

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Public Health
For HB 4156

Compiled on: Monday, May 1, 2023 11:30 AM

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Hearing Date: May 1, 2023 8:00 AM

Anthony Ozark, Mr
Alzheimer's Assoc
McAllen, TX

Training mental health people on dementia

Louis Geigerman
self
Houston, TX

I have been a special advocate for the last 28 years assisting thousands of families with children with disabilities in acquiring a free and appropriate public education and I am writing in support of HB4156. When a parent elects to challenge an individualized education program from their school district one of the few ways to do it is to challenge the district's assessment (FIE) through an Independent Educational Evaluation (IEE) at public expense. An IEE is effectively a second opinion paid for by the school district. Federal/state law allows school districts to mandate that a person performing the IEE have the same or equal credentials as the person that conducted the districts' FIE. Typically, school districts assign Licensed Specialists in School Psychology (LSSP) which is a masters level credential to perform this assessment. Consequently, if a parent desires an IEE, the person that they select must have the LSSP credential. The problem is that most LSSPs are employed by school districts with few practicing in the community. Conversely, there are a large number of clinical psychologists practicing in the community that could perform these IEEs. In my advocacy practice, I routinely see clinical psychologists, a doctoral level credentialed professional barred from conducting the parent desired IEE. For a clinical psychologist to obtain the LSSP designation, the clinician would effectively have to start over in their licensing to obtain the credential by requesting an internship in School Psychology from a school district that has relatively few slots available for new interns. Under the present scenario the impact is that a master's level designation trumps a doctoral level. This would be akin to a physician's assistant having more power than a physician or a paralegal having more power than an attorney. This bill increases parental rights by allowing more clinical psychologists that desire to obtain a LSSP a simpler pathway to do so and thereby giving a parent more clinicians to choose from when requesting an IEE. The ability of a parent to obtain an IEE is crucial in leveling the playing field with school districts in obtaining appropriate services for their children. It is a vital issue of public health for children with disabilities and their families. I encourage the committee to vote in favor of HB4156 to make a dramatic difference in the lives of children with disabilities.

Sostack Lisa
Outbound Visions
Porter, TX

A licensed clinical psychologist has more business completing an educational evaluation than a masters level speech therapist. I have dealt with both types of professionals for 33 years as a parent of twins who have autism and as an HCS program director. It makes sense to grant licensed p sychologists the credential to complete IEEs.

Lisa Sostack
President

Mark Fusca
Self
Spring, TX

My name is Mark Fusca and I am in favor of HB 4156, I am the Precinct Chair for Montgomery County Pct 47, but more importantly I am the father to 3 special needs children and know first hand how hard it is to find qualified professionals to perform educational assessments and once you find that qualified professional they are booked solid and it takes 6 months to a year to get the assessment results.

IDEA Law allows a clinical psychologist to perform the Independent Educational Evaluation (IEE) but there are districts in Texas that refuse to follow this part of the law. Instead, these districts put into place a policy that requires only LSSPs (Licensed Specialist in School Psychology) to conduct the IEEs. This negates the Independent part of the IEE per IDEA Law as LSSPs are employed by school districts. Even if you can find an LSSP who know longer works for a school district the wait time for an evaluation is extremely long. My son and my daughter have both had IEEs conducted and we had to wait a year to get the results of those evaluations.

LSSPs are also unique to Texas, I grew up in California and California does not have the requirement for a LSSP to conduct special education testing. Having this requirement is frustrating as a parent as it caused more delays in getting my son a proper evaluation, which led to correct services for his dyslexia and autism spectrum disorder. This requirement caused my son more trauma as his school did not have the right diagnosis and was not giving him appropriate services for his disabilities.

Finding qualified evaluators is extremely difficult for parents who have children with special needs, especially if school districts put into place policies that limit who can perform those evaluations. This bill will allow clinical psychologists who meet the required qualifications to conduct these evaluations, which will help parents get IEEs done in a timely manner and get their special needs children appropriate services and accommodations. In special education early intervention is key and this bill is a step forward in early intervention.

Johnson Vanesia
None
Sugar Land, TX

Please make sure clinical psychologists seeking LSSPs have a certain amount of course hours, experience, and recent diagnostic training and CEUs. We have too many professionals who aren't skillful interacting with vulnerable children.

Chris Donofrio
Self / Father of a psychologist
The Woodlands, TX

I reluctantly oppose HB 4156.
I urge you not to pass it out of committee.

I believe the proposed text is unnecessary and creates an onerous burden upon psychologists who want to work in schools.

