



TEXAS DEPARTMENT OF
HEALTH & HUMAN SERVICES
LICENSING & REGULATION

2021-2025 STRATEGIC PLAN

LEADING TEXAS
TO A BRIGHTER, STRONGER FUTURE

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**AGENCY STRATEGIC PLAN
FISCAL YEARS 2021-2025**

BY THE TEXAS COMMISSION OF LICENSING AND REGULATION
&
TEXAS DEPARTMENT OF LICENSING AND REGULATION

Commission Member	Term	Hometown
Rick Figueroa, Chair	02/01/2021	Brenham
Thomas F. Butler, Vice Chair	02/01/2025	Deer Park
Helen Callier	02/01/2021	Kingwood
Joel Garza	02/01/2021	Pearland
Gerald R. Callas, M.D., F.A.S.A.	02/01/2023	Beaumont
Gary Wesson, D.D.S., M.S.	02/01/2023	Richmond
Nora Castañeda, M. Ed.	02/01/2025	Harlingen

Submitted June 1, 2020

Signed:

Executive Director

Approved:

Commission Chair

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WHO WE ARE

The Texas Department of Licensing and Regulation (TDLR) licenses and regulates a broad range of occupations, businesses, facilities, and equipment in Texas. In carrying out our mission, our chief goals are to protect the health and safety of all Texans and ensure they are served by qualified and competent professionals. We strive to provide consistent, predictable, common-sense guidance to our customers at all times, and to be flexible and pragmatic in times of crisis. Our philosophy is that smaller, smarter government—which is efficient, innovative, and minimizes interference with the business affairs of licensees—best serves the citizens of Texas.

Chapter 51 of the Texas Occupations Code establishes TDLR and its responsibilities. The Texas Commission of Licensing and Regulation (Commission) is TDLR's governing board and policy-making body. Its seven public members are appointed to staggered six-year terms by the Governor with the consent of the Texas Senate. By law, Commission members cannot engage in any of the businesses or trades regulated by TDLR.

In addition to protecting the health and safety of Texans, the Commission makes it a top priority to identify and remove business impediments and overly burdensome requirements from program rules. Before adopting any administrative rule, the Commission carefully considers the potential impact of new regulations on public health and safety, businesses, consumers, and licensees. To better understand the effect of program

rules on regulated occupations and industries, Commission members often attend meetings of TDLR's advisory boards.

The Commission values transparency and open government. Commission meeting dates, locations, and agendas are shared in advance with the public, and members of the public can address their concerns directly to the Commissioners. Meetings are streamed live on the internet, then archived and made available to view anytime from the TDLR website. Commissioners receive training from TDLR's Office of General Counsel to ensure compliance with the state's open government laws.

TDLR's advisory boards consist of licensees and representatives from regulated businesses and industries, as well as public members and other professionals. Advisory board members are appointed by the Commission to provide important technical knowledge and industry expertise, giving the Commissioners and TDLR staff real-world insight into their respective occupations and industries. Input from each advisory board is critical in helping TDLR effectively carry out its mission and accomplish its vision.

TDLR's executive director reports directly to the Commission. The executive director is responsible for:

- administering TDLR's programs;
- recruiting, hiring, and leading agency personnel;

- issuing licenses and certificates;
- approving complaint settlements, fines, and sanctions;
- issuing cease and desist orders and emergency orders; and
- referring cases to the Texas Attorney General.

During the past year, unforeseen disasters have required TDLR to take an even more flexible and practical approach in carrying out its mission. Having learned valuable lessons from the aftermath of Hurricane Harvey, TDLR was able to respond quickly and effectively to Tropical Storm Imelda in late 2019 and to the COVID-19 pandemic in 2020. In responding to these disasters, with assistance from the Office of the Governor, TDLR was able to extend inspection deadlines, waive continuing education and other licensing requirements, and provide vital information to the regulated public in times of crisis.

Since adopting the agency's previous Strategic Plan, TDLR and the Commission have sharpened their focus on eliminating human trafficking in Texas. With the aid of an additional eight employees in our dedicated Anti-Trafficking unit, TDLR will become a leader in rooting out human trafficking in Texas. Our efforts include periodic, unannounced inspections of massage establishments and cosmetology salons, cooperation with law enforcement agencies, and training all agency employees to spot and report signs of human trafficking. Our unique

WHAT WE BELIEVE

perspective as the regulator of the massage and cosmetology industries equips us to identify and respond to human trafficking others may not see.

TDLR would not be able to carry out its mission without its team of dedicated public servants. Our 500-plus professionals do the work behind the scenes, allowing TDLR to remain one of Texas' top-performing government agencies. TDLR employees conduct inspections, enforce regulations, develop examinations, provide specialized technical expertise, and deliver outstanding customer service, in addition to performing countless other tasks and modeling "next best practices" that keep the agency operating efficiently.

TDLR, its employees, and the Commissioners share a common goal of providing low-cost, high-quality services for all Texans. In everything we do, we carefully balance the interests of protecting public health and safety with the need to preserve freedom and the rights of individuals to pursue their dreams.

Mission

To earn the trust of Texans every day by providing innovative regulatory solutions for our licensees and those they serve.

Core Values

- **Accountable to Texans**
- **Create an exceptional customer service experience**
- **Integrity in all we do**
- **Lead through innovation**
- **Open and free communication**
- **Respect for all**
- **Teamwork built on individual strengths and ingenuity**



Goals

1. Fully implement and administer the recommendations resulting from the Sunset review process
2. Improve efficiencies, streamline rules, and decrease regulatory burdens by removing redundancies and eliminating process bottlenecks for all TDLR programs
3. Focus the agency's regulatory and educational outreach efforts on protecting public health and safety, combating human trafficking, and preventing consumer harm
4. Position TDLR to respond effectively to the next pandemic, natural disaster, or crisis
5. Continue to streamline and improve administration of and services for programs transferred to TDLR

Vision

To be the best at creating 'next' practices that deliver low-cost licensing and regulatory services and an exceptional customer experience.

WHO WE REGULATE

The Texas Legislature's movement toward regulatory program consolidation continues to recognize TDLR's ability to regulate successfully. In doing so, the Legislature has expanded TDLR's broad range of responsibilities. In 2015, TDLR was responsible for 24 business and occupational licensing programs. With the successful transfers of medical and health programs, Motor Fuel Metering and Quality, and Motorcycle Operator and ATV Operator Safety programs, plus newly created licensing programs, TDLR will enter Fiscal Year 2021 with a total of 40 licensing programs.

TDLR's licensee population has grown from approximately 652,000 individuals, businesses, and equipment in 2015 to more than one million today. The agency continues to deliver improved services and streamlined regulations to those programs transferred from other agencies, and it has successfully recommended and overseen the deregulation of several outdated programs and license types:

- In 2015, Senate Bill 202 transferred 13 DSHS licensing programs to TDLR – seven in the FY 2016-17 biennium and six in the FY 2018-19 biennium.
- House Bill 1786 transferred the Texas Education Agency driver training program and the Texas Department of Public Safety parent-taught driver education program to TDLR on September 1, 2015. These two separate programs were successfully

consolidated at TDLR as the Driver Education and Safety Program.

- In 2017, licensing and regulation of the practice of Podiatry transferred to TDLR from the Texas State Board of Podiatric Medical Examiners, with the enactment of House Bill 3078 (85th Legislature, Regular Session).
- The 85th Legislature also created two brand new licensing programs at TDLR: Behavior Analysts and Transportation Network Companies.
- Three licensing programs were deregulated by the 85th Legislature: Vehicle Protection Product Warrantors, Temporary Common Worker Employers (both effective September 1, 2017), and For-Profit Legal Service Contracts (effective September 1, 2019). Several license types with low populations and few consumer protection threats were also eliminated, including booting companies and operators, eyebrow threading, and shampooing. During the 86th Legislature, TDLR strategic initiatives led to the deregulation of three license types: Technician Registrations for Orthotic Technicians, Prosthetic Technicians, and Orthotic-Prosthetic Technicians.

- The 86th Legislature transferred responsibility for the Motor Fuel Metering and Quality program from the Texas Department of Agriculture to TDLR effective September 1, 2020. The Motorcycle Operator and ATV Operator Safety program was also transferred to TDLR from the Texas Department of Public Safety effective September 1, 2020.
- The 86th Legislature provided critical resources to TDLR to assist in the fight against human trafficking. As a result, TDLR has created an eight-member Anti-Trafficking Unit (ATU) to focus primarily on identifying and reporting signs of human trafficking illicit activity in the massage and cosmetology industries. The ATU also offers education and training to TDLR staff and conducts outreach to local, state, and federal partners. This unique aspect of TDLR's regulatory responsibilities gives the agency an elevated role in partnering with local law enforcement and prosecutors to identify and shut down illicit businesses and criminal activity in Texas communities.

