



BOARD MEETING MINUTES
Teleconference
Friday, February 24, 2023

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 9:00 a.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
Heather Olivares, Legislation/Regulation Analyst
Maria Liranzo, Legislation/Regulation/Budget Analyst
Tenisha Ashford, Enforcement Coordinator
Lisa Snelling, Licensing Coordinator
Kenneth Swenson, DCA Legal Counsel
Alex Millington, DCA Regulation Counsel
Sarah Irani, DCA SOLID
Cesar Victoria, DCA Office of Public Affairs

Guests Present

Jody Winzelberg, Au.D.
Melanie Rosenblatt, Au.D.
Christy Kirsch, Au.D.
Peter Ivory, Ph.D. in Audiology

2. Public Comment for Items Not on the Agenda

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

3. Discussion and Possible Action Regarding Statutory and/or Regulatory Requirements Related to Audiology Aide Scope of Practice and Supervision Requirements as stated in Business and Professions Code (BPC) section 2530.2 and Title 16, California Code of Regulations (CCR) sections 1399.154 through 1399.154.7

Dr. Raggio opened the discussion with a background on the issue related to audiology aide scope of practice and supervision. Paul Sanchez commented on the prior statutory requirements and the statutory changes as part of the Sunset Review.

Dr. Raggio asked if there is a definition for immediate supervision in Attachment B. Cherise Burns replied that it is in section 1399.154.1.1(c) of Attachment B.

Dr. Raggio asked for Committee discussion on supervision requirements and tasks outside the scope of an audiology aide.

Karen Chang asked what the difference is between direct supervision and immediate supervision. Dr. Raggio replied that her understanding of immediate supervisor is over-the-shoulder and direct supervision as on-site whereas indirect could be done remotely. Dr. Amy White expressed her agreement of Dr. Raggio's interpretation. Ms. Chang suggested rearranging the order of the supervision so that its clearer. Dr. Raggio suggested the order to be immediate, direct, and in-direct. Ms. Chang expressed her agreement with Dr. Raggio's suggestion.

Dr. Raggio asked Board staff if they can explain what an industrial audiology aide is, why it appears in regulations, and if there is a need to keep the language there. Mr. Sanchez suggested that they are aides working in manufacturing. Dr. White commented that they are involved within the Occupational Safety and Health Administration (OSHA) hearing screenings in factories or industries that require them. Ms. Chang commented on the definition of an industrial aide found in 1399.154(d). Dr. Raggio commented on not being familiar with the availability of jobs or occupations in California for industrial audiology aide. Mr. Sanchez noted that Board staff would need to do further research to determine if industrial audiology aide language is still relevant in California. Ms. Burns noted that the Board's automated systems do not distinguish an audiology aide from an industrial audiology aid and it would require a manual review of applications to read the duty statements for each aide. Dr. Raggio inquired if industrial audiology aides are required to registered with the Board. Ms. Burns replied that her understanding is that they would be registered with the Board and permitted to do certain tasks without supervision. Mr. Sanchez commented that the Board may have them but there isn't a way to distinguish them and noted that he hasn't had staff ask questions on industrial audiology aides since his time with the Board.

Dr. White commented on Attachment B including a comprehensive list of tasks that should be outside the scope of an audiology aide but that it lacks defining tasks for different levels of supervision and asked if it will be the supervisor who makes that determination. Dr. Raggio expressed agreement concerning the lack for defining task for different supervision level and asked Board staff. Ms. Burns replied that the Committee can allow supervisors to make the determination or the Committee can define tasks for different supervision levels similar to what the Board has for speech-language pathology assistants. Dr. White suggested some form of definition under the training of aides in section 1399.154.4. Dr. Raggio commented on the benefit of ninety (90) days immediate supervision for tasks such as ear impressions and asked if tympanometry should be included as a diagnostic evaluation outside the scope of an aide. Dr. White expressed agreement with the suggested language and commented on the different types of non-diagnostic evaluations such as air conduction screening. Dr. Raggio noted that cerumen management is not on the list of tasks outside the scope of an aide and suggested that it should.

Ms. Burns commented on supervision being on-site, in-person and not remote. Dr. White, Dr. Raggio, and Dr. Tulio Valdez expressed agreement with Ms. Burns comments. Dr. Valdez

commented on distinguishing between procedures being performed and interpreted. Dr. Raggio suggested specifying tympanometry as diagnostic evaluation outside the scope of an aide. Dr. White expressed agreement with Dr. Raggio's suggestion.

