Implementation Report
Senate Bill 202, Article 1

As Required By
Senate Bill 202, Section 1.301, 84th Regular Session, 2015

Texas Department of Licensing and Regulation
December 2016
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Executive Summary

This report is provided by the Texas Department of Licensing and Regulation (TDLR) in accordance with the requirements of S.B. 202, Article 1, 84th Regular Session of the Texas Legislature, 2015. S.B. 202, Article 1 implemented the Sunset Advisory Commission’s recommendation to transfer 13 occupational licensing programs from the Department of State Health Services (DSHS) to TDLR. The recommendation was intended to reduce the regulatory responsibilities assigned to DSHS and result in more effective administration of the programs at TDLR.

S.B. 202 required the transfer of the programs to TDLR in two phases. The first seven programs were required to be transferred no later than August 31, 2017. The remaining six programs are required to be transferred no later than August 31, 2019.

As required by Sec. 1.300 of the bill, DSHS and TDLR adopted a transition plan in April 2016 to provide for the orderly transfer of powers, duties, functions, programs, and activities. Under the terms of the transition plan, the first seven programs were successfully transferred to TDLR on October 3, 2016, well in advance of the August 31, 2017 deadline. The remaining six programs are scheduled to transfer on November 1, 2017.

Legislative Requirements

S.B. 202 (2015), Article 1, Sec. 1.301, requires the development and submission of this report.

“(a) The Texas Department of Licensing and Regulation shall, not later than December 1 of each year, submit a report regarding the implementation of this article with respect to that calendar year to:
(1) the Sunset Advisory Commission;
(2) each standing committee of the senate and house of representatives having primary jurisdiction over matters related to health and human services or the occupational licensing of health-related professions; and
(3) each advisory board or committee established to advise the Texas Department of Licensing and Regulation with regard to a program transferred to the department under this article.
(b) A report submitted under this section must include:
(1) detailed information regarding:
(A) the status of the implementation of the transition plan adopted under Section 1.300 of this Act, including an explanation of any delays or challenges in implementing the plan;
(B) appointments to each advisory board or committee established to advise the Texas Department of Licensing and Regulation with regard to a program transferred to the department under this article; and
(C) the establishment and operation of the health professions division of the Texas Department of Licensing and Regulation; and
(2) any other information the Texas Department of Licensing and Regulation considers relevant to the transfer of programs to the department under this article.
(c) In preparing a report required by this section, the Texas Department of Licensing and Regulation shall solicit input from the Department of State Health Services and each advisory
board or committee established to advise the Texas Department of Licensing and Regulation with regard to a program transferred to the department under this article. (d) The Texas Department of Licensing and Regulation shall make each report submitted under this section available to the public on the department's Internet website. (e) This section expires January 1, 2020.”

**Status of Implementation of the S.B. 202 Transition Plan**

TDLR and DSHS adopted a detailed transition plan with a number of components:

- Summary of all transition and planning activities completed after the enactment of S.B. 202 and prior to the adoption of the transition plan;
- Summary of programs to be transferred, including current governance structure and projected transfer dates; and
- Specific activities to be accomplished in each phase of the transfers, with designation of the responsible agency and projected completion dates.

The transition plan projected the transfer date of the first seven programs to be October 1, 2016. Those programs include:

- Athletic trainers
- Dietitians
- Dyslexia therapists and practitioners
- Fitters and dispensers of hearing instruments
- Midwives
- Orthotists and prosthetists
- Speech-language pathologists and audiologists

These seven programs were successfully transferred to TDLR on October 3, 2016, and there were no delays or challenges associated with the transfers. The success of the transfer is due to the collaborative working relationship that exists between TDLR and DSHS, as well as extensive pre-transfer planning.

At the time of adoption of the transition plan, the projected transfer date of the remaining six programs could not be determined. Both agencies agreed that the transfer date for the second phase would be determined after completion of the first phase. TDLR and DSHS are currently holding discussions on the second phase transfer date, which is expected to be November 1, 2017. These programs include:

- Code enforcement officers
- Laser hair removal professionals and facilities
- Massage therapists, instructors, schools, and establishments
- Mold assessors and remediators
- Offender education providers
- Sanitarians

A copy of the transition plan is included with this report.
Abolishment of Existing Boards

S.B. 202, Sec. 1.300(c) required that on the date specified in the transition plan for the transfer of a program to TDLR, the existing board associated with the program is abolished. In accordance with this provision, the following boards and committees were abolished on October 1, 2016:

- Advisory Board of Athletic Trainers
- Texas State Board of Examiners of Dietitians
- Dyslexia Therapists and Practitioners Advisory Committee
- State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments
- Texas Midwifery Board
- Texas Board of Orthotics and Prosthetics
- State Board of Examiners for Speech-Language Pathology and Audiology

TDLR Advisory Board and Advisory Committee Appointments

On October 14, 2015, the Texas Commission of Licensing and Regulation established the new advisory boards and committees and began appointing members. TDLR hosted an Advisory Board Summit on October 28-29, 2015, and boards began meeting in early 2016.

The Advisory Board of Athletic Trainers consists of five members serving six year terms expiring on January 31 of each odd-numbered year. Members are David Weir, College Station, Presiding Officer; Darrell Ganus, Kilgore; Dr. David Schmidt, San Antonio; Brittney Webb, San Marcos; and Michael Fitch, Richardson.

