

Licensing

Staff Report – November 4, 2020

Personnel Updates

Staff is working from home with one team member in office daily.

Statistics

Behavior Analysts

Fiscal Year	New	New % Online	Renewals	Renewed % Online	Population
2020	583	98%	1226	100%	2326
2021 (QTR 1)	52	98%	72	98%	2359

Assistant Behavior Analysts

Fiscal Year	New	New % Online	Renewed	Renewed % Online	Population
2020	34	94%	49	100%	138
2021 (QTR 1)	7	100%	6	100%	134

Enforcement Division

Staff Report November 4, 2020

Personnel Updates:

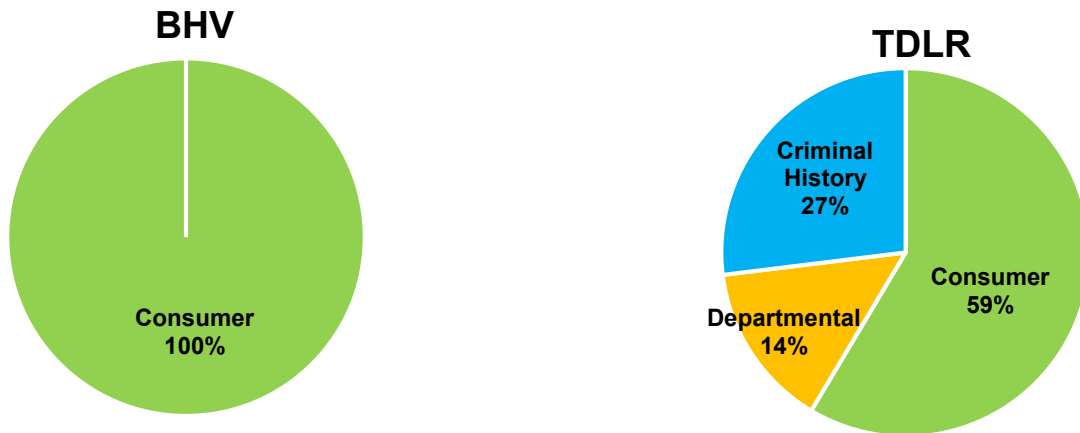
- On February 15, Debbie Hawkins was promoted to Legal Assistant Supervisor. Debbie has worked for TDLR for 8 years as a Legal Assistant in the Enforcement Division.
- On March 1, John Medlock was promoted to Chief Prosecutor. John has worked for TDLR for 7 years, previously serving as a Prosecutor and Senior Prosecutor in the Enforcement Division.
- On May 1, Trevor Theilen was promoted to Senior Prosecutor. Trevor has worked for TDLR for 9 years as a Prosecutor in the Enforcement Division.
- On August 31, Investigations Manager Gregg Dodson retired after 22 years of service with TDLR. Gregg oversaw the Investigations Section within the Enforcement Division, which includes 42 investigators. This position is currently posted on the Department's website, and we hope to conduct interviews soon.
- On August 31, Prosecution Legal Assistant Manager Daryl Kunze retired after 18 years of service with TDLR. Daryl oversaw the Prosecution Legal Assistant Section within the Enforcement Division, which includes 33 legal assistants and administrative assistants.
- On August 31, Senior Investigator Esmer Arguijo retired after 21 years of service with TDLR. Esmer conducted investigations of cases in the building and mechanical, water well, and property tax programs.
- On October 1, Jackie Revilla was promoted to Prosecution Legal Assistant Manager, to fill the vacancy created by Daryl Kunze's retirement. Jackie has worked for TDLR for 18 years, previously serving as a Legal Assistant Supervisor in the Enforcement Division.

Statistics:

Shown below are the Enforcement Performance Measures and key statistics for the Behavior Analyst (BHV) program and for all TDLR programs combined for **Fiscal Year 2020**:

Performance Measure	BHV	TDLR
Cases opened	35	10,465
Cases closed	10	9,763
Average time to close (days)	98.90	157.58
% of cases resolved within 6 months	90.00%	68.64%
% of cases resulting in disciplinary action	0.0%	13.48%
Cases Pending	30	5,850

Source of Cases Opened Fiscal Year 2020



Case Outcomes	BHV	TDLR
Commission Orders	0	28
Default Orders	0	339
Agreed Orders	0	853
Penalties Assessed	\$0	\$2,360,451.00
Penalties Collected	\$0	\$1,296,792.16
Licenses Revoked (Disciplinary)	0	62
Licenses Suspended	0	4
Licenses Denied/Revoked (Criminal History)	0	240
Cease & Desist Orders	0	46
Informally Resolved	10	8,365

BHV Cases closed and reasons for Fiscal Year 2020

Reason closed:	Count
Insufficient Evidence	9
Warning Letter	1

BHV Alleged Violations at Opening for Fiscal Year 2020

Violation:	Count
Code of ethics	33
Unlicensed activity	2
Lacks honesty, trustworthiness and integrity	1

BHV Violations Resulting in Disciplinary Action for Fiscal Year 2020

Violation:	Count
There were no violations resulting in Disciplinary Action for Fiscal Year 2020 for the BHV program.	N/A

Regulatory Program Management

Staff Report for Behavior Analysts Advisory Board – November 4, 2020

Current Projects

Staff have been working with the Standard of Care Workgroup and Office of General Counsel to develop draft rules on telehealth.

Staff facilitated the Licensing Workgroup meeting to review and discuss the Qualified Applied Behavior Analysis Credentialing Board's (QABA®) Qualified Autism Services Practitioner Supervisor (QASP-S®) Certification standards and requirements.

Staff have been working to implement House Bill 2059, which requires certain health care practitioners to complete a Health and Human Services Commission (HHSC) approved human trafficking prevention training course to renew their license. This requirement went into effect on September 1, 2020.

Staff have been involved in the development of the new Texas Licensing System.

Outreach

RPM staff attended the virtual Texas Association for Behavior Analysis (TxABA) Conference and had a virtual "booth" during the conference, which was held April 23-26.