



MEMORANDUM

DATE	February 20, 2023
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Agenda Item 7: 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 management recently hired an Enforcement Analyst to backfill the position created by the Business Modernization project workload. This position will help the Board address the investigative caseload in enforcement and handle intake and workload distribution.

b) Outreach Update

On February 16, 2023, Paul Sanchez provided a presentation to the San Francisco State Student Audiology Association on the importance of licensing. The presentation included an overview of the Board and Cherise Burns provided a demonstration of the Board's Apply Simply! online licensing system. Dr. Marcia Raggio was also in attendance.

c) Budget Report

Included in your Board materials is a current Fund Condition Report that reflects the 2023-2024 Governor's Budget. This report is a snapshot of the Board's fund condition and will continue to be adjusted to reflect this year's complete revenue and expenditures.

At this time, the Board does not have an Expenditure Projection Report to review. When data becomes more detailed for better projections, we will provide a complete report. Board staff will continue working with DCA Budgets to track this information for planning and budgeting purposes.

d) Regulations Report

Below is a table with the Board’s pending rulemaking files that are either going through the DCA Initial Review Process or already in the Official Rulemaking Process with the Office of Administrative Law. A separate detailed report (Agenda Item 12) is provided in your materials and will be discussed during the full Board meeting.

Rulemaking File	Final OAL Filing Date	Status	Comments
Required Professional Experience Direct Supervision Requirements and Tele-Supervision	8/4/2023	12/29/2022 – Submitted to OAL 12/19/2022 – Submitted for Agency review 12/14/2022 – Submitted for DCA review 11/7/2022 – 15-day comment period 10/28/2022 – Board approved modified text 8/5/2022 – Initial 45-day comment period 6/13/2022 – Submitted for Agency review 4/5/2022 – Submitted for DCA review 5/17/2021 – Submitted for Legal review 5/14/2021 – Board approved language	OAL review period ends February 13, 2023
Notice to Consumers	9/8/2023	2/6/2023 – Approved by OAL 12/23/2022 – Submitted to OAL 12/19/2022 – Submitted for Agency review 12/12/2022 – Submitted for DCA review 12/9/2022 – Submitted for Legal review 11/29/2022 – 15-day comment period 10/28/2022 – Board approved modified text 9/9/2022 – Initial 45-day comment period 8/15/2022 – Submitted for Agency review 8/9/2022 – Submitted for DCA review 3/24/2022 – Submitted for Legal review 2/25/2022 – Board approved language	Effective April 1, 2023

Rulemaking File	Final OAL Filing Date	Status	Comments
Uniform Standards Related to Substance-Abusing Licensees	9/29/2023	12/29/2022 – Submitted to OAL 12/19/2022 – Submitted for Agency review 12/12/2022 – Submitted for DCA review 12/9/2022 – Submitted for Legal review 9/30/2022 – Initial 45-day comment period 9/12/2022 – Submitted for Agency review 8/22/2022 – Submitted for DCA review 3/24/2022 – Submitted for Legal review 8/13/2021 – Board approved language	OAL review period ends February 13, 2023
Fingerprinting Requirements		8/31/2022 – Submitted for Legal review 5/13/2022 – Board approved language	Board staff working with the DCA Budgets Office to develop the Economic and Fiscal Impact Statement
SLPA Academic and Program Requirements		11/11/2022 – Initial 45-day comment period 11/1/2022 – Submitted for Agency review 10/18/2022 – Submitted for DCA review 8/19/2022 – Submitted for Legal review 8/12/2022 – Board approved language	Public comment period closed 12/27/2022
SLPA Supervision Requirements		11/11/2022 – Initial 45-day comment period 11/3/2022 – Submitted for Agency review 10/28/2022 – Submitted for DCA review 8/18/2022 – Submitted for Legal review 5/13/2022 – Board approved language	Public comment period closed 12/27/2022
Examination Requirements for Hearing Aid Dispensers and Dispensing Audiologists		5/13/2022 – Board approved language	Board staff drafting regulatory documents
SLP-AU CPD Requirements		1/31/2023 – Submitted for Legal review 8/12/2022 – Board approved language	Board staff drafting regulatory documents
HAD CE Requirements		8/12/2022 – Board approved language	Board staff drafting regulatory documents

e) Licensing Report

The new online application system has been launched and all application types are now available through the online system. There are still troubleshooting issues to work through and the development of additional application status lookup features. This system development had been a huge undertaking for Board staff. Some of our staff had to stay on task with project assignments while trying to complete their everyday duties. Most of the work associated with this project has been extra workload absorbed by Board staff and may be reflected in work processing cycle times in the Licensing and Enforcement Units.

Licensing Cycle Times – The chart below provides a snapshot of Board’s current and past licensing processing times. We have seen a significant increase in licensing cycle times since during the past four months. Licensing staff are processing backlogged paper applications received prior to certain application types being launched online while completing other project implementation tasks for the new online application system.

Licensing Cycle Times	2/1/22	5/1/22	8/1/22	11/1/22	Current
Speech-Language Pathologists (SLP) and Audiologists (AUD) Complete Licensing Applications	4 weeks	4 weeks	6 weeks	8 weeks	12 weeks
Review and Process SLP and AUD Supporting Licensing Documents	3 weeks	3 weeks	4 weeks	7 weeks	9 weeks
Review and Process RPE Applicant’s Verification Forms for Full Licensure	4 weeks	3 weeks	5 weeks	3 weeks	7 weeks
Hearing Aid Dispensers (HAD) Applications	Current	3 weeks	4 weeks	5 weeks	9 weeks

f) Practical Examination Report

Practical examinations were conducted on November 18-19, 2022 and January 27-28, 2023. Below is a summary of results from the November that exam. A summary of results for the January meeting will be provided at the Board’s April meeting.