The Dietitians Advisory Board consists of nine members serving staggered six-year terms expiring September 1 of each odd-numbered year. Members are Janet Suzanne Hall, Presiding Officer, Florence; Irma G. Gutierrez, Georgetown; Matilde Ladnier, Houston; Aida “Letty” Moreno-Brown, El Paso; LeAnne Skinner, Austin; Mary Kate “Suzy” Weems, Waco; and Cynthia J. Comparin, Dallas. Currently, the advisory board has two vacant public member positions.

The Dyslexia Therapists and Practitioners Advisory Committee consists of five members serving six year terms expiring on December 31 of each odd-numbered year. Members are Robin G. Cowsar, Presiding Officer, Fredericksburg; Misty Dempsey, Kingwood; Helen M. Macik, Dallas; Leticia L Niegos, Amarillo; and Beatriz Daniels, Brownsville.

The Hearing Instrument Fitters and Dispensers Advisory Board consists of nine members serving staggered six-year terms with the terms of three members expiring on February 1 of each odd-numbered year. Members are Benjamin Norris, Presiding Officer, Waco; Jackie Cooper, Spring; Richard Davila, Lubbock; Gary Haun, San Angelo; Jesus Rangel, Longview; and Amy Trost, Seguin. Currently, the advisory board has two public member vacancies and one vacancy for a Doctor of Otolaryngology.
The Midwives Advisory Board consists of nine members serving staggered six year terms with the terms of three members expiring on January 31 of each odd-numbered year. Members are Meredith Rentz Cook, Presiding Officer, Keller; Brenda Buffington, Livingston; Janet Dirmeyer, Comfort; Laurie Fremgen, Austin; Dr. Charleta Guillory, Houston; Linda Hart, Galveston; Victoria Meinhardt, Austin; Helen Nelson, Grand Prairie; and Dr. Michael Nix, Austin.

The Orthotists and Prosthetists Advisory Board consists of seven members serving staggered six-year terms with the terms of two or three members expiring on February 1 of each odd-numbered year. Members are Miguel Mojica, Presiding Officer, Dallas; David Ahrens, Denton; Randall Duncan, Sherman; Kevin C. Matthews, San Antonio; Catherine A. Mize, Double Oak; and Sterling Phillips, Lubbock. Currently, the advisory board has one vacancy for a public member who uses an orthosis.

The Speech-Language Pathologists and Audiologists Advisory Board consists of nine members serving six year terms with the terms of three members expiring September 1 of each odd numbered year. Members are Sherry Sancibrian, Presiding Officer, Lubbock; Emanuel Bodner, Houston; Patricia Brannon, San Antonio; Cheval Bryant, Houston; Dr. Tammy Camp, Shallowater; Michelle Tejada, San Antonio; Dr. Cristen Plummer-Culp, Austin; and Karl Hummel, Austin. Currently, the advisory board has one vacancy for an audiologist.

**Implementation of Phase One Program Transfers**

TDLR issued a Statement of Work for vendors to bid on a licensing system for the new programs. The contract was awarded in March 2016 to Iron Data (Micropact) for the Versa product, the same system that is in use at DSHS. TDLR hired the necessary staff and formed a project team.

TDLR formed the Health Professions Consolidation Team in July 2016 to coordinate and facilitate internal activities and planning. Each functional area of the agency (licensing, customer service, enforcement, financial services, information technology, compliance, general counsel, strategic communications, innovation, web services) was represented at the team’s weekly meetings. DSHS staff also participated as members of the team. The team coordinated the creation of new web content, the revision of forms and publications, and public outreach to license holders via e-mails and a mass mailing. The team analyzed and resolved challenges and concerns related to go-live, staff training, the transfer of records from DSHS to TDLR, and external inquiries.

For the first three business days after the program transfers, TDLR staffed a command center to monitor all aspects of the transfer, including information technology issues, the volume of customer contacts by telephone and e-mail, the timeliness of responses to customer contacts, and the processing of initial and renewal license applications. After analysis of TDLR’s performance in these areas for the first three days, the command center was discontinued due to the overall success of the transfer operation.
### Table 1 - Licensing Statistics for Transfer Programs, October 2016

<table>
<thead>
<tr>
<th>Program</th>
<th>License Renewals</th>
<th>New License Applications</th>
<th>Total by Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Trainers</td>
<td>182</td>
<td>23</td>
<td>205</td>
</tr>
<tr>
<td>Dietitians</td>
<td>283</td>
<td>25</td>
<td>308</td>
</tr>
<tr>
<td>Dyslexia Therapists &amp; Practitioners</td>
<td>82</td>
<td>4</td>
<td>86</td>
</tr>
<tr>
<td>Hearing Instrument Fitters &amp; Dispensers</td>
<td>31</td>
<td>8</td>
<td>39</td>
</tr>
<tr>
<td>Licensed Prosthetists &amp; Orthotists</td>
<td>38</td>
<td>3</td>
<td>41</td>
</tr>
<tr>
<td>Speech Language Pathologists &amp; Audiologists</td>
<td>960</td>
<td>71</td>
<td>1,031</td>
</tr>
<tr>
<td></td>
<td><strong>1,576</strong></td>
<td><strong>134</strong></td>
<td><strong>1,710</strong></td>
</tr>
</tbody>
</table>

