

GENERAL INFORMATION REGARDING ETHICS COMMITTEE MEETINGS TEXAS STATE BOARD OF EXAMINERS OF MARRIAGE AND FAMILY THERAPISTS

The information on this page is not a substitute for reading and following the complete laws and rules related to the Texas State Board of Examiners of Marriage and Family Therapists.

- The purpose of the meeting of the Ethics Committee of the Texas State Board of Examiners of Marriage and Family Therapists (board) is for committee members to review information related to complaints and make a determination whether a violation occurred and, if so, what sanction(s) should be imposed.
- Parties to a complaint are encouraged to read the board rules regarding the complaint and enforcement process at Title 22, Texas Administrative Code, Chapter 801, Subchapters C, L, M, N, and O. Rules may be accessed at: http://www.dshs.state.tx.us/mft/mft_rules.shtm.
- The Ethics Committee may consider information received during the complaint process, the investigation, or during the Ethics Committee meeting.
- The meeting of the Ethics Committee is **not** a hearing.
- Approximately two weeks prior to the Ethics Committee meeting, committee members receive all materials related to the complaint, including: the original complaint, the respondent's response, the investigation report with attachments, and any additional materials submitted at least 30 days prior to the date of the Ethics Committee meeting. Other information and materials may be considered by the committee as appropriate.
- Parties may provide additional information in writing to the Ethics Committee. Any materials submitted less than 30 days prior to the date of the meeting will be reviewed only at the **discretion** of the chair of the Ethics Committee. Materials that are submitted within 30 days prior are not routinely distributed in advance to committee members.
- If the Ethics Committee determines that the case should be dismissed, or that the case should be resolved informally through a Cease and Desist Letter, Advisory Letter (also known as a warning letter), or "Conditional Letter of Agreement", the respondent will be notified in writing at the last known address on record with the board.
- If the Ethics Committee determines that a violation has occurred and that a formal sanction is appropriate, the respondent will be mailed a written **Notice of Violation (NOV)** to the last known address on record with the board. The NOV will specifically describe the alleged conduct, the law and/or rule(s) violated, and the respondent's right to **appeal** and to **due process**. It is the responsibility of the respondent to keep the board apprised of accurate contact information. Board rules require licensees to update their mailing addresses within 30 days of a change. Failure to do so could result in additional disciplinary action.
- If a Notice of Violation (NOV) is issued, the respondent must respond to the NOV in writing within 20 days. The respondent has 3 options. 1-The respondent admits the allegations and accepts the proposed action. 2-The respondent does not accept the proposed action and requests an informal conference and a formal hearing. 3-The respondent does not accept the proposed action and requests a formal hearing. If requested in a timely fashion, an informal conference and/or a formal hearing will be scheduled.
- In all cases, the complainant, unless anonymous, will be notified when the case is finally resolved.

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- The review of a complaint may be postponed at the discretion of the chair of the Ethics Committee. Except for extraordinary circumstances, complaints will be reviewed as scheduled.
- Attendance and participation at the Ethics Committee meeting by parties to the complaint is **voluntary**.
- Meetings of the Ethics Committee are conducted in accordance with the Texas Open Meetings Act and are open to the public unless the Ethics Committee enters into Executive Session for legal consultation.
- Any party in need of ADA accommodations must request reasonable accommodations at least 10 days prior to the date and time of the scheduled Ethics Committee meeting. Persons with disabilities who plan to attend this meeting and require auxiliary aids or services are asked to call Anne Mosher, Center for Consumer and External Affairs, Department of State Health Services, (512) 458-7404, 72 hours prior to the meeting so that appropriate arrangements may be made.
- No case is scheduled at a certain time on the meeting agenda. On the day of the Ethics Committee meeting, parties to complaints should sign in on the sign-in sheet and indicate the complaint number. Cases are generally considered in the order in which parties sign in. The sign-in sheet may be available up to one hour prior to the meeting time. All interested parties should allow an extended time period in their schedule related to consideration of cases by the Ethics Committee.
- The chair of the Ethics Committee presides at the meeting. During the meeting, parties may be asked questions by committee members or staff. The chair of the Ethics Committee has the authority to decide whether to recognize parties, their legal representatives, and/or other non-committee members to speak or submit information related to the complaint. The chair has the authority to limit the time allotted to individuals. Statements, if authorized by the chair, generally should be limited to approximately 3 minutes, or as directed by the chair. Parties may be represented by attorneys if they so desire.
- Persons addressing the committee are **not** permitted to ask questions to the other parties.
- Appropriate conduct and decorum is expected of all attendees at an Ethics Committee meeting. The Ethics Committee expects respect and honesty in all interactions. Those who are disruptive will be asked to leave the meeting.
- Any attendee who needs special or individual attention during the course of the Ethics Committee meeting should notify the executive director of the board.

Questions may be addressed to the Complaints Management and Investigative Section, Department of State Health Services, P.O. Box 141369, Austin, Texas 78714-1369, 1-800-942-5540, or the Texas State Board of Examiners of Marriage and Family Therapists, Mail Code 1982, P.O. Box 149347, Austin, Texas 78714-9347, Phone: 512-834-6628, Fax: 512-834-6677.