HAD Practical Examination Results for November 18-19, 2022					
Candidate Type	Number of Candidates	Passed	%	Failed	%
Applicants with Supervision (Temporary Trainee License)					
Hearing Aid Dispensers	19	12	63%	7	37%
Audiologists					
Required Professional Experience	3	2	67%	1	33%
Aide					
Applicants Licensed in Another State (Temporary License)					
Hearing Aid Dispenser	3	2	67%	1	33%
Audiologist	1	0	0%	1	100%
Applicants without Supervision					
Hearing Aid Dispensers	14	11	79%	3	21%
Audiologists	6	4	67%	2	33%
Required Professional Experience					
Total Number of Candidates					
	47	31	66%	16	34%

g) Enforcement Report

The Board received 63 complaints and subsequent arrest notifications through the second quarter of the 2022-23 reporting year. During this same period the Board issued four (4) citation and fines and one (1) cease and desist letter.

There are currently three (3) formal discipline cases pending with the Attorney General’s Office. The Board is currently monitoring 19 probationers of which six (6) probationers require drug or alcohol testing and three (3) are in a tolled status. Included in your Board materials (Item 7g) is the Board’s statistical Enforcement Report.

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

Name	License No.	License Type	Case No.	Effective Date	Action Taken
Green (Malek), Natalia Chojnacka	SP 22694	Speech-Language Pathologist	11-2019-175	November 18, 2022	Revocation Stayed, Three Years’ Probation with Specified Terms and Conditions
Banaga, Ramon Rocello	SPA 3446	Speech-Language Pathology Assistant	11-2017-073	August 19, 2022	Revocation Stayed, Seven Years’ Probation with Specified Terms and Conditions

Name	License No.	License Type	Case No.	Effective Date	Action Taken
Swanson, Robin	HA 3104	Hearing Aid Dispenser	D1-2012- 98	July 28, 2022	Revocation of License
Arreola, Diana	SPA 5384	Speech- Language Pathology Assistant	11-2019- 177	June 2, 2022	Voluntary Surrender of License
Brasier, Carley Amara Green	SP 20434	Speech- Language Pathologist	11-2018- 222	May 28, 2022	Revocation Stayed, Five Years' Probation with Specified Terms and Conditions
Lilly, Alice Penelope	HA 8322	Hearing Aid Dispenser	1C-2018- 168	May 6, 2022	Revocation Stayed, Three Years' Probation with Specified Terms and Conditions
Colbert, Michael	HA 5026	Hearing Aid Dispenser	1C-2018- 081	May 1, 2022	Voluntary Surrender of License

**0376 - Speech-Language Pathology and Audiology and Hearing Aid
Dispensers Fund Analysis of Fund Condition
(Dollars in Thousands)**

Prepared 2.13.23

2023-24 Governor's Budget FM6

	Actual 2021-22	CY 2022-23	BY 2023-24	BY +1 2024-25	BY +2 2025-26
BEGINNING BALANCE	\$ 1,545	\$ 1,134	\$ 1,395	\$ 1,427	\$ 1,367
Prior Year Adjustment	\$ -105	\$ 0	\$ 0	\$ 0	\$ 0
Adjusted Beginning Balance	\$ 1,440	\$ 1,134	\$ 1,395	\$ 1,427	\$ 1,367
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 31	\$ 31	\$ 32	\$ 32	\$ 32
4127400 - Renewal fees	\$ 2,001	\$ 2,441	\$ 2,397	\$ 2,397	\$ 2,397
4129200 - Other regulatory fees	\$ 73	\$ 65	\$ 55	\$ 55	\$ 55
4129400 - Other regulatory licenses and permits	\$ 480	\$ 565	\$ 562	\$ 562	\$ 562
4163000 - Income from surplus money investments	\$ 6	\$ 9	\$ 30	\$ 20	\$ 19
4171400 - Escheat of unclaimed checks and warrants	\$ 3	\$ 3	\$ 0	\$ 0	\$ 0
4172500 - Miscellaneous revenues	\$ 0	\$ 1	\$ 1	\$ 1	\$ 1
Totals, Revenues	\$ 2,594	\$ 3,115	\$ 3,077	\$ 3,067	\$ 3,066
Operating Transfers To General Fund 0001 per EO E 21/22-276 Revised (AB 84)	\$ -82	\$ 0	\$ 0	\$ 0	\$ 0
Totals, Transfers and Other Adjustments	\$ -82	\$ 0	\$ 0	\$ 0	\$ 0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 2,512	\$ 3,115	\$ 3,077	\$ 3,067	\$ 3,066
TOTAL RESOURCES	\$ 3,952	\$ 4,249	\$ 4,472	\$ 4,494	\$ 4,433
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 2,622	\$ 2,672	\$ 2,739	\$ 2,821	\$ 2,906
9892 Supplemental Pension Payments (State Operations)	\$ 38	\$ 38	\$ 38	\$ 38	\$ 0
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 158	\$ 144	\$ 268	\$ 268	\$ 268
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 2,818	\$ 2,854	\$ 3,045	\$ 3,127	\$ 3,174
FUND BALANCE					
Reserve for economic uncertainties	\$ 1,134	\$ 1,395	\$ 1,427	\$ 1,367	\$ 1,259
Months in Reserve	4.8	5.5	5.5	5.2	4.8

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.