report, February 1, 2009									
*** Source: Florida Department of Health Division of Medical Quality Assurance 2008-2009 Annual Report.									
**** Numbers in parentheses indicate how many additional licensees Texas has than Florida									

**Health Professions Council
Administrative Office Budget**

	2009 Expended
Salaries and Wages	\$91,382.68
Other Personnel Costs	\$7,888.00
Professional Fees and Services	\$42,077.30
Consumable	\$497.17
Utilities	\$2,212.14
Travel	\$11.25
Other Operating Expense	\$18,692.45
<i>TOTAL</i>	\$162,692.45
Board of Chiropractic Examiners	\$5,435
Board of Dental Examiners	\$20,187
Texas Medical Board	\$25,646
Board of Nursing	\$22,638
Executive Council of Occupational Therapy and Physical Therapy Examiners	\$11,004
Texas Optometry Board	\$5,481
Board of Pharmacy	\$20,384
Board of Podiatric Medical Examiners	\$4,877
Texas Department of State Health Services: Professional Licensing and Certification Division	\$11,846
Board of Examiners of Psychologists	\$9,082
Board of Veterinary Medical Examiners	\$8,173
Texas Funeral Service Commission	\$8,468
TOTAL MEMBER AGENCY TRANSFERS	\$153,221

Appendix A – Health Professions Council
Disciplinary Data

Texas Board of Chiropractic Examiners

1. Total Number of Licensees		9,334
Doctors of Chiropractic (DCs) – Active	4,701	
Doctors of Chiropractic (DCs) – Expired, eligible to renew	271	
Doctors of Chiropractic (DCs) – Inactive, eligible to renew	658	
Chiropractic Radiologic Technologists – Active	79	
Chiropractic Radiologic Technologists – Expired, eligible to renew	32	
Chiropractic Clinics, Active Registration	3,318	
Chiropractic Clinics, Expired, eligible to renew	275	
2. Number of New Licenses Issued		647
Doctors of Chiropractic	253	
Chiropractic Radiologic Technologists	14	
Chiropractic Clinics	380	
3. Numbers of Licenses or Registrations Renewed		8,953
Doctors of Chiropractic	5,601	
Chiropractic Radiologic Technologists	66	
Chiropractic Clinics	3,286	
4. Complaints Received		201
Total number of complaints received	220	
Less: Number of non-jurisdictional complaints received	(19)	
Number of jurisdictional complaints received	201	
5. Jurisdictional Complaints Resolved		
Total number of jurisdictional complaints resolved		213
Total number of complaints resolved with disciplinary action		63
Percent of jurisdictional complaints resolved with disciplinary action		29.58%
6. Disciplinary Actions Taken		63
Licenses Revoked or Surrendered in lieu of revocation	8	
Licenses Suspended – No probation	0	
Licenses Suspended, Probation plus Fine/Stipulations	4	
Cease & Desist Orders Issued, No Fine	3	
Cease & Desist Orders Issued, With Fine	2	
Fine Plus Stipulations	4	
Fine Only	35	
Formal Letter of Reprimand Plus Fine/Stipulation	3	
Formal Letter of Reprimand Only	4	
Statutory Authority: Texas Occupations Code Chapter 201		
(The Texas Chiropractic Act)		

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

4.	Total Number of Licenses:		56,606
	Dentists	16,542	
	Dental Hygienists	12,565	
	Dental Laboratories	1,073	
	Dental Assistants	26,426	
5.	Total Number of new licenses issued:		6,110
	Dentists	740	
	Dental Hygienists	579	
	Dental Laboratories	57	
	Dental Assistants	4,734	
6.	Total number of renewal licenses issued:		
	45,893		
	Dentists	13,360	
	Dental Hygienists	10,657	
	Dental Laboratories	956	
	Dental Assistants	20,920	
7.	Total number complaints received:		1,101* ¹
8.	Total number of jurisdictional complaints received:		980
	Administration	8	
	Business Promotion	57	
	Dental Labs	4	
	Self-report	79	
	PDWOL	22	
	Professional Conduct	402	
	Quality of Care	488	
	Sanitation	41	
9.	Total number of jurisdictional complaints resolved		712
10.	Average length of time required for jurisdictional complaint resolution		435.9
11.	Number of cases heard at settlement conferences		131
12.	Number of cases at SOAH		2
13.	Cases disposed by board order		66
	Settlement Conferences		66
	SOAH		0

¹ Some complaints have multiple allegations

14.	Total number of board-approved disciplinary actions taken:	66
	Suspension/Probated	17
	Suspension/Downtime	0
	Reprimand	12
	Surrender	6
	Warning	29
	Revocation	1
	Mandatory Retirement	1
15.	Amount of fees collected by the agency:	
	Appendix B	
16.	Expenses of the Agency:	Appendix C
17.	Unfunded Needs:	Appendix D

Texas Medical Board

1.	Total number of licensees:		68,615
	Physicians:	62,886	
	Acupuncturists:	875	
	Physician Assistant:	4,854	
2.	Total number of new licenses issued:		2,473
	Physicians:	1,708	
	Acupuncturists:	53	
	Physician Assistant:	712	
3.	Total number of complaints received:		6,968
4.	Total number of Investigations opened:		2,873
	Physicians:	2,741	
	Acupuncturists:	2	
	Physician Assistant:	97	
	Other:	31	
5.	Total number of investigations completed:		2,538
	Physicians:	2,408	
	Acupuncturists:	4	
	Physician Assistant:	106	
	Unknown/Other:	20	
6.	Total number and types of board-approved disciplinary actions taken:		422

	2009		
	<u>Physician</u>	<u>Acupuncturists</u>	<u>Physician Assist.</u>
Temporary Suspension & Restriction	10	0	0
Revocation/Surrender	34	0	1
Suspension	11	0	0
Restriction	196	0	0
Reprimand	43	0	6
Administrative Penalty	114	0	2
Cease and Desist	3	0	2
Total number of disciplinary actions	411	0	11

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

1. Administrative	5. Quality of Care
Disciplinary Actions:	Disciplinary Actions:
Revocation/Voluntary Surrender 4	Revocation/Voluntary Surrender 24
Suspension 2	Restriction/Terms and Cond. 151
Restriction/Terms and Cond. 8	Reprimand 44
Reprimand 5	Administrative Penalty 21
Administrative Penalty 44	Rehabilitation Order 5
Total Actions: 63	Total Actions: 245
Total Dismissed: 83	Total Dismissed: 1560
Total Complaints Resolved: 146	Total Complaints Resolved: 1805
2. Criminal Behavior	6. Disciplinary action by peers, another state, or military
Disciplinary Actions:	Disciplinary Actions:
Revocation/Voluntary Surrender 1	Revocation/Voluntary Surrender 6
Restriction/Terms and Cond. 2	Suspension 1
Reprimand 2	Restriction/Terms and Cond. 15
Administrative Penalty 9	Reprimand 4
Cease and Desist 4	Administrative Penalty 17
Total Actions: 18	Rehabilitation Order 4
Total Dismissed: 36	Total Actions: 47
Total Complaints Resolved: 54	Total Dismissed: 25
	Total Complaints Resolved: 72
3. Medical Error	
Total Actions: 0	7. Substance Abuse
Total Dismissed: 2	Disciplinary Actions:
Total Complaints Resolved: 2	Revocation/Voluntary Surrender 2
	Restriction/Terms and Cond. 3
	Rehabilitation Order 14
4. Mental/Physical Impairment	Total Actions: 19
Disciplinary Actions:	Total Dismissed: 5
Revocation/Voluntary Surrender 2	Total Complaints Resolved: 24
Suspension 1	
Restriction/Terms and Cond. 3	8. Unprofessional Conduct
Reprimand 1	Disciplinary Actions:
Rehabilitation Order 26	Revocation/Voluntary Surrender 16
Total Actions: 33	Suspension 2
Total Dismissed: 23	Restriction/Terms and Cond. 29
Total Complaints Resolved: 56	Reprimand 11
	Administrative Penalty 23
	Rehabilitation Order 4
	Total Actions: 85
	Total Dismissed: 260

	Total Complaints Resolved:	345

Board of Nursing – RN Statistics

1.	Total number of licensees:	219,458
2.	Total number of new licenses issued:	14,294
3.	Total number of renewal licenses issued:	102,666
4.	Total number of complaints received:	7,411
5.	Total number of jurisdictional complaints received:	7,307
6.	Total number of jurisdictional complaints resolved:	7,091
7.	Ave. length of time required for jurisdictional complaint resolution:	188 days
8.	Total number (licensees) and types of board-approved Disciplinary sanctions imposed:	1,117
	Applicant/Petitioner - w/Stipulations (GS, GSX, GTO, TS, TSX, TTO)	199
	Applicant Denied (GD,TD)	4
	Compact - Voluntary Surrender	0
	Cease and Desist Order (CDO)	0
	Denied Reinstatement (DR)	17
	Enforced Suspension/TPAPN (ET)	2
	Exception Denied (ED)	7
	Fine (FI)	0
	Fine W/Remedial Education (FR)	158
	License Denied (LD)	0
	Limited License (LI)	10
	Peer Assistance Order (PAO)	0
	Probation (PR)	0
	Reinstated-Clear (RC)	0
	Reinstated-W/Stipulations (RI)	30
	Remedial Education (RE)	89
	Reprimand W/Stipulations (RS) (CS)	64
	Reprimand (RP)	0
	Reinstated w/TPAPN (RT)	8
	Revocation (RV)	124
	Stipulation Only (ST)	0
	Stipulation - Exec (STX)	0
	Suspend/Probate (SP)	48
	Suspension (S) (SU)	29
	TPAPN Order (TPO)	84
	Voluntary Surrender (VS)	87
	Warning (W) (WA)	0
	Warning W/Stipulation (WS)	157
	Warning-Delinquent (WD)	0

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

Board of Nursing – LVN Statistics

1. Total number of licensees:	88,493
2. Total number of new licenses issued:	6,059
3. Total number of renewal licenses issued:	41,287
4. Total number of complaints received:	6,100
5. Total number of jurisdictional complaints received:	6,058
6. Total number of jurisdictional complaints resolved:	5,763
7. Ave. length of time required for jurisdictional complaint resolution:	193 days
8. Total number (licensees) and types of board-approved Disciplinary sanctions imposed:	1,052
Applicant/Petitioner - w/Stipulations (GS, GSX, GTO, TS, TSX, TTO)	170
Applicants Denied (GD, TD)	4
Denied Reinstatement (DR)	6
Enforced Suspension	2
Fine (FI)	0
Fine and Remedial Education	187
License Denied (LD)	1
Limited License (LI)	6
Probation (PR)	0
Reinstated-W/Stipulations (RI)	20
Remedial Education (RE)	78
Reprimand w/Stipulations (RS) (CS)	55
Reprimand (RP)	1
Revocation (RV)	159
Suspend/Probate (SP)	42
Suspension (S) (SU)	18
Stipulations (ST)	1
TPAPN Order (TPO)	65
Voluntary Surrender (VS)	86
Warning W/Stipulation (WS)	150
Warning (W) (WA)	1

