

# *The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board*



**BOARD MEETING**



*February 5, 2021*

Teleconference



## TELECONFERENCE BOARD MEETING NOTICE AND AGENDA

### The Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board (Board) will hold a Board Meeting via WebEx Events on

***Friday, February 5, 2021, beginning at 9:00 a.m.***

**NOTE:** Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, neither Board member locations nor a public meeting location are provided. Public participation may be through teleconferencing as provided above. If you have trouble getting on the WebEx event to listen or participate, please call 916-263-2666.

#### **Important Notice to the Public:**

The Board will hold this public meeting via WebEx Events. Instructions to connect to this meeting can be found at the end of this agenda. To participate in the WebEx Events meeting, please log on to this website the day of the meeting:

<https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=e71db303d5903308349a1ff90a3c9bbf1>.

Due to potential technical difficulties, please consider submitting written comments by February 3, 2021, to [speechandhearing@dca.ca.gov](mailto:speechandhearing@dca.ca.gov) for consideration.

#### **Board Members**

Marcia Raggio, Dispensing Audiologist, Board Chair  
Holly Kaiser, Speech-Language Pathologist, Vice Chair  
Tod Borges, Hearing Aid Dispenser  
Karen Chang, Public Member  
Dee Parker, Speech-Language Pathologist  
Debbie Snow, Public Member  
VACANT, Dispensing Audiologist  
VACANT, Hearing Aid Dispenser  
VACANT, Otolaryngologist, Public Member

#### **Full Board Meeting Agenda**

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 Possible Approval of the November 20, 2020 Board Teleconference Meeting Minutes
4. Board Strategic Plan Approval
5. Board Chair's Report
  - a. 2021 Board Meeting Calendar
  - b. Board Committee Updates

6. Executive Officer's Report
  - a. Administration Update
  - b. Budget Report
  - c. Regulations Report
  - d. Licensing Report
  - e. Practical Examination Report
  - f. Enforcement Report
7. DCA Update – DCA Board and Bureau Relations
8. Discussion and Possible Action Regarding Audiology Examination Requirement: Consideration of The New Praxis Audiology Examination and Its Passing Score Recommendation (As Stated in Title 16, California Code of Regulations (CCR) section 1399.152.3)

**BREAK FOR LUNCH (TIME APPROXIMATE)**

9. Update on Speech and Hearing Related DCA Waivers related to the COVID-19 State of Emergency
  - a. Waivers Approved by DCA
    - i. Modification of Continuing Education Requirements for All Licensees
    - ii. Modification of Reactivation Requirements for Speech-Language Pathologists
    - iii. Modification of the Direct Monitoring Requirements for Required Professional Experience (RPE) Licenses and the Direct Supervision Requirements for Speech-Language Pathology Assistant (SLPA) Licenses
    - iv. Modification of the Limitations on Renewing of Hearing Aid Dispenser (HAD) Temporary Licenses and HAD Trainee Licenses
    - v. Modification of Limitations and Requirements for Extension of RPE Licenses
  - b. Waivers Denied by DCA
    - i. Modification of the 12-Month Fulltime Professional Experience Requirement for Licensure as an Audiologist
    - ii. Modification of Board Continuing Education Requirements to Waive Self-Study Restrictions
  - c. Identification of Additional Waivers Needed During COVID-19 State of Emergency
10. Legislative Report: Update, Review, and Possible Action on Proposed Legislation
  - a. 2021 Legislative Calendar and Deadlines
  - b. Board-Sponsored Legislation for the 2021 Legislative Session
    - Proposed Legislation to Revise Business and Professions Code Section 2532.25 Relative to Audiology Licensing Requirements
    - Proposed Legislation to Revise Business and Professions Code Sections 2838.35 and 2539.4 Relative to Locked Hearing Aids Disclosure from Hearing Aid Dispensers and Dispensing Audiologists
11. Legislative Items for Future Meeting  
(The Board May Discuss Other Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to Discuss Such Items Pursuant to Government Code Section 11125.4)
12. Regulatory Report: Update, Review, and Possible Action on Board Regulation Packages
  - a. Discussion and Possible Action regarding Speech-Language Pathology and Audiology Fees (As Stated in 16 CCR sections 1399.157, 1399.170.13, and 1399.170.14)
  - b. Update, Discussion and Possible Action regarding Regulations as a result of AB 2138 Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction (As Stated in 16 CCR sections 1399.132, 1399.133, 1399.134, 1399.156.1, 1399.156.2, and 1399.156.3)

13. Future Agenda Items and Potential Dates for Standalone Committee Meetings

14. Adjournment

*Agendas and materials can be found on the Board's website at [www.speechandhearing.ca.gov](http://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. In the event a quorum of the board is unable to attend the meeting, or the board is unable to maintain a quorum once the meeting is called to order, the members present may, at the Chair's discretion, continue to discuss items from the agenda and make recommendations to the full board at a future meeting. 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 Cherise Burns, Assistant Executive Officer, 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.*

# HOW TO – Join – DCA WebEx Event

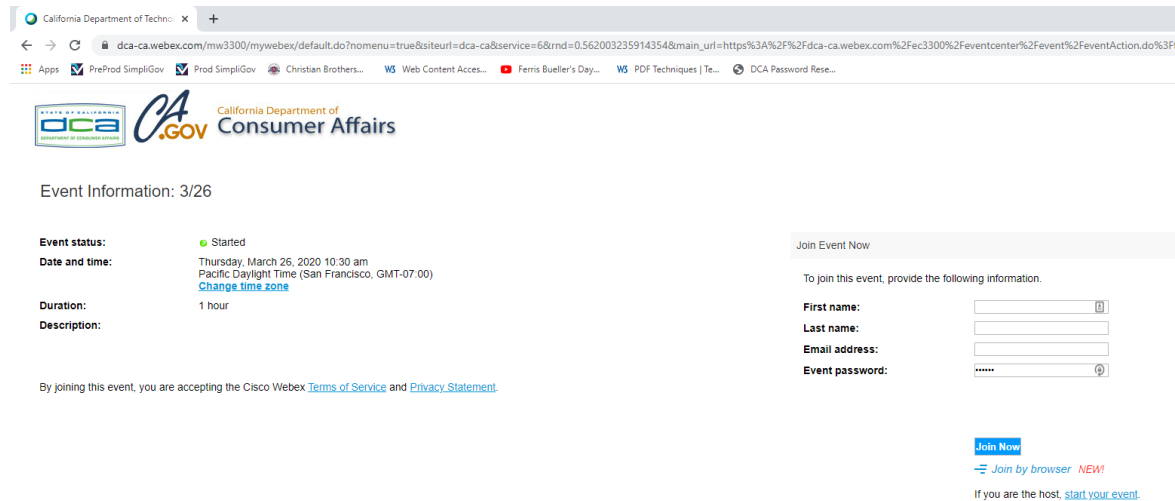
The following contains instructions to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

Example link:

<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>



2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.  
NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.

# HOW TO – Join – DCA WebEx Event

California Department of Techno... x +

dca-ca.webex.com/mw3300/mywebex/default.do?nomenu=true&siteurl=dca-ca&service=6&rnd=0.562003235914354&main\_url=https%3A%2F%2Fdca-ca.webex.com%2Fec3300%2Feventcenter%2Fevent%2FeventAction.do%3F

Apps PreProd SimpliGov Prod SimpliGov Christian Brothers... Web Content Acces... Ferris Bueller's Day... PDF Techniques J Te... DCA Password Rese...

**dca** **CA** California Department of Consumer Affairs

Event Information: 3/26

**Event status:** Started

**Date and time:** Thursday, March 26, 2020 10:30 am  
Pacific Daylight Time (San Francisco, GMT-07:00)  
[Change time zone](#)

**Duration:** 1 hour

**Description:**

By joining this event, you are accepting the Cisco Webex [Terms of Service](#) and [Privacy Statement](#).

**Join Event Now**

To join this event, provide the following information.

**First name:** Jason

**Last name:** Piccione

**Email address:** jason.piccione@dca.ca.gov

**Event password:** .....

**Join Now**

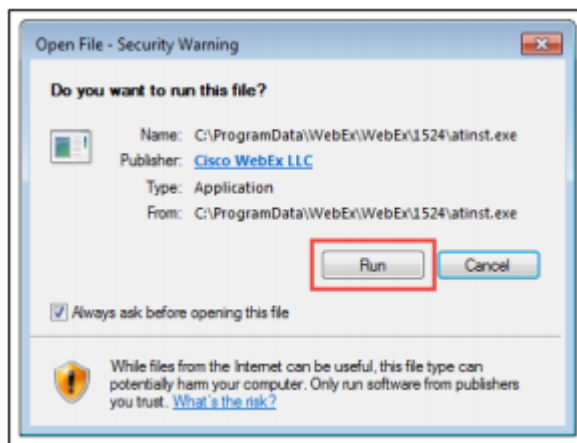
[Join by browser](#) **NEW!**

If you are the host, [start your event](#).

3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



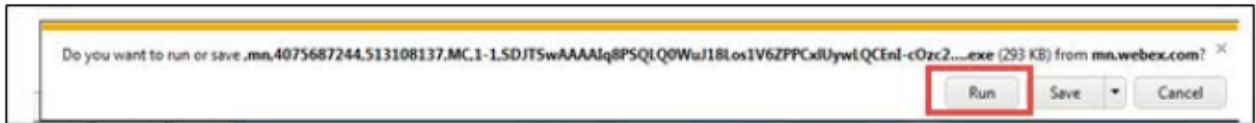
Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

## Starting Webex...



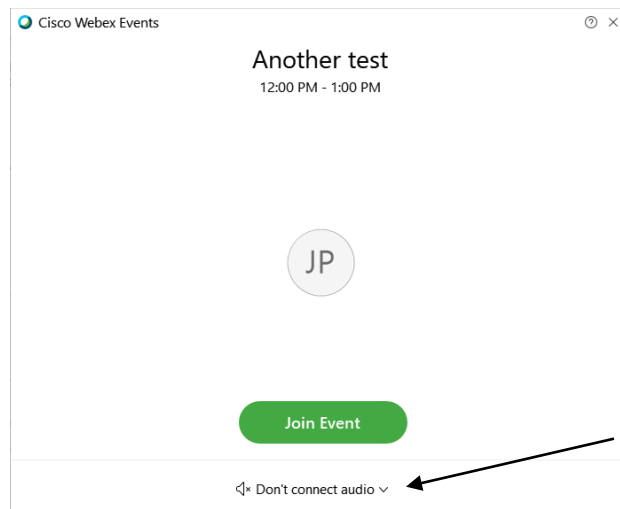
Still having trouble? [Run a temporary application](#) to join this meeting immediately.

5. To bypass step 4, click 'Run a temporary application'.
6. A dialog box will appear at the bottom of the page, click 'Run'.



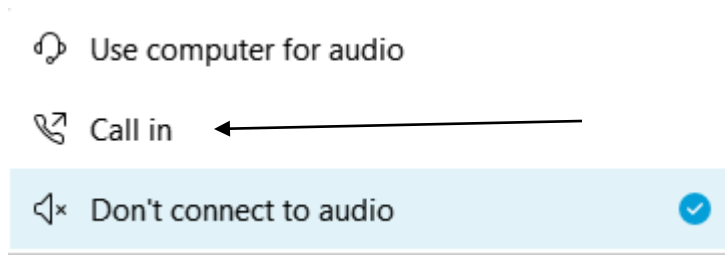
The temporary software will run, and the meeting window will open.

