



BOARD MEETING MINUTES

Teleconference Meeting

August 11-12, 2022

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.

Audiology Practice Committee

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

Dr. Marcia Raggio, Committee Chair, called the Audiology Practice Committee (Committee) meeting to order at 1:05 p.m. Dr. Raggio called roll; four members of the Committee were present and thus a quorum was established.

Audiology Practice Committee Members

Marcia Raggio, Dispensing Audiologist, Committee Chair

Karen Chang, Public Member

Tulio Valdez, Otolaryngologist, Public Member

Amy White, Dispensing Audiologist

Staff Present

Paul Sanchez, Executive Officer

Cherise Burns, Assistant Executive Officer

Michael Kanotz, DCA Legal Counsel

Karen Halbo, DCA Regulation Counsel

Maria Liranzo, Legislation/Regulation/Budget Analyst

Heather Olivares, Legislation/Regulation Analyst

Tenisha Ashford, Enforcement Coordinator

Lisa Snelling, Licensing Coordinator

David Bouilly, DCA SOLID

Guests Present

Jody Winzelberg, Au.D.

2. Public Comment for Items Not on the Agenda

Dr. Raggio inquired for public comments. There were no comments from the public, outside agencies, or associations.

3. Discussion and Possible Action Regarding Audiology Licensing Requirements Related to Supervised Clinical and Professional Experience as Stated in BPC Sections 2532.2 and 2532.25 and Title 16, CCR sections 1399.152.2

Dr. Raggio opened the discussion regarding audiology licensing requirements related to supervised clinical and professional experience. Cherise Burns provided a summary of the current requirements and changes made as part of the Sunset process.

Dr. Raggio commented on being in favor with changes to the number of clinical experience hours required for licensure. Dr. Amy White expressed agreement with changes to clinical experience hours and inquired how hours will be calculated under these changes. Dr. Raggio replied that the clinical experience wouldn't need to be continuous for it to count toward Required Professional Experience (RPE). Dr. White inquired if the survey questions should ask when students are observing or participating in the clinical experience. Dr. Raggio replied that the survey question included in the meeting materials may need revision to determine when students begin, type of activities, when they observe or are participants, and the number of hours required.

Dr. Raggio commented on the current regulatory requirement regarding the three different clinical settings and inquired if further clarify is necessary regarding what qualifies as a wide spectrum of ages and audiological disorders. Dr. White replied that it should be left to the programs to define for themselves. Dr. Tulio Valdez commented on national guidelines required for medicine and inquired if this is the same for audiology. Dr. Raggio replied that there is if a program is seeking certification. Dr. White inquired if this is also part of accreditation. Dr. Raggio replied that it is for the Council on Academic Accreditation (CAA) and the Board would need to verify for the other accreditation such Accreditation Commission for Audiology Education (ACAE). Dr. White commented that the may Board may wish to leave it to programs to define through their accreditation if this is already part of the accreditation. Dr. Raggio and Dr. Tulio expressed agreement with Dr. White's comment.

Dr. Raggio commented on specifying requirements related to the supervised professional experience that is separate and distinct from the requirements related to supervised clinical experience. Dr. White inquired about the current content of section 1399.152.2 and what the content of a new section would contain. Ms. Burns replied that the Board may wish to create a new section in regulations to specify requirements regarding clinical experience that would count toward RPE or add it to section 1399.152.2. Dr. Raggio and Dr. White expressed agreement to consider a new section in order to increase clarity.

Dr. Raggio commented on the survey question regarding simulation. Dr. White inquired if this is related to computerized program and not telehealth. Dr. Raggio inquired of Ms. Burns on the language of the survey question. Ms. Burns replied that some survey questions ask for the type of activities and if there should be limitations to certain type of activities. Dr. Raggio commented on the survey being able to provide the Board some direction and see what programs are doing.

Dr. Raggio commented on the verification of the clinical rotation hours or professional experience hours such as the use of logs. Dr. White commented that the direction of this may depend on survey responses to limitations to certain type of activities. Dr. Raggio inquired if other healing art boards ask for documentation. Dr. Valdez replied that accrediting bodies verify hours and commented on the use of simulation in medicine for training. Dr. Raggio commented on the metrics for success in simulation. Dr. Raggio further commented that it may not be necessary for the Board to require logs for verification and rely on the accreditation process to verify hours. Dr. White inquired if accrediting bodies define simulation. Dr. Raggio replied that the Board would have to look into it. Dr. Raggio commented that survey responses may suggest clarifications that should be codified in regulation related to the clinical or professional experience.

Dr. Raggio commented on the meeting material provided and inquired of Ms. Burns for further clarification. Ms. Burns replied that the survey questions are provided to see if there are any that need further clarification or if additional question should be asked. Dr. Raggio commented that the survey will offer the Board with information to guide the development of the regulatory language. Dr. White expressed agreement with Dr. Raggio's comment.

Dr. Raggio commented on the different part of the survey and the questions being asked. Dr. Raggio inquired about questions regarding students from out-of-state or with federal visas. Ms. Burns replied that Board staff have encountered an out-of-state student with insufficient professional experience and commented on how Board staff were able to find a program that was willing to allow this person to finish the experience. Dr. Raggio inquired if this person would come across this problem if they had an American Board of Audiology (ABA) certification. Ms. Burns replied that statutory language creates conditions that prevent loopholes to licensure requirements.

Dr. Raggio inquired of Dr. White if she was aware of programs that graduate students without a fourth-year externship or professional experience. Dr. White replied that she wasn't aware of such program.

Dr. Raggio inquired of audiology programs of their experience with out-of-state students who do not meet the professional experience requirements. Dr. Jody Winzelberg, Clinical Training Coordinator from San Jose State University, replied that she raised this question to other programs clinical directors she meets with regularly, and found that they haven't come across this problem. Dr. Winzelberg noted that programs are currently finding it difficult to place their students and to find placement for out-of-state students would create an additional burden. Dr. Winzelberg commented on placing student in states without triggering a "physical presence" as defined by the National Council for State Authorization Reciprocity Agreements (NC-SARA).

Dr. Raggio inquired of audiology programs of their experience with students on federal visas. Dr. Winzelberg replied that the Clinical Director from the University of the Pacific was on a federal visa and expressed it wasn't burdensome. Dr. Winzelberg commented

that programs are interested in maintaining the 12-month requirements for the professional experience and noted the hours are dictated by the accrediting bodies and not the programs.

