



MEETING MINUTES
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID
DISPENSERS BOARD

August 21, 2014
The Concourse Hotel
6225 W. Century Blvd
Los Angeles, CA 90045

I. Call to Order

Chairperson Grimes called the meeting to order and took roll. Eight board members were present and thus a quorum was established. Guests and members of the public introduced themselves.

Board Members Present

Alison Grimes, Chair, Dispensing Audiologist
Patti Solomon-Rice, Vice Chair, Speech-Language Pathologist
Jaime Lee, Public Member
Deane Manning, Hearing Aid Dispenser
Dee Parker, Speech-Language Pathologist
Marcia Raggio, Dispensing Audiologist
Amnon Shalev, Hearing Aid Dispenser
Debbie Snow, Public Member

Board Members Absent

Rodney Diaz, M.D.

Staff Present

Paul Sanchez, Executive Officer
Breanne Humphreys, Operations Manager
Sabina Knight, Legal Counsel

Guests Present

J. Kiely Ball, Hearing Aid Dispenser
Becky Bingea, Audiologist, California Academy of Audiology (CAA)
Cindy Crawford, Hearing Aid Dispenser, Hearing Healthcare Providers (HHP)
Ellen Fagan, American Speech-Language-Hearing Association (ASHA)
Cindy Crawford, Hearing Aid Dispenser, HHP
Heidi Lincer-Hill, Office of Professional Examination Services (OPES)
Lindsay Johnson, Representing J. Kiely Ball
Michael W. Valentine, Deputy Attorney General
Vanessa Cajina, KP Public Affairs for HHP
Amy Yurky, Administrative Law Judge

II. Introductions

III. Hearing on Petition for Penalty Relief – Termination of Probation – J. Kiely Ball

Prior to beginning the hearing on the Ball Matter, Amy Yurky, the administrative law judge gave preliminary information and information regarding the case.

CLOSED SESSION

The Board met in closed session pursuant to Government Code Section 11126 (c)(3) to discuss and vote on this matter.

RETURN TO OPEN SESSION – 12:24pm

Chairperson Grimes reordered the agenda to discuss item numbers VII, VIII, and IX.

VII. Office of Professional Examination Services Presentation on the 2014 Speech-Language Pathology Occupational Analysis (OA)

Ms. Lincer-Hill, Chief of OPES gave an overview of the functions OPES performs. Ms. Lincer-Hill explained that Raul Villanueva performed the board's occupational analysis, but was unable to attend the meeting. Regulatory boards are statutorily required to conduct an OA every five to seven years and submit a report of the findings. The goal of the exam is to link test content with exam content, making sure the exam is up to date with current standards and practices. Focus should be on critical competencies required for protecting the consumer. Subject matter experts are used to review and analyze the collected data. The analysis was started in January 2014. Several surveys were sent out to licensees in sample areas for input on the importance on different tasks. The last time an OA was done for Speech Language Pathologists was in 2001.

The total number of SLPs surveyed in 2001 was 2,029 with a response rate of 15 percent compared to the current amount surveyed 3,595 with a response rate of 13 percent. Ms. Lincer-Hill then gave the following breakdown of the survey participants:

- 39 % of the responses were from those licensed 0-5 years,
- 21 % were those licensed 6-10 years,
- 19 % were those licensed 11-20 years,
- 9 % were those licensed 21-29 years and
- 3 % were those licensed 30+ years.
- 59% of those surveyed were working in a public school setting and private practice.

Ms. Lincer-Hill continued with an overview of the OA which included discussion of the process involved in developing the OA, data analysis of the study, and content areas outlined of Speech-Language Pathology. The next step of the OA will be to conduct a linkage study of the national Praxis exam to make sure it meets licensure standards.

VIII. Practice Committee Reports

A. Speech-Language Pathology Practice Committee Report

Committee Chair, Patti Solomon-Rice discussed the variable term waiver requirements issue amongst speech-language pathologists pointing out that the requirements for speech-language pathologists were far less stringent than that of speech language pathology services credential in a school setting. As a result, Commission on Teacher Credentialing (CTC) created a concept document to make requirements more stringent. The committee would like to request that the CTC consider some additional suggestions discussed in the February meeting.

Feedback to a survey send out showed some concern with adequate supervision of Speech-Language Pathology Assistants (SLPA's) by Speech-Language Pathologists. Research was conducted and it was discovered that both Texas and Louisiana audit their SLPA's. Ms. Solomon-Rice will contact the state of Texas to enquire about their process for auditing SLPAs. Mr. Sanchez, Ms. Humphreys, Ms. Parker and Ms. Solomon-Rice will meet by telephone conference to discuss the need to audit the supervisory process of SLPAs and devise a method on how to proceed.