7. Click the audio menu below the green 'Join Event' button.

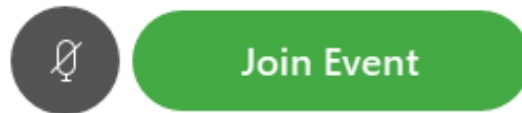


# HOW TO – Join – DCA WebEx Event

8. When the audio menu appears click 'Call in'.

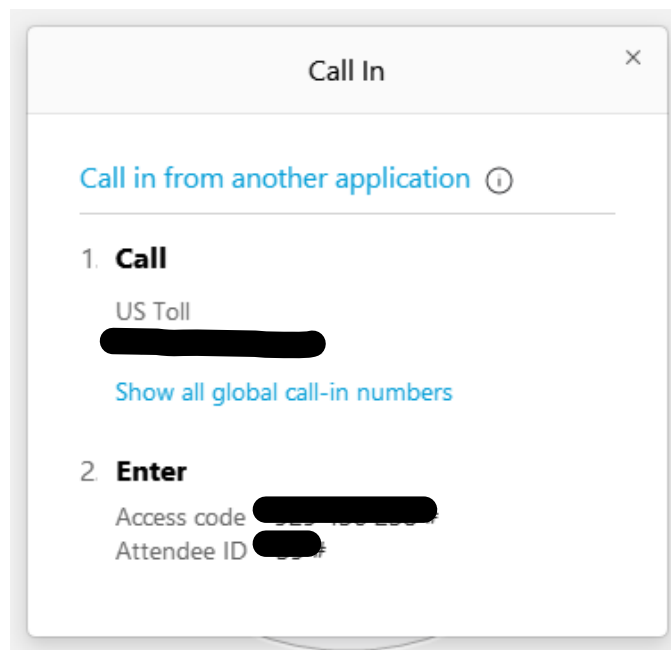


9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



Call in ▾

10. Call into the audio conference with the details provided.



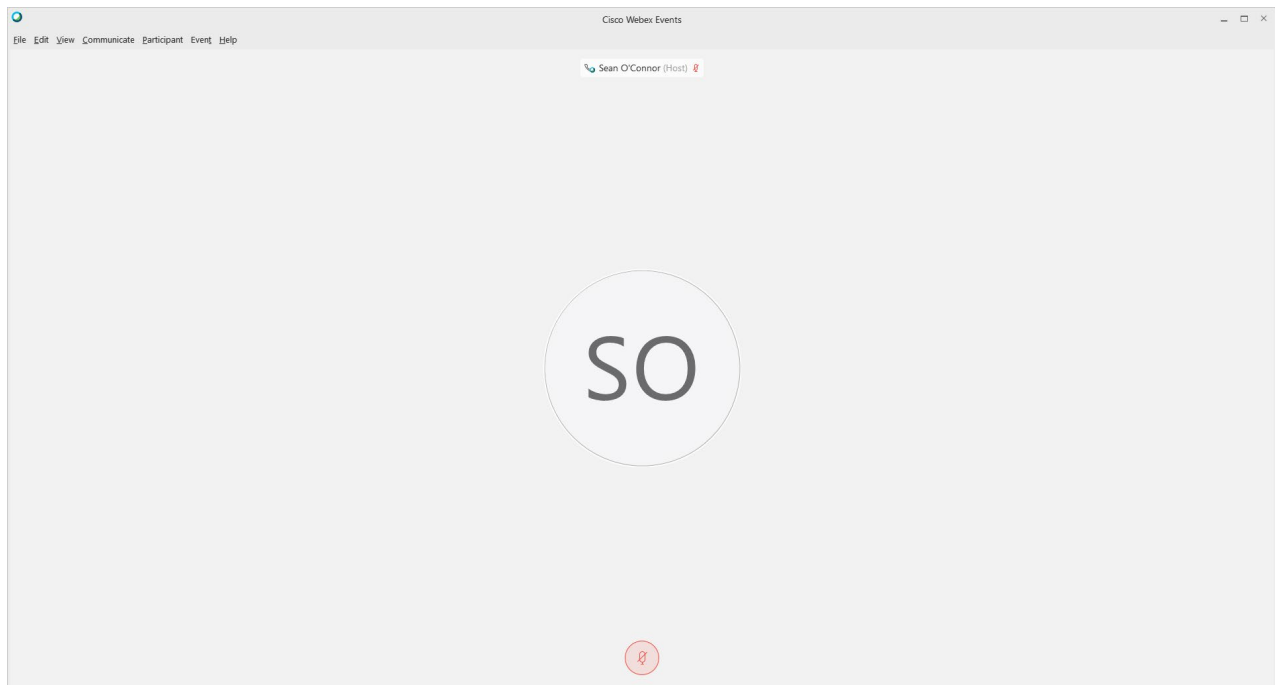


# HOW TO – Join – DCA WebEx Event

NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

Congratulations!

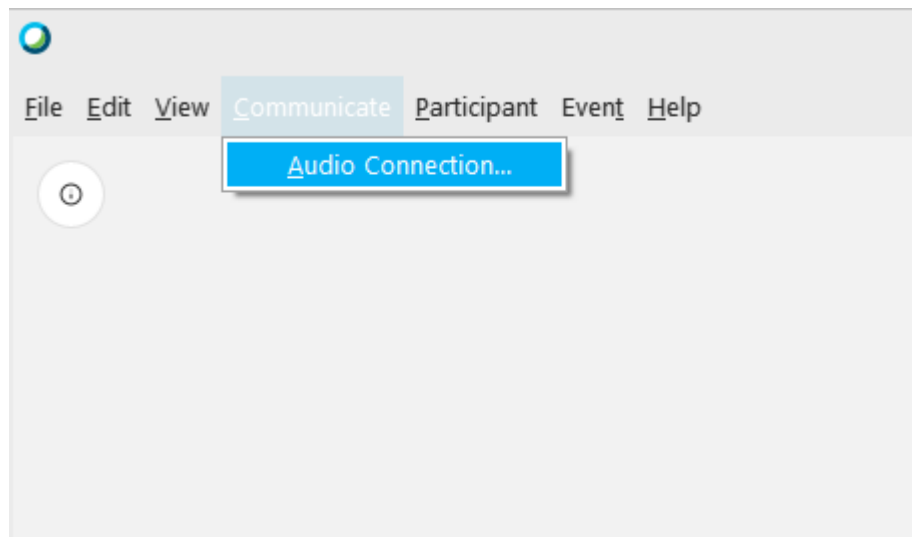


NOTE: Your audio line is muted and can only be unmuted by the event host.

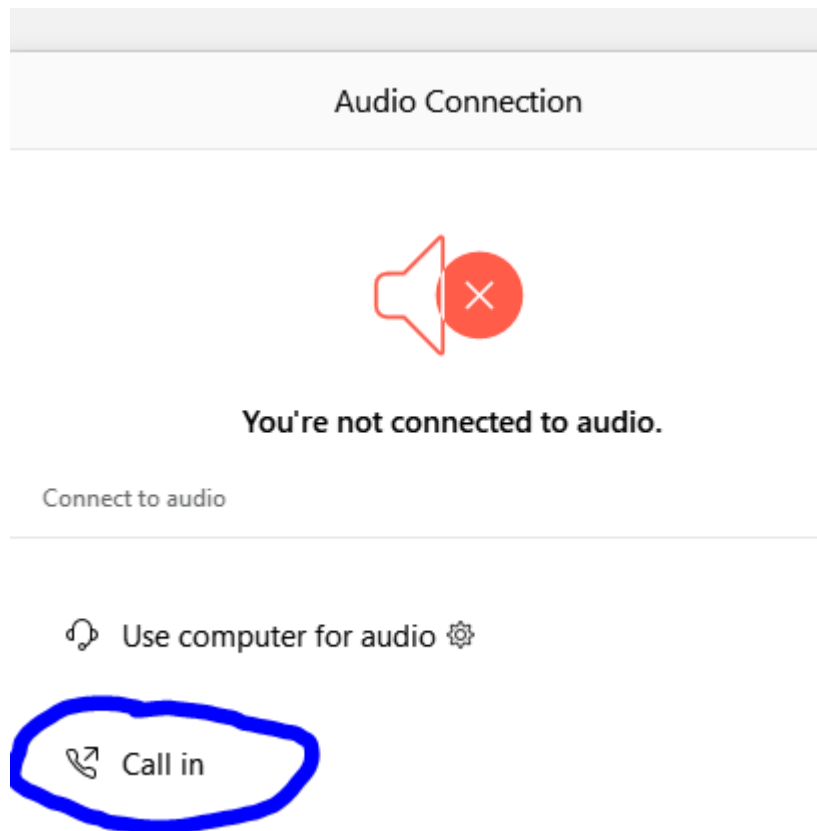
If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

Select 'Communicate' and 'Audio Connection' from top left of your screen.

# HOW TO – Join – DCA WebEx Event



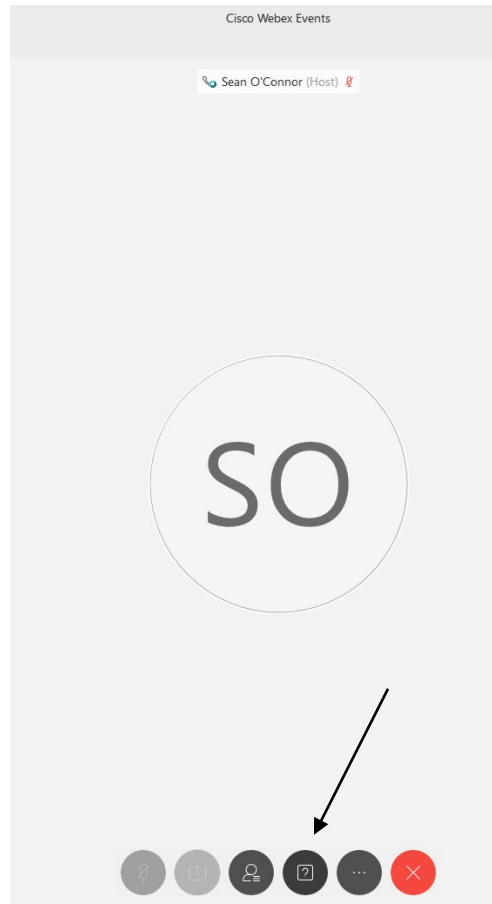
The 'Call In' information can be displayed by selecting 'Call in' then 'View'



You will then be presented the dial in information for you to call in from any phone.