Dr. Raggio inquired of audiology programs if the three different clinical setting requirements should be removed. Dr. Winzelberg replied that accrediting bodies want to see that programs are providing experience across age range and noted her program uses the three different clinical setting requirements set by the Board. Dr. Raggio inquired if her program has a way to log hours. Dr. Winzelberg replied that her program and many other programs use the same online repository, CALIPSO. Dr. Winzelberg commented that programs don't have observations in their programs and noted some programs require it prior to admission. Dr. Winzelberg further commented that most programs start on campus patient care within the first year and American Speech-Language-Hearing Association (ASHA) certification limits the number of simulation hour.

Dr. Raggio inquired of audiology programs if the 25-hours of supervised clinical rotations in a field other than audiology should be required. Dr. Winzelberg replied that accreditation bodies require hours in speech-language assessment and evaluation for speech and language disorder and her program currently track this. Dr. Raggio commented that some programs allow this to be an observation and the survey question may need to be revised to capture the nature of these hours.

Dr. Raggio inquired of audiology programs about tele practice. Dr. Winzelberg replied that her program is not doing any tele practice and noted accrediting bodies consider this as an alternative experience for students at a Veterans Affairs facility.

Dr. Raggio commented on clinical rotation within the first year not being equivalent to the 12-month professional experience. Dr. Winzelberg commented that programs have more control on clinical rotations than it does over externships.

Dr. Raggio commented that the questions regarding the program's current professional experience requirements and the program's current supervised clinical requirements are appropriate to ask in the survey. Dr. White expressed agreement to the questions being asked in the survey.

Dr. Winzelberg commented that most of the programs institute a clinical practicum within the first year. Dr. Raggio inquired if programs track those in a separate report. Dr. Winzelberg commented that they are tracked in the online repository previously mentioned.

Dr. Raggio inquired of Committee members for comments on the survey questions. Dr. White replied that the questions being asked are appropriate to ask.

Dr. Winzelberg commented that some programs have clinical directors and ask the Board to send the survey to them in addition to the program chair.

Dr. Raggio inquired Board staff on the timeline of when this survey will be disseminated. Ms. Burns replied that it will take a few weeks to put it all together with DCA.

The meeting adjourned at 2:21 p.m.

Hearing Aid Dispensing Committee

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

Mr. Tod Borges, Committee Chair, called the Hearing Aid Dispensing Committee (Committee) meeting to order at 2:32 p.m. Mr. Borges called roll; five members of the Committee were present and thus a quorum was established.

Hearing Aid Dispensing Committee Members

Tod Borges, Hearing Aid Dispenser, Committee Chair
Marcia Raggio, Dispensing Audiologist
Karen Chang, Public Member
Tulio Valdez, Otolaryngologist, Public Member
Amy White, Dispensing Audiologist

Staff Present

Paul Sanchez, Executive Officer
Cherise Burns, Assistant Executive Officer
Michael Kanotz, DCA Legal Counsel
Karen Halbo, DCA Regulation Counsel
Maria Liranzo, Legislation/Regulation/Budget Analyst
Heather Olivares, Legislation/Regulation Analyst
Tenisha Ashford, Enforcement Coordinator
Lisa Snelling, Licensing Coordinator
David Bouilly, DCA SOLID

2. Public Comment for Items Not on the Agenda

Mr. Borges inquired for public comments. There were no comments from the public, outside agencies, or associations.

3. Review, Discussion, and Possible Action on Statutes and Regulations Regarding Hearing Aid Dispensing Trainees as stated in Title 16, California Code of Regulations (CCR) sections 1399.114 through 1399.119

Mr. Borges opened the discussion on regulations regarding hearing aid dispensing trainees. Maria Liranzo provided an overview of the proposed changes and a summary of changes for each section.

Dr. Marcia Raggio inquired of the two temporary license types with one being for trainees and the other for someone who comes out of state with an existing license from that other state. Ms. Liranzo replied that Dr. Raggio's statement is correct.

Ms. Liranzo commented on suggested language to amend section 1399.114 and make the requirements applicable to the two temporary license types. Mr. Borges inquired for comments regarding removing or amending section 1399.114(e). Ms. Liranzo commented that this requirement may not be necessary as this is described in detailed in another section. Mr. Borges inquired if the language described in the other section can remain neutral so as to limit supervising dispenser to only three trainee or temporary licensed holder. Cherise Burns suggested removing this section so that all supervisor requirements and limitation are in section 1399.116. Dr. Raggio and Dr. Amy White expressed agreement to move it to supervisor requirement section. Mr. Borges inquired if it's being moved or removed. Ms. Burns replied to remove it from this section and making sure both license type is covered in section 1399.116.

Ms. Liranzo commented that Board staff doesn't have any additional changes to previously Board-approved language in section 1399.115. Mr. Borges inquired about grammatical corrections in section 1399.115(a). Ms. Burns replied that there should be comma after "The Board may refuse to approve." Mr. Borges inquired about the number of years of experience as being sufficient to supervise. Dr. White inquired if this matches the number of years that is required to be a subject-matter expert (SME) or an examiner and if this required for supervising in speech-language pathology and audiology. Ms. Liranzo replied that proposed changes to another rulemaking file will require speech-language pathologist to have two years after their initial licensure before supervising a speech-language pathology assistant (SLPA). Ms. Burns replied that SMEs are required to have three years of experience. Mr. Borges commented that two or three years may not be sufficient. Dr. White commented on the importance of having consistency. Dr. Raggio and Mr. Borges expressed agreement to Dr. White's comment.

Ms. Liranzo provided a summary of changes to previously adopted changes in section 1399.116 and inquired if an effective date needs to be specified to section 1399.116(c) and if there is a desire to have different recordkeeping requirements for this requirement. Mr. Borges inquired about courses available to complete this requirement. Ms. Liranzo replied supervising in speech-language pathology and audiology require the completion of this type of course and that these are courses available to them. Ms. Burns noted that those courses are under CPD providers and Board staff would have to look to see if CE providers are providing this type of course and, if not, it would be something a CE provider would have to start providing. Mr. Borges asked where Board staff would look to find this information. Ms. Burns replied that staff would review large CE providers. Mr. Borges noted there are only courses for audiologists. Dr. Raggio commented that courses offered for audiologists are there because of the requirement. Mr. Borges inquired if a grace period should be provided to allow CE providers to create these types of courses. Dr. Raggio inquired if the language regarding one year after the effective date cover this. Paul Sanchez commented that this could be an opportunity for the Board to reach out to professional organizations and

identify this need. Dr. Raggio inquired how long it takes for a regulation to be adopted. Ms. Liranzo replied that it takes a couple of years for the process and deferred to Ms. Burns on regulations effective date. Ms. Burns replied that regulations are effective at the next quarter after the Office of Administrative Law approval. Dr. White commented that Audiology Online has some courses that are general and not specific to supervision in audiology. Dr. Raggio inquired how Audiology Online determines course offerings. Ms. Burns replied that they may be available to comment on that inquiry when it goes to the Board for a vote.

