



From: **Baron Crespo, Psy.D.**
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To: **Texas State Board of Examiners in Psychology (TSBEP)**
Darrel D. Spinks -- Executive Director.
333 Guadalupe, Suite 2-450
Austin, Texas 78701

SUBJECT: TSBEP INPUT SOLICITATION FOR 2019-2023 STRATEGIC PLANNING

I hereby submit my public comments regarding the TSBEP Input Solicitation for its 2019-2023 Strategic Planning.

1. *What are major issues, conditions, problems related to the practice of psychology are relevant to the delivery of Board's services?*

a. Overreliance in One-Vendor: The Board still heavily relies in one exclusive vendor for its examinations and reciprocity agreements. Under state law each Psychology Board, including Texas has the power to independently enter into reciprocal agreements with other jurisdictions. Currently, there's a sole vendor (ASPPB) that provides American Psychology Boards with these type of services. Overtime, this vendor has benefitted from a monopoly and has drastically increased their prices. The current vendor has strategically shaped the way in which the Texas Psychology Board has to unnecessarily pay them thousands of dollars in annual membership fees. This vendors also charges the Board's individual applicants to buy their products, to such extent that has become a complacent and lucrative pattern of commerce. Lately, the current vendor has made several autocratic decisions to change products that directly affect public policy in a manner that undermines powers of Texas Psychology Board, such adding additional exams, the times these exams must be taken, and doubling the price of the exam. This vendor, the ASPPB has been able to do so, unchecked by the Texas Psychology Board.

b. Solutions for Overreliance in One-Vendor: Here, we have a strong NEED for a national reciprocity agreement that genuinely prioritizes 1) the health, safety, welfare, and protection of the public from unqualified persons and/ or unprofessional conduct by persons licensed to





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- practice psychology, and 2) facilitates interstate professional mobility and competition of doctoral-level psychologists, without the high-priced annual and incidental payment of fees to the current vendor, (the ASSPB) by every jurisdiction and individual applicants (including Texas). Therefore, there's a NEED for the Texas Psychology Board to invoke its state powers and establish new reciprocity agreements and accept alternate (and validated) exams for licensure, that are truly conducive to public protection, enhance interstate mobility without costs, while preserving the doctoral-level psychologist in a competitive market. My Idea is the "American Psychologist Agreement of Reciprocity (APAR)" for the unrestricted doctoral-level licensed psychologists. Here, Psychology Boards whose licensed psychologists meet the APAR Agreement's minimum standard criteria, would immediately expand their interstate professional mobility at no cost (general draft and details enclosed). This APAR agreement would also mitigate any potential anti-competitive concerns (it would be hard to argue trade restriction with such reasonable reciprocity agreement).
- c. **Military Applicants:** While the State of Texas has the BEST, Occupational Licensing Law in the nation for Military and Veterans, the Board still maintains a two-step licensing process military applicants. While the applications forms were changes just recently to account for military provisions, military applicant still have to go through a two-step process: 1) provisional= takes juris exam, wait to get results, then wait to get provisional license number, then ; 2) resubmit a similar application form, with similar info, and wait about 6-weeks for independent license to arrive. While the Texas code give military veterans provisions for expedited process for licensing (when requested), this entire process takes about 3-4 months, at minimum. **Solutions for Military Applicants:** Create a New "Military Application" by merging the PLP and LP licensing forms. This would also expedite the application process for these applicants.
- d. **Applicants Licensed In Other States:** Under Board's rule 465.2 c(2), "a Provisionally Licensed Psychologist (PLP) who is licensed in another state to independently practice psychology and is in good standing in that state, and who has applied for licensure as a psychologist may during the time that the Board is processing the applicant's application for

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- f. licensure as a psychologist, practice psychology without supervision.” However, neither employers nor contractors would hire or engage in businesses with these PLPs, regardless of what the Board rules states. **Solutions for Applicants Licensed in Other States:** Truly allow applicants under this sections to practice without supervision while awaiting further licensure verification for his/her LP. This could be attained by providing an official letter (even added as addendum to the online verification) indicating the licensee is authorized to practice unrestricted and without supervision while awaiting final licensing verification/processing, and no longer than XX date (whenever PLP expires). This official letter would also mitigate any potential anti-competitive concerns (it would be hard for these specific PLPs to argue market restriction with such clear and publicly available letter).

- g. **Regulation Changes:** New rulings and interpretations of the law by U.S. courts have rapidly have changed the practice of psychology across the nation. More Psychology Boards have found themselves forced to allow the independent practice of psychology by master-level licensed clinicians. While these chain of events are great for the public's access to licensed mental health providers, it's quickly eroding and likely harming doctoral-level psychologists economically. Therefore, current rules remain self-limiting in the relevant market. **Solutions for Regulation Changes:** Continue to proactively address and change rules accordingly in a way that is conducive to the public welfare and expanding access and psychologist mobility (new applications, reciprocity agreements, exams, etc.).

2. *What strengths, weaknesses, opportunities, or obstacles characterize the Board's relationship with its stakeholder?*

Strengths: The Board has shown adaptability and responsiveness to feedback a reasonable recommendations, and has made several constructive changes as a result.

Opportunities: The Board has the opportunity to lead a modern and lean regulation of psychology ahead of others.





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3. **To what extent are stakeholders satisfied with the services the Board provides and what progress has been made by the Board towards achieving the Board' objective and desired outcomes?** I'm satisfied thus far, and most in the Modern Psychologist Network are satisfied with the Board's progress, and steps taken to improve, modernize the regulation of psychology in Texas. The Board has already attained realistic and measurable results and we're optimistic that it will continue to move in the right direction.

Thank you for your time and consideration,

Respectfully,

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Enclosure (s)

- 1) American Psychologist Agreement of Reciprocity (APAR), Draft and FAQs

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