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mn.gov/boards/behavioral-health/

AT A GLANCE

Licensing Services-FY 2015

- 4,088 total number of licenses and temporary permits
- 827 new licenses and temporary permits issued
- 852 new license and temporary permit applications received
- 2,562 licenses and temporary permits renewed

Complaint Services-FY 2015

- 130 new complaints received
- 101 complaints closed
- 13 disciplinary actions taken

Staff

5.0 full time equivalent employees

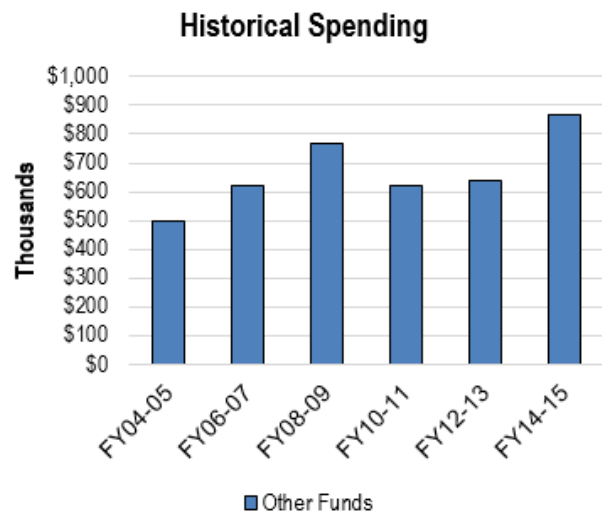
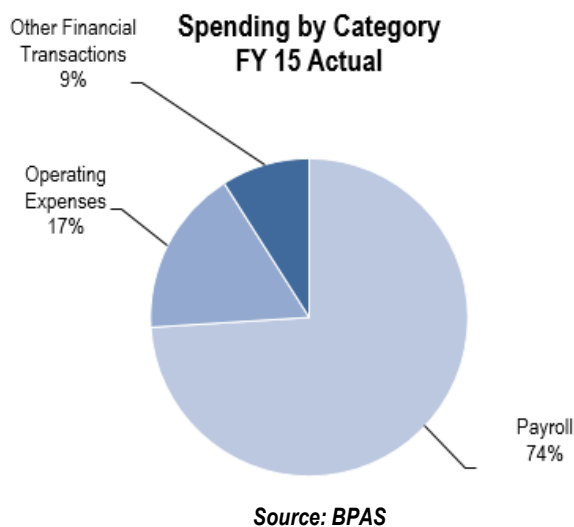
PURPOSE

The Board of Behavioral Health and Therapy exists to regulate the practices of alcohol and drug counseling and professional counseling in the State of Minnesota. Regulation of these professions is necessary to protect the health, safety and welfare of the public when they receive mental health and chemical health counseling services. The Board carries out its mission through effective licensure and enforcement of statutes and rules that ensure a standard of competent and ethical practice.

The Board supports the following statewide outcomes:

- People in Minnesota are safe
- All Minnesotans have optimal health
- Efficient and accountable government services

BUDGET



The Board is funded by licensure fees. Minnesota Statutes section 214.06, subdivision 1(a) compels the Board to collect fees in the amount sufficient to cover direct and indirect expenditures. Funds are deposited as non-dedicated revenue into the state government special revenue fund. From this fund, the Board receives a direct appropriation to pay for agency expenses such as salaries, rent, costs associated with disciplinary/contested cases and operating expenditures. It also pays statewide indirect costs through an open appropriation. The Board receives no general fund dollars.

In addition to Board operations, licensure fees fund activities that support multiple boards and/or other agencies. Some of these are: the Administrative Services Unit (inter-board), Health Professionals Services Program (inter-board), Office of the Attorney General for legal services, and the Criminal Background Check Program (inter-board).