Ms. Liranzo commented that temporary licensee holders will be added in section 1399.116(b). Mr. Borges inquired if the limitation is consistent with supervising SLPAs. Ms. Liranzo replied that the limitation will be three full-time no more than six at any one time to account for full-time and part-time. Ms. Liranzo commented that previous discussion removed the current limitation. Mr. Sanchez commented that the current limitation is one and someone can request an exemption or waiver to supervise up to three. Mr. Borges expressed concern about changing this requirement and inquired for comments. Dr. Raggio inquired of Mr. Borges how many trainees a dispenser might have. Mr. Borges replied that it is typically one. Dr. White commented that there could be a part-time trainee. Dr. Raggio inquired about the proposed changes. Mr. Borges replied that the proposed changes will allow for three with no waiver. Mr. Sanchez commented on actions the Committee can take on this requirement. Dr. Raggio commented that it is cleaner to keep the one-on-one situation with exceptions. Mr. Borges expressed agreement to keep the current requirement. Ms. Burns inquired if the Committee would like to develop the criteria to the waiver. Mr. Sanchez replied that it may not be necessary at this point. Ms. Liranzo noted that she can clean the section and bring it back to the Committee for review. Mr. Borges inquired of Committee members regarding Board staff suggestion to clean the language to maintain the current requirements. Dr. Raggio, Dr. White, and Dr. Tulio Valdez expressed agreement to Board staff suggestion.

Ms. Liranzo inquired of the Committee if section 1399.117 should be amended or repealed. Ms. Halbo replied that the Committee doesn't have to repeal it if it finds this section useful. Dr. Raggio asked what action is required of the Committee. Ms. Liranzo replied that the Committee can either amend it to make it applicable to both temporary license type or repeal it as it doesn't make specific requirements that already exist in statutes. Mr. Sanchez commented that it is helpful to cite regulations in dealing with disciplinary actions. Dr. Raggio commented that it should be amended. Mr. Borges expressed agreement to Dr. Raggio's comments.

Ms. Liranzo commented that Board staff doesn't have any additional changes to previously Board-approved language in section 1399.118. Mr. Borges commented on the language used in section 1399.118(c)(6) and inquired if it should say "pure tone air and bone". Dr. Raggio expressed agreement to the suggested change. Ms. Burns inquired if it should also say "conduction audiometry." Dr. White commented that it should match the language previously listed for the purpose of continuity. Dr. Raggio and Mr. Borges expressed agreement with the suggested changes.

Mr. Borges commented on section 1399.118(c)(10) and how some dispensers may not have the equipment to conduct Real Ear Measurements. Dr. Raggio commented that trainees should have the knowledge however they gain it. Dr. White commented that this is becoming more prevalent and being built into the hearing aid manufacture software.

Mr. Borges commented on section 1399.118(c)(7) and how some dispensers may not have electroacoustic analysis equipment. Dr. Raggio commented on this being an essential equipment to any practice. Dr. White commented on the importance of hands-on experience on electroacoustic analysis equipment and Real Ear. Dr. Raggio commented that electroacoustic analysis equipment is an essential equipment whereas there are substitutions to Real Ear such as functional gain. Mr. Borges commented that the language may restrict dispensers from supervising because they lack the equipment to train. Dr. White commented on proposed regulation should hold those wanting to train to a higher standard.

Ms. Burns inquired if sections 1399.118(c)(7) and 1399.118(c)(10) should be a “knowledge of.” Dr. Raggio expressed disagreement to the suggested changes. Dr. Valdez also expressed disagreement to the suggested changes and commented trainees should be exposed to all possible resources. Dr. Raggio commented that most equipment contains both electroacoustic analysis and Real Ear. Ms. Burns inquired if these are tasks that can be taught somewhere else and applied in the practice. Dr. White commented that the trainee would not learn how to use it and when to use it. Mr. Borges commented that another person would not be able to train the trainee because they are not listed as the supervisor. Dr. White suggested that both electroacoustic analysis and Real Ear should be required as hands on. Dr. Raggio expressed agreement to the suggested changes. Karen Chang inquired if this creates a higher standard on trainees if current dispensers don’t need to use this equipment in practice. Dr. Raggio replied that one must be able to perform these tasks to troubleshoot hearing aids. Ms. Chang commented on defining minimal competence as being acquired through hands on experience. Dr. White expressed agreement with Ms. Chang’s comment. Mr. Sanchez commented on the purpose of the training is to prepare individuals to take the licensing examinations. Dr. Raggio and Dr. White commented on the necessity to identify these tasks as hands on experience and not knowledge base. Mr. Borges noted that “knowledge of” will be removed from section 1399.118(c)(10). Dr. Raggio, Dr. White, and Ms. Chang expressed agreement to the suggested change.

Mr. Borges suggested adding in section 1399.118(g) “a trainee is no longer able to renew” as a condition of terminating supervision. Ms. Burns and Mr. Sanchez noted the suggested change.

Mr. Sanchez noted that Ms. Chang had to step away from the meeting, but the Board still had a quorum and could continue. Ms. Liranzo provided a summary of changes to section 1399.119. Ms. Liranzo inquired if “independently operate” found in Business and

Professions Code section 2538.30 need to be defined in section 1399.119(c). Dr. Raggio inquired if there were others definition beside “direct” and “intermediate” supervision. Ms. Liranzo replied that they were the only definitions identified and that this item could be discussed by the Committee. Dr. Raggio inquired of the term “manage” and its locations. Ms. Liranzo replied that it is in Business and Professions Code section 2538.30. Ms. Halbo suggested the language should read “pursuant to” instead of “for purposes of.” Ms. Liranzo noted the suggested changes.

