2017 - 2021 Strategic Plan

TDLR

A Bold Direction for Tomorrow's Texas

TEXAS COMMISSION OF LICENSING AND REGULATION

AND

TEXAS DEPARTMENT OF LICENSING AND REGULATION

AGENCY STRATEGIC PLAN

FISCAL YEARS 2017 – 2021

BY THE

TEXAS COMMISSION OF LICENSING AND REGULATION

and

TEXAS DEPARTMENT OF LICENSING AND REGULATION

Commission Member	Term	Hometown
Mike Arismendez, Chair	02/01/21	Shallowater
Thomas F. Butler	02/01/19	Deer Park
Helen Callier	02/01/21	Kingwood
Rick Figueroa	02/01/21	Brenham
Catherine J. Rodewald	02/01/17	Frisco
Ravi Shah	02/01/17	Carrollton
Deborah A. Yurco	02/01/19	Austin

Submitted June 24, 2016

Signed: _____
Executive Director

Approved: _____
Commission Chair

TABLE OF CONTENTS

AGENCY MISSION

What We Believe / 1

Who We Are / 2

Who We Regulate / 3

AGENCY GOALS AND ACTION PLAN

How We Do It / 4

What We Have Done / 5

What Challenges Are We Facing And Expect To Face / 7

What We Are Going To Be / 8

PROPOSED STATUTORY CHANGES TO REMOVE REDUNDANCIES AND IMPEDIMENTS

How We Get There / 13

*"The sheer velocity of change in Texas business today is a catalyst for leaders in government to see beyond the status quo of best practices and move to the standard of continuous innovation of **'next'** practices."*

Randy Nesbitt
Chief Innovation Officer
Texas Department of Licensing and Regulation

AGENCY MISSION

WHAT WE BELIEVE

TDLR's Mission

To honor the trust of all Texans, safeguard the public, and provide a fair and efficient licensing and regulatory environment at the lowest possible cost.

TDLR's Vision

To be the leader in public service by creating innovative, low-cost licensing and regulatory "next" practices, and cultivating highly-engaged employees who provide exceptional customer service.

TDLR's Philosophy

To achieve smaller, smarter government, we:

- honor the public by being fair, open, and consistent;
- serve the citizens of Texas responsibly through transparency and efficiency;
- seek input and feedback from our stakeholders and employees;
- provide clear and simple communication;
- reduce licensing costs and regulatory burdens;
- value the dignity and worth of our customers and coworkers;
- foster innovation and change by challenging the status quo;
- pursue efficient and cost-effective public-private partnerships;
- develop core value-driven leaders; and
- recruit, retain, and reward high-performing employees.

TDLR's Core Values

Accountability

We are each responsible to the citizens of Texas and take great pride in our successes. We own up to our mistakes and acknowledge them as opportunities for growth.

Customer Service

We provide quick, easy, and accessible service, treating each person with honor and respect.

Innovation

We foster a culture of creativity to generate bold ideas, deliver valuable change, and position the agency for the future.

Integrity

We are trustworthy, honest, and ethical in all we do.

Open and Free Communication

We seek participation from all of our customers and coworkers and listen to all viewpoints.

Respect

We value our customers and coworkers, treating everyone with courtesy and dignity.

Teamwork

We succeed together by combining our talents, passion, and ingenuity to serve the citizens of Texas.

"The key to TDLR's success as a public service leader is that we embody and live our core values. We constantly strive to provide first-class service to Texans."

William H. Kuntz, Jr., Executive Director
Texas Department of Licensing and Regulation

AGENCY MISSION

WHO WE ARE

The **Texas Department of Licensing and Regulation (TDLR)** is responsible for licensing and regulating a broad range of occupations, businesses, facilities, and equipment in Texas. Our purpose is to protect the health and safety of Texans and ensure they are served by qualified professionals. We foster a predictable regulatory climate and avoid unreasonable government interference. In all of these endeavors, we:

- are open and transparent;
- apply clear, consistent, and common-sense standards;
- keep costs low and efficiency high; and
- deliver exceptional customer service.

Chapter 51 of the Texas Occupations Code establishes TDLR and its responsibilities. The **Texas Commission of Licensing and Regulation (Commission)** is TDLR's governing board and policy-making body. It has seven public members appointed to staggered six-year terms by the Governor with the consent of the Texas Senate. By law, Commission members cannot engage in any of the businesses or trades regulated by TDLR.

"TDLR continues to be the model state agency and leads the way forward with 'next' practice initiatives and innovative leadership. I am proud of the work we do together to champion smaller, smarter government for the people of Texas."

Mike Arismendez, Chair
Texas Commission of Licensing and Regulation

The Commission has a keen focus on removing business impediments and is committed to transparency in all of its activities. Before any administrative rules are adopted, the Commissioners carefully consider the potential impact of new regulations on public health and safety, businesses, consumers, and licensees. Commission meeting dates, locations, and agendas are shared in advance with the public, and members of the public have the opportunity to address their concerns directly to the Commissioners. Meetings are streamed live on the internet, then archived and made available to view anytime from the TDLR website. Commissioners receive training from TDLR's Office of the General Counsel to ensure compliance with the state's open government laws.

To increase knowledge-sharing and better communication, Commission members attend and participate in Advisory Board meetings to better understand TDLR's regulated occupations and industries. The Commissioners honor and respect the trust placed in them by the Governor and their fellow Texans, and they strive to ensure that their decisions and actions are reasonable and fair.

TDLR's **Advisory Boards** consist of licensees and representatives from the businesses and industries TDLR regulates, as well as public members and other professionals. Advisory Board members are appointed by the Commission and provide important technical knowledge and industry expertise, giving the Commissioners and TDLR staff real-world insight into their respective occupations and industries. Input from each Advisory Board is critical in helping TDLR effectively carry out its mission and achieve its vision.

With the addition of seven Advisory Boards from the Department of State Health Services (DSHS) program transfer in FY 2016, and the new Driver Training and Traffic Safety Advisory Committee, 26 of TDLR's 32 programs now have Advisory Boards. In the FY 2018-19 biennium, TDLR will receive six additional licensing programs from DSHS; from these six programs, we anticipate the creation of at least two new Advisory Boards. Supporting the Advisory Boards and communicating with our stakeholders is now even more critical, requiring full-time attention. In FY 2016, we realigned resources in TDLR's Office of Strategic Communication to better serve all of our new and existing board members and the public.

TDLR's **Executive Director** reports directly to the Commission. The Executive Director is responsible for:

- administering TDLR's programs;
- recruiting, hiring, and leading agency personnel;
- issuing licenses and certificates;
- approving complaint settlements, fines, and sanctions;
- issuing cease and desist orders and emergency orders; and
- referring cases to the Texas Attorney General.

The Governor and the Legislature entrust TDLR with the responsibility of licensing and regulating individuals and industries in a growing, prosperous Texas. To ensure that Texas continues to be a beacon of opportunity, we know that we cannot be complacent and we challenge the failed notion that "government as usual" can meet the needs of tomorrow.

We believe that every regulatory agency should carefully balance the interests of protecting public health and safety with the need to preserve freedom and the rights of individuals to pursue their dreams. At TDLR, we maintain this balance by providing smart, efficient regulation and low-cost, high-quality services for all Texans.

AGENCY MISSION

WHO WE REGULATE

The agency's responsibilities increased from regulating 17 programs in 1999 to a total of 25 programs by 2015. During that same period, TDLR's licensee population increased from 116,000 to over 650,000.

