



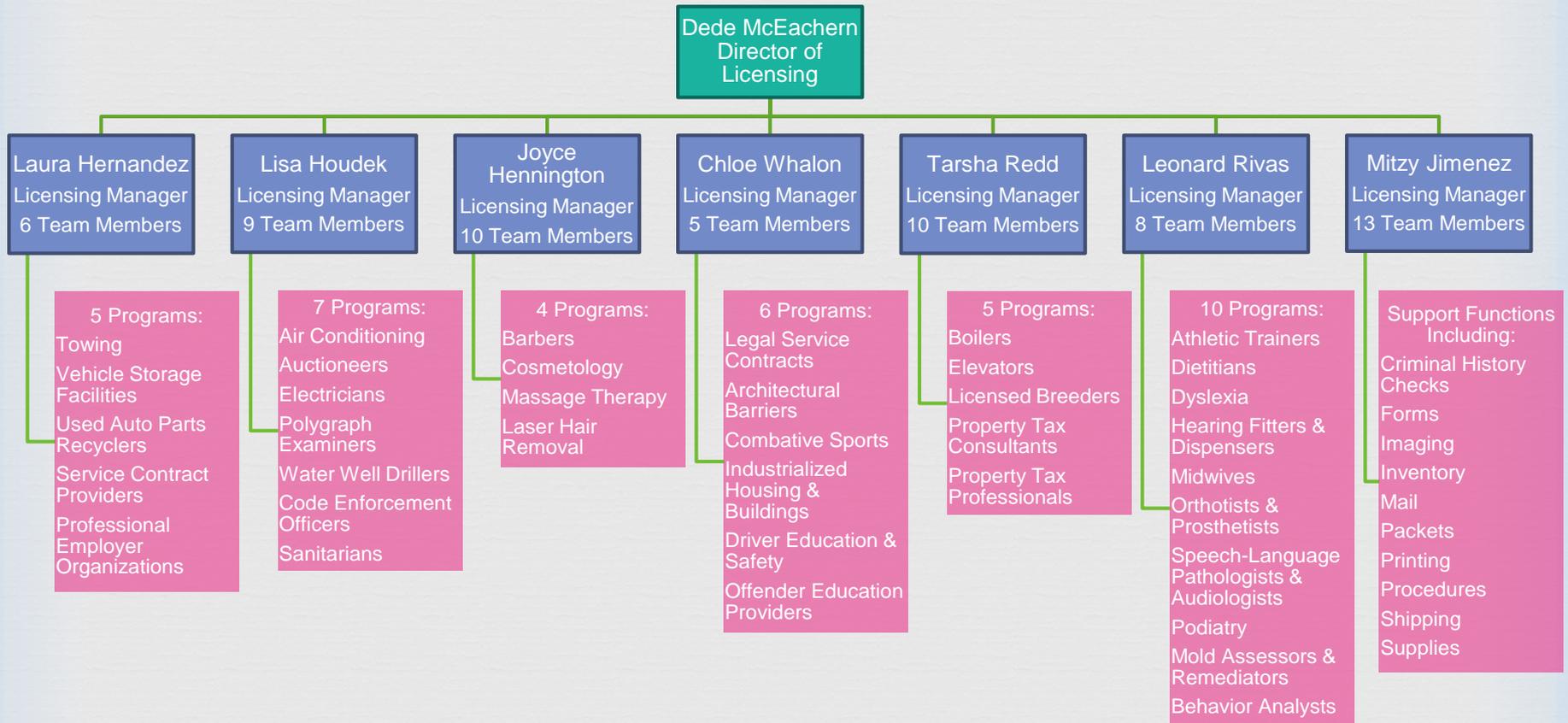
# Licensing Division

Director: Dede McEachern  
Manager: Leonard Rivas



“Strength From the Core”

# Licensing Division Organizational Chart



# Division Summary



- ❧ The Licensing division reviews applications and issues licenses to qualified individuals and businesses.
- ❧ The agency's 39 programs include 207 unique license types for over 750,000 licensees.
- ❧ The Licensing division evaluates applicants':
  - ❧ Criminal history;
  - ❧ Required education and credentials;
  - ❧ Experience and employment history; and
  - ❧ Insurance, bonding, and net worth requirements.