## Participating During a Public Comment Period

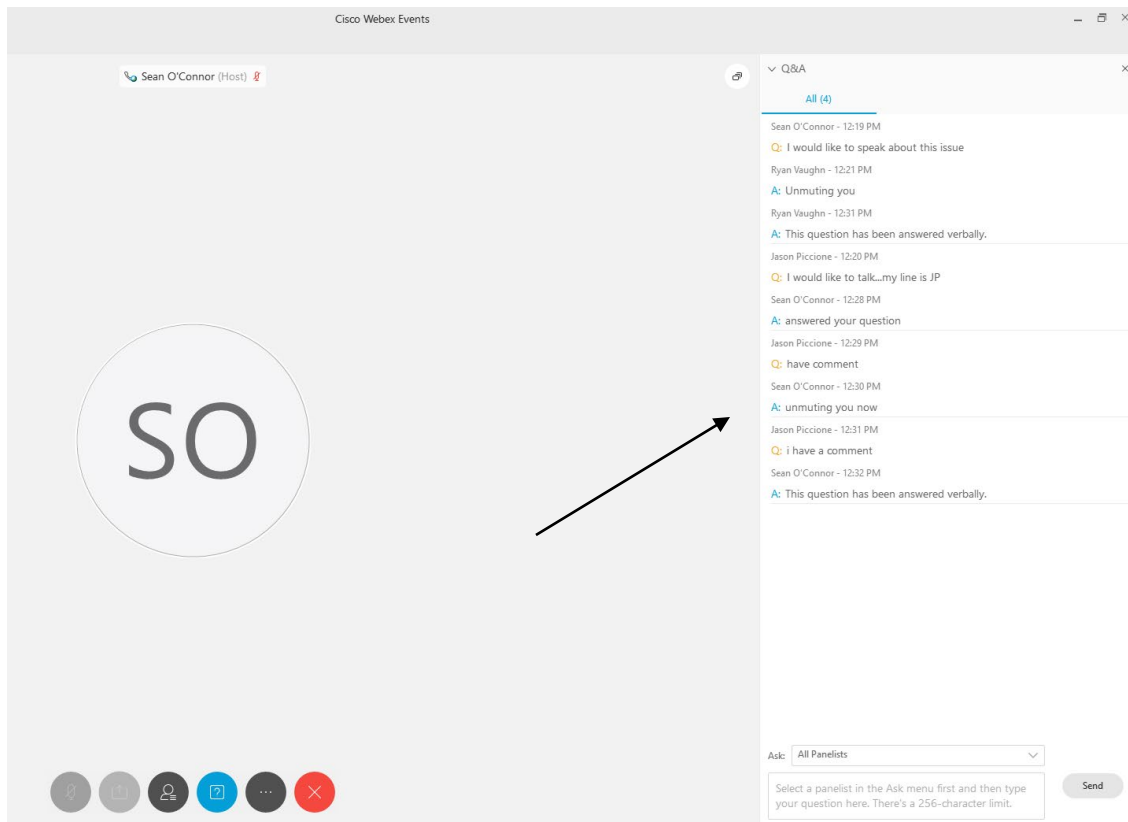
At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

# HOW TO – Join – DCA WebEx Event



To request time to speak during a public comment period, make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be notified when you have 10 seconds remaining.



# MEMORANDUM

DATE	January 25, 2021
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Heather Olivares, Legislation/Regulation Analyst
SUBJECT	Agenda Item 3: Review and Possible Approval of the November 20, 2020 Board Teleconference Meeting Minutes

## **Background**

Attached is a draft of the meeting minutes from the November 20, 2020 Board Teleconference Meeting. Please review and identify any necessary changes.

## **Action Requested**

Discuss whether there are necessary corrections or additional information needed. If not, make a motion to approve the November 20, 2020 Board Teleconference Meeting Minutes.

Attachment: November 20, 2020 Draft Board Teleconference Meeting Minutes



**BOARD MEETING MINUTES – DRAFT**  
**Teleconference Meeting**  
**November 20, 2020**

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.

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

Dee Parker, Board Chair, called the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board meeting to order at 9:01 a.m. Ms. Parker called roll; eight members of the Board were present and thus a quorum was established.

Board Members Present

Dee Parker, SLP, Board Chair  
Marcia Raggio, AuD, Vice Chair  
Tod Borges, HAD, Board Member  
Amnon Shalev, HAD, Board Member  
Holly Kaiser, SLP, Board Member  
Rodney Diaz, Otolaryngologist, Public Board Member  
Debbie Snow, Public Board Member  
Karen Chang, Public Board Member

Staff Present

Paul Sanchez, Executive Officer  
Joseph Chin, DCA Legal Counsel  
Cherise Burns, Assistant Executive Officer  
Tenisha Ashford, Enforcement Coordinator  
Lisa Snelling, Licensing Coordinator  
Heather Olivares, Legislation/Regulation Analyst

Guests Present

Brian Lewis  
Carrie Bower  
Marne Novick  
Michele Linares  
Shellie Bader

2. Public Comment for Items not on the Agenda

There were no comments from the public, outside agencies, or associations.

3. Board Strategic Planning Moderated by Department of Consumer Affairs (DCA)  
SOLID Team

DCA SOLID Team facilitated a strategic planning session. The Board reviewed its mission, vision, and values. The Board decided to change its values to include transparency and inclusion. The Board also developed strategic goals for licensing, enforcement, outreach and communications, laws and regulations, and program administration. The draft strategic plan will be completed by SOLID by December 2<sup>nd</sup> and will be brought back to the Board for approval.

4. Review and Possible Approval of the February 20-21, 2020 Board Meeting Minutes

**M/S/C Parker/Raggio**

**Motion to approve the February 20-21, 2020 Board meeting minutes with changes requested by Dr. Raggio. The motion carried 8-0.**

5. Review and Possible Approval of the June 30, 2020 Board Teleconference Meeting Minutes.

The meeting minutes were reviewed and Dr. Raggio proposed clarifying changes to the meeting minutes.

6. Executive Officer's Report  
a. Administration Update

Paul Sanchez provided an update on the Board's COVID-19 response. Mr. Sanchez reported the Board has maintained acceptable licensing cycle times even while navigating health and safety standards and employee furloughs.

Mr. Sanchez also reported the Board is still in the process of hiring an Associate Governmental Program Analyst position for legislation and regulations.

b. Budget Report

Mr. Sanchez reported the Board is on track to have a healthy reversion. Mr. Sanchez also provided an overview of the Board's fund condition. Mr. Sanchez stated the Board should have 5 to 6 months of expenditures in reserve. Mr. Sanchez reported the Board is moving forward with its Business Modernization Project and office relocation.

c. Regulations Report

Mr. Sanchez provided a snapshot of the current status of regulations in his written report.

d. Licensing Report

Mr. Sanchez provided a snapshot of the licensing cycle times in his written report.

e. Practical Examination Report

Mr. Sanchez reported the Board was able to resume practical exams in October 2020 for the exam dates that were canceled in April and July. Mr. Sanchez stated the Board needs more examiners.

f. Enforcement Report

Mr. Sanchez reported the Board has received close to 50 complaints during the first quarter of the fiscal year. The Board stated unlicensed activity is handled through the citation and fine process.

7. DCA Update – DCA Board and Bureau Relations

Carrie Holmes, Deputy Director for Board and Bureau Relations provided an update from DCA, including new appointments to the DCA leadership team and DCA's response to COVID-19. Ms. Holmes also reported that boards will be required to take a five (5) percent permanent budget reduction no later than Fiscal Year 2021-22.

8. Update on Speech and Hearing Related DCA Waivers related to the COVID-19 State of Emergency

Cherise Burns reported Governor Newsom issued an Executive Order authorizing DCA to waive statutory and regulatory requirements with respect to a professional license issued by a board or bureau. Ms. Burns provided an overview of the waivers issued to date, which were included in the written memo. Ms. Burns reported the Board moved forward with submitting a waiver request to remove the self-study limitation of the continuing education requirement. Karen Chang inquired about the waiver expiration process. Ms. Burns stated the waivers are reviewed and extended as needed. Holly Kaiser expressed support of the waiver request to remove the self-study limitation of the continuing education requirement, which is necessary during the pandemic. Michele Linares stated the CSHA virtual convention would not count as live hours without the waiver of the self-study limitation for continuing education.

9. Discussion and Possible Action regarding Speech-Language Pathology and Audiology Fees (As Stated in Title 16, California Code of Regulations (CCR), sections 1399.157, 1399.170.13, and 1399.170.14)

Cherise Burns reported the Board approved the fee regulations at the July 18-19, 2019 Board meeting. Ms. Burns stated the last fee increase for speech-language pathology and audiology was in 2002. Ms. Burns reported the fee regulations were officially noticed with the Office of Administrative Law on August 7, 2020 and the 45-day public comment period ended on September 25, 2020. The Board received four public comments which were summarized in the written memo. Ms. Burns reviewed the proposed responses to the public comments, which were also provided in the written memo. Marcia Raggio expressed support for raising the fees and stated it is unlikely the Board will lose licensees due to the fee increase. Michele Linares stated the timing of the fee increase should be considered due to COVID-19. Ms. Burns stated due to the



regulatory process it will be approximately another 6 months until the fee increase will be implemented.

## **M/S/C Raggio/Kaiser**

**Motion to adopt responses to comments received during the 45-day comment period and direct staff to develop the final statement of reasons and delegate to the Executive Office to make any non-substantive changes to the rulemaking file. The motion carried 8-0.**

10. Update, Discussion and Possible Action regarding Regulations as a result of AB 2138 Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction (As Stated in Title 16, California Code of Regulations (CCR) sections 1399.132, 1399.133, 1399.134, 1399.156.1, 1399.156.2, and 1399.156.3)

Cherise Burns reported the Board noticed the regulatory proposal on March 6, 2020 and the public comment period ended on April 20, 2020. Ms. Burns reported no additional public comments were received during the 15-day public comment period which ended on July 17, 2020 and the regulatory proposal was submitted to the Office of Administrative Law for approval on November 18, 2020 for final review and approval. Karen Halbo, DCA Regulatory Counsel, stated that based on a COVID-19 waiver, the Office of Administrative Law has an additional 120 days to review regulatory proposals on top of the usual 30 working days requirement.

11. Discussion and Possible Action on Board Proposed Legislation Regarding BPC sections 2838.35 and 2539.4 Relative to Locked Hearing Aids Disclosure from Hearing Aid Dispensers and Dispensing Audiologists

Marcia Raggio provided an overview of the problems with proprietary hearing aid software, as outlined in the written memo. If a company goes out of business or the client moves out of the area, this becomes a consumer access issue, requiring the consumer to purchase a new hearing aid. Dr. Raggio reported working with Tod Borges and Board staff to develop changes to the statute. Dr. Raggio reviewed the proposed legislative language.

Karen Chang inquired if it is possible to unlock a hearing aid. Dr. Raggio stated the only way to unlock a hearing aid would be if a company agreed to provide the hearing aid software. The Board discussed the current length and font requirements of the consumer notification document.

Marne Novick stated she sees 1 or 2 patients per month with locked hearing aids that must purchase new hearing aids. Ms. Novick stated she is in support of the consumer notification and would like the consumer to be required to initial on the purchase agreement that they have been notified.

Ms. Chang inquired about pursuing legislation requiring manufacturers to provide the propriety software if needed for a consumer in California. Paul Sanchez responded the

Board does not have jurisdiction over hearing aid manufacturers. Mr. Borges stated even if a company agrees to provide the software, other users would need training on how to use the software. Cherise Burns suggested bringing this issue up as part of the Board's Sunset Review process.