In 2015, the 84th Texas Legislature added 14 occupational licensing programs to TDLR's existing 24 programs. Senate Bill 202 transferred 13 DSHS licensing programs to TDLR — seven in the FY 2016-17 biennium and six in the FY 2018-19 biennium. House Bill 1786 transferred the Texas Education Agency driver training program and the Texas Department of Public Safety parent-taught driver education program to TDLR on September 1, 2015. These two separate programs were successfully consolidated as the Driver Education and Safety Program at TDLR.

TDLR's culture of innovation allows us to successfully manage these growing and increasingly diverse responsibilities while maintaining a motivated, stable, and lean workforce. Operations are scaled by using a functional business model, ensuring greater productivity and lower fees as demand on our resources change.

TDLR currently licenses individuals and businesses for 25 programs and issues 139 license types. Below is a snapshot of our total licensee population at the end of the second quarter of fiscal year 2016.

On October 3, 2016, TDLR takes on seven programs transferred from DSHS with approximately 30,000 licensees and 29 license types, bringing TDLR's total to 32 programs with 168 license types. The seven programs are: Athletic Trainers; Dietitians; Dyslexia Practitioners and Therapists; Hearing Instrument Fitters and Dispensers; Midwives; Orthotists and Prosthetists; and Speech-Language Pathologists and Audiologists.

Total Licensee Population FY16 (Q2)	
Business & Occupations (12)	**Building & Mechanical (6)**
Vehicle Towing and Booting **33,818**	Electrical Safety **133,380**
For-Profit Legal Services **9,763**	Boiler Safety **54,186**
Vehicle Storage Facilities **5,237**	Elevators, Escalators & Related Equipment **41,842**
Driver Education & Safety **3,966**	Air Conditioning & Refrigeration **41,012**
Combative Sports **3,524**	Architectural Barriers **11,550**
Used Auto Parts Recyclers **3,247**	Industrialized Housing & Buildings **625**
Professional Employer Organizations **372**	**Professional (5)**
Service Contract Providers **347**	Cosmetology **277,053**
Polygraph Examiners **265**	Barbering **22,869**
Licensed Breeders **171**	Property Tax Professionals **3,454**
Temporary Common Worker Employers **87**	Auctioneers **2,431**
Vehicle Protection Product Warrantors **61**	Property Tax Consultants **1,645**
Natural Resources (2)	**Health Professionals (7)**
Water Well Drillers and Pump Installers **1,761**	Coming October 3, 2016
Weather Modification **17**	**TOTAL 652,683**

"Part of TDLR's mission is to ensure public safety and provide a fair and efficient regulatory environment. This is exactly what the Driver Training industry was missing and needed badly. The move to be under TDLR's umbrella made perfect sense."

Glenn Winningham, Jr.
Driver Education and Safety Instructor

HOW WE DO IT

Compliance

Technical and industry experts responsible for developing and explaining industry standards, and determining building and equipment compliance through plan reviews, inspections, and audits; answering technical questions; and educating the industries and trade associations.

Enforcement

Investigates and resolves complaints for all programs from consumers, industry, government entities, and TDLR staff through the Intake, Investigation, and Prosecution Sections; issues notices of violations and prosecutes cases through the State Office of Administrative Hearings.

Financial Services

Manages TDLR's fiscal resources in compliance with state and federal requirements; directs TDLR's budget and ensures taxpayer money is used wisely; develops the Legislative Appropriations Request and prepares all agency fiscal reports; Organized into four cross-trained teams: Payroll and Accounting; Budget and Administrative; Reporting and Financial Support Services; and Purchasing and Procurement.

Human Resources

Promotes TDLR's mission and vision by fostering a healthy and respectful work environment; supports recruitment and hiring; provides information on training and career development, employee benefits and compensation, personnel policies and procedures, workforce planning, and wellness programs; ensures compliance with state and federal laws; and offers legal support on personnel matters.

Customer Service

The agency's primary point of contact; responsible for answering calls, responding to emails and social media posts for all programs; assisting customers in person at our Austin HQ; and providing Spanish, Vietnamese, and Mandarin language customer assistance.

Education and Examination

Reviews and approves curricula, pre-licensure, and continuing education providers and courses; manages licensing exam development and delivery via third-party vendor; and performs school inspections to ensure schools and providers are in compliance with health and safety laws and rules.

Executive

Provides the leadership, motivation, and direction to achieve agency's mission and vision, while managing day-to-day statewide operations and resources to meet our strategic goals. In addition to the leadership, there are also two sections within the Executive Office:

- **Office of Innovation**: manages and leads agency innovation efforts, focusing on process improvement, research and data analysis, trend forecasting, and listening to the Voice of the Customer.
- **Office of Strategic Communication**: responsible for all agency communications; policy advice and support for leadership; intergovernmental relations; legislative analysis and cost estimates; maintaining the agency web and social media sites; and support to TDLR's Advisory Boards.

Field Operations

The "Face of TDLR": performs pre-license and periodic health and safety inspections; educates licensees on laws and rules; conducts inspections throughout Texas efficiently and effectively to assist licensees and ensure public safety.

Office of General Counsel

Advises the Commission and Executive Office; drafts and reviews agency rules, Commission orders, and contracts; responds to open records requests; provides legal opinions on behalf of the agency; oversees collection of administrative penalties; and works with the Office of Attorney General in administrative appeals, injunctive relief, collecting delinquent fines and coordinating legal proceedings.

Information Technology

Develops and oversees programs for IT governance, software development, IT strategic planning, project management practices, network services, and security compliance.

Licensing

Reviews applications and issues licenses to qualified individuals and businesses for all programs; evaluates applicants' criminal histories, required education and credentials, experience and employment histories, and insurance, bonding, and net worth requirements.

"TDLR is one of the most efficient, responsible, reliable, and focused agencies I have worked with in my time in the Texas Legislature. The citizens of Texas are fortunate to have the Department on their side."

Rep. John Kuempel
Texas House of Representatives

WHAT WE HAVE DONE

Strategic Plan Update

This update shows the TDLR initiatives identified in our 2015-2019 strategic plan. TDLR recommended to the 84th Texas Legislature statutory changes to several of our programs to remove redundancies and impediments, streamline regulations, make the licensing process easier, and strengthen consumer protection. The chart below describes TDLR recommendations to the 84th Texas Legislature and the result of those recommendations:

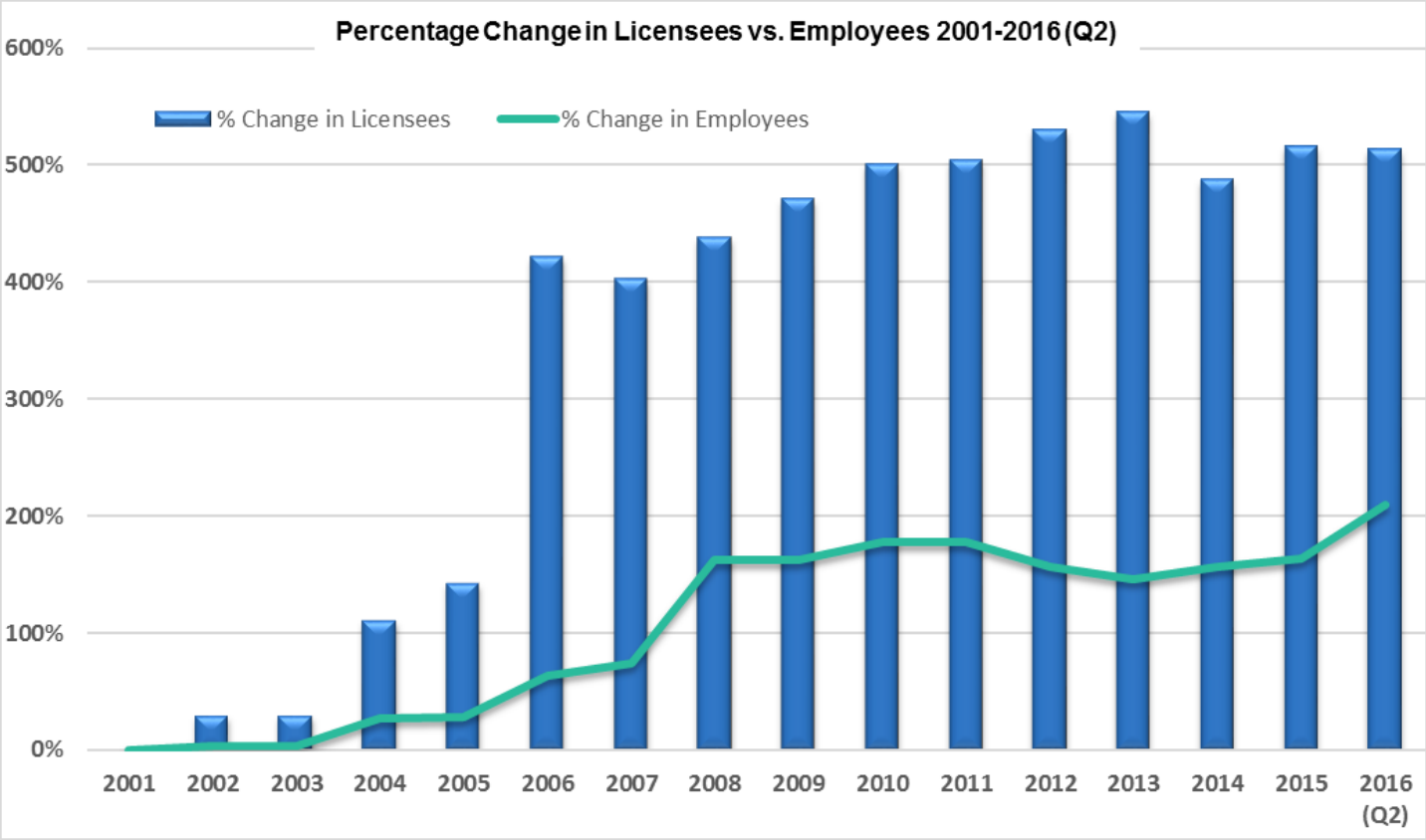
TDLR RECOMMENDATIONS	RESULT
Expand barbering and cosmetology services to allow operators to earn income by working at special events such as weddings, proms, and quinceañeras. Convenient for licensees and the public, with minimal health or safety concerns.	**HB 104** passed 9/1/2015 **TDLR** implemented 1/1/2016
Establish by law a water well driller and pump installer apprentice license to expand industry workforce and promote new career paths.	**HB 930** passed 9/1/2015 **TDLR** implemented 1/1/2016
Create alternative licensing provisions and expedited processing for military service members, veterans, and spouses.	**SB 1307** passed 9/1/2015 **TDLR** implemented 1/1/2016
Deregulate natural hair braiding due to lack of health and safety concerns.	**HB 2717** passed 9/1/2015 **TDLR** implemented 1/1/2016
Exempt new car dealers and haulers from the towing law, a regulatory redundancy for industries outside the towing profession who are already regulated by US and TxDOT. Helpful to law enforcement by clearing up confusion over jurisdiction.	**SB 1820** passed 5/23/2015 **TDLR** implemented 1/20/2016
Change “Auctioneer Education Advisory Board” to “Auctioneer Advisory Board” and reinstate the associate auctioneer license to expand industry workforce and promote new career paths.	**HB 2481** passed 9/1/2015 **TDLR** implemented 2/15/2016
Empower building owners to remove an elevator from service through an updated TDLR process. Simplified the regulatory process for Texas property owners.	**HB 2741** passed 6/10/2015 **TDLR** implemented 2/15/2016
Broaden the field of certified boiler inspection entities which can provide third party inspections.	**HB 3091** passed 6/16/2015 **TDLR** implemented 2/15/2016
Change “Medical Advisory Board” to “Combative Sports Advisory Board” to reflect the Board’s expansion to include more industry experts and diverse representatives.	**HB 3315** passed 9/1/2015 **TDLR** implemented 3/15/2016
Remove licensing impediments by granting TDLR authority to consider alternative ways to license qualified applicants.	**HB 3742** passed 9/1/2015 **TDLR** implemented 9/1/2015
Authorize the Texas Facilities Commission (TFC) to partner with the private sector for the construction of a parking garage at the E.O. Thompson Building. TDLR partnership with private sector to promote business expansion, support growth, and save taxpayer dollars.	**HB 1** passed 9/1/2015 **To be completed by TFC**

Fee Reduction and Enhanced Efficiency Ratio

TDLR serves its regulated industries and the public at the lowest cost possible without compromising the quality of its services. We constantly evaluate our operations to eliminate inefficiencies and lower costs. Operating costs and revenue for each program are annually reviewed and frequently result in fee reductions. Over the past fourteen years, licensees have benefited from our efforts with a cumulative cost savings of over $32.5 million in license fees.

Beginning in 1999, TDLR moved from a government agency silo structure that duplicated positions for each program to a business model planned along functional lines. This model identifies the functional areas of the services we deliver and aligns its employees and resources accordingly to improve quality of service. Functional alignment eliminates redundancy across divisions and emphasizes collaboration and cross-training. The result is a significant decrease in taxpayers' costs, increased productivity, and reduction in the number of employees required — all reasons the Legislature continues to trust TDLR with more responsibilities.

With the growth in the agency's responsibilities over the past sixteen years, the Legislature has raised TDLR's employee cap from 144.5 in 1999 to 448.2. In 2001, TDLR had one employee for every 732 licensees; by February 2016, this ratio increased to one employee for every 1,598 licensees, an improvement of 118%. TDLR is committed to protecting the health and safety of Texas consumers, while reducing fees and increasing efficiency wherever possible. We work with integrity and hold ourselves accountable to our licensees, elected officials, and Texas taxpayers.



WHAT CHALLENGES ARE WE FACING AND EXPECT TO FACE

Stakeholder Challenges

During the Spring of 2016, TDLR gathered input from licensees, industry leaders, and the public to find out how we are doing in serving their needs, and what we can do better. TDLR held face-to-face meetings in Amarillo, Austin, Corpus Christi, El Paso, Fort Worth, Houston, Lubbock, McAllen, and Tyler. When we asked what major changes are expected over the next five years, participants identified these potential challenges as their top concerns:

- Increased population growth in Texas will result in more licensees and possibly more unlicensed activity, leading to more health and safety concerns and an uneven playing field between qualified and unqualified providers. There is concern that TDLR's enforcement and inspection capabilities will be unable to meet this challenge.
- Keeping up with demands for mobile and web technology will continue to challenge how TDLR's regulated industries operate and determine whether they stay competitive in a new economy.
- Changes in federal laws, especially in the areas of health care, wages, and benefits, could create additional burdens for small business owners and entrepreneurs.
- Finding and retaining younger employees is difficult and will remain so, especially in blue-collar jobs such as boiler and elevator inspectors.

Agency Challenges

Technology

Staying current with technology and addressing information security threats are two of TDLR's greatest challenges. Our customers expect mobile convenience, including apps and 24/7 access, which will require tireless and ongoing innovation. We must identify essential technologies to stay ahead of our customers' expectations.

