

# TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL



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Executive Director

November 4, 2024

**Via U.S. Mail and Email (antitrust@ftc.gov)**

Lina M. Khan, Chair  
Office of Policy and Coordination  
Bureau of Competition  
Federal Trade Commission  
600 Pennsylvania Avenue NW  
Washington, DC 20580

Re: Withdrawal of Complaint Against ASPPB Due to Changes in Licensing Examination Requirements

Dear Chairwoman Khan:

I am writing on behalf of the Texas Behavioral Health Executive Council (the "Council") to formally withdraw our complaint filed on June 25, 2024, against the Association of State and Provincial Psychology Boards (ASPPB). This decision reflects ASPPB's recent shift in approach to the Examination for Professional Practice in Psychology (EPPP) requirements, which directly addresses some of the concerns that led to our complaint.

At ASPPB's Annual Meeting in October 2024, its leadership announced a pause on the 2022 decision to require the EPPP Part 2 (Skills) exam by January 1, 2026. Rather than mandating this additional exam, ASPPB's Board of Directors has chosen to explore a reimagined examination format that would assess both knowledge and skills in a single session. Additionally, ASPPB has indicated that it will seek input from member jurisdictions through a combination of townhall meetings, a newly formed board sub-committee, and a workgroup composed of member jurisdictions and other relevant stakeholders.

In recognition of these developments, the Council has determined that our initial concerns have been sufficiently addressed to warrant withdrawal of our complaint. While ASPPB's approach to licensing examinations is now evolving in a more collaborative manner, the Council will continue to monitor the examination process to ensure it meets the needs of Texas licensees and regulatory bodies alike.

For your reference, we have attached a copy of ASPPB's October 22, 2024 letter, which outlines these changes.

*1801 Congress Ave., Suite 7.300, Austin, Texas 78701  
(Phone) 512-305-7700, [www.bhec.texas.gov](http://www.bhec.texas.gov)*

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November 4, 2024

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Thank you for your attention to this matter and for your commitment to promoting fair practices in professional licensure. Should you need any additional information, please do not hesitate to contact me directly at (512) 305-7702 or [Darrel.Spinks@bhec.texas.gov](mailto:Darrel.Spinks@bhec.texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Darrel Spinks". The signature is written in a cursive style with a large, stylized "D" and "S".

Darrel D. Spinks  
Executive Director, Texas Behavioral Health Executive Council

cc: Budget & Policy Division, Office of the Governor  
U.S. Department of Justice, Antitrust Division ([antitrust.complaints@usdoj.gov](mailto:antitrust.complaints@usdoj.gov))



# ASPPB

Association of State and  
Provincial Psychology Boards

Supporting member jurisdictions in fulfilling their responsibility of public protection

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October 22, 2024

**A New Path Forward: Prioritizing Resolution Over Conflict**

ASPPB is united by its mission: supporting our members in fulfilling their responsibility to protect the public. Additionally, ASPPB is guided by its bylaws, which direct the organization to promote cohesion within the regulatory framework of organized psychology, ensuring we build a strong foundation for the long-term success of our shared objectives.

Although the Board of Directors' position remains steadfast—public protection is best achieved by evolving our licensure examination to be comprehensive and competency-based, evaluating not only foundational knowledge but also practical skills—we find ourselves at a pivotal moment. Our collective goals are at risk of being overshadowed by a tug of war, where no clear winners emerge.

**A Shift in Approach**

In response to ongoing feedback from our membership and the broader professional, educational, and training communities, the Board has decided it is time to shift from conflict to resolution. As such, the Board has passed a motion to pause the October 2022 decision, which outlined that by January 1, 2026, the EPPP would consist of two parts: EPPP (Part 1 – Knowledge) and EPPP (Part 2 – Skills). The current EPPP (Part 2 – Skills) will continue to be available to all jurisdictions as an additional means of assessing applicant competence.

Instead, we will immediately undertake exploring the feasibility of creating a single-session exam that integrates both knowledge and skills assessment—a reimagined EPPP. We plan to begin this process by engaging with our membership at the upcoming meeting in Dallas, where we will actively seek feedback on the operational and regulatory impacts of this potential change. In addition to the Dallas meeting, ASPPB will offer a variety of opportunities (e.g., townhall meetings) for our members and liaisons to provide feedback on this approach.

As we move forward, we continue to be committed to transparency, collaboration, and ensuring that our decisions reflect the collective wisdom of the psychology regulatory community. By embracing a collaborative approach and listening to the voices of our members, we aim to build a stronger, more unified licensure process and uphold our core mission of public protection. Together, we can navigate this important moment in time and shape a future that supports both the growth of our profession and the protection of those we serve.

Respectfully,

The ASPPB Board of Directors