Dr. Raggio inquired if the Committee would like to direct Board staff to draft regulatory language that incorporates all the suggestions discussed. Dr. White expressed agreement with the recommended action. Ms. Burns noted that the Board can consider other provisions required of speech-language pathology assistant such as trigger language to require a higher level of supervision for any new task the aide hasn't performed before.

Dr. White asked if supervisors would not need to repeat training due to prior education or if training would still apply. Ms. Burns replied this is current regulations.

Dr. Raggio asked Ms. Burns for other provisions the Committee may consider that is required of speech-language pathology assistant. Ms. Burns replied that the provision previously mentioned is the one she remembers and noted that Board staff can be directed to find others such as requirements when a client is medically fragile.

Dr. Raggio inquired if indirect supervision should be removed. Dr. White replied that she understood it to mean the aide can perform functions of an office aide when the audiologist is not present. Dr. Raggio expressed concerns regarding aides performing any task without a supervisor present. Dr. White noted that indirect supervision is tied to industrial audiology aide and could be discussed once Board staff conducted their research.

Dr. White asked if Board staff can provide a sample supervision and training plan or a worksheet that can be used. Ms. Burns replied that requirements could be included on the form that will be used and noted that forms would need to be a part of regulations. Dr. Raggio asked if the Board provides samples for other license type, which Ms. Burns replied that it is not something the Board provide.

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

Dr. Raggio noted that the Committee will work with Board staff in drafting regulatory language to clarify the scope of practice and supervision for an audiology aide.

4. 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 section 1399.152.2

Dr. Raggio opened the discussion with a background on audiology licensing requirements related to supervised clinical and professional experience, and highlighted some of the responses from the document included for discussion.

Dr. White asked if the Board still needs to establish by regulation clock hours. Mr. Sanchez replied that the Board has clock hours established for when the requirement was a master's degree and commented that the Board can maintain the requirement as noted in the survey responses. Ms. Burns noted that section 1399.152.2 would need to be amended as it currently doesn't include BPC section 2532.25. Dr. White commented on the benefit of defining full-time for

clinical experience.

Dr. Raggio asked Committee members about including hours from the start of the program as part of the required professional experience (RPE) hours and the benefit it may have for students. Dr. White replied that it may not reduce the semester or tuition due to capstone or didactic project and it may cause issue with rotation schedule at work sites.

Ms. Burns commented that the board defines full-time as 30 or more hours and noted that a question was raised during the sunset review regarding students being ready for professional experience but unable to start due to application processing times and asked if the Committee should consider changes to allow for earlier application submission to reduce processing time during peak season. Dr. Raggio replied that this is something the Committee can consider. Dr. White suggested allowing applications the semester prior to the professional experience. Dr. Raggio asked of the implications if the site hasn't been established or determined. Ms. Burns replied that it could be a problem because the Board has to know the site and supervisor and noted it is a common issue that the Board has a process to change site and supervisor. Dr. White asked if this would help students enter the workforce sooner if the process was changed to allow for early application submission. Ms. Burns replied that it may help.

Dr. Raggio asked Committee members if the 300 hours should remain. Ms. Chang and Dr. Valdez expressed agreement to keep current standards the same.

Dr. Raggio asked Committee members for discussion on allowing hours from the start of the program as part of professional experience like accrediting bodies and noted that the Legislature expressed early year experience should not be included as professional experience. Dr. White replied that experience from the first couple of rotations are not similar to professional experience and noted that the final year before the professional experience may be similar based on the survey responses.

Dr. Raggio inquired for public comments.

Dr. Jody Winzelberg commented on the survey and noted that audiology programs sent the Board a letter summarizing their survey responses. Dr. Winzelberg commented on the Committee's discussion such as requiring 300 hours for clinical experience and clinical experience from three different sites, and not including clinical hours as part of professional experience.

Dr. Winzelberg stated that site and supervisor are established or determined by November the year before the professional experience. Dr. Raggio asked if this is true for all programs. Dr. Winzelberg replied that programs are organizing the same way as medical students. Dr. White noted that the Veterans Affairs follows the same model.

Dr. Raggio asked if any of the earlier experience can be included in the professional experience. Dr. Winzelberg replied that programs prefer those to not be included.