STRATEGIES

The Board of Behavioral Health and Therapy promotes and protects the health and safety of the citizens of Minnesota, accomplishes its public protection mission, and contributes to statewide outcomes by:

- Setting educational, supervision, and examination requirements for initial licensure as a licensed professional counselor (LPC), licensed professional clinical counselor (LPCC), or licensed alcohol and drug counselor (LADC);
- Issuing the LADC license or permit, LPC license, or LPCC license to practice only to qualified individuals;
- Setting the requirements for renewal of a license or permit and administering the renewal process;
- Setting standards of ethical practice;
- Responding to inquiries, complaints and reports regarding applicants and licensees;
- Investigating complaints of alleged violations of statutes and rules, holding educational and disciplinary conferences with licensees and applicants, taking disciplinary or corrective action when appropriate against practitioners who fail to meet minimum standards of practice, and reporting public actions to national databanks;
- Maintaining a website that provides information to the public about complaints and discipline, including a list of disciplinary and corrective actions taken by the Board;
- Offering online services from the Board's website, including license verification and links to the full text of public disciplinary orders the Board has adopted against licensed professionals;
- Approving continuing education activities; and
- Providing information about licensure requirements and standards of practice to applicants, licensees, and other interested parties.

RESULTS

The information included below was generated using the Board's licensure and regulatory database. The information demonstrates a stable trend in the Board's activities and an increase in efficiency in processing license renewals through online services. The total number of licensees continues to rise. The number of disciplinary actions taken depends on complaints the Board receives and the level of severity of misconduct that is substantiated. The Board took a total of 19 disciplinary actions in FY 2012 and FY 2013. The Board took a total of 36 disciplinary actions in FY 2014 and FY 2015.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Number of new licenses issued	752	827	FY 2014 & FY 2015
Quality	Percent of licensees renewing their licenses online	62%	65%	FY 2014 & FY 2015
Quantity	Number of disciplinary actions taken	19	36	FY 2012 & FY 2013

The Board's activities are governed by Minnesota Statutes sections 148B.50 to 148B.593 (<https://www.revisor.mn.gov/statutes/?id=148b.50>) and Minnesota Rules chapter 2150 (<https://www.revisor.mn.gov/rules/?id=2150>) (professional counseling and professional clinical counseling), Minnesota Statutes chapter 148F (<https://www.revisor.mn.gov/statutes/?id=148F>) and Minnesota Rules chapter 4747 (<https://www.revisor.leg.state.mn.us/rules/?id=4747>) (alcohol and drug counseling), and Minnesota Statutes chapter 214 (<https://www.revisor.mn.gov/statutes/?id=214>).

(Dollars in Thousands)

Expenditures By Fund

	Actual	Actual	Actual	Estimate	Forecasted Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
1201 - Health Related Boards	373	492	457	517	499	499	784	656
2000 - Restrict Misc Special Revenue	0	0	0	0	28	28	28	28
Total	373	492	457	517	526	526	811	683
<i>Biennial Change</i>				110		78		520
<i>Biennial % Change</i>				13		8		53
<i>Governor's Change from Base</i>								442
<i>Governor's % Change from Base</i>								42

Expenditures by Program

Program: Behavioral Health & Therapy	373	492	457	517	526	526	811	683
Total	373	492	457	517	526	526	811	683

Expenditures by Category

Compensation	307	363	382	406	408	416	489	499
Operating Expenses	65	116	75	111	118	110	322	184
Other Financial Transactions		13						
Total	373	492	457	517	526	526	811	683
Full-Time Equivalents	4.1	5.0	5.0	5.0	5.0	5.0	6.0	6.0

1201 - Health Related Boards

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Balance Forward In	0	99	0	23	0	0	0	0
Direct Appropriation	471	488	480	486	486	486	771	643
Open Appropriation	0	0	0	8	13	13	13	13
Cancellations	0	95	0	0	0	0	0	0
Expenditures	373	492	457	517	499	499	784	656
Balance Forward Out	98	0	23	0	0	0	0	0
<i>Biennial Change in Expenditures</i>				110		23		465
<i>Biennial % Change in Expenditures</i>				13		2		48
<i>Gov's Exp Change from Base</i>								442
<i>Gov's Exp % Change from Base</i>								44
Full-Time Equivalents	4.1	5.0	5.0	5.0	5.0	5.0	6.0	6.0