### **M/S/C Borges/Chang**

**Motion to adopt the legislative language as written and direct Board staff to find an Author for the legislative proposal. The motion carried 8-0.**

#### 12. Discussion and Possible Action on Board Proposed Legislation Regarding Audiology Licensing Requirements As Stated in Business and Professions Code Sections 2532.25 and Clarified in Title 16, CCR sections 1399.152.2 and 1399.152.2

Marcia Raggio provided an overview of the issues with the current statutory language in Business and Professions Code section 2532.25(b)(2) which requires the submission of evidence of no less than 12 months of satisfactorily completed supervised professional full-time experience under the direction of a board-approved audiology doctoral program. Ms. Raggio stated this requirement is restrictive for current hearing and balance training programs. Ms. Raggio reported audiology educational programs typically require approximately 1850 clinical clock hours.

Ms. Raggio reported the Audiology Practice Committee met on September 23, 2020 and received information that students earn between 600 and 800 clinical clock hours before the Required Professional Experience (RPE) rotations begin. To address this issue, Business and Professions Code section 2532.25 should be amended to allow for supervised clinical rotations or experiences held throughout the educational program to count toward the 12 months of full-time experience.

Christy Kirsch with San Diego State University spoke in favor of keeping the 12-month RPE requirement, while allowing clinical hours to be accumulated during the four-year educational program. Shaum Bhagat with San Jose State University spoke in favor of counting pre-RPE clinical hours. Margaret Winters with Cal State LA spoke in favor of counting clinical hours completed during the educational program as well as hours that do not involve direct patient care, but support patient care.

### **M/S/C Raggio/Borges**

**Motion to seek statutory changes to Business and Professions Code section 2532.25 to allow hours obtained by participation in supervised clinical rotations or experiences during the educational program and Required Professional Experience. The motion carried 8-0.**

#### 13. Discussion and Possible Action on Board Proposed Legislation to Address Emergency Waiver Authority for the Board

Cherise Burns reported that during the COVID-19 pandemic, the Board needed to move quickly to identify statutory and regulatory requirements that needed to be waived to ensure continuity of care for consumers. Ms. Burns stated the Board lacks

authority to waive its own requirements without statutory authority or an Executive Order authorizing the Board to waive requirements. Without this authority, the Board must rely on DCA to approve waivers, resulting in significant delays or denials of Board requests which have negatively impacted applicants and licensees. Ms. Burns reviewed the proposed legislative language which would provide the Board emergency waiver authority.

Marcia Raggio inquired if other boards have pursued similar legislation. Ms. Burns stated other boards that are considering this legislative change will be discussing this issue at their fall board meeting. The Board discussed the best timing for moving forward with this legislative proposal. The Board also discussed working with other boards to pursue this issue together or pursuing this change as part of the sunset review process. The Board decided to table this issue for now.

#### 14. Legislative Report: Update on Proposed Legislation

##### a. Chaptered Legislation

- AB 2113 (Low) Refugees, asylees, and immigrants: professional licensing

Cherise Burns provided a summary of the bill which was included in the written memo. This bill requires the Board to expedite, and authorizes the Board to assist, the initial licensure process for an applicant who supplies satisfactory evidence to the Board that they are a refugee, have been granted asylum, or have a special immigrant visa. Ms. Burns stated Board staff does not anticipate adopting regulations to implement this bill, but the Board's applications will be updated effective January 1, 2021.

- AB 2520 (Chiu) Access to medical records

Cherise Burns provided a summary of the bill which was included in the written memo. This bill requires Speech-Language Pathologists and Audiologists to provide a patient or the patient's representative with all or any part of the patient's medical records that the patient has a right to inspect, subject to the payment of clerical costs incurred in locating and making the records available, following a written request from the patient. This bill also requires Speech-Language Pathologists and Audiologists to provide one free copy of the relevant portion of the patient's record if the patient, the patient's representative, or an employee of a nonprofit legal services entity representing the patient presents proof to the provider that the records are needed to support an appeal regarding eligibility for a public benefit program. Ms. Burns stated the Board supported this bill.

- SB 878 (Jones) Department of Consumer Affairs Licensing: applications: wait times

Cherise Burns provided a summary of the bill which was included in the written memo. Beginning July 1, 2021, this bill requires the Board to prominently display on its website, on at least a quarterly basis, either the current average timeframes for processing initial and renewal license applications or the combined current average timeframe for processing both initial and renewal license applications for each license

type. Ms. Burns stated the Board has been posting processing times on the website intermittently, but will begin posting the timeframes more regularly in compliance with this legislation that goes into effect July 1, 2021.

- SB 1474 (Senate Business, Professions and Economic Development Committee) Business and Professions

Cherise Burns provided a summary of the bill which was included in the written memo. Ms. Burns explained how this bill impacts the Board's sunset review process and prohibits a contract for the provision of services by a Board licensee from including a provision limiting the consumer's ability to file a complaint with that board or to participate in the board's investigation into the licensee.

#### b. Dead Legislation

Cherise Burns provided a brief summary of legislation of interest to the Board that died including AB 613 (Low) Professions and vocations: regulatory fees and AB 2028 (Aguiar-Curry) State agencies: meetings. Additional legislation was included in the written memo.

#### 15. Legislative Items for Future Meeting

There were no legislative items requested for a future meeting.

#### 16. Election of Officers

Paul Sanchez provided an overview of the responsibilities for the Board Chair position.

#### **M/S/C Chang/Shalev**

**Motion to nominate Marcia Raggio as Board Chair. The motion carried 8-0.**

Paul Sanchez provided an overview of the responsibilities for the Vice Chair position.

#### **M/S/C Raggio/Parker**

**Motion to nominate Holly Kaiser as Vice Chair. The motion carried 8-0.**

#### 17. Future Agenda Items and Potential Dates for Board Meetings and Standalone Committee Meetings

Marcia Raggio requested that cognitive screenings performed by audiologists and speech-language pathologists be added to a future agenda. Board members can also submit agenda items to Paul Sanchez or Cherise Burns via email.

The Board also discussed Board meeting dates for 2021. The scheduled dates are February 5, 2021, May 14, 2021, August 6, 2021, October 8, 2021, and possible sunset review teleconference on November 5, 2021. Standalone Committee Meetings will be scheduled in between the Board meeting dates.

The meeting moved into closed session at 4:39 p.m. and adjourned after closed session.



# MEMORANDUM

DATE	January 28, 2021
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Agenda Item 4: Board Strategic Plan Approval

## **Background**

Attached is the proposed 2021-2024 Board Strategic Plan that was developed during the November 20, 2020 Board Strategic Planning Session. Please review and identify any necessary changes.

## **Action Requested**

Discuss whether there are necessary corrections or additional information needed. If not, make a motion to approve the 2021-2024 Board Strategic Plan.

Attachment: 2021-2024 Board Strategic Plan



# **SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID DISPENSERS BOARD**

## Strategic Plan 2021-2024

## Table of Contents

Members of the Board.....	2
Message from the Current Board Chair.....	3
About the Board.....	4
Mission, Vision, and Values .....	6
Mission .....	6
Vision.....	6
Values.....	6
Goal 1: Licensing .....	7
Goal 2: Enforcement .....	8
Goal 3: Outreach and Communications.....	9
Goal 4: Laws and Regulations .....	10
Goal 5: Program Administration .....	11
Strategic Planning Process .....	12



## Members of the Board

Dr. Dee Parker, Speech-Language Pathologist - Chair

Dr. Marcia Raggio, Dispensing Audiologist – Vice Chair

Holly Kaiser, Speech-Language Pathologist

Tod Borges, Hearing Aid Dispenser

Karen Chang, Public Member

Dr. Rodney Diaz, Otolaryngologist, Public Member

Amnon Shalev, Hearing Aid Dispenser

Debbie Snow, Public Member

Gavin Newsom, Governor

Lourdes M. Castro Ramírez, Secretary, Business, Consumer Services and Housing Agency

Kimberly Kirchmeyer, Director, Department of Consumer Affairs

Paul Sanchez, Executive Officer, Speech-Language Pathology & Audiology & Hearing Aid  
Dispensers Board

## Message from the Current Board Chair

As the newly elected chair of the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board), I am pleased to present the Strategic Plan 2021-2024.

Our Board is responsible for ensuring that every Californian, adult or child, has access to speech, language, and hearing healthcare services provided by licensed professionals who bring competency and skill to all pertinent patient needs. Our licensees must pass rigorous examinations and maintain continuing education that ensure the needed qualifications for providing the best and most appropriate services to California's consumers across the lifespan with communicative disorders.

The 2021-2024 Strategic Plan outlines the goals of our Board, which were developed by first evaluating the current needs of California's consumers, as well as those of our licensees, and to ensure efficient and successful board operations. In this document, key issues and activities can be found that we consider critical to the successful fulfillment of the Board's mission and goals.

In evaluating our responsibilities for ensuring and maintaining the needs of consumers, we are also aware of the challenges we face and are dedicated to developing the ways and means to meet them. The Board is continually working to meet its regulatory, legislative, and enforcement obligations with a consummate eye to updating and defining the needs of all we serve.

We encourage all stakeholders, whether consumers or professionals, to participate in the work of the Board to make sure we remain aware of any changing dynamics in the needs of consumers or for the professions we oversee.

## About the Board

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) serves to protect the public by licensing and regulating speech-language pathologists, audiologists, and hearing aid dispensers who provide speech and hearing services to California consumers. The Board sets entry-level licensing standards, which includes examination requirements that measure the licensees' professional knowledge and clinical abilities that are consistent with the current demands for services of each respective field of practice. To ensure ongoing consumer protection, the Board enforces standards of professional conduct by investigating applicant backgrounds, investigating complaints against licensed practitioners and unlicensed providers, and taking disciplinary action whenever appropriate.

The Board is charged with regulating Speech-Language Pathology, Audiology, and Hearing Aid Dispensing; three separate and distinct professions with their own scopes of practice, entry-level requirements, and professional settings. Speech-language pathologists mainly provide services to individuals with speech, voice or language disorders and swallowing disorders or impairments. Audiologists provide services to individuals with hearing, balance (vestibular), and related communication disorders. Most audiologists are also licensed to dispense hearing aids and are called Dispensing Audiologists. Hearing Aid Dispensers provide services to individuals with impaired hearing which include hearing tests for the purposes of fitting, selection, and adaptation of hearing aids.

To balance the professional expertise and public input on the Board, the governance structure of the Board consists of two speech-language pathologists; two audiologists, one of whom must be a dispensing audiologist; two hearing aid dispensers; and three public members, one of which who must be a licensed, Board certified physician and surgeon in otolaryngology. All these members (except two public members) are appointed by the Governor. One public member seat is appointed by the Senate Rules Committee and one by the Speaker of the Assembly.

