

TEXAS FIFTEENTH COURT OF APPEALS

Texas State Board of Social Worker Examiners v. Katherin Youniacutt and Tammy Thompson

No. 15-25-00064-CV (Tex. App.—15th Dist. June 4, 2026) · No. 15-25-00064-CV · Decided June 4, 2026

SUMMARY

The Texas Fifteenth Court of Appeals held that constitutional challenges to Texas Occupations Code section 108.052(2), which automatically denies certain health-care-professional licenses to applicants with specified violent felony convictions, were facially invalid. The court concluded that the statute satisfied substantive and procedural due-course-of-law requirements and was rationally related to the government’s interest in protecting vulnerable patients. The court reversed the trial court’s denial of the State’s plea to the jurisdiction and rendered judgment dismissing the plaintiffs’ claims.

CASE DETAILS

COURT	Texas Fifteenth Court of Appeals
WRITING FOR THE COURT	Scott K. Field; Chief Justice Brister; Justice Field; Justice Farris
JURISDICTION	Texas Fifteenth Court of Appeals
DECIDED	June 4, 2026
DOCKET	15-25-00064-CV
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Interlocutory appeal from the denial of the State's plea to the jurisdiction and Rule 91a motion to dismiss in an action challenging the constitutionality of Texas Occupations Code section 108.052(2).
STANDARD OF REVIEW	De novo review of the trial court's ruling on a plea to the jurisdiction; when the plea challenges the pleadings, the court determines whether the pleadings allege facts affirmatively demonstrating jurisdiction, liberally construing the pleadings and accepting factual allegations as true.
PRECEDENTIAL VALUE	Published and precedential
PARTIES	Texas State Board of Social Worker Examiners, Texas Behavioral Health Executive Council, Darrel D. Spinks, in his official capacity as Executive Director of TBHEC, Gloria Canseco, in her official capacity as a member of TBHEC, John K. Bielamowicz, in his official capacity

as a member of TBHEC, Mark E. Cartwright, in his official capacity as a member of TBHEC, Steven Hallbauer, in his official capacity as a member of TBHEC, Daniel W. Parrish, in his official capacity as a member of TBHEC, Christopher S. Taylor, in his official capacity as a member of TBHEC, Brian C. Brumley, in his official capacity as a member of both the Texas State Board of Social Worker Examiners and TBHEC, Quida J. Pryor, in her official capacity as a member of both the Texas State Board of Social Worker Examiners and TBHEC v. Katherin Youniacutt, Tammy Thompson

TOPICS

administrative law

medical licensing

due process

equal protection

interlocutory appeal

PRACTICE AREAS

constitutional law

administrative law

health law

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the plaintiffs' substantive due course of law challenge to Texas Occupations Code section 108.052(2) was facially valid.
2. Whether the plaintiffs' procedural due course of law challenge was facially valid where the challenged restriction was enacted through the legislative process and denied individualized licensing consideration.
3. Whether the plaintiffs' equal protection challenge was facially valid because section 108.052(2) applies to social workers but not professional counselors and marriage and family therapists.
4. Whether the plaintiffs' facially invalid constitutional claims waived sovereign immunity and allowed the trial court to exercise jurisdiction.

HOLDINGS

1. The plaintiffs' substantive due course of law challenge to section 108.052(2) is facially invalid because the statute's purpose and actual effect are rationally related to the legitimate governmental interest in protecting vulnerable citizens from harm by licensed health-care professionals and are not so burdensome or oppressive as to violate Texas Constitution article I, section 19.
2. The plaintiffs' procedural due course of law challenge is facially invalid because the Legislature's enactment of section 108.052(2) provided procedural due process to the general class affected by the statute, and the plaintiffs alleged no failure to comply with the legislative process.
3. The plaintiffs' equal protection challenge is facially invalid because section 108.052(2)'s classification of master social workers is rationally related to the legitimate governmental interest in protecting vulnerable citizens, even assuming social workers are similarly situated to professional counselors and marriage and family therapists.

