



BOARD MEETING NOTICE AND AGENDA

Hearing Room
2005 Evergreen Street
Sacramento, CA 95815
(916) 263-2666

Board Members

Dee Parker, Speech-Language Pathologist, Board Chair
Marcia Raggio, Dispensing Audiologist, Vice Chair
Rodney Diaz, Otolaryngologist
Alison Grimes, Dispensing Audiologist
Jaime Lee, Public Member
Debbie Snow, Public Member
Amnon Shalev, Hearing Aid Dispenser
Patti Solomon-Rice, Speech-Language Pathologist
Vacant, Hearing Aid Dispenser

August 10, 2017 - 1:00 p.m. – 5:00 p.m. (or until completion of business)

1. Call to Order / Roll Call / Establishment of Quorum
2. Public Comment for Items not on the Agenda

The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))

3. Review and Approval of the May 11-12, 2017 Board Meeting Minutes
4. Disciplinary Process Overview - Megan O'Carroll, Deputy Attorney General Liaison and Gloria Castro, Senior Assistant Attorney General, Department of Justice
5. Update from Speech-Language Pathology Practice Committee
6. Discussion and Possible Action on Board's Development of Hearing Aid Consumer Fact Sheet
7. Update on California Children's Services Data Management System Changes

RECESS FOR THE DAY

August 11, 2017 - 9:00 a.m. – 5:00 p.m. (or until completion of business)

8. Call to Order / Roll Call / Establishment of Quorum
9. Public Comment for Items not on the Agenda

The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))

10. Department of Consumer Affairs Update - Dean R. Grafilo, Director
11. Discussion and Possible Action regarding Communications with California Children's Services (CCS)
12. Discussion and Possible Action on proposed Locked Hearing Aids Disclosure
13. Discussion Regarding the Provision of Telehealth Services within the Parameters of the Licensure Act and Business and Professions Code 2290.5
14. Proposed Regulations – Discussion and Possible Action
 - a. Title 16, CCR, Section 1399.127 - Hearing Aid Dispenser Advertising
 - b. Title 16, CCR, Section 1399.170 - Speech-Language Pathology Assistant
 - i. 15-day Comment Recommended Responses
 - c. Title 16, CCR, Sections 1399.112 and 1399.151.2 - Fingerprints Requirement
 - d. Title 16, CCR, Section 1399.120 - Hearing Aid Dispenser Examinations Proposed Language
 - e. Title 16, CCR, Sections 1399.129 and 1399.157.1 - Notice to Consumers Proposed Language
15. Executive Officer's Report
 - a. Administration Update
 - b. Budget Report
 - c. Licensing Report
 - d. Practical Examination Report
 - e. Enforcement Report
16. Legislation Update, Review, and Possible Action
 - a. AB 387 (Thurmond) Minimum wage: health professionals: interns
 - b. AB 612 (Rubio) Newborns and infants: hearing screening
 - c. AB 827 (Rubio) Department of Consumer Affairs: high-skill immigrants: license information
 - d. AB 1601 (Bloom) Hearing aids: Minors
 - e. AB 1706 (Low) Sunset of Board
 - f. SB 198 (Galgiani) Hearing aid dispensers: cerumen management
 - g. SB 715 (Newman) Department of Consumer Affairs: regulatory boards: removal of board members
 - h. SB 762 (Hernandez) Healing arts licensee: license activation fee: waiver
17. Future Agenda Items and Future Board Meeting Dates
 - a. October 26-27, 2017 – Los Angeles
 - b. February 8-9, 2018 – Sacramento
 - c. May 10-11, 2017 – Bay Area
 - d. August 9-10, 2017 – TBD

e. November 8-9, 2017 – TBD

18. Adjournment

Agendas and materials can be found on the Board's website at www.speechandhearing.ca.gov.

Action may be taken on any item on the Agenda. The time and order of agenda items are subject to change at the discretion of the Board Chair and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. The Board plans to webcast at <https://thedcapage.wordpress.com/webcasts/>. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

The meeting facility is accessible to persons with a disability. Any person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the Board office at (916) 263-2666 or making a written request to Breanne Humphreys, Board Operations Manager, 2005 Evergreen Street, Suite 2100, Sacramento, California 95815. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

BOARD MEETING MINUTES - DRAFT

May 11-12, 2017
San Francisco, CA

For the sake of clarity, the meeting minutes are organized in numerical order to reflect their original order on the agenda; however, issues were taken out of order during the meeting.

May 11, 2017

1. Call to Order / Roll Call / Establishment of Quorum

Alison Grimes, Board Chair, called the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board meeting to order at 2:22 p.m. Ms. Grimes called roll; seven members of the Board were present and thus a quorum was established.

Board Members Present

Alison Grimes, Board Chair
Patti Solomon-Rice, Vice Chair
Rodney Diaz, MD, Public Board Member
Marcia Raggio, Board Member
Dee Parker, Board Member
Amnon Shalev, Board Member
Debbie Snow, Public Board Member

Board Members Absent

Jaime Lee, Public Board Member

Staff Present

Paul Sanchez, Executive Officer
Jennifer Iida, DCA Web Cast
Anita Joseph, Enforcement Coordinator
Norine Marks, Legal Counsel
Karen Robison, Analyst

Guests Present

Sean Green, the Speech Pathology Group (SPG)
Dennis Van Vliet, California Academy of Audiology (CAA)

2. Public Comment for Items not on the Agenda

A comment was made inquiring why AB 1601 was not listed in the Legislative Update section of the agenda.

3. Review and Approval of the February 9-10, 2017, and March 30, 2017, Board Meeting Minutes

M/S/C Parker/Raggio

- **Motion to approve the February 9-10, 2017 Board Meeting Minutes, as amended. The motion carried 7-0**

M/S/C Shalev/Diaz

- **Motion to approve the March 30, 2017 Board Meeting Minutes. The motion carried 7-0**

4. Update on Bagley-Keene Open Meetings Act

Norine Marks updated the Board on this year's changes to the Bagley-Keene Open Meetings Act (ACT). She reminded the Board the purpose of the Act is government transparency. Ms. Marks discussed the top ten rules of the Act, teleconference etiquette, closed session, recording of votes, and special accommodation requests.

5. Board Election of Officers

The Board held the election of Board officers for the fiscal year beginning July 1, 2017. Ms. Grimes nominated Dee Parker to the position of Board Chair. Ms. Grimes nominated Marcia Raggio to the position of Board Vice Chair.

- **The Board voted on the nomination of Ms. Parker to the position of Board Chair. The motion carried 7-0**
- **The Board voted on the nomination of Ms. Raggio to the position of Board Vice Chair. The motion carried 7-0**

6. Executive Officer's Report

a. Administration Update

Paul Sanchez informed the Board that there are two vacancies in the office that are being recruited for, one in licensing and one in administration. He stated that process improvements are being worked on to speed up the licensing process and that renewing licenses and registrations online is being explored.

b. Budget Report

Mr. Sanchez reported about the months in reserve, revenue sources, and that the fund condition. He also explained the fund condition document, which can change based on actual revenue and expenditures at the end of the year. He pointed out that although there is enough money to sustain the Board, we have had to use reserves to fund enforcement efforts. A question was posed about regulations to increase fees in which Mr. Sanchez responded we are working towards that and that we may need a fee study will help justify the fee increase.

c. Licensing Report

The licensing timeframe for Speech and Audiology is one to three weeks and slightly longer for Hearing Aid Dispensers.

d. Practical Examination Report

Mr. Sanchez reported that the next practical examination will be held in a few weeks. The Board commented on the pass/fail rate.

e. Enforcement Report

Mr. Sanchez gave an overview of the enforcement statistics. Ms. Grimes requested the Audiology complaints be separated from the Speech complaints so she knows specifically what is happening in her profession as opposed to the other professions. Mr. Sanchez noted that, occasionally, a report which breaks down complaints received by profession can be brought before the Board; but, at this time resources are not available to provide this information on a consistent basis. Ms. Raggio agreed with Ms. Grimes request so that knowledge of how many complaints are received and what the subjects of the complaints are so educators can address those issues during school coursework or professional associations can address them with continuing education courses.

7. Update on Board's Sunset Review

Mr. Sanchez reported that the Board submitted its responses to the Sunset Review Committee and an update from the Legislature has not been received at this time.

Closed Session

The Board entered into closed session at 3:40 p.m.

8. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Deliberate on Disciplinary Matters

D1-2009-29

Proposed Decision – Adopted

1C-2012-29

Stipulated Settlement – Adopted

1C-2012-40

Stipulated Settlement – Adopted

Return to Open Session

The Board returned to open session and immediately went into recess until May 12, 2017.

May 12, 2017

Call to Order / Roll Call / Establishment of Quorum

Alison Grimes, Board Chair, called the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board meeting to order at 9:21 a.m. Ms. Grimes called roll; seven members of the Board were present and thus a quorum was established.

Board Members Present

Alison Grimes, Board Chair
Patti Solomon-Rice, Vice Chair
Rodney Diaz, MD, Public Board Member
Marcia Raggio, Board Member
Dee Parker, Board Member
Amnon Shalev, Board Member
Debbie Snow, Public Board Member

Board Members Absent

Jaime Lee, Public Board Member

Staff Present

Paul Sanchez, Executive Officer
Jennifer Iida, DCA Web Cast
Anita Joseph, Enforcement Coordinator
Norine Marks, Legal Counsel
Karen Robison, Analyst

Guests Present

Sean Green, SPG
Isaac White, Hearing Aid Dispenser
Dennis Van Vliet, CAA

The Board entered into closed session at 9:21 a.m.

1C-2015-31

Stipulated Settlement – Non Adopt

The Board returned to open session at 10:52 a.m.

9. Speech-Language Pathology Practice Committee Report
 - a. Approval Process for Speech-Language Pathology Assistant Training Programs

Ms. Solomon–Rice reported to the Board the discussion of the Speech-Language Pathology Practice Committee (Committee). The Committee discussed holding a teleconference meeting to work towards updating the approval process for SLPA training programs. The meeting will be scheduled between June and August.

10. Update on Speech-Language Pathology Services Credential Variable Term Waiver Granted by the Commission on Teacher Credentialing and Supervision of Speech-Language Pathology Assistants

Ms. Parker briefed the Board on the meeting between the Commission on Teacher Credentialing (CTC) and the Department of Education (DOE) regarding the Variable Term Waiver (VTW). She noted that the meeting consisted on making sure all the requirements for the VTW are the way they were address in the 2014 agreement with an emphasis on SLPA's. The rationale behind the CTC working with the DOE is to ensure that school districts comply with the criteria that govern SLP's and SLPA's.

11. Update on the Federal Trade Commission Hearing on Over-the-Counter Hearing Aids

Ms. Grimes provided a brief overview of the Federal Trade Commission's (FTC) hearing on over-the-counter (OTC) hearing aids which looked at the pros and cons of hearing aids being purchased at retail places of business for mild hearing loss. Discussion on this topic included that the bill is not for children; hearing aids are not typically covered by insurance; and that licensed hearing aid dispensers will be able to sell both OTC hearing aids and hearing aids geared towards those with more severe hearing loss. Additionally, it was noted that the market will separate those who do not need help from those who do need help.

12. Discussion and Possible Action regarding the Board's Development of Telecoil Fact Sheet for Consumers

The Board reviewed and discussed the draft of the consumer fact sheet including input from the Hearing Loss Association of America (HLAA). The Board explored delegating the committee to continue its work on the consumer fact sheet. The consumer fact sheet will be placed on the Board website once it has been approved by the Board.

M/S/C Diaz/Shalev

- **Motion to delegate the continued work on the consumer fact sheet by the committee. The motion carried 7-0**

13. Discussion and Possible Action to Consider Amending Title 16, California Code of Regulations, Section 1399.127 - Hearing Aid Dispenser Advertising

The Board discussed the edits to the text of the Hearing Aid Dispenser Advertising regulation. A decision was made to have Mr. Shalev and Ms. Raggio continue to work on edits to the text.

14. Discussion and Possible Action to Consider adding Language to Title 16, California Code of Regulations on General Rules Regarding Fingerprints Requirement

Mr. Sanchez provided an overview of the regulation regarding the fingerprinting requirement. Ms. Marks updated the Board regarding the changes in the proposed text. The Board discussed the text of the regulation including the effective date and increasing amount of traffic infractions.

M/S/C Grimes/Diaz

- **Move to approve the proposed text for a 45 day public comment period; delegate to the EO the authority to adopt the proposed regulatory changes if there are no adverse comments received during the public comment period and make any technical and non-substantive changes that may be required to complete the rule making file. The motion carried 6-0 with Mr. Shalev absent**

15. Legislation Update, Review, and Possible Action

- AB 12 (Cooley) State government: administrative regulations: review
- AB 77 (Fong) Regulations: effective dates and legislative review
- AB 241 (Dababneh) Personal information: privacy: state and local agency breach
- AB 349 (McCarty) Department of Consumer Affairs: applicants for licensure: special immigrant visas
- AB 387 (Thurmond) Minimum wage: health professionals: interns

Ms. Solomon-Rice presented an overview of the impact this bill would have on hospitals, school districts, and other businesses that hire interns, if passed.

M/S/C Solomon-Rice/Parker

- **Motion to have Mr. Sanchez and Ms. Grimes draft an “oppose as written” letter to the Legislature. The motion carried 7-0**
- AB 492 (Grayson) Public records: Department of Consumer Affairs: solicitation fees
 - AB 508 (Santiago) Health care practitioners: student loans
 - AB 612 (Rubio) Newborns and infants: hearing screening

Ms. Grimes presented an overview of this bill. The Board chose to take a watch position on this bill.

- AB 703 (Flora) Professions and vocations: licensees: fee waiver
- AB 827 (Rubio) Department of Consumer Affairs: high-skill immigrants: license information
- AB 1005 (Calderon) Department of Consumer Affairs
- AB 1707 (Assembly Committee on Business and Professions) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

M/S/C Parker/Snow

- **Motion to take a support position on this bill. The motion carried 7-0**
- SB 27 (Morrell) Professions and vocations: licensees: military service
 - SB 198 (Galgiani) Hearing aid dispensers: cerumen management

The Board was updated on the status of this bill after taking an oppose position at the February Board Meeting.

- o. SB 247 (Moorlach) Professions and vocations: license requirement: business: surety bond requirement

The Board was informed about the status of this bill. The Board was informed that it may take a position if it so chooses and the Board can direct Mr. Sanchez to draft a letter to the Legislature.

M/S/C Shalev/Raggio

- **Move to oppose this bill.**

The Board was informed that this bill failed in committee wherein Mr. Shalev withdrew his motion.

16. Future Agenda Items and Future Board Meeting Dates

Items to be considered for future agendas are Hearing Aid Dispenser advertising regulation, Telehealth, Notice to Consumer regulation, Disciplinary Guideline receipt disclosure, SLP practice, SLPA training programs, and Sunset Review update.

- a. August 10-11, 2017 – Sacramento
- b. October 26-27, 2017 Southern CA
- c. February 8-9, 2018 – TBD

The Board chose to hold the February 2018 Board meeting in Sacramento.

- d. May 10-11, 2018 - TBD

The Board chose to hold the May 2018 Board meeting in the Bay Area.

17. Adjournment

The Board thanked Ms. Grimes for her work as the Board Chair for so many years. The meeting adjourned at 1:30p.m.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Disciplinary Process Overview

Deputy Attorney General Megan O'Carroll and Senior Assistant Attorney General Gloria Castro, both from the Department of Justice, Office of the Attorney General (OAG), will be presenting an overview of the disciplinary process. Ms. O'Carroll serves as the Board's liaison to the OAG and Ms. Castro oversees the OAG's Health Quality Enforcement Unit.

The purpose of the overview will be to discuss the roles of the Board and the Office of the Attorney General in the disciplinary process as it relates to the Board's licensees.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Update from Speech-Language Pathology Practice Committee

Committee Chair Patti Solomon-Rice will provide an oral report on the recent Speech-Language Pathology Practice Committee teleconference meeting that was held on August 1, 2017.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Discussion and Possible Action on Board's Development of Hearing Aid Consumer Fact Sheet

BACKGROUND

This is a continued discussion from previous Board meetings on the development of a consumer fact sheet that explains general aspects of hearing aids and their uses, including telecoils. The fact sheet could be useful in helping consumers better understand hearing aid features and their uses.

ACTION REQUESTED

Review and discuss options for development of the consumer fact sheet regarding hearing aids.

CONSUMER FACT SHEET: HEARING LOSS

Types of Hearing Loss:

Sensorineural - Sensorineural hearing loss (SNHL) is a permanent and typically progressive loss that occurs when there is damage to the inner ear (cochlea), or to the nerve pathway from the inner ear to the brain. Most of the time, SNHL cannot be medically or surgically corrected. This is the most common type of permanent hearing loss. It can be caused by aging, genetics, excessive noise exposure, chemotherapy, as well as many other causes.

Conductive - This type of hearing loss occurs when sound is not conducted efficiently through the outer and/or middle ear. The outer ear consists of the pinna, ear lobe, conchal bowl, ear canal, and many other small structures. The middle ear consists of the eardrum, the three small bones (ossicles), muscles and tendons. Conductive losses usually reduce the loudness of sounds, but if sounds are loud enough, they are usually clear because the cochlea is not involved. Some possible causes of conductive hearing loss are:

- Middle ear infection (otitis media)
- Poor eustachian tube function
- Perforated eardrum
- Impacted earwax (cerumen)
- Presence of a foreign body
- Absence or malformation of the outer ear, ear canal, or middle ear.

Mixed - A hearing loss from a combination of sensorineural and conductive causes.

Degrees of Hearing Loss

Mild = 25-39dB

Moderate = 40-69dB

Severe = 70-89dB

Profound = 90 +

CONSUMER FACT SHEET: HEARING AIDS

Digital and Programmable Hearing Aids:

Today's hearing aids operate with the use of a computer chip that primarily amplifies speech and reduces background noise. Digital aids can be fully automated or can have multiple listening programs for different environments. Hearing aids can be "programmed" to meet the hearing and communicative needs of the wearer. Analog hearing aids are no longer available.

Styles of Hearing Aids

Hearing aid styles include custom models: In-The-Ear or Full-Shell (ITE), Half-Shell or Half-Concha (HS), In-The-Canal (ITC), Completely-In-The-Canal (CIC), and Invisible-In-The-Canal (IIC). Hearing aids can also be Behind-The-Ear (BTE) in slim tube/receiver in the canal or standard models. BTEs require some type of coupling earmold that can come in various styles. CROS aids can transmit sound from the poorer to the better ear.

Hearing Aid Gain or Power

Hearing aids can have different levels of power, or gain, for different degrees of hearing loss, with power levels ranging from mild to super-power. In addition, today's hearing aids provide different amounts of gain depending on the incoming sound, i.e. more gain for soft sounds, less for loud sounds.

