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**Behavioral Health and Therapy, Board of**

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[mn.gov/boards/behavioral-health/](http://mn.gov/boards/behavioral-health/)

**AT A GLANCE**

**Licensing Services-FY 2017**

- 5,296 total number of licenses and temporary permits
- 929 new licenses and temporary permits issued
- 919 new license and temporary permit applications received
- 3,223 licenses and temporary permits renewed

**Complaint Services-FY 2017**

- 175 new complaints received
- 113 complaints closed
- 10 disciplinary actions taken

**Staff**

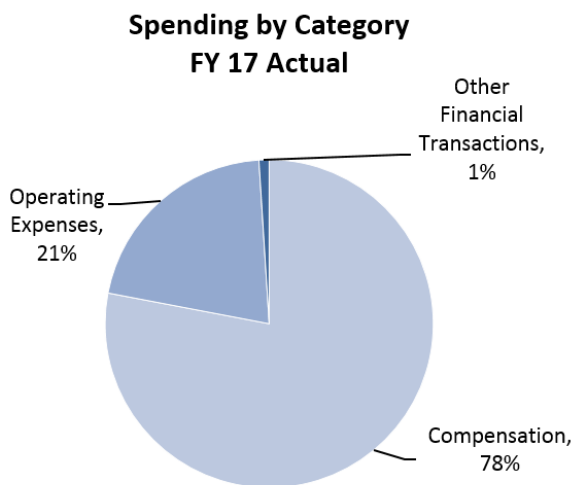
- 6.0 full time equivalent employees

**PURPOSE**

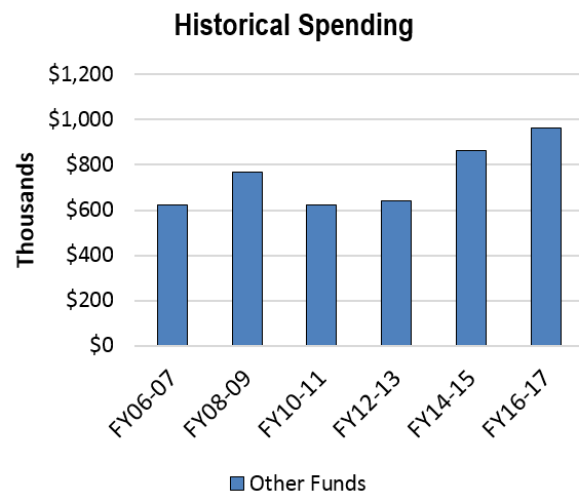
The Board of Behavioral Health and Therapy exists to regulate the practices of alcohol and drug counseling, professional counseling, and professional clinical counseling in the State of Minnesota. Regulation of these professions is necessary to protect the health, safety and welfare of the public when they receive mental health and chemical health/substance use disorder 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**



Source: Budget Planning & Analysis System (BPAS)



Source: Consolidated Fund Statement

Licensure fees fund the Board and we receive no general fund dollars. 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.

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 students, 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 36 disciplinary actions in FY 2014 and FY 2015. The Board took a total of 21 disciplinary actions in FY 2016 and FY 2017. The Board’s public outreach efforts to students and other stakeholders may have impacted the trend in fewer disciplinary actions.

<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	821	929	FY16 & FY17
Quality	Percent of licensees renewing their licenses online	63%	70%	FY14-15 & FY16-17
Quantity	Number of disciplinary actions taken	36	21	FY14-15 & FY16-17

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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>).

