

**TITLE 16. Speech-Language Pathology and Audiology
And Hearing Aid Dispensers Board
DEPARTMENT OF CONSUMER AFFAIRS**

FINAL STATEMENT OF REASONS

Subject Matter of Proposed Regulations

Continuing Professional Development (CPD) Requirements

Sections Affected

Sections 1399.160, 1399.160.1, 1399.160.2, 1399.160.3, and 1399.160.4 of Article 11 of Division 13.4 of Title 16 of the California Code of Regulations (CCR).¹

Updated Information

The Initial Statement of Reasons is included in the file. The information contained therein is updated as follows:

The 45-day public comment period began on October 6, 2023, and ended on November 21, 2023. The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) did not hold a public hearing for this proposed regulatory action nor was one requested from any interested person or their authorized representative.

The Board received fifteen (15) written comments during the 45-day comment period:

- Three (3) in support,
- Eleven (11) expressed concerns with the proposed regulatory changes or recommended changes, and
- One (1) was not related to the proposed regulatory changes.

During the December 1, 2023, Board meeting, the Board considered the written comments and modified the proposed regulatory text as follows:

1. *Amended Section 1399.160(a)(1) to remove the completion of an assessment or examination with a grade of seventy (70) percent higher at the end of the course and instead require the completion of an evaluation on what was learned during the course or at the conclusion of the course.* This change is necessary to provide CPD providers with flexibility in how they grade and when they evaluate learning. This is because there are other grading systems such as pass/fail and

¹ All CCR references are to Title 16 unless otherwise noted.

CPD providers may want to evaluate learning during the course instead of at the end of the course.

2. *Amended Sections 1399.160.3(a), (b), (c), (d), (e), (f)(1), and (f)(2) to increase the number of hours for indirect patient/client care courses from the current seventeen (17) percent of the total number of CPD hours allowed to twenty-five (25) percent of the total number of CPD hours allowed, and removed the limitation on the number of hours of courses allowed in related to the practice.* Increasing the number of hours for indirect patient/client care courses from seventeen (17) percent to twenty-five (25) percent of the total number of CPD hours allowed is necessary to ensure that the requirements are consistent with other parts of the regulations. According to 16 CCR section 1399.160(a), a course is required to be one hour in length, and the original proposed changes had some of the course requirements with half-hour increments. Removing the limitation on the number of hours of courses allowed in related to the practice is necessary because licensees provide service to a broad range of people with different communication needs, social and cultural backgrounds, and identities. This will ensure licensees stay current with practice standards on service delivery models for diverse populations as well as with other service providers when managing cases.
3. *Amended Section 1399.160.4(c) to reorder the list of course contents.* This change is necessary for the purpose of clarity. The definition of each course content is listed in the regulations in that order.
4. *Amended Section 1399.160.4(c) to combine paragraphs (1) and (2) and amend them to say “direct patient/client care courses cover the current practice of speech-language pathology and audiology. This may include content on instruments and technology used for assessment/diagnosis or intervention.* This is necessary to keep the public safe as advancements in medical technology are common. The course content identifies the use of technology and instruments for diagnosis and intervention of communication and hearing disorders as indirect patient/client. However, diagnosis and intervention are a major component of the practice that requires direct contact with the patient/client. Therefore, it is necessary to ensure continual learning on the use of use of technology and instruments for the purpose of keeping the public safe from unsafe use of technology and instruments.
5. *Amended Section 1399.160.4(c)(3) to renumbered it as paragraph (2) and remove the language regarding technological applications related to assessment/diagnosis or intervention.* This is necessary to reflect the changes made to section 1399.160.4(c) paragraphs (1) and (2). The purpose and rationale of those changes can be found stated above in #4.

6. *Amended Section 1399.160.4(c)(4) to renumbered it as paragraph (3); replace the word “discipline” for the word “practice;” revise “cultural and linguistic diversity” to say, “cultural competency, and diversity, equity, and inclusion;” and make grammatical corrections.* Renumbering the paragraph is necessary to reflect the changes made to section 1399.160.4(c) paragraphs (1) and (2). The purpose and rationale of those changes can be found stated above in #4. The word “*discipline*” is replaced with “*practice*” to align with statutory language found in Business and Professions Code (BPC) section 2530.2. Revising “*cultural and linguistic diversity*” to say, “*cultural competency, and diversity, equity, and inclusion*” is necessary because licensee provide service to a broad range of people with different communication needs, social and cultural backgrounds, and identities. This will ensure licensees stay current with practice standards on service delivery models for diverse populations as well as with other service providers when managing cases. Grammatical corrections are for the purpose of clarity and maintain consistency with writing and formatting style found in other parts of these regulations.