# TDLR PROGRAMS AND LICENSE TYPES

The 39 programs are in bold font and the corresponding license types are listed below.

## **Air Conditioning & Refrigeration Contractors**

1. Air Conditioning Contractor
2. Registered AC Technician
3. Certified AC Technician

## **Architectural Barriers**

4. Registered Accessibility Specialist
5. Project Registration

## **Athletic Trainers**

6. Athletic Trainer

## **Auctioneers**

7. Auctioneer
8. Associate Auctioneer

## **Barbers**

9. Class A Barber Certificate
10. Manicurist License
11. Barber Technician License
12. Barber Technician/Manicurist
13. Barber Technician/Hair Weaving
14. Class A Barber Instructor
15. Barber Manicure Instructor
16. Barber Technician Instructor
17. Barber Hair Weaving Instructor
18. Technician/Manicure Instructor
19. Technician/Hair Weaving Instructor
20. Barber Student
21. Hair Weaving Specialist
22. Barber Shop
23. Manicurist Shop Specialty Shop
24. Dual Shop
25. Mini Barbershop
26. Mini Dual Shop
27. Mobile Salon
28. Hair Weaving Specialty Shop
29. Barber School Permit

## **Behavior Analysts**

30. Licensed Behavior Analyst
31. Assistant Behavior Analyst

## **Boilers**

32. Boiler Inspector
33. Boiler Equipment
34. Authorized Inspection Agency

## **Code Enforcement Officers**

35. Code Enforcement Officer
36. Code Enforcement Officer in Training

## **Combative Sports**

37. Contestant
38. Judge
39. Manager
40. Matchmaker
41. Promoter
42. Referee
43. Second
44. Amateur Combative Sports Association
45. Event Coordinator

## **Cosmetology**

46. Operator
47. Manicurist Specialist
48. Esthetician Specialist
49. Manicure/Esthetician Specialist
50. Hair Weaver Specialist
51. Eyelash Extension Specialist
52. Wig Specialist Certificate
53. Operator Instructor
54. Manicure Instructor
55. Esthetician Instructor
56. Wig Instructor
57. Eyelash Extension Instructor
58. Manicure/Esthetician Instructor
59. Cosmetology Student
60. Private Beauty Culture School
61. Vocational College Beauty School
62. Junior College Beauty School
63. Beauty Salon
64. Manicuring Salon
65. Esthetician Specialty Salon
66. Esthetician/Manicure Salon
67. Hair Weaving Specialty Salon
68. Wig Specialty Salon
69. Eyelash Extension Specialty Salon
70. Mobile Salon
71. Dual Salon
72. Mini Salon
73. Mini Dual Salon

## **Dietitians**

74. Licensed Dietitian
75. Provisional Licensed Dietitian

## **Driver Education and Safety**

76. Driver Education Instructor
77. Driving Safety Instructor
78. Specialized Driving Safety Instructor
79. Drug and Alcohol Driving Awareness Program Instructor
80. Driver Education School
81. Driving Safety School
82. Specialized Driving Safety School
83. Drug and Alcohol Driving Awareness Program School

## **Dyslexia Practitioners and Therapists**

84. Dyslexia therapist
85. Dyslexia practitioner

## **Electricians**

86. Master Electrician
87. Master Sign Electrician
88. Journeyman Electrician
89. Journeyman Sign Electrician
90. Journeyman Lineman
91. Residential Wireman
92. Maintenance Electrician
93. Electrical Apprentice
94. Electrical Sign Apprentice
95. Residential Appliance Installer
96. Electrical Contractor
97. Electrical Sign Contractor
98. Residential Appliance Contractor

## **Elevators, Escalators & Related Equipment**

99. Elevator Inspector
100. Elevator Equipment
101. Elevator Contractor

## **Hearing Instrument Fitters and Dispensers**

102. Hearing Instrument Fitter & Dispenser
103. Apprentice permit
104. Temporary training permit
105. CE Sponsor

## **Industrialized Housing and Buildings**

106. Manufacturer
107. Builder
108. 3<sup>rd</sup> Party Inspector
109. Authorized Inspection Agency
110. Design Review Agency
111. Permit