Omni vs. Directional Microphones (DM)

There can be one or two microphones on hearing aids. Omni or single microphones pick up sound from all directions around the head. Directional Microphones can amplify differentially and adaptively in a noisy environment. In quiet, typically both microphones are working. In a noisy environment, the back microphone typically shuts off so that sound is louder in front of the listener and softer from behind, which assists with hearing speech in noise. DMs are not available in every hearing aid, but they are a common feature.

Feedback Suppression

Hearing aid circuits today can reduce unwanted sound or squeals that come from a hearing aid. Feedback suppression circuitry is available in most hearing aids.

Telecoils or T-coils

Telecoils (T-coils) are induction coils of wire inside a hearing aid. T-coils allow hearing aids to pick up electromagnetic spillage from a telephone so it can be amplified. It can also pick up electromagnetic emissions from an induction loop, which can also be amplified. Loops are typically found in public venues such as theaters, churches, and auditoriums. T-coils are not available in every hearing aid style, and it is best if they are ordered at the time of a hearing aid evaluation.

Low Battery Warning System

When the battery in a hearing aid nears the end of its life, the aid will emit a warning sound to tell the wearer that it is time to change the battery. Most aids have this warning system.

Bluetooth Aspects of Hearing Aids

Today's hearing aids can be "paired" with electronic devices that can create a wireless or Bluetooth interconnection to hearing aids. For example, hearing aids can be paired to smart phones, IPODs, computers, and other electronic devices. That way the acoustic information can be "streamed" directly from the electronic device to the hearing aid. To accomplish streaming, some hearing instruments require an intermediate instrument called a "streamer" and some do not.

Personal Amplification Systems (PSAPs)

These are over-the-counter devices with fewer features than those found in hearing aids. They are primarily designed for those without hearing loss, and are less sophisticated and less costly. There are pros and cons for all styles.

Assistive Listening Devices

There are a number of devices that provide alerting signals to those with hearing loss such as alarms, doorbells, smoke detectors, etc. In addition, there are devices that can send a television signal from a transmitter attached to the television to a receiver worn by the individual with hearing loss. The wearer can control the volume. There are a number of no-cost, speech-to-text telephone systems available for those who have difficulty understanding speech on the telephone, even with a telecoil.

FM Systems

FM (Frequency Modulation) systems are wireless sound transmission systems that transmit sound or speech on a radio frequency. They require a transmitter microphone worn by a speaker or at a sound source and a receiver worn by the listener that is coupled to a hearing aid or a cochlear implant. FM systems can dramatically improve the signal-to-noise ratio in a noisy environment or when listening at a distance from the source.

Over-The-Counter Devices (OTC) (Available in 2018)

OTC devices are direct-to-consumer hearing devices that will likely be sold in electronics outlets. They are intended only for those over the age of 18 years, and are intended for individuals with perceived mild-to-moderate hearing loss. It is still recommended that consumers seek a hearing test and counseling by an audiologist or hearing aid dispenser prior to a purchase of this type.

CONSUMER FACT SHEET: GLOSSARY OF HEARING, HEARING LOSS, AND HEARING AID TERMS

<u>Acoustic gain:</u>	Difference between the input to the microphone of a hearing aid and the output of the receiver in the aid.
<u>AD:</u>	Auris Dextrae = Right ear
<u>Aided Threshold:</u>	Lowest level at which a signal is audible to an individual wearing a hearing aid.
<u>Air-Bone Gap:</u>	Difference in dB between air-conducted (earphone) and bone-conducted (bone oscillator) hearing thresholds for a given frequency in the same ear.
<u>Analog:</u>	In hearing aids, amplification that uses conventional, continually varying signal processing.
<u>AS:</u>	Auris Sinistrum = Left ear
<u>AU:</u>	Aures Unitas - Both ears together
<u>Audiogram:</u>	Graphic representation of threshold of hearing sensitivity as a function of frequency.
<u>Audiologist:</u>	Trained hearing healthcare professional who is licensed to provide diagnostic hearing evaluations and can be licensed to dispense hearing aids. They can also provide rehabilitation of hearing loss and evaluate balance disorders.
<u>Audiometer:</u>	Calibrated electronic equipment designed for the measurement of hearing sensitivity.
<u>Aural Rehabilitation:</u>	A program of treatment designed to help restore communicative function that can result from hearing loss.

<u>Cerumen:</u>	Ear wax; ceruminous gland secretion in the ear canal.
<u>Cochlear Implant:</u>	Surgically implanted device that enables primarily profoundly deaf individuals to perceive sound.
<u>Compression:</u>	Non-linear amplifier gain in hearing aids used to regulate or suppress uncomfortably loud sound.
<u>DAI:</u>	Direct Audio Input - direct input of sound into a hearing aid by means of a hard-wire connection between the hearing aid and an assistive listening device or other sound source.
<u>Decibel (dB):</u>	Unit of sound intensity used in hearing testing.
<u>Digital:</u>	In hearing aids, mathematical signal manipulation that converts analog to digital form.
<u>Earhook:</u>	An aspect of a Behind-The-Ear hearing aid that connects the aid to the earmold tubing.
<u>Ear Impression:</u>	Cast made of the outer ear (concha) for creating a customized hearing aid or earmold.
<u>Frequency:</u>	Number of times a repetitive event occurs in a specified amount of time, e.g. the number of times cycles of a sound wave occurs in one second, expressed in Hertz (Hz). Hearing is typically measured at 250-8000Hz.
<u>Hair Cells:</u>	Sensory cells of the Organ of Corti in the cochlea or inner ear.
<u>Hearing Aid Dispenser:</u>	An individual licensed to fit and dispense hearing aids.
<u>Hearing Aid Evaluation:</u>	A process of choosing suitable hearing aid amplification for a given individual.
<u>Hearing Threshold:</u>	An absolute threshold of hearing sensitivity or the lowest intensity level at which a sound is perceived.

<u>Immittance Audiometry:</u>	A battery of tests that measure the function of the middle ear, including tympanometry.
<u>Listening Check:</u>	Informal assessment of the output of a hearing aid to ensure proper functioning.
<u>Masking:</u>	In audiometry, to introduce sound to one ear while testing the other to eliminate any influence of crossover of sound from the test ear to the nontest ear.
<u>Microphone:</u>	A transducer found in hearing aids that transduces sound waves into electrical signals.
<u>Most Comfortable Loudness:</u>	The intensity level at which sound is perceived to be the most comfortable (MCL)
<u>Multi-Channel Hearing Aid:</u>	A hearing aid in which each of two or more frequency bands can be controlled independently.
<u>Neckloop:</u>	A necklace-size loop of wire that can be plugged into an assistive listening device or receiver, a radio, TV, some computer speakers and some telephones. It generates a magnetic signal that can be received by the hearing aid telecoil and amplified.
<u>Occlusion Effect:</u>	Low-frequency enhancement in the loudness level of bone-conducted signals due to the occlusion of the ear canal.
<u>Pressure Vent:</u>	A small vent in an earmold or hearing aid to provide pressure equalization in the ear canal.
<u>PTA:</u>	Pure Tone Average - the average pure tone threshold at 500Hz, 1000Hz, and 2000Hz.
<u>Receiver:</u>	A device that converts electrical energy into acoustic energy in a hearing aid.
<u>Recruitment:</u>	Increase in the loudness growth rate found in sensorineural hearing loss.

**Speech
Audiometry:**

Speech measurements performed during a standard audiometric evaluation including Speech Recognition (SRT) and Word Recognition testing.

Streamer:

A device that allows for wireless Bluetooth transmission of sound from external devices to hearing aids.

**Uncomfortable
Loudness Level:**

Intensity level at which sound is perceived to be uncomfortable (UCL)

Vent:

A bore made in an earmold or hearing aid that permits the passage of sound and air into the otherwise blocked ear canal

Vestibular:

Pertaining to the balance mechanism (vestibular system)

Volume Control:

Manual or automatic control designed to adjust the output of a hearing instrument.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Update on California Children's Services Data Management System Changes

Alison Grimes will provide an update on the changes that are taking place with the California Children's Services Data Management System.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Department of Consumer Affairs Update - Dean R. Grafilo, Director

Dean R. Grafilo was appointed Director of the Department of Consumer Affairs (DCA) on February 22, 2017. With DCA's executive team, he leads the 40 regulatory entities and other divisions within DCA. Prior to his appointment, Mr. Grafilo was Chief of Staff in the Office of California State Assembly member Rob Bonta since 2012.

Mr. Grafilo, will address the Board and provide an update on DCA.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Discussion and Possible Action regarding Communications with California Children's Services

The Board will continue its previous discussion regarding the lack of access to audiology services through the California Children's Services and how the Board can participate in finding a solution and improving services to consumers.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Discussion and Possible Action on proposed Locked Hearing Aids Disclosure

This agenda item is a placeholder for any potential discussion regarding the topic of Locked Hearing Aids as presented in the Board's 2016 Sunset Report.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Discussion Regarding the Provision of Telehealth Services within the Parameters of the Licensure Act and Business and Professions Code 2290.5

BACKGROUND

Board member Alison Grimes will lead the discussion regarding telehealth services. Are there barriers to providing services to California's consumers? Is there a need for clarification of the Board's position on issues surrounding telehealth service for the Board's licensees?

Below you will find the Board's statement located on its website regarding telehealth and Business and Professions Code 2290.5, the statute which governs telehealth and provide definitions on this topic.

Board website statement:

Telehealth is viewed as a mode of delivery of health care services, not a separate form of practice. There are no legal prohibitions to using technology in the practice of speech-language pathology, audiology, or hearing aid dispensing, as long as the practice is done by a California licensed practitioner. Telehealth is not a telephone conversation, e-mail/instant messaging conversation, or fax; it typically involves the application of videoconferencing or store and forward technology to provide or support health care delivery.

The **standard of care** is the same whether the patient is seen in-person, through telehealth or other methods of electronically enabled health care. Practitioners need not reside in California, as long as they have a valid, current California license.

The **laws** govern the practice of speech-language pathology, audiology, and hearing aid dispensing, and no matter how communication is performed, the standards of care is no more or less. **Practitioners using Telehealth technologies to provide care to patients located in California must be licensed in California and must provide appropriate services and/or treatment to the patient.**

CALIFORNIA LICENSED SPEECH-LANGUAGE PATHOLOGISTS, AUDIOLOGISTS, AND HEARING AID DISPENSERS PRACTICING MEDICINE IN OTHER STATES:

Licensees intending to practice via telemedicine technology to treat patients outside of California should check with other state licensing boards. Most states require practitioners to be licensed, and some have enacted limitations to telemedicine practice or require or offer a special registration for interstate practice.

Business and Professions Code 2290.5

(a) For purposes of this division, the following definitions shall apply:

(1) “Asynchronous store and forward” means the transmission of a patient’s medical information from an originating site to the health care provider at a distant site without the presence of the patient.

(2) “Distant site” means a site where a health care provider who provides health care services is located while providing these services via a telecommunications system.

(3) “Health care provider” means either of the following:

(A) A person who is licensed under this division.

(B) A marriage and family therapist intern or trainee functioning pursuant to Section 4980.43.

(4) “Originating site” means a site where a patient is located at the time health care services are provided via a telecommunications system or where the asynchronous store and forward service originates.

(5) “Synchronous interaction” means a real-time interaction between a patient and a health care provider located at a distant site.

(6) “Telehealth” means the mode of delivering health care services and public health via information and communication technologies to facilitate the diagnosis, consultation, treatment, education, care management, and self-management of a patient’s health care while the patient is at the originating site and the health care provider is at a distant site. Telehealth facilitates patient self-management and caregiver support for patients and includes synchronous interactions and asynchronous store and forward transfers.

(b) Prior to the delivery of health care via telehealth, the health care provider initiating the use of telehealth shall inform the patient about the use of telehealth and obtain verbal or written consent from the patient for the use of telehealth as an acceptable mode of delivering health care services and public health. The consent shall be documented.

(c) Nothing in this section shall preclude a patient from receiving in-person health care delivery services during a specified course of health care and treatment after agreeing to receive services via telehealth.

Telehealth Services

August 1, 2017

Page 3

(d) The failure of a health care provider to comply with this section shall constitute unprofessional conduct. Section 2314 shall not apply to this section.

(e) This section shall not be construed to alter the scope of practice of any health care provider or authorize the delivery of health care services in a setting, or in a manner, not otherwise authorized by law.

(f) All laws regarding the confidentiality of health care information and a patient's rights to his or her medical information shall apply to telehealth interactions.

(g) This section shall not apply to a patient under the jurisdiction of the Department of Corrections and Rehabilitation or any other correctional facility.

(h) (1) Notwithstanding any other provision of law and for purposes of this section, the governing body of the hospital whose patients are receiving the telehealth services may grant privileges to, and verify and approve credentials for, providers of telehealth services based on its medical staff recommendations that rely on information provided by the distant-site hospital or telehealth entity, as described in Sections 482.12, 482.22, and 485.616 of Title 42 of the Code of Federal Regulations.

(2) By enacting this subdivision, it is the intent of the Legislature to authorize a hospital to grant privileges to, and verify and approve credentials for, providers of telehealth services as described in paragraph (1).

(3) For the purposes of this subdivision, "telehealth" shall include "telemedicine" as the term is referenced in Sections 482.12, 482.22, and 485.616 of Title 42 of the Code of Federal Regulations.



MEMORANDUM

DATE	August 2, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Hearing Aid Dispenser (HAD) Advertising Guidelines

BACKGROUND

At the May 2017 meeting, the Board decided to continue working on the HAD Advertising proposed regulatory language and delegated the task to Amnon Shalev and Marcia Raggio.

Included in your materials is an updated version of the proposed text for your review and approval.

ACTION REQUESTED

Staff recommends that the Board review, edit, and approve the recommended changes to the modified proposed language regarding HAD advertising regulations for submission to the Office of Administrative Law.

Proposed Language –
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board Meeting
August 10-11, 2017

16 CCR § 1399.127
§ 1399.127. Advertising.

(a) ~~A person licensed to dispense hearing aids dispenser may advertise the fitting and selling of hearing aids any goods or services allowed by the authorized to be provided by such license in the a manner authorized by Section 651 of the Business and Professions Code as long as such the advertising does not promote the unnecessary or excessive use of such goods and/or services.~~

~~(b) An advertisement for fitting and selling hearing aids and/or other authorized services is false, fraudulent misleading, or deceptive in violationes of Section 651 of the code when if it violates any provision of Article 8, Chapter 5.3 of Division 2 of the Code, beginning with Section 2538.10.:~~

~~(c) Advertising by a person licensed to dispense hearing for the purpose of fitting and selling hearing aids or other authorized services shall include the following information:~~

~~(1) The name and established retail business address(es) of the hearing aid dispenser registered with the Board pursuant to Business and Professions Code, Section 2538.34 or the name and address of the principal place of business of the licensed dispensing audiologist as required by Business and Professions Code, section 2538.4. Is not exact, and any conditions or other variables to an advertised price are not disclosed.~~

~~(2) The license number of the person licensed to dispense hearing aids, including the letters HA (Hearing Aid Dispenser), HTL (Temporary License), HT (Trainee), or AU (Dispensing Audiologist), as appropriate. Includes a statement of price comparison that is not based upon verifiable data.~~

~~(d) In addition to any false, fraudulent, misleading, or deceptive statements, claims or images prohibited under Section 651 of the Business and Professions Code, an advertisement for fitting and selling hearing aids shall not include:~~

~~(1) An educational degree that was not earned and does not specify the exact degree and field in which the degree was earned.~~

~~(2) Other than for a physician or surgeon licensed in this state, the title Dr. without specifying the exact field in which the doctoral degree was earned.~~

~~(3) A job title or dispensers certification by a professional organization that is not clearly identified by the full job title or certification and name of certifying organization. Advertises a discount in a false or misleading manner, including but not limited to, failing to disclose the dates on which the sale or discount price will be in effect if the sale or discount price is a limited time offer.~~

~~(4) An offer to perform a hearing test that does not clearly state that the test is being performed in offer to fit and sell a hearing aid. An offer for authorized services as part of a research and/or field study does not violate this section if no selling of hearing aid occurs following the research or study.~~

~~(5) Any description of services that are required to be performed by a licensed audiologist unless there is a licensed audiologist registered at the advertised address to perform those services.~~

~~(6) Preset appointment information when the consumer has not requested such an appointment.~~

~~(e) The use of rebate coupons or rebate checks without informing the consumer of all the variable and material factors relating to the actual price of the devise, and discounts or sales that are currently available on that device is a false, fraudulent misleading, or deceptive advertisement.~~

~~(f) An advertisement of price shall be exact and fully disclose all variables and other material factors.~~

~~(g) An advertisement of price shall not be used to entice the consumer into a more costly transaction than the advertised item or service at the advertised price. An advertisement for price that uses a price comparison shall be based on verifiable data. The licensee shall retain such data~~

for one year after the advertisement is published or disseminated. An advertisement that offers a price discount shall:

(1) List either (A) the dollar amount of the non-discounted fee for the hearing aid or provide consumers with a method to ascertain the actual price, such as the Manufacturer's Suggested Retail Price; or (B) list the dollar amount of the discount, or percentage of the discount, of the specific hearing aid;

(2) Inform the public of the dates on which the sale or discount price will be in effect if the sale or discount price is a limited time offer; and

(3) Inform the specific group who qualify for the discount of any other terms and conditions or restrictions for qualifying for the discount.

(ei) Any national advertisement run in California shall comply with California laws and regulations.

(1) Exempt from said advertising is paragraph (c) of this section.

(2) A hearing aid dispenser will be held liable for sales resulted from a national advertisement that violates this section.

When advertising a specific hearing aid model:

Correct:

50% off Acme Model 12

Regularly \$1000, Now \$500

Incorrect:

50% off Acme hearing aid

When advertising a category of hearing aids (e.g. all models from one manufacturer, or all BTE models):

Correct:

50% off Manufacturer's Suggested Retail Price

All Acme Hearing Aids

Incorrect:

Acme Hearing Aids 50% Off

Correct:

50% off Manufacturer's Suggested Retail Price, All Hearing Aids Offer good January 1-7, 1998 (or Offer expires January 7, 1998)

Incorrect:

50% off Manufacturer's Suggested Retail Price, All Hearing Aids

(4) Utilizes a business name that is so broad as to connote comprehensive and diagnostic hearing services, unless the dispenser is also licensed as a physician or audiologist.

