

BOARD MEETING MINUTES
Teleconference - Sacramento, Glendora, Daly City, Simi Valley, and Stanford
Friday, August 25, 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 10:18 a.m. Dr. Raggio called roll; four members of the Committee were present and thus a quorum was established. Dr. Raggio also requested that each physical location without a Committee member identify themselves and their location, all five physical locations were open.

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
Maria Liranzo, Legislation/Regulation/Budget Analyst
Tenisha Ashford, Enforcement Coordinator
Lisa Snelling, Licensing Coordinator
Michael Kanotz, DCA Legal Counsel
Karen Halbo, DCA Regulation Counsel
David Bouilly, DCA SOLID
Shelly Jones, DCA SOLID
Judie Bucciarelli, DCA Executive Office

Guests Present

John Dandurand
Gilda Dominguez
Michael Schmitt
Diane Roberts
Dave Cummings

2. Public Comment for Items Not on the Agenda

Dr. Raggio asked for public comments.

Michael Schmitt commented on the processing of a hearing aid dispensing license. Cherise Burns replied to contact the Board via email.

Michael Kanotz reminded the public that the Board is not allowed to address or discuss public comments under this agenda item.

Diane Roberts commented on the current application processing times and the lack of staffing.

A written public comment in the Q&A feature of the teleconference was read which commented on not being able to provide speech services in homes.

Dave Cummings commented on proposed regulatory changes to speech-language pathology assistants supervision.

3. Update, Discussion, and Possible Action Regarding Audiology Licensing Requirements Related to Supervised Clinical and Professional Experience as stated in Business and Professions Code Sections 2532.2 and 2532.25 and Title 16, CCR sections 1399.152.2

Dr. Raggio invited Maria Liranzo to provide an update on possible action regarding audiology licensing requirements related to supervised clinical experience. Ms. Liranzo provided a background and summary of changes to regulations regarding audiology supervised clinical experience. Ms. Liranzo noted that the last item in the proposed text should be subsection (f) and not subsection (e).

Dr. Amy White suggested changes to clarify the number of hours as it relates to the three (3) different clinical settings as it is meant to be across the settings and not the number of hours at each setting. Dr. Raggio expressed agreement to the suggested change. Ms. Liranzo noted the amendment to replace “in” with “across” and add “a total of “ in the beginning of each requirement.

Dr. Raggio commented on the proposed changes reflecting the last discussion on this topic and recommended adopting this text with the suggested changes mentioned today.

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

Amy White moved to recommend the Board to adopt proposed changes to supervised clinical experience as stated in Title 16 CCR sections 1399.152.2 as amended.

Karen Chang seconded the motion.

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

The meeting adjourned at 10:46 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 10:47 p.m. Dr. Raggio called roll; six members of the Board were present at the five physical locations and thus a quorum was established.

Board Members

Marcia Raggio, Dispensing Audiologist, Board Chair
Karen Chang, Public Member
John Danduran, Hearing Aid Dispenser
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
Maria Liranzo, Legislation/Regulation/Budget Analyst
Tenisha Ashford, Enforcement Coordinator
Lisa Snelling, Licensing Coordinator
Michael Kanotz, DCA Legal Counsel
Karen Halbo, DCA Regulation Counsel
David Bouilly, DCA SOLID
Shelly Jones, DCA SOLID
Judie Bucciarelli, DCA Executive Office

Guests Present

Serafin Raya
Andrea Ball
Kristina Zajic
Joe Bartlett

2. Swearing In New Board Member

Dr. Raggio swore in John Danduran as a member of the Board, whereupon Mr. Danduran took the oath of office administered by Dr. Raggio.

Dr. Raggio congratulated Mr. Danduran on his appointment to the Board. Mr. Danduran commented on his appointment to the Board.

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

3. Public Comment for Items Not on the Agenda

Dr. Raggio asked for public comments.

Serafin Raya commented on the current application processing times.

4. Review and Possible Approval of the April 27, 2023, Board Meeting Minutes

Dr. Raggio opened the discussion on the review and possible approval of Board's meeting Minutes. Maria Liranzo provided a summary of the Minutes.

Gilda Dominguez requested amendments on page 5 to make "second fifteen procedure" plural. Ms.

Liranzo noted the amendment.

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

Amy White moved to approve the April 27, 2023, Board meeting Minutes as amended.

Karen Chang seconded the motion.

The motion carried 6-0. (Ayes: Raggio, Chang, Danduran, 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. Judie Bucciarelli congratulated Mr. Danduran on his appointment to the Board and expressed gratitude to current Board members for their continued service. Ms. Bucciarelli provided an update on DCA's Diversity, Equity, and Inclusion Committee; the resumption of in-person meetings and Bagley-Keene Open Meeting Act rules; military spouses and domestic partners temporary licenses being launched; DCA's Enlighten Licensing Project; upcoming press release translation; board member onboarding; required board member trainings, 2023-2024 out-of-state travel; and board member orientation training.

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.

6. Board Chair's Report

Dr. Raggio opened the discussion on the Board Chair's Report and noted the next Board meeting will be in-person in Sacramento.