## **Laser Hair Removal**

112. Certified Laser Hair Removal Professional
113. Senior Laser Hair Removal Technician
114. Laser Hair Removal Technician
115. Laser Hair Removal Apprentice in Training
116. Laser Hair Removal Facility
117. Laser Hair Removal Training Program
118. Laser Hair Removal Certifying Entity

## **Legal Service Contracts**

119. Legal Service Contract Companies
120. Legal Service Contract Salespersons
121. Legal Service Contract Administrators

## **Licensed Breeders**

122. Licensed Breeder

## **Massage Therapy**

123. Massage Therapist
124. Massage Therapy Instructor
125. Massage Establishment
126. Massage School
127. Massage CE Provider

## **Midwives**

128. Midwife
129. Retired Midwife
130. Midwife Education Course (School)

## **Mold Assessors and Remediators**

131. Mold Analysis Laboratory
132. Mold Assessment Company
133. Mold Assessment Consultant
134. Mold Assessment Technician
135. Mold Remediation Company
136. Mold Remediation Contractor
137. Mold Remediation Worker
138. Mold Training Provider

## **Offender Education Programs**

139. Drug Offender Education Program
140. Drug Offender Education Instructor

141. DWI Education Program
142. DWI Education Instructor
143. DWI Intervention Program
144. DWI Intervention Instructor
145. Texas Youth Tobacco Awareness Program
146. Texas Youth Tobacco Awareness Instructor
147. Alcohol Education Program for Minors
148. Alcohol Education Program for Minors Instructor
149. Responsible Pet Owner Course

## **Orthotists and Prosthetists**

150. Licensed Orthotist
151. Temporary Licensed Orthotist
152. Licensed Orthotist Assistant
153. Licensed Prosthetist
154. Temporary Licensed Prosthetist
155. Licensed Prosthetist Assistant
156. Licensed Prosthetist Orthotist
157. Temporary Licensed Prosthetist Orthotist
158. Licensed Prosthetist Orthotist Assistant
159. Registered Orthotic Technician
160. Registered Prosthetic Technician
161. Registered Prosthetic Orthotic Technician
162. Registered Orthotic Student
163. Registered Prosthetic Student
164. Registered Orthotic Prosthetic Student
165. Orthotic or Prosthetic Facility

## **Polygraph Examiners**

166. Polygraph Examiner
167. Polygraph Examiner Trainee

## **Podiatric Medicine**

168. Doctor of Podiatric Medicine
169. Podiatric Medical Radiological Technician

## **Professional Employer Organizations**

170. Professional Employer Organization
171. Professional Employer Organization Limited License

## **Property Tax Consultants**

172. Sr. Property Tax Consultant
173. Property Tax Consultant
174. PTC-Real Property Only

## **Property Tax Professionals**

175. Assessor/Collector
176. Appraiser
177. Collector

## **Sanitarians**

178. Professional Sanitarian
179. Sanitarian in Training

## **Service Contract Providers**

180. Service Contract Provider
181. Service Contract Administrator

## **Speech-Language Pathologists & Audiologists**

182. Speech-Language Pathologist
183. Assistant in Audiology
184. Assistant in Speech-Language Pathology
185. Audiologist
186. Audiology Intern
187. Speech-Language Intern

## **Tow Trucks**

188. Tow Truck Company
189. Incident Management Tow Truck
190. Consent Tow Truck
191. Private Property Tow Truck
192. Incident Management Tow Truck Operator
193. Consent Tow Truck Operator
194. Private Property Tow Truck Operator
195. Training License