Mr. Borges inquired if additional changes are needed to the definition of “direct” and “intermediate” supervision in sections 1399.119(a) and (b). Dr. Raggio inquired if the language was borrowed. Ms. Liranzo replied that they are a variant of definitions used for SLPA and RPE supervision. Mr. Borges expressed agreement to the proposed changes.

Mr. Borges inquired if the 20% requirement is being eliminated for the requirement identified in sections 1399.119(e) and (f) for 100% supervision for the first 90 days the trainee is supervised. Ms. Liranzo replied that Mr. Borges statement is correct. Dr. Raggio inquired about a form for the supervisor to countersign regarding supervision of trainees. Mr. Borges replied that they have a different signature on their form in his practice.

Dr. Raggio inquired about the language in section 1399.119(f) lacking clarity. Ms. Liranzo replied that the Board intended to provide supervisors with the flexibility to extend the ninety days. Dr. White expressed her agreement that the language lacks clarity and inquired for a way to ensure it reflects the Board’s intentions. Ms. Liranzo commented on adding “whichever comes later.” Ms. Halbo suggested that it should say “whichever occurs later.” Ms. Halbo suggested changes to the first paragraph to remove “and” after “according to section 1399.114(b).” Ms. Liranzo noted the suggested changes.

Ms. Liranzo inquired if “physically present” in section 1399.119(h) should be defined as either “immediate” or “direct” supervision. Mr. Borges expressed agreement to define it as immediate supervision. Mr. Borges inquired if license examination should be specified as practical or written. Ms. Liranzo replied that this change can be made. Mr. Borges noted that license examination is also mentioned in section 1399.114. Ms. Liranzo noted the suggested change as written or practical examination. Dr. White and Mr. Borges expressed agreement with the suggested changes.

Ms. Liranzo inquired if any recordkeeping should be required such as the first 90-day of supervision and training. Dr. Raggio inquired if the Board monitors this for other licensed type. Ms. Liranzo replied that SLPA has a first 90-day requirements with a record as part of their personnel file. Dr. Raggio inquired if this is something the Board looks at. Ms. Burns replied that the Board can request it if needed. Mr. Borges inquired if a form will be provided. Ms. Burns replied that there will be no form and will be up to the supervisor to determine how to track and document it. Dr. Raggio, Mr. Borges, Ms. Chang, and Dr. White expressed agreement to the suggested changes.

Mr. Borges inquired for public comments. There were no comments from the public, outside agencies, or associations.

4. Review, Discussion, and Possible Action on Regulations Regarding Hearing Aid Dispenser Advertising Requirements as Stated in Title 16 CCR section 1399.127

Mr. Borges opened the discussion on regulations regarding hearing aid dispensing advertising requirement. Ms. Liranzo provided an overview of the proposed changes and inquired for comments. Mr. Borges inquired if the language seeks to replace the tables with an explanation. Ms. Liranzo replied that it would replace the tables and information with clearer language.

Ms. Liranzo commented that sections 1399.127(a) and 1399.127(b) identifies the sections in the Practice Act related to advertising and make it applicable to dispensing audiologists. Ms. Liranzo commented that sections 1399.127(c) and 1399.127(d) are related to displaying name, educational degree, or job titles.

Dr. Raggio inquired about section 1399.127(d)(1) and how it would appear to the public. Mr. Borges inquired if this includes honorary degree. Ms. Liranzo replied that an honorary degree could be a degree considered as unearned. Ms. Burns replied that any educational degree level for any field can be advertised so long as information is exactly what was earned. Mr. Sanchez commented that this would be situations where someone is advertising and imply, they have a degree they don't have. Dr. Raggio inquired if audiologist wouldn't be able to call themselves doctor without the designation of AUD. Mr. Borges replied that he believes that is the way now. Mr. Borges commented on a situation where a licensed dispenser had a doctorate in a field not related to medicine causing confusion and expressed agreement to the proposed language in section 1399.127(d)(1).

Dr. Raggio inquired about section 1399.127(d)(3) and if the term "audioprosthologist" is a designation given by International Hearing Society (IHS) or another organization. Mr. Borges replied that it was a designation through the IHS and hasn't been around for years. Dr. Raggio inquired if people are using it. Mr. Borges replied that there may be some who are using it because they got a number of years ago. Mr. Borges commented that the proposed regulations would require them to state where the designation came from.

Mr. Borges expressed agreement to the proposed language in section 1399.127(d)(4) and inquired of situation related to section 1399.127(d)(6). Dr. White replied that she had a patient that called regarding their appointment but it was an advertisement from a nearby business. Dr. Raggio commented on seeing this type of advertisement.

Mr. Borges inquired about the situations that would violate section 1399.127(g). Mr. Sanchez replied that this is intended to prevent "bait and switch" transactions. Dr. Raggio inquired how a non-discounted fee is determined to be true. Mr. Borges

replied that it would be difficult to determine. Dr. White commented that a seller would have to show that they sell the hearing aid at the non-discounted price at other times when the discount is not offered. Mr. Borges inquired if the actual price means the manufacturer's suggested retail price (MSRP). Dr. White replied that there may be businesses that sell at the MSRP, and this prevents them from inflating it.

Dr. Raggio inquired of the exemption stated in 1399.127(h). Mr. Borges replied that it means they don't need to provide the information in that section when running a national advertisement.

Mr. Borges expressed concern that a licensee will be subject to disciplinary action if their national company puts out an advertisement that violates this section. Ms. Chang expressed the same concern. Dr. White commented on holding national companies to the same standards as non-franchise businesses. Mr. Borges expressed agreement to holding national companies to the same standards but the disciplinary action should not be against a licensee. Ms. Chang inquired if action can be taken against national companies. Ms. Sanchez replied that there may be a way to address advertising issues that take place in California and commented on licensees being responsible for advertising that is false or in violation of the law if they are benefiting from it. Ms. Burns commented that the disciplinary action is for sales resulting from national advertisement and inquired if a clause should be added to allow the licensee to inform the consumer the correct information prior to the sales. Mr. Sanchez replied that it may not work that way. Mr. Borges and Ms. Chang inquired if there is a way to hold national company accountable. Mr. Sanchez replied that there have been cases where advertisement was changed to note that it isn't applicable in California and noted that it is all on a case-by-case basis.

Mr. Sanchez inquired if the old format was effective in understanding the law compared to what is being proposed. Dr. White replied that she found the current language acceptable and have frequently referenced them. Mr. Borges replied that they are helpful. Ms. Burns inquired if the information should be used as an educational material and on the website.