The Board is responsible for regulating the following license types and categories:

- Speech-Language Pathologist [Business and Professions Code (BPC) Section 2530.2(d)-(g)] – licensed to provide assessment and therapy for individuals who have speech, language, swallowing, and voice disorders.
- Audiologist [BPC Section 2530.2(j)-(k)]- licensed to identify hearing, auditory system, and balance disorders, and provide rehabilitative services, including hearing aids and other assistive listening devices.
- Dispensing Audiologists [BPC Section 2530.2(l)] – licensed to perform the duties of an Audiologist as described above and authorized to sell hearing aids.
- Speech-Language Pathology Assistant (SLPA) [BPC Sections 2530.2(i), 2538-2538.7] registered paraprofessionals who complete formal education and training and serve under the direction of a licensed speech-language pathologist.

- Required Professional Experience Temporary License [BPC Sections 2532.2(d), 2532.25, & 2532.7] - speech-language pathology and audiology applicants completing required professional experience to qualify for full licensure, practicing under the supervision of a licensed practitioner.
- Speech-Language Pathology Aide [BPC Section 2530.2(h)] – support personnel approved to work directly under the supervision of a speech-language pathologist. No requirement for formal education and training, but on-the-job training must be provided.
- Audiology Aide [BPC Section 2530.2(m)] - support personnel approved to work under the supervision of a licensed audiologist. No requirement for formal education and training, but on-the-job training must be provided.
- Speech-Language Pathology or Audiology Temporary License [BPC Section 2532.3] – speech-language pathologist or audiologist, licensed in another state, who qualifies for a six-month license while seeking permanent licensure.
- Hearing Aid Dispenser [BPC Section 2538.11] – licensed to fit and sell hearing aids, take ear mold impressions, post fitting procedures, and directly observe the ear and test hearing in connection with the fitting and selling hearing aids.
- Hearing Aid Dispenser Temporary License [BPC Section 2538.27] – hearing aid dispenser, licensed in another state, who qualifies for a 12-month temporary license while seeking permanent licensure.
- Hearing Aid Dispenser Trainee License [BPC Section 2538.28] – allows a hearing aid dispenser trainee applicant to work under the supervision of a licensed hearing aid dispenser for up to 18 months.
- Branch License- [BPC Section 2538.34] – licenses issued to hearing aid dispensers authorizing the dispenser to work at additional branch locations.
- SLPA Training Program [BPC Section 2538.1] – Board-approved training/educational programs.
- Continuing Professional Development (CPD) Providers [BPC Section 2532.6] who offer CPD courses required for license renewal of speech-language pathology and audiology licensees.
- Continuing Education Courses (CE) [BPC Section 2538.18] – CE courses offered to Hearing Aid Dispensers required for license renewal.

The Board’s licensing population is over 35,000 individuals and entities. According to the Bureau of Labor Statistics, US Department of Labor, Occupational Outlook Handbook, 2014-15 Edition; by 2024, the Speech-Language Pathologist and Audiologist professions are expected to grow by 21 percent and 29 percent, respectively in the United States.

# Mission, Vision, and Values

## Mission

We protect the people of California by promoting standards and enforcing the laws and regulations that ensure the qualifications and competence of providers of speech-language pathology, audiology, and hearing aid dispensing services.

## Vision

Every person in the State of California has access to diagnosis and treatment of communication disorders, and related services of the highest quality.

## Values

- Consumer protection
- Efficiency
- Integrity
- Professionalism
- Accountability
- Effectiveness
- Service
- Transparency
- Inclusion

## Goal 1: Licensing

*The Board ensures licensing standards that protect consumers while permitting reasonable access into the professions.*

- 1.1 Provide access to licensing applications and payments on an online platform to improve efficiency.
- 1.2 . Complete and submit a Budget Change Proposal (BCP) to request additional licensing positions to meet the demand for licensing services and reduce processing times.
- 1.3 Develop an online system to account for continuing education hours.
- 1.4 Create an ad hoc telepractice committee to bring policy issues to the Board.

## Goal 2: Enforcement

*The health and safety of California's consumers is protected through the active enforcement of the laws and regulations governing the practices of speech-language pathology, audiology, and hearing aid dispensing.*

2.1 Create consumer and licensee resources that detail the enforcement process to increase transparency and engender more trust in the system.

2.2 Develop an online complaint system to improve interactivity and responsiveness for complainants and licensees.

2.3 Complete and submit a BCP to request additional enforcement positions to reduce enforcement timeframes and increase consumer protection.

## Goal 3: Outreach and Communications

*Consumers and other stakeholders are educated and informed about the practices, and laws and regulations governing the professions of speech-language pathology, audiology, and hearing aid dispensing.*

3.1 Educate stakeholders about why the regulatory process takes so long to set realistic expectations.

3.2 Communicate to stakeholders the status of regulations on the website to increase transparency.

3.3 Educate licensees about third party administrators to protect consumers and licensees.



## Goal 4: Laws and Regulations

*The health and safety of California consumers is protected by the laws and regulations governing the speech-language pathology, audiology and hearing aid dispensing professions.*

4.1 Develop, through the sunset review process, the statutory authority to collect and use stakeholder contact information to enhance the Board's ability to communicate with stakeholders.

4.2 Develop regulations regarding the appropriate level of supervision for trainees, aides, and assistants to safeguard consumer protection and seek statutory changes if necessary.

4.3 Evaluate if there are areas that need to be better defined in laws/regulations regarding oversight and what the scope of practice is in all professions under the Board in order to protect consumers and educate licensees.

## Goal 5: Program Administration

*The Board is committed to efficiently and effectively utilize resources and personnel to meet our goals and objectives.*

5.1 Utilize technology to develop methods to improve responsiveness to telephone inquiries from stakeholders/consumers to increase responsiveness to stakeholders and improve their access to the information they need.

5.2 Develop online tools that allow a user to check the status of transactions, including consumer complaints and license applications, to increase responsiveness to stakeholders and improve their access to the information they need.

5.3 Complete and submit a Budget Change Proposal (BCP) to request additional program administration positions to improve responsiveness to stakeholders and reduce processing timeframes in enforcement and licensing.

5.4 Implement training for staff, Board members, subject matter experts, and expert witnesses to maintain consistent communication and practices.

5.5 Move the Board to a new database and online application system to effectively utilize resources and personnel.

## Strategic Planning Process

To understand the environment in which the Board operates and to identify factors that could impact the Board's success, the California Department of Consumer Affairs' SOLID Planning unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- ◆ Interviews conducted with all nine members of the Board, as well as the Executive Officer and Assistant Executive Officer, were completed during the months of September and October 2020 to assess the challenges and opportunities the Board is currently facing or will face in the upcoming years.
- ◆ An online survey was sent to the Board's 11 staff members, to identify the strengths and weaknesses of the Board from an internal perspective. Five Board staff participated.
- ◆ An online survey was sent to a Listserv of external Board stakeholders in September 2020 to identify the strengths and weaknesses of the Board from an external perspective. Nine hundred stakeholders completed the survey.

The most significant themes and trends identified from the environmental scan were discussed by the Board members and executive team during a strategic planning session facilitated by SOLID Planning on November 20, 2020. This information guided the Board in the review of its mission, vision, and values while directing the strategic goals and objectives outlined in its new strategic plan.



# MEMORANDUM

DATE	January 26, 2021
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Marcia Raggio, Board Chair
SUBJECT	Agenda Item 5: Board Chair's Report

For this item, we will be discussing two issues. The first is a reminder of our upcoming board teleconference call dates (see below). The board office will be informed if there is to be a change in teleconference vs. in-person meetings later this year. Secondly, we will be discussing board member assignments for our standing committees as listed below. Some committees have sufficient member participation while most have a limited number of members assigned due to the number of board vacancies at this time.

## Current Board Roster

Name	Position	Profession	Oath Term Dates
Marcia Raggio	Board Chair	Audiologist	12/17/12 – 1/1/23
Holly Kaiser	Board Vice Chair	Speech-Language Pathologist	5/14/20 – 1/1/24
Tod Borges	Board Member	Hearing Aid Dispenser	12/4/19 – 1/1/23
Karen Chang	Board Member	Public Member	12/6/17 – 11/30/21
Debbie Snow	Board Member	Public Member	11/30/13 – 11/30/21
Dee Parker	Board Member	Speech-Language Pathologist	8/16/13 – 1/1/21
VACANT	Board Member	Audiologist	
VACANT	Board Member	Hearing Aid Dispenser	
VACANT	Board Member	Public Member, Otolaryngologist	

**a. 2021 Board Meeting Calendar**

MEETING CALENDAR/AGENDAS/MINUTES					
<b>2021</b>					
November 5, 2021 Board Meeting	Teleconference				
October 8, 2021 Board Meeting	Teleconference				
August 6, 2021 Board Meeting	Teleconference				
May 14, 2021 Board Meeting	Teleconference				
February 5, 2021 Board Meeting	Teleconference	<a href="#">Agenda</a>			

**b. Board Committee Updates**

**STANDING COMMITTEES**

Standing Committee composition and leadership are determined by the Board President and are fully within the scope of the Open Meetings Act. Standing Committee meetings are often held in conjunction with regularly scheduled Board Meetings.

SLP PRACTICE COMMITTEE		
<i>Addresses changes in practice patterns and recommends position statements and/or scope of practice amendments for consideration.</i>		
Name	Position	Profession
Holly Kaiser	Chair	SLP
Dee Parker	Member	SLP
Debbie Snow	Member	Public

***Addresses changes in practice patterns and recommends position statements***

<b>Name</b>	<b>Position</b>	<b>Profession</b>
Marcia Raggio	Chair	DAU
VACANT	Member	DAU
VACANT	Member	ORL/Public
Karen Chang	Member	Public

***Provides policy and regulatory guidance with respect to HAD practices and recommends scope of practice amendments for consideration.***

<b>Name</b>	<b>Position</b>	<b>Profession</b>
Tod Borges	Chair	HAD
VACANT	Member	HAD
Marcia Raggio	Member	DAU
VACANT	Member	DAU
VACANT	Member	ORL/Public
Karen Chang	Member	Public

**AD HOC COMMITTEES**

Ad Hoc Committees may be established by the Board President as needed. Composition and leadership will be appointed by the Board President. Ad Hoc Committees may include the appointment of non-Board members at the Board President's discretion. Ad Hoc Committees are not fully within the scope of the Open Meetings act, however all recommendations made by Ad Hoc Committees must be reviewed and voted on by the Board in a public Board Meeting.

**SUNSET REVIEW AD HOC COMMITTEE**  
***Develop for the Board's review the Board's Sunset Review Report to the California Legislature.***

<b>Name</b>	<b>Position</b>	<b>Profession</b>
Marcia Raggio	Chair	DAU
Holly Kaiser	Member	SLP

**ENFORCEMENT AD HOC COMMITTEE**

*Review and recommend to the Board proposed revisions to the laws, regulations, and policies related to the Board's enforcement of the Board's Practice Act.*

Name	Position	Profession
	Chair	
	Member	

**Legend:**

- DAU - Dispensing Audiologist
- SLP - Speech-Language Pathologist
- ORL/ENT – Otolaryngologist/ Ear, Nose, & Throat
- HAD - Hearing Aid Dispenser
- AU - Audiologist

**Action Requested**

This item is for discussion purposes and any resulting committee assignments/reassignments are at the discretion of the Board Chair.