TDLR’s core values of innovation and teamwork are essential to the successful management of these increasingly diverse responsibilities. The agency is supported in these efforts by a motivated and inspired workforce who respond positively to dynamic change.

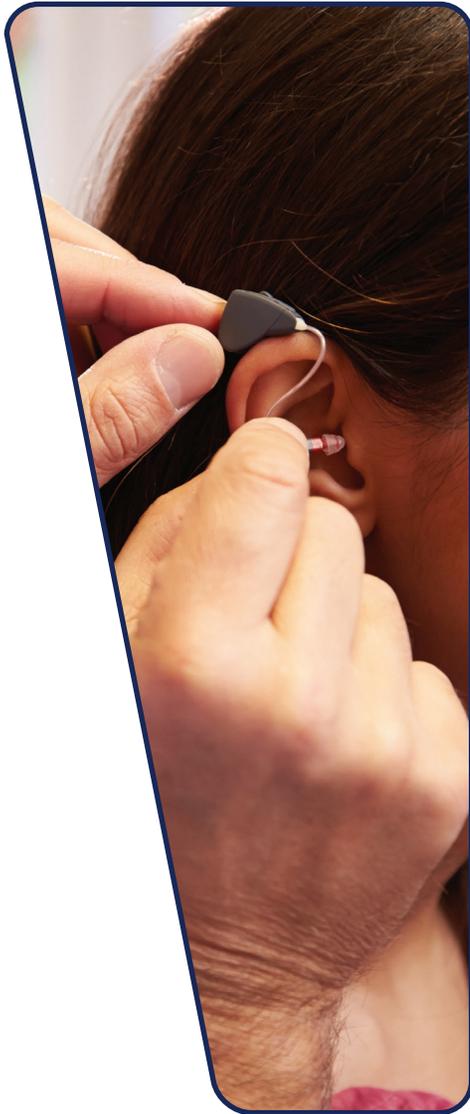
TDLR’s functional business model removes program “silos” to eliminate redundancies and ensure greater productivity—allowing work to be performed at scale in response to the greatest need. Aligning resources across programs requires agility and open communication between all levels of the agency, and the success of this functional model can be measured in improved customer service, reduced program costs, and lower fees for Texans.

In FY 2020, TDLR managed 39 business and occupational licensing programs with 234 license types, as well as continuing education providers and courses. The following chart is a snapshot of our total licensee population (from largest to smallest) through the end of the second quarter of FY 2020:

Program	License Types	Licensed Individuals	Licensed Businesses	Total Licensee Population
Cosmetologists	35	271,030	48,745	319,775
Motor Fuel Metering & Quality*	14	1,205	210,822	212,027
Electricians	15	150,217	11,676	161,893
Boilers	3	238	53,453	53,691
Air Conditioning & Refrigeration Contractors	3	48,192	0	48,192
Elevators & Escalators	3	177	43,045	43,222
Barbers	26	23,535	10,290	33,825
Massage Therapy	5	27,784	2,736	30,520
Vehicle Towing	7	14,211	15,706	29,917
Speech-Language Pathologists & Audiologists	6	21,764	0	21,764
Elimination of Architectural Barriers	2	553	11,779***	12,332
Dietitians	1	6,229	0	6,229
Vehicle Storage Facilities	2	2,606	1,934	4,540
Mold Assessors & Remediators	8	4,072	439	4,511
Athletic Trainers	2	3,973	0	3,973
Property Tax Professionals	3	3,732	0	3,732
Offender Education Programs	9	2,912	813	3,725
Driver Education & Safety	11	2,696	934	3,630
Laser Hair Removal	6	2,967	241	3,208
Combative Sports	9	2,944	52	2,996
Code Enforcement Officers	2	2,558	0	2,558
Continuing Education**	2	0	2,424	2,424

Continued on next page

WHO WE REGULATE | *Continued from previous page*



Hearing Instrument Fitters & Dispensers

Program	License Types	Licensed Individuals	Licensed Businesses	Total Licensee Population
Auctioneers	2	2,371	0	2,371
Behavior Analysts	2	2,293	0	2,293
Water Well Drillers & Pump Installers	2	2,287	0	2,287
Property Tax Consultants	3	1,870	0	1,870
Podiatric Medicine	5	1,462	0	1,462
Sanitarians	2	1,266	0	1,266
Dyslexia Practitioners & Therapists	2	943	0	943
Orthotists & Prosthetists	15	629	276	905
Hearing Instrument Fitters & Dispensers	4	830	20	850
Used Automotive Parts Recyclers	1	0	755	755
Industrialized Housing & Buildings	7	60	662	722
Professional Employer Organizations	2	0	388	388
Service Contract Providers	2	0	360	360
Polygraph Examiners	2	262	0	262
Midwives	4	257	4	261
Licensed Breeders	1	0	156	156
Transportation Network Companies	1	0	15	15
Weather Modification	2	0	12	12
Total	233	608,125	417,737	1,025,862

Source: TDLR Licensing Performance Measures, 2nd Quarter FY 2020

**Source: Texas Department of Agriculture*

***Source: TDLR Education and Examination Division*

****Source: Licensed Businesses for EAB is number of registered construction projects*

HOW WE DO IT | Texas Commission of Licensing & Regulation

The Texas Commission of Licensing and Regulation (Commission) is TDLR's governing board and policymaking body, responsible for adopting and repealing rules and approving final disciplinary orders for all complaints prosecuted by TDLR at the State Office of Administrative Hearings. The Commission also approves TDLR's operating budget and oversees personnel matters related to the Executive Director.

The Governor, with the advice and consent of the Texas Senate, appoints the Commission's seven public members to staggered six-year terms. The Governor also designates the presiding officer of the Commission. The current presiding officer is Rick Figueroa of Brenham.

Each Commissioner brings a unique and independent voice to the table, as neither Commissioners nor their spouses may hold licenses or possess significant business interests in the professions and industries regulated by TDLR. The Commissioners generously donate time and effort in service to the public and share a commitment to ensuring that TDLR develops and sustains common-sense regulatory solutions for all Texans. Our Commissioners' professional experience includes medicine and business, bringing diverse expertise to their decision-making.

Commission meetings are carefully conducted to ensure transparency and customer focus. All

Commission meetings are open to the public and include opportunities for public comment. Meeting agendas and materials are posted on the TDLR website in advance, and videos of each meeting are livestreamed on TDLR's YouTube channel, where they remain available to the public for two years.

The Commissioners honor and respect the trust placed in them by the Governor and their fellow Texans, and they adopt administrative rules only after carefully considering the potential impact on businesses, licensees, consumers, and public health and safety. During each meeting, Commissioners strive to ensure that their decisions and actions are fair and transparent, with a focus on balancing the elimination of regulatory impediments and reducing regulatory burdens for businesses and licensees with necessary consumer protection.

Consistent with TDLR's core values, each Commissioner is a part of the TDLR family. Commissioners attend advisory board meetings and participate in workgroups, work directly with staff on issues of public interest or concern, and engage frequently with our staff and the TDLR regulated community at public events.



Commission Chair Rick Figueroa

HOW WE DO IT | Advisory Boards



Advisory Board on Barbering, 2018

TDLR receives invaluable input from its 33 advisory boards. Advisory board members include interested parties and industry experts in the various programs, which include medical and health professionals, business leaders, educators, and members of the public.

Generally, advisory board members:

- are appointed by the chair of the Texas Commission of Licensing and Regulation, with the approval of the commissioners; and
- serve staggered six-year terms.

The advisory boards meet as needed to evaluate, review, and make recommendations to the department and Commission on:

- rules and technical standards;
- standards of care and scope of practice;
- examination development and maintenance;
- continuing education requirements;
- trends affecting regulated industries; and
- concerns and comments from their communities.

Additionally, advisory boards provide input for the development of the agency's criminal conviction guidelines and enforcement plan – identifying crimes that relate to the duties of the licensed professions and recommending appropriate penalties for violations of laws and rules. Experienced advisory board members may also assist the department as expert witnesses in enforcement cases, and support agency staff in providing orientation and training to new appointees.

Like Commission meetings, advisory board meetings are conducted as an open meeting in a customer-focused manner, with notices posted and emailed in advance, and all meetings

streamed live and archived on TDLR's YouTube channel. Each advisory board offers the public an opportunity for industry-specific discussion of new legislative and proposed rule changes impacting most of TDLR's million-plus licensees. Board members play a key role in reviewing rules affecting their industry and advise the Commission and the agency on how to eliminate unnecessary, outdated, or burdensome regulation.