7. *Amended Section 1399.160.4(f) to make “marketing, launching, or demonstrating the marketability of instruments and technology” outside the acceptable course content.* This is necessary for consistency. The Board determined that experienced hearing aid dispensers may benefit from learning about equipment, devices, or other products their patients or clients use as advancements in technology are common in this practice. However, the Board established limitation to the course by specifying that courses that focus on marketing, launching, or demonstrating the marketability of hearing aid equipment, devices, or other products are outside the acceptable course content. This is to ensure the dispensers maintain ethical practices when providing services to patient/client. The Board found this to be true when permitting speech-language pathologists and audiologists to take courses on instruments and technology used for assessment/diagnosis or intervention. Speech-language pathologists and audiologists should maintain ethical practices when providing services to patient/client, and this requirement is meant to ensure that.

On December 8, 2023, the Board issued a 15-day notice of availability of the modified text, and the comment period closed on December 26, 2023.

The Board received a total of twelve (12) comments: ten (10) written comments during the 15-day comment period and two (2) after the 15-day comment period. The Board received:

- One (1) in support,
- Eight (8) were not related to the proposed modification, and

- Three (3) were on the rulemaking process or procedures followed in modifying the proposed regulation.

During the March 1, 2024, Board meeting, the Board considered the written comments and modified the proposed regulatory text as follows:

1. *Amend section 1399.160.4(f) to say, “outside the acceptable course content” instead of “outside the scope of continuing professional development”.* This change is much clearer to what the information contained in the subsection.

The Board relied on new documents to update the information contained in the ISOR.

On March 8, 2024, the Board issued a 15-day notice of availability of the modified text and new documents, and the comment period closed on March 25, 2024.

The Board received a total of six (6) comments during the 15-day comment period:

- Three (3) in support, and
- Three (3) were not related to the proposed modification or Addendum to the ISOR.

During the June 12, 2024, Board meeting, the Board considered the written comments and declined to make changes to the proposed regulatory text.

Due to Office of Administrative (OAL) recommended changes the Board received regarding the proposed rulemaking package titled, “Hearing Aid Dispensers Continuing Education Requirements,” Board staff modified the text of this proposed rulemaking to include modifications as follows:

1. *Amended section 1399.160.1(c) and (d) to add “of this section.”* This change is for clarity. It informs the reader that the regulation is referring to a subsection within the same section and not in a different section that is also being referenced.
2. *Amended section 1399.160.2(a) to remove “and 704” and make grammatical correction related to this change.* This change is necessary for clarity. The exemptions from CPD requirement for inactive license is only found in BPC section 703. BPC section 704 specifies the requirements to restore a license from an inactive status which does not apply to this regulatory section.
3. *Amended section 1399.160.3(l) to remove “no more than.”* This change is necessary for clarity. The Board requires full participation in the survey it sends out to its license population in order to receive credit. Full participation in this survey is necessary because is used in to develop the occupational analyses that is required by BPC section 139. Because the survey has to be completed in its

entirety, the Board cannot provide partial credit. Similar modifications were made to the proposed rulemaking regarding Continuing Education Requirements for Hearing Aid Dispensers.

4. *Amended section 1399.160.4(c) to add “or” after “direct,” remove “patient/client care,” and add “be” before “related to the practice of speech-language pathology or audiology.”* This change is for clarity and increased readability. Similar language was used in the proposed rulemaking regarding Continuing Education Requirements for Hearing Aid Dispensers.

On May 14, 2024, the Board issued a 15-day notice of availability of the modified text and new documents, and the comment period closed on May 29, 2024.

The Board received two-hundred forty (240) written comments during the 15-day comment period and fifty-three (53) written comments after the end of the 15-day comment period for a total of two hundred ninety-three (293)² comments on the modified text:

- Two hundred ninety-three (293) comments were not related to the proposed modified text.

During the July 18, 2024, Board meeting, the Board considered the written comments and declined to make changes to the proposed regulatory text.