## **Transportation Network Companies**

196. Transportation Network Company

## **Used Automotive Parts Recyclers**

197. Used Automotive Parts Recycler
198. Used Automotive Parts Employee

## **Vehicle Storage Facilities**

199. Vehicle Storage Facilities
200. Vehicle Storage Facility Employees

## **Water Well Drillers and Pump Installers**

201. Water Well Driller
202. Pump Installer
203. Water Well Driller Apprentice
204. Pump Installer Apprentice

## **Weather Modification Law**

205. Weather Modification License
206. Weather Modification Permit

November 1, 2017



# What to Expect from the Licensing Staff Report



- ❧ New Licenses Issued

- ❧ Renewed Licenses Issued

  - ❧ Online Renewals

  - ❧ % Renewed Online

- ❧ Total Licensed Population

# Licensing Performance Measures

	<b>FY 14</b>	<b>FY 15</b>	<b>FY 16</b>	<b>FY 17</b>
<b>Percent of New Individual Licenses Issued in 10 Days</b>	95.6%	95.3%	95.5%	94.8%
<b>Percent of Individual Licenses Renewed in 7 Days</b>	99.2%	99.4%	99.3%	98.8%
<b>Percent of New Individual Licenses Issued Online</b>	86.6%	86.5%	88.6%	87.8%
<b>Percent of Individuals Licensees Renewed Online</b>	96.2%	95.9%	95.0%	96.3%
<b>Number of New Licenses Issued to Individuals</b>	103,500	107,989	119,219	117,881
<b>Number of Renewed Licenses Issued to Individuals</b>	224,437	233,935	245,696	270,819
<b>Number of New Licenses Issued to Facilities</b>	43,373	49,064	47,611	48,535
<b>Number of Renewed Licenses Issued to Facilities</b>	124,695	116,940	120,895	128,146
<b>Total Number of Licensed Individuals</b>	446,790	455,076	476,734	529,035
<b>Total Number of Licensed Facilities</b>	182,973	197,312	202,546	2097,477
<b>Total Licensed Population</b>	629,763	652,388	679,280	738,512



## **BEHAVIOR ANALYST ADVISORY BOARD**

**MARCH 16, 2018**

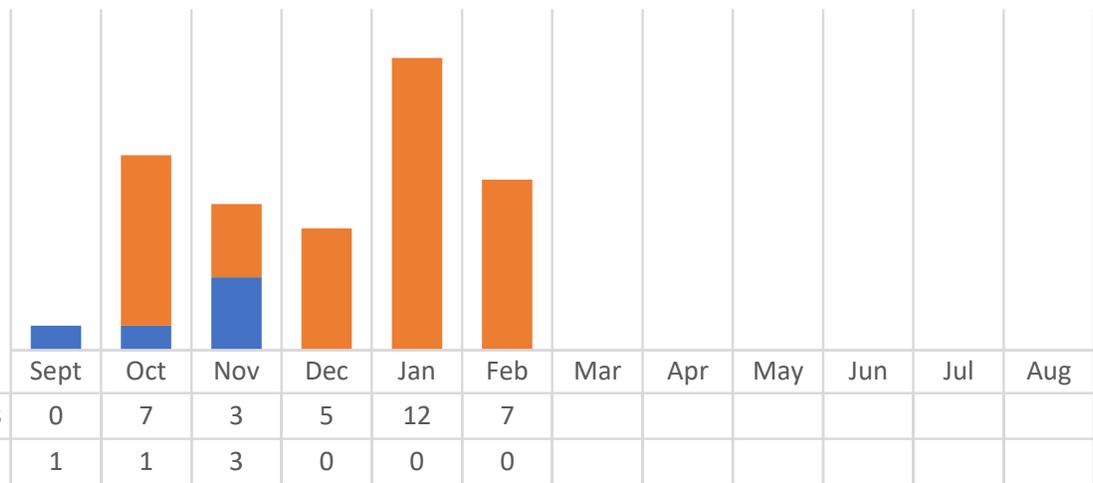
### **LICENSING DIVISION STAFF REPORT**

The Licensing division participates on the bill implementation team for the Behavior Analyst program and we have started working on creating applications and forms.

The applications are going to be a very simple one because the only requirement to obtain either license is to be certified by the Behavior Analyst Certification Board. Licensing will review the application, verify the credentials, run a criminal history background check and issue the license. If we are missing anything from the application, we will contact the applicant. We hope that these applications will be available online.