Mr. Borges inquired if this item should be tabled for further discussion. Mr. Sanchez replied that it has to be tabled for the next Hearing Aid Committee meeting. Dr. Raggio and Dr. White expressed agreement to table this item.

Mr. Borges inquired for public comments. There were no comments from the public, outside agencies, or associations.

The meeting adjourned at 4:56 p.m.

Full Board Meeting

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

Dr. Marcia Raggio, Board Chair, called the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) meeting to order at 9:04 a.m. Dr. Raggio called roll; seven members of the Board were present and thus a quorum was established.

Board Members

Marcia Raggio, Dispensing Audiologist, Board Chair
Holly Kaiser, Speech-Language Pathologist, Vice Chair
Tod Borges, Hearing Aid Dispenser
Karen Chang, Public Member
Gilda Dominguez, Speech-Language Pathologist
Debbie Snow, Public Member
Amy White, Dispensing Audiologist

Staff Present

Paul Sanchez, Executive Officer
Cherise Burns, Assistant Executive Officer
Michael Kanotz, DCA Legal Counsel
Karen Halbo, DCA Regulation Counsel
Maria Liranzo, Legislation/Regulation/Budget Analyst
Heather Olivares, Legislation/Regulation Analyst
Tenisha Ashford, Enforcement Coordinator
Lisa Snelling, Licensing Coordinator
Tim Yang, Enforcement Analyst
Shelly Jones, DCA Executive Office
David Bouilly, DCA SOLID

Guests Present

Mark Fukui, JBS Associates
Shelley Bader

2. Public Comment for Items Not on the Agenda

Dr. Raggio inquired for public comments. There were no comments from the public, outside agencies, or associations.

3. Review and Possible Approval of the May 12- 13, 2022, Board Meeting Minutes

Dr. Raggio opened the discussion on the review and possible approval of the minutes. Maria Liranzo provided a summary of the May 12-13, 2022, Board Meeting Minutes. Dr. Raggio inquired for Board comments or amendments.

Holly Kaiser requested amendments on page 25 to correct the motion language on Senate Bill (SB) 1453 to say, "Support if Amended."

Gilda Dominguez requested amendments on page 25 to correct the name of the employee from Emanate Health to say, "Kenya Gomez-Tydor."

Dr. Raggio inquired for public comments. There were no comments from the public, outside agencies, or associations.

Tod Borges moved to approve the May 12-13, 2022 Board meeting minutes, as Amended.

Karen Chang seconded the motion.

The motion carried 7-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, Snow, White)

4. Board Chair's Report

Dr. Raggio opened the discussion on the 2023 Board and Committee Meeting Calendar and noted that the next meeting will be in-person in Southern California.

Debbie Snow reported on the discussion from the Enforcement Ad Hoc Committee meeting held on August 11, 2022.

Mr. Borges reported on the discussion from the Hearing Aid Dispensing meeting held on August 11, 2022.

Dr. Raggio reported on the discussion from the Audiology Practice Committee meeting held on August 11, 2022. Ms. Kaiser suggested changes to the survey that the Audiology Practice Committee will send to audiology programs.

Dr. Raggio inquired for public comments. There were no comments from the public, outside agencies, or associations.

5. Executive Officer's Report

Paul Sanchez reported on the Business Modernization Project (Biz Mod) including filling a vacant position created by the project.

Mr. Sanchez reported on outreach efforts including a visit to the audiology program at California State University, Sacramento Audiology.

Mr. Sanchez reported on the budget and fund condition including the surplus(deficit) percentage, Biz Mod funding, months in reserve, and Budget Change Proposal (BCP).

Mr. Sanchez provided a brief report on the Board's regulation and deferred to the regulation report.

Mr. Sanchez reported on licensing and enforcement including licensing processing time, practical examination, and disciplinary actions.

Ms. Kaiser inquired if the problem of incomplete applications improved. Mr. Sanchez replied that Board staff are making several improvements with the current processes. Ms. Burns replied that data can be provided at the next meeting to show how the Board has been doing on "complete" versus "incomplete" applications and noted the Biz Mod will solve this problem by making people submit complete product.

Dr. Raggio inquired about the enforcement data and if complaints are broken down by profession. Ms. Burns replied that it is provided at the end of the fiscal year when Board staff reports to DCA. Mr. Sanchez commented on data collection for the annual report and noted the data can be provided at the next meeting.

Dr. Raggio inquired for public comments. There were no comments from the public, outside agencies, or associations.

6. DCA Update – DCA Board and Bureau Relations

Dr. Raggio invited staff from DCA Board and Bureau Relations to provide an update. Shelly Jones with DCA Executive Office provided an update on remote public meetings, DCA's public meeting survey, safety measures for in-person public meetings, Enlighten Licensing Project, DCA's regulations brown bag meeting, position filled in DCA's Administrative Services, travel expense claims, and Board Member Orientation Training.

Dr. Raggio inquired for public comments. There were no comments from the public, outside agencies, or associations.

7. Update and Presentation on the Board's Business Modernization Project and Upcoming Online Applications for Licensure

Dr. Raggio opened the discussion for update on and presentation of the Board's Business Modernization Project. Mr. Sanchez provided a background on the Board's Business Modernization Project and extended gratitude to DCA's Office of Information Services, Board staff, and the external vendor. Ms. Burns provided as summary of benefits to the application process and release dates for various license type applications.

Tim Yang invited Mark Fukui with JBS Associates to provide a demonstration of the online application that will be available to applicants.

Dr. Raggio inquired how applicants will be able to access the online application. Mr. Yang and Mr. Fukui replied that it will be on the webpage where the applications are currently located.

Dr. Raggio inquired about whether an applicant can apply using the wrong application type. Ms. Burns replied that applicants will be aware they are using the wrong applicant when they don't have an item to attach.

Dr. Raggio inquired about an option to save the application and finish later. Mr. Fukui replied there is that function.

Ms. Kaiser inquired how supervision will be verified to ensure that it meets requirements set forth by regulations, especially the proposed changes. Ms. Burns replied that it is part of the analyst requirements review as the online application system does not connect to all other systems the Board uses and commented on the benefit of reducing the issue of incomplete applications.

Ms. Chang inquired how easy is it to make changes to the application i.e., changes to the fees or dropdown menus. Mr. Fukui replied on the ease of making changes within an application and noted the changes are applicable that point forward, therefore applications already started will not have the changes. Ms. Burns commented on the ease of making changes using this system.