# MEMORANDUM

DATE	January 26, 2021
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Agenda Item # 6: Executive Officer Report

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

## a) Administration Update

### Board Projects

**Business Modernization** – The Board staff completed Stage 1 of the Project Approval Lifecycle. This allows the Board move to the next stage of its Business Modernization project. The project, which is a collaborative effort with DCA's Organizational Improvement Office, will result in an information technology solution that will transition the Board from its existing legacy databases to a new system that will provide access for licensees and applicants to apply for licensure and complete online transactions and allow consumers to submit complaints directly to the Board through the online portal. The system will also improve the Board's tracking of enforcement-related investigations and actions.

**Board Office Relocation** – The Board's office relocation is moving forward as planned. Plan and design phases were completed in December 2020. The next phase is construction with a planned move completed by end of Spring 2021.

### Administration/Personnel/Staffing

**COVID-19 Plan and Response** – In response to the California's Department of Public Health Stay at Home Order, State government offices were directed to on December 7, 2021. On January 25, 2021, with the lifting of the Regional Stay at Home Orders, State government offices were directed to reopen its office no later than February 1, 2021. The Board office will reopen to the public on February 1, 2021.



The Board’s leadership will continue to promote and implement State health and safety guidelines. The Board office is staffed on a rotational basis with most employees teleworking at least part time.

**Staffing** – The Board office is recruiting for one Associate Governmental Program Analyst that will be responsible for legislation and regulations coordination.

Staffing in the COVID-19 environment remains challenging with scheduling rotations, absences, and state employee furloughs. To address workload demands in licensing, Board staff have continued to work overtime.

**b) Budget Report**

Included in your Board materials is the most recent Expenditure Projection Report. This report reflects fiscal activity through November 30, 2020 and is based on data provided by DCA’s Budgets Office. Based on this report, we project that the Board is on course to expend most of its budget. We will continue to monitor the budget closely and work with DCA Budgets to have more information on final projections and reversion amounts as we get closer to the end of the fiscal year.

**c) Regulations Report**

Below is a table with the Board’s pending rulemaking files that are either in the DCA Initial Review Process or in the Official Rulemaking Process with the Office of Administrative Law.

<b>Rulemaking File</b>	<b>Final Filing Date</b>	<b>Status</b>	<b>Comments</b>
Criminal Conviction Substantial Relationship and Rehabilitation Criteria	3/5/2021	11/18/2020 – Submitted to OAL 10/12/2020 – Submitted for Agency review 10/8/2020 – Submitted for DCA review 9/10/2020 – Submitted for Legal review 7/6/2020 – 15-day comment period 6/30/2020 – Board approved modified text 3/6/2020 – Initial 45-day comment period 12/31/2019 – Submitted for Agency review 7/30/2019 – Submitted for DCA review 4/30/2019 – Submitted for Legal review 4/11/2019 – Board approved language	OAL has an extended review period due to Covid-19
Speech-Language Pathology and Audiology Fees	8/6/2021	12/28/2020 – Submitted for Agency review 12/18/2020 – Submitted for DCA review 12/3/2020 – Submitted for Legal review 8/7/2020 – Initial 45-day comment period 6/1/2020 – Submitted for Agency review 1/23/2020 – Submitted for DCA review 10/8/2019 – Submitted for Legal review 7/19/2019 – Board approved language	

<b>Rulemaking File</b>	<b>Final Filing Date</b>	<b>Status</b>	<b>Comments</b>
Required Professional Experience Direct Supervision Requirements and Remote or Tele Supervision		2/20/2020 – Board approved language	Board staff to draft Notice and ISOR
Speech-Language Pathology Supervised Clinical Experience, Required Professional Experience Speech-Language Pathology Assistant Training Programs, Speech-Language Pathology Assistant Requirements and Qualifications for Registrations		2/20/2020 – Board approved language	Board staff to draft Notice and ISOR

**d) Licensing Report**

Licensing Cycle Times – The chart below provides a snapshot of Board’s current and past licensing cycle times. Due to unplanned leaves of absence and state employee furloughs, licensing application processing timeframes have increased. Board staff have worked overtime hours to prevent a backlog in licensing.

<b>Licensing Cycle Times</b>	<b>10/1/19</b>	<b>2/1/20</b>	<b>6/1/20</b>	<b>10/1/20</b>	<b>Current</b>
SLP and Audiologists Complete Licensing Applications	4 weeks	2 weeks	3 weeks	5 weeks	6 weeks
Review and Process SLP and Audiologist Supporting Licensing Documents	9 weeks	3 weeks	1 weeks	10 weeks	1 weeks
Review and Process RPE Applicant’s Verification Forms for Full Licensure	4 weeks	3 weeks	2 weeks	2 weeks	5 weeks
Hearing Aid Dispensers Applications	Current	Current	Current	Current	Current

**e) Practical Examination Report**

The Board was able to resume hearing aid dispenser practical examinations in October 2020, which helped the Board get caught up from the examinations cancelled in April and July of 2020 due to COVID-19 restraints. Board staff use larger examination rooms and utilize safety measures as required by State health and safety guidelines. We plan to continue practical examinations on a limited basis throughout the year as permitted, with the next round of examinations hopefully happening in March 2021, where specific dates and filing periods should be forthcoming in the coming weeks.

The number of examinations administered depends on the participation of examiners. Examiner participation has been low this past year due to COVID-19. We will continue our recruitment efforts to staff the coming examinations. Examiners are paid a per diem of \$175 per day along with approved travel related expenses incurred by the examiner. Examiners also receive 8 hours of live continuing education related to hearing aid dispensing.

<b>HAD Practical Examination Results November 7 &amp; 14</b>					
<b>Candidate Type</b>	<b>Number of Candidates</b>	<b>Passed</b>	<b>%</b>	<b>Failed</b>	<b>%</b>
<b>Applicants with Supervision (Temporary Trainee License)</b>					
HA	15	9	60%	6	40%
AU					
RPE	1	1	100%		
Aide					
<b>Applicants Licensed in Another State (Temporary License)</b>					
HA	1	1	100%		
AU					
<b>Applicants without Supervision</b>					
HA	3	2	67%	1	33%
AU	4	4	100%		
RPE					
<b>Total Number of Candidates</b>					
	<b>24</b>	<b>17</b>	<b>71%</b>	<b>7</b>	<b>29%</b>

**f) Enforcement Report**

The Board received 53 complaints and subsequent arrest notifications through the second quarter of the 2020-21 fiscal year. During this same period the Board issued three (3) citations and fines for unlicensed activity and not cooperating with a Board investigation. There are currently 16 formal discipline cases pending with the Attorney General’s Office. The Board is currently monitoring 22 probationers of which six (6) probationers require drug or alcohol testing and six (6) are in a tolled status.

The following disciplinary actions have been adopted by the Board during the past 12 months:

<b>Name</b>	<b>License No.</b>	<b>License Type</b>	<b>Case No.</b>	<b>Effective Date</b>	<b>Action Taken</b>
Handy, JoQueta Hayes	SP 10090	Speech-Language Pathologist	1I-2017-118	December 9, 2020	Voluntary Surrender of License
White, Christine Elizabeth	SP 21236	Speech-Language Pathologist	1I-2019-118	October 19, 2020	Interim Suspension Order Issued
Turner, Sharon	SP 9478	Speech-Language Pathologist	1I-2019-092	August 8, 2020	Voluntary Surrender of License
Hopkins, Dawn Marie	SP 12177	Speech-Language Pathologist	1I-2015-063	May 15, 2020	Voluntary Surrender of License
Romero, Florence	SPA 1242	Speech-Language Pathology Assistant	1I-2019-163	April 30, 2020	Revocation: Default Decision and Order
Geraci- Staub, Julianne	HA 7587	Hearing Aid Dispenser	1C-2019-76	March 7, 2020	Revocation: Default Decision and Order
Shoquist, Marshall	AU 461	Audiologist	1I-2011-051	January 28, 2020	Voluntary Surrender of License

# **Hand Carry Item**

Agenda Item 6b:

Executive Officer's Report:  
Budget Report

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board

LICENSES ISSUED	FY14/15	FY15/16	FY16/17	FY17/18	FY 18/19	FY 19/20	FY 20/21
							QTR 2
AU	89	48	53	77	63	63	52
DAU	UA	26	24	30	35	31	16
AUT	0	0	0	2	4	3	1
SLP	1,143	1,352	1,457	1,482	1,446	1,444	897
SPT	0	0	0	0	0	0	0
SLPA	550	606	501	558	602	615	240
RPE	836	834	897	945	977	1,059	745
AIDE	48	44	44	33	32	44	12
CPD	17	22	21	20	15	5	5
HAD Permanent	92	140	120	137	135	95	20
HAD Trainee	145	180	152	169	156	116	54
HAD Licensed in Another State	9	16	16	20	17	12	6
HAD Branch	426	407	315	341	333	312	111
<b>TOTAL LICENSES ISSUED</b>	<b>3,355</b>	<b>3,675</b>	<b>3,600</b>	<b>3,814</b>	<b>3,815</b>	<b>3,799</b>	<b>2,159</b>

LICENSEE POPULATION	FY14/15	FY15/16	FY16/17	FY17/18	FY 18/19	FY 19/20	FY 20/21
							*QTR 2
AU	612	556	698	720	831	837	834
DAU	988	1,045	1,211	1,246	1,334	1,384	1,375
<i>Both License Types</i>	<i>1,600</i>	<i>1,601</i>	<i>1,909</i>	<i>1,966</i>	<i>2,165</i>	<i>2,221</i>	<i>2,209</i>
AUT	0	0	0	2	4	7	8
SLP	13,967	14,860	18,024	19,161	21,374	22,527	22,919
SPT	0	0	0	0	0	0	0
SLPA	2,343	2,795	3,752	4,118	4,822	5,297	5,386
RPE	802	806	1,174	1,232	1,364	1,595	1,721
AIDE	124	133	235	216	245	273	285
HAD	948	996	1,179	1,266	1,380	1,407	1,392
HAD Trainees	160	158	238	204	214	237	249
HAD Licensed in Another State	7	18	18	28	31	42	46
HAD Branch Office	821	963	1,409	1,297	1,347	1,401	1,425
<b>TOTAL LICENSEES</b>	<b>20,772</b>	<b>22,330</b>	<b>27,938</b>	<b>29,490</b>	<b>32,946</b>	<b>35,007</b>	<b>35,640</b>

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board  
Enforcement Report

	FISCAL YEAR 2016 - 2017		FISCAL YEAR 2017 - 2018		FISCAL YEAR 2018 - 2019		FISCAL YEAR 2019 - 2020		Quarter 2 2020 - 2021	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
<b>COMPLAINTS AND CONVICTIONS</b>										
Complaints Received	75	59	154	157	68	78	68	83	18	33
Convictions Received	15	84	24	101	31	90	12	91	1	23
Average Days to Intake	3	2	2	2	1	1	1	1	1	3

	FISCAL YEAR 2016 - 2017		FISCAL YEAR 2017 - 2018		FISCAL YEAR 2018 - 2019		FISCAL YEAR 2019 - 2020		Quarter 2 2020 - 2021	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
<b>INVESTIGATIONS Desk</b>										
Assigned	90	143	178	257	99	169	80	174	19	56
Closed	71	118	113	205	65	110	47	131	38	83
Average Days to Complete	132	91	201	73	164	137	270	216	436	372
Pending	45	39	104	89	139	142	122	169	97	141