Workforce

We face multiple challenges related to workforce:

- 30% of our workforce will be eligible for retirement in the next five years, resulting in the loss of valuable institutional and technical knowledge.
- Budget restraints continue to limit our ability to offer competitive salaries and to recruit and retain key employees.
- There is an ongoing decline in qualified applicants for many of our technical programs.
- Other factors include:
  - the increasing cost of living in the Austin metro area;
  - critical lack of parking near our Austin headquarters; and
  - appealing to younger workers who are not attracted to a government work environment.

> *"My responsibility as an elected official is to make sure our state government works for the people and businesses I represent. TDLR does a tremendous job balancing fair and efficient regulatory practices with public safety and customer protection."*
>
> **Rep. Charlie Geren**
> **Texas House of Representatives**

Increased Regulatory Responsibilities

While we are currently able to absorb additional responsibilities due to our functional alignment, with seven new programs sent to us in the 2016-17 biennium and six more coming from DSHS in the 2018-19 biennium, our capabilities will be tested. Absent any reductions in other TDLR responsibilities, by the end of 2019 TDLR will oversee 38 licensing programs with 168 license types. This growth is already pushing our physical limits at our two Austin locations. If additional responsibilities are sent to us in upcoming legislative sessions, we will need to re-examine our organizational structure and address challenges in hiring, retention, and facilities.

Change in Leadership

While we anticipate no operational impact from the retirement of Executive Director Bill Kuntz in August 2016 and the appointment of Brian Francis as his successor, there will be future agency leadership and staffing changes that may impact our ability to implement our current goals and achieve our vision. Political changes at the federal and state level will also impact our ability to define and fulfill our mission.

AGENCY GOALS AND ACTION PLAN

WHAT WE ARE GOING TO BE

Goal #1: Improve efficiencies, lower fees, and eliminate bottlenecks throughout TDLR.

ACTION STEPS	Target Date
1. Transform TDLR's customer service business model using scalable and repeatable processes, and expanded online self-service applications.	9/1/2019
2. Promote communication, cooperation, and unity of effort across TDLR to successfully manage current and future agency programs.	9/1/2019
3. Establish a comprehensive information governance plan to manage regulatory, legal, security, and operational requirements.	9/1/2019
4. Integrate new and legacy software technologies to ensure that TDLR has robust systems to support 38 unique licensing programs.	8/1/2021

STATEWIDE OBJECTIVES

1. **Accountable to tax and fee payers of Texas.**
   - Providing more timely responses.
   - Ensuring taxpayers get the highest level of service at the lowest cost.

2. **Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.**
   - Providing for more efficient use of agency resources, including personnel.
   - Organizing the agency structure to ensure sustainability and quality retention.
   - Increasing ease of access to services and information.

3. **Effective in successfully fulfilling core functions, measuring success in achieving performance measures, and implementing plans to continuously improve.**
   - Providing required/requested information to regulated industries so they can comply with the law and serve Texans better.
   - Enabling TDLR to meet numerous performance measures.
   - Giving staff the time and tools to do the strategic work and ensuring success in the future.

4. **Providing excellent customer service.**
   - Simplifying interactions and providing a more consistent customer experience.
   - Increasing ease of access to services and information.
   - Promoting meaningful customer relationships.

5. **Transparent such that agency actions can be understood by any Texan.**
   - Clarifying our actions so all Texans understand our purpose and role to protect public health and safety.
   - Increasing our commitment to communicate our progress and ideas to licensees and the public.

Did you know...

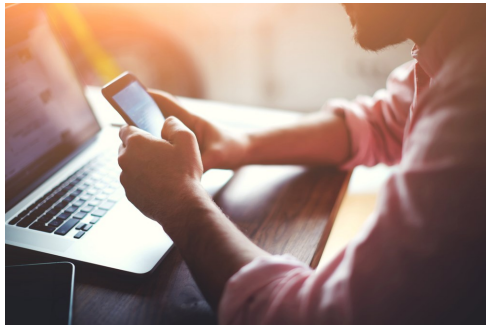
TDLR's cost efficiency efforts have saved Texans more than $32.5 million in licensing fees since 2002.

Goal #2: Educate and empower consumers by providing them with the tools to make informed choices about the industries TDLR regulates.

ACTION STEPS	Target Date
1. Make public outreach a priority for all TDLR employees and a core responsibility for designated employees in each operational division.	1/1/2017
2. Use Voice of the Customer strategies to share information, develop new communication channels, and strengthen customer relationships.	9/1/2018
3. Develop and distribute reference materials to inform consumers about laws and rules enacted to protect them.	9/1/2019

STATEWIDE OBJECTIVES

1. **Accountable to tax and fee payers of Texas.**
   - Making Texans aware of the laws and rules administered by TDLR that affect their health and safety.
   - Helping our licensees achieve compliance with state laws and rules through ongoing education.
   - Expanding understanding of TDLR's programs for more Texans to ensure a fair and equitable regulatory environment.
2. **Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.**
   - Reducing the need for phone calls and emails to the agency.
   - Reducing likelihood of violations and fines by increasing communication with licensees and the public through social media, email, video, newsletters, and press releases.
   - Improving consumer experience with service providers by empowering consumers to make informed decisions resulting in fewer complaints.
3. **Effective in successfully fulfilling core functions, measuring success in achieving performance measures, and implementing plans to continuously improve.**
   - Empowering employees to focus on their core functions which will result in improved performance.
   - Reducing the number of complaints, violations, and fines.
   - Quantifying improvement and identifying strengths and weaknesses using our performance measures and analytics.
   - Aligning communication efforts to improve consistency.
4. **Providing excellent customer service.**
   - Ensuring Customer Service team has necessary information to give clear and consistent responses.
   - Reducing customers' need to call us by providing better online and mobile services.
   - Aligning Voice of the Customer feedback with strategic communication efforts.
5. **Transparent such that agency actions can be understood by any Texan.**
   - Increasing comprehension through the use of plain language and clear and concise visual information.
   - Reaching people online, through mobile devices, and other preferred means of communication.
   - Informing consumers of their rights and all remedies available to them.
   - Helping consumers to be proactive in protecting their health and safety.
   - Raising awareness for more Texans to make informed choices about our programs.



Goal #3: Focus limited enforcement resources on complaints that involve consumer harm or a threat to public safety.

ACTION STEPS	Target Date
1. Concentrate our enforcement efforts on outcomes that promote consumer remedies and industry education.	3/1/2017
2. Use program-specific investigation protocols to ensure complex investigations are completed promptly and accurately.	9/1/2017
3. Streamline procedural steps to ensure prompt investigation and resolution of complaints.	9/1/2018
4. Reduce the time and attention spent on violations that are administrative in nature, including those that are identified in the strategic plan as redundancies and impediments.	9/1/2019

STATEWIDE OBJECTIVES

1. **Accountable to tax and fee payers of Texas**.
   - Preserving the public's trust in licensed occupations and state government by focusing on complaints regarding consumer harm and safety.

2. **Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.**
   - Focusing on complaints regarding harm to consumers and threats to public safety allows us to maximize our resources for the protection of Texans.

3. **Effective in successfully fulfilling core functions, measuring success in achieving performance measures, and implementing plans to continuously improve.**
   - Protecting Texans from consumer harm and threats to public safety to fulfill the core purpose of TDLR's occupational regulation.
   - Allowing TDLR to resolve more complaints through the fast, fair, and efficient resolution of each complaint.

4. **Providing excellent customer service.**
   - Allowing TDLR to resolve more complaints through the fast, fair, and efficient resolution of each complaint.

5. **Transparent such that agency actions can be understood by any Texan.**
   - Placing priority on consumer and safety-related violations to promote Texans' confidence and trust in the agency.
   - Focusing on common sense regulations that are easily understood by consumers and licensees.