The agency recently went through a “recalibration” of resources to adjust staff to meet the workload. The Behavior Analyst program was affected because it is now under the responsibility of a new manager in Licensing. Her name is Laura Hernandez and she will be the person in Licensing with whom you will primarily work. Her email address is [laura.hernandez@tdlr.texas.gov](mailto:laura.hernandez@tdlr.texas.gov) and her phone number is 512/475-1138. Laura will be presenting the Licensing division staff report at future advisory board meetings.

**LICENSED BEHAVIOR ANALYSTS  
CUSTOMER SERVICE CONTACTS  
FISCAL YEAR 2018  
EFFECTIVE SEPTEMBER 1, 2018**



# **Behavioral Analyst Advisory Board**

*March 16, 2018*

## **Enforcement Division Staff Report**

### **Introduction to the Enforcement Division**

The Enforcement Division is responsible for investigating and resolving complaints against licensees and other regulated populations in all programs regulated by Texas Department of Licensing and Regulation (“TDLR” or “the Department”). The Enforcement Division consists primarily of investigators, attorneys and legal assistants. These employees are organized into three sections that reflect the life cycle of a complaint as it moves through the enforcement process.

- **Intake**: The Intake section substantiates the agency’s jurisdiction and performs initial research on each complaint filed, ultimately making the decision whether an investigation should be opened.
- **Investigations**: In each case opened for investigation, the assigned investigator develops a detailed account of the facts through witness interviews, collection of documents, and on-site inspections when necessary, and prepares a written report of the investigation.
- **Prosecution**: The Prosecution section ensures the proper disposition of each case. When the evidence reflects violations, the prosecutor may pursue administrative penalties or license sanctions, or may resolve the case informally if warranted by the circumstances. When the evidence does not indicate violations the prosecutor will close the case. When an enforcement action leads to a hearing, the prosecutor presents the Department’s case to the State Office of Administrative Hearings and the Commission of Licensing and Regulation.

Within the general structure described above, the Enforcement Division utilizes specialized procedures for handling various types of complaints. Those procedures vary primarily depending upon the source of the complaint. Generally, complaints may be characterized as arising from three sources: consumers, the department, and applicants’ criminal histories.

- **Consumer**: complaints from sources outside the agency, including consumers, industry, and municipal officials. *If opened for investigation by Intake, these cases undergo full investigation and are then resolved by the Prosecution section.*
- **Department**: complaints arising from periodic inspections of regulated entities conducted by the Field Operations Division, and from proactive efforts of Enforcement field investigators. *Intake usually forwards these cases directly to a prosecutor for resolution, because the evidence has already been developed by the inspector or field investigator.*

- Criminal History: complaints arising from criminal background checks on license applicants. The criminal history of each license applicant is initially screened by the Licensing Division. If the history includes crimes that may be a basis for denying a license, the application is referred to the Enforcement Division. *Criminal histories are initially screened by a prosecutor. If the prosecutor does not immediately clear the applicant for licensing, the prosecutor will request an investigation of the applicant's criminal history, and will then decide whether to deny or revoke the applicant's license.*

Consistency in the investigation and resolution of complaints is an essential element of effective enforcement. Enforcement works to ensure consistency by following three guidance documents that are regularly updated.

- The Complaint Resolution Procedures Manual provides detailed, standard procedures applicable to all division staff in handling complaints, from intake to investigation to final resolution.
- The Enforcement Plan describes the ranges of penalties and license sanctions that are applicable to specific alleged violations of the statutes and rules enforced by the agency.
- The Criminal Conviction Guidelines set out, for each license type regulated by TDLR, the specific criminal convictions that may render an applicant an unsuitable candidate for the license, along with reasons why those particular crimes are considered to relate to the license.