Increasing continuing education self-study hours was also discussed and the committee will recommend to the Board increasing the amount of self-study hours allowed during the discussion on this issue in Item IX of the Board meeting.

The committee is pleased with the modified clinical practicum form.

Ms. Parker motioned to accept the Speech-Language Pathology Practice Committee Report and Ms. Lee seconded the motion. The motion carried 8-0.

B. Hearing Aid Dispensers Committee Report

Committee Chair, Deane Manning reported that the committee decided to table the discussion on the development on the proposed practice guidelines for hearing aid dispensing.

It was reported that the committee concluded that a license is required when programming bone anchored devices external sound processors, however the item was tabled due to pending legislation regarding this issue.

Update on exemption request of FDA on mail order and catalog sales, no further information to report.

Mr. Shalev motioned to accept the Hearing Aid Dispensers Committee Report and Mr. Manning seconded the motion. The motion carried 8-0.

C. Audiology Practice Committee Report

Committee Chair, Alison Grimes reported on the discussion about proposed regulatory amendments to audiology aide supervision standards and practice limitations. Draft language as well as informal comments in response to draft language was reviewed, including a letter from the president of Hearing Healthcare Providers (HHP). Confusion

was reported on what the laws and regulation stipulate on how the fitting of a hearing aid is currently defined in the practice act, laws and regulations. The committee asked legal counsel to investigate legally what an audiologist versus a hearing aid dispenser can do in relation to the fitting of hearing aids. Ms. Knight will report back on her findings. No further progress was made on draft regulations.

The consumer protection issue regarding inadequate number of providers available to service children with MediCal under the California Children Services Program (CCS) was discussed. The committee intends to solicit legislature assistance with further investigations. The committee hopes to have CCS and MediCal representation at future board meetings for additional discussion.

The lack of response from the Developmental Department of Service in regards to the regional center concerns was discussed. The committee intends to keep this item on the radar for future discussions.

A brief discussion was held on changing the amount of self-study hours allowed for audiologists.

Chairperson Grimes informed the Board that she was removing Mr. Shalev from the Audiology Practice Committee to meet legal recommendation on the amount of committee members and thanked Mr. Shalev for his participation.

Mr. Manning motioned to approve the AU practice committee report and Ms. Raggio seconded the motion. The motion carried 8-0.

IX. Discussion and Possible Action on Increasing the Number of Self-Study Hours for Speech-Language Pathology and Audiology

Ms. Solomon- Rice reported that the SLP Committee would like to recommend an increase the amount of self-study hours allowed for Speech-Language Pathologists. The committee would also like to redefine what is considered self-study and what is not as well as obtain feedback from some of the continuing professional development providers on the subject.

Mr. Sanchez recommended continuing research on both sides to determine a standard amount and possibly become more unified on the requirements for both professions. He also recommended contacting ASHA to assist in defining a self-study course.

Chairperson Grimes discussed the need for more information on the requirements and limitations in other states and recommendation is made for staff to research this topic and possibly to contact National Council of State Board of Examiners as a resource for information. Ms. Solomon-Rice pointed out that that the SLP committee already has the information on their side of the discussion and is ready to move forward. Ms. Solomon-Rice also pointed out that the requirements do not have to be the same since the needs of the profession are different.

Mr. Sanchez suggested that it may be beneficial to further research the issue on both sides and make regulatory changes for both professions at one time rather than separately. Since there is already a backlog of regulation packages, there is time and submitting this as one regulation package may be more efficient.

The Audiology Practice Committee recommended the board to further research the issues pertaining to audiology self-study.

Ms. Lee motioned that the Board gather more information about the implications and suggested changes to self-study hours for audiologists and dispensing audiologists and Ms. Raggio seconded the motion. The motion carried 8-0.

The Speech-Language Pathology Practice Committee recommended that the Board increase the number of self-study hours for speech-language pathologists within a licensing cycle, redefine “self-study,” and incorporate the changes into our agreement with continuing education providers.

Ms. Parker motioned to accept the committee’s recommendations and Ms. Solomon-Rice seconded the motion. The motioned, carried 8-0.

Mr. Manning expressed concerns about the Board trying to make continuing education easier for the licensees and reminded the Board that its mission is to protect the consumers first by focusing on what is best for ensuring continued professional development.