	FISCAL YEAR 2016 - 2017		FISCAL YEAR 2017 - 2018		FISCAL YEAR 2018 - 2019		FISCAL YEAR 2019 - 2020		Quarter 2 2020 - 2021	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
<b>INVESTIGATIONS DOI</b>										
Assigned	11	9	10	7	2	8	5	4	0	0
Closed	5	6	8	9	7	4	2	7	2	6
Average Days to Complete	148	709	442	497	747	766	410	982	1008	756
Pending	11	12	13	10	8	14	12	13	10	7

	FISCAL YEAR 2016 - 2017		FISCAL YEAR 2017 - 2018		FISCAL YEAR 2018 - 2019		FISCAL YEAR 2019 - 2020		Quarter 2 2020 - 2021	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
<b>ALL TYPES OF INVESTIGATIONS</b>										
Closed Without Discipline	69	111	116	197	68	105	48	124	35	84
Cycle Time - No Discipline	125	69	210	73	212	145	282	238	404	382

	FISCAL YEAR 2016 - 2017		FISCAL YEAR 2017 - 2018		FISCAL YEAR 2018 - 2019		FISCAL YEAR 2019 - 2020		Quarter 2 2020 - 2021	
	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
<b>CITATIONS/ CEASE &amp; DESIST</b>										
Issued	8	8	9	12	5	11	6	4	2	1
Avg Days to Complete Cite	98	44	7	169	138	162	266	393	538	407
Cease & Desist Letter	1	1	2	1	1	1	0	0	1	1

FISCAL YEAR 2016 - 2017	FISCAL YEAR 2017 - 2018	FISCAL YEAR 2018 - 2019	FISCAL YEAR 2019 - 2020	Quarter 2 2020 - 2021
----------------------------	----------------------------	----------------------------	----------------------------	--------------------------

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board  
Enforcement Report

<b>ATTORNEY GENERAL CASES</b>	<b>HAD</b>	<b>SP/AU</b>	<b>HAD</b>	<b>SP/AU</b>	<b>HAD</b>	<b>SP/AU</b>	<b>HAD</b>	<b>SP/AU</b>	<b>HAD</b>	<b>SP/AU</b>
Pending at the AG	8	6	7	11	6	12	5	13	12	16
Accusations Filed	2	3	3	2	0	4	2	7	0	1
SOI Filed	0	0	1	1	2	3	0	1	0	1
Acc Withdrawn, Dismissed, Declined	2	1	2	1	0	3	1	0	0	0
SOI Withdrawn, Dismissed, Declined	1	1	0	0	2	1	0	1	0	0
Average Days to Discipline	1260	979	780	723	745	449	0	730	0	0

	<b>FISCAL YEAR 2016 - 2017</b>		<b>FISCAL YEAR 2017 - 2018</b>		<b>FISCAL YEAR 2018 - 2019</b>		<b>FISCAL YEAR 2019 - 2020</b>		<b>Quarter 2 2020 - 2021</b>	
<b>ATTORNEY GENERAL FINAL OUTCOME</b>	<b>HAD</b>	<b>SP/AU</b>	<b>HAD</b>	<b>SP/AU</b>	<b>HAD</b>	<b>SP/AU</b>	<b>HAD</b>	<b>SP/AU</b>	<b>HAD</b>	<b>SP/AU</b>
Probation	6	7	2	1	1	2	0	5	0	0
Surrender of License	3	1	1	2	0	0	0	0	0	2
License Denied (SOI)	0	0	0	0	0	0	2	0	0	0
Suspension & Probation	0	0	0	0	0	0	0	0	0	0
Revocation-No Stay of Order	0	2	1	0	0	0	1	2	0	0
Public Reprimand/Reproval	0	0	0	1	0	0	0	0	0	0





# MEMORANDUM

DATE	January 20, 2021
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Cherise Burns, Assistant Executive Officer
SUBJECT	Agenda Item 8: Discussion and Possible Action Regarding Audiology Examination Requirement: Consideration of The New Praxis Audiology Examination and Its Passing Score Recommendation (As Stated in Title 16, California Code of Regulations section 1399.152.3)

## **Background**

The Educational Testing Service (ETS), who owns and administers the Praxis Subject Test in Audiology and Speech-Language Pathology, made revisions to the Praxis Subject Test in Audiology (5342) and also developed at home testing capabilities for this test that were launched in September of 2020.

The prior version of the Praxis Subject Test in Audiology (5342) with the passing score of 170 will only be offered until August 31, 2021, when it will be officially retired.

ETS annually does specification reviews of each Praxis test to determine whether there are circumstances that require revision of the test specifications or regeneration of the test altogether. If a regeneration of the test is warranted, ETS develops a plan for test regeneration and following regeneration, a standard setting study is conducted to confirm that the knowledge and/or skills represented in the test content specifications are important for entry-level practice and recommend a passing score specific to that version of the examination for states to consider when setting their passing score for the purposes of licensure. See Attachment A for more details on this process as provided on ETS's website.

When ETS conducts Multistate Standard-Setting Studies, they include practitioner panels that simulate a test-taking experience prior to recommending a passing score, confirm that the content is important and relevant to entry-level practice, and then recommend a passing score for states to consider. ETS conducted the Audiology Multistate Standard-Setting Study in February of 2020 using practitioners from California, District of Columbia, Georgia, Indiana, Louisiana, Minnesota, Missouri, Nebraska, New Jersey, New York, and Pennsylvania. The February 2020 ETS Audiology Multistate Standard-Setting Study recommended a passing score of 162.

Under the Board's regulations in Title 16, California Code of Regulations (CCR) section 1399.152.3, the Board can determine the acceptability of a passing score for any Praxis examination that it will accept for the purposes of licensure.

**16 CCR § 1399.152.3. Examination Requirement.**

(a) Applicants shall be deemed to have satisfied the examination requirements of section 2532.2(e) of the Code if they have taken the National Examination in Speech-Language Pathology or the National Examination in Audiology administered by the Educational Testing Service of Princeton, New Jersey, within five years preceding the date on which their application is filed with the Board and have achieved a score on such examination which is acceptable to the Board.

To ensure that California applicants can take the new Praxis examination in Audiology for the purposes of licensure and not have to meet the passing score of 170 that was set for the prior Praxis® Audiology (5342) examination, staff recommends that the Board review the ETS materials provided and establish the passing score for the Praxis Subject Test in Audiology (5343) as 162 for the purposes of licensure as an Audiologist in the State of California.

**Action Requested**

For the purposes of licensure as an Audiologist in the State of California, establish the passing score for the Praxis Subject Test in Audiology (5343) as 162.

Attachment A: Keeping Test Content Current

Attachment B: Multistate Standard-Setting Technical Report: Praxis® Audiology (5343)

Attachment C: Setting Standards on The Praxis Series™ Tests: A Multistate Approach

# Keeping Test Content Current

## How Are Tests Updated to Keep Content Current?

ETS is committed to keeping the content of the *Praxis*® tests up to date and aligned with professionally accepted standards; therefore, tests are reviewed on a regular basis. We involve stakeholders in this process by asking them to nominate teachers and teacher educators to serve on Test Development Standing Committees and National Advisory Committees (NACs). Teachers and teacher educators interested in serving on one of these committees can register at [www.ets.org/praxiscomm](http://www.ets.org/praxiscomm).

## Reviewing Specifications

The Test Development Standing Committees review the specifications for each *Praxis* test title annually to determine whether there are circumstances that require revision of the test specifications or regeneration of the test. The questions that the Standing Committees answer include the following:

- Do the test specifications still represent knowledge and/or skills that are important for competent, beginning-level practice?
- Are there areas of knowledge and/or skill that are not included but are critical for competent, beginning-level practice?
- Are there content categories in the test specifications that we need to update to reflect current practice?
- Do the current proportions among the content categories in the test specifications still reflect current practice?
- Are there changes on the horizon that could impact these specifications in the future, either at the national level or within a particular state?

## Assessment Regeneration

The results of these specification reviews determine the plan for regeneration of a test or test series. ETS researchers, psychometricians and test developers analyze the reviewers' answers and comments and use expert judgment to determine a path forward for each test or test series. The group would typically choose one of three options, depending on the answers to the questions provided by the Standing Committee:

1. Internal and external experts validate the test specifications and no National Advisory Committee (NAC) meeting is necessary; test specifications remain unchanged.
2. When updates are straightforward, we use in-house content experts to draft updated test specifications to improve alignment; external experts then validate the specifications via a

virtual meeting. We make these updates when the test specifications do not match current professional standards in the field.

3. When updates are not straightforward, a NAC is convened to update the test specifications to improve alignment, and ETS performs a job analysis confirmation survey. These updates are necessary when test specifications do not match current professional standards if they exist, or internal and external experts determine the specifications are outdated.

When a NAC is convened, the *Praxis* client states help ETS recruit 12–15 licensed practicing professionals who are close to the beginning of their teaching practice, as well as college faculty who prepare teachers for that specific licensure area. The NAC works closely with ETS assessment specialists to define the content domain and later to develop the test blueprint and test content specifications. NAC meetings typically take place on the ETS campus in Princeton, New Jersey.

After the NAC meets to define the test domains, a job analysis survey is conducted to confirm these domains. A job survey is conducted for new tests and for existing tests that are being significantly revised. The job analysis survey enables relatively large numbers of practitioners from across the country to judge the importance of the knowledge and/or skills defined by the NAC for beginning-level practice. The practitioners' judgments serve as an independent source of validation evidence. Once the results of the survey have been analyzed, the NAC is reconvened to develop the test blueprint and test specifications.

After the NAC develops the test blueprint and test specifications, ETS convenes panels of licensed practicing educators and college faculty from user states to conduct standard-setting studies. Each standard-setting panel confirms that the knowledge and/or skills represented in the test content specifications are important for entry-level practice and recommends a passing score for each state to consider when setting its own passing score.

## **New Tests for 2020–2021**

The *Praxis* program is rolling out new assessments for the 2020–2021 testing year. The following will launch in September 2020.

- An Audiology (5343) test will be available (along with the existing Audiology (5342) test).
- A Middle School Science test (5442) will be available (along with the existing Middle School Science (5440) test).
- A Reading Specialist (5302) test will be available (along with the existing Reading Specialist (5301) test).
- The Elementary Education: Three Subject Bundle (5901) will include three tests: Elementary Education: Three Subject Bundle—Mathematics (5903), Elementary Education: Three Subject Bundle—Social Studies (5904), and Elementary Education: Three Subject Bundle—Science (5905).

States will want to consider the recommended passing scores from the standard-setting studies when they set passing scores for their jurisdictions. See the table below for more information about each of these tests. Any state wishing to review the new forms of these tests should contact their Client Relations Director at [PraxisClientRelations@ets.org](mailto:PraxisClientRelations@ets.org).