HB 4156 is unnecessary because the current Occupations Code already requires practice and expertise. The additional text offers nothing new, except for continuing education.

The continuing education requirement creates an onerous burden for the psychologists that HB 4156 targets. I'm particularly concerned about the text on page 2 lines 16-17: "including continuing education coursework in an amount and frequency established by the executive council that is related to"
This is too broad, even though subject matter is later addressed. I know from my daughter's experience that too much continuing education means less time for therapy. She works with children and adolescents. The school-aged minors whose school psychologists are the target of the bill.

Also, in Texas at least, psychologists who work in the grey-area between public service and providing therapy in live-in facilities are paid squat.

My daughter has been devoted to helping kids and adolescents. Especially those with severe trauma issues. She's very good at what she does. She has no plans to go into private practice anytime soon. That's because she believes she's already where a psychologist needs to be for maximum effectiveness.

Unfortunately, her pay prevents her from taking as many continuing education classes as she'd like. Fortunately, her employer pays for continuing education classes. Will they do so for the classes selected by the executive committee?

Before I retired a few years ago, I helped pay for some classes too. Now on a fixed income far less than when I worked, it's more difficult to help her.

Finally, Texas ranks last in providing mental health services. Our state just doesn't seem to value it very much. This despite blaming mental health issues for those responsible for mass slaughter.
Psychologists see this. It has driven some out of Texas and prevented others from coming to Texas. You add this to the fact that not that many psychologists want to do the work my daughter does routinely.
HB 4156 will only make things worse.

I understand the bill's intention is good. Maybe if you let it die, you'd be able to solicit input from psychologists already doing the work you seek. I'm sure that working with them will lead to a better bill.

Until then, please allow HB 4156 to die in committee.

Respectfully,
Chris J. Donofrio

Susan Lopez
Self. Physical Therapist
Missouri City, TX

I am pro HB 4156. Parents should not be at a disadvantage when getting a second opinion for their kids educational needs.

Kimberly Sherman
parent of student
Houston, TX

As a mother of a child with disabilities, my son was evaluated for Special Ed by my local school, Klein ISD, that I believe was inaccurate. My only recourse was to request an independent Education Evaluation(IEE) at public expense. My son had to wait for almost a whole year to receive his IEE because there were very few LSSPs available in private practice, even though I live in the third largest city in the country.

My son should not have had to wait and suffer for a year in order to obtain this IEE. This bill will make it possible for clinical psychologists to obtain this master's level certification of LSSP, so that children like my son can be assessed on a timely basis. Please support HB 4156

Katherine Garcia
Grandparents
Corpus Christi, TX

The LSSP that was part of my granddaughter's ARD meetings in 2021/2022, made my granddaughter feel as though she, granddaughter, was "stupid and dumb." Those are my granddaughters words.

I had an Educational Consultant that was part of the ARD meetings for my granddaughter.

LSSP was given full control of all ARD meetings during my granddaughter's Junior Year of high school. Administrators would not discuss or comment during the ARD meetings.

LSSP main concern was that when my granddaughter turned 18, she would have the right to make her own educational decisions. To which my granddaughter replied that she wanted me in all the meetings throughout the remainder of her schooling.

In August 2022, granddaughters Senior Year of High School, I met with the Director of Special Education and the Director of Dyslexia, stating that I did not want LSSP involved in any way with my granddaughters education her Senior Year.

School started August 9, 2022, my granddaughter turned 18 August 10th. On August 11,2022, the LSSP called my granddaughter into her office and handed her the paperwork to sign stating she was now 18 and cut make her own educational decisions.

I went to the school immediately, and complained about her contacting my granddaughter stating that the LSSP was not to be allowed in any way to contact my granddaughter. I then went to CCISD to file my grievance against the LSSP.

My granddaughter is on medication for depression and anxiety. So the mere fact that this LSSP made my granddaughter feel " stupid and dumb " is outrageous.

Amy Litzinger
TXP2P/self
Austin, TX

We are for this bill

Rebecca Galinsky
Protect TX Fragile Kids
Arlington, TX

I am registering FOR HB 4156, on behalf of myself and Protect TX Fragile Kids. We are in favor of this bill. In many areas of the state the number of providers able to perform evaluations or assessments for the special education services is extremely limited, creating long wait times resulting in delay of services. This bill would allow families to have expanded options in choosing a provider to perform the assessments, reducing wait times, and thereby providing access to appropriate services and supports in a more timely manner for the student. This bill if passed, will increase timely access to testing and services for students and provide much needed relief to families struggling to access SpEd services under a system with an inadequate network of qualified and approved providers who can perform those assessments according to the current rules.