

# A New Approach to Regulating Mental Healthcare Providers - Balancing Regulatory Oversight with Professional Standards



2021 Advanced Texas Administrative Law  
Seminar, UT Law CLE  
September 9, 2021, 12pm – 12:30pm



Texas Behavioral Health Executive  
Council  
Darrel D. Spinks, Executive Director

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## Topics Covered

- What is the Council and what does it do?
- How does rulemaking work under the Council?
- Rule Review by Office of the Governor.
- Important bills in the 87<sup>th</sup> Legislature that directly impact the agency.

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# What is BHEC and what does it do?

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- The Texas Behavioral Health Executive Council was created by the 86th Legislature in 2019 following consecutive Sunset reviews in 2017 and 2019.
- The Council consists of the:
  - Texas State Board of Examiners of Marriage and Family Therapists
  - Texas State Board of Examiners of Professional Counselors
  - Texas State Board of Examiners of Psychologists
  - Texas State Board of Social Worker Examiners.

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# What is BHEC and what does it do?

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- The mission of the Council is to protect and promote the welfare of the people of Texas by ensuring that behavioral health services and social work practice are provided by qualified and competent practitioners who adhere to established professional standards.
- This mission is derived from the duly enacted statutes governing each regulated profession, as well as the law creating the Council, and supersedes the interest of any individual or special interest group.

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# What is BHEC and what does it do?

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- How does the Council accomplish this mission?
  - Licensing
  - Enforcement
  - Providing information
- Why was the Council established?
  - Improve and enhance the administrative functions and efficiencies needed to carry out the aforementioned functions
  - Provide active state supervision for rulemaking and enforcement functions

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# What is BHEC and what does it do?

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- How does the Council composition differ from the composition of its member boards?
- How does serving on the Council differ from serving on a member board?
- Are staff accountable to the Council, member boards, or both?

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