Dr. Raggio asked for clarification in the letter regarding the 11-12 months professional experience. Dr. Winzelberg replied that there may have been visa issues with international students when the 11-month experience was suggested in prior discussion.

Dr. Raggio commented on regulations not needing changes. Dr. Winzelberg expressed agreement

and commented on reducing processing time to help students enter the workforce soon after their professional experience, permitting 11-month professional experience for international students, and permitting applications submission as early as March.

Dr. Melanie Rosenblatt from University of the Pacific commented on the discussion and noted that the professional experience timeline for one for their students was different because of the branch of the military they were pursuing.

Dr. Raggio asked the public if they can comment on accreditation calculating experience by hours. Dr. Winzelberg replied that accreditation is different from American Speech-Language-Hearing Association (ASHA) certification, and noted that programs help students become licensed not certified.

Dr. Christy Kirsch commented on programs requirements aligning with accrediting bodies and not ASHA certification and noted San Diego counts hours and equate to time.

Dr. Raggio asked Dr. Kirsch if their program tracks time from the start of the program. Dr. Kirsch replied that everything is tracked for all the years the student is in the program and noted that professional experience is counted by time not hours.

Dr. Peter Ivory, Doctor of Audiology Program Director at California State University, Los Angeles, commented to clarify that clinical experience is an enrollment at the university with a required number of units for graduation therefore the last few semesters of enrollment can't be reduced.

Dr. Raggio noted that the Committee will work with Board staff to determine what changes, if any, need to be made to regulations. Mr. Sanchez commented on legislative requirements and changes that will need to be made in regulations to align requirements established for a master's degree licensed under BPC section 2532.2 to a doctorate degree licensed under BPC section 2532.25.

5. Adjournment

The meeting adjourned at 11:01 a.m.

Hearing Aid Dispensing Committee

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

Tod Borges, Committee Chair, called the Hearing Aid Dispensing Committee (Committee) meeting to order at 11:13 a.m. Mr. Borges called roll; four 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

Tulio Valdez, Otolaryngologist, Public Member

Amy White, Dispensing Audiologist

Staff Present

Paul Sanchez, Executive Officer

Cherise Burns, Assistant Executive Officer

Heather Olivares, Legislation/Regulation Analyst
Maria Liranzo, Legislation/Regulation/Budget Analyst
Tenisha Ashford, Enforcement Coordinator
Lisa Snelling, Licensing Coordinator
Kenneth Swenson, DCA Legal Counsel
Alex Millington, DCA Regulation Counsel
Sarah Irani, DCA SOLID
Cesar Victoria, DCA Office of Public Affairs

Guests Present

Joe Bartlett

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 Regulations Regarding Hearing Aid Dispensers Trainee and Temporary License Supervision as stated in Title 16, California Code of Regulations (CCR) sections 1399.115 through 1399.119

Mr. Borges opened the discussion on trainee and temporary license supervision. Maria Liranzo provided a background and summary of changes made since the last Committee's discussion held on October 27, 2022.

Dr. Raggio asked if this the final draft of the proposed language. Ms. Liranzo replied that it is and noted the Committee requested it because of a number of changes were made during the last discussion.

Mr. Borges asked how many years a licensee is required to maintain records of CE course completion. Ms. Liranzo replied that it is two years. Ms. Burns commented on why the requirement is different for record of course completion in supervision and noted it aligns with the frequency a supervisor is required to complete a course in supervision.

Mr. Borges expressed objection to including electroacoustic analysis equipment and real ear measurements as required training. Dr. Raggio expressed disagreement to the objection and commented on it being essential and fundamental to dispensing. Dr. Amy White expressed disagreement to the objection and commented on establishing training standards where no formal education is required for licensure.

Mr. Borges asked for public comments.

Joe Bartlett commented on his experience with electroacoustic analysis equipment and real ear measurements and recommended the Committee reconsider making this part of required training.

Mr. Borges asked for Board discussion and public comments on the motion. There was no Board discussion nor comments from the public, outside agencies, or associations on the motion.

Marcia Raggio recommended to the full board that: (1) the proposed, amended regulatory text, relating to Hearing Aid Dispensers Trainee and Temporary License Supervision as stated in Title 16, California Code of Regulations (CCR) sections 1399.114 through 1399.119, be approved and adopted; (2) staff be directed to take all steps necessary to notice the amended regulatory text and to make any non-substantive changes to the regulatory package; and (3) if no adverse comments are received during the 15-day comment period, the Executive Officer be authorized and directed to take all steps necessary to complete the rulemaking and to adopt the proposed amended regulations as noticed.