TDLR's ongoing success with consolidating new licensing programs is due in part to the invaluable expertise and efficiency provided by the 280 professional and consumer advisory board members who serve. This body of distinguished professionals and dedicated consumers allows TDLR to fulfill its core responsibilities with a small and efficient workforce, hiring and retaining staff strategically rather than attempting to employ industry experts skilled in the 234 license types TDLR regulates.

TDLR's advisory board structure allows for independence in judgment by removing any specter of industry conflict of interest or favoritism, while providing TDLR leadership and staff with important industry perspectives. The advisory board system at TDLR is an inclusive process; we listen closely to the advice and opinions of all our board members.

HOW WE DO IT | Description of Each Division’s Functional Alignment

Under the guidance of Executive Director Brian Francis and Deputy Executive Directors Mike Arismendez, David Gonzales, and Christina Kaiser, divisional functional alignment, along with staff development and cross-training, allows TDLR to meet the agency’s changing demands and responsibilities.

Functional alignment creates efficiencies and savings by distributing work across the agency by purpose—not by program. Functional alignment eliminates redundancies commonly found in “silo” programs and small, single-occupation licensing boards. The Texas Legislature consistently looks to TDLR to consolidate existing licensing programs from other agencies into TDLR’s functional alignment model.

Division directors and staff participate in cross-functional teams, and open and free communication is a key component in TDLR’s success. Among TDLR employees, warmth and good humor exemplify our “we are family” culture in our Austin locations and throughout the state to more than 100 field employees.

TDLR employees take pride in their ability to work collaboratively and respond efficiently and effectively to challenges within and across functional areas. Teamwork and innovation are part of our core values and hallmarks of a functional alignment model.



Clockwise from top: Brian Francis, Christina Kaiser, David Gonzales, and Mike Arismendez

Executive

In addition to providing visionary leadership as head of the agency, the Executive Director is the principal supervisor for the following TDLR divisions:

Executive Office: Provides the leadership and motivation for achieving the agency’s strategic vision, manages the day-to-day operations, implements Commission objectives, and ensures TDLR’s compliance with statewide goals and initiatives.

Office of General Counsel: Provides legal guidance for TDLR’s regulatory programs and the operations of the Commission and TDLR; prepares and files all agency rulemaking; prepares Commission orders in contested cases; responds to all open records requests; coordinates litigation with the Office of the Attorney General; works with contracting and procurement; negotiates and reviews interagency agreements; manages agency records; provides advice to the Commission and TDLR advisory board on regulatory programs; and provides training to advisory boards, commissioners and staff on compliance with the Open Meetings Act and the Public Information Act. Additionally, the General Counsel serves as the chief ethics advisor and chief audit executive.

Human Resources: Manages and promotes recruitment, hiring, compensation, training, and career development at TDLR; staff develops and reviews agency personnel policies to ensure compliance with applicable state and federal laws.

Office of Project and Transformation Management (OPTM): Positions TDLR for innovative growth and efficient project completion, looking beyond best practices to develop next practices that anticipate the evolving expectations of our customers; focuses on four major transformational concepts: scenario planning; organizational

HOW WE DO IT | Description of Each Division Within Our Functional Alignment



Barbara J. Skorude, Customer Service

change readiness; data-driven decisions; and creating a learning organization, with training and development opportunities to grow leaders. The Enterprise Project Management Office within OPTM provides guidance for agency-wide initiatives using proven standardized approaches to ensure their successful implementation. The project management team also works with agency leadership to prioritize the allocation of resources based on the level of impact a proposed project will have on the agency's goals, strategic plan, and vision.

Office of Strategic Communication: Works closely with Executive leadership to align agency actions with TDLR's strategy. Provides support for the following areas: advisory board and Commission outreach; agency anti-human trafficking efforts; media relations; external and internal communications; promotional materials and design; outreach to legislators, stakeholders, and Office of the Governor in support of agency and state government strategy; design and maintenance of TDLR's website and intranet, agency-produced videos, and audio/visual broadcasts of public meetings.

Customer Service: Provides exceptional service by responding in a timely and courteous manner to customer contacts received by phone,

email, social media, and in person. Division staff educate and assist applicants through the application process for all programs. Customer service representatives are the first and often the only point of contact TDLR customers will have with the agency. In a typical day, the division responds to 1,850 phone calls and 400 questions via email; monitors and engages the public through social media; assists walk-in customers in our downtown Austin office and provides Spanish and Vietnamese language assistance.

Education and Examination: Oversees requirements for examinations, continuing education, and pre-licensure education as established in law and rule for TDLR-regulated professions and industries. Division staff also coordinate practical, theory, and jurisprudence licensing examination development, and monitor the administration of examinations delivered by our third-party testing vendor, PSI.

Enforcement: Resolves complaints against licensees and other regulated populations promptly with due process through the collaborative efforts of administrative and legal assistants, investigators and attorneys. The division also assesses each applicant's fitness for licensure based upon the applicant's criminal history. Employees include Austin-based and regional field staff who are organized into three sections reflecting the life cycle of a typical

complaint – intake, investigation, and prosecution – as it moves through the enforcement process.

Field Inspections: Performs thorough, fair, and timely inspections to protect the public’s health and safety and educate our licensees. Major activities include performing pre-license and periodic on-site inspections, documenting and reporting potential human trafficking, and providing education to the public, business owners, school owners, and licensees to ensure regulated industries operate in a safe and ethical manner. The division has two regional offices in addition to their Austin headquarters

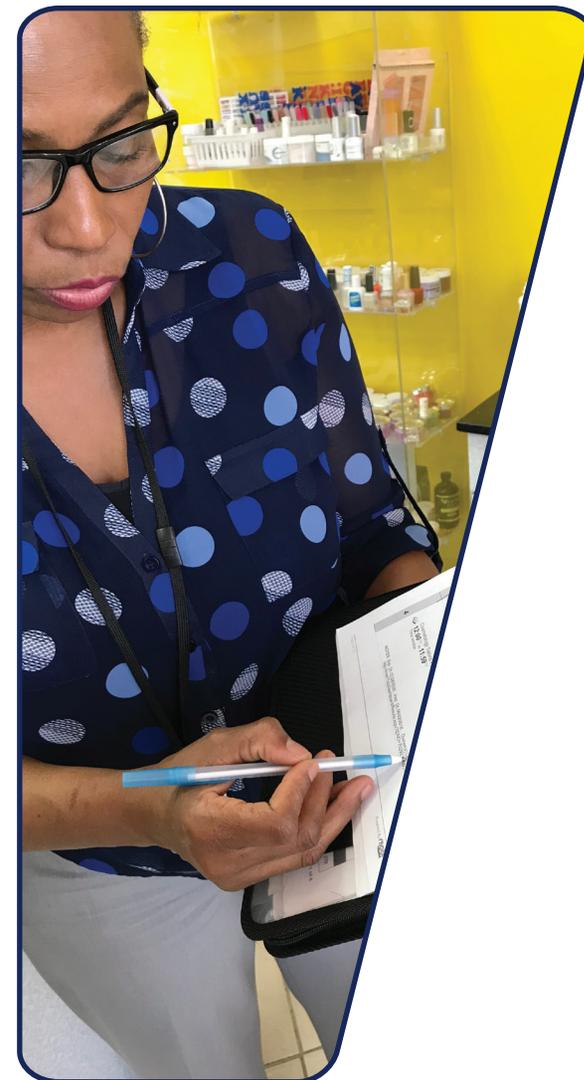
Financial Services: Provides oversight for all accounting, budgeting, contracting, and procurement, as well as prepares the agency Legislative Appropriations Request (LAR), annual financial report, and operating budget. The division is structured to ensure compliance and efficiency, and the timely processing of mail and revenue.

Information Technology: Develops and furthers the agency’s mission by providing software support and maintenance, as well as the monitoring, maintenance, and support for all devices and infrastructure. Division staff use cutting edge cybersecurity techniques and protocols to ensure the safe and secure use of all TDLR systems by the State of Texas and its citizens. The division director oversees three

key teams: Software Development Services; IT Services; and Information Security.

Licensing: Processes applications and issues and renews licenses, permits, and certifications for individuals, businesses, and equipment required to obtain a license from TDLR. The division is organized into seven teams to optimize cross-training and efficiency, with each team member trained on how to process every license type issued by their team. Teams are grouped by similarity of program, licensing requirements, and licensing database. Staff are also cross-trained to assist during seasonal workload spikes.