4. Because the plaintiffs' constitutional claims are facially invalid, the constitutional-claim waiver of sovereign immunity does not apply, and the trial court lacked jurisdiction to proceed on those claims.

KEY QUOTATIONS

“[T]he proponent of an as-applied challenge to an economic regulation statute under Section 19’s substantive due course of law requirement has the burden to show that either: (1) the statute’s purpose could not arguably be rationally related to a legitimate governmental interest; or (2) when considered as a whole, the statute’s actual, real-world effect as applied to the challenging party could not arguably be rationally related to, or is so burdensome as to be oppressive in light of, the governmental interest.” (8)

“when the legislature enacts a law . . . that affects a general class of persons, all of those persons have received procedural due process by the legislative process itself and they have no right to individual attention.” (10)

“We reverse the trial court’s denial of the State’s plea to the jurisdiction, and render judgment dismissing Plaintiffs’ claims challenging the constitutionality of Section 108.052(2).” (13)

FACTUAL BACKGROUND

Texas Occupations Code section 108.052(2) requires licensing authorities to automatically deny certain health-care-professional license applications when the applicant has previously been convicted of a felony involving the use or threat of force. Youniacutt and Thompson had master's degrees in social work and otherwise met the requirements for master social worker licenses, but their applications were automatically denied based on assault convictions from nearly two decades earlier. Both alleged that they had overcome substance-abuse problems and had strong letters of recommendation supporting licensure.

PROCEDURAL HISTORY

Youniacutt and Thompson sued the State entities and officials in their official capacities, seeking declaratory and injunctive relief against the automatic denial of social-worker-license applications based on prior violent felony convictions. The trial court denied the State's plea to the jurisdiction and Rule 91a motion and found the statute irrational. The State brought an interlocutory appeal under Texas Civil Practice and Remedies Code section 51.014(8).

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

None. The court reversed the denial of the State's plea to the jurisdiction and rendered judgment dismissing the plaintiffs' claims challenging the constitutionality of section 108.052(2).

CASES CITED

- Texas Department of Parks & Wildlife v. Miranda, 133 S.W.3d 217 (Tex. 2004)

- *City of Conroe v. San Jacinto River Authority*, 602 S.W.3d 444 (Tex. 2020)
- *Houston Belt & Terminal Railway v. City of Houston*, 487 S.W.3d 154 (Tex. 2016)
- *Heckman v. Williamson County*, 369 S.W.3d 137 (Tex. 2012)
- *Texas Department of Criminal Justice v. Rangel*, 595 S.W.3d 198 (Tex. 2020)
- *Nazari v. State*, 561 S.W.3d 495 (Tex. 2018)
- *Abbott v. Mexican American Legislative Caucus*, 647 S.W.3d 681 (Tex. 2022)
- *Klumb v. Houston Municipal Employees Pension System*, 458 S.W.3d 1 (Tex. 2015)
- *Texas Southern University v. Villarreal*, 620 S.W.3d 899 (Tex. 2021)
- *Honors Academy, Inc. v. Texas Education Agency*, 555 S.W.3d 54 (Tex. 2018)
- *Texas Department of State Health Services v. Crown Distributing LLC*, 647 S.W.3d 648 (Tex. 2022)
- *Rivera v. Sonnenschein*, No. 03-21-00516-CV, 2022 WL 1751685 (Tex. App.—Austin June 1, 2022, pet. denied) (mem. op.)
- *Patel v. Texas Department of Licensing and Regulation*, 469 S.W.3d 69 (Tex. 2015)
- *University of Texas Medical School at Houston v. Than*, 901 S.W.2d 926 (Tex. 1995)
- *Matzen v. McLane*, 659 S.W.3d 381 (Tex. 2021)
- *United States v. LULAC*, 793 F.2d 636 (5th Cir. 1986)
- *Bi-Metallic Investment Co. v. State Board of Equalization*, 239 U.S. 441 (1915)
- *McDonald v. Board of Election Commissioners of Chicago*, 394 U.S. 802 (1969)

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