Tulio Valdez seconded the motion.

The motion carried 4-0. (Ayes: Borges, Raggio, Valdez, and White)

4. Adjournment

The meeting adjourned at 11:35 a.m.

Full Board Meeting Agenda

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 11:37 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
Tulio Valdez, Otolaryngologist, Public Member
Amy White, Dispensing Audiologist

Staff Present

Paul Sanchez, Executive Officer
Cherise Burns, Assistant Executive Officer
Heather Olivares, Legislation/Regulation Analyst
Maria Liranzo, Legislation/Regulation/Budget Analyst
Tenisha Ashford, Enforcement Coordinator
Lisa Snelling, Licensing Coordinator
Kenneth Swenson, DCA Legal Counsel
Alex Millington, DCA Regulation Counsel
Sarah Irani, DCA SOLID
Cesar Victoria, DCA Office of Public Affairs
Yvonne Dorantes, DCA Executive Office
Michael Kanotz, DCA Legal Counsel

Guests Present

Joe Bartlett
Laura Wasco
Marissa Mcray
Susanna Rodriguez
Brandon Westby
Andrea Ball
Chrystal Lujan

2. Public Comment for Items Not on the Agenda

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

3. Review and Possible Approval of the October 27 - 28, 2022, Board Meeting Minutes

Dr. Raggio opened the discussion on the review and possible approval of the October 2022 Board Meeting Minutes. Maria Liranzo provided a summary of the minutes.

Dr. Raggio asked for Board discussion. There was no Board discussion.

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

Tod Borges moved to approve the October 27 - 28, 2022 Board meeting minutes.

Karen Chang seconded the motion.

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

4. Review and Possible Approval of the December 13, 2022, Board Meeting Minutes

Dr. Raggio opened the discussion on the review and possible approval of the December 2022 Board Meeting Minutes. Ms. Liranzo provided a summary of the minutes.

Dr. Raggio asked for Board discussion. Holly Kaiser noted that there was a public member with no last name, and suggested that it should be included. Ms. Liranzo noted the suggested change.

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

Karen Chang moved to approve the December 13, 2022, Board meeting minutes, as amended.

Holly Kaiser seconded the motion.

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

5. DCA Update – DCA Board and Bureau Relations

Dr. Raggio invited staff from DCA Board and Bureau Relations to provide an update. Yvonne Dorantes provided an update on the position filled in DCA's Division of Investigation; DCA's Diversity, Equity, and Inclusion Committee; DCA's strategic plan and new logo; required training for Board members; end of the COVID-19 emergency waivers; and Form 700 annual submission.

Dr. Raggio asked why trainings have to be retaken every other year. Ms. Dorantes replied that it ensures everyone is on the same page.

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

6. Board Chair's Report

Dr. Raggio opened the discussion with the 2023 Board Meeting Calendar and noted Board members will be notified as soon as possible if the next meeting will be in-person in Sacramento or teleconference.

Dr. Raggio reported updates to committee membership. Dr. Raggio asked Paul Sanchez for the difference in the two committees related to the practice of hearing aid dispensing. Mr. Sanchez replied that Hearing Aid Dispensers Practice Committee is for hearing aid dispensers and Hearing Aid Dispensing Committee is for both hearing aid dispensers and dispensing audiologist. Dr. Raggio noted a vacancy filled in Enforcement Ad Hoc Committee and Legislative Ad Hoc Committee.

Dr. Raggio reported on the discussion from the Audiology Practice Committee meeting.

Mr. Borges reported on the discussion from the Hearing Aid Dispensing Committee meeting.

Ms. Kaiser commented on the discussion from the Audiology Practice Committee meeting and how audiology programs worked together to summarize their survey responses.

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

7. Executive Officer's Report

Dr. Raggio invited Mr. Sanchez to provide the Executive Officer's report.

Mr. Sanchez reported an administration update on filling a position created by the Business Modernization project.

Mr. Sanchez reported outreach efforts including an opportunity to present the importance of licensing to the San Francisco State Student Audiology Association. Dr. Raggio noted that this was recorded for students who were unable to attend the presentation.