Regulatory Program Management: Assists the regulated community and internal staff with guidance to achieve compliance with applicable laws, rules, codes, and standards for the benefit of consumers and the public. Staff consists primarily of TDLR’s technical and industry experts for our programs. Their skills and experience are critical to the agency’s role in safeguarding the public and assuring that Texans are served by qualified professionals. Staff participates in industry and professional conferences to educate licensees and conduct stakeholder outreach. Staff administers equipment and facility safety inspections. The division is organized into four sections: Business and Professionals; Building and Mechanical; Business and Consumer Safety; and Medical and Health Professions.



Ginette Devastey, Field Inspections



“TDLR’s review by the Sunset Advisory Commission is critical to helping us chart our course as an agency. We look forward to implementing changes that will allow us to better serve Texans every day.”

**—Thomas F. Butler,
Vice Chair,
Texas Commission of
Licensing and Regulation**

WHAT WE HAVE DONE | Sunset

With the Sunset Advisory Commission beginning in October 2019 an eight-month limited-scope review of TDLR, the agency’s leaders and selected staff members supported the initiative by providing details on structure, program administration, and overall operations. While Sunset reviews typically are done on a 12-year rotating cycle, the review of TDLR is the first since 2002-03.

The Sunset Commission’s professional staff have focused on programs operated by TDLR for many years, providing a thorough review of the ongoing need for the agency’s long-term regulatory responsibilities. This review will set the direction for TDLR’s next decade of operations and will provide TDLR with opportunities to implement additional improvements and efficiencies, which allows us to better serve the public and our licensees.

The Sunset Commission’s limited scope review excludes programs transferred by the Legislature to TDLR on or after September 1, 2016. Notably, the majority of programs excluded from Sunset’s current review were transferred to TDLR as a result of Sunset’s review of other agencies and recommendation to the Legislature that those programs would be better aligned at TDLR. These recently transferred programs are not currently subject to abolishment and Sunset staff did not evaluate their professional standards or requirements.



“Veterans put their lives on hold to defend our nation, which gives Americans opportunities to seek social and economic advancement. We owe it to our veterans to help them re-enter society and begin new careers after their military service. I am very proud to be a part of TDLR as it strives to achieve that goal on behalf of our veterans.”

**—Ken Sharp,
Former Commander and
Organizing Member,
TDLR Veterans Association**

WHAT WE HAVE DONE | Recognizing & Honoring Military Service

TDLR supports military service members, veterans and military spouses by eliminating barriers to occupational licensing in Texas. We do this by accrediting military experience and training, waiving license application fees, and expediting the processing of initial license applications whenever possible. We are also one of 22 agencies that comprise the Texas Coordinating Council for Veterans Services. The Texas Legislature established the Council to accomplish three tasks: coordinate the activities of state agencies that assist veterans, servicemembers, and their families; coordinate outreach efforts that ensure that veterans, servicemembers, and their families are made aware of services; and facilitate collaborative relationships among state, federal, and local agencies and private organizations to identify and address issues affecting veterans, servicemembers, and their families.

- **Helping Military Families.** Texans value the sacrifices that military families make when they relocate to their new duty stations. As a result of Senate Bill 1200 (86R), military spouses who are licensed in other states with substantially equivalent license requirements to Texas now have several options available to them based on their existing out-of-state credentials. These options include applying for a three-year non-renewable Texas license, a three-year letter of authorization allowing the spouse to work in Texas, or a permanent and renewable Texas license

pursuant to a reciprocal licensing agreement with another state.

- **Improving Services for Military Applicants.** TDLR has launched a new Military Licensing webpage that removes many of the administrative barriers to occupational licensing facing the military community. TDLR staff conducted an in-depth review of thousands of Military Occupational Specialty (MOS) codes across every branch of service to identify types of military training and experience that may be used to meet the requirements for a Texas occupational license. A simple drop-down menu allows users to quickly and easily locate their MOS codes and find out which licenses they automatically qualify to apply for at TDLR. Additionally, servicemembers and veterans can apply for entry-level licenses that do not require any previous experience. Available opportunities are presented to servicemembers and veterans in a personalized list of results with detailed step-by-step instructions on how to navigate the process. This new database will immediately help servicemembers apply their experience and training and help them get licensed faster than ever before.
- **We Hire Vets.** TDLR is a proud member of the “We Hire Vets” employer recognition program, which identifies Texas employers

whose workforce consists of at least ten percent military veterans. The program is a component of the Texas Operation Welcome Home initiative to identify gaps in services to Texas servicemembers transitioning into civilian life. Currently, 12.9 percent of TDLR’s staff are U.S. military veterans.

- **We Honor Our Own.** The TDLR Veterans Association honors and helps those who served our country in the United States Armed Forces and now serve Texas as employees of TDLR. The Association is a volunteer fraternal organization unique in state government, providing friendship and support to veterans and their families, and helping new employees recently discharged make the transition back into civilian life. Association members work closely with TDLR staff to help veterans who are licensees and improve processes for veterans seeking to become licensed in Texas. Members also act as liaisons with other veterans’ organizations to keep TDLR veterans and staff informed about issues affecting Texas. In 2019, Association members and Human Resources staff participated in four career fairs and hiring events, and two members participated in the Texas Transition Alliance Meeting in San Antonio.

“When I think about TDLR’s Anti-Trafficking Unit, one word comes to mind...

Action. *Texans don’t just talk about a problem; they take action to solve it. The Legislature took action to fight human trafficking in this great state by providing TDLR with funds to develop this team. TDLR took action by onboarding this dedicated group and effectively immersing them in a spectrum of stakeholders working together in this fight. I am excited to see what this team will accomplish as we all collaborate to eradicate human trafficking.”*

**—Nora Castañeda,
Texas Commission of
Licensing and Regulation**



TDLR’s Anti-Trafficking Unit (ATU)

TDLR received funding in the 86th Legislative Session (2019) to assist Texas in the fight against human trafficking. This funding allowed the agency to implement TDLR’s first ever Anti-Trafficking Unit (ATU). The ATU is dedicated to rooting out human trafficking through the careful inspection of regulated facilities suspected of participating in human trafficking and performs data analysis and research to identify and expose perpetrators of human trafficking. The ATU makes referrals to law enforcement, the National Human Trafficking Hotline, and victim support organizations when evidence of human trafficking is found.

TDLR began the hiring process for this eight-member team in October 2019. In-depth training for the team began in January 2020. The team trained internally with

TDLR’s investigative and inspection staff and received additional external training conducted by other partners combating human trafficking, including victim support organizations and law enforcement personnel (see chart below). In March, following training and based on data analysis and research, the ATU began conducting on-site inspections. Inspections were paused as the team adhered to the Governor’s Executive Order mandating limited physical contact due to the COVID 19 pandemic. Though faced with physical limitations due to COVID-19, the ATU continued fighting human trafficking by scouring illicit advertising platforms for evidence of ongoing trafficking activity, reaching out to local law enforcement organizations concerning trafficking activity within their jurisdiction, and referring trafficking activities to our Enforcement staff and local law enforcement.

TDLR's Anti-Trafficking Unit (ATU) Partners in Training

8
ATU Team Members

6
Weeks of Training

36
Training Sessions

Education • Research • Collaboration • Outreach

**Office of the
Governor**

**Texas Alcoholic
Beverage
Commission**

**City of Houston
Anti-Human
Trafficking**

**Office of the
Attorney General**

**Human Trafficking
Prevention
Coordinating
Council**

**New Friends
New Life**

**Human Trafficking
Prevention
Task Force**

**Houston Police
Department**

**Allies Against
Slavery**

Children at Risk

**Human Trafficking
Rescue Alliance**

A Second Chance (HB 1342)

“As commissioners, we are often the last step for that person on the edge of rebuilding their lives. Our decisions can mean the difference between a solid job with a positive future or grim prospects and a possible return to jail. The Legislature has given us a new tool and we will use it responsibly. This is light-years of progress for those who are recently released and seeking the second chance they crave.”

**—Rick Figueroa,
Chair,
Texas Commission of
Licensing and Regulation**

At the beginning of the 86th Regular Legislative Session, Commission Chair Rick Figueroa prioritized and promoted the value to society of “second chances,” or opportunities where TDLR could assist individuals as they re-enter society after imprisonment. TDLR and the Commission took this opportunity to review the laws and rules governing the revocation, suspension, or denial of a person’s license. Working with a coalition of like-minded institutions and organizations including the Texas Criminal Justice Coalition, the Texas Public Policy Foundation, and Prison Fellowship Ministries, the Legislature passed House Bill 1342, which introduced several important changes.