Correct:

Delta Hearing Aid Center

~~Incorrect:~~

~~Delta Hearing Center~~

~~(5) Advertises hearing tests without qualification as to the nature of the hearing testing that may be performed by a hearing aid dispenser.~~

~~Correct:~~

~~Test to determine if you could be helped by a hearing aid~~

~~Incorrect:~~

~~Hearing test~~

~~(6) Includes sending to a consumer preset appointment information or "rebate coupons" that resemble checks as part of a direct mail solicitation.~~

~~(7) Includes an educational degree but does not list the degree and field, or includes the title "Dr." where the degree is a non-medical doctorate and the advertisement does not disclose that fact.~~

~~Correct:~~

~~John Doe, Ph.D. in Audiology~~

~~Jane Doe, M.A. in Audiology~~

~~John Doe, Ph.D. (Audiology)~~

~~Jack Doe, B.A. (Audiology)~~

~~Incorrect:~~

~~Dr. John Doe~~

~~Jane Doe, M.A.~~

~~Dr. John Doe (Audiology)~~

~~Jack Doe, B.A.~~

~~(8) Includes abbreviations for job titles or job certifications as letters after a name where those letters do not represent an academic degree or credential.~~

~~(9) Refers to a dispenser's certification by a professional organization but either does not include the name of the certifying organization or, includes the name written in a manner not easily understood by consumers.~~

~~Correct:~~

~~John Doe, Hearing Aid Dispenser
Lic. No. HA-xxxx~~

~~NB-HIS, Certified by the National Board of Certification in
Hearing Instrument Sciences~~

~~Incorrect:~~

~~John Doe, NB-HIS~~

~~(10) Includes the term "specialist" when referencing licensure without including the title "hearing aid dispenser."~~

~~Correct:~~

~~Jane Doe, Hearing Aid Dispenser Lic. No. HA-xxxx~~

~~Jack Doe, Licensed Hearing Aid Dispenser~~

~~John Doe, Hearing Instrument Specialist~~

~~Hearing Aid Dispenser Lic. No. HA-xxxx~~

~~Incorrect:~~

~~Jane Doe, Hearing Aid Specialist Lic. No. HA-xxxx~~

~~Jack Doe, Licensed Hearing Aid Specialist~~

Note: Authority cited: Section 3328, Business and Professions Code. Reference: Sections 651, 651.3, 2538.4, 2538.10, and 2534.34 ~~3404~~, Business and Professions Code.



MEMORANDUM

DATE	August 2, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Speech-Language Pathology Assistant Regulations

BACKGROUND

The SLPA regulations were required to go out for a 15-day comment period to comply with the clarity and necessity standards of the Administrative Procedures Act (APA). Comments were submitted by the public during the 15-day comment period and Board staff worked on recommended responses to those comments.

Included in your materials are the recommended responses for your review and approval.

ACTION REQUESTED

Staff recommends that the Board review, edit, and approve the recommended responses to the comments submitted during the 15-day comment period for resubmission to the Office of Administrative Law.

Speech-Language Pathology and Audiology and
Hearing Aid Dispensers Board Meeting, August 10-11, 2017

**SUMMARY AND SUGGESTED RESPONSE TO COMMENTS RECEIVED DURING
THE SECOND 15-DAY COMMENT PERIOD:**

1. Comments from Louise Valente, MSPA, CCC-SP, Director of Staffing at Pacific Coast Speech Services

Here are my questions as an employer of SLPAs.

1. Suppose that you have a clinician who begins working for an employer (e.g. a district or NPA). Under this legislation, it appears the SLPA would need 20% immediate supervision for the first 90 days at whatever school they serve. I don't really understand what this means from an employer standpoint. Are you saying that every time that SLPA changes job sites while in my employ they return to 20% hands-on supervision? If they have served an elementary school, and they move to a different elementary school, do they return to 20% supervision? If they have served in an elementary school in a neighboring district, do I need to supervise them in my district at 20% for the first 90 days?

This comment is rejected.

The Board deems this comment irrelevant because the comment is not specific to the modified text that was noticed, but rather the prior proposed text and was addressed at that time.

2. My biggest concern is enforcement. As someone who works in many districts in the state, I know that most are aware that SLPAs must have a supervisor of record. In general, I think that the intentions of districts are to manage their SLPAs appropriately, but they have no information as to what "appropriate" is. I would recommend that the supervisor of a SLPA designate the contact information for their special ed director/coordinator as well as their human resources coordinator. In my opinion, they should be co-signing the Supervisor Responsibility form. In my opinion, the board should create a brief brochure on the rules of supervision that is directed to a district administrator. What can a SLPA do, and not do? What is the answer to question #1 above? What is the district's responsibility when a SLPA is moved to a new setting? Must an SLP be onsite when a SLPA is working? What about a SLPA that is given a new school assignment mid-year: should the supervisor of record be required to visit and review that site's needs?

This comment is rejected.

The Board deems this comment irrelevant because the comment is not specific to the modified text that was noticed but rather the prior proposed text and was addressed at that time.

3. I also think that it is CRITICAL that anonymous reporting of violations be easily available on the website. Without a "penalty" for violation and clear and direct instruction to the

administrators, regular misuses continue to occur due to staffing changes, lack of information, or financial pressure. The consumer is NOT protected. An anonymous report should result in a reissuance of the rules brochure, and a statement regarding the possibility of penalties. Without “teeth”, the rules do not protect the consumer.

This comment is rejected.

The Board deems this comment irrelevant because the comment is not specific to the modified text that was noticed, but rather the prior proposed text and was addressed at that time.



MEMORANDUM

DATE	August 2, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	General Rules Regarding Fingerprint Requirements

BACKGROUND

At its May 2017 meeting, the Board approved updated language and edits recommended by legal counsel to implement general rules regarding fingerprint requirements. Board staff has made the approved edits to the proposed language.

Included in your materials is an updated version for your review and approval.

ACTION REQUESTED

Staff recommends that the Board review, edit, and approve the recommended changes to the modified proposed language regarding General Rules Regarding Fingerprint Requirements regulations for submission to the Office of Administrative Law.

Proposed Language --
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
Meeting
August 10-11, 2017

The Proposed Language is all new text.

1. Add Section 1399.112 to Title 16 of the California Code of Regulations, Division 13.3, Article 2, to read as follows:

Section 1399.112. Requirements for Renewal of License. ~~Petition for Hearing~~

(a) For a license that expires after June 30, 2018, as a condition of renewal, an applicant for renewal not previously electronically fingerprinted by the Board, or for whom an electronic record of the submission of fingerprints has never or no longer exists in the Department of Justice's criminal offender record identification database for use by and accessible to the Board, is required to furnish to the Department of Justice, as directed by the board, a full set of electronic fingerprints for the purpose of conducting a criminal history record check and to successfully complete a state and federal level criminal offender record information search conducted through the Department of Justice. The licensee shall certify on the renewal application whether the fingerprints have been electronically submitted.

(b) The licensee shall pay any costs of complying with (a).

(c) This requirement is waived if the licensee is renewed in an inactive status, or is actively serving in the military outside the country. However, a licensee who seeks to reactivate an inactive license must first comply with the fingerprint submission process as noted above in order to be eligible to return the license to active status.

(d) A licensee directed by the Board to comply with the requirement for fingerprint submission in (a) shall retain, for at least three years from the renewal date, either a receipt showing the electronic transmission of his or her fingerprints to the Department of Justice, or a receipt evidencing that the licensee's fingerprints were submitted

(e) For a license that expires after June 30, 2018, as a condition of license renewal, a licensee shall disclose whether he or she, since he or she last renewed his or her license, has been convicted of any violation of the law in this or any other state, the United States, or other country, omitting traffic infractions under \$500 not involving alcohol, dangerous drugs, or controlled substances.

(f) For a license that expires after June 30, 2018, as a condition of renewal, a licensee shall disclose on the renewal application whether, since he or she last renewed his or her license, he or she has had a license disciplined by a government agency or other disciplinary body. Discipline includes, but is not limited to, suspension, revocation, voluntary surrender, probation, reprimand, or any other restriction on a license or registration held

(g) Failure to comply with the requirements of this section renders any renewal incomplete and the license will not be renewed until the licensee demonstrates compliance with all requirements.

(h) Failure to furnish a full set of fingerprints to the Department of Justice as required by this section on or before the date required for renewal of a license is grounds for discipline by the Board.

NOTE: Authority cited: Section, 2531.95, Business and Professions Code. Reference: Sections 144, 2538.24, and 2538.54, Business and Professions Code, and Section 11105, Penal Code.

2. Add Section 1399.151.2 to Title 16 of the California Code of Regulations, Division 13.4, Article 2, to read as follows:

Section 1399.151.2. Requirements for Renewal of License.

(a) For a license that expires after June 30, 2018, as a condition of renewal, an applicant for renewal not previously electronically fingerprinted by the Board, or for whom an electronic record of the submission of fingerprints has never or no longer exists in the Department of Justice's criminal offender record identification database for use by and accessible to the Board, is required to furnish to the Department of Justice, as directed by the board, a full set of electronic fingerprints for the purpose of conducting a criminal history record check and to successfully complete a state and federal level criminal offender record information search conducted through the Department of Justice. The licensee shall certify on the renewal application whether the fingerprints have been electronically submitted.

(b) The licensee shall pay any costs of complying with (a).

(c) This requirement is waived if the licensee is renewed in an inactive status, or is actively serving in the military outside the country. However, a licensee who seeks to reactivate an inactive license must first comply with the fingerprint submission process as noted above in order to be eligible to return the license to active status.

(d) A licensee directed by the Board to comply with the requirement for fingerprint submission in (a) shall retain, for at least three years from the renewal date, either a receipt showing the electronic transmission of his or her fingerprints to the Department of Justice, or a receipt evidencing that the licensee's fingerprints were submitted

(e) For a license that expires after June 30, 2018, as a condition of license renewal, a licensee shall disclose whether he or she, since he or she last renewed his or her license, has been convicted of any violation of the law in this or any other state, the United States, or other country, omitting traffic infractions under \$500 not involving alcohol, dangerous drugs, or controlled substances.

(f) For a license that expires after June 30, 2018, as a condition of renewal, a licensee shall disclose on the renewal application whether, since he or she last renewed his or her license, he or she has had a license disciplined by a government agency or other

disciplinary body. Discipline includes, but is not limited to, suspension, revocation, voluntary surrender, probation, reprimand, or any other restriction on a license or registration held

(g) Failure to comply with the requirements of this section renders any renewal incomplete and the license will not be renewed until the licensee demonstrates compliance with all requirements.

(h) Failure to furnish a full set of fingerprints to the Department of Justice as required by this section on or before the date required for renewal of a license is grounds for discipline by the Board.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 144 and 2531.4, Business and Professions Code, and Section 11105, Penal Code



MEMORANDUM

DATE	August 2, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Hearing Aid Dispenser Examination – Proposed Regulatory Language

BACKGROUND

Hearing aid dispenser examination regulations currently limit the number of applicants for any practical examination to 50 candidates. Current filing requirements are outdated and restrictive. Board staff have provided proposed language to clarify and align the regulation with current processes.

Staff will be providing you with proposed text for your review and approval at the Board meeting.

ACTION REQUESTED

Staff recommends that the Board review, edit, and approve the recommended changes to the proposed language regarding HAD examination regulations for submission to the Office of Administrative Law.



Proposed Language –
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
Meeting
August 10-11, 2017

Division 13.3.

Article 4. Examinations

§ 1399.120. Examinations

- (a) Either essay type or objective type examinations or both may be used in any one or more of the subject areas in which an applicant is to be examined.
- (b) Each applicant is forbidden to place any identification marks on or in any of the answer sheet or to reveal his or her name to any examiner.
- (c) The applicant is forbidden to take the questions from the examination room or make any record of the questions.
- (d) Anyone cheating will be removed from the examination room.
- (e) An applicant who wishes to take the practical examination shall file a completed application with the Board, ~~not sooner than 51 days nor later than 30~~ beginning forty-five (45) days prior to the date set for of the examination. for which application is made. ~~The Board will not accept any Applications will be accepted in the order received less than thirty (30) days from the date of the examination. A maximum number of candidates will be determined by the Board for each examination. by the Board, provided, however, that a maximum of fifty applicants will be scheduled for any administration of the practical examination. Applications will be returned to all those who are not within the first fifty applicants.~~
- (f) The practical examination shall cover the procedures and use of instruments and equipment commonly employed in the fitting and selling of hearing aids, including but not limited to:
 - (1) Otoscope for the visual examination of the entire ear canal;
 - (2) Pure tone discreet or sweep frequency threshold type audiometer with air and bone conduction and appropriate masking circuitry;
 - (3) Appropriate equipment for establishing speech reception threshold and speech discrimination scores through headphones and/or sound field media by recorded or live voice;
 - (4) Calibrated sound pressure instruments, master hearing aids, and any and all types of hearing aid simulators;
 - (5) Equipment designed for the evaluation and testing of hearing aid performance;
 - (6) Stethoscope or other listening device.
- (g) An applicant shall furnish all equipment and materials necessary for the practical examination, and shall ~~either bring a subject for the ear impression and audiometric assessment portions of the practical examination, or shall serve as such a subject for a subsequent examinee.~~

Note: Authority cited: Section 2531.06, Business and Professions Code. Reference: Section 2538.25, Business and Professions Code.

§ 1399.121. Inspection of Examination Papers.

~~All written examination papers shall be retained by the Board for a period of two years after the date of the examination.~~

Note: Authority cited: Section 2531.06, Business and Professions Code. Reference: Section 2538.25, Business and Professions Code.

§ 1399.122. Practical Examination Appeals.

(a) An applicant who has failed the practical examination may appeal to the Board within ~~sixty~~ thirty (30) days following receipt of his/her examination results. The bases for appeal are:

(1) ~~e~~Examiner misconduct, which means prejudice or bias as evidenced by the statements and/or actions of an examiner; and

(2) ~~s~~Significant procedural error in the examination process.

(b) The appeal shall be in writing, signed, and shall specify the ~~grounds upon which the basis of the appeal is based.~~

(c) An applicant will be notified in writing of the results of the appeal. In acting on appeals, the Board may take such action as it deems appropriate.

Note: Authority cited: Section 2531.06, Business and Professions Code. Reference: Section 2538.25, Business and Professions Code.



MEMORANDUM

DATE	August 2, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Notice to Consumers Proposed Regulatory Language

BACKGROUND

The Board's Strategic Goal regarding outreach is that consumers and other stakeholders are educated and informed about the practices and laws and regulations governing the professions of speech-language pathology and audiology and hearing aid dispensing. Board Objective 3.1 is to ***require practitioners to display a consumer notice at the practitioner's point of service regarding the roles and responsibilities of the Board.***

At its May 2017 meeting, the Board expressed its desire to promulgate regulations that require its licensees to give notice to consumers regarding the Board's oversight of its licensees.

Included in your materials is the proposed language for your review and approval.

ACTION REQUESTED

Staff recommends that the Board review, edit, and approve the recommended changes to the proposed language regarding the Notice to Consumers regulations for submission to the Office of Administrative Law.

Proposed Language --
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
Meeting
August 10-11, 2017

Notice to Consumers

The proposed language is all new text

Add Section 1399.129. of Division 13.3, Title 16 of the California Code of Regulations to read as follows:

Article 5. Miscellaneous

1399.129. Notice to Consumers ~~Application and Certificate Fees~~

- (a) A licensee engaged in the practice of Hearing Aid Dispensing shall provide notice to each client of the fact that the licensee is licensed and regulated by the Board. The notice shall include the following statement and information:

NOTICE TO CONSUMERS

Hearing Aid Dispensers, Hearing Aid Temporary Licensees, and Hearing Aid Trainees

are licensed and regulated by the Speech-Language

Pathology & Audiology & Hearing Aid Dispensers Board

(916) 263 2666

www.speechandhearing.ca.gov

- (b) The notice required by this section shall be provided by one of the following methods:

(1) Prominently posting the notice in an area visible to clients on the premises where the licensee provides the licensed services, in which case the notice shall be in at least 48-point type in Arial font.

(2) Including the notice in a written statement, signed and dated by the client or the client's representative and retained in the client's records stating the client understands that the licensee is licensed and regulated by the Board.

(3) Including the notice in a statement on letterhead, discharge instructions, or other document given to a client or the client's representative, where the notice is placed immediately above the signature line for the client in at least 14-point type.

NOTE: Authority cited: Section 2531.95 ~~3328~~, Business and Professions Code;
Reference: Section 138 ~~3346~~, Business and Professions Code.

Add Section 1399.157.1. of Division 13.4, Title 16 of the California Code of Regulations to read as follows:

Article 8. Miscellaneous

1399.157.1. Notice to Consumers~~Professional Corporation Fees~~

(a) A licensee engaged in the practice of Speech-Language Pathology shall provide notice to each patient of the fact that the licensee is licensed and regulated by the Board. The notice shall include the following statement and information:

NOTICE TO CONSUMERS

Speech-Language Pathologists, Speech-Language Pathology Assistants,
Required Professional Experience, and Speech-Language Pathology Aides are licensed
and regulated

by the Speech-Language Pathology & Audiology &

Hearing Aid Dispensers Board

(916) 263 2666

www.speechandhearing.ca.gov

(b) A licensee engaged in the practice of Audiology shall provide notice to each patient of the fact that the licensee is licensed and regulated by the Board. The notice shall include the following statement and information:

NOTICE TO CONSUMERS

Audiologists, Dispensing Audiologists, Required Professional Experience, and
Audiology Aides, are licensed and regulated by the Speech-Language Pathology

& Audiology & Hearing Aid Dispensers Board

(916) 263 2666

www.speechandhearing.ca.gov

(c) The notice required by this section shall be provided by one of the following methods:

(1) Prominently posting the notice in an area visible to patients on the premises where the licensee provides the licensed services, in which case the notice shall be in at least 48-point type in Arial font.

(2) Including the notice in a written statement, signed and dated by the patient or the patient's representative and retained in that patient's records, stating the patient understands that the licensee is licensed and regulated by the Board.

(3) Including the notice in a statement on letterhead, discharge instructions, or other document given to a patient or the patient's representative, where the notice is placed immediately above the signature line for the patient in at least 14-point type.

NOTE: Authority cited: Sections ~~2531.95~~ ~~2531.25~~, ~~2536.7~~ and ~~2537.7~~ Business and Professions Code; Reference: Sections 138, ~~2536.3~~, ~~2536.4~~, ~~2537.1~~, ~~2537.3~~ and ~~2537.4~~ Business and Professions Code.



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Executive Officer Report

This report and the statistical information provided by staff, is to update you on the current operations of the Board.

Administration/Personnel/Staffing

In late July, Anita Joseph accepted an employment offer with the Department of Industrial Relations. This new assignment is a well-deserved, promotional opportunity for Anita and we wish her great success in her new job. Anita was with the Board for approximately three years and was a key member of our enforcement staff. She played a vital role in clearing the backlog of investigations and disciplinary cases and helped the Board meet most of its enforcement measures. We are beginning the recruitment process and hope to fill the vacant position within the next six to eight weeks.

We are in the process of filling the Board's vacant administrative assistant and licensing analyst positions. We have selected two candidates and are awaiting final clearance from Human Resources and background checks before they can begin working in the Board office.