Chairperson Grimes recommended that Board staff research the number and proportion of self-study hours and definitions of self-study in other states for speech-language pathology, audiology, dispensing audiology and hearing aid dispensers and develop proposed regulatory language for the Board to review.

Ms. Parker motioned to accept Chairperson Grimes’ recommendation and Mr. Shalev seconded the motion. The motioned carried 8-0.

The meeting resumed to its original order and Items IV., V., and VI.

IV. Approval of the May 23, 2014 Board Meeting Minutes

Ms. Parker motioned that Board approve the minutes as written and Ms. Solomon-Rice seconded the motion. The motion carried 8-0.

V. Executive Officer and Board Staff Reports

Mr. Sanchez expressed his appreciation to Ms. Humphreys for her service to the Board as Interim Executive Officer and for assisting him with his transition to the Board office.

Mr. Sanchez reported that at the end of the budget year, we have reverted \$318,000 to the contingency fund, which amounts to about 17 percent of the Board’s budget. Much of this is due to vacancies within the board.

The board has recently hired Anita Joseph from the Department of Fair Employment and Housing to fill the special investigator position. There is currently one vacancy in Enforcement to fill behind Patty Rodriguez who recently accepted a position with another board.

Three of the Board's senior staff members are looking to retire by December. This poses additional challenges for the board as over 50 years of experience and institutional knowledge will be leaving. Staff is already being cross-trained to help ease the transition process. The retirements will also have a significant impact on the Board's budget due to vacation payouts.

The board has seen an increase in the amount of complaints received this year. Licensing staff is working overtime to push through the peak time and get licenses issued in a timely manner. Current processing time for applications is at seven weeks.

The Hearing Aid Dispensers practical examination was held on July 26, 2014. Debbie Newcomer, the Board Examinations Analyst and Ms. Humphreys have been working with OPES to make process changes to the examination. Another examination is planned for Southern California later in the year and Board staff is looking to address accessibility issues and shorten the time applicants wait for to take the examination. Chairperson Grimes asked whether it would be possible to designate a certain amount of examinees for hearing aid, audiology and physicians rather than leaving it first come, first serve as it is currently. Mr. Sanchez suggested there may be legal issues with implementing such a process. Chairperson Grimes would like to figure out a way to track how many applicants are turned away or not able to take the exam because of the limited space in order to determine the magnitude of the problem. Board staff is looking at options to increase the number of examination opportunities and will look at ways to track this information.

The board has completed the majority of the continuing education audit started last year. Out of the 157 licensees that were audited, 126 passed, 26 are still in progress and 5 citations are pending to be issued.

Other items in process are end of the year annual reports and publishing the Boards Practice Act. There are four regulatory packages that have been adopted and need to be filed with the Office of Administrative Law. The Board has been unable to finish the work of filing the regulations due to being understaffed and is seeking help from DCA's Legislative Office.

VI. Legislation

A. AB 1758 – Patterson – Prorating of Initial Licensing Fees – This bill been held in senate appropriations and does not affect the Board because of our fee structure and processes.

B. SB 1326– Roth – Hearing Aids: Warranty Work Order or Receipt – This bill is enrolled and waiting for the Governor's signature. Mr. Shalev discussed the need to inform Hearing Aid Dispensers of the changes covered in this bill. It was decided that the Board would work with HHP and CAA on the development of a notification and fact sheet on the changes in law due to SB 1326.

X. Public Comment on Items Not on the Agenda

No public comments.

XI. Agenda Items and Future Board Meetings Dates

A. Agenda Items for Next Meeting

1. SLP Practice Committee Meeting Items

- Update on CTC meeting in August 2014, if SLP Variable term waiver is an agenda item for that meeting
- Update on auditing supervision of SLPs
- Update on recommendation to increase self-study hours for SLP's

2. Mail Ballot Policy

3. SB 1326 Implementation

B. November Board Meeting – San Diego

Mr. Sanchez discussed a proposal to change the next Board meeting to November 5-6, 2014 to accommodate Dr. Diaz' schedule so that he may attend. Several board members could not commit to attending on the proposed dates so the meetings was set for November 6-7, 2014 in San Diego.

Future board meeting is tentatively scheduled in Sacramento for February 5-6, 2015.

Ms. Parker motioned that the Board meeting be adjourned and Ms. Snow seconded the motion. The motion carried and Chairperson Grimes adjourned the meeting.