## New Tests for 2020–2021 Testing Year

Test Code	Test Title	Notes
5343	Audiology	New test with Multistate Standard-Setting Study
5901 (subtests 5903, 5904 5905)	Elementary Education: Three Subject Bundle— Mathematics, Social Studies & Science	New test with Multistate Standard-Setting Study
5442	Middle School Science	New test with Multistate Standard-Setting Study
5302	Reading Specialist	New test with Multistate Standard-Setting Study

For questions or further information, please contact your Client Relations Director at [PraxisClientRelations@ets.org](mailto:PraxisClientRelations@ets.org).

### See also:

- [Test Adoption Process](#)
- [Annual Changes](#)

Website content from: [https://www.ets.org/praxis/states\\_agencies/about/content\\_current](https://www.ets.org/praxis/states_agencies/about/content_current) on January 19, 2021.

## **Agenda Item 8 – Attachment B**

Attachment B is an ETS Report Titled “*Multistate Standard-Setting Technical Report PRAXIS® AUDIOLOGY (5343)*”, which is available upon request to the Board at [speechandhearing@dca.ca.gov](mailto:speechandhearing@dca.ca.gov).

## **Agenda Item 8 – Attachment C**

Attachment C is an ETS Report Titled “*Setting Standards on The Praxis Series™ Tests: A Multistate Approach*”, which is available online at

[https://www.ets.org/Media/Research/pdf/RD\\_Connections17.pdf](https://www.ets.org/Media/Research/pdf/RD_Connections17.pdf)



# MEMORANDUM

DATE	January 25, 2021
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Cherise Burns, Assistant Executive Officer
SUBJECT	Agenda Item 9: Update on DCA Waiver Requests Submitted by the Board related to the COVID-19 State of Emergency

## **Background**

Pursuant to the Governor’s Executive Order [N-39-20](#), during the State of Emergency, the director of the Department of Consumer Affairs (DCA) may waive any statutory or regulatory requirements with respect to a professional license issued pursuant to Division 2 of the Business and Professions Code. In addition, pursuant to Executive Order [N-40-20](#), the director of DCA may waive any statutory or regulatory requirements with respect to continuing education for licenses issued pursuant to Division 3 of the Business and Professions Code.

After the issuance of the Governor’s Executive Orders, Board staff worked quickly to identify waivers necessary for applicants and licensees and developed and submitted waiver request proposals for review and consideration by the DCA Director. Note, waiver requests submitted by the Board may differ from the final waiver language approved by DCA. During the pandemic, DCA has worked with the Board to ensure that all approved waivers that are still needed are extended.

Below is an update on the waivers submitted by the Board.

### **a. Waivers Approved by DCA**

- i. Modification of Continuing Education Requirements for All Licensees (DCA-20-89)** – Originally approved March 31, 2020 and extended on July 1, August 27, October 22, and December 15, 2020. This waived CE or examination requirements for renewal for 6 months from the date of the order and this Waiver (June 15, 2021) and applied only to Active licensees that expire between March 31, 2020 and February 28, 2021.



- ii. **Modification of Reactivation Requirements for Speech-Language Pathologists (DCA-20-91)** – Originally approved March 31, 2020 and extended on September 17, and December 15, 2020. This waived the continuing education (CE) and fees associated with reactivation for Speech-Language Pathologists who have been in a Retired, Inactive, or Cancelled status for no longer than five (5) years. The reactivation of licenses under this waiver is valid until July 1, 2021.
- iii. **Modification of the Direct Monitoring Requirements for Required Professional Experience (RPE) Licenses and the Direct Supervision Requirements for Speech-Language Pathology Assistant (SLPA) Licenses (DCA-20-97)** – Originally approved May 6, 2020 and extended on July 1, August 27, October 22, and December 15, 2020. This waived the in-person supervision requirements for Required Professional Experience (RPEs) and Speech-Language Pathology Assistants (SLPAs) through February 28, 2021.
- iv. **Modification of the Limitations on Renewing of Hearing Aid Dispenser (HAD) Temporary Licenses and HAD Trainee Licenses (DCA-20-92)** – Originally approved May 29, 2020 and extended on September 17, and December 15 2020. This waived the statutory limitations on renewing Hearing Aid Dispenser (HAD) Temporary Licenses and the limitation on the number of times a HAD Trainee license can be renewed. Specifically, this waiver removes the limitation that HAD Temporary Licenses cannot be renewed in Business and Professions Code (BPC) section 2538.27(b) and removes the limitation that HAD Trainee Licenses cannot be renewed more than twice in BPC section 2538.28(c). DCA-20-16 authorizes the Board to extend the expiration date of HAD Temporary Licenses and HAD Trainee Licenses by six (6) months for eligible licensees. This waiver only applies to HAD Temporary Licenses that expire between March 31, 2020 through February 28, 2021 and HAD Trainee Licenses that have been renewed twice and expire between March 31, 2020 through February 28, 2021.
- v. **Modification of Limitations and Requirements for Extension of RPE Licenses (DCA-20-98)** – Originally approved July 17, 2020 and extended on September 17, and December 15, 2020. This waived the limitation that an RPE License cannot be reissued for more than 12 months in Title 16 California Code of Regulations (CCR) section 1399.153.10(a) and waives the associated fee. The waiver also removes the limitation that a Speech-Language Pathology or Audiology RPE License cannot be reissued or extended due to the licensee's inability to take and pass the licensing examinations in 16 CCR section 1399.153.10(a). The waiver authorizes the Board to extend an already reissued RPE License for an additional six (6) months without paying the \$35 application fee and to approve an RPE License reissuance for the

purposes of taking and passing the respective licensing examinations in Speech-Language Pathology and Audiology. The 6-month extension and fee waiver allowed by this waiver for an already reissued RPE License only applies to RPEs who have a reissued RPE License that would expire between March 31, 2020 and February 28, 2021. The allowance for RPE Licenses to be reissued due to the RPE License holder's inability to take and pass the licensing examinations applies to all RPE License holders who have not already had their RPE License reissued before February 28, 2021.

**b. Waivers Denied by DCA**

- i. Modification of the 12-Month Fulltime Professional Experience Requirement for Licensure as an Audiologist** – This waiver would have waived the requirement that Audiology applicants submit evidence of no less than 12 months of supervised professional full-time experience for licensure (as stated in Business and Professions Code Section 2532.25). This waiver was denied on May 12, 2020 as the Department does not believe that waiving pre-licensure requirements, such as experience or competency exams, at this time is in the best interests of consumer protection.
  
- ii. Modification of Board Continuing Education Requirements to Remove Self-Study Restrictions** – This waiver would have waived the limitations on self-study continuing education (CE) and continuing professional development (CPD) for the purposes of renewal in Title 16 California Code of Regulations (CCR) sections 1399.140 and 1399.160. This would allow licensees to accrue all CE and CPD through self-study during the COVID-19 pandemic. This waiver was denied on December 30, 2020 as the Department has provided two waivers of CE requirements until, at the earliest, April 2021, for licensees of the Board and believes it would be unreasonable to allow licensees to complete all CE requirements via self-study as this would weaken consumer protections by not requiring some training be provided by a type of classroom or lecture type training that is verified.”

**c. Identification of Additional Waivers Needed during COVID-19 State of Emergency**

The Board can submit additional DCA waiver requests if Board Members feel there are other professional licensing requirements (examination, education, experience, and training) and requirements governing the practice and permissible activities of licensees in statute or regulation that are necessary to obtain and maintain licensure for the purposes of facilitating the continued care of individuals affected by the COVID-19 pandemic.

### **Action Requested**

Discuss whether there is a need for additional waivers is identified, if there is, direct staff to develop and submit the identified waiver requests on the Board's behalf.



# MEMORANDUM

DATE	January 22, 2021
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Heather Olivares, Legislation/Regulation Analyst
SUBJECT	Agenda Item 10: Legislative Report: Update, Review, and Possible Action on Proposed Legislation

**a) 2021 Legislative Calendar and Deadlines**

- January 22, 2021 – Last day to submit bill requests to the Office of Legislative Counsel
- February 19, 2021 – Last day for bills to be introduced
- April 30, 2021 – Last day for policy committees to hear fiscal bills introduced in their house of origin
- May 7, 2021 – Last day for policy committees to hear non-fiscal bills introduced in their house of origin
- May 21, 2021 – Last day for fiscal committees to hear bills introduced in their house of origin

**b) Board-Sponsored Legislation for the 2021 Legislative Session**

- Proposed Legislation to Revise Business and Professions Code Section 2532.25 Relative to Audiology Licensing Requirements

The Board Chair and staff met with Senate Business, Professions and Economic Development Committee staff and Republican caucus policy staff to discuss this legislative proposal and its possible inclusion in the Committee omnibus bill. An omnibus bill can only include provisions determined by the Committee to be technical, non-substantive, or otherwise non-controversial. If a provision included in the bill is later deemed to be controversial, it will be removed from the bill. At this time the Board is waiting for a determination by Committee staff if this provision will be included in the Committee omnibus bill as a non-controversial policy change. If this legislative change is not included in the Committee omnibus bill, the Board will include this proposal in the Sunset Review Report.

- Proposed Legislation to Revise Business and Professions Code Sections 2838.35 and 2539.4 Relative to Locked Hearing Aids Disclosure from Hearing Aid Dispensers and Dispensing Audiologists

The Board Chair and staff met with Assemblymember Kevin Mullin's staff to discuss this legislative proposal. Assemblymember Mullin agreed to be the Author of this legislative proposal and his staff submitted the bill request to the Office of Legislative Counsel to meet the January 22<sup>nd</sup> deadline. At this time the Board is waiting for the bill to be introduced. The last day for bills to be introduced is February 19, 2021.



# MEMORANDUM

DATE	January 22, 2021
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Heather Olivares, Legislation/Regulation Analyst
SUBJECT	Agenda Item 12: Regulatory Report: Update, Review, and Possible Action on Board Regulation Packages

- a. Discussion and Possible Action regarding Speech-Language Pathology and Audiology Fees (As Stated in 16 CCR sections 1399.157, 1399.170.13, and 1399.170.14)

The Board initially posted this regulatory proposal for a 45-day public comment period on August 7, 2020. This posting started the one-year formal rulemaking process, with a deadline to submit the completed rulemaking package to the Office of Administrative Law (OAL) by August 6, 2021. At the previous meeting the Board approved the responses to comments received during the public comment period and the completed regulatory proposal was submitted to the California Business, Consumer Services, and Housing Agency on December 28, 2020. At this time the Board is waiting for approval from Agency before the completed rulemaking package can be submitted to OAL.

- b. Update, Discussion and Possible Action regarding Regulations as a result of AB 2138 Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction (As Stated in 16 CCR sections 1399.132, 1399.133, 1399.134, 1399.156.1, 1399.156.2, and 1399.156.3)

The Board initially posted this regulatory proposal for a 45-day public comment period on March 6, 2020. This posting started the one-year formal rulemaking process, with a deadline to submit the completed rulemaking package to OAL by March 5, 2021. The Board met this deadline by submitting the completed rulemaking package to OAL on November 18, 2020. Normally OAL has 30 working days to review and approve regulations; however, due to COVID-19 this timeframe has been extended. At this time, the Board is still waiting for OAL to complete the review of this regulatory proposal.