Mr. Sanchez reported on the budget and fund condition and noted that the Expenditure Projection Report wasn't available for this meeting. Karen Chang asked about the Board's savings.

Mr. Sanchez replied that augmentation could occur if the Board exceeds its budget. Ms. Chang,

Mr. Sanchez, and Ms. Burns commented on the Board's funding structure being different from other state funding structure.

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

Mr. Sanchez reported on licensing and enforcement including an increase in applications and licensing population, the launch of online applications, licensing processing times, practical examination results, enforcement statistics, and disciplinary actions.

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

8. Update on the Board's Business Modernization Project and Releases of Online Applications for Licensure

Dr. Raggio invited Mr. Sanchez and Ms. Burns to provide an update on the Board's Business Modernization project. Mr. Sanchez provided a background and update on the project. Ms. Burns commented on staff involvement in the project and troubleshooting efforts.

Dr. Raggio asked how and to whom is Board staff demonstrating the online application. Ms. Burns replied that they have been upon request by faculty or student associations, and noted that demonstrations are virtual and can be requested by contacting the Board. Ms. Burns commented that the Board may consider working with DCA to create recordings if necessary and noted it would be part of the Board's pro rata expenditures.

Dr. Raggio asked for public comments.

Joe Bartlett expressed his appreciation for the online application and commented on his recent experience with the new system.

9. Discussion and Possible Action to Revise the Board's Administrative Procedure Manual

Dr. Raggio opened the discussion for possible action to revise the Board's Administrative Procedure Manual. Ms. Burns provided a background and a summary of changes.

Dr. White suggested to add the new hearing aid dispenser committee to the list of committees on page 14. Dr. Raggio expressed agreement with Dr. White's suggestion. Ms. Burns noted the change and commented that it will have a description similar to the other practice committees.

Ms. Kaiser suggested aligning description of the professions in the overview on page 3 to what was used in the Sunset Report and asked if this document is highlighted at the new board member orientation/training with Board staff. Mr. Sanchez replied that this document is provided to new board members and Board staff covers specific information during the presentation. Gilda Dominguez expressed agreement with Ms. Kaiser's suggestion. Ms. Burns noted the change.

Dr. Raggio suggested adding a statement under out-of-state travel on page 10 regarding state funding or sponsored travel to certain states. Ms. Burns noted the change.

Dr. Raggio noted that the Practice Act Book is not listed as an item Board member receive on page

17. Ms. Burns noted the change.

Dr. Raggio asked if business cards were ever requested. Ms. Burns replied they were but it hasn't been requested in a long time. Mr. Sanchez commented that the Board has moved away of them.

Dr. Raggio asked for clarification on proposed decisions and stipulations found on page 25. Kenneth Swenson provided definitions of both a stipulation and a proposed decision. Mr. Sanchez clarified that the Board may not always seek a settlement and at times will go to hearing.

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

Tod Borges moved to approve revisions to the Board's Administrative Procedure Manual as amended.

Gilda Dominguez seconded the motion.

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

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

Dr. Raggio invited Heather Olivares to provide the legislative report.

Ms. Olivares reported the legislative calendar and deadlines and legislation implementation updates. Dr. Raggio asked if those holding a valid American Board of Audiology certificate is for out-of-state applicants. Ms. Olivares replied that Dr. Raggio's statement is correct.

Dr. Raggio asked if there were other physicians who do endoscopy. Ms. Olivares replied that Dr. Raggio's statement is correct and commented on concerns raised prior to Senate Bill (SB) 1453 regarding the lack of otolaryngologists. Dr. Raggio asked if the concern was more about available personnel for supervision and not SLPs performing the task. Ms. Olivares replied that otolaryngologists have concern with other physicians and SLPs supervising, and noted they are proposing changes to this law.

Dr. Raggio inquired for public comments.

Laura Wasco on behalf of California Speech-Language Hearing Association (CSHA) commented on SB 1453 and noted that they are working with the senator on clarifying statutory changes.