Most notably, HB 1342 provides the Commission with the authority to issue a restricted license to new applicants or existing license holders within the Air Conditioning and Refrigeration Contractors or Electricians programs. Prior to the law being changed, an applicant was either denied a license or issued an unrestricted license to work anywhere. Under HB 1342, a restricted license allows a person to work subject to conditions imposed by the Commission. For example, in granting a restricted license, the Commission could require the licensee to perform any work under direct supervision, or only in industrial or commercial settings.

One clear benefit of HB 1342 is that people who may otherwise have been denied a license due to their criminal history now have the potential to become licensed upon release from imprisonment. With data showing that the best way to reduce recidivism is to minimize the time between release and gainful employment, this new tool will have a positive impact.

HB 1342 also provides a path to reinstatement for a person whose license has been revoked for failure to pay an administrative penalty. Prior to the enactment of HB 1342, a person whose license had been revoked for any reason could not reapply for licensure until one year had passed from the date of revocation. Under the new law, if the person pays the administrative penalty in full, or is in good standing on a payment plan to the Department, the person may reapply immediately.

HB 1342 ensures that when reviewing a person’s criminal history, Texas occupational licensing agencies may only consider crimes directly related to the particular occupation for which licensure is sought. While this has been TDLR’s practice for many years, HB 1342 will provide consistency in licensing standards across the state.

Lastly, HB 1342 provides that people who work in certain fields while they are imprisoned receive credit for their work experience.

Disaster Preparedness and Response (HB 2320 and SB 752)

House Bill 2320, 86th Legislative Session, amends the Government Code and Utilities Code and requires the Texas Division of Emergency Management (TDEM) to collaborate with state and local agencies, as well as public and private entities to create plans for improving emergency services during and after a disaster. The bill requires TDEM to submit a report to the Legislature with recommendations for improving oversight, accountability, and availability of building trade services following a natural disaster. In preparing the report, TDEM is required to consult with TDLR, trade associations, law enforcement groups, and other state agencies regarding strategies to increase the availability of tradespeople, such as plumbers and electricians, including:

- approaches to increase prosecutions of alleged fraud related to building trade services offered; and
- methods to encourage performance bond requirements in contracts for building trade services to be performed following a disaster.

Senate Bill 752, 86th Legislative Session, amends the Civil Practice and Remedies Code and grants a volunteer health care provider immunity from civil liability for an act or omission that occurs while giving care, assistance, or advice in relation to a declared disaster, with certain exceptions. Podiatrists, audiologists, audiology assistants, speech-language pathologists, and speech-language pathology assistants who provide services on a volunteer basis, and not for compensation, may qualify for immunity under this new law.

“House Bill 2320 will provide TDLR an even greater opportunity to offer decision makers valuable insight, experience, and determination in responding to disasters. Further, House Bill 752 will protect healthcare providers who offer their services on a volunteer basis in the wake of a calamitous event and encourage a greater number of providers to volunteer in such a debilitating situation. We at TDLR will always try to do what is best for all Texans when disaster strikes.”

**—Dr. Ray Callas,
M.D., F.A.S.A.,
Texas Commission of
Licensing and Regulation**

CONSOLIDATION, EFFICIENCY, AND STREAMLINED SERVICE

Licensees Transferred to
TDLR 2001-2020

621,175

9

Licensing Programs
De-Regulated Since 2003

28

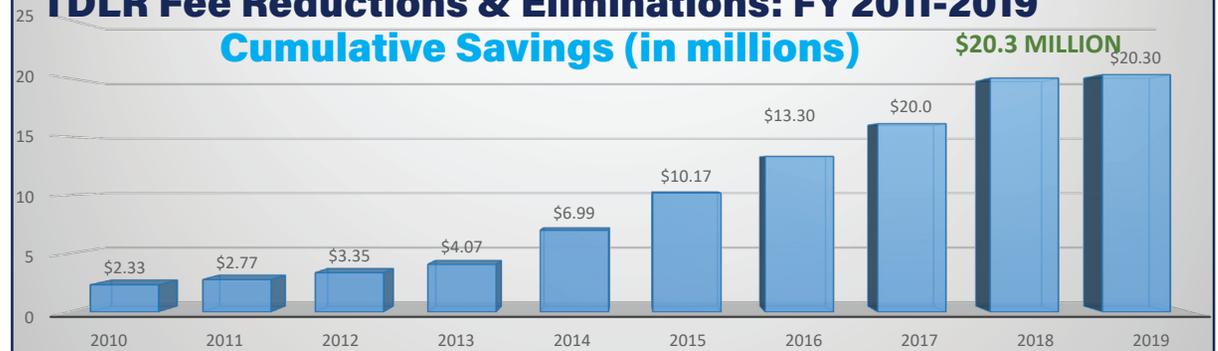
License Types Eliminated
Since 2013

Estimated Fee Savings
for 13 DSHS Transferred
Programs:

\$1.90 M

TDLR Fee Reductions & Eliminations: FY 2011-2019

Cumulative Savings (in millions)



Reduced Rules Word Count by:

34%

for Transferred Programs: Fuel Metering
and Quality; Motorcycle Operator
Training and Safety; and
Off-Highway Vehicle Operator
Education and Certification Program

Proudly Serving

1,021,889

Licensees

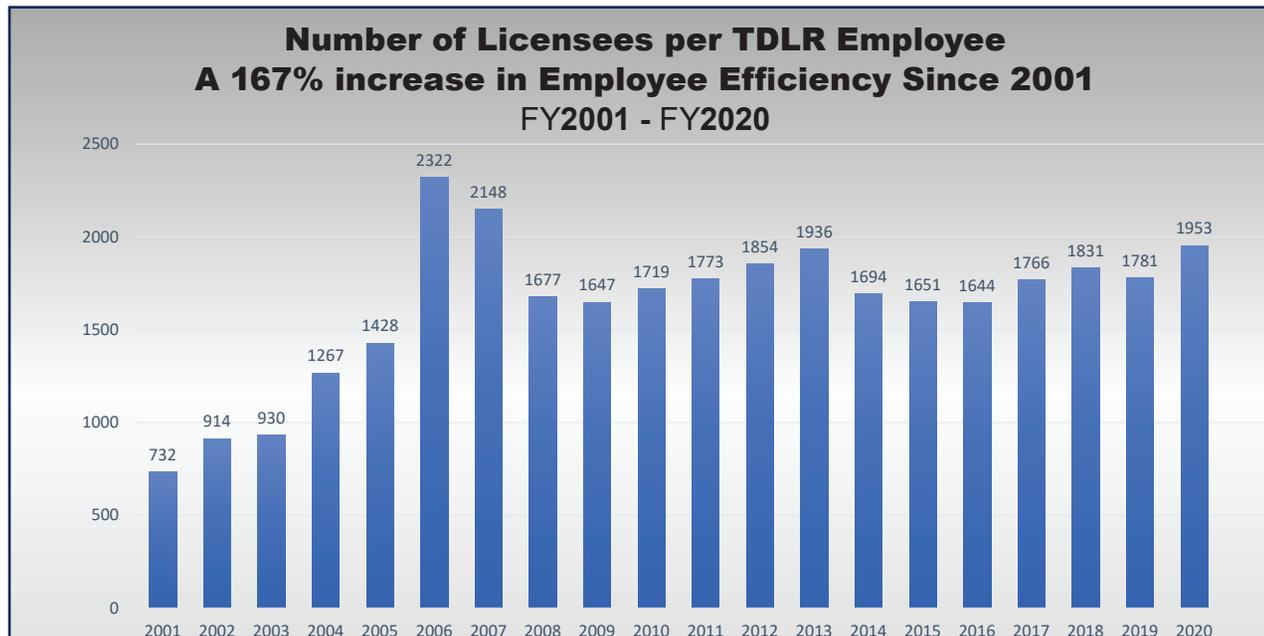
FEE REDUCTION, STREAMLINED SERVICE, CONSOLIDATION, ENHANCED EFFICIENCY RATIO

TDLR constantly evaluates our operations to eliminate inefficiencies and lower costs while providing a high level of service to our customers. Over the past ten years, licensees have benefited from our efforts with a cumulative cost-savings of over \$20.3 million in license fees.

Beginning in 1999, TDLR moved from a silo structure that duplicated positions for each program to a functionally-aligned business model. This model aligns our employees and resources to improve quality of service. Functional alignment eliminates redundancy across divisions and emphasizes collaboration and cross-training. When programs are consolidated into TDLR, administrative costs are automatically lowered,

resulting in a significant decrease in taxpayer costs, increased productivity, and reduction in the number of employees required—all reasons the Legislature continues to entrust TDLR with more responsibilities.