Dr. Raggio invited Gilda Dominguez to provide a report on the discussion from the Enforcement Ad Hoc Committee. Ms. Dominguez provided a report on what the Committee reviewed.

Dr. Raggio provided a report on discussion from the Audiology Practice Committee.

Dr. Raggio commented on overall committee membership and noted Mr. Danduran's committee assignments. Mr. Danduran and Paul Sanchez commented on the difference between the Hearing Aid Dispensing Committee and the Hearing Aid Dispensers Practice Committee.

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 Paul Sanchez to provide the Executive Officer's report.

Mr. Sanchez reported an administration update on staff vacancies and hiring new staff.

Mr. Sanchez reported on outreach efforts including a meeting with California Speech Language Hearing Association (CSHA).

Mr. Sanchez reported on the budget including the fund condition.

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

Mr. Sanchez reported on licensing including processing times and practical examination results.

Dr. Raggio asked how long it takes to train new staff. Cherise Burns replied that it usually takes three to six months to be proficient in processing licenses. Ms. Sanchez commented on how staff is trained and the use of non-licensing staff to assist with processing applications in the interim.

Mr. Danduran asked about the expedited application process for military spouses. Ms. Burns replied that it is a statutory requirement to expediate applications that qualify and noted they are expedited appropriately.

Mr. Sanchez reported on enforcement including formal discipline for the last twelve months.

Dr. Raggio asked if the practical examination fail rate was typical. Ms. Burn replied that it was higher than usual and noted higher mistakes made by candidates related to safety issues.

Dr. Raggio asked for public comments.

Andrea Ball on behalf of CSHA commented on outreach efforts with Board staff.

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

Dr. Raggio invited Ms. Liranzo and Ms. Burns to provide the legislative report

Ms. Liranzo reported on the legislative calendar and deadlines, and Board-sponsored legislation.

Dr. Raggio asked for Board discussion on the legislative calendar and deadlines, and Board-sponsored legislation. There was no Board discussion.

Dr. Raggio asked for public comments on the legislative calendar and deadlines, and Board-sponsored legislation.

Andrea Ball on behalf of CSHA recommended the Board to change its position on Senate Bill (SB) 612 from Support if Amended to Support due to recent amendments.

Ms. Liranzo reported on bills with active positions taken by the Board.

Ms. Liranzo noted that the Board took an Oppose Unless Amended on SB 372. Ms. Burns recommended the Board to change its position to Support.

Dr. Raggio asked what amendments were made. Ms. Burns replied that the telephone number requirement was removed and it will require that the public is informed to call the office when

searching for a person with a “dead name” or public records that contain the former name or gender.

Ms. Liranzo provided a summary of AB 381. Ms. Burns recommended no changes to the Board’s position on Assembly Bill (AB) 381.

Dr. Raggio asked for public comments on AB 381 and SB 372. There were no comments from the public, outside agencies, or associations.

Amy White moved to change the Board’s position on SB 372 to Support.

Tulio Valdez seconded the motion.

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

Ms. Liranzo continued reporting on bills with active positions taken by the Board.

Ms. Burns commented on the changes made to SB 544 and recommended no changes to the Board’s position. Michael Kanotz commented on additional changes made to SB 544 which includes a sunset provision.

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

Ms. Liranzo continued reporting on bills with active position taken by the Board.

Ms. Liranzo noted that the Board took a Support If Amended on SB 612. Ms. Burns recommended the Board to change its position to Support.

Dr. Raggio asked for public comments.

Andrea Ball on behalf of CSHA expressed support on the Board changing its position on SB 612.

Amy White moved to change the Board’s position on SB 612 to Support.

Gilda Dominguez seconded the motion.

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

Ms. Burns provided a summary on SB 635 regarding hearing aid health care coverage. Ms. Burns noted that a Support position was taken with approval from the Board Chair and Vice Chair in accordance with the Board’s Administrative Procedure Manual, and recommended no changes to the Board’s position.

Mr. Danduran asked if the bill include managed care like Medi-Cal. Ms. Burns replied that she would need to verify. Dr. Raggio replied that hearing aid services are covered by Medi-Cal for children and noted that this may be aimed at private insurance.

Dr. Raggio asked if there is any known opposition. Ms. Burns replied there is no known opposition.

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

Ms. Liranzo noted bills with the recommended watch status. There was no Board discussion.

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

9. Legislative Items for Future Meeting

Dr. Raggio asked for legislative items for future meeting. Ms. Burns noted that Board staff do not have any items.

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

10. 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 the Board's regulatory packages; and noted the last item is a hand carry and is available on the Board's website and will be displayed during the discussion.

Ms. Liranzo provided a background on proposed changes to speech-language pathology assistant (SLPA) supervision requirements and noted draft Board responses to public comments and all comments received are included in the meeting materials.

Dr. Raggio asked for public comments.

Kristina Zajic from American River College asked why the definition of direct supervision in section 1399.170(d) differs from 1399.170.15(b)(4). Ms. Liranzo replied that the definition of direct supervision is on-site observation or synchronous audiovisual observation, and noted that the requirement for the first ninety (90) days is direct supervision that is on-site observation for twenty (20) percent of the work per week.