### Table 2 - Customer Service Statistics for Transfer Programs, October 2016

<table>
<thead>
<tr>
<th>Program</th>
<th>Phone Calls Answered</th>
<th>Email Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Trainers</td>
<td>283</td>
<td>248</td>
</tr>
<tr>
<td>Dietitians</td>
<td>423</td>
<td>310</td>
</tr>
<tr>
<td>Dyslexia Therapists &amp; Practitioners</td>
<td>53</td>
<td>31</td>
</tr>
<tr>
<td>Hearing Instrument Fitters &amp; Dispensers</td>
<td>157</td>
<td>115</td>
</tr>
<tr>
<td>Licensed Prosthetists &amp; Orthotists</td>
<td>63</td>
<td>45</td>
</tr>
<tr>
<td>Midwives</td>
<td>18</td>
<td>15</td>
</tr>
<tr>
<td>Speech Language Pathologists &amp; Audiologists</td>
<td>2138</td>
<td>1,734</td>
</tr>
<tr>
<td></td>
<td><strong>3,135</strong></td>
<td><strong>2,498</strong></td>
</tr>
</tbody>
</table>

### Table 3 - Jurisprudence Exams Administered, October 2016

<table>
<thead>
<tr>
<th>Program</th>
<th>Exams Administered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Trainers</td>
<td>29</td>
</tr>
<tr>
<td>Dietitians</td>
<td>243</td>
</tr>
<tr>
<td>Dyslexia Therapists &amp; Practitioners</td>
<td>*</td>
</tr>
<tr>
<td>Hearing Instrument Fitters &amp; Dispensers</td>
<td>6</td>
</tr>
<tr>
<td>Licensed Prosthetists &amp; Orthotists</td>
<td>2</td>
</tr>
<tr>
<td>Midwives</td>
<td>2</td>
</tr>
<tr>
<td>Speech Language Pathologists &amp; Audiologists</td>
<td>96</td>
</tr>
<tr>
<td></td>
<td><strong>378</strong></td>
</tr>
</tbody>
</table>

### Table 4 - Web, Email and Social Media Outreach, October 2016

<table>
<thead>
<tr>
<th>Outreach</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Welcome to TDLR emails delivered</td>
<td>8,292</td>
</tr>
<tr>
<td>Open rate</td>
<td>36% (2,954 unique)</td>
</tr>
<tr>
<td>Click rate</td>
<td>11% (921 unique)</td>
</tr>
<tr>
<td>TDLR Health Facebook page likes</td>
<td>283</td>
</tr>
<tr>
<td>Facebook reach</td>
<td>2,776</td>
</tr>
<tr>
<td>Twitter @TDLRHealth followers</td>
<td>16</td>
</tr>
<tr>
<td>Overall total website page views</td>
<td>+ 2%</td>
</tr>
</tbody>
</table>
Implementation of Phase Two Program Transfers

TDLR plans to replicate the successful Phase One transfer during Phase Two under the continued guidance of the Health Professions Consolidation Team. Team members have evaluated various aspects of the Phase One transfer and proposed streamlining and improvements to the transfer process which will be of benefit in Phase Two.

The ultimate success of Phase Two is dependent on legislative approval of Exceptional Item One, described in TDLR’s FY 2018-2019 Legislative Appropriations Request. TDLR Exceptional Item One requests twenty-five FTEs, and appropriations of $2,334,072 in fiscal year 2018 and $1,502,995 in fiscal year 2019.

Since Phase Two was not scheduled to occur within the FY 2016-2017 biennium, funding was not included in the 2015 General Appropriations Act. Successful program consolidation requires sufficient and timely funding to evaluate the programs, solicit and select information technology bids, streamline and adopt program rules, identify and select office locations, train existing staff, and hire and train new staff.

In addition, TDLR’s 2017-2021 Strategic Plan proposes a number of statutory changes for programs transferred in Phases One and Two that would eliminate unneeded or redundant licenses and regulatory requirements, eliminate licensing impediments and other excessive requirements, and eliminate burdens and government interference with business practices. These recommendations, if adopted by the Legislature, would better align the transferring programs with TDLR’s existing and successful regulatory model.

Stakeholder and Advisory Board Outreach

TDLR believes that proactive communication with licensees and interested parties is essential to the ongoing successful operation of its licensing programs. Staff within the TDLR Compliance Division served as a point of contact for professional associations and advisory board chairs during the important post-transition period. Staff conducted approximately 30 telephone calls to share specific information regarding the status of the transition and to solicit input and concerns from the regulated community. Outreach telephone calls were conducted in mid-October 2016 (two weeks after the transition effective date) and were conducted again in early November 2016. TDLR received much useful information from stakeholders which allowed for improvements in service delivery. TDLR received significant positive feedback regarding the transition planning effort. Outreach included each of the seven advisory board chairs, as well as the following associations:

- Academic Language Therapy Association
- Texas State Athletic Trainers Association
- Texas Academy of Audiology
- Texas Speech-Hearing-Language Association
- Texas Academy of Nutrition and Dietetics
- Texas Hearing Aid Association
- Association of Texas Midwives
- Texas Association of Orthotists and Prosthetists
- American Academy of Orthotists and Prosthetists, Texas Chapter

Establishment and Operation of the TDLR Health Professions Division

TDLR provides services to programs through its proven and successful model, consisting of major functional divisions, such as licensing, customer service, enforcement, compliance, and education/examinations. TDLR has staff within each functional division that are dedicated to serving the health professions programs. The Health Professions Section within the Compliance Division is the division identified in S.B. 202 with health related programs. For operational purposes, as described above, TDLR administers the health professions programs throughout its functional alignment.
Transition Plan
Transfer of Occupational Licensing Programs from DSHS to TDLR
Senate Bill 202, Article 1