We work with integrity and hold ourselves accountable to Texas taxpayers, our licensees, and elected officials. Texans expect limited and efficient government. Between 2001 and 2020, we increased our efficiency ratio by 167 percent, going from one employee for every 732 licensees to one employee for every 1,953 licensees. Through smaller, smarter government, TDLR is committed to protecting the health and safety of Texas consumers while reducing fees and increasing efficiency.



YEAR	TRANSFERRED OR CONSOLIDATED PROGRAMS
2001	Weather Modification
2004	For-Profit Legal Service Contracts
2005	Barbering
2005	Cosmetology
2007	Towing
2007	Vehicle Storage Facilities
2009	Used Automotive Parts Recyclers
2009	Polygraph Examiners
2009	Property Tax Professionals
2015	Driver Education and Safety
2016	Athletic Trainers
2016	Dietitians
2016	Dyslexia Therapists and Practitioners
2016	Hearing Instrument Fitters and Dispensers
2016	Midwives
2016	Orthotists and Prosthetists
2016	Speech-Language Pathologists and Audiologists
2017	Code Enforcement Officers
2017	Laser Hair Removal
2017	Massage Therapists
2017	Mold Assessors and Remediators
2017	Offender Education Providers
2017	Sanitarians
2017	Podiatrists
2019	Fuel Metering and Quality
2020	Motorcycle Operator Training & Safety
2020	Off-Highway Vehicle Education & Certification Program

Goal #1: Continue to effectively **consolidate** and improve administration of and services for the 16 programs recently transferred to TDLR by the Texas Legislature



TDLR is meeting the goal by:

- executing implementation plans for recently transferred programs into its functional business model;
- evaluating and making improvements to its service delivery for these 16 programs;
- gaining additional appropriations for creation of a single licensing software system; and
- selecting a vendor and developing Phase 1 of this new licensing system.

Goal #2: Improve efficiencies, lower fees, and eliminate bottlenecks throughout TDLR



TDLR has met the goal by:

- conducting feasibility studies and safe-to-fail experiments to discover new ways of completing processes more effectively and efficiently;
- identifying bottlenecks and creating scalable and repeatable processes;
- flattening reporting responsibilities and aligning three deputy executive director roles to bringing greater focus and attention to the divisions under their charge; and
- ensuring TDLR has the cyber security tools, through the IT Governance Committee and policy and training by our Chief Information Security Officer, to increase awareness and compliance with the Texas Cybersecurity Framework.

Goal #3: Educate and empower consumers by providing them with the tools to make informed choices about the industries TDLR regulates



TDLR has met the goal by:

- restructuring the Regulatory Program Management Division to take on increased responsibilities from new and transferred programs added in Fiscal Years 2016-2020 and support cross-functional coordination with the following divisions: Licensing, Education and Examination, Customer Service, Field Inspections and Enforcement;
- operating a full-service contact center and traditional walk-in customer services;
- attending industry events, conferences and trade shows;
- meeting stakeholders' communication needs by holding outreach summits, creating newsletters, offering email distribution services through GovDelivery, sharing information on social media, and hosting a YouTube channel where open meetings are broadcast live; and
- continually analyzing TDLR's website to ensure all licensees are provided with current regulatory information.

Goal #4: Prioritize **enforcement** personnel efforts to resolve complaints involving consumer harm or a threat to public safety



TDLR has met the goal by:

- refining its enforcement philosophy for the greatest benefit to the public by focusing on complaints that involve consumer harm or a threat to public safety;
- coordinating with the Field Inspections Division to reduce the number of inspection findings forwarded to Enforcement for formal action;
- working with advisory boards and the Commission to revise and simplify penalty matrices and update criminal conviction guidelines;
- allowing Enforcement employees to focus on a limited number of the agency's programs with the formation of teams specialized by program; and
- expanding use of expert witnesses, such as department on-staff experts, advisory board members, and contract experts from within the regulated profession.

Goal #5: Decrease **regulatory** burdens on business by removing redundancies and impediments

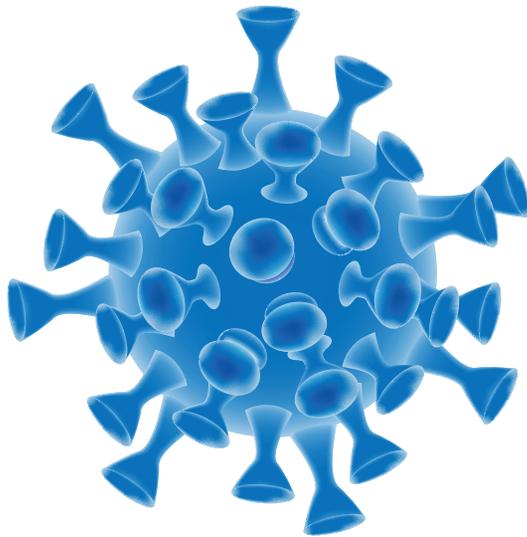


TDLR has met the goal by:

- developing 21 statutory recommendations adopted by the Texas Legislature to remove redundancies and impediments, streamline regulations, safeguard the public, and ensure our licensing process is easier to the public;
- implementing the strategic initiative changes through the rulemaking process by engaging advisory board members, stakeholders, and the public to ensure that all voices are heard, and all viewpoints are included;
- supporting military service members, veterans, and military spouses by eliminating barriers to occupational licensing in Texas;
- applying military experience and training whenever possible, waiving license application fees, and expediting the processing of initial license applications where possible;
- launching a new Military Licensing website which allows users to quickly and easily locate their MOS codes to find out which licenses they automatically qualify to apply for;
- being a proud member of the "We Hire Vets" employer recognition program; and
- establishing the TDLR Veterans Association which honors and helps those who served our country in the United States Armed Forces now serving Texans as employees of TDLR.

CHALLENGES WE FACE NOW | And in the Future

The ongoing global COVID-19 pandemic has revealed areas where TDLR will need assistance from the Legislature to better position the agency for the near future:



TELEWORK

Most TDLR employees worked from home during the Texas 'stay at home' orders. The move to telework has been challenging to fully implement because many current licensing processes require paper handling. For example, some employees must report to the office to scan paper files, which are then emailed to employees working from home. Future events that require telework may limit the agency's ability to perform its core licensing function if we are unable to transition our licensing processes into more automated routines.

TELEHEALTH

Most health-related professions regulated by TDLR required approval from the Governor to waive certain statutes and rules to allow them to practice telehealth during the stay at home orders, including speech-language pathologists and audiologists, and behavior analysts. Telehealth availability during emergencies is important for clients to maintain proficiency and avoid regression. Statutory and rule changes to allow telehealth on a routine basis, outside of a declared disaster, would also benefit clients who live in remote areas of the state where licensed professionals are not easily accessed.

VIRTUAL INSPECTIONS

During the pandemic, TDLR temporarily suspended elevator and boiler inspection requirements because inspectors were not allowed to travel. The agency implemented temporary remote video inspection procedures for industrialized housing and buildings. TDLR will conduct virtual inspections in addition to on-site inspections where appropriate.

DISTANCE LEARNING

TDLR allowed some schools to provide distance learning, including cosmetology, barbering, massage therapy, driver education and driving safety schools, and offender education programs. The agency may consider permanently allowing distance learning as an option to provide greater flexibility in the delivery of education.

REMOTE MEETINGS

TDLR canceled all public meetings held at our North Campus location. TDLR is investigating secure remote meeting applications that would broadcast the meetings and allow remote public participation.

TDLR faces other, more traditional issues in the next five years:

Salaries and Staffing. Since 2015, TDLR has almost doubled the number of its licensees after taking on 13 health-related licensing programs, motorcycle operator and ATV operator safety, and motor fuel metering and quality. Although TDLR capitalizes on economies of scale in issuing licenses, retaining experienced employees in key areas such as customer service continues to be challenging. Customer service positions in the public and private sectors are traditionally seen as entry-level positions, but TDLR’s customer service employees have greater responsibilities and often a more stressful working environment than other areas of TDLR. Increasing salaries would assist in retaining high-performing employees.

A rapidly growing Texas population will translate into greater numbers of licensees—along with increased unlicensed activity that poses the dual threats of unqualified providers and resulting health and safety risks. TDLR’s inspection and enforcement capacities will need to expand proportionately to address this challenge. Adding to that strain, many of our technical experts are eligible to retire in the near future. The agency also will need to hire FTE experts in the Elevators, Electricians and Air Conditioning and Refrigeration programs to help provide technical guidance to our customers and expert witness testimony in enforcement cases.