Statutory Authority:

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

Texas State Board of Physical Therapy Examiners

Total # of licensees	16251
Total # of new licenses issued	1268
Total # of renewal licenses issued	7235
Total # of complaints received	409
Total # of jurisdictional complaints received	409
Total # of jurisdictional complaints resolved	346
Avg length of time required for jurisdictional complaint resolution	127 days
Total # and types of board-approved disciplinary action taken	52
Letter of Reprimand	0
Community Service	29
Suspension	26
Revocation/Surrender	1
Fine	0

Complaint Types – Physical Therapy

Criminal history/drug history	172
CE Audit failure	61
Fraudulent ad for "physical therapy"	25
Patient injury/neglect/abandonment	45
Practiced with expired license	20
Practiced without a license	5
Fraudulent billing/documentation	24
Practiced in an unregistered facility	33
Disciplinary action taken by another jurisdiction	16
Practiced beyond the scope of licensure	8

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	9400
Total # of new licenses issued	795
Total # of renewal licenses issued	3966
Total # of complaints received	166
Total # of jurisdictional complaints received	166
Total # of jurisdictional complaints resolved	160
Avg length of time required for jurisdictional complaint resolution	119 days
Total # and types of board-approved disciplinary action taken	25
Letter of Reprimand	0
Community Service	16
Suspension	16
Revocation/Surrender	1
Fine	0

Complaint Types - Occupational Therapy

Criminal history/drug history	71
Practiced w/ expired license	20
Fraudulent billing/documentation	20
Practiced in an unregistered facility	20
Practiced without a license	3
Patient injury/neglect/abandonment	10
Failed CE audit	10
Disciplinary action taken by another jurisdiction	11
Practiced beyond the scope of licensure	1

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:	3,814
2.	Total number of new licenses issued:	176
3.	Total number of renewal licenses issued:	3,638
4.	Total number of complaints received:	194
5.	Total number of jurisdictional complaints received:	167
6.	Total number of jurisdictional complaints resolved:	149
7.	Average length of time required for jurisdictional complaint resolution:	103.19 days
8.	Total number and types of board-approved disciplinary actions taken:	14
	License Suspended:	0
	Informal Reprimands:	2
	Administrative Penalty:	12

Statutory Authority:

Chapter 351.501, Occupations Code: Board may refuse to issue a license to an applicant, revoke or suspend a license, place on probation a person whose license has been suspended, impose a fine, impose a stipulation, limitation, or condition, relating to continued practice, including conditioning practice on counseling or additional education, or reprimand a licensee.

Texas State Board of Pharmacy

1.	Total number of licensees:	83,607
	Pharmacists:	25,507
	Pharmacies:	6,516
	Pharmacy Technicians:	33,927
	Pharmacy Technician trainees:	17,657
2.	Total number of new licenses issued:	14,527
	Pharmacists:	1,207
	Pharmacies:	428
	Pharmacy Technicians:	4,394
	Pharmacy Technician trainees:	8,498
3.	Total number of renewal licenses issued:	29,909
	Pharmacists:	13,026
	Pharmacies:	2,908
	Pharmacy Technicians:	13,975
4.	Total number of complaints received:	
5.	Total number of jurisdictional complaints received:	5,226
6.	Total number of jurisdictional complaints resolved:	6,120
7.	Average length of time required for jurisdictional complaint resolution:	211 days

PHARMACISTS, PHARMACIES, INTERNS, AND APPLICANTS FOR LICENSURE

Revoke	22
Retire (unable to apply for reinstatement)	3
Restrict	6
Suspension	9
Suspension with Conditions	12
Suspension and Fine	3
Suspension/Probation	2
Suspension/Probation with Conditions	33
Suspension/Probation and Fine	6
Suspension/Probation/Fine with Conditions	17
Grant License or Intern Registration with Suspension	0
Grant License or Intern Registration with Restrictions	0
Grant License or Intern Registration with Probation/Fine/Conditions	2
Grant License or Intern Registration with Probation	4
Grant License or Intern Registration with Probation and Conditions	3
Grant License or Intern Registration with Reprimand and Fine	334
Grant License or Intern Registration with Reprimand	6
Grant License or Intern Registration with Fine	11
Grant Reinstatement with Probation/Conditions	0
Deny or Issuance of License	2
Fine	56
Fine and Conditions	46
Find and Reprimand	2
Fine and Reprimand with Conditions	40
Reprimand with Conditions	28
Reprimand	14
Grant Modification of Previously Entered Order	6
Total	334

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

Revoke	149
Retire (unable to apply for reinstatement)	0
Restrict	0
Suspension	6
Suspension, followed by Probation	1
Suspension with Conditions and Fine	2
Suspension with Conditions, followed by Probation	9
Suspension/Probation with Conditions	10
Suspension/Probation with Conditions and Fine	2
Fine	34
Fine and Reprimand	2
Reprimand	22
Grant Registration with Suspension	0
Grant Registration with Probation	15
Grant Registration with Probation/Conditions	32
Grant Registration with Probation/Conditions and Fine	8
Grant Registration with Probation and Fine	3
Grant Registration with Fine	43
Grant Registration with Fine and Reprimand	12
Grant Registration with Reprimand	52
Deny Registration	0
Grant Reinstatement of Registration with Fine	1
Total	403

Texas State Board of Podiatric Medical Examiners

1.	Total number of licensees:	959
	Radiology Technologists	277
2.	Total number of new licenses issued:	47
3.	Total number of renewal licenses issued:	959
4.	Total number of complaints received:	98
5.	Total number of jurisdictional complaints received:	93
	1) Death	(1)
	2) Substance Abuse	(6)
	3) Fraud	(14)
	4) Negligence	(36)
	5) Advertising	(22)
	6) Fees	(9)
	7) Records	(12)
	8) Inappropriate Phys. Bhvr	(9)
	9) Impaired Physician	(1)
	10) Office Inspection	(4)

*This amounts to 114 and not 93 because some complaints have multiple categories; for example a dirty office with drug use would be "Office Inspection" & "Substance Abuse."

6.	Total number of jurisdictional complaints resolved:	50
7.	Average length of time required for jurisdictional complaint resolution:	175 days
8.	Total number and types of board-approved disciplinary actions taken:	4
	Continuing Education:	3
	Revocation:	1
	Unlicensed Practice:	0
	Impaired Physician:	0

Statutory Authority: Texas Occupations Code, Chapter 202

Texas State Board of Examiners of Psychologists

Number of individuals regulated by the agency	6681
Number of licenses regulated by the agency	7759
Number of new licensees	529

Complaints received, by classification

Administrative Violations	18
General Forensic	10
General Therapy	30
Sexual Misconduct	5
Child Custody	16
School Psychology	22
C.E. Violations	86
Cease/Desist	5
Miscellaneous	3
Total	194

Complaints resolved, by resolution type

Dismiss – No Violation	83
Disciplinary Action – Agreed Order	38
Resigned in Lieu of Adjudication	1
Dismissed – C.E. Complaint	65
Resigned in Lieu of Adjudication – C.E.	4
Dismiss – Cease/ Desist Order	6
Dismiss – C.E. Fine	17
Applicant Eligibility Order	8
Total	222

Texas State Board of Veterinary Medical Examiners

1.	Total number of licensees:	7309
2.	Total number of new licenses issued:	399
3.	Total number of renewal licenses issued:	6818
4.	Total number of complaints received:	441
5.	Total number of jurisdictional complaints received:	441
	Standard of Care: (Negligence, malpractice etc.)	188
	Controlled Substance Registration: (Expired)	92
	Practicing Veterinary Medicine without License:	54
	Unprofessional Conduct: (Includes; honesty, Allowing illegal practice, violation of a Board Order, Record keeping, unauthorized treatment, Loan defaults)	49
	Continuing Educations Violations: (shortage of hours)	27
	Criminal Activity:	11
	Other/Misc: 11	
	Substance Abuse: (Alcohol and Drug abuse)	9
6.	Total number of non-jurisdictional complaints received: 3	N/A
7.	Total number of jurisdictional complaints resolved:	343
8.	Average length of time required for jurisdictional complaint resolution:	197 days
9.	Total number and types of board-approved disciplinary actions taken:	79
	Revocation:	1
	Voluntary Surrender:	1
	Reprimand:	22
	Reprimand, with fine:	12
	Fine Only:	43

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 2009 (08-31-2009), 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

Number of individuals regulated by the agency	4423
Number of facilities regulated by the agency	1459
Number of new individual licenses	386
Number of new facility licenses	100

Jurisdictional complaints received, by classification

Administrative Violations	156
Unethical Conduct	50
Criminal Penalty	1
Failure To Comply with Other Legal Requirements	19
Fraudulent and Deceptive Acts	4
Total	230
Complaints referred to Texas Dept. of Banking, Non-Jurisdictional	24

Jurisdictional complaints resolved, by resolution type

Administratively Closed – No Violation	155
Dismissed at Informal Conference	15
Dismissed per Office of Attorney General	1
Letter of Warning Issued	27
Administrative Penalty	20
Probations	13
Revocations	1
Cease and Desist Order/License Suspensions	8
Total	240
Complaints referred to Texas Dept. of Banking, Non-jurisdictional	24

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
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 22 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
- 11 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 25 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 2009 was \$9,081,600 and total expenses of PLCU programs was \$4,980,369. 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.