Mr. Borges inquired if there will be a demonstration for other applications. Mr. Yang replied that another demonstration may not be necessary as the other applications follow the same format as what was presented today. Mr. Sanchez commented that there could be a possibility for other demonstration on other concepts for using this system.

Dr. Raggio inquired of the plan to implement and inform speech-language pathology and audiology programs. Mr. Sanchez replied on the different way Board staff will communicate the changes. Dr. Raggio suggested developing a video for the website that walks an applicant through the process.

Shellie Bader, a member from the public, inquired of the dates the online applications will be available and how long the application approval process will be. Ms. Burns replied with the dates for all license type releases and noted that an exact processing timeframe cannot be provided but this system will shorten the time and make peak season more manageable.

8. Review and discussion of potential updates to the Board's Administrative Procedure Manual

Dr. Raggio opened the discussion on potential updates to the Board's Administrative Procedure Manual. Ms. Burns provided a background of the Board's Administrative

Procedure Manual for the Board to review and discuss potential updated to the document.

Ms. Burns inquired for revisions or additions to Chapter 1 such as adding the Board's Mission, Vision, and Strategic Goals. Dr. Raggio replied that it should be included. Ms. Burns inquired if the roles and responsibility of the Board should be added. Dr. Raggio and Mr. Borges expressed agreement to add the information.

Dr. Raggio inquired how the manual is distributed to new members. Ms. Burns replied that new members are provided a law book, the last Sunset Review document, this manual, DCA policies and procedure, and hiring packet. Dr. Raggio suggested a checklist to describe what is being provided to them. Ms. Burns commented that an onboarding checklist is something Board staff can create. Dr. Raggio inquired if visit to the Board's office still being provided. Ms. Burns replied that they are conducted before the first Board meeting but have been remote due to the pandemic, and noted the packet is provided before the visit. Mr. Sanchez commented on the visit to the Board's office and onboarding checklist. Dr. White suggested introducing documents and materials at different time instead of all at once.

Ms. Burns inquired if Chapter 2 should be updated to reflect the use of web-based teleconference meetings to enhance opportunities for public participation. Dr. Raggio replied that it should.

Ms. Burns inquired if Chapter 2 should be updated to reflect current DCA requirements for agenda preparation, and require requests to be made six to eight weeks prior to a meeting. Dr. Raggio inquired if DCA approves the Board's agenda and if they judge the content. Ms. Burns replied that DCA Legal review all agenda to ensure they meet the Open Meeting Act requirements so that the public is aware on what is being discussed. Mr. Sanchez and Michael Kanotz commented on the agenda and the Opening Meeting Act.

Ms. Burns inquired if Chapter 2 should be updated to reflect current DCA recommendations to record and post to the Board's website either the webcast recording or WebEx recording of the board meeting for greater transparency to the public. Dr. Raggio and Mr. Borges expressed agreement to update the information.

Ms. Burns inquired if Making a Motion at Meetings in Chapter 2 needs revisions regarding seconding a motion, how to withdraw a motion, and the basic process of a motion. Dr. Raggio expressed agreement to update the information. Ms. Dominguez inquired how a motion should be second. Mr. Kanotz replied that there is no requirement to restate the motion when a motion receives a second. Ms. Dominguez suggested revisions to page 7 to reflect this comment. Mr. Kanotz expressed agreement that changes can be made and Ms. Liranzo noted the suggested changes.

Mr. Sanchez inquired if any revisions are needed in the roles and responsibilities of Board officers in Chapter 4 including the annual evaluation of the executive officer and

officer elections. Dr. Raggio expressed agreement to the suggested changes. Ms. Kaiser inquired about the vice chair's responsibilities. Mr. Sanchez replied that it was something the Board was striving for when it developed this document and noted that the Board can reconsider any roles and responsibilities. Ms. Kaiser commented on her experience and noted the Sunset should be added. Mr. Sanchez commented on the background of the document. Ms. Burns and Mr. Sanchez commented on what other boards include in their document. Mr. Borges inquired if responsibilities should be removed if they weren't performed by the vice chair. Ms. Burns replied that the level of engagement would be beneficial to the Board. Mr. Sanchez commented on his experience working for another board. Dr. White expressed agreement with comments provided. Ms. Dominguez commented that the Sunset Review is listed under Board committees and suggested revising it or adding under the chair's and vice chair's roles and responsibilities.

Dr. Raggio inquired of the yearly elections under the chair's roles and responsibilities. Ms. Burns replied with information on the how the Board currently conducts officer elections. Mr. Sanchez commented on different approach to conduct officer elections. Ms. Burns inquired if election of officers should be updated to reflect elections based on the calendar year and not fiscal year. Dr. Raggio and Mr. Borges expressed agreement to update the information.

Ms. Burns inquired if the use of Ad Hoc Committees should be specified in the Committees and Creation of Committees in Chapter 4. Mr. Borges expressed agreement to the changes for the purpose of transparency. Mr. Sanchez suggested expanding the language to say, "the chair shall establish committees whether standing or special as necessary" and noted the intent of special committee is to mean ad hoc. Dr. Raggio expressed agreement to the suggested changes. Mr. Sanchez and Ms. Burns noted that not all of the committees are listed such as the Hearing Aid Dispensing Committee and is worth mentioning.

Ms. Burns inquired if the Committee and Creation of Committees in Chapter 4 be updated to reflect changes as the result of the Board's Sunset Bill and specify the role and membership. Ms. Dominguez suggested adding the description of each committee found in the Board chair's report. Dr. Raggio expressed agreement to the suggested changes.

Ms. Burns inquired if Chapter 5 on Board Administration and Staff need any revisions and commented about areas where additional information can be added. Ms. Burns inquired if the Board still desire to delegate to the executive officer and the Board chair and vice chair the authority to take action on legislation that would affect the Board in the event time constraints preclude Board action. Ms. Kaiser inquired what this authority means. Ms. Burns replied that this allows the Board to take a position on last minute legislative changes when the entire Board cannot meet. Mr. Sanchez commented on the authority to take action on legislative due to time constraints.