Ms. Burns commented that tele supervision is not permitted within the first ninety (90) days of work but it is after ninety (90) days. Ms. Liranzo clarified that it's the first ninety (90) days of work following initial licensure and not the first ninety (90) days of work if the SLPA has been licensed for longer.

Amy White 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, 1399.170.2, and 1399.170.15 through 1399.170.18 as noticed.

Tulio Valdez seconded the motion.

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

Ms. Liranzo provided a background and summary of changes on proposed changes to approved institutions, and noted the materials included for Board discussion.

Dr. Raggio commented on the American Speech-Language-Hearing Association (ASHA) being accredited by United States Department of Education and the American Academy of Audiology (AAA) being accredited by Council on Higher Education Accreditation.

Ms. Liranzo commented on the two types of accreditations the Board requires, one for the university and another for the program, and noted that both organizations comply with both requirements as shown in Attachment C of the meeting materials.

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

Amy White moved to approve the proposed regulatory text for 16 CCR section 1399.152 and 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 16 CCR section 1399.152 as noticed.

Tulio Valdez seconded the motion.

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

Ms. Liranzo provided a background and summary of changes on proposed changes to regulations regarding hearing aid dispensers trainee and temporary license supervision.

Ms. Liranzo asked the Board if it should amend section 1399.115(b) and 1399.116(b) to require the practice experience to occur immediately before the commencing supervision. Dr. Raggio asked if this is preferred. Ms. Burns replied that it is preferred as there could be an extended break in service that could cause a supervisor to not be current with practice standards and training. Dr. Amy White and Dr. Raggio expressed agreement to the suggested change.

Ms. Liranzo asked if “sound field testing” should be included as a verification technique in section 1399.118(c)(1) and noted that this would align with language that can be found in Attachment C, 2020 HAD Written Examination Outline, on page 9. Ms. Burns noted that these documents are available online. Dr. Raggio expressed agreement to the suggested change.

Dr. Danduran asked if there is a training manual for supervisors. Ms. Burns replied that there isn't a manual and commented on materials and information available to the public related to training and supervision. Mr. Sanchez noted the regulations on training and supervision.

Dr. Danduran asked how someone would conduct a sound field testing if services were performed at a convalescent hospital or home. Ms. Liranzo replied that it is a skill that should be taught during the trainee license period and performed when appropriate and doesn't mean it's performed all the time.

Ms. Liranzo asked if the electroacoustic analysis equipment and verification technique should be the “knowledge of” because of potential economic impacts it may have on businesses to purchase equipment to provide such training. Dr. Raggio replied that training on electroacoustic analysis equipment and real ear measurements are best practices in hearing aid fitting and recognize the equipment is expensive.

Dr. White commented on the importance of training on the use of real ear measurements and electroacoustic analysis equipment and noted making this “knowledge of” and revisit this item another time. Mr. Sanchez commented on the success of moving rulemaking packages and delays as a result of additional analyses required and recommended making these skills “knowledge of” and revisit training requirements at another time. Dr. Raggio expressed agreement with making these skills a “knowledge of” and commented on the importance of electroacoustic analysis equipment. Dr. Danduran expressed agreement with making these skills a “knowledge of” and commented on future discussion related to training requirements to include college courses that would have electroacoustic analysis equipment.

Ms. Liranzo asked if the definition of “direct” and “immediate” supervision in section 1399.119 should be similar and noted that one includes “at all times” and suggested removing it and adding it to subsection (e) and (f). Dr. White asked if this is related to recent changes to clarify “direct” and “immediate” supervision. Ms. Liranzo replied that it is.

Ms. Liranzo asked if the amount of supervision in section 1399.119 be similar and noted “one hundred (100) percent of the time” will be replaced with “at all times” and “at all times” will be added to subsection (f).

Dr. Danduran asked what the process is for amending the text. Ms. Burns replied that there was agreement to all the suggested changes and noted a clean version of the text as amended to include all the accepted suggested changes will move forward in the rulemaking process. Karen Halbo commented on the rulemaking process.

Dr. Raggio asked for public comments.

Joe Bartlett, Immediate Past President of Hearing HealthCare Providers/California (HHP), congratulated Mr. Danduran on his appointment to the Board and commented on training requirements including the development a training manual, proposed changes to the text, and the cost to purchase and maintain electroacoustic analysis equipment.

Amy White moved to approve the proposed regulatory text for 16 CCR sections 1399.102 and 1399.115 through 1399.119, 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, including any non-substantive changes to the package, and adopt the proposed regulations at 16 CCR sections 1399.102 and 1399.115 through 1399.119 as amended.

Tulio Valdez seconded the motion.

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

11. Future Agenda Items

Dr. Raggio asked for future agenda items. Ms. Burns noted that Board staff do not have any items.

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

12. 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 to discuss disciplinary matters and subsequently adjourned for the day.

13. Adjournment

The meeting adjourned at 3:30 p.m.