Combatting Human Trafficking. The 86th Legislature appropriated \$1.5 million over the FY 2020-2021 biennium to create the TDLR Anti-Trafficking Unit to assist TDLR in fighting human trafficking. TDLR developed, staffed and trained its newly created Anti-Trafficking Unit. These eight individuals are tasked with leading the agency’s fight against human trafficking by conducting inspections of illicit massage businesses and TDLR regulated entities suspected of human trafficking, researching human trafficking web activity, and referring human trafficking violations to both the National Hotline and the appropriate law enforcement organizations.

Sunset Review Recommendation. TDLR will be closely monitoring the Sunset review process during the 87th Legislative Session. The agency will work with the Legislature to ensure that all statutory changes and management actions are implemented seamlessly.

CHALLENGES WE FACE NOW | Stakeholder Concerns

The COVID-19 crisis radically changed the agency's process for obtaining feedback from our stakeholders in 2020. Instead of traveling to several Texas cities to meet stakeholders in person, we held two online forums in early April. We also gathered suggestions for the agency's next five years using our agency Facebook pages and the Customer Satisfaction Survey. These suggestions included:

- Providing TDLR with the authority to make licensing or mode of practice decisions during emergencies;
- Combining the Cosmetology and Barbering programs and adding a Hair Cutting license;
- Creating a Medical Aesthetician certification in Cosmetology that would include the practice of laser hair removal;
- Requiring additional practical continuing education credits for the Massage Therapy program;
- Increasing the number of TDLR inspectors and investigators;
- Broadening the definition of licensed dog or cat breeder.

During the 86th Legislative Session, TDLR took on two new programs: Motor Fuel Metering and Quality from the Texas Department of Agriculture, and the Motorcycle and ATV Operator Safety from the Texas Department of Public Safety.

The 85th Legislative Session (2017) transferred Podiatry from the State Board of Podiatric Medical Examiners and created the Behavior Analyst, Transportation Network Companies, and the Responsible Pet Owners programs at TDLR.

These programs joined the 13 health-related licensing programs transferred from the Department of State Health Services following the 84th Legislative Session (2015). We are proud of our employees' hard work to consolidate these programs, and we know that we will have to work hard to continue to earn our legacy of excellence.

Leadership Perspective



As TDLR's responsibilities continue to grow, we recalibrated our organizational structure to meet the growth of the agency and to emphasize cross-divisional communication and collaboration. We transitioned from a structure with a Chief of Staff and Deputy Executive Director to three Deputy Executive Directors to

manage distinct functions within our functional alignment business model. **Christina Kaiser**, formerly the Director of Enforcement, is now the Regulatory Affairs Deputy Executive Director administering the Regulatory Program Management, Field Inspections, and Enforcement Divisions.

David Gonzales, former Director of RPM, is now the Licensing Services Deputy Executive Director administering the Licensing, Education and Exams, and Customer Service divisions.

Mike Arismendez, former Chair of the Commission, administers the Financial Services and Information Technology divisions along with the agency's Strategic Response efforts. Our organizational growth allows for more leadership opportunities and greater involvement in growing leadership duties.

WHAT WE ARE GOING TO BE | Agency Operational Goals

Goal #1: Fully implement and administer the recommendations resulting from the Sunset review process



Action Steps Target Date:

1. Work with the Legislature to develop statutory language that effectively conforms with TDLR's functional business model (2/1/2021)
2. Implement all recommended management actions (9/1/2021)
3. Implement all statutory changes resulting from the Sunset process (9/1/2023)

Accountability

- Ensuring the agency is responsive to elected representatives and the people of Texas

Efficiency

- Eliminating inefficient or redundant regulations and processes

Effectiveness

- Enabling TDLR to focus on its core philosophy of transforming licensing programs, developing more data driven processes, and improving services for Texans

Excellence in Customer Service

- Simplifying interactions and providing exceptional customer service. Increasing ease of access to services and information. Promoting meaningful customer experiences

Transparency

- Improving licensee and consumer understanding of agency laws, rules, and procedures

Goal #2: Improve efficiencies, streamline rules, and decrease regulatory burdens by removing redundancies and eliminating process bottlenecks for all TDLR programs



Action Steps Target Date:

1. Work with the Legislature to develop statutory changes to simplify licensing, consolidate or eliminate redundant licensing requirements, and eliminate laws that do not protect public health and safety. (2/1/2021)
2. Identify and repeal agency rules that do not support public health and safety, or that create impediments to business. (1/1/2022)
3. Prioritize resources on preventing consumer harm and protecting public health and safety. (9/1/2021)
4. Eliminate barriers to licensing, especially those for veterans, military spouses, qualified out-of-state applicants, and those with non-violent criminal convictions. (1/1/2022)
5. Transform TDLR's licensing and customer service business models using scalable and repeatable processes and expanded online self-service applications. (9/1/2021)
6. Implement a modern, comprehensive licensing software system to support 40 different licensing programs and any new programs assigned to TDLR. (9/1/2023)

Accountability

- Eliminating burdensome requirements for licensees and lowering costs, ensuring customers get the highest level of service at the best value

Efficiency

- Focusing limited agency resources to ensure compliance with laws, rules, and safety standards
- Increasing ease of access to services and information
- Reducing the wait time for licensure by making the application process available online, less complicated, and more responsive to customer needs
- Quantifying improvement and identifying strengths and weaknesses using our performance measures and analytics

Effectiveness

- Making it easier for qualified individuals to get licensed
- Enabling TDLR to exceed its customer expectations

Excellence in Customer Service

- Increasing ease of access to services and information, making it easier for qualified individuals to get licensed

Transparency

- Improving licensee and consumer understanding of agency laws, rules, and procedures. Clarifying our actions so all Texans understand our mission to serve Texans

Goal #3: Focus the agency's regulatory and educational outreach efforts on protecting public health and safety, combating human trafficking, and preventing consumer harm



Action Steps Target Date:

1. Use communication strategies to share information, develop new communication channels, strengthen customer and partner relationships, and promote TDLR's anti-trafficking efforts. (1/1/2021)
2. Increase the development and availability of reference materials to inform consumers about laws and rules enacted to protect them. (9/1/2021)
3. Use discretion when deploying regulatory resources to prioritizing complaints that implicate public health and safety, human trafficking, and consumer harm. (9/1/2021)

Accountability

- Informing Texans about the laws and rules administered by TDLR that affect their health and safety
- Helping our licensees comply with state law and rules through outreach and ongoing education
- Expanding awareness of TDLR's programs to more Texans to ensure a fair and equitable regulatory environment
- Stopping business owners who engage in or promote human trafficking in their establishments

Efficiency

- Increasing online information and self-service options to reduce the need for customer service contacts
- Minimizing violations and fines by improving communication with licensees and the public
- Empowering consumers to make informed decisions by providing online information about service providers

Effectiveness

- Enabling employees to focus on core functions that foster improved performance
- Reducing the number of complaints, violations, and fines not related to public health and safety
- Identifying survivors of human trafficking and connecting them with service providers
- Aligning communication efforts to improve consistency

Excellence in Customer Service

- Ensuring Customer Service Division has the necessary information, resources and training to provide clear and consistent responses
- Providing better online and mobile services to reduce customer service contacts
- Aligning customer feedback with strategic communication efforts

Transparency

- Informing consumers of solutions available to them
- Improving communications by using plain language and providing effective visuals and graphics
- Increasing opportunities for Texans to connect with TDLR
- Addressing human trafficking prevention with TDLR licensees and regulated businesses as appropriate

Goal #4: Position TDLR to respond effectively to the next pandemic, natural disaster, or crisis



Action Steps Target Date:

1. Fostering cooperation between state agencies by expanding TDLR's Interagency Network to identify best practices to help employees, improve licensing today and tomorrow, and better serve our fellow Texans in their time of need. (9/1/2020)
2. Increasing TDLR's visibility as a resource to workers during a disaster as well as in time of recovery. (1/1/2021)
3. Develop a comprehensive suite of disaster-related rules that allows TDLR to respond more quickly. (6/1/2021)

Accountability

- Providing consistent services to our licensees during a disaster so they may continue to serve Texans.
- Reevaluating through an established process the actions taken during a crisis to allow us to adjust our systems for future emergencies

Efficiency

- Implementing a comprehensive suite of disaster-related rules in response to a disaster or crisis

Effectiveness

- Ensuring that TDLR provides the state with support and resources to help mitigate a disaster and respond quickly

Excellence in Customer Service

- Providing an equal or higher level of customer response to individuals and businesses impacted by a disaster or crisis

Transparency

- Improving communication with Texans during a disaster or crisis to ensure they receive timely, clear and consistent information

Goal #5: Continue to streamline and improve administration of and services for programs transferred to TDLR