Marissa Mcray commented on SB 1453 and noted current fiberoptic endoscopic evaluation of swallowing (FEES) program are suspended because of the recent changes and asked if they are suspended until changes are made. Ms. Burns replied that it is a statutory provision that the Board can't change and asked if they had the 25 supervised procedure. Ms. Mcray replied that they have the 25 supervised procedure but not with an otolaryngologist. Dr. Tulio Valdez asked how an otolaryngologist verified without supervising. Ms. Mcray replied that the law prior to the change didn't specify that the 25 supervised procedure had to be supervised by an otolaryngologist. Dr. Valdez commented on quality control in how people are trained and certified and asked if a test or certification exist for this procedure. Ms. Mcray replied that there are none for the same reason as there are none for modified barium swallow and commented on quality control on current FEES

program. Dr. Valdez commented on incorporating a grandfather clause or timeline to transition the changes. Mr. Sanchez commented to refer individuals with concerns to the author and sponsor of the bill who are looking into making clarifying changes.

Susanna Rodriguez commented on SB 1453 and noted other profession such as nurses do not have training or certification to perform nasogastric (NG) tube insertion. Dr. Valdez commented on the differences of an NG and fiberoptic scope.

Gilda Dominguez commented on the previous statutory language which required SLP to perform under the authorization of an otolaryngologist and the supervision of a physician and surgeon and noted that this should be considered prior to the discontinuance of programs.

Ms. Olivares commented on statutory changes taking into consideration other standards such as American Speech-Language-Hearing Association. Ms. Burns noted that the author and sponsor of the bill are working to make clarifying changes.

Ms. Olivares reported updates on Board-sponsored legislation, and bills with recommended watch status.

Ms. Kaiser asked if Assembly Bill (AB) 381 would allow occupational therapists to have the option to be licensed or credentialed. Ms. Olivares replied that this would be similar to the options speech therapists have.

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

11. Legislative Items for Future Meeting

Dr. Raggio asked if Board members had legislative items for future meeting.

Ms. Olivares reported the following legislative items for the next meeting: SB 612 regarding FEES, AB 996 regarding conflict-of-interest policy for continuing education, SB 802 regarding timely written notification for application denied based on a criminal conviction, and a number of spot bills that were introduced.

Ms. Chang asked how the Legislative Ad Hoc Committee could meet. Kenneth Swenson replied that a meeting would need to be noticed if there are more than two members and it would not need to be noticed if it is two or less.

Dr. Raggio asked how Board staff identify bills. Ms. Olivares replied that there are keywords searches for this in our legislative tracking system and noted that there are many more whose impact is DCA-wide that are not picked up by the search and require that all bills introduced be reviewed.

Dr. Raggio asked 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 asked for public comments.

Brandon Westby commented on proposed changes to speech-language pathology assistant (SLPA) supervision and risk to consumers if supervisors are supervising up six support personnel and reporting SLPA employment status that are false.

Andrea Ball on behalf of CSHA commented on informing the public on the proposed changes to with required professional experience (RPE) supervision and noted that they will continue to monitor the progress of proposed changes to SLPA supervision.

Ms. Liranzo provided a background and summary of changes to modify proposed regulations regarding SLPA supervision. Ms. Liranzo noted the recommendations for discussion are regarding supervisor first contact with their client or patient and frequency or amount of supervision beyond the initial supervision for newly licensed SLPA.

Ms. Kaiser commented on the maximum number of support personnel and asked where full-time equivalent is defined. Ms. Liranzo replied that it is defined in section 1399.170 and asked if the language should cross-reference this section and if the maximum and minimum number of hours be removed from the application. Ms. Burns replied it was not necessary as this aligns with RPE supervision form.

Ms. Dominguez asked if the application can be amended to correct a spacing issue with “pursuant to” in Part C question 6. Ms. Liranzo replied that it may be a formatting to printing issue but will take a look at it and correct it if necessary.

Ms. Dominguez suggested adding an asterisk to Part C question 7 to remind supervisors of the maximum number of support personnel. Ms. Burns replied that this information is included in the Duties and Responsibilities of Supervisor as item 12. Ms. Dominguez noted that this is sufficient.

Ms. Kaiser commented on ASHA’s SLPA supervision guidelines regarding “first contact” and suggested modifying the text to accommodate the comment. Ms. Burns noted that the language recommended was vague and would need to be revised in order to pass the Office of Administrative standards of review.

Ms. Dominguez asked if twenty (20) percent supervision is a challenge for the first ninety (90) days of work for newly licensed SLPA. Ms. Liranzo replied that the recommendations for discussion are on supervision after the first ninety (90) days.