Board Budget

DCA Budget staff will be present to discuss the Board's budget. Included in your Board materials are reports from the DCA Budget Office which include:

1. Analysis of the Board's Fund Condition
2. Board Revenue Projection Reports
3. Expenditure Projection

These reports reflect month 12 of the 2016-17 budget year. Based on these reports, the Board is projected to collect slightly over \$2 million in revenue and expend \$1.9 million. This leaves the Board with a surplus of \$181,185 which will be reverted to the Board's fund. The Board's revenue increased in line with the increase in the number of licensees.

Licensing/Exams/Enforcement

Included in your Board materials are statistical reports for your review. Management and staff will be present at the Board meeting to answer any questions you have regarding these reports.

Licensing – In the fourth quarter of 2016-17, licensing cycle times were greatly impacted by the Board's vacancies. To lessen licensing delays and prevent backlogs, licensing staff worked overtime. The chart below represents the Board's licensing timeframes for completed applications received during the specified period:

Licensing Cycle Times	8/1/16	11/1/16	2/1/17	5/1/17	8/1/17
SLP and Audiologists Complete Licensing Applications	2 weeks	1 week	2 weeks	3 weeks	4 weeks
Review and Process SLP and Audiologist Supporting Licensing Documents	3 weeks	1 week	2 weeks	3 weeks	6 weeks
Review and Process RPE Applicant's Verification Forms for Full Licensure	2 weeks	1 week	2 weeks	2 weeks	3 weeks
Hearing Aid Dispensers Applications	Current	Current	Current	3 weeks	3 weeks

Practical Examinations – Included in your Board materials are statistical summaries from our most recent HAD practical examination that was held on March 18, 2017 and June 3, 2017.

Enforcement – The number of complaints and convictions received by the Board is still on pace with last year's numbers, we should see a slight increase in both areas based on our projections.

There are currently 16 formal discipline cases pending with the Attorney General's Office. The Board is currently monitoring 32 probationers. Eight probationers require drug or alcohol testing and eight are in a tolled status.

The following disciplinary actions have been adopted by the Board during the fiscal year 2016-17:

Name	License No.	License Type	Case No.	Eff. Date	Action Taken
Moreland, Michele	HA 7507	Hearing Aid Dispenser	1C 2012 40	6/30/17	Revocation Stayed, 5 yrs Probation, Specified Terms & Conditions

Executive Officer Report
 August 1, 2017
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Name	License No.	License Type	Case No.	Eff. Date	Action Taken
Bennett, Robert	HA 7365	Hearing Aid Dispenser	1C 2012 29	6/21/17	Revocation Stayed, 5 yrs Probation, Specified Terms & Conditions
Ball, John Kiely	HA 7244	Hearing Aid Dispenser	D1 2009 29	6/19/17	Revocation of License while on Probation
Nelson, Marion	HA 7416	Hearing Aid Dispenser	1C 2011 65	5/9/17	Stipulated Surrender of License
Moore, Mark	HA 2425	Hearing Aid Dispenser	1C 2012 17	4/10/17	Stipulated Surrender of License
Hamburger, Howard	AU 2092	Audiologist	1I 2014 29	3/16/17	Revocation Stayed, 5 yrs Probation, Specified Terms & Conditions
Dorian, Peter	AU 244	Audiologist	1I 2013 47	2/5/17	Stipulated Surrender of License
Nau, Kerry	SP 20285	Speech-Language Pathologist	1I 2015 60	1/20/17	Revocation Stayed, 3 yrs Probation, Specified Terms & Conditions
Petersen, Christine	SP 9045	Speech-Language Pathologist	1I 2012 55	1/19/17	Revocation Stayed, 4 yrs Probation, Specified Terms & Conditions
Rose, Mary Ann	SP 6997	Speech-Language Pathologist	1I 2014 30	12/29/16	Revocation of License
Yeghikian, Leeza	SPA 3237	Speech-Language Pathology Assistant	1I 2014 33	12/9/16	Revocation Stayed, 4 yrs Probation, Specified Terms & Conditions
Riley, Linda	AID 1293	Audiology Aide	1I 2015 35	10/10/16	Revocation of License
Parks, David	HA 1585	Hearing Aid Dispenser	1C 2015 41	9/6/16	Revocation Stayed, 4 yrs Probation, Specified Terms & Conditions
Palmer, Reeda	SP 14379	Speech-Language Pathologist	1I 2008 26	8/29/16	Surrender of License During Probation
Swanson, Robin	HA 3104	Hearing Aid Dispenser	1C 2012 98	8/15/16	Revocation Stayed, 3 yrs Probation, Specified Terms & Conditions

Executive Officer Report

August 1, 2017

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Name	License No.	License Type	Case No.	Eff. Date	Action Taken
Krone, Elizabeth	HA 2662	Hearing Aid Dispenser	1C 2012 85	8/15/16	Revocation Stayed, 3 yrs Probation, Specified Terms & Conditions
Wolff, Linda	AU 2177	Audiologist	1I 2013 19	8/8/16	Revocation Stayed, 3 yrs Probation, Specified Terms & Conditions
Vega, Paige Roschelle	SP 21885	Speech-Language Pathologist	1I 2014 70	7/27/16	Revocation Stayed, 4 yrs Probation, Specified Terms & Conditions
Lee, Kwang Ho (Ken)	HA 7552	Hearing Aid Dispenser	1C 2012 62	7/15/16	Revocation Stayed, 3 yrs Probation, Specified Terms & Conditions
Rose, Mary Ann	SP 6997	Speech-Language Pathologist	1I 2014 30	12/29/16	Revocation of License

**0376 - Speech-Language Pathology and
Audiology and Hearing Aid Dispensers Board
Analysis of Fund Condition**

Prepared 8/1/2017

**2017 Budget Act
FM 12 Projections**

	ACTUAL 2015-16	PY 2016-17	CY 2017-18	BY 2018-19	BY+1 2019-20	BY+2 2020-21
BEGINNING BALANCE	\$ 1,498	\$ 1,824	\$ 1,893	\$ 1,734	\$ 1,536	\$ 1,297
Prior Year Adjustment	\$ 21	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,519	\$ 1,824	\$ 1,893	\$ 1,734	\$ 1,536	\$ 1,297
REVENUES AND TRANSFERS						
Revenues:						
125600 Other regulatory fees	\$ 27	\$ 135	\$ 18	\$ 18	\$ 18	\$ 18
125700 Other regulatory licenses and permits	\$ 504	\$ 468	\$ 431	\$ 431	\$ 431	\$ 431
125800 Renewal fees	\$ 1,397	\$ 1,429	\$ 1,435	\$ 1,435	\$ 1,435	\$ 1,435
125900 Delinquent fees	\$ 20	\$ 22	\$ 18	\$ 18	\$ 18	\$ 18
150300 Income from surplus money investments	\$ 7	\$ 11	\$ 5	\$ 5	\$ 4	\$ 1
161000 Escheat of unclaimed checks and warrants	\$ 2	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8
161400 Miscellaneous revenues	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1
Totals, Revenues	\$ 1,958	\$ 2,074	\$ 1,916	\$ 1,916	\$ 1,915	\$ 1,912
Totals, Resources	\$ 3,927	\$ 3,898	\$ 3,809	\$ 3,650	\$ 3,451	\$ 3,209
EXPENDITURES						
Disbursements:						
1111 Program Expenditures (State Operations) -	\$ -	\$ 1,905	\$ 1,940	\$ 1,979	\$ 2,019	\$ 2,059
8880 Financial Information System for CA (State Operations)	\$ 4	\$ 3	\$ 2	\$ 2	\$ 2	\$ 2
9900 - Statewide General Administrative Expenditures (Pro Rata)	\$ -	\$ 97	\$ 133	\$ 133	\$ 133	\$ 133
Total Disbursements	\$ 2,103	\$ 2,005	\$ 2,075	\$ 2,114	\$ 2,154	\$ 2,194
FUND BALANCE						
Reserve for economic uncertainties	\$ 1,824	\$ 1,893	\$ 1,734	\$ 1,536	\$ 1,297	\$ 1,015
Months in Reserve	10.9	10.9	9.8	8.6	7.1	5.4

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ONGOING
- B. ASSUMES APPROPRIATION GROWTH OF 2% IN BY+1 AND ONGOING
- C. INTEREST ON FUND ESTIMATED AT .3%

Revenue Projection

2016-17

		FY 14-15		FY 15-16		FY 16-17		
		6/30/15 YTD	Month 13	6/30/16 YTD	Month 13	Budgeted	6/30/17 YTD	Projection
Speech Reimbursements:								
991937		\$ 22,350	\$ 22,350	\$ 36,294	\$ 36,294	\$ 33,000	\$ 45,635	\$ 45,635
991937 01	Scheduled Reimbursements/Fingerpri	\$ 17,885	\$ 17,885	\$ 30,184	\$ 30,184		\$ 41,405	\$ 41,405
991937 02	Scheduled Reimbursements/External	\$ 4,465	\$ 4,465	\$ 6,110	\$ 6,110		\$ 4,230	\$ 4,230
995988		\$ 6,986	\$ 6,986	\$ 25,398	\$ 25,398	\$ -	\$ 30,846	\$ 30,846
995988 00	Unsch - External/Other	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
995988 01	Unsch - Investigative Cost Recovery	\$ 6,986	\$ 6,986	\$ 25,398	\$ 25,398		\$ 30,846	\$ 30,845
Total Reimbursements:		\$ 29,336	\$ 29,336	\$ 61,692	\$ 61,692	\$ 33,000	\$ 76,481	\$ 76,481
Speech Revenue:								
125600		\$ 16,905	\$ 16,905	\$ 17,821	\$ 17,821	\$ 15,000	\$ 19,616	\$ 19,616
125600 SD	*Letter of Good Standing	\$ 5,880	\$ 5,880	\$ 6,010	\$ 6,010	\$ -	\$ 6,830	\$ 6,830
125600 5H	Citation and Fine	\$ 2,000	\$ 2,000	\$ 2,786	\$ 2,786	\$ -	\$ 2,111	\$ 2,111
125600 5T	Duplicate Renewal License	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125600 5W	Duplicate License	\$ 9,025	\$ 9,025	\$ 9,025	\$ 9,025	\$ -	\$ 10,675	\$ 10,675
125700		\$ 115,667	\$ 115,667	\$ 128,773	\$ 128,773	\$ 130,000	\$ 141,181	\$ 141,181
125700 D8	Cont. Prof. Develop Provider	\$ 4,600	\$ 4,600	\$ 4,600	\$ 4,600		\$ 3,800	\$ 3,800
125700 H2	Temporary License- SP	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125700 H3	Temporary License- AU	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125700 N1	**Speech Assistant App. Fee	\$ 28,600	\$ 28,600	\$ 31,050	\$ 31,050		\$ 27,949	\$ 27,949
125700 01	Refunded Reimbursements	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125700 5S	Application Fee - Speech	\$ 45,500	\$ 45,500	\$ 52,885	\$ 52,885		\$ 61,075	\$ 61,075
125700 5T	Initial License Fee - Speech	\$ 31,900	\$ 31,900	\$ 36,375	\$ 36,375		\$ 42,500	\$ 42,500
125700 5U	Aide Registration	\$ 530	\$ 530	\$ 620	\$ 620		\$ 590	\$ 590
125700 5V	Application Fee - Audiology	\$ 2,520	\$ 2,520	\$ 2,905	\$ 2,905		\$ 3,150	\$ 3,150
125700 5W	Initial License Fee - Audiology	\$ 1,800	\$ 1,800	\$ 2,075	\$ 2,075		\$ 2,250	\$ 2,250
125700 8V	App Fee - Dispensing Audiologist \$2	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125700 90	Over/Short Fees	\$ 52	\$ 52	\$ 571	\$ 571		\$ 501	\$ 501
125700 91	Suspended Revenue	\$ 335	\$ 335	\$ 220	\$ 220		\$ 100	\$ 100
125700 92	Prior Year Revenue Adjustment	\$ (170)	\$ (170)	\$ (2,528)	\$ (2,528)		\$ (734)	\$ (734)
125800		\$ 803,707	\$ 803,462	\$ 852,170	\$ 851,620	\$ 889,000	\$ 866,742	\$ 866,742
125800 A2	Temp Lic Renewal - SP	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125800 A3	Revelal-Temporary License AU	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125800 A6	SPA Assistant Renewal	\$ 68,770	\$ 68,770	\$ 75,380	\$ 75,380		\$ 92,325	\$ 92,325
125800 BJ	Biennial Renewal Fee - SP	\$ 663,071	\$ 663,071	\$ 734,220	\$ 734,220		\$ 736,905	\$ 736,905
125800 BK	Biennial Renewal Fee - AU	\$ 60,610	\$ 60,610	\$ 29,810	\$ 29,810		\$ 24,310	\$ 24,310
125800 RM	Continuing Prof. Devel. Renew	\$ 11,000	\$ 11,000	\$ 12,200	\$ 12,200		\$ 12,400	\$ 12,400
125800 8V	Biennial Renewal - DAU	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125800 8W	Ann Ren-Dispensing Audiologist	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125800 90	Over/Short Fees	\$ 11	\$ 11	\$ 10	\$ 10		\$ 11	\$ 11
125800 C1	Automated Revenue Refund Claim	\$ 245	\$ -	\$ 550	\$ -		\$ 791	\$ 791
125900		\$ 16,875	\$ 16,875	\$ 16,675	\$ 16,675	\$ 15,000	\$ 16,975	\$ 16,975
125900 DE	Delinq. Renewal - SPA	\$ 2,925	\$ 2,925	\$ 2,275	\$ 2,275		\$ 2,550	\$ 2,550
125900 5U	Delinq. Renewal - SP	\$ 13,300	\$ 13,300	\$ 13,950	\$ 13,950		\$ 13,950	\$ 13,950
125900 5V	Delinq. Renewal - AU	\$ 650	\$ 650	\$ 450	\$ 450		\$ 475	\$ 475
125900 8V	Delinq. Renewal - DAU	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
142500		\$ 445	\$ 445	\$ -	\$ -	\$ -	\$ -	\$ -
142500	Misc. Services to the Public	\$ 445	\$ 445	\$ -	\$ -		\$ -	\$ -
150300		\$ 2,409	\$ 3,409	\$ 5,263	\$ 7,205	\$ 5,000	\$ 10,816	\$ 10,816
150300 00	Income from Surplus Money Invest.	\$ 2,409	\$ 3,409	\$ 5,263	\$ 7,205		\$ 10,816	\$ 10,816
161000		\$ 604	\$ 604	\$ 839	\$ 839	\$ 2,000	\$ 1,639	\$ 1,639
161000 02	Revenue Cancelled Warrants	\$ 604	\$ 604	\$ 839	\$ 839		\$ 1,639	\$ 1,639
161400		\$ 575	\$ 575	\$ 595	\$ 595	\$ 1,000	\$ 470	\$ 470
161400 91	Dishonored Check Fee	\$ 400	\$ 400	\$ 475	\$ 475		\$ 350	\$ 350
161400 FT	Misc Revenue FTB Collection	\$ 175	\$ 175	\$ 120	\$ 120		\$ 120	\$ 120
Total Revenue:		\$ 957,187	\$ 957,942	\$ 1,022,136	\$ 1,023,528	\$ 1,057,000	\$ 1,057,439	\$ 1,057,439
Total:		\$ 986,523	\$ 987,277	\$ 1,083,828	\$ 1,085,220	\$ 1,090,000	\$ 1,133,920	\$ 1,133,920

HADB
Revenue Projection
 2016-17

Month: Jun

Month Number: 12
 Mos. Remaining: 0

DO NOT INPUT DATA ON THIS SPREADSHEET!

Revenue Code:		FY 14/15		FY 15/16		FY 16/17		
		6/30/15 YTD	Month 13	6/30/16 YTD	Month 13	Budgeted	6/30/17 YTD	Projection
HADB Reimbursements:								
991913		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
991913 00	Scheduled Interdepartmental	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
991937		\$ 441	\$ 441	\$ 588	\$ 588	\$ -	\$ 784	\$ 784
991937 01	Fingerprint Reports	\$ 441	\$ 441	\$ 588	\$ 588	\$ -	\$ 784	\$ 784
991937 02	Scheduled Reimbursements/External	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
995988		\$ 2,025	\$ 2,025	\$ 525	\$ 525	\$ -	\$ -	\$ -
995988 01	Unsch - Investigative Cost Recovery	\$ 2,025	\$ 2,025	\$ 525	\$ 525	\$ -	\$ -	\$ -
Total Reimbursements:		\$ 2,466	\$ 2,466	\$ 1,113	\$ 1,113	\$ -	\$ 784	\$ 784
HADB Revenue:								
125600		\$ 11,405	\$ 11,405	\$ 9,764	\$ 9,764	\$ 3,000	\$ 115,383	\$ 115,383
125600 00	Other Regulatory Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125600 3M	Replacement Lic \$25	\$ 1,075	\$ 1,075	\$ 1,775	\$ 1,775	\$ 2,050	\$ 2,050	\$ 2,050
125600 3N	Official Lic cert \$15	\$ 2,430	\$ 2,430	\$ 720	\$ 720	\$ 570	\$ 570	\$ 570
125600 3R	License Confirmation Letter \$10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125600 5X	Cite and Fine	\$ 7,900	\$ 7,900	\$ 7,269	\$ 7,269	\$ 112,763	\$ 112,763	\$ 112,763
125600 92	Prior Year Adj	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700		\$ 303,418	\$ 303,418	\$ 374,825	\$ 374,825	\$ 295,000	\$ 326,640	\$ 326,640
125700 00	Other Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700 F2	HAD Acct-Written Exam Fee \$225	\$ 81,000	\$ 81,000	\$ 87,975	\$ 87,975	\$ 84,825	\$ 84,825	\$ 84,825
125700 F3	HAD Acct-Practical Exam Fee \$500	\$ 115,000	\$ 115,000	\$ 165,500	\$ 165,500	\$ 127,000	\$ 127,000	\$ 127,000
125700 3N	Initial App Fee - \$75	\$ 19,575	\$ 19,575	\$ 21,750	\$ 21,750	\$ 19,800	\$ 19,800	\$ 19,800
125700 3P	Initial License - \$280	\$ 31,135	\$ 31,135	\$ 47,040	\$ 47,040	\$ 40,320	\$ 40,320	\$ 40,320
125700 3S	CE Provider App - \$50	\$ 25,750	\$ 25,750	\$ 24,500	\$ 24,500	\$ 23,250	\$ 23,250	\$ 23,250
125700 38	Initial Temp Lic \$100	\$ 1,600	\$ 1,600	\$ 1,900	\$ 1,900	\$ 1,000	\$ 1,000	\$ 1,000
125700 39	Initial Branch Lic \$25	\$ 11,000	\$ 11,000	\$ 9,700	\$ 9,700	\$ 7,650	\$ 7,650	\$ 7,650
125700 42	Initial Trainee License - Hearing Aid Disp	\$ 17,400	\$ 17,400	\$ 16,800	\$ 16,800	\$ 16,600	\$ 16,600	\$ 16,600
125700 56	Practical Exam - HAD \$285	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700 59	Written Exam - HAD \$100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700 8V	App Fee-Dispensing Audiologist \$2	\$ 560	\$ 560	\$ 1,400	\$ 1,400	\$ 6,160	\$ 6,160	\$ 6,160
125700 90	Over/Short Fees	\$ 8	\$ 8	\$ 190	\$ 190	\$ 60	\$ 60	\$ 60
125700 91	Suspended Revenue	\$ 1,065	\$ 1,065	\$ -	\$ -	\$ -	\$ -	\$ -
125700 92	Prior Year Adj	(\$ 675)	(\$ 675)	(\$ 1,930)	(\$ 1,930)	(\$ 25)	(\$ 25)	(\$ 25)
125800		\$ 558,132	\$ 558,107	\$ 545,149	\$ 545,099	\$ 558,000	\$ 562,510	\$ 562,510
125800 00	Renewal Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125800 3M	Temp Lic Renewal - \$100	\$ 18,600	\$ 18,600	\$ 18,600	\$ 18,600	\$ 15,500	\$ 15,500	\$ 15,500
125800 3P	Annual Renewal - HAD \$280	\$ 246,682	\$ 246,682	\$ 244,368	\$ 244,368	\$ 256,200	\$ 256,200	\$ 256,200
125800 3T	Branch Lic Renewal - \$25	\$ 14,675	\$ 14,675	\$ 15,850	\$ 15,850	\$ 13,025	\$ 13,025	\$ 13,025
125800 3Y	Bien Ren - P&S - One Time Credit	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125800 8V	Bien Ren - Dispensing Audiologist	\$ 54,150	\$ 54,150	\$ 47,430	\$ 47,430	\$ 47,770	\$ 47,770	\$ 47,770
125800 8W	Ann Ren-Dispensing Audiologist	\$ 224,000	\$ 224,000	\$ 218,850	\$ 218,850	\$ 229,990	\$ 229,990	\$ 229,990
125800 90	Over/Short Fees	\$ -	\$ -	\$ 1	\$ 1	\$ -	\$ -	\$ -
125800 C1	Automated Revenue Refund Claim	\$ 25	\$ -	\$ 50	\$ -	\$ 25	\$ -	\$ -
		FY 14/15		FY 15/16		FY 16/17		