The Administrative Procedure Act (APA) does not require the Board to review or respond to written comments in support of this regulatory action during the final rulemaking process. However, the Board is required to review or respond to written comments that object or makes a recommendation to the regulatory action or the procedures followed by the Board in proposing the regulatory action (discussed at the end). The Board is also required to respond to any written comments received regarding the changes made to the proposed regulatory text if changes are made to the original text (discussed at the end).

The Board closed the rulemaking on July 29, 2024, and reopened it on August 28, 2024, to incorporate the following OAL recommended modifications to the text:

² The Board notes it has two separate open regulatory packages that address CE: this proposed action relating to the practices of speech-language pathology and audiology (Continuing Professional Development Requirements) and a separate proposed action relating to the practice of hearing aid dispensers (Hearing Aid Dispensers Continuing Education Requirements). Where there was ambiguity, the Board reached out to the commenters to obtain clarification as to which package they were providing comment. For comments where the Board did not receive a response or the response indicated the comment was directed at both packages, the Board addressed the comments in both the Hearing Aid Dispensers Continuing Education Requirements and the Continuing Professional Development Requirements packages because they were received during the open comments.

1. Amended section 1399.160.1 to add to the notation a reference citation to BPC section 2532.6.
2. Amended sections 1399.160, 1399.160.2, 1399.160.3, and 1399.160.4 to correct any underline or strikeout that were made in error such as the elimination of necessary spaces, underline of original text, or proposed text that was stricken out during the rulemaking process but were not removed when preparing the Order of Adoption.

These changes are without regulatory effect. The Board reclosed the rulemaking on August 30, 2024, and reopened it on September 3, 2024, to incorporate the following OAL recommended modifications to the text:

1. Amended sections 1399.160.3 and 1399.160.4 to specify Section 2530.2 of the BPC to maintain consistency with writing style found in other parts of these regulations.
2. Amended section 1399.160.3 to correct any underline or strikeout that were made in error such as the elimination of necessary spaces.

These changes are without regulatory effect. The Board reclosed the rulemaking on September 4, 2024.

Local Mandate

This regulatory action does not impose a mandate on local agencies or school districts.

Small Business Impact

The Board has determined that the proposed regulations will not affect small businesses. This initial determination is based on the facts that the Board is clarifying and broadening current regulations by increasing the number of self-study hours allowed and making CPD requirements consistent with the Board's CPD audit process and the professional learning requirements for similar license types and course content.

Fiscal Impact

The regulations do not result in a fiscal impact to the state. The Board does not anticipate additional workload or costs resulting from the proposed regulations.

Economic Impact

The Board has determined that this regulatory proposal will not have any significant impact on the creation of jobs or new businesses, the elimination of jobs or existing businesses, or the expansion of businesses in the State of California. This is because

the proposed regulatory action is related to licensing renewal requirements, and does not enhance or inhibit industry growth within the industries the Board regulates.

Anticipated Benefits of this Proposal

The Board has determined that this regulatory proposal will have the following effects:

It will positively affect the health and welfare of California residents. The public will benefit from reduced service interruptions because their licensed practitioner will have a greater ability to complete their CPD without needing to take time off to attend an in-person CPD course. Licensees will benefit from decreased travel costs due to an increase in the number of self-study hours allowed and clarity about when CPD delivered online is considered self-study.

It will not affect worker safety because the proposed regulatory action is related to licensing renewal requirements and does not concern or impact worker safety.

It will not affect the state's environment because the proposed regulatory action is related to licensing renewal requirements and does not concern or impact the state's environment.

Consideration of Alternatives

The Board determined that there are no reasonable alternatives to the regulation or that has otherwise been identified and brought to its attention (discussed below) that would be more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Summary of Comments and Board Responses (45-Day)

1. Summary: The Board received seven (7) comments recommending the Board allow more or all hours to be completed through self-study courses arguing that:

- self-study courses are better and of higher quality than in-person courses;
- self-study courses are more accessible;
- in-person courses require travel, time off of work, and are more expensive;
- self-study courses are more valuable and affordable than in-person courses;
- other states and professional organizations do not limit the number of professional development credits that can be earned with self-study courses;
- licensees with various neurotypes and mental health needs learn better when they are not focused on masking in a social setting and managing social anxiety;
- in-person courses create hardships for working parents;

- there is a substantial financial burden for in-person courses;
- many people learn just fine, if not better, independently;
- other Boards, like the Physical Therapy Board and the Occupational Therapy Board, do not require in-person coursework;
- attending CPD can be difficult for speech-language pathologists (SLP) in a rural setting; and
- setting aside time to travel and attend courses can interfere with providing services.

