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February 19, 2025

To: Hon. Alyssa Black, Chair
House Committee on Health Care

From: S. Lauren Hibbert, Deputy Secretary of State

Re: Mental Health Executive Officer

Dear Committee,

Thank you for having me testify about the Office of Professional Regulation and its request for general funds for FY2026. We are asking to create a Mental Health Executive Officer within OPR. We are running at a 1.5-million-dollar deficit at OPR. Due to that deficit, we request a 170K appropriation from the General Fund. The cost of this position was not built into our FY2026 budget. We anticipate that this will be a one-time request to establish the position and in the future that the OPR budget will be built to sustain this position. We are asking for this position and funding because we have completed our Mental Health Licensure Study.

Mental Health Study High-Level Overview

In Act 117 (2022) and Act 77 (2023), the Legislature asked the Office of Professional Regulation to study the regulation of mental health professions in Vermont.

The Office conducted this study over 18 months, contacting over 100 stakeholder organizations and interacting with approximately 2,000 individual stakeholders.

We found we can reorganize for operational efficiency, and cut bureaucratic red tape to increase workforce access, without lowering mental health provider competency standards.

Four High-Level Findings:

- 1) OPR's regulatory structure of the mental health professions would benefit from a vertical consolidation/reorganization;

- 2) It's possible to streamline entry-level qualifications without lowering professional competency requirements;
- 3) Additional regulations for supervisors can support both the quality of and provider interest in clinical supervision services; and lastly
- 4) OPR finds barriers to licensure into the mental health professions for individuals from marginalized groups exist.

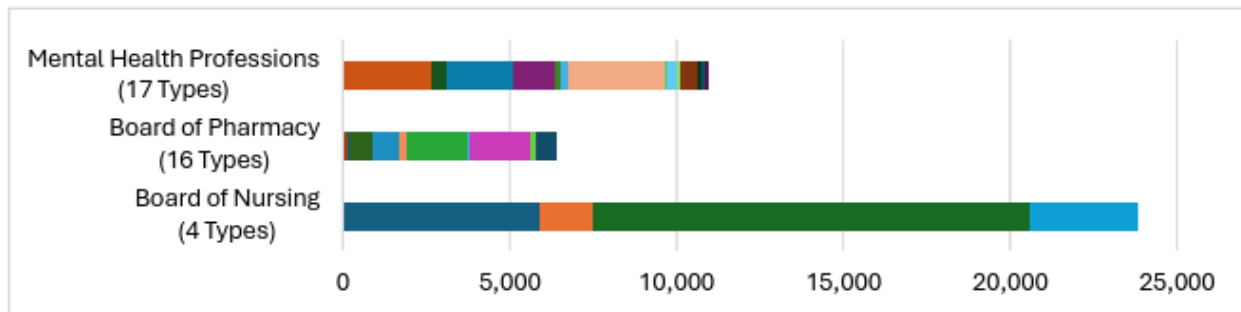
This study resulted in 20 specific recommendations aimed at improving regulatory operations and increasing Vermont's workforce of qualified mental health professionals.

Executive Officer for Mental Health Professions

One of the most critical recommendations is that OPR add a new executive officer position dedicated to the mental health professions. Executive Officers advance OPR's primary mission of public protection by supporting the Office's four pillars of professional regulation: licensure, practice, enforcement, and continuing education. The Office of Professional Regulation currently utilizes two Executive Officers in Nursing and Pharmacy.

- In both cases, these fields' diversity and complexity demand an administrator whose subject matter expertise allows them to:
 - coordinate state policy,
 - perform applicant qualification evaluations, and
 - mitigate operational bottlenecks by managing responsibilities that would otherwise fall on OPR's general counsel, the deputy director, and/or the boards.

Similar to pharmacy and nursing, OPR's mental health professions are complex and have a significant number of professionals, including 17 distinct professional credential types: each with their own related but unique scopes of practice, education qualification standards, and fields of specialization.



The newly created mental health executive officer's most immediate task will be to help the office consolidate the majority of the mental health professions into a vertical structure – this means one board. The only mental health profession that will not be consolidated is psychology. This change will require significant stakeholder outreach and statutory revisions. This position is not a limited

service position because the executive officer will have ongoing responsibilities that will improve licensure for mental health professionals in our state.

Because OPR's mental health boards spend significant time reviewing applicants' education, the education review process represents a consequential bottleneck in application approvals.

- To mitigate this issue, the Board of Allied Mental Health employs a 3rd party contractor to perform education evaluations.
- However, an executive officer with subject matter expertise could serve this role for all mental health professions, removing the need for a 3rd party contractor and allowing boards to focus on their primary responsibilities of standards settings and conduct enforcement.

Additionally, an executive officer would assist OPR's General Counsel's office:

- Because executive officers work at the forefront of professional practice, EOs maintain an awareness of new trends within their fields. An Executive Officer of Mental Health Professional Regulation would identify the statute or rule changes necessary to ensure alignment between regulations and best practice standards.
- The EO provides subject matter expertise to the General Counsel, assisting in advocacy for statute or rule revisions, as well as drafting testimony to legislative committees.

OPR's mental health licensing boards would continue to set qualification standards for applicants implemented through statutory and rule revisions. The Executive Officer would be responsible for implementing these standards:

- working with license administrators to perform education qualification determinations
- designing remedial coursework pathways to licensure for applicants whose education does not yet meet Vermont's requirements
- Additionally, the EO of Mental Health Professional Regulation would respond to inquiries from licensees, work with partners in other states and national organizations, and recommend policy changes to OPR and Vermont's mental health boards.