Did you know...

Texas consumers have online access to TDLR's licensing database to help them identify licensed and qualified individuals who have cleared a criminal background check.

Goal #4: Decrease regulatory burdens on business by removing redundancies and impediments.

ACTION STEPS	Target Date
1. Recommend statutory changes to simplify or eliminate laws that do not support health and safety or ease licensing.	1/1/2019
2. Simplify or eliminate agency rules that do not support health and safety or that create impediments to business.	3/1/2020
3. Eliminate barriers to licensing, pursue additional reciprocity agreements, and maintain a reasonable fee structure.	9/1/2020

STATEWIDE OBJECTIVES

1. **Accountable to tax and fee payers of Texas.**
   - Eliminating unnecessary requirements so that costs to fee payers are lowered and burdens to licensees are removed.

2. **Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.**
   - Focusing limited agency resources to ensure compliance with laws, rules, and safety standards.

3. **Effective in successfully fulfilling core functions, measuring success in achieving performance measures, and implementing plans to continuously improve.**
   - Increasing the number of qualified practitioners for consumers to choose from by making it easier for qualified individuals to become licensed.
   - Enabling TDLR to better accomplish its performance measures.

4. **Providing excellent customer service.**
   - Increasing the number of qualified practitioners for consumers to choose from by making it easier for qualified individuals to become licensed.

5. **Transparent such that agency actions can be understood by any Texan.**
   - Improving licensee and consumer understanding of agency laws, rules, and procedures.
   - Gathering licensee and consumer feedback into common sense laws, rules, and process changes.

Did you know...

TDLR is on target to eliminate more than 10,000 unnecessary words (approximately 10 pages) from the Driver Education and Safety regulations.

Goal #5: Effectively consolidate and improve management and services for the 14 programs transferred to TDLR by the 84th Texas Legislature.

ACTION STEPS	Target Date
1. Ensure a successful consolidation of new programs by developing and executing implementation plans for the licensing, education, examination, customer service, compliance, enforcement, inspection, financial, and communication functions.	1/1/2019
2. Identify and prioritize technologies that sustain the agency and support growth through its IT Governance Committee, and build a robust licensing software system to properly integrate new license programs for increased efficiency.	8/1/2021

STATEWIDE OBJECTIVES

1. **Accountable to tax and fee payers of Texas.**
   - Improving the management of the 14 transferred programs and their services to ensure a seamless transition and the most cost-effective use of taxpayer dollars.

2. **Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.**
   - Applying TDLR's functional alignment and strategic use of resources to improve services and reduce fees.

3. **Effective in successfully fulfilling core functions, measuring success in achieving performance measures, and implementing plans to continuously improve.**
   - Integrating the new programs and managing them in a more focused and efficient manner to improve performance.

4. **Providing excellent customer service.**
   - Integrating the new programs in a planned and timely manner, and managing them in a more focused way to promote efficiency.

5. **Transparent such that agency actions can be understood by any Texan.**
   - Simplifying rules, processes, forms, and communication, consistent with TDLR's model of consolidation and management of new programs, to implement the vision of the 84th Legislature in transferring these programs to TDLR.

Did you know...

TDLR's Commission has already reduced fees for the seven programs that will transfer on October 3, 2016, by eliminating the add-on subscription and convenience fees for online transactions.

PROPOSED STATUTORY CHANGES TO REMOVE REDUNDANCIES AND IMPEDIMENTS

HOW WE GET THERE

Deregulation of Programs			
Statutory Cite ***(Texas Occupation Code Unless Otherwise Indicated)***	**Reason for Statutory Change**	**Recommended Statutory Change**	**Benefit of Change**
Temporary Common Worker Employers, Labor Code Chapter 92	Eliminate a program with a small license population (91 - FY 2015), zero to little enforcement activity, and minimal risk of consumer harm.	Repeal statewide licensing requirement; preserve municipal authority.	Companies will no longer be required to submit initial license or renewal applications, pay the initial fees ($30) and renewal fees ($30), and be subjected to potential disciplinary action in the form of administrative penalties and sanctions.
For-Profit Legal Service Contracts, Chapter 953	Eliminate a program with zero to little enforcement activity and minimal risk of consumer harm.	Repeal the statewide licensing requirement statute; retain consumer protection provisions through the Deceptive Trade Practices Act.	Individuals and companies will no longer be required to submit initial license or renewal applications, pay the initial fees ($250-$750 for companies, $20-$25 for individuals) and renewal fees ($250-$750 for companies, $20-$25 for individuals), and be subjected to disciplinary action in the form of administrative penalties and sanctions.
Vehicle Protection Product Warrantors, Chapter 2306	Eliminate a program with a small license population (58 - FY 2015), zero to little enforcement activity, and minimal risk of consumer harm.	Repeal statewide licensing requirement; retain consumer protection provisions through the Deceptive Trade Practices Act.	Companies will no longer be required to submit initial license or renewal applications, pay the initial fees ($250) and renewal fees ($250-$1,000), and be subjected to potential disciplinary action in the form of administrative penalties and sanctions.
Vehicle Towing and Booting, Chapter 2308, Sections relating to Booting	Eliminate a program with a small license population (54 - booting operators and 11 booting companies - FY 2015) and zero to little enforcement activity.	Repeal statewide requirement for booting company and operator licenses. Preserve the authority of municipalities, political subdivisions, and institutions of higher education to regulate these activities.	Companies and individuals will no longer be required to submit initial and renewal applications, pay the initial fees ($250 for companies, $75 for individuals) and renewal fees ($250 for companies, $75 for individuals), and be subjected to potential disciplinary action in the form of administrative penalties and sanctions.
Barbers, Cosmetologists, Chapter 1601 and Chapter 1602 (See House Bill 4069, 84R – 2015)	Eliminate an activity that few states regulate with zero to little enforcement activity.	Repeal statewide licensing requirement for an individual engaging in threading to hold an operator license, esthetician license, Class A barber license, or a barber technician in the barbering and cosmetology statutes.	Individuals will no longer be required to submit initial license and renewal applications, and to pay the initial and renewal fees under the barber and cosmetology statutes.
Elimination of Licenses			
Barbers, Cosmetologists, Chapters 1601 and 1602, Various Sections	Eliminate a license requirement with zero to little enforcement activity and minimal risk of consumer harm.	Repeal the requirement that an individual must hold a cosmetology or barber student permit to shampoo, see House Bill 2720 (84R – 2015).	Salons and barber shops will no longer be required to employ a licensed person to shampoo.
Dietitians, Chapter 701, §701.259	Eliminate an unused and unnecessary license.	Repeal the unnecessary provisional license requirement.	Removes an unused provision.
Massage Therapy, Chapter 455, §455.1572			