# **Behavioral Analyst Advisory Board**

*March 16, 2018*

## **Enforcement Division Staff Report**

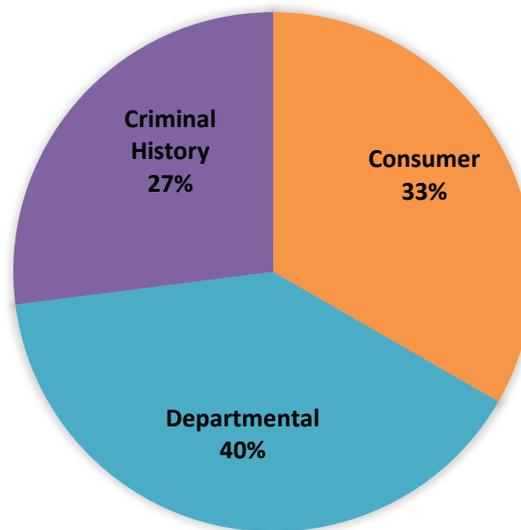
### **Key Statistics**

#### **Performance Measures**

Cases opened	12,054
Cases closed	12,405
Average time to close (days)	142
% of complaints resolved within 6 months	78.29%
% of complaints resulting in disciplinary action	27.77%

#### **Fiscal Year 2017**

### **Source of Cases Opened Fiscal Year 2017**



#### **Case Outcomes**

Commission Orders	58
Agreed Orders	2,309
Default Orders	898
Penalties Assessed	\$5,250,179
Penalties Collected	\$2,571,951
Licenses Revoked (Disciplinary)	165
Licenses Suspended	10
Licenses Denied/Revoked (Criminal History)	269
Cease & Desist Orders	476

#### **Fiscal Year 2017**

## **BEHAVIOR ANALYST ADVISORY BOARD**

MARCH 16, 2018

### EDUCATION, EXAMINATION, AND SCHOOL SERVICES

#### NEW TECHNOLOGY

We are glad to welcome Dynamics, a new software that is replacing Touchpoint, our e-mail communication technology. Dynamics will allow us to filter e-mails by program.

### PERSONNEL UPDATES



**Jennifer Prinz** comes to us from DSHS where she was the acting Team Lead for various programs including Mold a program being transferred to TDLR. She has experience in Provider applications, examination development and administration including knowledge on research, workload/performance measures, Criminal background checks and proficient with the VERSA system.



Please help us welcome **Angela "Angie" Schmidt**. She will take on the Driver, Offender and Safety Education Team Lead position effective January 16, 2018.

Angela's Bachelor's degree is from Cameron University where she majored in Criminal Justice. She also has an Associate of Science degree from Lawton, Ok in Law Enforcement. Angela has worked for the Oklahoma Department of Human Services as a Child Welfare Supervisor for 7 years. She moved to Texas and worked at the Texas Department of Public Safety, as a Program Supervisor for the Handgun Licensing.

She has scheduled, developed and provided instructional classes for more than 4,000 instructors. Angela's educational presentation skills for schools and community organizations will be an asset for TDLR's DES and Offender education industries.

**Regulatory Program Management Staff Report**  
**Texas Department of Licensing and Regulation**  
**Behavior Analysts Advisory Board Meeting**  
March 16, 2018

**Update and discussion regarding implementation of the Behavior Analysts Program pursuant to Senate Bill 589, 85th Legislature, Regular Session (2017)**

- Staff will be reviewing the behavior analysts home page and working to improve navigation.
- Staff has been meeting regularly with the Bill Implementation Team (BIT) to discuss forms, applications, FAQs, proposed rules, and other program-related items.
- Staff coordinated an internal BIT workgroup to research pending items from the last advisory board meeting.

**Public Outreach**

- Staff attended the Dallas-Fort Worth Autism Conference on February 1-2, 2018 in Hurst, Texas.
- Staff attended the Texas Association for Behavior Analysis conference on March 8-11, 2018 in Houston, Texas.

**Medical & Health Professions Section Update**

- The Medical & Health Professions Section remains focused on maintaining the successful operation of the Phase I programs, which transferred seven programs from Department of State Health Services (DSHS).
- Section staff are continuing their work on the Phase II program transition, which occurred on 11/1/2017. In Phase II, six additional programs from DSHS transferred to TDLR (massage therapy, sanitarians, code enforcement officers, offender education providers, mold assessors/remediators, and laser hair removal facilities/personnel).
- Staff are continue working on the successful implementation of the behavior analysts program.