Chemical Dependency Counselor Licensing Program

1. Total number of licensees:		7,471
Licensed Chemical Dependency Counselors	4,568	
Registered Counselor Interns	2,694	
Clinical Training Institutions	205	
Certified Clinical Supervisors	4	
2. Total number of new licenses issued:		886
3. Total number of renewal licenses issued:		2,251
4. Total number of complaints received:		116
Standard of Care/Service/Product	23	
Abuse/Neglect/Exploitation	7	
Sexual Misconduct	18	
Unlicensed Person/Facility	4	
Fraud/Deceit/Bribery	2	
Financial	1	
Client Rights	2	
Confidentiality	3	
Advertising/Mislabeled	1	
Unprofessional Conduct	46	
Criminal History	7	
Unauthorized Activity	1	
Required Activity Not Performed	1	
5. Total number of jurisdictional complaints received:		104
6. Total number of complaint investigations completed:		69
7. Total number of jurisdictional complaints resolved:		98
No Violation	10	
Not Substantiated	30	
Violation Found and Corrected	2	
License Expiration	9	
Warning Letter	28	
Cease and Desist	2	
Reprimand	5	
Probated Suspension	1	
Emergency Suspension	7	
Surrender	3	
Revocation	1	
8. Average length of time required for jurisdictional complaint resolution:		198 days
9. Total fees collected:		\$456,489**
10. Total expenses:		\$632,050**

Statutory Authority: Occupations Code, Chapter 504

** 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:		2,055
Code Enforcement Officers	1,919	
Code Enforcement Officers in Training	136	
2. Total number of new licenses issued:		417
3. Total number of renewal licenses issued:		812
4. Total number of complaints received:		12
Standard of Care/Service/Product	2	
Unlicensed Person/Facility	6	
Unprofessional Conduct	4	
5. Total number of jurisdictional complaints received:		11
6. Total number of complaint investigations completed:		4
7. Total number of jurisdictional complaints resolved:		10
No Violation	4	
Not Substantiated	2	
License Expiration	1	
Warning Letter	1	
Cease and Desist	2	
8. Average length of time required for jurisdictional complaint resolution:		200 days
9. Total fees collected:		\$136,498
10. Total expenses:		\$55,751

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:		429
Sex Offender Treatment Providers	398	
Affiliate Sex Offender Treatment Providers	23	
Provisional Sex Offender Treatment Providers	8	
2. Total number of new licenses issued:		28
3. Total number of renewal licenses issued:		255
4. Total number of complaints received:		14
Standard of Care/Service/Product	3	
Fraud/Deceit/Bribery	1	
Confidentiality	2	
Unprofessional	8	
5. Total number of jurisdictional complaints received:		13
6. Total number of complaint investigations completed:		3
7. Total number of jurisdictional complaints resolved:		15
No Violation	8	
License Expiration	1	
Warning Letter	6	
8. Average length of time required for jurisdictional complaint resolution:		263 days
9. Total fees collected:		\$71,239
10. Total expenses:		\$65,935

Statutory Authority: Occupations Code, Chapter 110

* 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:		640
Fitter/Dispenser of Hearing Instruments	484	
Temporary Training Permits	97	
Apprenticeship Permits	59	
2. Total number of new licenses issued:		104
3. Total number of renewal licenses issued:		224
4. Total number of complaints received:		39
Standard of Care/Service/Product	30	
Unlicensed Person/Facility	5	
Advertising/Mislabeling	2	
Unprofessional Conduct	2	
5. Total number of jurisdictional complaints received:		39
6. Total number of complaint investigations completed:		0
7. Total number of jurisdictional complaints resolved:		38
No Violation	10	
Administrative Penalty	3	
Warning Letter	24	
Surrender	1	
8. Average length of time required for jurisdictional complaint resolution:		209 days
9. Total fees collected:		\$180,634
10. Total expenses:		\$84,402

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:		3,122
Marriage and Family Therapists	2,831	
Marriage and Family Therapist Associates	291	
2. Total number of new licenses issued:		203
3. Total number of renewal licenses issued:		1,474
4. Total number of complaints received:		45
Standard of Care/Product	7	
Abuse/Neglect/Exploitation	1	
Sexual Misconduct	1	
Unlicensed Person/Facility	11	
Fraud/Deceit/Bribery	3	
Confidentiality	2	
Unprofessional Conduct	18	
Criminal History	1	
Order Non-Compliance	1	
5. Total number of jurisdictional complaints received:		45
6. Total number of complaint investigations completed:		29
7. Total number of jurisdictional complaints resolved:		39
No Violation	19	
Not Substantiated	2	
License Expiration	3	
Warning Letter	3	
Cease and Desist	5	
Reprimand	1	
Probated Suspension	1	
Revocation	1	
Civil Penalty	4	
8. Average length of time required for jurisdictional complaint resolution:		252 days
9. Total fees collected:		\$231,191
10. Total expenses:		\$221,869

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:		28,512
Massage Therapists	26,364	
Massage Therapy School/Training Programs	59	
Massage Therapy Instructors	1,295	
Massage Therapy Establishments	794	
2. Total number of new licenses issued:		2592
3. Total number of renewal licenses issued:		12,337
4. Total number of complaints received:		416
Standard of Care/Service/Product	34	
Sexual Misconduct	63	
Unlicensed Person/Facility	242	
Fraud/Deceit/Bribery	10	
Financial	4	
Confidentiality	2	
Advertising/Mislabeling	15	
Unprofessional Conduct	12	
Criminal History	32	
Required Activity Not Performed	2	
5. Total number of jurisdictional complaints received:		412
6. Total number of complaint investigations completed:		114
7. Total number of jurisdictional complaints resolved:		349
No Violation	41	
Not Substantiated	33	
Violation Found and Corrected	13	
License Expiration	15	
Administrative Penalty	32	
Warning Letter	32	
Cease and Desist	129	
Reprimand	9	
Denial	15	
Surrender	8	
Revocation	20	
Civil Penalty	2	
8. Average length of time required for jurisdictional complaint resolution:		206 days
9. Total fees collected:		\$2,104,763
10. Total expenses:		\$740,569

Medical Radiologic Technologist Certification Program

1. Total number of licensees:		26,144
Medical Radiologic Technologists	21,026	
Temp Medical Radiologic Technologists	687	
Limited Medical Radiologic Technologists	449	
Temp Limited Medical Radiologic Technologists	295	
Non-Certified Technicians	3,432	
Limited Curriculum Providers	2	
Non-Certified Technician Programs	19	
Hardship Exemptions	234	
2. Total number of new licenses issued:		2,728
3. Total number of renewal licenses issued:		9,603
4. Total number of complaints received:		36
Standard of Care	4	
Sexual Misconduct	1	
Unlicensed Person/Facility	18	
Fraud/Deceit/Bribery	1	
Unprofessional Conduct	8	
Criminal History	3	
Unauthorized Activity	1	
5. Total number of jurisdictional complaints received:		35
6. Total number of complaint investigations completed:		6
7. Total number of jurisdictional complaints resolved:		37
No Violation	9	
Not Substantiated	1	
Violation Found and Corrected	1	
License Expiration	5	
Administrative Penalty	7	
Warning Letter	2	
Cease and Desist	5	
Denial	2	
Probated Suspension	1	
Surrender	1	
Revocation	2	
Civil Penalty	1	
8. Average length of time required for jurisdictional complaint resolution:		295 days
9. Total fees collected:		\$884,292
10. Total expenses:		\$357,770

Statutory Authority: Occupations Code, Chapter 601

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

Texas Midwifery Board

1. Total number of licensees:		204
Midwives	203	
Approved Midwifery Courses	1	
2. Total number of new licenses issued:		22
3. Total number of renewal licenses issued:		90
4. Total number of complaints received:		24
Standard of Care/Service/Product	11	
Unlicensed Person/Facility	2	
Fraud/Deceit/Bribery	3	
Advertising/Mislabeled	1	
Unprofessional Conduct	7	
5. Total number of jurisdictional complaints received:		21
6. Total number of complaint investigations completed:		3
7. Total number of jurisdictional complaints resolved:		13
No Violation	6	
Not Substantiated	1	
Administrative Penalty	3	
Warning Letter	1	
Suspension	1	
Emergency Suspension	1	
8. Average length of time required for jurisdictional complaint resolution:		186 days
9. Total fees collected:		\$59,458
10. Total expenses:		\$40,805

Statutory Authority:

Occupations Code, Chapter 203

Offender Education Programs

1. Total number of certificate holders:		4,017
DWI Education Instructors	718	
DWI Intervention Instructors	754	
Alcohol Education Program for Minor Instructors	1,106	
Drug Offender Education Program Instructors	614	
DWI Education Programs	239	
DWI Intervention Programs	159	
Alcohol Education Program for Minors	225	
Drug Offender Education Programs	202	
2. Total number of new certificates issued:		280
3. Total number of renewal registrations issued:		387
4. Total number of complaints received:		2
Standard of Care/Service/Product		1
Financial		1
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:	760 days	
9. Total fees collected:	\$456,489**	
10. Total expenses:	\$632,050**	

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

Texas Board of Orthotics and Prosthetics

1. Total number of licensees:		742
Licensed Prosthetist/Orthotists	386	
Registered Prosthetist/Orthotist Students	41	
Temporary Prosthetist/Orthotists	1	
Registered Prosthetist/Orthotist Technicians	26	
Licensed Prosthetist/Orthotist Assistants	46	
Accredited Prosthetic/Orthotic Facility	242	
2. Total number of new licenses issued:		98
3. Total number of renewal licenses issued:		354
4. Total number of complaints received:		55
Standard of Care/Service/Product	12	
Unlicensed Person/Facility	41	
Unprofessional Conduct	1	
Order Non-Compliance	1	
5. Total number of jurisdictional complaints received:		55
6. Total number of complaint investigations completed:		17
7. Total number of jurisdictional complaints resolved:		34
No Violation	6	
Not Substantiated	3	
License Expiration	2	
Administrative Penalty	5	
Warning Letter	11	
Cease and Desist	1	
Denial	4	
Probated Suspension	1	
Revocation	1	
Civil Penalty		
8. Average length of time required for jurisdictional complaint resolution:		533 days
9. Total fees collected:		\$185,630
10. Total expenses:		\$71,827

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:		273
PERS Registrants-Individuals	221	
PERS Licenses-Businesses	52	
2. Total number of new applications (licenses and registrants):		53
3. Total number of renewals (licenses and registrants):		66
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:		\$30,850
10. Total expenses:		\$19,236

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:		16,600
Licensed Professional Counselors	14,171	
Professional Counselor Interns	2,429	
2. Total number of new licenses issued:		1,960
3. Total number of renewal licenses issued:		6,853
4. Total number of complaints received:		216
Standard of Care/Service/Product	54	
Abuse/Neglect/Exploitation	2	
Sexual Misconduct	18	
Unlicensed Person/Facility	40	
Fraud/Deceit/Bribery	7	
Financial	1	
Client Rights	1	
Confidentiality	8	
Advertising/Mislabeling	4	
Unprofessional Conduct	77	
Criminal History	3	
ReOpen/Reinstate	1	
5. Total number of jurisdictional complaints received:		203
6. Total number of complaint investigations completed:		112
7. Total number of jurisdictional complaints resolved:		171
No Violation	69	
Not Substantiated	29	
Violation Found and Corrected	19	
Licensed Expiration	3	
Administrative Penalties	2	
Warning letters	29	
Cease and Desist	5	
Reprimand	8	
Probated Suspension	4	
Surrender	1	
Revocation	2	
Civil Penalties		
8. Average length of time required for jurisdictional complaint resolution:		284 days
9. Total fees collected:		\$966,945
10. Total expenses:		\$584,457