BACKGROUND
Senate Bill 202, 84th Legislature, 2015, relates to the transfer of certain occupational regulatory programs and the deregulation of certain activities and occupations. Article 1 of the bill relates to transferring occupational regulatory programs from the Department of State Health Services (DSHS) to the Texas Department of Licensing and Regulation (TDLR):

- Part 1, Art. 1 transfers seven programs no later than August 31, 2017
- Part 2, Art. 1 transfers six programs no later than August 31, 2019
- Part 3, Art. 1 contains transition provisions for Parts 1 and 2

STATUTORY AUTHORITY
Transition Provisions, SB 202, Art. 1, Part 3:
Section 1.299. (a) A rule or fee of the Department of State Health Services that relates to a program transferred under this article and that is in effect on the effective date of the transfer remains in effect until changed by the Texas Commission of Licensing and Regulation.

(b) A license, permit, certificate of registration, or other authorization issued by the Department of State Health Services for a program transferred under this article is continued in effect as a license, permit, certificate, or other authorization of the Texas Department of Licensing and Regulation after the effective date of the transfer.

(c) A complaint, investigation, contested case, or other proceeding before the Department of State Health Services relating to a program transferred under this article that is pending on the effective date of the transfer is transferred without change in status to the Texas Commission of Licensing and Regulation or Texas Department of Licensing and Regulation, as appropriate.

Section 1.300. (a) As soon as practicable after the effective date of a transfer under this article, the Department of State Health Services and the Texas Department of Licensing and Regulation shall adopt a transition plan to provide for the orderly transfer of powers, duties, functions, programs, and activities under this article. The transition plan must provide for the transfer to be completed:
(1) not later than August 31, 2017, for a program transferred under Part 1 of this article; or
(2) not later than August 31, 2019, for a program transferred under Part 2 of this article.

(b) The Department of State Health Services shall provide the Texas Department of Licensing and Regulation with access to any systems or information necessary for the Texas Department of Licensing and Regulation to accept a program transferred under this article.

(c) On the date specified in the transition plan required under Subsection (a) of this section for the transfer of a particular program to the Texas Department of Licensing and Regulation, if applicable, the existing board associated with the program is abolished and the Texas Department of Licensing and Regulation shall, as soon as practicable after that date, appoint the advisory board for the program.

(d) On the date specified in the transition plan required under Subsection (a) of this section for the transfer of a particular program to the Texas Department of Licensing and Regulation, all full-time equivalent employee positions at the Department of State Health Services that primarily concern the administration or enforcement of the program being transferred become positions at the Texas Department of Licensing and Regulation. The Texas Department of Licensing and Regulation shall post the positions for hiring and, when filling the positions, shall give
consideration to, but is not required to hire, an applicant who, immediately before the date of the transfer, was an employee at the Department of State Health Services primarily involved in administering or enforcing the transferred program.

(e) Not later than August 31, 2017, the Texas Department of Licensing and Regulation shall create a health professions division to oversee programs transferred under this article and to ensure the department develops the necessary health-related expertise.

SECTION 1.301. (a) The Texas Department of Licensing and Regulation shall, not later than December 1 of each year, submit a report regarding the implementation of this article with respect to that calendar year to:
(1) the Sunset Advisory Commission;
(2) each standing committee of the senate and house of representatives having primary jurisdiction over matters related to health and human services or the occupational licensing of health-related professions; and
(3) each advisory board or committee established to advise the Texas Department of Licensing and Regulation with regard to a program transferred to the department under this article.
(b) A report submitted under this section must include:
(1) detailed information regarding:
(A) the status of the implementation of the transition plan adopted under Section 1.300 of this Act, including an explanation of any delays or challenges in implementing the plan;
(B) appointments to each advisory board or committee established to advise the Texas Department of Licensing and Regulation with regard to a program transferred to the department under this article; and
(C) the establishment and operation of the health professions division of the Texas Department of Licensing and Regulation; and
(2) any other information the Texas Department of Licensing and Regulation considers relevant to the transfer of programs to the department under this article.
(c) In preparing a report required by this section, the Texas Department of Licensing and Regulation shall solicit input from the Department of State Health Services and each advisory board or committee established to advise the Texas Department of Licensing and Regulation with regard to a program transferred to the department under this article.
(d) The Texas Department of Licensing and Regulation shall make each report submitted under this section available to the public on the department’s Internet website.
(e) This section expires January 1, 2020.

SUMMARY
PHASE 1
Seven programs transferring from DSHS to TDLR under SB 202, Art. 1, Part 1 not later than August 31, 2017:

<table>
<thead>
<tr>
<th>Program</th>
<th>Current Governance Structure</th>
<th>Projected Transfer Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Trainers</td>
<td>Governor-appointed board with independent licensing, rulemaking, and enforcement authority*</td>
<td>10/1/2016</td>
</tr>
<tr>
<td>Dietitians</td>
<td>Governor-appointed board with independent licensing, rulemaking, and enforcement authority*</td>
<td>10/1/2016</td>
</tr>
<tr>
<td>Dyslexia Therapists/Practitioners</td>
<td>DSHS Commissioner-appointed advisory committee that advises DSHS regarding rules and program administration</td>
<td>10/1/2016</td>
</tr>
<tr>
<td>Fitters/Dispensers of Hearing Instruments**</td>
<td>Governor-appointed board with independent licensing, rulemaking, and enforcement authority*</td>
<td>10/1/2016</td>
</tr>
</tbody>
</table>
PHASE 2
Six programs transferring from DSHS to TDLR under SB 202, Art. 1, Part 2 not later than August 31, 2019:

<table>
<thead>
<tr>
<th>Program</th>
<th>Current Governance Structure</th>
<th>Projected Transfer Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code Enforcement Officers</td>
<td>DSHS is the licensing and enforcement authority. Rules are adopted by the HHSC Executive Commissioner.</td>
<td>TBD</td>
</tr>
<tr>
<td>Laser Hair Removal Professionals and Facilities</td>
<td>DSHS is the licensing and enforcement authority. Rules are adopted by the HHSC Executive Commissioner.</td>
<td>TBD</td>
</tr>
<tr>
<td>Massage Therapists, Instructors, Schools, and Establishments</td>
<td>DSHS is the licensing and enforcement authority. Rules are adopted by the HHSC Executive Commissioner.</td>
<td>TBD</td>
</tr>
<tr>
<td>Mold Assessors and Remediators</td>
<td>DSHS is the licensing and enforcement authority. Rules are adopted by the HHSC Executive Commissioner.</td>
<td>TBD</td>
</tr>
<tr>
<td>Offender Education Providers</td>
<td>DSHS is the licensing and enforcement authority. Rules are adopted by the HHSC Executive Commissioner.</td>
<td>TBD</td>
</tr>
<tr>
<td>Sanitarians</td>
<td>DSHS is the licensing and enforcement authority. Rules are adopted by the HHSC Executive Commissioner.</td>
<td>TBD</td>
</tr>
</tbody>
</table>

ACTIVITIES – PHASE 1
This transition plan is dynamic and many dates for transfer activities are still being determined. The following Part 1 and Part 2 sections reflect the ongoing plan as developed by the Department of State Health Services and the Department of Licensing and Regulation. Both Part 1 and Part 2 provide a comprehensive look at the key transition activities. Some activities are dependent on the completion of other activities. The plan will be updated as the transfer progresses.

PART 1

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsible Agency</th>
<th>Projected Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Held initial planning meetings.</td>
<td>Both</td>
<td>July 2015</td>
</tr>
<tr>
<td>DSHS provided comprehensive overview presentations for each program in Phase 1 to the TDLR Transition Team.</td>
<td>DSHS</td>
<td>7/15/2015 - 9/15/2015</td>
</tr>
<tr>
<td>Task Description</td>
<td>Responsible Party</td>
<td>Due Date</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>-------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Updated websites with current status of transfers</td>
<td>Both</td>
<td>9/1/2015 and ongoing</td>
</tr>
<tr>
<td>Provided information and status updates to existing boards and new advisory boards regarding program transfers.</td>
<td>Both</td>
<td>9/1/2015 and ongoing</td>
</tr>
<tr>
<td>TDLR provided comprehensive overview presentation to DSHS regarding the organization and operation of the agency.</td>
<td>TDLR</td>
<td>10/15/2015</td>
</tr>
<tr>
<td>Appointed and trained advisory boards for Phase 1 programs.</td>
<td>TDLR</td>
<td>11/5/2015</td>
</tr>
<tr>
<td>Published proposed rules for Phase 1 programs.</td>
<td>TDLR</td>
<td>12/15/2015</td>
</tr>
<tr>
<td>DSHS identified FTEs described by SB 202, §1.300(d).</td>
<td>DSHS</td>
<td>4/1/2016</td>
</tr>
<tr>
<td>DSHS will provide guidance to staff in preparing for interviews.</td>
<td>DSHS</td>
<td>4/1/2016</td>
</tr>
<tr>
<td>TDLR staff training to learn the DSHS Regulatory Automation System (Versa Regulation), licensing process and module.</td>
<td>DSHS</td>
<td>4/1/2016 – 10/1/2016</td>
</tr>
<tr>
<td>Transfer funds via IAC to DSHS to support program operations in FY 2016.</td>
<td>Both</td>
<td>4/1/2016</td>
</tr>
<tr>
<td>Provide current contact information on all phase 1 licensees and applicants for correspondence purposes.</td>
<td>DSHS</td>
<td>6/1/2016</td>
</tr>
<tr>
<td>Discontinue sending renewal notices to license holders for license set to expire 10/30/2016 and after. Last notices to be sent will be for licenses set to expire on 9/30/2016.</td>
<td>DSHS</td>
<td>8/1/2016</td>
</tr>
<tr>
<td>Transfer test data from Versa Regulation (licensing database).</td>
<td>Both</td>
<td>8/15/2016</td>
</tr>
<tr>
<td>Inactivate online licensing transactions via Versa Online.</td>
<td>DSHS</td>
<td>9/15/2016</td>
</tr>
<tr>
<td>Remove downloadable applications from program websites.</td>
<td>DSHS</td>
<td>9/15/2016</td>
</tr>
<tr>
<td>Perform case closures for complaints and enforcement cases to the extent possible.</td>
<td>DSHS</td>
<td>9/15/2016</td>
</tr>
<tr>
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<td>Provide consultation, information, and support to TDLR as needed.</td>
<td>DSHS</td>
<td>10/1/2016 and ongoing</td>
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<tr>
<td>Amend DSHS Texas.gov custom agreement (responsible parties: DSHS, TDLR, texas.gov, DIR)</td>
<td>DSHS, TDLR</td>
<td>10/1/2016</td>
</tr>
<tr>
<td>Update Texas.gov links (responsible parties: DSHS, TDLR, texas.gov service desk)</td>
<td>DSHS, TDLR</td>
<td>10/1/2016</td>
</tr>
</tbody>
</table>
### JUNE 2015

**TDLR Review of Staff Support for Advisory Committee Functions**

3rd

TDLR completed an assessment of staff support needed for TDRL’s 19 advisory committees and made recommendations for adding more staff to support seven new advisory committees this biennium.