# Behavioral Health and Therapy, Board of

# Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21

### Expenditures by Fund

1201 - Health Related Boards	457	507	460	991	669	669	950	871
2000 - Restrict Misc Special Revenue			19	30	26	26	26	26
<b>Total</b>	<b>457</b>	<b>507</b>	<b>479</b>	<b>1,021</b>	<b>695</b>	<b>695</b>	<b>976</b>	<b>897</b>
Biennial Change				536		(110)		373
Biennial % Change				56		(7)		25
Governor's Change from Base								483
Governor's % Change from Base								35

### Expenditures by Program

Behavioral Health & Therapy	457	507	479	1,021	695	695	976	897
<b>Total</b>	<b>457</b>	<b>507</b>	<b>479</b>	<b>1,021</b>	<b>695</b>	<b>695</b>	<b>976</b>	<b>897</b>

### Expenditures by Category

Compensation	382	396	366	530	541	549	701	724
Operating Expenses	75	105	110	439	149	141	270	168
Other Financial Transaction		6	3	52	5	5	5	5
<b>Total</b>	<b>457</b>	<b>507</b>	<b>479</b>	<b>1,021</b>	<b>695</b>	<b>695</b>	<b>976</b>	<b>897</b>

### Full-Time Equivalent

	4.99	5.00	4.34	5.50	6.50	6.50	7.50	7.50
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# Behavioral Health and Therapy, Board of

# Agency Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
<b>1201 - Health Related Boards</b>								
Balance Forward In		23		324				
Direct Appropriation	480	486	777	655	656	656	937	858
Open Appropriation		8		12	13	13	13	13
Transfers In			7					
Cancellations		10						
Balance Forward Out	23		324					
<b>Expenditures</b>	<b>457</b>	<b>507</b>	<b>460</b>	<b>991</b>	<b>669</b>	<b>669</b>	<b>950</b>	<b>871</b>
Biennial Change in Expenditures				487		(113)		370
Biennial % Change in Expenditures				50		(8)		26
Governor's Change from Base								483
Governor's % Change from Base								36
Full-Time Equivalents	4.99	5.00	4.34	5.50	6.50	6.50	7.50	7.50

## 2000 - Restrict Misc Special Revenue

Balance Forward In				4				
Receipts			23	26	26	26	26	26
Balance Forward Out			4					
<b>Expenditures</b>			<b>19</b>	<b>30</b>	<b>26</b>	<b>26</b>	<b>26</b>	<b>26</b>
Biennial Change in Expenditures				49		3		3
Biennial % Change in Expenditures						6		6
Governor's Change from Base								0
Governor's % Change from Base								0

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
<b>Direct</b>				
<b>Fund: 1201 - Health Related Boards</b>				
FY2019 Appropriations	655	655	655	1,310
Base Adjustments				
Pension Allocation		1	1	2
Forecast Base	655	656	656	1,312
Change Items				
Operating Adjustment		281	202	483
<b>Total Governor's Recommendations</b>	<b>655</b>	<b>937</b>	<b>858</b>	<b>1,795</b>
<b>Open</b>				
<b>Fund: 1201 - Health Related Boards</b>				
FY2019 Appropriations	12	12	12	24
Base Adjustments				
Forecast Open Appropriation Adjustment		1	1	2
Forecast Base	12	13	13	26
<b>Total Governor's Recommendations</b>	<b>12</b>	<b>13</b>	<b>13</b>	<b>26</b>
<b>Dedicated</b>				
<b>Fund: 2000 - Restrict Misc Special Revenue</b>				
Planned Spending	30	26	26	52
Forecast Base	30	26	26	52
<b>Total Governor's Recommendations</b>	<b>30</b>	<b>26</b>	<b>26</b>	<b>52</b>
<b>Revenue Change Summary</b>				
<b>Dedicated</b>				
<b>Fund: 2000 - Restrict Misc Special Revenue</b>				
Forecast Revenues	26	26	26	52
<b>Total Governor's Recommendations</b>	<b>26</b>	<b>26</b>	<b>26</b>	<b>52</b>
<b>Non-Dedicated</b>				
<b>Fund: 1201 - Health Related Boards</b>				
Forecast Revenues	1,119	1,119	1,119	2,238
<b>Total Governor's Recommendations</b>	<b>1,119</b>	<b>1,119</b>	<b>1,119</b>	<b>2,238</b>

# Behavioral Health and Therapy, Board of

## FY 2020-21 Biennial Budget Change Item

### Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	281	202	177	177
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	281	202	177	177
<b>FTEs</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>

### Recommendation:

The Governor recommends additional funding of \$483,000 in the FY 2020-2021 biennium to maintain the current level of service delivery at the Board of Behavioral Health and Therapy.