Statutory Authority:

Occupations Code, Chapter 503

Respiratory Care Practitioner Certification Program

1. Total number of licensees:		13,128
Respiratory Care Practitioners	12,917	
Temporary Respiratory Care Practitioners	211	
2. Total number of new licenses issued:		1,046
3. Total number of renewal licenses issued:		6,032
4. Total number of complaints received:		16
Standard of Care/Services/Product	1	
Unlicensed Person/Facility	1	
Fraud/Deceit/Bribery	1	
Unprofessional Conduct	7	
Criminal History	5	
Unauthorized Activity	1	
5. Total number of jurisdictional complaints received:		16
6. Total number of complaint investigations completed:		9
7. Total number of jurisdictional complaints resolved:		14
No Violation	7	
Not Substantiated	1	
Administrative Penalty	1	
Reprimand	1	
Suspension	1	
Revocation	3	
8. Average length of time required for jurisdictional complaint resolution:		325 days
9. Total fees collected:		\$785,444
10. Total expenses:		\$277,583

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:		20,777
Licensed Clinical Social Workers	6,441	
Licensed Master Social Workers-Advanced Practitioner	426	
Licensed Master Social Workers	7,566	
Temp Licensed Master Social Workers	96	
Licensed Baccalaureate Social Workers	6,198	
Temp Licensed Baccalaureate Social Workers	50	
2. Total number of new licenses issued:		1,561
3. Total number of renewal licenses issued:		9,838
4. Total number of complaints received:		150
Standard of Care/Service/Product	38	
Abuse/Neglect/Exploitation	3	
Sexual Misconduct	3	
Unlicensed Person/Facility	15	
Fraud/Deceit/Bribery	8	
Confidentiality	7	
Advertising/Mislabeling	5	
Unprofessional Conduct	60	
Criminal History	10	
ReOpen/Reinstate	1	
5. Total number of jurisdictional complaints received:		150
6. Total number of complaint investigations completed:		91
7. Total number of jurisdictional complaints resolved:		104
No Violation	47	
Not Substantiated	11	
License Expiration	3	
Withdrawn	1	
Warning Letter	25	
Cease and Desist	4	
Reprimand	1	
Denial	3	
Probated Suspension	3	
Surrender	2	
Revocation	3	
Civil Penalty	1	
8. Average length of time required for jurisdictional complaint resolution:		308 days
9. Total fees collected:		\$1,109,607
10. Total expenses:		\$656,027

Statutory Authority:

Occupations Code, Chapter 505

State Board of Examiners for Speech-Language Pathology and Audiology

1. Total number of licensees:		13,443
Speech Language Pathologists	9,735	
Temp Speech Language Pathologists	5	
Speech Language Pathologist Interns	541	
Speech Language Pathologist Assistants	2,059	
Audiologists	1,059	
Audiologist Interns	38	
Audiologist Assistants	6	
2. Total number of new licenses issued:		2,060
3. Total number of renewal licenses issued:		5,699
4. Total number of complaints received:		36
Standard of Care/Service/Product	16	
Unlicensed Person/Facility	5	
Fraud/Deceit/Bribery	5	
Advertising/Mislabeled	4	
Unprofessional Conduct	6	
5. Total number of jurisdictional complaints received:		36
6. Total number of complaint investigations completed:		5
7. Total number of jurisdictional complaints resolved:		49
No Violation	17	
License Expiration	3	
Withdrawn	2	
Administrative Penalty	7	
Warning Letter	13	
Cease and Desist	4	
Probated Suspension	2	
Suspension	1	
8. Average length of time required for jurisdictional complaint resolution:		299 days
9. Total fees collected:		\$917,826
10. Total expenses:		\$338,300

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

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 1/8/2010
 TIME: 3:26:42PM

Agency Code: 503

Agency name: Texas Medical Board

FUND/ACCOUNT

Exp 2008 Exp 2009 Bud 2010

I General Revenue Fund

Beginning Balance (Unencumbered):

\$0

\$0

\$0

Estimated Revenue:

3560 Medical Exam & Registration

16,912,304

3562 Health Related Profession Fees

330,342

3572 Health Rel Prof Fees-HB11, GR Incr

12,994,046

Subtotal: Estimated Revenue

30,236,692

Total Available

\$30,236,692

\$28,499,740

\$27,849,214

DEDUCTIONS:

Expended/Budgeted/Requested

Transfers - Employee Benefits

Art VIII, Rider 5, Rural PA Loan Reimb (2008-09 GAA)

Art VIII-89, Sec 3, Health Prof Council (2008-09 GAA)

HB 4586, Sec 89, Retention Payments

Art IX, Sec 19.62(a), Salary Increase (2008-09 GAA)

Art VIII-81, Sec 3, Health Prof Council (2010-11 GAA)

Art VIII, Rider 5, Rural PA Loan Reimb (2010-11 GAA)

(9,225,890)

(1,321,470)

0

0

0

0

(25,646)

(112,000)

Total, Deductions

\$(10,685,006)

\$(8,679,655)

\$(8,275,333)

Ending Fund/Account Balance

\$19,551,686

\$19,820,085

\$19,573,881

REVENUE ASSUMPTIONS:

CONTACT PERSON:

Karen B. Drabek

Agency Code: 503

FUND/ACCOUNT

Exp 2008 Exp 2009 Bud 2010

666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$0	\$5,097	\$636
Estimated Revenue:			
3560 Medical Exam & Registration	3,608	0	0
3719 Fees/Copies or Filing of Records	1,628	2,629	423
3740 Grants/Donations	60,000	0	0
3752 Sale of Publications/Advertising	65,439	59,901	64,000
3765 Supplies/Equipment/Services	139	0	0
Subtotal: Estimated Revenue	130,814	62,530	64,423
Total Available	\$130,814	\$67,627	\$65,059

DEDUCTIONS:

Expended/Budgeted/Requested	(125,717)	(66,991)	(65,059)
Total, Deductions	\$(125,717)	\$(66,991)	\$(65,059)

Ending Fund/Account Balance

	\$5,097	\$636	\$0
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REVENUE ASSUMPTIONS:

CONTACT PERSON:

Karen B. Drabek

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 1/8/2010
TIME: 3:26:46PM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: **503**

Agency name: **Texas Medical Board**

FUND/ACCOUNT

Exp 2008 Exp 2009 Bud 2010

5105 Public Assurance			
Beginning Balance (Unencumbered):	\$1,192,116	\$979,405	\$806,066
Estimated Revenue:			
3560 Medical Exam & Registration	25	0	0
3572 Health Rel Prof Fees-HB11, GR Incr	2,610,880	2,612,578	2,510,000
3719 Fees/Copies or Filing of Records	112	0	0
Subtotal: Estimated Revenue	2,611,017	2,612,578	2,510,000
Total Available	\$3,803,133	\$3,591,983	\$3,316,066

DEDUCTIONS:

Expended/Budgeted/Requested	(2,627,647)	(2,605,232)	(2,228,281)
Transfer - Employee Benefits	(176,597)	(131,285)	(237,000)
HB 4586, Sec 89, Retention Payments	0	(10,400)	0
Art IX, Sec 19.62, Salary Increase	(19,484)	(39,000)	0
Total, Deductions	\$(2,823,728)	\$(2,785,917)	\$(2,465,281)

Ending Fund/Account Balance

\$979,405 \$806,066 \$850,785

REVENUE ASSUMPTIONS:

CONTACT PERSON:

Karen B. Drabek

Agency Code: 507

FUND/ACCOUNT

	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund	\$0	\$0	\$0
Beginning Balance (Unencumbered):			
Estimated Revenue:			
3560 Medical Exam & Registration	10,619,206	12,450,807	12,317,000
3570 Peer Assistance Prog Fees	674,513	702,077	700,000
3717 Civil Penalties	183,140	243,170	250,000
Subtotal: Estimated Revenue	11,476,859	13,396,054	13,267,000
Total Available	\$11,476,859	\$13,396,054	\$13,267,000

DEDUCTIONS:

Peer Assistance Program	(625,000)	(625,000)	(700,000)
Texas Online	(391,163)	(421,110)	(325,000)
HB 2208 Criminal History Receipts	(1,501,940)	(797,342)	(2,071,775)
HB 3126 Workforce Data Center	0	0	(365,000)
HB1 Art. VIII Funding HPC	(22,112)	(22,112)	(22,368)
State Paid Benefits	(1,006,550)	(1,249,404)	(1,032,600)
Indirect Cost -Statewide Allocation	(192,789)	(186,128)	(186,000)
Expended/Budgeted/Requested	(5,803,320)	(6,337,168)	(6,525,283)
Total, Deductions	\$(9,542,874)	\$(9,638,264)	\$(11,228,026)

Ending Fund/Account Balance

	\$1,933,985	\$3,757,790	\$2,038,974
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REVENUE ASSUMPTIONS:

CONTACT PERSON:

Karen Harrell

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 11/30/2009
 TIME: 2:47:06PM

Agency Code: 507

Agency name: Texas Board of Nursing

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$0	\$17,730	\$89,796
Estimated Revenue:			
3719 Fees/Copies or Filing of Records	142,288	312,678	300,000
3722 Conf, Semin, & Train Regis Fees	52,447	178,186	100,000
3752 Sale of Publications/Advertising	938,351	1,023,130	423,100
Subtotal: Estimated Revenue	1,133,086	1,513,994	823,100
Total Available	\$1,133,086	\$1,531,724	\$912,896
DEDUCTIONS:			
Expended/Budgeted/Requested	(1,049,955)	(1,385,316)	(912,896)
Total, Deductions	\$(1,049,955)	\$(1,385,316)	\$(912,896)
Ending Fund/Account Balance	\$83,131	\$146,408	\$0

REVENUE ASSUMPTIONS:

CONTACT PERSON:
 Karen Harrell

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 12/1/2009
 TIME: 11:54:17AM