Action Steps Target Date:

1. Ensure the successful consolidation of all transferred programs by completing implementation plans for the licensing, customer service, compliance, education, examination, enforcement, inspection, financial, and communication functions. (9/1/2022)
2. Streamline or repeal agency rules that are redundant, that do not support health and safety, or that create impediments to business. (9/1/2022)

Accountability

- Improving the management of the transferred programs to ensure a seamless transition and the most cost-effective use of taxpayer dollars

Efficiency

- Applying TDLR's functionally aligned business model and strategic use of resources to improve services at the lowest cost
- Simplifying rules, processes, forms, and communication, consistent with TDLR's model for consolidation and management of programs, to implement the vision of the Texas Legislature in transferring these programs to TDLR

Effectiveness

- Integrating the transferred programs and managing them in a more efficient manner to improve performance

Excellence in Customer Service

- Managing the transferred programs in a consistent manner to meet customer needs

HOW WE GET THERE | Legislative Priorities

Improve Safety of Residential Elevators			
Statutory Cite	Reason for Statutory Change	Recommended Statutory Change	Benefit of Change
Elevator & Escalator Safety Health & Safety Code Chapter 754	On August 6, 2019, the Texas Commission on Licensing and Regulation adopted a Proposal for Decision from a State Office of Administrative Hearings (SOAH) administrative law judge on the installation and alteration of residential elevators. The decision concluded that any contractor, including an unregistered contractor, may install elevator, escalators, or related equipment in a single-family dwelling.	Amend Section 754.0141, Health & Safety Code, to clearly require that a contractor register with TDLR before submitting plan reviews or installing equipment in a single-family dwelling. In addition, statutory language regarding information provided by the contractor should be updated to reflect that periodic inspections are required.	Prevent or decrease injury and death associated with use of improperly installed residential elevator equipment.
Respond to the COVID-19 Pandemic and Other Future Disasters			
Statutory Cite	Reason for Statutory Change	Recommended Statutory Change	Benefit of Change
Various Health Programs Occupations Code Chapter 51 Chapter 202 Chapter 401 Chapter 402 Chapter 403 Chapter 506 Chapter 605 Chapter 701	In response to the COVID-19 pandemic, TDLR submitted several requests to suspend statutes and rules to address the need for expanded telehealth and tele-supervision during emergency and non-emergency times.	For all applicable health programs, amend statutes to clearly allow licensees to perform telehealth services at all times, not just during emergencies. Related rules would be developed in partnership with relevant advisory boards and align with national standards. Programs include Behavior Analysts, Dietitians, Dyslexia Therapy, Hearing Instrument Fitters and Dispensers, Orthotists and Prosthetists, Podiatry, and Speech-Language Pathologists and Audiologists.	Improve client access to services and providers. Provide expanded services to clients who may have limited access to services, particularly persons who reside in rural or medically underserved areas.
All TDLR Programs Occupations Code Chapter 51	During the COVID-19 disaster, TDLR discovered that the agency lacks consistent and clearly expressed authority across all programs to enforce orders issued by the Governor and local jurisdictions during a declared disaster.	Authorize the commission to deny, revoke, suspend, or refuse to renew a license or reprimand a license holder for a violation of a gubernatorial or local emergency order relating to a declared disaster issued under Chapter 418, Government Code.	Improve public safety, provide regulatory certainty to licensed populations, and improve efficiency for agency staff responding to disaster declarations.

HOW WE GET THERE | Legislative Priorities

Continuing Use of Expanded Teleconferencing Options Under the Open Meetings Act

Statutory Cite	Reason for Statutory Change	Recommended Statutory Change	Benefit of Change
Government Code Chapter 551	During COVID-19 disaster, state agencies successfully conducted many important state business via teleconferencing that allowed them to make decisions, preserve public participation and do it at a lower cost than traditional in-person meetings.	Amend the Open Meetings Act to allow for the COVID-19 response teleconferencing meeting option to become routine for state agencies if they choose to exercise that option.	Maintain government transparency while preserving important open-meeting protections, such as public participation and the ability to address a governmental body; Provide written notice that gives the public a way to participate remotely and includes electronic copies of agenda packets that will be considered at the meeting; Provide the public with access to a recording of any telephonic or videoconference meeting.

Ensure Ongoing Advisory Input for Motor Fuel Metering and Quality

Statutory Cite	Reason for Statutory Change	Recommended Statutory Change	Benefit of Change
Motor Fuel Metering & Quality Occupations Code Chapter 2310	<p>In 2019, the Legislature transferred regulation of motor fuel metering and quality to TDLR in Senate Bill 2119.</p> <p>The bill established a Motor Fuel Metering and Quality Workgroup (Workgroup) to provide input, advice, and recommendations to TDLR and the Texas Department of Agriculture on the orderly transfer of powers, duties, functions, programs, and activities related to the motor fuel quality and metering program.</p>	Establish a Motor Fuel Metering and Quality Advisory Board.	Ongoing and formalized advisory input will improve TDLR's regulation of motor fuel metering and quality for the benefit of all Texans.

Transfer Mold Program to the Department of State Health Services

Statutory Cite	Reason for Statutory Change	Recommended Statutory Change	Benefit of Change
Mold Assessors & Remediators Occupations Code Chapter 1958	TDLR currently has a memorandum of understanding with the Department of State Health Services' Environmental and Sanitation Licensing Division to conduct inspection for the Mold program because DSHS has the industry expertise to conduct mold inspections.	The program should be transferred to the Department of State Health Services.	Transferring responsibility for the program to DSHS will ensure that the program is handled under one agency with the requisite expertise to handle related environmental inspections and monitoring of lead, asbestos, and mold.

Update and Modernize Regulation of Court-Ordered Offender Education Programs

Statutory Cite	Reason for Statutory Change	Recommended Statutory Change	Benefit of Change
Court-Ordered Offender Education Programs Alcoholic Beverage Code Section 106.115 Code of Criminal Procedure Articles 42A.403, 42A.404, 42A.405, 42A.511, 42A.514 Family Code Section 54.047 Transportation Code Sections 521.374-.376	In recent years, TDLR has begun to operate several court-ordered programs, including Offender Education Programs that were transferred to TDLR from the Department of State Health Services in November 2017 and the online Responsible Pet Owner Program created by legislation in 2017. During the 86th Regular Legislative Session, the Legislature considered but did not adopt TDLR Strategic Initiative Recommendation 9.1 to create a unified statute for court-ordered programs that are under TDLR's jurisdiction. HB 2667 was introduced to create a unified statute for the program, but the bill did not pass.	Update and modernize TDLR's regulation of court-ordered offender education programs by creating a unified statute.	Although TDLR operates these court-ordered programs as a single program, the efficiency and effectiveness of TDLR's operations are hampered by the lack of a unified statute. Instead, individuals who are ordered to complete a program, and TDLR staff who operate the programs, must consult a tangled web of statutes.

HOW WE GET THERE | Legislative Priorities

Update and Modernize Regulation of Hearing Instrument Fitters and Dispensers

Statutory Cite	Reason for Statutory Change	Recommended Statutory Change	Benefit of Change
Hearing Instrument Fitters & Dispensers Occupations Code Chapter 402	<p>The Legislature transferred regulation of Hearing Instrument Fitters & Dispensers to TDLR in October 2016.</p> <p>The program statute was enacted in 1969, and does not adequately reflect today's business environment, technology, and agency processes.</p>	Update and modernize TDLR's regulation of Hearing Instrument Fitters & Dispensers to reflect interaction with federal laws and make other regulatory changes.	These changes would benefit consumer, licensees, and license/permit applicants, and improve efficiency for TDLR staff by streamlining licensing processes. These changes would modernize and standardize the program's statute and clarify some long-standing statutory interpretation issues.

Provide Authority to Study the Benefit of Interstate Compacts for TDLR Health Programs

Statutory Cite	Reason for Statutory Change	Recommended Statutory Change	Benefit of Change
Various Health Programs Occupations Code Chapter 51	<p>Since 2016, the Legislature has transferred more than a dozen health-related programs to TDLR. TDLR lacks authority to enter into interstate compacts to increase the supply of TDLR-regulated healthcare professionals who are available to provide services to benefit Texans.</p> <p>The Nurse Licensure Compact under Chapter 304, Occupations Code, could serve as a model for such interstate compact authority for TDLR's various health programs.</p>	As a non-statutory management action, TDLR will study what statutory changes may be needed to allow TDLR to enter into interstate compacts across health programs, as appropriate.	Based on the study results, this change could increase portability for Texas licenses and for out-of-state licensees seeking to work and live in Texas.