**DSHS-TDLR Staff Collaboration**

10th

DSHS and TDRL executives held a meeting to discuss aspects of program transfers.

**TDRL’s Program Integration Team (PIT)**

22nd

TDRL established a Program Integration Team (PIT) to lead the agency in assimilating the Phase I licensing programs now at DSHS (Athletic Trainers, Dietitians, Dyslexia Therapists and Practitioners, Hearing Instrument Fitters and Dispensers, Midwives, Orthotists and Prosthetists, and Speech-Language Pathologists and Audiologists).

**Rule Reviews and Rule Drafting by TDRL Staff**

25th

TDRL executives and PIT team lead met with Office of General Counsel (OGC) attorneys to discuss elements of a transition plan.

### JULY 2015

**DSHS-TDLR Staff Collaboration**

1st

TDRL staff provided DSHS with a proposed timeline to transfer the first seven DSHS programs to TDRL.

1st

DSHS staff hosted the first work session to acquaint TDRL staff with the rules, policies, and procedures used by DSHS in the licensure of the seven programs coming to TDRL in 2016.

7th

TDRL staff reviewed and provided input regarding a draft of a DSHS letter to its six governing boards. (Note: Dyslexia Therapists and Practitioners have no governing board.)

22nd

DSHS staff hosted the second work session to acquaint TDRL staff with the rules, policies, and procedures used by DSHS in the licensure of the seven programs coming to TDRL in 2016.

**TDRL’s Program Integration Team (PIT)**

27th

TDRL team members met to discuss and draft proposed language for a webpage informing our customers of the program transfers.

30th

TDRL team members met to discuss and draft proposed language for a webpage informing our customers of the program transfers.

**TDRL Advisory Board Implementation**

22nd

Notice of vacancies for advisory board positions filed with the Texas Register.

31st

Notice of vacancies for advisory board positions published in the Texas Register.

31st

Advisory board applications made available on the TDRL website in PDF form.

**Rule Reviews and Rule Drafting by TDRL Staff**

20th

TDRL Executives and the PIT team lead met with OGC attorneys to discuss elements of a transition plan.

27th

TDRL staff met with OGC attorneys to discuss agency membership and/or affiliation with the Health Professions Council.

**TDRL Staff Participation in DSHS Board and Committee Proceedings**

16th

TDRL staff attended Orthotics and Prosthetics rules work group. (TDRL staff participated in Q & A sessions, public meetings of the governing boards, and various committees and work groups supporting them.)

### AUGUST 2015

**TDRL Advisory Board Implementation**

Online advisory board applications made available on TDRL website and posted on TDRL social media platforms.
Email notifications sent to existing DSHS email subscribers with links to apply for advisory board positions.

**DSHS-TDLR Staff Collaboration**

**24th**
DSHS staff hosted the third work session to acquaint TDLR staff with the rules, policies, and procedures used by DSHS in the licensure of the seven programs coming to TDLR in 2016.

**TDLR Staff Participation in DSHS Board and Committee Proceedings**

**28th**
TDLR staff attended Texas Board of Orthotics and Prosthetics meeting. (TDLR staff participated in Q & A sessions, public meetings of the governing boards, and various committees and work groups supporting them.)

### SEPTEMBER 2015

**DSHS-TDLR Staff Collaboration**

**8th**
TDLR leaders met to discuss an IAC to transfer funds for ongoing operations at DSHS.

**10th**
TDLR leaders met to discuss an IAC to transfer funds for ongoing operations at DSHS.

**18th**
DSHS hosted TDLR staff for a demonstration of how Versa is used for licensure at DSHS.

**18th**
TDLR staff attended a DSHS-hosted pre-examination orientation for the Fitting and Dispensing of Hearing Instruments exam.

**21st**
TDLR hosted first work session for DSHS executives and key administrators to acquaint them with TDLR’s functional alignment model.

**24th**
TDLR staff observed the administering of a Fitting and Dispensing of Hearing Instrument examination at DSHS.

**29th**
TDLR hosted second work session for DSHS executives and key administrators to acquaint them with TDLR’s functional alignment model.

**TDLR’s Program Integration Team (PIT)**

**2nd-30th**
TDLR PIT members reviewed existing DSHS rules and provided input to the rules-adoptions process led by the OGC.

**16th**
TDLR PIT members met to compose Power Point slides for use at work sessions with DSHS administrators.

**TDLR Advisory Board Implementation**

**15th-18th**
Chairman Arismendy and TDLR executive staff complete initial review and vetting of advisory board applications.

**Rule Reviews and Rule Drafting by TDLR Staff**

**10th**
TDLR executives and PIT members met with OGC attorneys to discuss considerations for a thorough rule review of the programs being transferred.

**17th**
TDLR executives and PIT members met with OGC attorneys to discuss considerations for a thorough rule review of the programs being transferred.

**22nd**
TDLR executives and PIT members met with OGC attorneys to discuss considerations for a thorough rule review of the programs being transferred.

**22nd to present**
TDLR OGC attorneys drafted new rules for the seven DSHS programs for advisory committee review (to take place in November).