Agency name: **Board of Pharmacy**

Agency Code: **515**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3562 Health Related Profession Fees	5,572,070	6,227,412	7,329,606
3570 Peer Assistance Prog Fees	205,397	216,113	216,867
Subtotal: Estimated Revenue	5,777,467	6,443,525	7,546,473
Total Available	\$5,777,467	\$6,443,525	\$7,546,473
DEDUCTIONS:			
Expended/Budgeted/Requested	(4,174,626)	(4,182,709)	(6,103,241)
Other Indirect Costs	(1,019,176)	(967,167)	(973,084)
Office of Patient Protection	(80,489)	(87,105)	(81,738)
Total, Deductions	\$(5,274,291)	\$(5,236,981)	\$(7,158,063)
Ending Fund/Account Balance	\$503,176	\$1,206,544	\$388,410

REVENUE ASSUMPTIONS:

CONTACT PERSON:

Jane Bennett

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 12/1/2009
TIME: 11:54:17AM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)

Agency name: **Board of Pharmacy**

Agency Code: **515**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3719 Fees/Copies or Filing of Records	3,962	391	3,980
3750 Sale of Furniture & Equipment	3,498	2,588	0
3752 Sale of Publications/Advertising	32	28	339
3767 Supply, Equip, Service - Fed/Other	0	2,100	3,411
3795 Other Misc Government Revenue	0	503	0
3802 Reimbursements-Third Party	1,800	2,237	0
3839 Sale of Motor Vehicle/Boat/Aircraft	0	0	0
Subtotal: Estimated Revenue	9,292	7,847	7,730
Total Available	\$9,292	\$7,847	\$7,730
DEDUCTIONS:			
Expended/Budgeted/Requested	(9,292)	(7,847)	(7,730)
Total, Deductions	\$(9,292)	\$(7,847)	\$(7,730)
Ending Fund/Account Balance	\$0	\$0	\$0

REVENUE ASSUMPTIONS:

CONTACT PERSON:

Jane Bennett

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 12/1/2009
TIME: 11:09:43AM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)

Agency name: **Texas State Board of Dental Examiners**

Agency Code: **504**

FUND/ACCOUNT

	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3562 Health Related Profession Fees	3,589,210	3,840,146	4,172,265
3570 Peer Assistance Prog Fees	134,780	140,548	140,824
3572 Health Rel Prof Fees-HB11, GR Incr	2,533,800	2,631,800	2,650,000
Subtotal: Estimated Revenue	6,257,790	6,612,494	6,963,089
Total Available	\$6,257,790	\$6,612,494	\$6,963,089

DEDUCTIONS:

Expended/Budgeted	(1,664,482)	(1,775,393)	(2,699,845)
Transfer (Employee Benefits)	(293,668)	(333,782)	(394,000)
Art IX Sec 19.62 Sal Increase	(19,670)	(45,086)	0
Unemployment Compensation	(1,088)	(216)	0
Other Indirect Costs	(146,118)	(153,597)	(97,069)
HB4586, Sec 89 Retention Bonus	0	(22,800)	0
Total, Deductions	\$(2,125,026)	\$(2,330,874)	\$(3,190,914)

Ending Fund/Account Balance

	\$4,132,764	\$4,281,620	\$3,772,175
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REVENUE ASSUMPTIONS:

Other Indirect costs for FY 10 is estimated. Statewide Cost Allocations have not been received to date. The amount was estimated using an average of the last 4 years of statewide cost allocations.

CONTACT PERSON:

Brenda Kilburn

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 12/1/2009
TIME: 11:09:43AM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)

Agency name: **Texas State Board of Dental Examiners**

Agency Code: **504**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3719 Fees/Copies or Filing of Records	6,866	7,210	1,000
3722 Conf, Semin. & Train Regis Fees	86,440	121,630	2,000
3752 Sale of Publications/Advertising	68,430	71,595	69,000
Subtotal: Estimated Revenue	161,736	200,435	72,000
Total Available	\$161,736	\$200,435	\$72,000
DEDUCTIONS:			
Expended/Budgeted	(161,736)	(200,435)	(72,000)
Total, Deductions	\$(161,736)	\$(200,435)	\$(72,000)
Ending Fund/Account Balance	\$0	\$0	\$0
REVENUE ASSUMPTIONS:			

CONTACT PERSON:

Brenda Kilburn

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 1/14/2010
TIME: 7:36:27AM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)

Agency name: **Board of Veterinary Medical Examiners**

Agency Code: **578**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3171 Prof-Fees-HB11, GR Increase	1,066,922	1,087,220	1,252,135
3175 Professional Fees	1,152,805	1,190,800	1,256,000
3570 Peer Assistance Prog Fees	32,779	33,770	35,425
Subtotal: Estimated Revenue	2,252,506	2,311,790	2,543,560
Total Available	\$2,252,506	\$2,311,790	\$2,543,560
DEDUCTIONS:			
Expended/Budgeted	(900,836)	(785,296)	(1,009,773)
Transfer of Employee Benefits	(130,940)	(132,774)	(130,940)
Salary Increase	(9,693)	(29,271)	0
Indirect Cost	(69,652)	(69,116)	(57,376)
Total, Deductions	\$(1,111,121)	\$(1,016,457)	\$(1,198,089)
Ending Fund/Account Balance	\$1,141,385	\$1,295,333	\$1,345,471

REVENUE ASSUMPTIONS:

CONTACT PERSON:

Keith Cole

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 1/14/2010
TIME: 7:36:41AM

81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)
 Agency name: **Board of Veterinary Medical Examiners**

Agency Code: **578**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$2,626	\$1,658	\$1,884
Estimated Revenue:			
Ending Fund/Account Balance	\$2,626	\$1,658	\$1,884

REVENUE ASSUMPTIONS:

CONTACT PERSON:
 Keith Cole

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 11/25/2009
TIME: 10:26:26 AM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)
Agency name: Board of Examiners of Psychologists

Agency Code 520

FUND/ACCOUNT

	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund	\$0	\$0	\$0
Beginning Balance (Unencumbered):			
Estimated Revenue:			
3171 Prof-Fees-HB11, GR Increase	665,100	698,800	703,000
3175 Professional Fees	1,242,654	1,298,600	1,444,611
3770 Administrative Penalties	18,200	26,800	18,000
3775 Returned Check Fees	125	100	100
Subtotal, Estimated Revenue	1,926,079	2,024,300	2,165,711
Total Available	\$1,926,079	\$2,024,300	\$2,165,711
DEDUCTIONS:			
Expended/ Budgeted	(799,953)	(814,155)	(972,374)
Employee Benefits	(144,284)	(145,160)	(163,000)
Total, Deductions	\$(944,237)	\$(959,315)	\$(1,135,374)
Ending Fund/Account Balance	\$981,842	\$1,064,985	\$1,030,337

REVENUE ASSUMPTIONS:

Revenue estimates for general revenue collections assume that the number of new licenses and renewals issued will increase at the projected growth rate. Additionally, for FY 2010 the agency had to increase general revenue collections in the amount of \$196,611 in order to fund exceptional items awarded by the 81st Legislature.

CONTACT PERSON:

Jennifer Noack

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 11/25/2009
TIME: 10:26:29AM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 520 Agency name: Board of Examiners of Psychologists

FUND/ACCOUNT

	Exp 2008	Exp 2009	Bud 2010
666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3719 Fees/Copies or Filing of Records	44,936	44,707	45,000
3752 Sale of Publications/Advertising	3,689	7,755	2,000
3802 Reimbursements-Third Party	14,936	16,164	10,000
Subtotal: Estimated Revenue	63,561	68,626	57,000
Total Available	\$63,561	\$68,626	\$57,000

DEDUCTIONS:

Expended/ Budgeted	(63,561)	(68,626)	(57,000)
Total, Deductions	\$(63,561)	\$(68,626)	\$(57,000)

Ending Fund/Account Balance

	\$0	\$0	\$0
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REVENUE ASSUMPTIONS:

Revenue estimates for appropriated receipts assumes that written verifications of licensure, which make up the majority of appropriated receipts (Comp. Obj. 3719), do not decrease. Third party reimbursements and sales of publications are subject to fluctuations and therefore are estimated on a conservative basis.

CONTACT PERSON:

Jennifer Noack

IV. D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 11/25/2009
TIME: 10:26:29AM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)
Agency name: **Board of Examiners of Psychologists**

Agency Code: 520

FUND/ACCOUNT

Exp 2008 Exp 2009 Bud 2010

777 Interagency Contracts			
Beginning Balance (Unencumbered):	\$25,398	\$24,898	\$22,398
Estimated Revenue:			
Expended: Budgeted	(25,398)	(24,898)	(22,398)
Total, Deductions	\$(25,398)	\$(24,898)	\$(22,398)

Ending Fund/Account Balance

	\$0	\$0	\$0
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REVENUE ASSUMPTIONS:

Revenue estimates for interagency contract receipts is based on the continuation of the contract for accounting services between the Board of Examiners of Psychologists and the Funeral Service Commission.

CONTACT PERSON:

Jennifer Noack

Agency Code: 533
FUND/ACCOUNT

	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund	\$0	\$0	\$0
Beginning Balance (Unencumbered):			
Estimated Revenue:			
3562 Health Related Profession Fees	3,210,097	3,477,445	3,703,479
Subtotal: Estimated Revenue	3,210,097	3,477,445	3,703,479
Total Available	\$3,210,097	\$3,477,445	\$3,703,479
DEDUCTIONS:			
Expended/Budgeted/Requested	(1,017,508)	(1,043,254)	(1,060,722)
Transfer-Employee Benefits (OASIER)	(213,428)	(217,770)	(240,601)
Total, Deductions	\$(1,230,936)	\$(1,261,024)	\$(1,301,323)
Ending Fund/Account Balance	\$1,979,161	\$2,216,421	\$2,402,156

REVENUE ASSUMPTIONS:

CONTACT PERSON:
 John Maline

Agency Code: 533 Agency name: Executive Council of Physical Therapy & Occupational Therapy Examiners

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
666 Appropriated Receipts	\$0	\$0	\$0
Beginning Balance (Unencumbered):			
Estimated Revenue:			
3752 Sale of Publications/Advertising	92,185	96,218	80,676
Subtotal: Estimated Revenue	92,185	96,218	80,676
Total Available	\$92,185	\$96,218	\$80,676
DEDUCTIONS:			
Expended/Budgeted/Requested	(92,185)	(96,218)	(80,676)
Total, Deductions	\$(92,185)	\$(96,218)	\$(80,676)
Ending Fund/Account Balance	\$0	\$0	\$0
REVENUE ASSUMPTIONS:			

CONTACT PERSON:
 John Maline

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)
 DATE: 12/11/2009
 TIME: 4:05:11PM

Agency Code: 512 Exp 2008 Exp 2009 Bud 2010
 FUND/ACCOUNT

1	General Revenue Fund	\$0	\$0	\$0
	Beginning Balance (Unencumbered):			
	Estimated Revenue:			
	3562 Health Related Profession Fees	448,371	449,820	431,440
	Subtotal: Estimated Revenue	448,371	449,820	431,440
	Total Available	\$448,371	\$449,820	\$431,440

DEDUCTIONS:

Amount Expended/Budgeted	(224,956)	(232,084)	(239,798)
Trfts BRP and Employee Benefits	(42,092)	(46,645)	(43,932)
Rider Transfers Salary Incr/Bonus	(1,846)	(6,870)	0
Other Indirect-SWCAP, Bldg	(39,694)	(38,696)	(25,744)
Total, Deductions	\$(308,588)	\$(324,295)	\$(309,474)

Ending Fund/Account Balance \$139,783 \$125,525 \$121,966

REVENUE ASSUMPTIONS:
 Revenue is declining due to a decrease in the number of individuals licensed.