Elimination of Licenses (Continued)			
Statutory Cite (Texas Occupation Code Unless Otherwise Indicated)	**Reason for Statutory Change**	**Recommended Statutory Change**	**Benefit of Change**
Athletic Trainers, Chapter 451, §451.157	Eliminate a license that is redundant with TDLR's temporary license authority in Chapter 51.	Repeal unnecessary temporary license/certificate of registration.	Aligns all TDLR licensing provisions which will result in greater efficiency and cost effectiveness.
Dietitians, Chapter 701, §701.260			
Speech-Language Pathologists and Audiologists, Chapter 401, §401.310			
Vehicle Storage Facilities, Chapter 2303, §§2303.1015(a), 2303.1016	Eliminate an unnecessary licensing requirement with zero to little enforcement activity and minimal risk of consumer harm.	Repeal the requirement for a tow operator to hold a dual license to work in a VSF.	Tow operators will no longer be required to hold a dual operator and VSF license to work in a vehicle storage facility. They will pay the lower towing operator initial and renewal fee. (Towing Operator license fee - $100; Dual Vehicle Storage Facility Employee and Towing Operator license fee - $150)
Transfer of Program			
Property Tax Consultants, Chapter 1152	There is an overlap of regulatory oversight and duplication of efforts. PTC activities are more aligned with the real estate related activities regulated by the Texas Real Estate Commission.	Amend the statutes to transfer PTC to the Texas Real Estate Commission, Texas Occupations Code, Chapter 1101 (TREC)	Transferring the property tax consultant statute to the Texas Real Estate Commission will better align these regulatory activities.
Elimination of Licensing Impediments			
Dietitians, Chapter 701, §701.257,	Eliminate the requirement that a person failing the exam three times must complete credit hours in the areas of weakness before reexamination.	Repeal the section limiting reexamination for licensing.	Aligns all TDLR licensing provisions which will result in greater efficiency and cost effectiveness.
Speech-Language Pathologists and Audiologists, Chapter 401, §401.307	Remove redundant language from the statute.	Repeal the section to remove reexamination provision already covered in Chapter 51 of the Texas Occupations Code.	
Hearing Instrument Fitters and Dispensers, Chapter 402, §402.209(h)	Remove a barrier to entry for new competition.	Repeal the subsection relating to out-of-state applicants and reexamination.	
Hearing Instrument Fitters and Dispensers, Chapter 402, §§402.251(a)(1), 402.251(b)		Repeal the subsections relating to a prohibition for a person failing an examination from reapplying for temporary training license.	
Hearing Instrument Fitters and Dispensers, Chapter 402, §402.209(c)(1)		Amend the subsection by removing the requirement for an out-of-state applicant to hold a license at least three years prior to application.	Allows for greater reciprocity and fairness for qualified out-of-state applicants.
Orthotists and Prosthetists, Chapter 605, §605.252(a)(3)		Amend the subsection by removing the residency requirement for a license.	
Orthotists and Prosthetists Chapter 605, §605.257(a)(1)			

Elimination of Licensing Impediments (Continued)			
Statutory Cite ***(Texas Occupation Code Unless Otherwise Indicated)***	**Reason for Statutory Change**	**Recommended Statutory Change**	**Benefit of Change**
Athletic Trainers, Chapter 451, §451.051(c) Hearing Instrument Fitters and Dispensers, Chapter 402, §402.051(a)(1) Speech-Language Pathologists and Audiologists, Chapter 401, §401.102(b)(1)	This unnecessary restriction limits the number of qualified individuals eligible to serve on the advisory board.	Repeal the subsection requiring five-year residency for membership on the Athletic Trainers advisory board. Repeal/amend the subsection by removing the residency requirement on the Hearing Instrument Fitters and Dispensers and Speech-Language Pathologists and Audiologists advisory boards.	Allows for greater participation on advisory boards for qualified out-of-state licensees.
Driver Education and Safety, Texas Education Code, Chapter 1001, §1001.209(a)	Remove excessive regulatory cost.	Amend subsection to reduce the surety bond amount from $25,000 to $10,000.	This bond requirement is too high and creates an excessive and burdensome regulatory cost for licensed driving safety course providers.
Driver Education and Safety, Texas Education Code, Chapter 1001, §1001.304(a)	Remove excessive and burdensome regulatory costs and administrative inefficiency.	Amend subsection to remove the requirement that an instructor renewal be mailed and postmarked 30 days prior to expiration date of the license.	Aligns all TDLR licensing provisions which will result in greater efficiency and cost effectiveness.
Elimination of Redundancies			
Licensed Dyslexia Therapists and Licensed Dyslexia Practitioners, Chapter 403, §§403.204, 403.207 Speech-Language Pathologists and Audiologists, Chapter 401, §§401.552, 401.453 Athletic Trainers, Chapter 451, §§451.251, 451.351 Mold Assessors and Remediators Chapter 1958, §1958.253 Orthotists and Prosthetists, Chapter 605, §§605.353, 605.402 Dietitians, Chapter 701, §701.255	Redundant with Chapter 51.	Repeal sections relating to administrative penalties, license denial, revocations, suspensions for criminal convictions, or sanctions.	Allows TDLR to be more efficient and consistent in its administration of licensing programs
Hearing Instrument Fitters and Dispensers, Chapter 402, §402.305(2)	Redundant with Chapter 55.	Amend the section by removing the redundant continuing education exemptions for regular and armed forces members.	Allows TDLR to be more efficient and consistent in its administration of licensing programs.
Athletic Trainers, Chapter 451, §451.101 Code Enforcement Officers, Chapter 1952, §1952.053 Massage Therapy, Chapter 455, §455.105 Midwives, Chapter 203, §203.157 Sanitarians Chapter 1953, §1953.053	Unnecessary and inefficient provision.	Amend sections requiring the department to maintain rosters and registries of licenses and applicants.	Allows the public to access license information through TDLR website at no cost.

Elimination of Redundancies (Continued)			
Statutory Cite ***(Texas Occupation Code Unless Otherwise Indicated)***	**Reason for Statutory Change**	**Recommended Statutory Change**	**Benefit of Change**
Hearing Instrument Fitters and Dispensers, Chapter 402, §§402.451(a)(6) and (a)(7), 402.1021	Redundant with federal law and regulations which preempt state law.	Amend sections to eliminate restrictions on the sale and labeling of hearing instruments.	Comports with federal rulings and law.
Speech-Language Pathologists and Audiologists, Chapter 401, §§401.402(b), 401.404			
Towing and Booting, Chapter 2308, §§2308.059(b) and (c)	Imposes excessive and burdensome regulation and regulatory costs	Repeal subsections to remove risk-based inspection requirements.	Eliminates the threat of double punishment.
Vehicle Storage Facilities, Chapter 2303, §§2303.056(b) and (c)			
Barbers, Cosmetologists, Chapter 1603, §§1603.104(b), (c), and (e)			
Orthotists and Prosthetists, Chapter 605, §605.252(d)	Redundant with Chapter 51.	Repeal the section by removing the redundant provisions relating to reciprocity.	Allows TDLR to be more efficient and consistent in its administration of licensing programs.
Service Contract Providers and Administrators, Chapter 1304	Unclear and overlapping regulatory authority by three different state agencies.	Coordinate with the Texas Real Estate Commission and the Texas Department of Insurance to clarify each agency's regulatory responsibilities in regards to service contracts.	Service contract providers and consumers will benefit from a clearer regulatory structure, reduced redundancies and efficient administration.
Elimination of Burdens and Government Interference with Business Practices			
Hearing Instrument Fitters and Dispensers, Chapter 402, §402.406,	Creates barrier to entry.	Repeal the provisions requiring a CEO of a corporation or each partner in a partnership to be a licensed hearing instrument fitter and dispenser	Removes the unfair, unreasonable, and restrictive requirement for corporations or partners wanting to engage in the hearing instrument fitter and dispenser business.
Boilers, Health & Safety Code, Chapter 755, §755.022	Excessive or burdensome regulatory cost. The design of espresso machines has changed over the last few years making it fall within the statutory definition of a power boiler that is not exempt.	Amend the section by adding a new subsection that clearly exempts espresso machine-type equipment from law.	Allows a company operating an espresso machine to continue to operate without being required to be licensed and inspected by the State.
Vehicle Towing & Booting, Chapter 2308, §2308.401	Limits free market participation.	Amend the sections by removing the provisions that interfere with the private contractual relationship between parking facility owners and towing companies.	The amendment of these sections reduces the influence of government on the private contractual agreements or other arrangements between parking facility owners and towing companies.
Barbers, Chapter 1601, §§1601.564, §1601.565		Amend or repeal the provision that requires a school to readmit a student within four years after the student withdraws or is terminated.	The amendment of these sections reduces the influence of government on the private contractual agreements or other arrangements between a school and a student.
Cosmetologists, Chapter 1602, §1602.461			