2000 - Restrict Misc Special Revenue

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY14	FY15	FY16	FY17	FY18	FY19	FY18	FY19
Receipts	0	0	0	0	28	28	28	28
Expenditures	0	0	0	0	28	28	28	28
<i>Biennial Change in Expenditures</i>				0		56		56
<i>Biennial % Change in Expenditures</i>				0				
<i>Gov's Exp Change from Base</i>								0
<i>Gov's Exp % Change from Base</i>								0

Behavioral Health and Therapy, Board of

FY18-19 Biennial Budget Change Item

Change Item Title: Small Agency Operational Increase

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	175	51	51	51
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	175	51	51	51
FTEs	0	0	0	0

Recommendation:

The Governor recommends \$226,000 in FY 2018-19 and \$102,000 in FY 2020-21 from the state government special revenue fund to address cost increases related to salary adjustments, office space needs, conversion from paper to electronic records, employee development opportunities, conference fees, and funds for in state and out of state travel for Board members and staff members. This request includes one-time appropriations in the first biennium to initiate electronic document management and for increased office space, office furniture, and remodeling costs.

Rationale/Background:

The Board currently collects sufficient dollars through fees paid by counselors to fund the base budget increase and one-time appropriations. No fee increases are needed. The items in this change item request will be funded through fees deposited in the State Government Special Revenue Fund. The Board receives no General Fund dollars.

The Board has operated for several years without a significant small agency increase to its base budget. Every year, however, the number of licensees increases by 10%. Between June 30, 2006 and June 30, 2016, the number of regulated persons with active licenses has more than doubled from 2,040 to 4,814. Complaints against licensees are also increasing as the number of licensed professionals increases (165 complaints received in biennium ending June 30, 2008; 255 complaints received in biennium ending June 30, 2016).

The Board was created in 2003 to regulate LPCs and LPCCs (added in 2007) and to move regulation of LADCs from the Department of Health to the Board in 2005. Start-up costs for a new LPC licensure program and inherited debt from the Department of Health LADC program resulted in significant program debt (\$1.5 million) for the Board to address. In order to address the debt problem, the Board's base budget was reduced by 42% in fiscal year 2007 (\$673,000 reduced to \$394,000) and fees were increased that same year. The Board retired all program debt in FY 2012 and now has accumulated surplus revenue in the State Government Special Revenue Fund.

The staffing level in 2007 was 5 FTEs, but only 3 positions were filled (Executive Director, LADC Licensing Coordinator, and LPC/LPCC Licensing Coordinator). The Board reached its full staffing level of 5 FTEs on May 1, 2014, and now has 2 office and administrative specialists who provide clerical support. The Board has 13 members appointed by the Governor: 5 LPC/LPCCs, 5 LADCs, and 3 public members. Board members and staff members historically have not had many opportunities to participate in training and development activities. In particular, Board members and staff members have not been able to regularly attend national conferences and exchange ideas with their counterparts from other states. The Board has limited dollars available for training and employee development because 91% of the Board's budget is used for salaries, rent, equipment, and supplies. Because of the significant growth in the number of licensees and the number of complaints the Board receives, the Board office does not have sufficient space for all paper files. The workload for Board members serving on the Complaint Resolution Committee has also increased, and the Board will likely need to create a second committee to make sure complaints are processed and disciplinary actions are taken in a timely manner to carry out the Board's public protection duties.

Proposal:

This proposal increases the spending authority of the Board. The one-time requests for funds will enable the Board to address its data storage and work space needs in the next biennium.