**Advisory Committees and Summit**

**2nd**
TDLR PIT members made plans for a Summit to be hosted by TDLR for new advisory committee members. Team members proposed a Summit agenda.

**16th**
TDLR PIT members met to revise the Summit agenda and discuss content.

**18th**
TDLR executives met with DSHS leaders to discuss issues related to new advisory committees.
TDLR Staff Participation in DSHS Board and Committee Proceedings

14th
TDLR staff attended Texas Midwifery Board meeting and the Board’s Education Committee meeting. (TDLR staff participated in Q & A sessions, public meetings of the governing boards, and various committees and work groups supporting them.)

TDLR Staff Interaction with Industry Stakeholders

30th
TDLR executives attended the Texas Academy of Nutrition and Dietitians meeting in Austin.

TDLR Collaboration with Department of Information Resources (DIR) in Securing a Cloud Platform for Licensure of New Programs

3rd
TDLR staff met with DIR, a potential vendor (Iron Data), and other state agency personnel to explore accessing an Amazon cloud connection through its DCS program.

11th
TDLR staff met with DIR, a potential vendor (Iron Data), and other state agency personnel to explore accessing an Amazon cloud connection through its DCS program.

OCTOBER 2015

DSHS-TDLR Staff Collaboration

6th, 7th
TDLR hosted work sessions with DSHS executive directors and TDLR OGC attorneys working on new rule drafting.

Rule Reviews and Rule Drafting by TDLR Staff

22nd
Executives and Pitt members met with OGC attorneys to discuss considerations for a thorough rule review of the programs being transferred.

Advisory Committees and Summit

13th
TDLR advisory board support team met to finalize Summit agenda and content.

14th
TDLR Commission established six new advisory committees and appointed members to each.

28th-29th
TDLR hosted Advisory Board Summit.

TDLR Staff Participation in DSHS Board and Committee Proceedings

15th-16th
TDLR staff attended the Texas Board of Speech-Language Pathologists and Audiologists meeting and the Board’s Rules and Scope-of-Practice Committee meetings in San Antonio. (TDLR staff participated in Q & A sessions, public meetings of the governing boards, and various committees and work groups supporting them.)

TDLR Staff Interaction with Industry Stakeholders

1st
TDLR hosted discussions with members of the Association of Texas Midwives.

8th
TDLR executives attended the Texas Academy of Orthotics and Prosthetics conference in San Antonio.

23rd-24th
TDLR executives attended the Texas Academy of Audiologists conference in Houston.

NOVEMBER 2015

DSHS-TDLR Staff Collaboration

20th
TDLR staff observed examinations in the Athletic Trainers program conducted by the DSHS staff and provided staff to assist DSHS with other aspects of the program.

Rule Reviews and Rule Drafting by TDLR Staff

9th-30th
TDLR staff prepared revised drafts of new rules for each of the programs for filing with the Texas Register in December (using input provided during initial meetings of new advisory committees).

Advisory Committees

14th
TDLR Commission appointed members to fill vacancies on the Dietitians Advisory Board, Orthotists and Prosthetists Advisory Board, and Speech-Language Pathologists and Audiologists Advisory Board.

Advisory Board Meetings

9th
Inaugural meeting of TDLR Athletic Trainers Advisory Board.
12th Inaugural meeting of TDLR Dietitians Advisory Board.
13th Inaugural meeting of TDLR Midwives Advisory Board.
16th Inaugural meeting of TDLR Orthotists and Prosthetists Advisory Board.
17th Inaugural meeting of TDLR Speech-Language Pathologists and Audiologists Advisory Board.
24th Inaugural meeting of TDLR Hearing Instrument Fitters and Dispensers Advisory Board.

**TDLR Staff Participation in DSHS Board and Committee Proceedings**

9th TDLR staff attended the Texas Board of Midwifery meeting in Austin. (TDLR staff participated in Q & A sessions and provided a status report to the Board on the transition of the program from DSHS to TDLR.)

13th TDLR staff attended the Texas Board of Orthotics and Prosthetics meeting in Austin. (TDLR staff participated in a Q & A session with DSHS staff, provided a status report to the Board on the transition of the program from DSHS to TDLR, and responded to questions during a meeting of the Board’s Rules Committee.)

**DECEMBER 2015**

**Contingency Revenue Funding**

14th TDLR created and submitted Contingency Revenue Rider update.

**Rule Reviews and Rule Drafting by TDLR Staff**

25th TDLR published proposed new rules to the Athletic Trainers program in the Texas Register.

25th TDLR published proposed new rules to the Licensed Dyslexia Therapists and Licensed Dyslexia Practitioners program in the Texas Register.

**JANUARY 2016**

**DSHS-TDLR Staff Collaboration**

22nd TDLR and DSHS staff met to finalize a new timeline for completion of Phase I programs (October 1, 2016).

27th TDLR and DSHS staff met to discuss how open enforcement cases will be handled when the programs are transferred.

**Contingency Revenue Funding**

14th TDLR received letter from Comptroller’s Office advising of certification of partial appropriation of Senate Bill 202.

27th TDLR created and submitted Contingency Revenue Rider update.

**Rule Reviews and Rule Drafting by TDLR Staff**

1st TDLR published proposed new rules to the Dietitians program in the Texas Register.

1st TDLR published proposed new rules to the Midwives program in the Texas Register.

8th TDLR published proposed new rules to the Hearing Instrument Fitters and Dispensers program in the Texas Register.

8th TDLR published proposed new rules to the Orthotists and Prosthetists program in the Texas Register.