Ms. Burns inquired if any sections of Chapter 6 could use additional clarification. Mr. Sanchez inquired if the Board would like to specify the onboarding checklist based on the training information provided on page 14 of the manual. Ms. Dominguez replied suggesting a checklist or grid that list the activities due in chronological order and the how the activity is accessed. Dr. Raggio commented and suggested adding information regarding when Board member can or cannot communicate with each other outside of Board meetings. Ms. Burns suggested adding a summary of the most critical functions of the Bagley-Keene Open Meeting Act in Chapter 2. Ms. Kaiser and Debbie Snow expressed agreement in adding the information. Ms. Kaiser commented on her experience of the DCA orientation training.

Ms. Burns inquired if any sections in Chapter 7 could use additional clarification. Mr. Sanchez commented on the mail ballot procedure and additional clarification needed. Ms. Burns commented that having a lot of guidance is helpful for enforcement. Dr. Raggio inquired if the requirement to return ballots electronically will remain. Ms. Burns replied that electronic is faster and easier than physical mail ballot. Ms. Burns suggested revising the mail ballot procedure to be more specific to the electronic process.

Mr. Sanchez commented on the “hold for discussion” and inquired if the Board is still comfortable with one vote being required to hold a case for closed session. Ms. Snow replied that she would like to keep it as one vote. Dr. Raggio expressed agreement in keeping the one vote. Ms. Burns and Mr. Sanchez commented on the process to ensure the hold isn’t for a clarifying question that DCA Legal can answer but a disagreement with the proposed decision. Mr. Borges inquired if the Board is changing the votes from two to one. Ms. Burns and Mr. Sanchez replied that the definition on page 22 may have been a mistake and it should say one vote.

Ms. Burns inquired if any issues or topics that are not covered require additional clarification. Dr. Raggio inquired if the plan is to send out an electronic version to the current board members. Ms. Burns replied that it is as well as a physical version. Ms. Kaiser inquired when Board meeting dates are determined. Ms. Burns replied that potential dates are presented on the last Board meeting of the calendar year. Ms. Kaiser suggested adding this information in the manual.

Dr. Raggio inquired for public comments. There were no comments from the public, outside agencies, or associations.

9. Update and Discussion Regarding the Board’s 2022 Sunset Review and the Board’s Sunset Bill, Assembly Bill (AB) 2686

Dr. Raggio opened the discussion on the Board’s Sunset Review. Mr. Sanchez provided a background on the Board’s 2022 Sunset Review and an update on the Board’s Sunset Bill, AB 2686.

Dr. Raggio inquired for Board discussion and public comments. There was no Board discussion nor comments from the public, outside agencies, or associations.

10. Legislative Report: Update, Review, and Possible Action on Proposed Legislation

Dr. Raggio invited Heather Olivares to provide the legislative report. Ms. Olivares provided an update on the legislative calendar and deadlines and bills with active positions taken by the Board. Dr. Raggio inquired for public comments on AB 225, 1662, 1722, and 2686. There were no comments from the public, outside agencies, or associations.

Ms. Olivares provided a summary of AB 2806 by Assemblymember Rubio regarding preschool mental health reimbursement rates and noted it has an Oppose Unless Amended position. Ms. Olivares commented on the recent amendments to the bill and recommended the Board to change their position to No Position.

Dr. Raggio inquired for Board discussion and public comments on AB 2806. There was no Board discussion nor comments from the public, outside agencies, or associations on AB 2806.

Debbie Snow made a motion to change the Board's position on AB 2806 to No Position.

Tod Borges seconded the motion.

The motion carried 7-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, Snow, White)

Ms. Olivares provided an update on bills on Senate Bill (SB) 1031. Dr. Raggio inquired of the rationale of SB 1031 to set the inactive license fees to be half of the amount of the renewal fee. Ms. Olivares replied that the intent is to encourage licensees, especially those that move out of state, to have the ability to maintain their license without paying the full cost. Dr. Raggio inquired for public comments on SB 1031. There were no comments from the public, outside agencies, or associations.

Ms. Olivares provided a summary of SB 1453 by Senate Ochoa Bogh regarding speech-language pathologist performing the Fiberoptic endoscopic evaluation of swallowing (FEES) procedure and noted it has a Support If Amended position. Ms. Olivares commented on the recent amendments to the bill and recommended the Board to change their position to Support.

Dr. Raggio inquired on the circumstances when this procedure cannot be performed and the contraindications. Ms. Olivares replied that it can be performed in the locations specified in the language with the emergency backup procedure being followed, and noted that standards are set by the Department Public Health. Ms. Olivares commented on the contraindications listed in the language and amendments to the list.

Dr. Raggio inquired about the discussion with stakeholders. Ms. Dominguez replied with a summary of the discussion with stakeholders regarding the list of contraindications. Mr. Sanchez commented on the list of contraindications and Dr. Tulio Valdez's position of support.

Dr. Raggio inquired if the language provides consumer protection. Mr. Sanchez and Ms. Burns replied that the regulations and oversight required for the locations listed in the language provide consumer protection and noted the training required to perform this procedure. Dr. Raggio inquired of Dr. Valdez's position. Mr. Sanchez replied that he is in support.

Ms. Kaiser commented to express approval of the language especially in regard to the required training.

Andrea Ball on behalf of California Speech Language Hearing Association (CSHA) expressed gratitude to the Board for their collaboration on the SB 1453.

Gilda Dominguez made a motion to change the Board's position on SB 1453 to Support.

Holly Kaiser seconded the motion.

The motion carried 7-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, Snow, White)

Ms. Olivares provided an update on bills with recommended watch status.

Dr. Raggio inquired what it means when a bill is not schedule for a meeting and therefore dead. Ms. Olivares replied that those bills may not have met certain deadlines.

Dr. Raggio inquired for public comments on bills with recommended watch status. There were no comments from the public, outside agencies, or associations on bills with recommended watch status.

11. Legislative Items for Future Meeting

Dr. Marcia Raggio solicited legislative items for future meeting. Ms. Olivares noted Board staff have no additional items at this time.

Dr. Raggio inquired for public comments. There were no comments from the public, outside agencies, or associations.

12. Regulatory Report: Update, review, and possible action on Board regulation packages

Dr. Raggio invited Ms. Liranzo to provide the regulatory report. Ms. Liranzo provided an update on board regulation packages. Dr. Raggio inquired for Board discussion or public comments items (a), (b), (c), and (d). There was no Board discussion nor comments from the public, outside agencies, or associations on items (a), (b), (c), and (d).

Ms. Liranzo provided a background and summary of changes on item (e) regarding continuing professional development (CPD) requirements for speech-language pathologists and audiologists.