Board Response: The Board decided not to change the proposed regulatory text to accommodate the comments regarding allowing more hours to be completed through self-study courses because the proposed changes already increase the allowable number of self-study hours.

The Board decided not to allow all CPD hours to be completed through self-study courses because the Board found that CPD “is most effective when it is interactive, uses a variety of methods and is delivered in a sequence involving multiple exposures over a period of time that is focused on outcomes considered important” to the practice of the professionals.³ The Board recognizes that self-study courses can be as effective as traditional formal courses such as conferences, lectures, and symposia.³ However, the ability for self-study CPD courses to be interactive appears to be limited for some type of activities, such as CPD in the form of watching or listening to a recording or reading a text. Furthermore, the Board reviewed different types of publications, research, and opinions and found that they do not entirely support nor contradict the Board’s rationale for the proposed changes.^{3,4,5,6} The Board also reviewed requirements of other healing arts boards at its August 12-13, 2021 meeting and found that though a majority do allow for all CPD hours to be completed through self-study courses, some boards limit the number of self-study courses, so it is not unreasonable to apply limitations. Therefore, the Board will continue to limit the number of hours that can be completed through self-study.

The Board emphasizes that a course that is not self-study is not the same as in-person. The Board is not requiring a particular delivery method of learning, and licensees are

³ *Evidence For Continuing Professional Development Standards For Regulated Health Practitioners In Australia: A Systematic Review*. Available from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10026429/pdf/12960_2023_Article_803.pdf

⁴ Association of State and Provincial Psychology Boards’ *Guidelines for Continuing Professional Development*. Available from <https://cdn.ymaws.com/www.asppb.net/resource/resmgr/guidelines/profdevelopment2023.pdf>

⁵ *Continuing professional development: best practices*. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4005177/?report=printable>

⁶ *Interactive Learning in Continuing Professional Development: "at Least 25 Per Cent of Time."* Available from <https://www.royalcollege.ca/content/dam/documents/learning/continuingprofessional-development/interactive-learning-cpd-e.html>. Note: this document is relied on to better understand the word “interactivity” as used in the document titled *Interactive Learning in Continuing Professional Development: "at Least 25 Per Cent of Time."*

permitted to attend CPD courses that are not self-study in-person or online. Courses that are not self-study can be in the traditional formal format, like a conference, lecture, or symposia presented in-person, or they can be a conference, lecture, or symposia presented online. For a course not to be considered self-study, whether the course is delivered online or in-person is not the defining characteristic, it is whether the course provides an opportunity for the course instructor and other course participants to interact simultaneously, during the course instruction, in real time. Accordingly, online courses that allow simultaneous interaction among course participants and course instructors during course instruction are not considered self-study. Such courses can be attended online, in the location of a licensee's choosing, subject to the rules of the CPD provider, which may include the comfort of a licensee's own home, and, thus, would not impose masking or other social distancing requirements upon a licensee. Such courses may also be available at a time that is convenient for the licensee, as they are being provided online from any part of the world. Since licensees are permitted to attend non-self-study courses online, these proposed regulatory changes should make courses more accessible and reduce costs and service interruptions associated with attending and traveling to courses in-person, while also allowing more flexibility for licensees who would otherwise have to travel, take time off work, or are working parents.

This proposed rulemaking increases the number of self-study hours to half the total number of required hours, and the Board finds it necessary to continue to require CPD courses that are not self-study. Licensees who practice alone or do not interact with other licensees or professionals may run the risk of being less aware of current practice standards or situations that can endanger the health, welfare, and safety of the public.^{3, 7} Courses that are not self-study will provide licensees an opportunity to connect with other licensees and professionals on a regular basis. Because the Board does not have the authority or mechanism to collect practice status, the requirements will apply to all licensees. The Board recognizes that some individuals do learn better through self-study courses. However, the Board finds that connecting with other licensees and professionals promotes ongoing competency, which is important to the Board in maintaining public safety.⁷ The Board also finds that even individuals with varying neurotypes can benefit from having an opportunity to interact with other licensees and professionals.^{8,9} As noted above, because the Board is not requiring a particular method of delivery of learning for courses that are not self-study, licensees have to option to attend these courses online or in-person. For an online course not to be considered self-study, it must provide an opportunity for the course instructor and other course participants to interact simultaneously during course instruction. The Board may in the future consider other type of courses that provide an opportunity for the course instructor and course participants to interact simultaneously. Activities that are acceptable by other