8th TDLR published proposed new rules to the Speech-Language Pathologists and Audiologists program in the Texas Register.

12th TDLR Public Hearing held on proposed new rules to the Licensed Dyslexia Therapists and Licensed Dyslexia Practitioners program.

25th Public comment period closed for proposed new rules to the Athletic Trainers program.

25th Public comment period closed for proposed new rules to the Licensed Dyslexia Therapists and Licensed Dyslexia Practitioners program.

**TDLR Staff Participation in DSHS Board and Committee Proceedings**

20th TDLR staff made a presentation to the Texas Board of Fitters and Dispensers of Hearing Instruments in Austin.
TDLR Staff Interaction with Industry Stakeholders

9th  TDLR staff attended Greater Houston Athletic Trainers Society workshop in Katy.

FEBRUARY 2016

DSHS-TDLR Staff Collaboration

5th  TDLR and DSHS staff met to review and discuss a formal Transition Plan for the program transfers.

Rule Reviews and Rule Drafting by TDLR Staff

1st  Public comment period closed for proposed new rules to the Dietitians program.
1st  Public comment period closed for proposed new rules to the Midwives program.
5th  TDLR staff reviewed with DSHS staff all public comments received in response to the proposed rules to the Athletic Trainers, Dietitians, and Midwives programs.
8th  Public comment period closed for proposed new rules to the Hearing Instrument Fitters and Dispensers program.
8th  Public comment period closed for proposed new rules to the Orthotists and Prosthetists program.
8th  Public comment period closed for proposed new rules to the Speech-Language Pathologists and Audiologists program.

Advisory Board Meetings

9th  TDLR Midwives Advisory Board met and recommended the TDLR Commission to adopt the initial set of rules.
18th  TDLR Orthotists and Prosthetists Advisory Board scheduled to meet.
19th  TDLR Dietitians Advisory Board scheduled to meet.
22nd  TDLR Athletic Trainers Advisory Board scheduled to meet.
24th  TDLR Speech-Language Pathologists and Audiologists Advisory Board scheduled to meet.
26th  TDLR Hearing Instrument Fitters and Dispensers Advisory Board scheduled to meet.

TDLR Staff Participation in DSHS Board and Committee Proceedings

5th  TDLR staff made a presentation to the State Board of Examiners for Speech-Language Pathology and Audiology in San Antonio.
8th  TDLR staff made a presentation to the Texas Midwifery Board in Austin.

MARCH 2016

Rule Reviews and Rule Drafting by TDLR Staff

9th  TDLR Commission adopted rule package for Dyslexia Therapists and Practitioners.

APRIL 2016

Rule Reviews and Rule Drafting by TDLR Staff

13th  TDLR Commission, upon advisory board recommendation, to adopt rule package for Athletic Trainers, Dietitians, Hearing Instrument Fitters and Dispensers, Midwives, Orthotists and Prosthetists, Speech-Language Pathologists and Audiologists.

ACTIVITIES – PHASE 2

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsible Agency</th>
<th>Projected Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hold initial planning meetings.</td>
<td>Both</td>
<td>TBD</td>
</tr>
<tr>
<td>DSHS provides comprehensive overview presentations for each program in Phase 1 to the TDLR Transition Team.</td>
<td>DSHS</td>
<td>TBD</td>
</tr>
<tr>
<td>Update websites with current status of transfers</td>
<td>Both</td>
<td>TBD</td>
</tr>
<tr>
<td>Task Description</td>
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<td>Completion Date</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
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<tr>
<td>TDLR will provide comprehensive overview presentation to DSHS regarding the</td>
<td>TDLR</td>
<td>TBD</td>
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<tr>
<td>organization and operation of the agency.</td>
<td></td>
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<tr>
<td>Appoint and train advisory boards for Phase 2 programs.</td>
<td>TDLR</td>
<td>TBD</td>
</tr>
<tr>
<td>Publish proposed rules for Phase 2 programs.</td>
<td>TBD</td>
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<td>DSHS will identify FTEs described by SB 202, §1.300(d).</td>
<td>TDLR</td>
<td>TBD</td>
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<tr>
<td>DSHS will provide guidance to staff in preparing for interviews.</td>
<td>TDLR</td>
<td>TBD</td>
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<td>Transfer funds via IAC to DSHS to support program operations, if necessary.</td>
<td>Both</td>
<td>TBD</td>
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<tr>
<td>Discontinue sending renewal notices to license holders for license set to expire</td>
<td>DSHS</td>
<td>TBD</td>
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<tr>
<td>00/00/0000 and after. Last notices to be sent will be for licenses set to expire</td>
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<tr>
<td>on 00/00/0000.</td>
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<tr>
<td>Transfer test data from Versa Regulation (licensing database).</td>
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<td>TBD</td>
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<td>Inactivate online licensing transactions via Versa Online.</td>
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<td>Remove downloadable applications from program websites.</td>
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<td>Perform case closures for complaints and enforcement cases to the extent</td>
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CERTIFICATION

DSHS and TDLR certify that the activities specified above are necessary to effectuate the requirements of S.B. 202, Article 1. The agencies also certify that this transition plan serves the interest of efficient and economical administration of state government.

__________________________
Kathryn C. Perkins, RN, MBA
Assistant Commissioner
Division for Regulatory Services
Texas Department of State Health Services

4/4/2016
Date

__________________________
William Kuntz
Executive Director
Texas Department of Licensing and Regulation

4/11/2016
Date