Ms. Kaiser commented on the importance of supervisors having first contact with their patient and suggested modifying the text to accommodate the recommendation. Ms. Dominguez expressed agreement to the suggestion and commented on the lack of clarity to the second recommendation and asked who determines if it’s thirty (30) or sixty (60) days. Ms. Liranzo replied that ASHA’s guidelines stated that it would depend on how often the client’s visits/sessions are and it would be or sixty (60) days if it is more frequent or thirty (30) if it is less frequent. Ms. Liranzo noted the Board

cannot have language this vague and would need to specify one or the other, or something different. Ms. Burns commented that the Board could define criteria that determines the thirty (30) or sixty (60) days. Ms. Liranzo noted that minimum ongoing supervision would need to be clarify with a specify number of hours. Ms. Kaiser commented that this would need to be percentage based as there is a wide variety of employment statuses for SLPAs.

Dr. Raggio asked if this item should be tabled. Ms. Liranzo replied that it is on a scheduled timeline and recommended the Board to hold those items for future discussion by rejecting the recommendation with a response that it will be considered in a different regulatory package. Alex Millington informed the Board that, if they cannot make a change that is specific enough to adequately describe the changes, the Board can come back another time to consider the matter or consider it for a different regulatory package. Ms. Burns suggested the Board to delegate Board members to work with Board staff in drafting language for the next meeting. Mr. Sanchez commented on the risk associated with modifying the text at the next meeting. Ms. Kaiser expressed moving forward with the text presented. Ms. Burns noted that the Board response in the Final Statement of Reasons can be that it will be addressed in a different regulatory package.

Ms. Dominguez asked if the first contact can be added. Ms. Burns expressed concerns with unintended consequences it may have in different settings such as schools where supervisors might change often. Ms. Dominguez expressed agreement to the concern.

Ms. Dominguez asked if the Board could discuss duties outside the SLPA's scope. Ms. Burns replied that section 1399.170.3 is not part of the rulemaking package and therefore it would need to be part of a separate regulatory package.

Ms. Kaiser expressed agreement to concerns regarding the unintended consequences first contact may create in different work settings and commented that best practices doesn't always need to be written as regulations.

Dr. Raggio asked for public comments.

Brandon Westby commented on the quality of supervision with a maximum number of support personnel that is six and asked if the language means that it can be six SLPA or three SLPA and three SLP aides. Ms. Burns replied that it would mean they are all working part-time.

Chrystal Lujan commented to express support for changes that would allow tele supervision and ask if support personnel would include RPE.

Holly Kaiser moved to approve the proposed modified regulatory text for 16 CCR sections 1399.170, 1399.170.2, and 1399.170.15, and direct staff to take all steps necessary to notice the modified regulatory text and make any non-substantive changes to the regulatory package.

Karen Chang seconded the motion.

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

Ms. Liranzo provided a background to proposed regulations regarding SLPA program and academic requirements. Ms. Liranzo noted the last commented recommended changes to the proposed text

that Board staff recommend the Board to reject the recommendation for the reason as stated in the drafted board response.

Dr. Raggio asked for Board discussion. There was no Board discussion.

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

Tod Borges moved to approve the proposed Board responses to Comments, and direct staff to take all steps necessary to complete the rulemaking process, including the filing of the final rulemaking package with the Office of Administrative Law, authorize the Executive Officer to make any non-substantive changes to the proposed regulations before completing the rulemaking process, and adopt the proposed regulations at Title 16, CCR Sections 1399.170.4, 1399.170.10, and 1399.170.11, as noticed.

Holly Kaiser seconded the motion.

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

13. Future Agenda Items

Dr. Raggio asked Board members for future agenda items.

Ms. Dominguez requested a review of task outside SLPA scope of practice and suggested removing limitation to the swallow therapy with bolus material and revising the opening statement. Ms. Liranzo noted the this is section 1399.170.3. Dr. Raggio delegated this item to the SLP Practice Committee.

Dr. Raggio commented on avoiding professional organization requirements from the Board's statutes and regulations. Dr. Valdez expressed agreement to the comment. Ms. Liranzo asked Dr. Raggio if she meant guidelines incorporated in regulations. Dr. Raggio replied that she meant overall discussion. Mr. Sanchez noted it as an item for consideration and not an item for future agenda.

Dr. Raggio asked the public for future agenda items. There were no comments from the public, outside agencies, or associations

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 did not meet in closed session.

15. Adjournment

The meeting adjourned at 3:39 p.m.