125900		\$ 4,625	\$ 4,625	\$ 3,800	\$ 3,800	\$ 4,000	\$ 5,000	\$ 5,000
125900 00	Deliq. Fees	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
125900 3J	Delq. Ren - HAD \$25	\$ 1,825	\$ 1,825	\$ 1,600	\$ 1,600		\$ 1,950	\$ 1,950
125900 3K	Delq. Ren - Temp Lic HAD \$25	\$ 350	\$ 350	\$ 325	\$ 325		\$ 750	\$ 750
125900 3L	Delq. Ren - Branch Lic \$25	\$ 1,400	\$ 1,400	\$ 825	\$ 825		\$ 1,275	\$ 1,275
125900 8V	Delq. Ren - Dispensing Audiologist	\$ 1,050	\$ 1,050	\$ 1,050	\$ 1,050		\$ 1,025	\$ 1,025
142500		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
142500 90	Misc Services to the Public	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
150300		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
150300 00	Income from Surplus Invest.	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
150500		\$ -	\$ -	\$ 8,084	\$ 8,084	\$ -	\$ -	\$ -
150500 00	Income From Interfund Loan	\$ -	\$ -	\$ 8,084	\$ 8,084		\$ -	\$ -
160400		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
160400 00	Sale of Fixed Assets	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
161000		\$ -	\$ -	\$ 675	\$ 675	\$ -	\$ 6,159	\$ 6,159
161000 02	Revenue Canceled Warrants	\$ -	\$ -	\$ 675	\$ 675		\$ 6,159	\$ 6,159
161400		\$ 130	\$ 130	\$ 125	\$ 125	\$ -	\$ 25	\$ 25
161400 FT	Misc Revenue FTB Collection	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
161400 TB	Misc Revenue FTB	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
161400 00	Misc Revenue	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
161400 90	Misc Income	\$ 80	\$ 80	\$ -	\$ -		\$ -	\$ -
161400 91	Dishonored Check Fee	\$ 50	\$ 50	\$ 125	\$ 125		\$ 25	\$ 25
302080		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
302080 00	Tr From Hearing Aid Dispensers'	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
Totals Revenue:		\$ 877,710	\$ 877,685	\$ 942,422	\$ 942,372	\$ 860,000	\$ 1,015,717	\$ 1,015,717
Total:		\$ 880,176	\$ 880,151	\$ 943,535	\$ 943,485	\$ 860,000	\$ 1,016,501	\$ 1,016,501

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board - 0376
BUDGET REPORT
FY 2016-17 EXPENDITURE PROJECTION

FISCAL MONTH 12

OBJECT DESCRIPTION	FY 2015-16		FY 2016-17				
	ACTUAL	PRIOR YEAR	BUDGET	CURRENT YEAR	PERCENT	PROJECTIONS	UNENCUMBERED
	EXPENDITURES	EXPENDITURES	STONE	EXPENDITURES	SPENT	TO YEAR END	BALANCE
	(MONTH 13)	6/30/2016	2016-17	6/30/2017			
PERSONNEL SERVICES							
Salary & Wages (Staff)	446,072	444,504	523,000	463,473	89%	465,108	57,892
Statutory Exempt (EO)	87,228	87,227	82,000	87,141	106%	87,141	(5,141)
Temp Help Reg (Seasonals)	33,634	33,634	1,000	2,620	262%	2,620	(1,620)
Temp Help (Exam Proctors)	1,114	1,114	0	517	0%	517	(517)
Board Member Per Diem	0		0	0	0%	0	0
Committee Members (DEC)	4,500	4,500	6,000	3,800	63%	3,800	2,200
Overtime	20,036	20,036	5,000	13,980	280%	13,980	(8,980)
Staff Benefits	263,532	263,401	298,000	268,357	90%	268,357	29,643
TOTALS, PERSONNEL SVC	856,116	854,416	915,000	839,888	92%	841,523	73,477
OPERATING EXPENSE AND EQUIPMENT							
General Expense	12,471	12,430	45,000	11,111	25%	12,121	32,879
Fingerprint Reports	29,400	24,843	28,000	34,124	122%	40,949	(12,949)
Minor Equipment	827	827	2,000	4,400	220%	4,400	(2,400)
Printing	6,836	6,799	25,000	7,410	30%	8,084	16,916
Communication	4,630	4,530	18,000	5,051	28%	5,510	12,490
Postage	25,059	27,206	24,000	22,650	94%	24,709	(709)
Insurance	0		0	0	0%	0	0
Travel In State	35,799	33,202	24,000	30,810	128%	33,220	(9,220)
Travel, Out-of-State	0	0	0	0	0%	0	0
Training	50	50	7,000	451	6%	451	6,549
Facilities Operations	63,939	63,832	78,000	64,005	82%	64,112	13,888
Utilities	0	0	0	0	0%	0	0
C & P Services - Interdept.	21,784	21,784	24,000	0	0%	0	24,000
C & P Services - External	1,200	1,200	0	0	0%	0	0
DEPARTMENTAL SERVICES:							
Departmental Pro Rata	119,837	171,000	186,000	186,000	100%	186,000	0
Admin/Exec	107,886	108,000	119,000	119,000	100%	119,000	0
DOI-ProRata Internal	2,949	3,000	3,000	3,000	100%	3,000	0
Communications Division	7,000	7,000	17,000	17,000	100%	17,000	0
PPRD Pro Rata	0	0	1,000	1,000	0%	1,000	0
INTERAGENCY SERVICES:							
Interagency Services	0	10,214	29,000	0	0%	0	29,000
IA w/ OPES	10,214	0	60,000	117,441	196%	130,194	(70,194)
Consolidated Data Center	279	266	10,000	471	5%	494	9,506
DP Maintenance & Supply	6,696	6,696	17,000	2,214	13%	2,214	14,786
Central Admin Svc-ProRata	146,443	146,443	0	0	0%	0	0
EXAM EXPENSES:							
Exam Supplies	0	0	0	0	0%	0	0
Exam Freight	0	0	0	0	0%	0	0
Exam Site Rental	1,618	1,618	8,000	3,950	49%	3,950	4,050
C/P Svcs-External Expert Administrative	28,152	28,152	25,000	12,594	50%	12,594	12,406
C/P Svcs-External Expert Examiners	0	0	0	0	0%	0	0
C/P Svcs-External Subject Matter	101,618	99,434	38,000	75,624	0%	77,285	(39,285)
ENFORCEMENT:							
Attorney General	189,705	189,597	232,000	127,517	55%	144,505	87,495
Office Admin. Hearings	28,530	26,030	22,000	32,430	147%	45,000	(23,000)
Court Reporters	1,094	594	0	743	0%	1,500	(1,500)
Evidence/Witness Fees	15,649	13,989	7,000	8,775	125%	10,000	(3,000)
DOI - Investigations	336,333	342,000	149,000	149,000	100%	149,000	0
MISC:							
Major Equipment	0	0	6,000	0	0%	0	6,000
Other - Clothing & Pers Supp	0	0	0	0	0%	0	0
Special Items of Expense	0	0	0	0	0%	0	0
Other (Vehicle Operations)	0	0	0	0	0%	0	0
TOTALS, OE&E	1,305,998	1,350,736	1,204,000	1,036,771	86%	1,096,292	107,708
TOTAL EXPENSE	2,162,114	2,205,152	2,119,000	1,876,659	89%	1,937,815	181,185
Sched. Reimb. - Fingerprints	(30,184)	(30,772)	(31,000)	(42,189)	136%	(31,000)	0
Sched. Reimb. - Other	(6,110)	(6,110)	(2,000)	(4,230)	212%	(2,000)	0
Distributed	0		0				0
Unsched. Reimb. - Other	(25,398)	(25,923)	0	(30,846)			0
NET APPROPRIATION	2,100,422	2,142,347	2,086,000	1,799,394	86%	1,904,815	181,185
SURPLUS/(DEFICIT):							8.7%

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board

LICENSES ISSUED	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16	FY16/17
AU	55	76	57	89	48	53
DAU	20	19	UA	UA	26	24
AUT	1	1	0	0	0	0
SLP	911	1056	974	1143	1352	1457
SPT	0	0	0	0	0	0
SLPA	346	407	325	550	606	501
RPE	667	727	702	836	834	897
AIDE	44	51	40	48	44	44
CPD	16	9	15	17	22	21
HAD Permanent	91	84	49	92	140	120
HAD Trainee	94	95	139	145	180	152
HAD Licensed in Another State	6	7	5	9	16	16
HAD Branch	192	132	282	426	407	315
TOTAL LICENSES ISSUED	2443	2664	2588	3355	3675	3600

LICENSEE POPULATION	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16	FY16/17
AU	595	609	584	612	556	698
DAU	930	942	971	988	1,045	1,211
<i>Both License Types</i>	<i>1,525</i>	<i>1,551</i>	<i>1,555</i>	<i>1,600</i>	<i>1,601</i>	<i>1,909</i>
AUT	0	0	0	0	0	0
SLP	12,020	12,696	13,285	13,967	14,860	18,024
SPT	0	0	0	0	0	0
SLPA	1,529	1,771	1,969	2,343	2,795	3,752
RPE	665	682	768	802	806	1,174
AIDE	181	120	119	124	133	235
HAD	938	946	913	948	996	1,179
HAD Trainees	97	95	145	160	158	238
HAD Licensed in Another State	6	9	8	7	18	18
HAD Branch Office	627	653	710	821	963	1,409
TOTAL LICENSEES	17,588	18,523	19,472	20,772	22,330	27,938

* New Computation: includes delinquent, inactive, and valid licenses;
CE not adequate; cite/fine holds

March 18, 2017 Hearing Aid Dispensers Practical Examination

Candidate Type	Number of Candidates	Passed	%	Failed	%
Applicants with Supervision (Temporary License)					
HA	33	19	58%	14	42%
AU	1	1	100%		
RPE Aide					
Applicants Licensed in Another State (Temporary License)					
HA	4	2	50%	2	50%
AU	2	2	100%		
Applicants without Supervision					
HA	12	12	100%		
AU	2	2	100%		
RPE					
Total Number of Candidates		Passed	%	Failed	%
		54	70%	16	30%

June 3, 2017 Hearing Aid Dispensers Practical Examination

Candidate Type	Number of Candidates	Passed	%	Failed	%
Applicants with Supervision (Temporary License)					
HA	41	33	80%	8	20%
AU					
RPE					
Aide					
Applicants Licensed in Another State (Temporary License)					
HA	4	2	50%	2	50%
AU					
Applicants without Supervision					
HA	7	7	100%		
AU	2	1	50%	1	50%
RPE					
Total Number of Candidates		Passed	%	Failed	%
		43	80%	11	20%

Speech-Language Pathology Audiology Hearing Aid Dispensers Board

COMPLAINTS AND CONVICTIONS	FISCAL YEAR 2013 - 2014		FISCAL YEAR 2014 - 2015		FISCAL YEAR 2015 - 2016		FISCAL YEAR 2016 - 2017	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Complaints Received	86	41	56	41	74	43	75	59
Convictions Received	6	29	4	27	27	58	15	84
Average Days to Intake	2	2	31	31	2	2	3	2
Closed	104	69	107	46	109	130	76	124
Pending	100	30	55	56	46	31	56	51

Average cycle time from complaint receipt, to the date the complaint an investigator. DCA Performance Measure: Target 5 Days.

INVESTIGATIONS Desk	FISCAL YEAR 2013 - 2014		FISCAL YEAR 2014 - 2015		FISCAL YEAR 2015 - 2016		FISCAL YEAR 2016 - 2017	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Assigned	91	68	59	64	101	101	90	143
Closed	84	63	89	41	107	124	71	118
Average Days to Complete	458	128	339	250	107	138	132	91
Pending	80	28	46	48	42	30	45	39

INVESTIGATIONS DOI	FISCAL YEAR 2013 - 2014		FISCAL YEAR 2014 - 2015		FISCAL YEAR 2015 - 2016		FISCAL YEAR 2016 - 2017	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Assigned	12	5	2	3	0	2	11	9
Closed	20	5	15	2	2	6	5	6
Average Days to Complete	451	503	722	527	392	382	148	709
Pending	19	2	6	3	4	1	11	12

ALL TYPES OF INVESTIGATIONS	FISCAL YEAR 2013 - 2014		FISCAL YEAR 2014 - 2015		FISCAL YEAR 2015 - 2016		FISCAL YEAR 2016 - 2017	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Closed Without Discipline	93	60	83	37	93	112	69	111
Cycle Time - No Discipline	470	152	347	234	74	115	125	69

Average cycle time from complaint receipt to closure of the Does not include cases sent to the AG or other forms of formal DCA Performance Measure: Target 90 Days.

CITATIONS/Cease&Desist	FISCAL YEAR 2013 - 2014		FISCAL YEAR 2014 - 2015		FISCAL YEAR 2015 - 2016		FISCAL YEAR 2016 - 2017	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Issued	7	3	3	8	4	5	8	8
Avg Days to Complete Cite	358	453	292	188	195	305	98	44
Cease & Desist Letter	9	0	5	1	0	1	1	1

Speech-Language Pathology Audiology Hearing Aid Dispensers Board

ATTORNEY GENERAL CASES	FISCAL YEAR 2013 - 2014		FISCAL YEAR 2014 - 2015		FISCAL YEAR 2015 - 2016		FISCAL YEAR 2016 - 2017	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Pending at the AG	9	13	17	13	18	16	8	6
Accusations Filed	3	6	5	6	8	19	2	3
SOI Filed	0	0	0	0	2	2	0	0
Acc Withdrawn, Dismissed, Declined	0	0	0	0	1	0	2	1
SOI Withdrawn, Dismissed, Declined	2	1	1	1	0	0	1	1
Average Days to Discipline	703	617	1336	234	888	507	1260	979

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG.) DCA

ATTORNEY GENERAL FINAL OUTCOME	FISCAL YEAR 2013 - 2014		FISCAL YEAR 2014 - 2015		FISCAL YEAR 2015 - 2016		FISCAL YEAR 2016 - 2017	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Probation	4	0	1	1	1	5	6	7
Surrender of License	1	1	0	1	1	1	3	1
License Denied (SOI)	0	0	0	0	0	0	0	0
Suspension & Probation	0	0	0	0	0	1	0	0
Revocation-No Stay of Order	0	1	1	3	1	2	0	2
Petition for Reinstatement Denied	1	0	0	0	0	0	0	0
Petition for Reconsideration Granted	0	0	0	0	0	1	0	0



MEMORANDUM

DATE	August 1, 2017
TO	Speech Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Legislation Update

The following summary on legislation is provided for your information with assistance from DCA's Division of Legislative and Regulatory Review. In addition to the legislative bills specifically related to our Board, the Division tracks bills that impact all DCA Boards and Bureaus.

AB 387 (Thurmond) Minimum Wage: health professionals: interns

Status: 6/01/17 – Ordered to inactive file at the request of Assembly Member Thurmond.

Summary: This bill would expand the definition of “employer” for purposes of these provisions to include a person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of a person engaged in a period of supervised work experience to satisfy requirements for licensure, registration, or certification as an allied health professional, as defined.

AB 612 (Rubio) Newborns and infants: hearing screening.

Location: Senate Health Committee.

Status: 7/11/17 - In committee: Set, second hearing. Hearing canceled at the request of author.

Summary: Existing law requires the State Department of Health Care Services to implement a newborn and infant hearing screening program and to develop and implement a reporting and tracking system for newborns and infants tested for hearing loss. Existing law requires certain medical providers to report specified information to the department or the department's designee to be included in the department's reporting and tracking system. This bill would require those providers to report that information electronically. The bill would require the department to develop and implement an electronic reporting and tracking system for newborns and infants tested for hearing loss and would require general acute care hospitals to maintain a newborn and infant data management system, as defined. The bill would make additional conforming changes.

AB 827 (Rubio) Department of Consumer Affairs: high-skill immigrants: license information.

Location: Senate Appropriations.

Status: 7/17/17 - In committee: Set, first hearing. Referred to APPR. suspense file.

Summary: This bill would require the Department to create an entity to provide high-skill immigrants with information relating to the application process with programs within the Department.

AB 1601 (Bloom) Hearing Aids: Minors

Location: Assembly Appropriations.

Status: 5/26/17 - In committee: Held under submission.

Summary: This bill, until January 1, 2020, would, to the extent permitted under federal law, require a health care service plan contract or a health insurance policy issued, amended, or renewed on or after January 1, 2018, to include coverage for hearing aids for an enrollee or insured under 18 years of age, as specified.

AB 1706 (Assembly Committee on Business and Professions) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

Location: Senate Appropriations.

Status: 7/11/17 - From committee: Do pass and re-refer to Com. on APPR. Re-referred to Com. on APPR.