Removal of Inflexible, Rigid, and Excessive Requirements			
Statutory Cite ***(Texas Occupation Code Unless Otherwise Indicated)***	**Reason for Statutory Change**	**Recommended Statutory Change**	**Benefit of Change**
Barbers and Cosmetologists, Chapter 1603	Limits free market participation and causes economic inefficiencies due to administrative delays.	Amend chapter 1603 to allow credit hours to be used for educational requirement.	Allows community colleges and public schools offering barbering and cosmetology courses to align them with the semester and credit hour structure.
Cosmetologists, Chapter 1602, §1602.404	Excessive and burdensome regulatory cost.	Amend the section to allow properly licensed and compliant barber schools to operate in the same space as a licensed cosmetology school.	Allows a school owner to operate a barber and cosmetology school that meet the terms and requirements under their respective statutes to operate in the same space. This will increase the number of schools available to students where space is limited, such as rural areas and densely populated urban areas.
Barbers, Chapter 1601, §§1601.352, 1601.353 Cosmetologists, Chapter 1602, §1602.303	Excessive and burdensome regulatory cost and removal of barriers to entry.	Amend the current square footage and equipment for schools in order to provide greater flexibility and lower operational costs for specialty schools.	The current square footage and equipment requirements for schools do not provide flexibility for specialty schools.
Licensed Dyslexia Therapists and Licensed Dyslexia Practitioners, Chapter 403, §§403.106, 403.107, 403.108, 403.152, 403.212	Administrative or procedural delay.	Amend the unnecessary requirement to consult with the advisory board concerning day-to-day operations.	Allows TDLR to be more efficient and consistent in its administration of licensing programs.
Driver Education and Safety, Texas Education Code, Chapter 1001, §§1001.112(a)(2)(B), 1001.112(a)(3)	Excessive and inconsistent regulatory requirements.	Amend the section by removing the lifetime DWI ban for a parent to teach their children driver education to bring it in line with the seven year DWI prohibition for commercial driver instructors. Also brings the parent taught instructor requirements in line with the commercial driver education instructor requirements by deleting the phrase “mental illness.”	Allows for greater fairness and consistency in the required qualifications for being a parent taught instructor and a commercial driver instructor.
Hearing Instrument Fitters and Dispensers, Chapter 402, §402.255(d)	Excessive and burdensome regulatory costs and administrative or procedural delay	Amend the section to remove the provisions that are outdated and prevents the use of electronic processing of licenses.	Aligns all TDLR licensing provisions which will result in greater efficiency and cost effectiveness.
Mold Assessors and Remediators, Chapter 1958, §1958.105(b)	Remove the 70% passing score from the statute.	Amend the section by removing the passing score from the statute.	Aligns all TDLR licensing provisions which will result in greater efficiency and cost effectiveness.
Hearing Instrument Fitters and Dispensers, Chapter 402, §402.304(a) Orthotists and Prosthetists, Chapter 605, §605.261(c)	Inconsistent with continuing education provisions included in Chapter 51.	Repeal sections relating to taking the state examination for continuing education credits or provisions regarding failure to complete continuing education that are inconsistent with Chapter 51.	Allows TDLR to be more efficient and consistent in its administration of licensing programs.
Massage Therapy, Chapter 455, §455.103	Administrative or procedural delay.	Amend the section that requires a Memorandum of Understanding (MOU) to be adopted by Commission rule. MOUs are not adopted by rule. They are entered into by agreement so this provision is unnecessary and would cause administrate procedural delays.	Allows TDLR to be more efficient and consistent in its administration of licensing programs.

Removal of Inflexible, Rigid, and Excessive Requirements (Continued)			
Statutory Cite ***(Texas Occupation Code Unless Otherwise Indicated)***	**Reason for Statutory Change**	**Recommended Statutory Change**	**Benefit of Change**
Speech-Language Pathologists and Audiologists, Chapter 401, §401.253	Unnecessary redundancy and costs for agency.	Repeal the section relating to the required use of private investigators.	Aligns all TDLR licensing provisions which will result in greater efficiency and cost effectiveness.
Vehicle Storage Facilities, Chapter 2303, §2303.1551(b)	Overly stringent and prescriptive requirements relating to font size on signs.	Amend the section by removing the specific size requirements relating to the fonts on signs and allowing for tolerances to be established by rule.	Allows for greater common sense and reasonableness in the enforcement of sign requirements. It will allow TDLR to focus its limited enforcement resources on the content of the sign and not on the technical violations associated with the sign.
Removal of Criminal and Civil Penalties for Administrative Violations			
Athletic Trainers, Chapter 451, §451.301	Eliminate criminal penalties from administrative licensing statutes.	Repeal the unnecessary criminal penalty provisions.	Licensees will no longer be subjected to the threat of criminal penalties for administrative violations.
Dietitians, Chapter 701, §701.451			
Midwives, Chapter 203, §203.504			
Orthotists and Prosthetists, Chapter 605, §605.356			
Code Enforcement Officers, Chapter 1952, §1952.201			
Sanitarians, Chapter 1953, §1953.251			
Speech-Language Pathologists and Audiologists Chapter 401, §401.503			
Hearing Instrument Fitters and Dispensers, Chapter 402, §402.553	Eliminate civil penalties from administrative licensing statutes.	Repeal the unnecessary civil penalty provisions.	Licensees will no longer be subjected to the threat of civil penalties for administrative violations.
Midwives, Chapter 203, §203.501			
Orthotists and Prosthetists, Chapter 605, §605.354			
Mold Assessors and Remediators, Chapter 1958, §1958.301			

COMPLIANCE DIVISION REPORT

Licensed Breeders Advisory Committee Meeting

September 26, 2016

Outreach Efforts

- Russel Taulli will host an event/information table at the upcoming Texas Humane Legislation Network (THLN) Annual Conference at the Austin Renaissance Hotel on Saturday, September 24th, 9:00 am – 4:00 pm. Russel will be available to answer questions and provide information about TDLR's Licensed Breeders Program. Other TDLR representatives will also attend the conference.

- Annual Inventory Form:
  - The annual inventory form must be completed and sent to TDLR no later than February 1st of each year.
  - TDLR will send an email reminder to each licensed Breeder during the first week of January.

- Typical Customer Inquiries asked of Compliance:
  - Whether or not a suspected breeder is licensed with TDLR.
  - Whether or not there is a maximum number of animals that is allowed to be owned by a Breeder.
  - Must Breeders operate in an area zoned for "commercial use"?
  - How do I obtain a copy of my pet's certificate of registration?
  - What health records must a Breeder keep for their animals?
  - How can I be exempt for having to obtain a Breeders' License?

LICENSED BREEDER ADVISORY COMMITTEE

Enforcement Division Staff Report
September 26, 2016

Industry Contacts

- The first Wednesday of every month, Investigator Don Vara attends a meeting of Cross Check, an association of local and state law enforcement and regulatory agencies. Most recently, Vara has attended on June 1st and July 6th. At these meetings, Investigator Vara regularly updates law enforcement on the requirements of the Licensed Breeder law.

Case Highlights

- On June 6, an agreed order was entered against Howard Green, d/b/a Goodfellow's Crew, assessing an administrative penalty of $500 for failure to allow a Department inspection.