CONTACT PERSON:
 Janie Alonzo

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 11/30/2009
TIME: 5:09:00PM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)
Agency name: **Board of Chiropractic Examiners**

Agency Code: **508**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3562 Health Related Profession Fees	1,103,082	1,148,840	1,300,000
3572 Health Rel Prof Fees-HB11, GR Incr	978,600	1,014,800	1,015,000
Subtotal: Estimated Revenue	2,081,682	2,163,640	2,315,000
Total Available	\$2,081,682	\$2,163,640	\$2,315,000
Ending Fund/Account Balance	\$2,081,682	\$2,163,640	\$2,315,000

REVENUE ASSUMPTIONS:

CONTACT PERSON:
Glenn Parker

219-

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3719 Fees/Copies or Filing of Records	31,563	16,920	2,300
3752 Sale of Publications/Advertising	0	30,416	35,000
Subtotal: Estimated Revenue	31,563	47,336	37,300
Total Available	\$31,563	\$47,336	\$37,300
Ending Fund/Account Balance	\$31,563	\$47,336	\$37,300

REVENUE ASSUMPTIONS:

CONTACT PERSON:
 Glenn Parker, Executive Director

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IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 12/1/2009
 TIME: 10:04:19AM

Agency name: **Optometry Board**

Agency Code: **514**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3562 Health Related Profession Fees	622,625	633,880	724,190
3572 Health Rel Prof Fees-HB11, GR Incr	607,100	626,300	629,100
3790 Deposit to Trust or Suspende	96,727	99,212	100,204
Subtotal: Estimated Revenue	1,326,452	1,359,392	1,453,494
Total Available	\$1,326,452	\$1,359,392	\$1,453,494
DEDUCTIONS:			
Expended/Budgeted/Requested	(358,334)	(375,530)	(477,278)
Art 9, 19.62(a) Salary Increase (08-09GAA)	(4,011)	0	0
HB 4586, Sec. 89, Retention Payment	0	(5,600)	0
Transfer, Employee Benefits	(67,087)	(73,947)	(77,992)
Total, Deductions	\$(429,432)	\$(455,077)	\$(555,270)
Ending Fund/Account Balance	\$897,020	\$904,315	\$898,224
REVENUE ASSUMPTIONS:			
Revenue assumption includes:			
License Renewal Fees (3562)			
New License Fees (3562)			
Glaucoma upgrade Fees (3562)			
Therapeutic Upgrade Fees (3562)			
Licensure Examination Fees (3562)			
Duplication License/Certificate Fees (3562)			
University of Houston College of Optometry Development Fund (3790)			
Professional Fees (3572)			
Administrative Penalties (3572)			

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 12/1/2009
TIME: 10:04:19AM

Agency Code: **514**

Agency name: **Optometry Board**

FUND/ACCOUNT

Exp 2008

Exp 2009

Bud 2010

CONTACT PERSON:

Lisa Holder

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 12/1/2009
 TIME: 10:04:19AM

Agency Code: **514** Agency name: **Optometry Board**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$13,574	\$13,574	\$13,574
Estimated Revenue:			
3752 Sale of Publications/Advertising	9,211	0	0
Subtotal: Estimated Revenue	9,211	0	0
Total Available	\$22,785	\$13,574	\$13,574
DEDUCTIONS:			
Sale of Publications/Advertising	(22,785)	(13,574)	(13,574)
Total, Deductions	\$(22,785)	\$(13,574)	\$(13,574)
Ending Fund/Account Balance	\$0	\$0	\$0
REVENUE ASSUMPTIONS:			

CONTACT PERSON:
 Lisa Holder

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 12/1/2009
 TIME: 10:04:19AM

Agency name: **Optometry Board**

Agency Code: **514**

FUND/ACCOUNT	Exp 2008	Exp 2009	Bud 2010
777 Interagency Contracts			
Beginning Balance (Unencumbered):	\$23,824	\$23,824	\$36,006
Estimated Revenue:			
3765 Supplies/Equipment/Services	12,182	14,343	2,130
Subtotal: Estimated Revenue	12,182	14,343	2,130
Total Available	\$36,006	\$38,167	\$38,136
DEDUCTIONS:			
Interagency Contracts	(36,006)	(38,167)	(38,136)
Total, Deductions	\$(36,006)	\$(38,167)	\$(38,136)
Ending Fund/Account Balance	\$0	\$0	\$0
REVENUE ASSUMPTIONS:			

CONTACT PERSON:
 Lisa Holder

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABES1)
 Agency name: **Funeral Service Commission**

DATE: 11/25/2009
 TIME: 10:35:12AM

Agency Code: 513

FUND/ACCOUNT

	Exp 2008	Exp 2009	Bud 2010
1 General Revenue Fund			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3175 Professional Fees	1,328,842	1,375,925	1,530,141
3770 Administrative Penalties	34,200	40,260	32,000
Subtotal: Estimated Revenue	1,363,042	1,416,185	1,562,141
Total Available	\$1,363,042	\$1,416,185	\$1,562,141
DEDUCTIONS:			
Expended/ Budgeted			
Employee Benefits	(657,541)	(672,084)	(801,751)
Total, Deductions	\$(760,447)	\$(788,565)	\$(958,525)
Ending Fund/Account Balance	\$602,595	\$627,620	\$603,616

REVENUE ASSUMPTIONS:

Revenue estimates for general revenue collections assume that the number of new licenses issued for both individuals and facilities, as well as the number of renewals issued, will increase at the projected growth rate.

CONTACT PERSON:

Jennifer Noack

IV.D. ESTIMATED REVENUE COLLECTIONS SUPPORTING SCHEDULE

DATE: 11/25/2009
TIME: 10:35:16AM

81st Regular Session, Fiscal Year 2010 Operating Budget
Automated Budget and Evaluation System of Texas (ABEST)
Agency name: **Funeral Service Commission**

Agency Code: **513**

FUND/ACCOUNT

Exp 2008 Exp 2009 Bud 2010

666 Appropriated Receipts			
Beginning Balance (Unencumbered):	\$0	\$0	\$0
Estimated Revenue:			
3719 Fees/Copies or Filing of Records	922	914	800
3722 Conf. Semin. & Train Regis Fees	5,285	8,963	5,200
3752 Sale of Publications Advertising	51,939	52,572	52,000
Subtotal: Estimated Revenue	<u>58,146</u>	<u>62,449</u>	<u>58,000</u>
Total Available	<u>\$58,146</u>	<u>\$62,449</u>	<u>\$58,000</u>

DEDUCTIONS:

Expended/ Budgeted	(58,146)	(62,449)	(58,000)
Total, Deductions	<u>\$(58,146)</u>	<u>\$(62,449)</u>	<u>\$(58,000)</u>

Ending Fund/Account Balance

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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REVENUE ASSUMPTIONS:

Revenue estimates for appropriated receipts assumes that sales of publications do not decrease, and the that agency will host at least one continuing education seminar in FY 2010. Sales of brochures make up the majority of appropriated receipts for this agency.

CONTACT PERSON:

Jennifer Noack

Appendix C - Health Professions Council
Expenses Section II.C Operating Budget
To comply with Section 6, SB 1058 (81st Regular)

II.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

Agency name: Texas Medical Board

Agency code: 503

OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$5,610,140	\$5,747,536	\$7,106,334
1002 OTHER PERSONNEL COSTS	\$223,353	\$313,336	\$231,700
2001 PROFESSIONAL FEES AND SERVICES	\$1,887,356	\$1,964,914	\$2,224,406
2002 FUELS AND LUBRICANTS	\$6,645	\$4,106	\$5,000
2003 CONSUMABLE SUPPLIES	\$87,629	\$70,818	\$82,500
2004 UTILITIES	\$79,529	\$74,766	\$83,825
2005 TRAVEL	\$238,424	\$230,959	\$315,445
2006 RENT - BUILDING	\$15,538	\$15,498	\$22,000
2007 RENT - MACHINE AND OTHER	\$19,051	\$17,511	\$14,575
2009 OTHER OPERATING EXPENSE	\$1,386,150	\$1,151,895	\$1,129,079
5000 CAPITAL EXPENDITURES	\$18,858	\$45,630	\$304,366
Agency Total	\$9,572,673	\$9,636,969	\$11,519,230

II.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

Agency name: **Texas Board of Nursing**

Agency code: **507**

OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$3,521,797	\$3,987,108	\$4,366,598
1002 OTHER PERSONNEL COSTS	\$87,130	\$288,707	\$104,700
2001 PROFESSIONAL FEES AND SERVICES	\$126,384	\$112,351	\$101,800
2003 CONSUMABLE SUPPLIES	\$52,312	\$53,253	\$67,825
2004 UTILITIES	\$4,064	\$6,829	\$4,275
2005 TRAVEL	\$71,159	\$74,926	\$78,000
2006 RENT - BUILDING	\$5,042	\$21,061	\$7,000
2007 RENT - MACHINE AND OTHER	\$14,725	\$21,266	\$16,100
2009 OTHER OPERATING EXPENSE	\$3,784,796	\$3,965,589	\$3,686,881
5000 CAPITAL EXPENDITURES	\$(59)	\$0	\$30,000
Agency Total	\$7,667,350	\$8,531,090	\$8,463,179

II.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 515 Agency name: Board of Pharmacy

OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$2,761,444	\$3,011,640	\$3,645,394
1002 OTHER PERSONNEL COSTS	\$201,274	\$184,082	\$85,170
2001 PROFESSIONAL FEES AND SERVICES	\$376,992	\$309,432	\$386,895
2002 FUELS AND LUBRICANTS	\$39,018	\$22,678	\$57,609
2003 CONSUMABLE SUPPLIES	\$34,012	\$27,060	\$35,402
2004 UTILITIES	\$10,696	\$7,273	\$6,781
2005 TRAVEL	\$155,209	\$121,592	\$200,370
2006 RENT - BUILDING	\$2,753	\$3,283	\$2,808
2007 RENT - MACHINE AND OTHER	\$4,151	\$9,695	\$10,000
2009 OTHER OPERATING EXPENSE	\$530,974	\$487,087	\$1,522,793
5000 CAPITAL EXPENDITURES	\$67,395	\$6,734	\$157,749
Agency Total	\$4,183,918	\$4,190,556	\$6,110,971

II.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **504**

Agency name: **Texas State Board of Dental Examiners**

OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$1,083,547	\$1,267,823	\$1,487,046
1002 OTHER PERSONNEL COSTS	\$22,360	\$22,800	\$27,080
2001 PROFESSIONAL FEES AND SERVICES	\$217,798	\$238,979	\$848,927
2003 CONSUMABLE SUPPLIES	\$34,578	\$27,033	\$20,000
2004 UTILITIES	\$25,159	\$23,276	\$21,000
2005 TRAVEL	\$47,908	\$64,545	\$73,005
2006 RENT - BUILDING	\$910	\$1,546	\$1,575
2007 RENT - MACHINE AND OTHER	\$5,886	\$6,660	\$6,500
2009 OTHER OPERATING EXPENSE	\$407,742	\$391,082	\$286,712
Agency Total	\$1,845,888	\$2,043,744	\$2,771,845

II.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **578** Agency name: **Board of Veterinary Medical Examiners**

OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$569,228	\$630,739	\$765,409
1002 OTHER PERSONNEL COSTS	\$27,766	\$26,531	\$24,940
2001 PROFESSIONAL FEES AND SERVICES	\$41,307	\$41,257	\$47,875
2003 CONSUMABLE SUPPLIES	\$9,057	\$9,907	\$8,850
2004 UTILITIES	\$2,149	\$4,052	\$2,737
2005 TRAVEL	\$37,546	\$31,764	\$50,997
2006 RENT - BUILDING	\$1,944	\$1,798	\$1,964
2009 OTHER OPERATING EXPENSE	\$176,128	\$91,422	\$108,885
5000 CAPITAL EXPENDITURES	\$6,463	\$7,706	\$0
Agency Total	\$871,588	\$845,176	\$1,011,657

Agency code	520	Agency name	Board of Examiners of Psychologists	EXP 2008	EXP 2009	BUD 2010
OBJECT OF EXPENSE						
1001	SALARIES AND WAGES		\$502,494	\$526,532	\$631,200	
1002	OTHER PERSONNEL COSTS		\$62,410	\$46,950	\$19,860	
2001	PROFESSIONAL FEES AND SERVICES		\$84,139	\$79,212	\$79,988	
2002	TOOLS AND LUBRICANTS		\$162	\$100	\$172	
2003	CONSUMABLE SUPPLIES		\$7,291	\$12,734	\$5,000	
2004	UTILITIES		\$355	\$518	\$500	
2005	TRAVEL		\$20,396	\$18,981	\$22,400	
2006	RENT - BUILDING		\$4,081	\$4,196	\$3,800	
2007	RENT - MACHINE AND OTHER		\$5,289	\$5,836	\$6,600	
2009	OTHER OPERATING EXPENSE		\$113,336	\$119,096	\$189,954	
5000	CAPITAL EXPENDITURES		\$0	\$0	\$12,900	
Agency Total			\$799,953	\$814,155	\$972,374	

Agency code:	533	Agency name:	Executive Council of Physical Therapy & Occupational Therapy Examiners
OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$747,713	\$797,119	\$805,000
1002 OTHER PERSONNEL COSTS	\$33,840	\$36,002	\$36,200
2001 PROFESSIONAL FEES AND SERVICES	\$8,616	\$9,329	\$11,399
2003 CONSUMABLE SUPPLIES	\$15,964	\$13,236	\$16,500
2004 UTILITIES	\$9,429	\$9,509	\$10,200
2005 TRAVEL	\$42,972	\$33,917	\$44,460
2006 RENT - BUILDING	\$219	\$1,035	\$1,000
2007 RENT - MACHINE AND OTHER	\$0	\$0	\$0
2009 OTHER OPERATING EXPENSE	\$250,940	\$229,683	\$216,639
5000 CAPITAL EXPENDITURES	\$0	\$9,642	\$0
Agency Total	\$1,109,693	\$1,139,472	\$1,141,398

I.L.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 512 Agency name: Board of Podiatric Medical Examiners

OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$147,242	\$167,783	\$169,798
1002 OTHER PERSONNEL COSTS	\$17,850	\$6,620	\$6,920
2001 PROFESSIONAL FEES AND SERVICES	\$25,782	\$11,891	\$17,000
2003 CONSUMABLE SUPPLIES	\$4,262	\$2,762	\$6,100
2004 UTILITIES	\$638	\$352	\$400
2005 TRAVEL	\$13,764	\$12,150	\$16,500
2009 OTHER OPERATING EXPENSE	\$24,199	\$38,498	\$26,280
5000 CAPITAL EXPENDITURES	\$0	\$0	\$0
Agency Total	\$233,737	\$240,056	\$242,998

II.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

Agency name: **Board of Chiropractic Examiners**

Agency code: **508**

OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$298,053	\$331,511	\$514,250
1002 OTHER PERSONNEL COSTS	\$18,833	\$21,577	\$7,327
2001 PROFESSIONAL FEES AND SERVICES	\$5,081	\$7,421	\$7,000
2003 CONSUMABLE SUPPLIES	\$3,019	\$4,620	\$3,000
2004 UTILITIES	\$1,246	\$0	\$0
2005 TRAVEL	\$14,604	\$11,971	\$12,000
2006 RENT - BUILDING	\$248	\$445	\$2,400
2007 RENT - MACHINE AND OTHER	\$6,054	\$2,448	\$0
2009 OTHER OPERATING EXPENSE	\$89,026	\$100,549	\$96,508
5000 CAPITAL EXPENDITURES	\$27,007	\$0	\$0
Agency Total	\$463,171	\$480,542	\$642,485

H.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 514 Agency name: Optometry Board

OBJECT OF EXPENSE	EXP 2008	EXP 2009	BUD 2010
1001 SALARIES AND WAGES	\$266,894	\$280,811	\$289,640
1002 OTHER PERSONNEL COSTS	\$14,039	\$32,019	\$14,800
2001 PROFESSIONAL FEES AND SERVICES	\$30,218	\$35,282	\$137,384
2003 CONSUMABLE SUPPLIES	\$3,923	\$1,394	\$2,500
2004 UTILITIES	\$698	\$791	\$645
2005 TRAVEL	\$14,682	\$14,287	\$19,496
2006 RENT - BUILDING	\$61	\$55	\$74
2007 RENT - MACHINE AND OTHER	\$1,848	\$1,693	\$1,849
2009 OTHER OPERATING EXPENSE	\$78,607	\$55,614	\$60,470
Agency Total	\$410,970	\$421,946	\$526,858

H.C. SUMMARY OF BUDGET BY OBJECT OF EXPENSE
 81st Regular Session, Fiscal Year 2010 Operating Budget
 Automated Budget and Evaluation System of Texas (ABE ST)

DATE 11/24/2009
 TIME 2:13:54PM

Agency code	513	Agency name	Funeral Service Commission	EXP 2008	EXP 2009	BUD 2010
OBJECT OF EXPENSE						
1001	SALARIES AND WAGES			\$359,999	\$391,961	\$555,566
1002	OTHER PERSONNEL COSTS			\$33,694	\$47,180	\$6,360
2001	PROFESSIONAL FEES AND SERVICES			\$26,006	\$37,578	\$25,398
2003	CONSUMABLE SUPPLIES			\$11,970	\$3,576	\$10,911
2004	UTILITIES			\$3,679	\$4,558	\$4,000
2005	TRAVEL			\$35,814	\$32,908	\$41,000
2006	RENT - BUILDING			\$394	\$105	\$500
2007	RENT - MACHINE AND OTHER			\$3,382	\$3,691	\$3,050
2009	OTHER OPERATING EXPENSE			\$182,603	\$150,527	\$150,466
5000	CAPITAL EXPENDITURES			\$0	\$0	\$4,500
	Agency Total			\$657,541	\$672,084	\$801,751

Appendix D - Health Professions Council

Unfunded Needs of the Agency

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

Appendix D - Health Professions Council

Unfunded Needs of the Agency

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

Agency	(8) any unfunded needs of the agency.
Chiropractic	<p>Prior to the recent instructions to cut 5% out of the current biennium’s operating budget, the agency appeared to be funded almost adequately, except in the area of pay equity for employees and perhaps having two additional investigators, with one each working in Houston and the Dallas/Ft. Worth areas to visit chiropractic clinics and conduct investigations of cases originating in those areas.</p> <p>It is estimated that the agency needs additional appropriations of about \$55,000 per year to increase the salaries for employees to where they should be. It is estimated that is would cost an additional \$130,000 per year to hire, equip and support two field investigators. The 5% cut recently mandated will reduced agency appropriations by approximately \$30,000 per year. The other agency need is for an assistant to the Executive Director, at a cost of approximately \$40,000 per year.</p> <p>The Board of Chiropractic Examiners has struggled for several years to adequately carry out its mission, due in large part to being under-funded. After receiving appropriations increases during the past three legislative sessions, the agency has made significant progress in resolving a backlog of complaints and other issues. Because the agency generates far more revenue than it receives in appropriations each year, the agency hopes that the legislature will see fit to continue to fund the agency’s needs as requested during future legislative sessions.</p> <p>In summary, the unfunded needs of the agency are:</p> <ol style="list-style-type: none"> 1. Restore the funds to be lost in the 5% appropriations cut for 2010/2011 (\$30,000 annually) 2. Provide additional funds for pay equity for employees (\$55,000 annually) 3. Provide additional funds for two field investigators (\$130,000 annually) 4. Provided additional funds for an assistant to the Executive Director (\$40,000 annually)

Dental	None
Funeral Serv	<p data-bbox="846 384 1025 408">Unfunded Needs</p> <p data-bbox="846 448 2074 600">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 data-bbox="846 639 2063 823">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 data-bbox="846 863 2074 1078">In FY 06 the agency had \$35,934 in indirect costs to the OAG for legal services. In FY 07 the total amount increased 115% to \$77,100. A dedicated General Counsel would eliminate the need for those services. In addition, the agency incurred \$2,062 in indirect costs to SOAH in FY 06. Once again the amount increased 658% in FY 07 to \$15,619. As of today the agency has over 20 cases pending proceedings at SOAH. TFSC investigators 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>
Medical Board	Please see attached Fiscal Notes at the end of this section.

