

Fitness Protocol and the Licensing Process

April 21, 2011

Overview

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- Consolidation of agency tribunals with OATH prompted the TLC to review the fitness hearing process.
- Determined a licensing function; not requiring an Administrative Law Judge (ALJ).
- OATH Agreed and the process will be transferred to Licensing.
- This review brought to light additional needs and goals that are addressed in the proposed rules.

New Informal TLC Interview Process

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- If an applicant's fitness comes into question during the application process, the TLC may:
 - ▣ request additional information from the applicant.
 - ▣ conduct an informal interview of the applicant.
 - ▣ Make a decision regarding an applicant's fitness.
- A new, informal process will decrease overall processing time and result in quicker application decision times.

Enhanced Customer Service

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- This process would provide a more efficient, consistent, and transparent resolution for questions about applicant fitness.
- This informal interview process should reduce wait-times for interviews by half.
- Applicants will receive decisions about their application sooner and will have more direct contact with Licensing staff.

Clear and Consistent Standards

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- Proposed rules have clear and consistent standards
 - Some actions (ie: a recent failed drug test) make it highly unlikely that an application would be accepted by the TLC.
 - TLC staff will make every effort to reject an application upon submission when the application is subject to criteria for denial.

Greater Transparency

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- The new rules establish set criteria for denial of an application.
- New, consistent standards will be available to potential applicants,
- New rules are easier to find and understand.
- All parties can access new rules, making it easier to decide whether or not to apply.

Summary

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- Clear, consistent standards
- Increased contact with TLC Licensing
- Greater transparency
- A more efficient, less time-consuming, and less costly process