Summary: This bill would extend, until January 1, 2022, the operation of the provisions establishing the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Board and authorizing it to appoint an executive officer.

SB 715 (Newman) Department of Consumer Affairs: regulatory boards: removal of board members

Status: 4/20/17 - Hearing postponed by committee.

Summary: This bill would specify that the Governor may remove from office a member of any board appointed by him or her for failure to attend board meetings.

SB 762 (Hernandez) Healing arts licensee: license activation fee: waiver.

Location: Assembly Committee on Business and Professions.

Status: 6/15/17 – Referred to Committee on Business and Professions.

Summary: This bill would require all healing arts boards to waive renewal fees for inactive licensees who become active to serve medically underserved areas.



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AB-612 Newborns and infants: hearing screening. (2017-2018)

Senate: 1st Cmt
 Assembly: 1st Cmt 2nd 3rd Pass

Bill Status	
Measure:	AB-612
Lead Authors:	Rubio (A)
Principal Coauthors:	
Coauthors:	
Topic:	Newborns and infants: hearing screening.
31st Day in Print:	03/17/17
Title:	An act to amend Section Sections 124115.5, 124116, 124116.5, 124118.5, and 124119 of the Health and Safety Code, relating to newborn and infant hearing screening.
House Location:	Senate
Last Amended Date:	03/15/17
Committee Location:	Sen Health

Type of Measure
Active Bill - In Committee Process
Majority Vote Required
Non-Appropriation
Fiscal Committee
Non-State-Mandated Local Program
Non-Urgency
Non-Tax Levy

Last 5 History Actions	
Date	Action
07/11/17	In committee: Set, second hearing. Hearing canceled at the request of author.
06/27/17	In committee: Set, first hearing. Hearing canceled at the request of author.
06/08/17	Referred to Com. on HEALTH.
05/30/17	In Senate. Read first time. To Com. on RLS. for assignment.
05/30/17	Read third time. Passed. Ordered to the Senate. (Ayes 77, Noes 0, Page 1823.)



AB-612 Newborns and infants: hearing screening. (2017-2018)

SHARE THIS:



Date Published: 03/15/2017 09:00 PM

AMENDED IN ASSEMBLY MARCH 15, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL

No. 612

Introduced by Assembly Member Rubio

February 14, 2017

An act to amend ~~Section~~ Sections 124115.5, 124116, 124116.5, 124118.5, and 124119 of the Health and Safety Code, relating to newborn and infant hearing screening.

LEGISLATIVE COUNSEL'S DIGEST

AB 612, as amended, Rubio. Newborns and infants: hearing screening.

Existing law requires the State Department of Health Care Services to implement a newborn and infant hearing screening program and to develop and implement a reporting and tracking system for newborns and infants tested for hearing loss. Existing law requires certain medical providers to report specified information to the department or the department's designee to be included in the department's reporting and tracking system.

This bill would require those providers to report that information electronically. *The bill would require the department to develop and implement an electronic reporting and tracking system for newborns and infants tested for hearing loss and would require general acute care hospitals to maintain a newborn and infant data management system, as defined. The bill would make additional conforming changes.*

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 124115.5 of the Health and Safety Code is amended to read:

124115.5. (a) The Legislature finds and declares all of the following:

(1) Hearing loss occurs in newborns more frequently than any other health condition for which newborn screening is currently required.

(2) Early detection of hearing loss, early intervention, and followup services before six months of age, have been demonstrated to be highly effective in facilitating the development of a child's health and communication and cognitive skills.

(3) The State of California supports the National Healthy People ~~2000~~ *10-year national objective* goals, which promote early identification of children with hearing loss.

(4) Children of all ages can receive reliable and valid screening for hearing loss in a cost-effective manner.

(5) Appropriate screening and identification of newborns and infants with hearing loss will facilitate early intervention during this critical time for development of communication, and may, therefore, serve the public purposes of promoting the healthy development of children and reducing public expenditure for health care and special education and related services.

(b) The purposes of this article shall be to do all of the following:

(1) Provide early detection of hearing loss in newborns, as soon after birth as possible, to enable children who fail a hearing screening and their families and other caregivers to obtain needed confirmatory tests or multidisciplinary evaluation, or both, and intervention services, at the earliest opportunity.

(2) Prevent or mitigate delays of language and communication development that could lead to academic failures associated with late identification of hearing loss.

(3) Provide the state with the information necessary to effectively plan, establish, and evaluate a comprehensive system of appropriate services for parents with newborns and infants who have a hearing loss.

(4) *Ensure the use of an Internet Web-based, external data enabled, automated newborn and infant data management system to effect early detection of hearing loss, including tracking of children identified with potential hearing loss.*

SEC. 2. *Section 124116 of the Health and Safety Code is amended to read:*

124116. As used in this article:

(a) "Birth admission" means the time after birth that the newborn remains in the hospital nursery prior to discharge.

(b) "CCS" means the California Children's Services program administered through the State Department of Health Services.

(c) "Department" means the State Department of Health Services.

(d) *"Electronic database" means a scalable, multiple user, automated newborn and infant data management system supporting role-based security.*

(e) *"Electronically" means use of a scalable, growth capable, multiple user, automated newborn and infant data management system supporting role-based, user level security that enables the capture and reporting of all newborn hearing screens and collects data that is used to track and monitor newborn children identified or suspected of suffering from hearing loss.*

(f) *"External data enabled" means that the newborn and infant data management system is capable of sending and receiving protected health information data directly from authorized hospital information systems or of directly uploading data from newborn hearing screening equipment in state-approved formats.*

~~(d)~~

(g) "Followup services" means all of the following:

(1) All services necessary to diagnose and confirm a hearing loss.

(2) Ongoing audiological services to monitor hearing.

(3) Communication services, including, but not limited to, aural rehabilitation, speech, language, social, and psychological services.

(4) Necessary support of the infant and family.

(e)

(h) "Hearing loss" means a hearing loss of 30 decibels or greater in the frequency region important for speech recognition and comprehension in one or both ears (from 500 through 4000 Hz). However, as technology allows for changes to this definition through the detection of less severe hearing loss, the department may modify this definition by regulation.

(f)

(i) "Infant" means a child 29 days through 12 months old.

(j) "Internet Web-based" means that the newborn and infant data management system resides on a secure environment that is compliant with the federal Health Insurance Portability and Accountability Act (HIPAA, Public Law 104-191). All authorized users at state-certified provider locations shall have access to data on their patients.

(g)

(k) "Intervention services" means the early intervention services described in Part C of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1475 et seq.).

(h)

(l) "Newborn" means a child less than 29 days old.

(m) "Newborn and infant data management system" means an automated system in which all data is stored in a secured database and that allows for entry through the Internet and electronic transfer of data from provider information systems into the secured database.

(i)

(n) "Newborn hearing screening services" means those hearing screening tests that are necessary to achieve the identification of all newborns and infants with a hearing loss.

(j)

(o) "Parent" means a natural parent, adoptive parent, or legal guardian of a child.

SEC. 3. Section 124116.5 of the Health and Safety Code is amended to read:

124116.5. (a) (1) Every general acute care hospital with licensed perinatal services in this state shall administer to every newborn, upon birth admission, a hearing screening test for the identification of hearing loss, using protocols approved by the department or its designee.

(2) In order to meet the department's certification criteria, a general acute care hospital shall be responsible for developing a screening program that provides competent hearing screening, utilizes appropriate staff and equipment for administering the testing, completes the testing prior to the newborn's discharge from a newborn nursery unit, refers infants with abnormal screening results, maintains a *newborn and infant data management system* and reports data as required by the department, and provides physician and family-parent education.

(b) A hearing screening test provided for pursuant to subdivision (a) shall be performed by a licensed physician, licensed registered nurse, licensed audiologist, or an appropriately trained individual who is supervised in the performance of the test by a licensed health care professional.

(c) Every general acute care hospital that has not been approved by the California Children's Services (CCS) program and that has licensed perinatal services that provide care in fewer than 100 births annually shall, if it does not directly provide a hearing screening test, enter into an agreement with an outpatient infant hearing screening provider certified by the department to provide hearing screening tests.

(d) This section shall not apply to any newborn whose parent or guardian objects to the test on the grounds that the test is in violation of his or her beliefs.

SEC. 4. Section 124118.5 of the Health and Safety Code is amended to read:

124118.5. (a) The department shall establish a system of early hearing detection and intervention centers that shall provide technical assistance and consultation to hospitals in the startup and ongoing implementation of a facility hearing screening program and followup system.

(b) The early hearing detection and intervention centers shall be chosen by the department according to standards and criteria developed by the California Children's Services (CCS) program. Each center shall be responsible for a separate geographic catchment area as determined by the program.

(c) Each center shall be required to develop a system that shall provide outreach and education to hospitals in its catchment area, approve hospitals on behalf of the department for participation as newborn hearing screening providers, maintain ~~an~~ an *electronic* database of all newborns and infants screened in the catchment area, ensure appropriate followup for newborns and infants with an abnormal hearing screening, including diagnostic evaluation and referral to intervention services programs if the newborn or infant is found to have a hearing loss, and provide coordination with the CCS and local early intervention programs as defined in Title 14 (commencing with Section 95000) of the Government Code.

SECTION 4. SEC. 5. Section 124119 of the Health and Safety Code is amended to read:

124119. (a) The department shall develop and implement ~~a~~ an *electronic* reporting and tracking system for newborns and infants tested for hearing loss.

(b) The system shall provide the department with information and data to effectively plan, establish, monitor, and evaluate the Newborn and Infant Hearing Screening, Tracking and Intervention Program, including the screening and followup components, as well as the comprehensive system of services for newborns and infants who are deaf or hard-of-hearing and their families.

(c) Every general acute care hospital with licensed perinatal services, or NICU in this state shall report electronically to the department or the department's designee information as specified by the department to be included in the department's reporting and tracking system.

(d) All providers of audiological followup and diagnostic services provided under this article shall report electronically to the department or the department's designee information as specified by the department to be included in the department's reporting and tracking system.

(e) The information compiled and maintained in the tracking system shall be kept confidential in accordance with Chapter 5 (commencing with Section 10850) of Part 2 of Division 9 of the Welfare and Institutions Code, the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and the applicable requirements and provisions of Part C of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

(f) Data collected by the tracking system obtained directly from the medical records of the newborn or infant shall be for the confidential use of the department and for the persons or public or private entities that the department determines are necessary to carry out the intent of the reporting and tracking system.

(g) A health facility, clinical laboratory, audiologist, physician, registered nurse, or any other officer or employee of a health facility or laboratory or employee of an audiologist or physician, shall not be criminally or civilly liable for furnishing information to the department or its designee pursuant to the requirements of this section.



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AB-1601 Hearing aids: minors. (2017-2018)

Senate:
Assembly: 1st Cmt

Bill Status	
Measure:	AB-1601
Lead Authors:	Bloom (A)
Principal Coauthors:	
Coauthors:	
Topic:	Hearing aids: minors.
31st Day in Print:	03/21/17
Title:	An act to add and repeal Section 1367.72 of the Health and Safety Code, and to add and repeal Section 10123.72 of the Insurance Code, relating to health care coverage.
House Location:	Assembly
Last Amended Date:	03/16/17
Committee Location:	Asm Appropriations

Type of Measure
Active Bill - In Committee Process
Majority Vote Required
Non-Appropriation
Fiscal Committee
State-Mandated Local Program
Non-Urgency
Non-Tax levy

Last 5 History Actions	
Date	Action
05/26/17	In committee: Held under submission.
05/17/17	In committee: Set, first hearing. Referred to APPR. suspense file.
04/26/17	From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (April 25). Re-referred to Com. on APPR.
03/20/17	Re-referred to Com. on HEALTH.
03/16/17	From committee chair, with author's amendments: Amend, and re-refer to Com. on HEALTH. Read second time and amended.


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AB-1601 Hearing aids: minors. (2017-2018)

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AMENDED IN ASSEMBLY MARCH 16, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL
No. 1601
Introduced by Assembly Member Bloom
February 17, 2017

An act to add and repeal Section 1367.72 of the Health and Safety Code, and to add and repeal Section 10123.72 of the Insurance Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 1601, as amended, Bloom. Hearing aids: minors.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts and health insurance policies to provide coverage for specified benefits.

This bill, until January 1, 2020, ~~would~~ *would*, to the extent permitted under federal law, require a health care service plan contract or a health insurance policy issued, amended, or renewed on or after January 1, 2018, to include coverage for hearing aids for an enrollee or insured under 18 years of age, as specified. ~~These provisions would become inoperative if the Department of Managed Health Care and the Department of Insurance receive a notification from the federal Centers for Medicare and Medicaid Services or any other applicable federal agency that these provisions constitute a discriminatory age limitation under federal law and the state is required to defray the costs of requiring a plan contract or policy to include coverage for hearing aids on behalf of enrollees or insureds who are 18 years of age or older pursuant to a specified federal law.~~ Because a willful violation of these requirements by a health care service plan would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. It is the intent of the Legislature to explore alternate approaches to ensure the continuation of broad coverage of pediatric hearing benefits upon expiration of this mandate, including exploring ways to add pediatric hearing as an essential health benefit, without incurring ongoing state costs.

SEC. 2. Section 1367.72 is added to the Health and Safety Code, to read:

1367.72. (a) (1) A health care service plan contract issued, amended, or renewed on or after January 1, 2018, shall include coverage for hearing aids for all enrollees under 18 years of age when medically necessary.

(2) Coverage for hearing aids includes an initial assessment, new hearing aids at least every five years, new ear molds, new hearing aids if alterations to existing hearing aids cannot meet the needs of the child, a new hearing aid if the existing one is no longer working, fittings, adjustments, auditory training, and maintenance of the hearing aids.

(b) For purposes of this section, "hearing aid" means an electronic device usually worn in or behind the ear of a deaf and hard of hearing person for the purpose of amplifying sound.

(c) This section shall not apply to Medicare supplement, dental-only, or vision-only health care service plan contracts. *This section shall apply only to the extent permitted under federal law.*

~~(d)(1) This section shall become inoperative if the department receives a notification from the federal Centers for Medicare and Medicaid Services or any other applicable federal agency that this section constitutes a discriminatory age limitation under federal law and the state is required to defray the costs of requiring a plan contract to include coverage for hearing aids on behalf of enrollees who are 18 years of age or older pursuant to Section 1311 of the Patient Protection and Affordable Care Act (42 U.S.C. Sec. 18031(d)(3)).~~

~~(2) This section shall become inoperative 30 days after the director executes a declaration, which shall be retained by the director, stating that the department received the notification described in paragraph (1). The director shall post the declaration on the department's Internet Web site, and the director shall send the declaration to the appropriate policy committees of the Legislature and to the Legislative Counsel.~~

(e)

(d) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 3. Section 10123.72 is added to the Insurance Code, to read:

10123.72. (a) (1) A health insurance policy issued, amended, or renewed on or after January 1, 2018, shall include coverage for hearing aids for all insureds under 18 years of age when medically necessary.

(2) Coverage for hearing aids includes an initial assessment, new hearing aids at least every five years, new ear molds, new hearing aids if alterations to existing hearing aids cannot meet the needs of the child, a new hearing aid if the existing one is no longer working, fittings, adjustments, auditory training, and maintenance of the hearing aids.

(b) For purposes of this section, "hearing aid" means an electronic device usually worn in or behind the ear of a deaf and hard of hearing person for the purpose of amplifying sound.

(c) This section shall not apply to accident-only, specified disease, hospital indemnity, Medicare supplement, dental-only, or vision-only health insurance policies. *This section shall apply only to the extent permitted under federal law.*

~~(d)(1) This section shall become inoperative if the department receives a notification from the federal Centers for Medicare and Medicaid Services or any other applicable federal agency that this section constitutes a discriminatory age limitation under federal law and the state is required to defray the costs of requiring a health insurance policy to include coverage for hearing aids on behalf of insureds who are 18 years of age or older pursuant to Section 1311 of the Patient Protection and Affordable Care Act (42 U.S.C. Sec. 18031(d)(3)).~~

~~(2) This section shall become inoperative 30 days after the commissioner executes a declaration, which shall be retained by the commissioner, stating that the department received the notification described in paragraph (1).~~

~~The commissioner shall post the declaration on the department's Internet Web site, and the commissioner shall send the declaration to the appropriate policy committees of the Legislature and to the Legislative Counsel.~~

~~(e)~~

~~(d) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.~~

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.



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AB-1706 Healing arts: chiropractic practice: speech-language pathology and audiology and hearing aid dispensing: occupational therapy: physical therapy. (2017-2018)

Senate: 1st Cmt

Assembly: 1st Cmt 2nd Cmt 2nd 3rd Pass

Bill Status	
Measure:	AB-1706
Lead Authors:	Committee on Business and Professions (A) - (Assembly Members Low (Chair), Brough (Vice Chair), Arambula, Baker, Bloom, Chiu, Dahle, GIpson, Grayson, Holden, Mullin, Steinorth, and Ting)
Principal Coauthors:	
Coauthors:	
Topic:	Healing arts: chiropractic practice: speech-language pathology and audiology and hearing aid dispensing: occupational therapy: physical therapy.
31st Day in Print:	04/02/17
Title:	An act to amend Sections 146, 1000, 2531, 2531.75, 2533.1, 2533.4, 2538.10, 2538.28, 2538.29, 2538.30, 2538.34, 2538.35, 2538.38, 2570.18, 2570.19, 2602, and 2607.5 2607.5, 2653, 2688, and 2689 of, and to amend and renumber Section 2538.19 of, to amend and repeal Section 2648.7 of, and to repeal Section 2688.5 of, the Business and Professions Code, relating to healing arts.
House Location:	Senate
Last Amended Date:	07/05/17
Committee Location:	Sen Appropriations
Committee Hearing Date:	08/21/17

Type of Measure
Active Bill - In Committee Process
Majority Vote Required
Non-Appropriation
Fiscal Committee
State-Mandated Local Program
Non-Urgency
Non-Tax levy

Last 5 History Actions	
Date	Action
07/11/17	From committee: Do pass and re-refer to Com. on APPR. (Ayes 9, Noes 0.) (July 10). Re-referred to Com. on APPR.
07/05/17	From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on B., P. & E.D.
07/03/17	From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on B., P. & E.D.
06/13/17	From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on B., P. & E.D.
06/08/17	Referred to Com. on B., P. & E.D.