Small Agency Increase:	FY2018	FY2019	FY2020	FY2021
Salary Adjustments (current staff increases)	\$5,000	\$5,000	\$5,000	\$5,000
Out of State Travel	5,000	5,000	5,000	5,000
In State Travel and Per Diem Costs for Board Members	3,000	3,000	3,000	3,000
Conference / Membership Fees	3,000	3,000	3,000	3,000
Employee Development / Training	6,000	6,000	6,000	6,000
Document Management / Electronic Scanning	45,000	10,000	10,000	10,000
Build out / remodel (1284 to 2037 sq. feet)	65,000			
Rent Increase for additional space (1284 to 2037 sq. feet)	16,000	16,000	16,000	16,000
Furniture	24,000			
Postage Increases (Criminal Background Check (CBC) Implementation)	1,000	1,000	1,000	1,000
Equipment purchase / replacement	2,000	2,000	2,000	2,000
Total	\$175,000	\$51,000	\$51,000	\$51,000

Results:

The trend suggests continued growth in the number of regulated persons (approximately 10% per year). Complaints are also increasing as the numbers of licensed professionals increases. The Board has outgrown its current office space. In order for the Board to provide efficient and accountable government services, it must have well trained Board members, a well trained staff, and enough work space to store its records and perform its regulatory duties.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Number of regulated persons with active licenses	2,040	4,814	FY 2006 – FY 2016
Quantity	Number of Complaints Received	165	255	FY 2008-- FY 2016
Results	Board members and staff members will have the resources they need to perform regulatory duties effectively			

Statutory Change(s):

No changes required.

Behavioral Health and Therapy, Board of

FY 18-19 Biennial Budget Change Item

Change Item Title: Information Technology Services and Database Maintenance

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	28	28	28	28
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	28	28	28	28
FTEs	0	0	0	0

Recommendation:

The Governor recommends \$56,000 biennially from the state government special revenue fund for annual MN.IT (information technology) operations expenses. The the new expenses include: Annual Maintenance Contract for Database and online services (ALIMS): \$15,000, MN.IT 'switches' equipment annual expense: \$2,500, MN.IT voice and email services: \$3,200, and Anticipated increases in annual Service Level Agreements expenses: \$7,000. The amount recommended in FY 2018-19 represents a 5.8% increase to the board's base funding.

Rationale/Background:

- The Board of Behavioral Health and Therapy has not previously funded an IT operations budget. It must identify expenses and request spending authority to meet the anticipated new MN.IT service delivery model.
- Maintenance of current online services is critical for license verifications, license renewal functions, and other online services (address change, licensure supervisor lookup).
- This trend is being driven by Board reliance on and public expectation of comprehensive electronic government services.

The Board is entirely fee supported and receives no General Fund dollars to provide all services. Fees must be collected to cover direct and indirect expenditures, deposited as non-dedicated revenue into the State Government Special Revenue Fund (SGSRF). The Board is granted authority to use these fees by the Minnesota Legislature to pay for all expenses incurred by the Board. The board collects sufficient revenue to cover all expense and this change item increase.

Proposal:

- This proposal is a change to an existing program.
- The Board will pay for maintenance and support of the current database and online services.
- This maintenance and support will complement the efforts of the 12 health-related licensing and regulatory boards using the same database structure and promote coordination of services.
- MN.IT will direct implementation. Anticipated effective date is July 1, 2017.

MNIT Small Agency Increase:	FY2018	FY2019	FY2020	FY2021
• Annual Maintenance Contract for Database and online services (ALIMS)	\$15,000	\$15,000	\$16,000	\$17,000
• MNIT 'switches' equipment annual expense	\$2,500	\$2,500	\$2,500	\$2,500
• MN.IT voice and email services	\$3,200	\$3,200	\$3,200	\$3,200
• Service Level Agreement Annual Rates	\$7,000	\$7,000	\$7,000	\$7,000
Total	\$27,700	\$27,700	\$27,700	\$27,700

Results:

The Board currently collects sufficient funds and maintains an accumulated reserve in the State Government Special Revenue Fund to cover the requested increase in spending authority without a fee increase. This change can be sustained with current fees.

Statutory Change(s):

No changes required.