⁷ *Competence, ethical practice, and going it alone*. Available from

<https://societyforpsychotherapy.org/competence-ethical-practice-and-going-it-alone/>

⁸ *Designing Professional Development Training Programs with the Learner in Mind*. Available from

<https://susanfitzell.com/designing-professional-development-training-programs-with-the-learner-in-mind/>

⁹ *Neurodiversity and Career Development: Strategies for Advancement*. Available from

<https://enna.org/neurodiversity-and-career-development-strategies-for-advancement/>

healing arts boards, such as Occupational Therapy and Psychology, include structured mentoring and the supervision of fieldwork experience.

If courses are not meeting the learning needs of a licensee, the Board encourages the licensee to inform the CPD provider so that the provider can change their courses to be more inclusive. A licensee is required to evaluate a course upon completion pursuant to 16 CCR section 1399.160.4(e).

The Board recognizes that some other in-state or out-of-state licensing boards and professional organizations use self-study courses as the main method for continual learning. However, these outside entities rely on different authority, the issues in SLP-AU practice in California are unique, and as the ISOR stated on page 1, it is statutorily required for the Board to determine which professional development requirements are appropriate to “assure the public of professional competence” for licensees regulated by this Board (BPC §2532.6). The Board establishes course requirements to ensure that its licensees keep informed of current accepted professional standards in order to maintain public safety. This is because the highest priority of the Board is public protection. When the Board finds itself in a situation where the protection of the public is inconsistent with other interests, the protection of the public will always have priority (BPC §2531.02). The public as used here are the consumers of the services provided by those the Board licenses and regulates. This is because boards, bureaus, and commissions are “established for the purpose of ensuring that those private businesses and professions deemed to engage in activities which have potential impact upon the public health, safety, and welfare are adequately regulated in order to protect the people of California” (BPC §101.6). For these reasons and the ones previously provided, the Board will continue to limit the number of hours that can be completed through self-study and not accommodate the comments.

2. Summary: The Board received three (3) comments supporting the proposed increase to the number of self-study hours that noted:

- It is difficult to find affordable in-person courses;
- It reduces air and land travel which reduces carbon footprint and assists in environmental preservation;
- It means less client services cancelled as course can be completed outside of client's time;
- self-study courses are more beneficial than in-person courses; and
- offerings online are so robust, inspiring, and flexibility.

Board Response: The Board decided not to change the proposed regulatory text to accommodate these comments because no objection or recommendation was provided.

3. Summary: The Board received one (1) comment regarding the supervision of speech-language pathology assistant students.

Board Response: The Board decided not to change the proposed regulatory text to accommodate this comment because the comment was not related to the proposed regulatory changes involved in this rulemaking.

4. Summary: The Board received one (1) comment recommending more hours to be completed through self-study courses and more hours from indirect patient/client care or related to the practice of speech-language pathology and audiology courses.

Board Response: The Board decided not to change the proposed regulatory text to accommodate the comment regarding more hours to be completed through self-study courses for the reasons stated in Summary and Board Response # 1 above.

The Board decided to change the proposed regulatory text to accommodate the comment regarding more hours from indirect patient/client care and related to the practice of speech-language pathology and audiology courses because, according to 16 CCR section 1399.160(a), a course is required to be one hour in length, and the proposed changes had some of the course requirements with half-hour increments. To ensure requirements are consistent with other parts of the regulations, the Board increased the number of hours from seventeen (17) percent of the maximum hours of the total required hours to twenty-five percent (25%) of the total required hours for indirect patient/client care courses. This is reflected in the Proposed Second Modified Regulatory Language, section 1399.160.3(a), (b), (c), (d), (e), (f)(1), and (f)(2). In addition, the Board removed limitations to the number of hours of courses allowed in related to the practice. Licensees provide services to a broad range of people with different communication needs, social and cultural backgrounds, and identities. This will ensure licensees stay current with practice standards on service delivery models for diverse populations as well as with other service providers when managing cases.