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AB-1706 Healing arts: chiropractic practice: speech-language pathology and audiology and hearing aid dispensing: occupational therapy: physical therapy. (2017-2018)

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AMENDED IN SENATE JULY 05, 2017
AMENDED IN SENATE JULY 03, 2017
AMENDED IN SENATE JUNE 13, 2017
AMENDED IN ASSEMBLY MAY 02, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL

No. 1706

Introduced by Committee on Business and Professions (Assembly Members Low (Chair), Brough (Vice Chair), Arambula, Baker, Bloom, Chiu, Dahle, Gipson, Grayson, Holden, Mullin, Steinorth, and Ting)

March 02, 2017

An act to amend Sections 146, 1000, 2531, 2531.75, 2533.1, 2533.4, 2538.10, 2538.28, 2538.29, 2538.30, 2538.34, 2538.35, 2538.38, 2570.18, 2570.19, 2602, and ~~2607.5~~ 2607.5, 2653, 2688, and 2689 of, and to amend and renumber Section 2538.19 of, to amend and repeal Section 2648.7 of, and to repeal Section 2688.5 of, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1706, as amended, Committee on Business and Professions. Healing arts: chiropractic practice: speech-language pathology and audiology and hearing aid dispensing: occupational therapy: physical therapy.

(1) Under existing law, violations of specified provisions relating to the registration, licensure, certification, or authorization in order to engage in certain businesses and professions, including, among others, physical therapy, are punishable as infractions under specified circumstances.

This bill would provide that the practice of occupational therapy without a license is an infraction under this provision. By expanding the scope of a crime, this bill would impose a state-mandated local program.

The

(2) The Chiropractic Act, enacted by an initiative measure, provides for the licensure and regulation of chiropractors in this state by the State Board of Chiropractic Examiners. Existing law requires that the powers

and duties of the board, as provided, be subject to review by the appropriate policy committees of the Legislature as if that act were scheduled to be repealed on January 1, 2018.

This bill would require that the powers and duties of the board, as provided, be subject to review by the appropriate policy committees of the Legislature as if that act were scheduled to be repealed on January 1, 2022.

Existing

(3) *Existing* law, the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act, provides for the licensure and regulation of speech-language pathologists, audiologists, and hearing aid dispensers by the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board, which is within the Department of Consumer Affairs. That act authorizes the board to appoint an executive officer. That act repeals the provisions establishing the board and the board's authority to appoint an executive officer on January 1, 2018.

This bill would extend the operation of the board and the board's authority to appoint an executive officer until January 1, 2022.

~~The Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act~~ *act* authorizes a superior court of a county, on application of the board, to issue an injunction or other appropriate restraining order against a person other than a licensed speech-language pathologist or audiologist for an act or practice in violation of that act. That act authorizes the board to suspend, revoke, or impose terms and conditions upon the license of a licensee for, among other things, a conviction, as defined, of a crime substantially related to the qualifications, functions, and duties of a speech-language pathologist, audiologist, or hearing aid dispenser. The act authorizes the board to prosecute a person for a violation of the provisions of the act relating to hearing aid dispensers, as specified.

This bill would exclude licensed hearing aid dispensers from the persons against whom a superior court of a county is authorized to issue an injunction or other appropriate restraining order for an act or practice in violation of that act. The bill would expand the definition of a conviction, for the above-mentioned disciplinary purposes, to include certain convictions subsequently dismissed by a court. The bill would authorize the board to prosecute a person for a violation of any provision of the act.

~~The Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act~~ *act* requires each applicant for a hearing aid dispenser's license to take and pass a written examination and a practical examination, as specified. That act authorizes the board to issue a temporary hearing aid dispenser license to an applicant who, among other things, holds a hearing aid dispenser's license in another state. That act also authorizes the board to issue a temporary hearing aid dispenser license to an applicant who proves to the satisfaction of the board that he or she will be supervised and trained by a hearing aid dispenser who is approved by the board. That act requires a temporary licensee who is supervised to take a licensure examination within the first 10 months after the temporary license is issued, and requires that the license expire if the temporary licensee fails to take the licensure examination.

This bill would rename the temporary license of supervised licensees as the trainee license and would make conforming changes. The bill would extend the time by when the licensee is required to take the examination to 12 months after the trainee license is issued.

Existing

(4) *Existing* law, the Occupational Therapy Practice Act, provides for the licensure and regulation of occupational therapists by the California Board of Occupational Therapy, which is within the Department of Consumer Affairs, and repeals the provisions establishing the board on January 1, 2018.

This bill would extend the operation of the board until January 1, 2022.

The act, among other things, prohibits a person from representing to the public by title, description of services, methods, or procedures, or otherwise, that the person is authorized to practice occupational therapy in this state, or from using specified professional abbreviations or any other words, letters, or symbols with the intent to represent that he or she practices occupational therapy, unless he or she is authorized to practice occupational therapy under the act.

This bill would authorize a licensee under the act who has earned a doctoral degree in occupational therapy (OTD) or, after adoption by the board of specified regulations, a doctoral degree in a related area of practice or

study to use specified abbreviations and titles in communications, as provided.

Existing

(5) Existing law, the Physical Therapy Practice Act, provides for the licensure and regulation of physical therapists and physical therapist assistants by the Physical Therapy Board of California, which is within the Department of Consumer Affairs. That act requires the board to appoint an executive officer and authorizes the board to employ other persons, as specified. That act repeals the provisions establishing the board and the board's authority to appoint an executive officer and other personnel on January 1, 2018.

This bill would extend the operation of the board and the board's authority to appoint an executive officer and other personnel until January 1, 2022.

A license issued under the act expires at 12 a.m. on the last day of the birth month of the licensee during the 2nd year of a 2-year term, if not renewed. To renew a license, the act requires that the licensee to, among other things, apply for renewal, pay the prescribed renewal fee, and submit proof satisfactory to the board that he or she has completed the required number of continuing education hours established by regulation by the board, as provided. The act exempts a licensee from the requirement to pay a renewal fee and submit proof of continuing education if he or she has applied to the board for retired license status and prohibits the holder of a retired license from engaging in, or assisting in the provision of, the practice of physical therapy unless he or she applies for renewal and meets specified requirements.

This bill would repeal the provision relating to retired license status as of January 1, 2019.

The act requires an applicant for a physical therapy license who has graduated from a physical therapist education program not approved by the board and not located in the United States to comply with specified requirements, including demonstrating proficiency in English by achieving a score specified by the board on the Test of English as a Foreign Language administered by the Educational Testing Services or such other examination as may be specified by the board by regulation.

This bill would instead allow an applicant, as described above, to demonstrate proficiency in English by achieving a score specified by the board on the Test of English as a Foreign Language or other means as prescribed by the board by regulation. The bill would also exempt from this requirement an applicant who has been awarded a bachelor's degree or higher in a physical therapist educational program from a college, university, or professional training school in Australia, any part of Canada other than Quebec, Ireland, New Zealand, the United Kingdom, the United States, or an English-speaking county specified by the board.

The act establishes various fees for licensure as a physical therapist, including application, issuance, licensure, and renewal. The act authorizes the board to decrease or increase the amount of these fees to an amount that does not exceed the cost of the associated activity. The act requires the board to report to specified committees of the Legislature whenever it increases any fee, as provided.

This bill, with respect to the fees described above, would delete the statutory limitation that the decreased or increased amount be in an amount that does not exceed the cost of the associated activity. The bill would repeal the requirement that the board report to the specified committees of the Legislature whenever it increases a fee.

The act authorizes the board to establish a fee, as provided, for persons certified to perform electromyographical testing and requires that the fee be paid as provided in specified law.

This bill would make a technical change to this provision by correcting an erroneous cross reference to other law.

Under existing law, a violation of any provision of the act is a misdemeanor.

By changing the scope of a crime, this bill would impose a state-mandated local program.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: ~~no~~yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 146 of the Business and Professions Code is amended to read:*

146. (a) Notwithstanding any other provision of law, a violation of any code section listed in subdivision (c) is an infraction subject to the procedures described in Sections 19.6 and 19.7 of the Penal Code when either of the following applies:

(1) A complaint or a written notice to appear in court pursuant to Chapter 5c (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code is filed in court charging the offense as an infraction unless the defendant, at the time he or she is arraigned, after being advised of his or her rights, elects to have the case proceed as a misdemeanor.

(2) The court, with the consent of the defendant and the prosecution, determines that the offense is an infraction in which event the case shall proceed as if the defendant has been arraigned on an infraction complaint.

(b) Subdivision (a) does not apply to a violation of the code sections listed in subdivision (c) if the defendant has had his or her license, registration, or certificate previously revoked or suspended.

(c) The following sections require registration, licensure, certification, or other authorization in order to engage in certain businesses or professions regulated by this code:

(1) Sections 2052 and 2054.

(2) *Section 2570.3.*

~~(2)~~

(3) Section 2630.

~~(3)~~

(4) Section 2903.

~~(4)~~

(5) Section 3575.

~~(5)~~

(6) Section 3660.

~~(6)~~

(7) Sections 3760 and 3761.

~~(7)~~

(8) Section 4080.

~~(8)~~

(9) Section 4825.

~~(9)~~

(10) Section 4935.

~~(10)~~

(11) Section 4980.

~~(11)~~

(12) Section 4989.50.

~~(12)~~

(13) Section 4996.

~~(13)~~

~~(14)~~ Section 4999.30.

~~(14)~~

~~(15)~~ Section 5536.

~~(15)~~

~~(16)~~ Section 6704.

~~(16)~~

~~(17)~~ Section 6980.10.

~~(17)~~

~~(18)~~ Section 7317.

~~(18)~~

~~(19)~~ Section 7502 or 7592.

~~(19)~~

~~(20)~~ Section 7520.

~~(20)~~

~~(21)~~ Section 7617 or 7641.

~~(21)~~

~~(22)~~ Subdivision (a) of Section 7872.

~~(22)~~

~~(23)~~ Section 8016.

~~(23)~~

~~(24)~~ Section 8505.

~~(24)~~

~~(25)~~ Section 8725.

~~(25)~~

~~(26)~~ Section 9681.

~~(26)~~

~~(27)~~ Section 9840.

~~(27)~~

~~(28)~~ Subdivision (c) of Section 9891.24.

~~(28)~~

~~(29)~~ Section 19049.

(d) Notwithstanding any other law, a violation of any of the sections listed in subdivision (c), which is an infraction, is punishable by a fine of not less than two hundred fifty dollars (\$250) and not more than one thousand dollars (\$1,000). No portion of the minimum fine may be suspended by the court unless as a condition of that suspension the defendant is required to submit proof of a current valid license, registration, or certificate for the profession or vocation that was the basis for his or her conviction.

SECTION 1-SEC. 2. Section 1000 of the Business and Professions Code is amended to read:

1000. (a) The law governing practitioners of chiropractic is found in an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," adopted by the electors November 7, 1922.

(b) The State Board of Chiropractic Examiners is within the Department of Consumer Affairs.

(c) Notwithstanding any other law, the powers and duties of the State Board of Chiropractic Examiners, as set forth in this article and under the act creating the board, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2022.

SEC. 2-SEC. 3. Section 2531 of the Business and Professions Code is amended to read:

2531. (a) There is in the Department of Consumer Affairs the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board in which the enforcement and administration of this chapter are vested. The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board shall consist of nine members, three of whom shall be public members.

(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.

(c) Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 3-SEC. 4. Section 2531.75 of the Business and Professions Code is amended to read:

2531.75. (a) The board may appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the board and vested in him or her by this chapter.

(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.

SEC. 4-SEC. 5. Section 2533.1 of the Business and Professions Code is amended to read:

2533.1. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, and duties of a speech-language pathologist or audiologist is deemed to be a conviction within the meaning of this article. The board may order a licensee be disciplined or denied a license as provided in Section 2533 when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence irrespective of a subsequent order under Section 1203.4, 1203.4a, or 1203.41 of the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

SEC. 5-SEC. 6. Section 2533.4 of the Business and Professions Code is amended to read:

2533.4. Whenever a person other than a licensed speech-language pathologist, hearing aid dispenser, or audiologist has engaged in an act or practice which constitutes an offense under this chapter, a superior court of any county, on application of the board, may issue an injunction or other appropriate order restraining the conduct. Proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure. The board may commence action in the superior court under this section on its own motion.

SEC. 6-SEC. 7. Section 2538.19 of the Business and Professions Code is amended and renumbered to read:

2533.5. (a) The board may prosecute a person for a violation of this chapter.

(b) The board shall hear and decide a matter, including, but not limited to, a contested case or a petition for reinstatement or modification of probation, or may assign the matter to an administrative law judge in accordance with the Administrative Procedure Act. Except as otherwise provided in this chapter, a hearing shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

~~SEC. 7.~~SEC. 8. Section 2538.10 of the Business and Professions Code is amended to read:

2538.10. For the purposes of this article, the following definitions shall apply:

(a) "Advertise" and its variants include the use of a newspaper, magazine, or other publication, book, notice, circular, pamphlet, letter, handbill, poster, bill, sign, placard, card, label, tag, window display, store sign, radio, or television announcement, or any other means or methods now or hereafter employed to bring to the attention of the public the practice of fitting or selling of hearing aids.

(b) "License" means a hearing aid dispenser's license issued pursuant to this article and includes a temporary or trainee license.

(c) "Licensee" means a person holding a license.

(d) "Hearing aid" means any wearable instrument or device designed for, or offered for the purpose of, aiding or compensating for impaired human hearing.

(e) "Fund" means the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund.

~~SEC. 8.~~SEC. 9. Section 2538.28 of the Business and Professions Code is amended to read:

2538.28. (a) An applicant who has fulfilled the requirements of Section 2538.24, and has made application therefor, and who proves to the satisfaction of the board that he or she will be supervised and trained by a hearing aid dispenser who is approved by the board may have a trainee license issued to him or her. The trainee license shall entitle the trainee licensee to fit or sell hearing aids as set forth in regulations of the board. The supervising dispenser shall be responsible for any acts or omissions committed by a trainee licensee under his or her supervision that may constitute a violation of this chapter.

(b) The board shall adopt regulations setting forth criteria for its refusal to approve a hearing aid dispenser to supervise a trainee licensee, including procedures to appeal that decision.

(c) A trainee license issued pursuant to this section is effective and valid for six months from date of issue. The board may renew the trainee license for an additional period of six months. Except as provided in subdivision (d), the board shall not issue more than two renewals of a trainee license to any applicant. Notwithstanding subdivision (d), if a trainee licensee who is entitled to renew a trainee license does not renew the trainee license and applies for a new trainee license at a later time, the new trainee license shall only be issued and renewed subject to the limitations set forth in this subdivision.

(d) A new trainee license may be issued pursuant to this section if a trainee license issued pursuant to subdivision (c) has lapsed for a minimum of three years from the expiration or cancellation date of the previous trainee license. The board may issue only one new trainee license under this subdivision.

~~SEC. 9.~~SEC. 10. Section 2538.29 of the Business and Professions Code is amended to read:

2538.29. A trainee licensed under Section 2538.28 shall take the licensure examination within the first 12 months after the trainee license is issued. Failure to take the licensure examination within that time shall result in expiration of the trainee license, and it shall not be renewed unless the trainee licensee has first taken the licensure examination. The board, however, may in its discretion renew the trainee license if the licensee failed to take the licensure examination due to illness or other hardship.

~~SEC. 10.~~SEC. 11. Section 2538.30 of the Business and Professions Code is amended to read:

2538.30. (a) A temporary or trainee licensee shall not be the sole proprietor of, manage, or independently operate a business which engages in the fitting or sale of hearing aids.

(b) A temporary or trainee licensee shall not advertise or otherwise represent that he or she holds a license as a hearing aid dispenser.

~~SEC. 11.~~SEC. 12. Section 2538.34 of the Business and Professions Code is amended to read:

2538.34. (a) Every licensee who engages in the practice of fitting or selling hearing aids shall have and maintain an established retail business address to engage in that fitting or selling, routinely open for service to customers

or clients. The address of the licensee's place of business shall be registered with the board as provided in Section 2538.33.

(b) Except as provided in subdivision (c), if a licensee maintains more than one place of business within this state, he or she shall apply for and procure a duplicate license for each branch office maintained. The application shall state the name of the person and the location of the place or places of business for which the duplicate license is desired.

(c) A hearing aid dispenser may, without obtaining a duplicate license for a branch office, engage on a temporary basis in the practice of fitting or selling hearing aids at the primary or branch location of another licensee's business or at a location or facility that he or she may use on a temporary basis, provided that the hearing aid dispenser notifies the board in advance in writing of the dates and addresses of those businesses, locations, or facilities at which he or she will engage in the practice of fitting or selling hearing aids.

~~SEC. 12.~~ SEC. 13. Section 2538.35 of the Business and Professions Code is amended to read:

2538.35. A licensee shall, upon the consummation of a sale of a hearing aid, deliver to the purchaser a written receipt, signed by or on behalf of the licensee, containing all of the following:

- (a) The date of consummation of the sale.
- (b) Specifications as to the make, serial number, and model number of the hearing aid or aids sold.
- (c) The address of the principal place of business of the licensee, and the address and office hours at which the licensee shall be available for fitting or postfitting adjustments and servicing of the hearing aid or aids sold.
- (d) A statement to the effect that the aid or aids delivered to the purchaser are used or reconditioned, as the case may be, if that is the fact.
- (e) The number of the licensee's license and the name and license number of any other hearing aid dispenser, temporary licensee, or trainee licensee, who provided any recommendation or consultation regarding the purchase of the hearing aid.
- (f) The terms of any guarantee or written warranty, required by Section 1793.02 of the Civil Code, made to the purchaser with respect to the hearing aid or hearing aids.

~~SEC. 13.~~ SEC. 14. Section 2538.38 of the Business and Professions Code is amended to read:

2538.38. A licensee shall, upon the consummation of a sale of a hearing aid, keep and maintain records in his or her office or place of business at all times and each record shall be kept and maintained for a seven-year period. All records related to the sale and fitting of hearing aids shall be open to inspection by the board or its authorized representatives upon reasonable notice. The records kept shall include:

- (a) Results of test techniques as they pertain to fitting of the hearing aid.
- (b) A copy of the written receipt required by Section 2538.35 and the written recommendation and receipt required by Section 2538.36 when applicable.
- (c) Records of maintenance or calibration of equipment used in the practice of fitting or selling hearing aids.

SEC. 15. Section 2570.18 of the Business and Professions Code is amended to read:

2570.18. (a) A person shall not represent to the public by title, *education, or background*, or by description of services, methods, or procedures, or otherwise, that the person is authorized to practice occupational therapy in this state, unless authorized to practice occupational therapy under this chapter.

(b) Unless licensed to practice as an occupational therapist under this chapter, a person may not use the professional abbreviations "O.T.," "O.T.R.," or "O.T.R./L.," or "Occupational Therapist," or "Occupational Therapist Registered," or any other words, letters, or symbols with the intent to represent that the person practices or is authorized to practice occupational therapy.