Dr. Raggio inquired if the definition of self-study would mean not “face-to-face” or “live” interaction. Ms. Liranzo replied to that Dr. Raggio’s statement is correct and noted it was the language used to defined Asynchronous.

Dr. Raggio inquired how are new terms introduced into regulations. Ms. Liranzo replied that it would have to replace the term “self-study” where it is used throughout regulations. Ms. Burns commented that it would have to be used more frequently throughout the regulations.

Ms. Liranzo noted that DCA Legal requested a change to section 1399.160.3(d)(2) to underline “shall be earned.”

Dr. Raggio inquired for public comments. Stacy Cooper, a member from the public, inquired if the Board is considering tele supervision for required professional experience (RPE) and speech-language pathology assistants. Dr. Raggio replied that this inquiry can be revisited at a later time in the meeting as this is not related to the item or motion regarding proposed changes to CPD requirements.

Tod Borges moved to approve, as amended, the proposed regulatory text for Sections 1399.160 through 1399.160.4 direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45- day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 1399.160 through 1399.160.4 as amended.

Dr. Amy White seconded the motion.

The motion carried 7-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, Snow, White)

Ms. Liranzo provided an update on item (f) and (g). Dr. Raggio inquired for Board discussion or public comments. There was no Board discussion nor comments from the public, outside agencies, or associations on items (f) and (g).

Ms. Liranzo provided a background and summary of changes to item (h) regarding continuing education (CE) requirements for hearing aid dispensers and dispensing audiologists.

Mr. Borges inquired if by removing section 1399.140(e) licensees will be required to complete CE during their first year of licensure. Ms. Liranzo replied that it would.

Mr. Borges inquired if board membership could be counted as CE. Ms. Burns and Mr. Sanchez replied that Board staff would need to research.

Ms. Liranzo noted that DCA Legal requested a change to section 1399.140.1(a) to say, "the content of a continuing education course shall pertain to direct or indirect patient/client care, or related to the discipline of hearing aid dispensing" and strikeout "patient/client care" at the end of that sentence.

Ms. Liranzo inquired of the Board if an allowable number of CE hours for course related to hearing aid devices should be specified. Mr. Borges commented on the Hearing Aid Dispensing Committee discussion to limit the number of hours to course related to hearing aid devices and inquired if the current language would allow licenses to complete eight hours on this type of course. Ms. Liranzo replied that a licensee would have eight hours for course related to hearing aid devices if they completed four hours of indirect patient/client care. Ms. Liranzo noted that a licensee can complete twelve hours on this type of course as falls under direct patient/client care with how the language is written.

Dr. Raggio inquired of Mr. Borges for his opinion on the allowable number. Mr. Borges replied that six is a reasonable number.

Dr. White inquired if the allowable number of hours would be on fitting hearing aid devices or a specific manufacturer. Mr. Borges replied that it would say, "content on the fitting, programming, and troubleshooting of equipment, devices, or other products of a particular manufacturer or company only as it relates to benefitting a client's hearing and functional use of the equipment, device, or product." Dr. White expressed agreement with the suggest language.

Dr. Raggio inquired if this would allow course that are manufacturer product specific sales. Mr. Borges replied that he doesn't think so because courses are shorter and the language precludes course content focused on marketing, launching, or demonstrating the marketability of equipment; and Board staff are responsible for reviewing the course content.

Ms. Liranzo noted that the suggested language will be added as paragraph (3) to section 1399.140(a) to say, "No more than six (6) hours of continuing education may be credited on content on the fitting, programming, and troubleshooting of equipment, devices, or other products of a particular manufacturer or company only as it relates to benefitting a client's hearing and functional use of the equipment, device, or product." Ms. Halbo commented on the language doing what the Board discussed.

Dr. Raggio inquired for public comments on the item and motion regarding proposed changes to CE requirements. There were no comments from the public, outside agencies, or associations.

Tod Borges moved to approve, as amended, the proposed regulatory text for Sections 1399.140, 1399.140.1, and 1399.144, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 1399.140, 1399.140.1, and 1399.144 as amended.

Holly Kaiser seconded the motion.

The motion carried 6-0. (Ayes: Raggio, Kaiser, Borges, Dominguez, Snow, White)

Ms. Liranzo provided a background and summary of changes to item (i) regarding speech- language pathology assistant (SLPA) program and academic requirements.

Dr. Raggio inquired for Board discussion and public comments on the item and motion regarding proposed changes to SLPA program and academic requirements. There was no Board discussion nor comments from the public, outside agencies, or associations.

Holly Kaiser moved to approve the proposed regulatory text for Sections 1399.170.4, 1399.170.10, and 1399.170.11 direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45- day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 1399.170.4, 1399.170.10, and 1399.170.11 as noticed.

Gilda Dominguez seconded the motion.

The motion carried 7-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, Snow, White)

Ms. Olivares provided a background and summary of changes to item (j) regarding SLPA application and Board processing times.

Dr. Raggio inquired for Board discussion and public comments on the item and motion regarding proposed changes to SLPA application and Board processing times. There was no Board discussion nor comments from the public, outside agencies, or associations.

Tod Borges moves to approve the proposed regulatory text for Sections 1399.113, 1399.151.1, 1399.160.6, and 1399.170.13, direct staff to make any additional changes to Section 1388.170.13, in accordance with the Board's policy directives, that are needed to address DCA Legal's concerns, submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45- day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 1399.113, 1399.151.1, 1399.160.6, and 1399.170.13 as noticed.

Karen Chang seconded the motion.

The motion carried 6-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, White; Abstain: Snow)

13. Future Agenda Items

Dr. Raggio solicited future agenda items. There was no discussion from the Board.

Dr. Raggio inquired for public comments. Stacy Cooper, a member from the public, inquired about regulatory report item 12(a) and 12(c) and if the Board is considering tele supervision for RPE and SLPA. Ms. Burns replied that the Board has already taken action on regulatory report item 12(a) and its going through the regulatory process, and regulatory report item 12(c) is available for public comment. Ms. Olivares commented on how to receive updates on regulatory changes and opportunities for public participation.

14. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Discuss Disciplinary Matters Including Proposed Decisions, Stipulated Decisions, Defaults, Petitions for Reductions in Penalty, Petitions for Reconsideration, and Remands.

The Board met in closed session and subsequently adjourned for the day.

15. Adjournment

The meeting adjourned at 4:56 p.m. on Thursday, August 11, 2022 and after the closed session on Friday, August 12, 2022.