5. Summary: The Board received two (2) comments recommending:

- the assessment or exam requirement for self-study courses be removed;
- the definition of CPD courses be amended to mean "a form of systematic learning at least one hour (60 minutes) in length, which may include academic studies, extension studies, as well as group, self-study, and hybrid delivery formats;"
- the definition of self-study be amended to mean "licensees engage individually, with no interaction with other learners, using the same material;"
- the definition of "group" to be added to mean "licensees engage as a group in real time and interact with each other, the instructor, and the material;"
- the definition of "hybrid" to be added to mean "licensees engage in hybrid learning experience of both group and self-study formats;" and
- section 1399.160.9 be amended to require providers to specify the course delivery method when advertising their courses.

Board Response: The Board decided not to change the proposed regulatory text to accommodate the comments regarding removing assessment or exam requirements for self-study courses because as stated in the ISOR on page 3, “requiring an assessment or examination to be completed at the end of the course ensures that licensees demonstrate professional learning and improved competency as a result of taking the course.” The Board found that CPD is most effective when it is interactive.¹⁰ An evaluation at the conclusion of a course on what was learned is a suitable method of ensuring interaction for self-study courses since self-study courses do not provide course participants with opportunities to interact with course instructors or other course participants during the course instruction. It is not necessary to impose assessment or exam requirements on courses that are not self-study because such courses use other methods of participation during course instruction such as discussion, simulation, or role-play. The Board did modify the text to allow for different grading systems and the assessment or examination to be completed during the course. This is because there are other grading systems such as pass/fail and CPD providers may want to evaluate learning during the course instead of at the end of the course.

The Board decided not to change the proposed regulatory text to accommodate the comments regarding changes to the definition of self-study and CPD or the addition of definitions such as “group” and “hybrid” because they are not necessary. As stated in the ISOR on pages 2 and 3, the purpose of this regulation is to clarify the definition of CPD courses and self-study so that licensees understand when a course delivered online is considered self-study. There is no need to define additional course delivery methods that would otherwise confuse licensees. The Board does not consider “group” or “hybrid” courses as self-study because they provide course participants with opportunities to interact with the course instructor and other course participants, so it is not necessary to define those terms with respect to this rulemaking.

The Board decided not to change the proposed regulatory text to accommodate the comments regarding changes to the definition of self-study to mean “licensees engage individually, with no interaction with other learners, using the same material;” because the recommended changes appear similar to the language the Board is proposing to remove. The Board received complaints that the current definition is unclear.

The Board decided not to change the proposed regulatory text to accommodate the comment regarding 16 CCR section 1399.160.9 because it is not part of the proposed regulatory changes.

6. Summary: The Board received one (1) comment recommending regulatory language specify clearly that courses by an American Speech-Language-Hearing Association (ASHA) approved provider are accepted by the Board.

¹⁰ *Evidence For Continuing Professional Development Standards For Regulated Health Practitioners In Australia: A Systematic Review.* Available from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10026429/pdf/12960_2023_Article_803.pdf

Board Response: The Board decided not to change the proposed regulatory text to accommodate this comment because the acceptance of ASHA-approved provider courses can already be found in 16 CCR section 1399.160.6(a), which states that “a licensee shall only be credited with continuing professional development hours if the licensee takes a course from a board-approved provider with a valid, current approval as a provider or from an entity listed in Section 2532.6(e)(1) of the Code.”

Summary of Comments and Board Responses (First 15-Day)

7. Summary: The Board received one (1) comment in support of reducing the hours of live classes and noted that the amount required for live classes is hard to maintain as a full-time SLP.

Board Response: The Board decided not to change the proposed regulatory text to accommodate this comment because the comment received was not related to the modifications made to the proposed regulations that was noticed to the public on December 8, 2023, pursuant to Government Code section 11346.8(c).

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why it will continue to require CPD hours that are not completed through self-study courses in Summary and Board Response # 1 above.

8. Summary: The Board received three (3) comments in support of increasing the hours of self-study and noted that:

- It is difficult to find live continuing education unit (CEU) courses that fit a busy work schedule or are relevant to the population being served;
- Many on-demand CEUs offered virtually on the East that interfered with work and home life on the west coast; and
- Changes would allow courses during the workday instead of after hours.

Board Response: The Board decided not to change the proposed regulatory text to accommodate these comments because the comments received were not related to the modifications made to the proposed regulations that was noticed to the public on December 8, 2023, pursuant to Government Code section 11346.8(c).