(c) A licensee who has earned a doctoral degree in occupational therapy (OTD) or, after adoption of the regulations described in subdivision (e), a doctoral degree in a related area of practice or study may do the following:

(1) *In a written communication, use the initials OTD, DrPH, PhD, or EdD, as applicable, following the licensee's name.*

(2) *In a written communication, use the title "Doctor" or the abbreviation "Dr." preceding the licensee's name, if the licensee's name is immediately followed by an unabbreviated specification of the applicable doctoral degree held by the licensee.*

(3) *In a spoken communication while engaged in the practice of occupational therapy, use the title "Doctor" preceding the licensee's name, if the licensee specifies that he or she is an occupational therapy practitioner.*

(d) *A doctoral degree described in subdivision (c) shall be granted by an institution and program accredited by the Western Association of Schools and Colleges, the Accreditation Council on Occupational Therapy Education, or by an accrediting agency recognized by the National Commission on Accrediting or the United States Department of Education that the board determines is equivalent to the Western Association of Schools and Colleges.*

(e) *The board shall define, by regulation, the doctoral degrees that are in a related area of practice or study for purposes of subdivision (c).*

~~(e)~~

(f) *Unless licensed to assist in the practice of occupational therapy as an occupational therapy assistant under this chapter, a person may not use the professional abbreviations "O.T.A.," "O.T.A./L.," "C.O.T.A.," "C.O.T.A./L.," or "Occupational Therapy Assistant," "Licensed Occupational Therapy Assistant," or any other words, letters, or symbols, with the intent to represent that the person assists in, or is authorized to assist in, the practice of occupational therapy as an occupational therapy assistant.*

~~(d)~~

(g) *The unauthorized practice or representation as an occupational therapist or as an occupational therapy assistant constitutes an unfair business practice under Section 17200 and false and misleading advertising under Section 17500.*

SEC. 14. SEC. 16. Section 2570.19 of the Business and Professions Code is amended to read:

2570.19. (a) There is hereby created a California Board of Occupational Therapy, hereafter referred to as the board. The board shall enforce and administer this chapter.

(b) The members of the board shall consist of the following:

(1) Three occupational therapists who shall have practiced occupational therapy for five years.

(2) One occupational therapy assistant who shall have assisted in the practice of occupational therapy for five years.

(3) Three public members who shall not be licentiates of the board, of any other board under this division, or of any board referred to in Section 1000 or 3600.

(c) The Governor shall appoint the three occupational therapists and one occupational therapy assistant to be members of the board. The Governor, the Senate Committee on Rules, and the Speaker of the Assembly shall each appoint a public member. Not more than one member of the board shall be appointed from the full-time faculty of any university, college, or other educational institution.

(d) All members shall be residents of California at the time of their appointment. The occupational therapist and occupational therapy assistant members shall have been engaged in rendering occupational therapy services to the public, teaching, or research in occupational therapy for at least five years preceding their appointments.

(e) The public members may not be or have ever been occupational therapists or occupational therapy assistants or in training to become occupational therapists or occupational therapy assistants. The public members may not be related to, or have a household member who is, an occupational therapist or an occupational therapy assistant, and may not have had, within two years of the appointment, a substantial financial interest in a person regulated by the board.

(f) The Governor shall appoint two board members for a term of one year, two board members for a term of two years, and one board member for a term of three years. Appointments made thereafter shall be for four-year

terms, but no person shall be appointed to serve more than two consecutive terms. Terms shall begin on the first day of the calendar year and end on the last day of the calendar year or until successors are appointed, except for the first appointed members who shall serve through the last calendar day of the year in which they are appointed, before commencing the terms prescribed by this section. Vacancies shall be filled by appointment for the unexpired term. The board shall annually elect one of its members as president.

(g) The board shall meet and hold at least one regular meeting annually in the Cities of Sacramento, Los Angeles, and San Francisco. The board may convene from time to time until its business is concluded. Special meetings of the board may be held at any time and place designated by the board.

(h) Notice of each meeting of the board shall be given in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(i) Members of the board shall receive no compensation for their services, but shall be entitled to reasonable travel and other expenses incurred in the execution of their powers and duties in accordance with Section 103.

(j) The appointing power shall have the power to remove any member of the board from office for neglect of any duty imposed by state law, for incompetency, or for unprofessional or dishonorable conduct.

(k) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.

(l) Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 15. SEC. 17. Section 2602 of the Business and Professions Code is amended to read:

2602. (a) The Physical Therapy Board of California, hereafter referred to as the board, shall enforce and administer this chapter.

(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.

(c) Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 16. SEC. 18. Section 2607.5 of the Business and Professions Code is amended to read:

2607.5. (a) The board may employ an executive officer exempt from the provisions of the State Civil Service Act (Part 2 (commencing with Section 18500) of Division 5 of Title 2 of the Government Code) and may also employ investigators, legal counsel, physical therapist consultants, and other assistance as it may deem necessary to carry out this chapter. The board may fix the compensation to be paid for services and may incur other expenses as it may deem necessary. Investigators employed by the board shall be provided special training in investigating physical therapy practice activities.

(b) The Attorney General shall act as legal counsel for the board for any judicial and administrative proceedings and his or her services shall be a charge against it.

(c) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.

SEC. 19. Section 2648.7 of the Business and Professions Code is amended to read:

2648.7. (a) A licensee is exempt from the payment of the renewal fee and from meeting the requirements set forth in Section 2649 if he or she has applied to the board for retired license status. A holder of a license in retired status pursuant to this section shall not engage in the practice of, or assist in the provision of, physical therapy unless the licensee applies for renewal and meets all of the requirements as set forth in Section 2644.

(b) This section shall remain in effect only until January 1, 2019, and as of that date is repealed.

SEC. 20. Section 2653 of the Business and Professions Code is amended to read:

2653. An applicant for a license as a physical therapist who has graduated from a physical therapist education program that is not approved by the board and is not located in the United States shall do all of the following:

(a) Furnish documentary evidence satisfactory to the board, that he or she has completed a professional degree in a physical therapist educational program substantially equivalent at the time of his or her graduation to that issued by a board approved physical therapist education program. The professional degree must entitle the applicant to practice as a physical therapist in the country where the diploma was issued. The applicant shall meet the educational requirements set forth in paragraph (2) of subdivision (a) of Section 2650. The board may require an applicant to submit documentation of his or her education to a credentials evaluation service for review and a report to the board.

(b) ~~Demonstrate~~ (1) Except as provided in paragraph (2), demonstrate proficiency in English by achieving a score specified by the board on the Test of English as a Foreign Language administered by the Educational Testing Services or ~~such other examination means~~ as may be specified by the board by regulation.

(2) An applicant shall be exempt from the requirement under paragraph (1) if the applicant has been awarded a bachelor's degree or higher in a physical therapist educational program from a college, university, or professional training school in Australia, any part of Canada other than Quebec, Ireland, New Zealand, the United Kingdom, the United States, or another English-speaking country specified by the board.

(c) Complete nine months of clinical service in a location approved by the board under the supervision of a physical therapist licensed by a United States jurisdiction, in a manner satisfactory to the board. The applicant shall have passed the written examination required in Section 2636 prior to commencing the period of clinical service. The board shall require the supervising physical therapist to evaluate the applicant and report his or her findings to the board. The board may in its discretion waive all or part of the required clinical service pursuant to guidelines set forth in its regulations. During the period of clinical service, the applicant shall be identified as a physical therapist license applicant. If an applicant fails to complete the required period of clinical service, the board may, for good cause shown, allow the applicant to complete another period of clinical service.

SEC. 21. Section 2688 of the Business and Professions Code is amended to read:

2688. The amount of fees assessed in connection with licenses issued under this chapter is as follows:

(a) (1) The fee for an application for licensure as a physical therapist submitted to the board prior to March 1, 2009, shall be seventy-five dollars (\$75). The fee for an application submitted under Section 2653 to the board prior to March 1, 2009, shall be one hundred twenty-five dollars (\$125).

(2) The fee for an application for licensure as a physical therapist submitted to the board on or after March 1, 2009, shall be one hundred twenty-five dollars (\$125). The fee for an application submitted under Section 2653 to the board on or after March 1, 2009, shall be two hundred dollars (\$200).

(3) Notwithstanding paragraphs (1) and (2), the board may decrease or increase the amount of an application fee under this ~~subdivision to an amount that does not exceed the cost of administering the application process,~~ subdivision, but in no event shall the application fee amount exceed three hundred dollars (\$300).

(b) The examination and reexamination fees for the physical therapist examination, physical therapist assistant examination, and the examination to demonstrate knowledge of the California rules and regulations related to the practice of physical therapy shall be the actual cost to the board of the development and writing of, or purchase of the examination, and grading of each written examination, plus the actual cost of administering each examination. The board, at its discretion, may require the licensure applicant to pay the fee for the examinations required by Section 2636 directly to the organization conducting the examination.

(c) (1) The fee for a physical therapist license issued prior to March 1, 2009, shall be seventy-five dollars (\$75).

(2) The fee for a physical therapist license issued on or after March 1, 2009, shall be one hundred dollars (\$100).

(3) Notwithstanding paragraphs (1) and (2), the board may decrease or increase the amount of the fee under this ~~subdivision to an amount that does not exceed the cost of administering the process to issue the license,~~ subdivision, but in no event shall the fee to issue the license exceed one hundred fifty dollars (\$150).

(d) (1) The fee to renew a physical therapist license that expires prior to April 1, 2009, shall be one hundred fifty dollars (\$150).

(2) The fee to renew a physical therapist license that expires on or after April 1, 2009, shall be two hundred dollars (\$200).

(3) Notwithstanding paragraphs (1) and (2), the board may decrease or increase the amount of the renewal fee under this ~~subdivision to an amount that does not exceed the cost of the renewal process~~, *subdivision*, but in no event shall the renewal fee amount exceed three hundred dollars (\$300).

(e) (1) The fee for application and for issuance of a physical therapist assistant license shall be seventy-five dollars (\$75) for an application submitted to the board prior to March 1, 2009.

(2) The fee for application and for issuance of a physical therapist assistant license shall be one hundred twenty-five dollars (\$125) for an application submitted to the board on or after March 1, 2009. The fee for an application submitted under Section 2653 to the board on or after March 1, 2009, shall be two hundred dollars (\$200).

(3) Notwithstanding paragraphs (1) and (2), the board may decrease or increase the amount of the fee under this ~~subdivision to an amount that does not exceed the cost of administering the application process~~, *subdivision*, but in no event shall the application fee amount exceed three hundred dollars (\$300).

(f) (1) The fee to renew a physical therapist assistant license that expires prior to April 1, 2009, shall be one hundred fifty dollars (\$150).

(2) The fee to renew a physical therapist assistant license that expires on or after April 1, 2009, shall be two hundred dollars (\$200).

(3) Notwithstanding paragraphs (1) and (2), the board may decrease or increase the amount of the renewal fee under this ~~subdivision to an amount that does not exceed the cost of the renewal process~~, *subdivision*, but in no event shall the renewal fee amount exceed three hundred dollars (\$300).

(g) Notwithstanding Section 163.5, the delinquency fee shall be 50 percent of the renewal fee in effect.

(h) (1) The duplicate wall certificate fee shall be fifty dollars (\$50). The duplicate renewal receipt fee amount shall be fifty dollars (\$50).

(2) Notwithstanding paragraph (1), the board may decrease or increase the amount of the fee under this subdivision to an amount that does not exceed the cost of issuing duplicates, but in no event shall that fee exceed one hundred dollars (\$100).

(i) (1) The endorsement or letter of good standing fee shall be sixty dollars (\$60).

(2) Notwithstanding paragraph (1), the board may decrease or increase the amount of the fee under this subdivision to an amount that does not exceed the cost of issuing an endorsement or letter, but in no event shall the fee amount exceed one hundred dollars (\$100).

SEC. 22. *Section 2688.5 of the Business and Professions Code is repealed.*

~~2688.5. The board shall submit a report to the fiscal and appropriate policy committees of the legislature whenever the board increases any fee. The report shall specify the justification for the increase and the percentage of the fee increase to be used for enforcement purposes.~~

SEC. 23. *Section 2689 of the Business and Professions Code is amended to read:*

2689. (a) The board may establish by regulation suitable application and renewal fees of not more than two hundred dollars (\$200), for persons certified to perform electromyographical testing pursuant to Section 2620.5, based upon the cost of operating the certification program. The application fee shall be paid by the applicant at the time the application is filed and the renewal fee shall be paid as provided in Section ~~2683~~, **2644**.

(b) The board shall charge an examination and reexamination fee of five hundred dollars (\$500) to applicants who are examined and who have been found to otherwise meet the board's standards for certification.

SEC. 24. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*



California

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SB-762 Healing arts licensee: license activation fee: waiver. (2017-2018)

Senate: 1st Cmt 2nd 3rd Pass

Assembly: 1st Cmt

Bill Status	
Measure:	SB-762
Lead Authors:	Hernandez (S)
Principal Coauthors:	-
Coauthors:	-
Topic:	Healing arts licensee: license activation fee: waiver.
31st Day in Print:	03/23/17
Title:	An act to amend Section 704 of the Business and Professions Code, relating to workforce development healing arts.
House Location:	Assembly
Last Amended Date:	04/17/17
Committee Location:	Asm Business and Professions

Type of Measure
Active Bill - In Committee Process
Majority Vote Required
Non-Appropriation
Fiscal Committee
Non-State-Mandated Local Program
Non-Urgency
Non-Tax levy

Last 5 History Actions	
Date	Action
06/15/17	Referred to Com. on B. & P.
06/01/17	In Assembly. Read first time. Held at Desk.
05/31/17	Read third time. Passed. (Ayes 40. Noes 0. Page 1358.) Ordered to the Assembly.
05/26/17	Ordered to special consent calendar.
05/26/17	Read second time. Ordered to third reading.


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SB-762 Healing arts licensee: license activation fee: waiver. (2017-2018)

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AMENDED IN SENATE APRIL 17, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL

No. 762

Introduced by Senator Hernandez

February 17, 2017

An act to amend Section 704 of the Business and Professions Code, relating to ~~workforce development~~, healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 762, as amended, Hernandez. ~~Health care workforce development~~. *Healing arts licensee: license activation fee: waiver.*

Existing law requires a healing arts board, as defined, to issue, upon application and payment of the normal renewal fee, an inactive license or certificate to a current holder of an active license or certificate whose license or certificate is not suspended, revoked, or otherwise punitively restricted by the board. Existing law requires the holder of an inactive license or certificate to, among other things, pay the renewal fee in order to restore his or her license or certificate to an active status. Existing law requires the renewal fee to be waived for a physician and surgeon who certifies to the Medical Board of California that license restoration is for the sole purpose of providing voluntary, unpaid service to a public agency, not-for-profit agency, institution, or corporation that provides medical services to indigent patients in medically underserved or critical-need population areas of the state.

This bill would require the renewal fee to be waived for any healing arts licensee who certifies to his or her respective board that license restoration is for the sole purpose of providing voluntary, unpaid service to a public agency, not-for-profit agency, institution, or corporation that provides medical services to indigent patients in medically underserved or critical-need population areas of the state.

The federal Workforce Innovation and Opportunity Act of 2014 provides for workforce investment activities, including activities in which states may participate. Existing law contains various programs for job training and employment investment, including work incentive programs, as specified, and establishes local workforce investment boards to perform duties related to the implementation and coordination of local workforce investment activities. Existing law requires local workforce investment boards to spend a minimum percentage of

~~specified funds for adults and dislocated workers on federally identified workforce training programs and allows the boards to leverage specified funds to meet the funding requirements, as specified.~~

~~This bill would state the intent of the Legislature to enact legislation relating to health care workforce development.~~

Vote: majority Appropriation: no Fiscal Committee: ~~no~~yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 704 of the Business and Professions Code is amended to read:*

704. In order for the holder of an inactive license or certificate issued pursuant to this article to restore his or her license or certificate to an active status, the holder of an inactive license or certificate shall comply with ~~all~~ *both* the following:

(a) Pay the renewal fee; provided, that the renewal fee shall be waived for a ~~physician and surgeon~~ *healing arts licensee* who certifies to the ~~Medical Board of California~~ *board* that license restoration is for the sole purpose of providing voluntary, unpaid service to a public agency, not-for-profit agency, institution, or corporation ~~which that~~ provides medical services to indigent patients in medically underserved or critical-need population areas of the state.

(b) If the board requires completion of continuing education for renewers of an active license or certificate, complete continuing education equivalent to that required for a single license renewal period.

~~SECTION 1. It is the intent of the Legislature to enact legislation relating to health care workforce development.~~

**Speech-Language Pathology & Audiology
& Hearing Aid Dispensers Board
CALENDAR - FISCAL YEAR 2017/2018**

Rev. 7/18/17

Month	Date	Description
August 2017	10-11	Board & Committee Meetings - Sacramento
September 2017	4 7-9 14-16	State Holiday – Office Closed – Labor Day California Academy of Audiology Convention – Sacramento National Council of State Boards of Examiners for Speech-Language Pathology and Audiology – New Orleans, LA
October 2017	26-27	Board & Committee Meetings – S. California
November 2017	11 9-11 23/24	State Holiday – Office Closed – Veteran's Day ASHA Convention – Los Angeles State Holiday – Office Closed – Thanksgiving Holiday
December 2017	25	State Holiday – Office Closed - Christmas Day
January 2018	1 15	State Holiday – Office Closed – New Year's Day State Holiday – Office Closed – Martin Luther King Jr. Day
February 2018	8-9 19	Board & Committee Meeting - TBD State Holiday – Office Closed – Presidents Day
March 2018	22-25 31	CSHA Convention - Sacramento State Holiday – Office Closed – Caesar Chavez Day
April 2018	18-21	America Academy of Audiology – Nashville, TN
May 2018	3-5 10-11 28	HHP Annual Conference – Indian Wells, CA Board & Committee Meetings –TBD State Holiday – Office Closed – Memorial Day
June 2018		

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**Speech-Language Pathology & Audiology
& Hearing Aid Dispensers Board
CALENDAR - FISCAL YEAR 2018/2019**

Rev. 7/18/17

Month	Date	Description
July 2018	4	State Holiday – Office Closed - Fourth of July
August 2018	9-10	Board & Committee Meetings - TBD
September 2018	3 TBD	State Holiday – Office Closed – Labor Day CAA Convention - TBD
October 2018	TBD	National Council of State Boards of Examiners for Speech-Language Pathology and Audiology – TBD
November 2018	8-9 9-11 12 22-23	Board & Committee Meeting – TBD ASHA Convention – Boston, MA State Holiday – Office Closed – Veteran's Day Observed State Holiday – Office Closed – Thanksgiving Holiday
December 2018	25	State Holiday – Office Closed - Christmas Day
January 2019	1 21	State Holiday – Office Closed – New Year's Day State Holiday – Office Closed – Martin Luther King Jr. Day
February 2019	7-8 18	Board & Committee Meeting – TBD State Holiday – Office Closed – Presidents Day
March 2019	27-30 31	American Academy of Audiology – Columbus, OH State Holiday – Caesar Chavez Day
April 2019	1	State Holiday – Caesar Chavez Day Observed
May 2019	2-3 TBD 27	Board & Committee Meeting - TBD HHP Convention - TBD State Holiday – Office Closed – Memorial Day
June 2019		