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 doubled to over 100. 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 and 1,499 in fiscal year 2009. In that same time period, the same staff member has opened, reviewed and closed 1,139 examination and endorsement eligibility cases in fiscal year 2007, 2,031 cases in fiscal year 2008 and 2,987 cases in fiscal year 2009. 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 style="text-align: center;">Optometry</p>	<p>Funding Needs</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, as the current database provided under a contract with the Department of Information Resources becomes obsolete on August 31, 2010 (the database will no longer be supported). 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 2011 and 2012.</p> <p>Staff compensation remains an issue. The agency lost an employee in 2009 to another agency that was able to offer the employee a substantial pay raise. The agency received limited funding for merit raises, but additional funds would be beneficial.</p> <p>The above comments do not consider the request by state leadership to detail the effects of a five percent reduction in 2010 and 2011 funding. Such a reduction could have a significant impact on the agency's ability to retain employees with valuable expertise.</p>
<p style="text-align: center;">Pharmacy</p>	<p>The TSBP was successful in obtaining additional appropriations for the requested exceptional items during the 81st Legislative session. During that same session however, a number of unfunded mandates passed which increased costs to the agency. These included:</p> <ul style="list-style-type: none"> - Increased per diem for travel and mileage to employees and board members. - Changes to the State's Position Classification Plan resulted in mandatory increased salary adjustments to a number of agency positions. - Passage of Senate Bill 646 relating to a study regarding the confidentiality of prescription information. A fiscal impact statement was submitted, but was not funded. - Legislation enacted in 2009 has directed the TSBP, the Texas Department of Public Safety, and the Texas Medical Board to develop a transition plan for the orderly transfer from the Department of Public Safety to the Texas State Board of Pharmacy of certain records and regulatory functions relating to dispensing controlled substances by prescription under Chapter 481, Health and Safety Code. This initiative will be addressed by the 82nd Texas Legislature. <p>The continued increase in demand for services, together with the increase in the complex nature of modern health and pharmaceutical care, is taxing the agency's ability to respond not only to future challenges, but to maintain its</p>

	<p>current level of service.</p> <p>If the potentially tight State of Texas budget for 2011-2013 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>
PT/OT	None
Podiatry	<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 & LAR process for later this year to present future needs and their requisite funding.</p>
Psychologists	None
Vet Med	None
DSHS PLCU	<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 22 regulatory programs and consists of:</p> <ul style="list-style-type: none"> • 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

DSHS PLCU

- 11 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 25 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 2009 was \$9,081,600 and total expenses of PLCU programs was \$4,980,369. 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.

*Megan Acade, Special Projects Manager
305-7044*

TMB - unfunded requirements

1 SB 252 see LBB fiscal note
2 HB 2256 see agency fiscal note

TMB - funding received less than requested

1	SB 911	relating to certification and regulation of pain management clinics	2010	2011	Total
	GAA funding		\$35,000	\$35,000	\$70,000
	TMB request		\$54,372	\$54,372	\$108,744
	Difference		-\$19,372	-\$19,372	-\$38,744
	FTEs		1.0	1.0	

Narrative:

Funding was provided but at approx. \$39,000 less than requested for the biennium. Primary implementation costs not funded were salary and benefits costs for one FTE as well as associated equipment and set up costs.

2	SB 1331	relating to the creation of the Texas Physician Health Program	2010	2011	Total
	GAA funding		\$148,530	\$288,036	\$436,566
	TMB request		\$183,720	\$357,426	\$541,146
	Difference		-\$35,190	-\$69,390	-\$104,580
	FTEs		2.5	5.0	

Narrative:

Funding was provided but at approx. \$105,000 less than requested for the biennium. Primary implementation costs not funded were FTE benefit costs as well as associated travel, equipment, and set up/rent costs.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 20, 2009

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB532 by Patrick, Dan (Relating to a physician's delegation of prescriptive authority to physician assistants or advanced practice nurses.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for SB532, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Revenue Gain from <i>General Revenue Fund</i> 1
2010	(\$80,000)	\$80,000
2011	\$0	\$0
2012	\$0	\$0
2013	\$0	\$0
2014	\$0	\$0

Fiscal Analysis

The bill would amend the Occupations Code relating to a physician's delegation of prescriptive authority to physician assistants or advanced practice nurses. The bill would require physicians to register with the Texas Medical Board (TMB), the name and license number of a physician assistant or advanced practice nurse to whom a delegation is made. The bill states that the agency may develop and use an electronic online

delegation registration process for registration.

This bill would take effect September 1, 2009.

Methodology

According to the analysis by the TMB, there would be approximately 4,000 delegation registrations per year. The agency anticipates charging a fee for a population of 8,000 physician assistants. The agency would require revisions to its database and development of an online application for registration. The agency estimates a total one-time cost of \$80,000 for fiscal year 2010. This includes costs of \$20,000 for a server and \$60,000 for software and programming costs associated with the development of the online application. Based on the analysis of the TMB, it is assumed that the Board would adjust license fees to cover any additional costs associated with the implementation of the bill.

Based on the analysis of the Texas Board of Nursing, all other duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Technology

The TMB estimates \$20,000 for a server and \$60,000 for software and programming costs associated with the development of the application.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 503 Texas Medical Board, 507 Texas Board of Nursing

LBB Staff: JOB, CL, MW, NV

Agency Fiscal Note Cost Estimate

Cost Estimate for: HB2256 As Engrossed

Caption: Relating to mediation of out-of-network health benefit claim disputes concerning enrollees, facility-based physicians, and certain health benefit plans; imposing an administrative penalty.

Agency Number: 503 TEXAS MEDICAL BOARD

Agency Analyst: Michelle Green

Date Requested: 5/20/2009 10:03:00 AM

Hearing Date: 5/20/2009 3:50:00 PM

Current Status: Complete

Completion date for cost estimate: 5/20/2009 11:24:00 AM

LBB Coordinator: Keisha Gray , Wk. 512-463-9017, Pgr. 512-708-6471

LBB Analyst: Christy Havel , Wk. 512-463-5344

List of other agencies assigned: 327 EMPLOYEES RETIREMENT SYS, 360 OFFICE ADM HEARINGS, 454 DEPARTMENT OF INSURANCE

Incremental Changes

Bill Summary/Fiscal Analysis

HB 2256 establishes a mandatory mediation process to resolve disputes between health plans, facility-based physicians, and health plan enrollees regarding settlement of an out-of-network health benefit claim. If the enrollee is not satisfied with the mediated agreement, the enrollee may file a complaint with the Texas Medical Board against the facility-based physician for improper billing, as well as against TDI for unfair claim settlement. Information regarding mediations and the outcomes must be reported to TMB, as well as to TDI. Bad-faith mediation by the physician or the health plan is to be reported by the mediator to TMB or TDI and is grounds for an administrative penalty. Both TMB and TDI are required to maintain a database of public information regarding disputes

Fiscal Impact

TMB will require one Investigator IV to investigate complaints regarding disputes and one-half of an Administrative Assistant III to support the complaint process, data entry and response to public information request. Annual salary costs of \$ 61,881. There will be one-time cost in the first year of \$34,760 to include office and equipment set up. The Investigator will incur a \$600 cost due to travel.

Methodology

The agency will require one full-time Investigator IV, classified as a B9 at \$44,481 to investigate complaint disputes. An Administrative Asst. III, classified as A13 part-time salary \$17,400, to support the complaint process, data entry, and respond to request for public information.

Initial equipment and start up cost for the Investigator IV is \$3386, which is a one time cost in FY 2010. In addition there will be a one time cost of \$14,500 for cubicle reconfiguration in FY 2010. There will \$600 in travel expenses monthly totalling \$7200/yr.

Initial equipment and start up cost for the Adm. Asst. III is \$2399, which is a one time cost in FY 2010. In addition there will be a one time cost of \$14,500 for cubilce reconfiguration in FY 2010.

Technology

It is anticipated that the required data will be maintained within the agency's existing database and that requests for information will be processed as public information requests. The cost for database revision will not be significant

	2010	2011	2012	2013	2014	2015
Technology Impact						

Summary of Fiscal Implications

	2010	2011	2012	2013	2014	2015
Probable Gain to General Revenue Fund 1						
Probable Loss to General Revenue Fund 1						
Probable Savings to General Revenue Fund 1						
Probable Cost to General Revenue Fund 1	\$121,520	\$86,760	\$86,760	\$86,760	\$86,760	\$86,760

FTEs

	2010	2011	2012	2013	2014	2015
FTEs	1.5	1.5	1.5	1.5	1.5	1.5

Cost to the State

Personnel Services

Position Titles	FTEs Req	Sal Grp	2010	2011	2012	2013	2014	2015
Administrative Assistant III	0.5	A13	\$17,400	\$17,400	\$17,400	\$17,400	\$17,400	\$17,400
Investigator IV	1.0	B09	\$44,481	\$44,481	\$44,481	\$44,481	\$44,481	\$44,481
Total (also reflected below)	1.5		\$61,881	\$61,881	\$61,881	\$61,881	\$61,881	\$61,881

Other Expenses

	2010	2011	2012	2013	2014	2015
Total salaries and wages (from the Personnel Services Schedule)	\$61,881	\$61,881	\$61,881	\$61,881	\$61,881	\$61,881
Professional Services						
Travel	\$7,200	\$7,200	\$7,200	\$7,200	\$7,200	\$7,200
Rent						
Other operating expense	\$1,712					
Equipment	\$4,048					
Other costs: (specify cubicle reconfiguration)	\$29,000					
Employee retirement, OASI & group ins. cost (28.57% of salary cost)	\$17,679	\$17,679	\$17,679	\$17,679	\$17,679	\$17,679
Total	\$121,520	\$86,760	\$86,760	\$86,760	\$86,760	\$86,760

Method of Financing

	2010	2011	2012	2013	2014	2015
General Revenue Fund 1	\$121,520	\$86,760	\$86,760	\$86,760	\$86,760	\$86,760
Federal Funds 555						
Total	\$121,520	\$86,760	\$86,760	\$86,760	\$86,760	\$86,760

Local Government Impact

No fiscal implication to units of local government is anticipated.

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

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

*Due to document size, provided as pdf on CD. Also available on Council Website (www.hpc.state.tx.us)