Behavioral Health and Therapy, Board of

FY18-19 Biennial Budget Change Item

Change Item Title: Staffing Increase – Office Manager

Fiscal Impact (\$000s)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	82	78	78	78
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	82	78	78	78
FTEs	1	1	1	1

Recommendation:

The Governor recommends \$160,000 in FY 2018-19 and \$156,000 in FY 2020-21 from the state government special revenue fund for a full time office manager position (one full time equivalent (FTE) employee). The amount recommended in FY 2018-19 represents a 16.5% increase to the board's base budget.

Rationale/Background:

The Board currently collects sufficient dollars through fees paid by counselors to fund this position. No fee increase is required. This position will be funded through fees deposited in the State Government Special Revenue Fund. The Board receives no General Fund dollars.

The Board was created in 2003 to regulate licensed professional counselors and licensed professional clinical counselors (LPCs and LPCCs) and to move regulation of licensed alcohol and drug counselors (LADCs) from the Department of Health to the Board in 2005. Start-up costs for a new LPC licensure program and inherited debt from the Department of Health LADC program resulted in significant program debt (\$1.5 million) for the Board to address. In order to address the debt problem, the Board's base budget was reduced by 42% in fiscal year 2007 (\$673,000 reduced to \$394,000) and fees were increased that same year. The staffing level was 5 FTEs, but only 3 positions were filled. The Board retired the program debt in FY 2012 and now has accumulated surplus revenue in the State Government Special Revenue Fund. The Board is currently staffed with 5 full time equivalent employees: Executive Director, LADC Licensing Coordinator, LPC/LPCC Licensing Coordinator, and 2 office and administrative specialists who provide clerical support.

To date, the Board's Executive Director and the LADC Licensing Coordinator have performed all office management duties. These duties include, but are not limited to, daily management of fees the Board receives, approving deposits, reconciling financial statements, ordering supplies and equipment, approving bills, preparing contracts, preparing statistical reports, strategic planning, managing the budget, hiring staff, training staff, writing office policies and procedures, and supervising the work of other staff members.

Between June 30, 2006 and June 30, 2016, the number of regulated persons with active licenses more than doubled from 2,040 to 4,814. The trend suggests continued growth in the number of regulated persons (approximately 10% per year). The workloads for all staff members have increased. In particular, the workloads for the LADC Licensing Coordinator and the Executive Director have, by necessity, increased with the growth in the number of licensed professionals. The most effective use of the licensing coordinator's skills is for the coordinator to focus on managing the alcohol and drug counseling licensure program in the State of Minnesota. The licensing coordinator's primary responsibilities include reviewing and approving license applications, issuing licenses, managing the license renewal process, monitoring continuing education compliance, and assisting the Executive Director and the Board's Complaint Resolution Committee with its duties to review complaints, take disciplinary or corrective actions, and monitor compliance with Board orders.

The combination licensing coordinator/office manager position is no longer the best staffing option. There are too many duties and responsibilities for a single position to effectively provide both licensing coordinator services and office management services. Remaining at the current staffing level will result in delays in processing initial license applications and renewals as well as complaints due to the volume of the workload for a single staff position. In order for the Board to provide efficient and accountable government services, it must have an adequate staffing level to do so.

Proposal:

This proposal is a request to increase the Board’s spending authority to fund an office manager position. The one-time requests for funds, if approved, will enable the Board to purchase furniture and equipment for a work station in the next biennium.

New Staff:	FY2018	FY2019	FY2020	FY2021
Salary and Fringe	\$76,000	\$78,000	\$78,000	\$78,000
Work Station Furniture – One-Time Request	\$4,000			
Equipment – One-Time request	\$2,000			
Total	\$82,000	\$78,000	\$78,000	\$78,000

Results:

Between June 30, 2006 and June 30, 2016, the number of regulated persons with active licenses has more than doubled from 2,040 to 4,814. The trend suggests continued growth in the number of regulated persons (approximately 10% per year). In order for the Board to provide efficient and accountable government services, it must have enough employees to perform its licensure and regulatory duties.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Number of regulated persons with active licenses	2,040	4,814	FY 2006 -- FY 2016

Statutory Change(s):

No changes required.