The proposal also funds the addition of one new senior investigator.

### Rationale/Background:

Each year, the cost of doing business rises—employer-paid health care contributions, FICA and Medicare, along with other salary and compensation-related costs increase. Other operating costs, like rent and lease, fuel and utilities, and IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat from year to year.

The Board issues licenses to Licensed Alcohol and Drug Counselors (LADCs), Licensed Professional Counselors (LPCs), and Licensed Professional Clinical Counselors (LPCCs). The Board collects fees to be deposited in the State Government Special Revenue Fund. The Board receives no General Fund dollars. Current staffing levels are 6 FTEs: Executive Director, Office Manager, 2 licensing administrators, and 2 office and administrative specialists who provide clerical support.

### Proposal:

The Governor recommends increasing the Board’s operating budget to maintain the delivery of current services. For the Board of Behavioral Health and Therapy, this funding will cover known employee compensation growth, a new senior investigator, office space needs and rent, legal services, employee development opportunities, and IT. IT cost growth drivers may include dedicated MN.IT staff compensation-related increases, increased volume usage of enterprise IT services, increased software licensing costs, and/or application support and maintenance cost increases.

Small Agency Increase:	FY2020	FY2021	FY2022	FY2023
Salary Adjustments and Salary Reallocations (current staff increases)	\$36,000	\$44,000	\$44,000	\$44,000
Salary – New Position – Investigator Senior	\$104,000	\$106,000	\$106,000	\$106,000
Storage Space	\$3,000	\$3,000	\$3,000	\$3,000
Out of State Travel	\$2,000	\$4,000	\$4,000	\$4,000
Conference / Membership Fees	\$1,000	\$3,000	\$3,000	\$3,000
Employee Development / Training	\$0	\$2,000	\$2,000	\$2,000
Rulemaking	\$20,000	\$25,000	\$0	\$0
Professional / Technical Contracts – Expert Witness	\$5,000	\$5,000	\$5,000	\$5,000



<b>Small Agency Increase:</b>	<b>FY2020</b>	<b>FY2021</b>	<b>FY2022</b>	<b>FY2023</b>
Office of Administrative Hearings (Contested Cases)	\$5,000	\$5,000	\$5,000	\$5,000
Database Maintenance	\$5,000	\$5,000	\$5,000	\$5,000
Build out / remodel (1284 to 2100 sq. feet)	\$70,000			
Furniture	\$30,000			
<b>Total</b>	<b>\$281,000</b>	<b>\$202,000</b>	<b>\$177,000</b>	<b>\$177,000</b>

**Equity and Inclusion:**

The Board does not discriminate on the basis of race, ethnicity, gender, sexual orientation, or disability. The positive impact of this change will be to continue to provide services for all people of the State of Minnesota without discrimination.

**IT Related Proposals:**

A portion of this request includes an increase for database maintenance.

<b>Category</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
Payroll						
Professional/Technical Contracts	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Infrastructure						
Hardware						
Software						
Training						
Enterprise Services						
Staff costs (MNIT or agency)						
<b>Total</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>
MNIT FTEs						
Agency FTEs						

**Results:**

This proposal is intended to allow the Board to continue to provide current levels of service and information to the public.

<b>Type of Measure</b>	<b>Name of Measure</b>	<b>Previous</b>	<b>Current</b>	<b>Dates</b>
Quantity	Number of regulated persons (both active and inactive licenses)	2604	5977	FY 2008 – FY 2018
Quantity	Number of Complaints Received	165	359	FY 2008-- FY 2018
Results	Board members and staff members will have the resources they need to perform regulatory duties effectively			

**Statutory Change(s):**

No changes required.