**Introduction**

Welcome to the Texas Psychological Association’s (TPA) quarterly report. The information contained within is intended to provide a brief snapshot of the advocacy efforts conducted by TPA during each three-month period.

**Regulatory Advocacy**

**Behavioral Health Executive Council**

In July, Executive Director Jessica Magee participated in the second meeting of the BHEC Subcommittee on Licensure Fees. Currently, licensed mental health professionals are overpaying licensure fees, resulting in a return of millions to the state’s general revenue budget. Because your fees are not dedicated, BHEC is prohibited from retaining the excess generated and improving the quality of services it provides. Absurd, right?

At the meeting, some concern was expressed that significantly adjusting fees without consideration of the future of the mental health workforce may unintentionally underfund the agency, however that has since been addressed by BHEC Executive Director Darrel Spinks ensuring all fee proposals contain some buffer so that fees can be adjusted less often. Mr. Spinks was also asked by the subcommittee to produce a fee model that would standardize fees across the board. However, we oppose this model, as it sends a message that all mental health professionals are equal in education and training.

The governor is encouraging licensing agencies to submit proposals to bring fees down to 75% of the national average, which the subcommittee is likely to support. This has the potential to save psychologists hundreds of dollars and has no impact on BHEC’s budget because it cannot retain this excess revenue.

Want to do some advocacy of your own? BHEC is conducting its biennial customer service survey. Take a moment to share your experience with the Council. Survey responses must be received by November 30 at 5pm. [Take the survey](#).

**Texas State Board of Examiners of Psychologists**

Many of you received notices from the Texas State Board of Examiners of Psychologists (TSBEP) and BHEC this quarter that new rules had been published in the Texas Register. TPA’s Government Relations Consultant Kevin Stewart summarizes these rules within 24-48 hours after publication for TPA Members.

The biggest news from TSBEP this quarter are the proposed changes to 22 TAC § 463.11, Supervised Experience Required for Licensure as a Psychologist. These proposed changes essentially allow TSBEP to waive the predoctoral internship requirement prior to licensure on a case-by-case basis, as well as allow for other supervisory modifications.

TPA opposes these proposed rules and has an ongoing opposition campaign available for both members and non-members to participate. Click [here](#) for more information.

(BHEC/TSBEP Committee Members: Drs. Carol Grothues and Bret Moore, Co-Chairs; Fran Douglas; David Hill; Dan Roberts, and Corrine Zupanick).

**Texas Health and Human Services**

This quarter, Mrs. Magee and TPA Members Drs. Brandi Ragsdale and Christina Fay continued their work on the Texas Health and Human Services Commission Behavioral Health Workforce Subcommittee on the...
Mental Health Loan Repayment Program. The subcommittee is working with the Texas Higher Education Coordinating Board to survey the Mental Health Loan Repayment Program recipients to determine their location and recipient demographics, including ethnicity, language, and culture. The survey results will be used by the subcommittee to make recommendations to resolve identified gaps with a focus on racial equity and geographic distribution.

The subcommittee has also decided to explore opportunities for alternative sustainable funding for the program. This includes diverting licensing fees from general revenue (mentioned earlier) to the program if the Legislature does not agree to further reduce fees in the 2024-25 state budget.

HHSC also accepted informal stakeholder comments on draft rule revision Title 1, Chapter 351, Behavioral Health Advisory Committee. After review by TPA’s Government Relations Consultant, TPA Members were informed TPA has no concerns with this draft rule, which incorporates federal best practices and committee input regarding committee membership. The rule also incorporates formatting revisions to align with HHSC policy.

Texas Department of Transportation
Sometimes, advocacy takes the form of partnerships. TPA was recently contacted by the Texas Department of Transportation with a request to assist with evidence-based strategies that aim to change negative behaviors behind the wheel. TPA’s Science and Public Education Committees partnered on this project.

(Science Committee Members: Drs. Christian Lobue (Chair), Alice Ann Holland, Craig Henderson, Kim Roaten, Sara Dolan, Robin Jarrett, Petra Duran, Tracy Greer, and Kyle Noll)

Public Education Committee Members: Drs. Stephanie Robertson (Chair), Andy Griffin, Megan Mooney, Tyler Bradstreet, Alison Wilkinson-Smith, Alfonso Mercado, Hillary Kimbley, Kari Leavell, Joycelyn Williams Thomas, William July, and Kipp Pietrantonio)

State Legislative Advocacy
By the time this report is released, we will have completed our third special session, and tempers around the Capitol are certainly flaring. The big items on this special session agenda are redistricting and distribution of funds the state received through the American Rescue Plan Act (ARPA). Redistricting is a complicated and often contentious process. Legislators received over $1.7 billion in funding requests. TPA had its own ask, spreading awareness of the Mental Health Loan Repayment Program and working with key legislators to try to increase funding towards that program.

There have also been a significant number of retirement announcements around the Capitol. So far, those retirements include:

- Jane Nelson (SD 12)
- Dawn Buckingham (SD 24)
- Kel Seliger (SD 31)
- Chris Paddie (HD 9)
- Ben Leman (HD 13)
- James White (HD 19)
• Eddie Lucio, III (HD 38)
• Celia Israel (HD 50)
• Scott Sanford (HD 70)
• Matt Krause (HD 93)
• Jim Murphy (HD 133)
• Dan Huberty (HD 127)
• Lyle Larson (HD 122)
• John Turner (HD 114)

If you reside in one of those districts, be sure to keep an eye on the election in your district, as there may be a great opportunity to build a relationship with a new candidate.

(Legislative Committee Members: Drs. Fran Douglas (Chair); Alfonso Mercado, Jennifer Rockett, Megan Mooney, Robin Burks, David Hill, Rick McGraw, Kirk Coverstone, Cheryl Hall, Nyaz Didehbani, Kennetha Frye, Sophia Tani, Carol Grothues, and Stephanie Robertson, as well as students Catherine Ritchie and Jacob Wella)

**Federal Advocacy**

Since the shift to virtual federal advocacy by APA, TPA Members have had more opportunities than ever to get involved at the federal level. This quarter, TPA Members advocated on the Labor, HHS, and Education Appropriations bill, which funds discretionary health investments. Our requests included increased funding:

- $25 million for the Graduate Psychology Education (GPE) Program (an increase of $6 million over last year’s enacted level)
- $20.3 million for the Minority Fellowship Program (an increase of $4.1 million over last year’s enacted level)
- $49.8 million for the NIH’s Office of Behavioral & Social Science Research (an increase of $20 million over last year’s enacted level)

Federal advocates on these issues included Drs. James Bray, Melody Moore, Kristen Erps, Ayli Carrero, and TPA Leadership.

Also this quarter, APA launched their annual campaign for comments on CMS’ Proposed Rule for the 2022 Medicare Physician Fee Schedule. CMS is proposing a reduction in payment to psychologists by 3.89% in 2022 and to reimburse telehealth and audio-only services at a reduced rate after the COVID-19 public health emergency ends. After multiple pushes in our Friday newsletters, Texas submitted 350 comments—110 more than last year!

Finally, using information gathered by TPA’s Director of Professional Affairs (DPA), Dr. Brian Stagner, and by DPAs across the nation, APA's Regulatory Affairs Office has initiated meetings with several insurance companies to address capricious or erroneous interpretations of the 90837/90834 distinction and other problematic billing or documentation issues.

If you have any questions about the information contained within this report, please email Jessica Magee at jessica@texaspsyc.org.