- On June 21, an agreed order was entered against David Goss, d/b/a Daves Babies, assessing an administrative penalty of $2,400 for failing to properly sanitize food receptacles, and failing to have bedding material in outdoor shelters when the ambient temperature is below 50 degrees Fahrenheit.

- On June 21, an agreed order was entered against QQPups, Inc. assessing an administrative penalty of $750 for failing to submit an accounting of all animals at the request of the Department, and failing to maintain a separate record for each animal in the breeder's facility.

- On July 18, an agreed order was entered against Hines Hill Terriers assessing an administrative penalty of $5,050 for operating as a breeder with an expired license, failing to maintain primary enclosures so that there are no sharp points or edges, failing to properly sanitize food receptacles, failing to sanitize water receptacles, and failing to remove waste from primary enclosures.

Key Statistics -- Fiscal Year 2016

Shown below are the key statistics for the Licensed Breeder program and for all TDLR programs combined for Fiscal Year 2016.

Statistic	BRE	TDLR
• Number of cases opened:	56	11,305
• Number of cases resolved:	48	12,314
• Number of Agreed Orders:	14	2,391
• Total amount of penalties assessed:	$ 22,940	$5,743,465
• Total amount of penalties collected:	$ 19,040	$2,749,020

Licensed Dog and Cat Breeders Advisory Committee

Field Operations Division Report

The Face of TDLR

September 26, 2016

MOST COMMON VIOLATIONS

Top Violations Found for 3rd Quarter FY 2016

1. Standards of Care – Veterinary Care. - 16 Tex. Admin. Code Ch. 91.112(d). Breeding cycles. A licensed breeder shall provide breeding females adequate rest between breeding cycles as recommended by a veterinarian based on the breed, age, and health of the individual breeding female and documented by a veterinarian in the medical records related to each animal.

2. Standards of Care – Housing General. - 16 Tex. Admin. Code Ch. 91.100(5). Storage. Supplies of food and bedding must be stored in a manner that protects the supplies from spoilage, contamination, and vermin infestation. The supplies must be stored off the floor and away from the walls, to allow cleaning underneath and around the supplies. Foods requiring refrigeration must be stored accordingly, and all food must be stored in a manner that prevents contamination and deterioration of its nutritive value. All open supplies of food and bedding must be kept in leak-proof containers with tightly fitting lids to prevent contamination and spoilage. Only food and bedding that is currently being used may be kept in the animal areas. Substances that are toxic to the dogs or cats but are required for normal husbandry practices must not be stored in food storage and preparation areas, but may be stored in cabinets in the animal areas.

3. Standards of Care – Exercise of Dogs. - 16 Tex. Admin. Code Ch. 91.106(a). A licensee must develop, document, and follow an appropriate plan to provide dogs with the opportunity for daily exercise. In addition, the plan must be approved by a veterinarian and documented by a veterinarian in the medical records related to each dog. The plan must include written standard procedures to be followed in providing the opportunity for exercise.

4. Standards of Care – Housing General. - 16 Tex. Admin. Code Ch. 91.100(4). Water and electric power. The housing facility must have reliable electric power adequate for heating, cooling, ventilation, and lighting, and for carrying out other husbandry requirements in accordance with the regulations in this chapter. The housing facility must provide adequate running potable water for the dogs' and cats' drinking needs, for cleaning, and for carrying out other husbandry requirements.

5. Standard of Care – Veterinary Care. – 16 Tex. Admin. Code Ch. 91.112(a). Annual examination. A licensed breeder shall have each animal used for breeding examined by a veterinarian at least once in every twelve-month period. The annual examination required by this section must be conducted in accordance with practices established under the Veterinary Licensing Act and documented by a veterinarian in the medical records related to each animal.

6. Responsibilities of Licensee – Annual Inventory. - 16 Tex. Admin. Code Ch. 91.76(a). Not later than February 1 of each year, a licensed breeder shall submit to the department, on a form prescribed by the department, an accounting of all animals held at the facility at any time during the preceding calendar year.

7. Standards of Care - Routine and preventative care. - 16 Tex. Admin. Code Ch. 91.112(c). Failed to have the written health care management protocol contain all required health care records, including all authorized exemptions approved by a veterinarian.

8. Responsibilities of Licensee – Animal Records Content, Availability, and Retention Period. – 16 Tex. Admin. Code Ch. 91.77(a). A licensed breeder shall maintain, at the licensed facility where the animal is kept, a separate record for each animal in the breeder's facility documenting the animal's care.

9. Standards of Care – Housing General. - 16 Tex. Admin. Code Ch. 91.100(7). Washrooms and sinks. Washing facilities such as washrooms, basins, sinks, or showers must be provided for animal caretakers and must be readily accessible.

10. Responsibilities of Licensee – Display of Breeders License. – 16 Tex. Admin. Code Ch. 91.72. A licensed breeder shall prominently display at the breeder's facility, in an area readily accessible to the public, a copy of the department issued breeders license.

DIVISION PROJECTS

New Technology - E-Inspection

We are purchasing an E-Inspection software subscription to electronically record our inspections, reduce data entry tasks, and increase consistency.

Upcoming Events

- TDLR Licensed Breeder inspectors will attend the Annual National Animal Cruelty Prosecution Conference in Austin on September 14-16.
- Licensed Breeder inspectors will also attend the Professional Canine Breeders Association convention in Mount Pleasant on October 7th and 8th.

DIVISION PERSONNEL UPDATES

Jennifer Harless, South Region Manager, has received certification by TAACO (Texas Academy of Animal Control Officers). She was also trained to be a trainer by TACCO, which enables her to train the Licensed Breeder inspectors. Jennifer was trained by the USDA, was a TDLR Investigator with the Enforcement division for the Licensed Breeder program; Jennifer conducts licensed breeder inspections, trains and manages the Field Operations investigators for the Licensed Breeder program. Jennifer also speaks for the agency at various events., including the THLN (Texas Humane Legislation Network), Professional Pet Breeders of Texas, and the State Bar.

Fernando Reyes, South Region Liaison, has experience as an animal control officer and a peace officer. Fernando trains the new inspectors, maintains the breeder inspection list, assigns pre-license inspections to field personnel, reviews and updates the procedure manual, as well as works with local enforcement in reference to cruelty investigations.

Jack Phillips, North Region Inspector, performs inspections.

Juan Muñoz, South Region Inspector, is training to perform inspections.

Promotions and New Hires

Joe Carrasco was promoted from an inspector to the North Region Manger position on June 15, 2016.

Adriana Gonzalez was promoted to the Field Operations Facilitator position from TDLR's Licensing Division.

Michael Bedore and Pam Folsom were hired as Inspectors in the DFW area of our North Region, beginning September 15, 2016.

Inspection Statistics Total

License Dog and Cat Breeders

	FY 2016	FY 2015
SEPT	0	22
OCT	20	1
NOV	40	2
QTR 1	60	25
DEC	52	4
JAN	0	2
FEB	8	1
QTR 2	60	7
MAR	3	1
APR	7	1
MAY	7	3
QTR 3	17	5
JUNE	1	1
JUL	1	0
QTR 4	2	13
Year to Date/ Year End	**139**	**50**

Cat or Dog Breeder Advisory Board
September 26, 2016
Licensing Statistics

Licensed Breeders	**FY 2016 (08/16)**	**FY 2016 (12/15)**	**FY 2013 (08/12 - 7/13)**		
New Licensenses Issued	8	7	160		
Renewals Issued	4	2	2		
Total Population	**172**	**167**	**173**		