9. Summary: The Board received four (4) comments recommending all hours to be completed through self-study courses and noted that:

- It is restrictive to people with children or caregivers or people who have to work two jobs to make ends meet to make even half of these be live;
- Many live trainings fall within the workday when services are being provided and

rescheduling cause hardship on managing cases;

- Professional organization like, ASHA, doesn't limit self-study hours;
- There is no difference in quality between pre-recorded and live courses;
- Live or actual in-person courses are typically more costly, not widely available, and negatively impact services to patients;
- On-demand courses can be done anytime, such as after work or on weekends;
- Evidence shows that "non-live" teaching can be just as effective as "live" teaching (1. Shqaidef AJ, Abu-Baker D, Al-Bitar ZB, Badran S, Hamdan AM. Academic performance of dental students: A randomised trial comparing live, audio recorded and video recorded lectures. *Eur J Dent Educ.* 2021; 25: 377–384. 2. Bahnson, J., & Olejnikova, L. (2017). Are recorded lectures better than live lectures for teaching students legal research. *Law Libr. J.*, 109, 187.);
- Non-live CEUs allow clinicians greater scheduling flexibility, such as late night or weekends;
- As the world becomes more digital, the availability of live CEUs becomes increasingly limited and encourages the Board to review its document for supposed sources of CEUs as there are very few viable options on this list;
- With the increased availability of non-live CEUs, clinicians can select CEUs in topic areas that are relevant to their practice, thereby ensuring high-quality services for the public;
- The belief that non-live CEUs limit discussion is incorrect i.e., non-live CEUs frequently provide contact information where attendees can ask follow-up questions and some even contain an open chat window where attendees can ask questions and the presenter receives a notification so they can answer (ASHA's virtual annual conferences utilizes this feature);
- The requirement for "live" CEUs is inconsistent with other states' regulations, where "non-live" CEUs are recognized as a valid form of learning; and
- For the reasons mentioned above, allowing anything less than 100% of non-live CEUs is unwarranted. The public is best served when clinicians can obtain CEUs appropriately, effectively, and in topics that support the populations they work with. Said another way, the requirement for "live" CEUs severely limits clinicians' ability to advance their learning and expertise, which in turn harms the public.

Board Response: The Board decided not to change the proposed regulatory text to accommodate these comments because the comments received were not related to the modifications made to the proposed regulations that was noticed to the public on December 8, 2023, pursuant to Government Code section 11346.8(c).

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

10. Summary: The Board received two (2) comments regarding the rulemaking process

and public comment such as not being able to see where their comments were modified or information on their comment.

Board Response: The Board decided not to change the proposed regulatory text to accommodate these comments because no objection or recommendation was provided.

Note: Board staff responded to these comments and the responses are included in the Public Comments.

11. Summary: The Board received one (1) comment in support and noted that it promotes a valuable method of learning and reflection for licensees.

Board Response: The Board decided not to change the proposed regulatory text to accommodate this comment because no objection or recommendation was provided.

12. Summary: The Board received one (1) comment objecting to the length of the comment period and suggested that it should have been extended for another week or two. The comment noted that the Board is acting in its own self-interest and not serving the public.

Board Response: The Board decided not to change the proposed regulatory text to accommodate this comment because the objection was regarding the procedures followed in modifying the proposed regulation and not the regulatory text. The Board complied with Government Code section 11346.8(c), and the comment period exceeded the 15-day comment period required by law. *Note: Board staff responded to this comment and the response is included in the Public Comments.*

Summary of Comments and Board Responses (Second 15-Day)

13. Summary: The Board received one (1) comment regarding gender neutral terms and noted they are part of language and grammar, which is taught. The comment further noted that there is no benefit to using gender neutral terms in academia.

Board Response: The comments were not specifically directed at the proposed modifications made to the text or addendum to the Initial Statement of Reason that were noticed to the public on March 8, 2024, and as such, the Board declined to make any amendments to the proposed text based thereon, pursuant to Government Code section 11346.8(c).

14. Summary: The Board received one (1) comment commending the Board for the proposed changes but asking why the requirements are more stringent than those required for ASHA certification or other states. The comment noted that ASHA requires thirty (30) hours every three (3) years and they can be from live or recorded courses. The comment further noted the difficulty to fulfill the live courses requirements because most live courses are held during the work week and during the work hours. The comment stated that California seems to have a need for SLP

like most other states and asked why the Board continues to make it very hard to earn and maintain a degree.

Board Response: The comments were not specifically directed at the proposed modifications made to the text or addendum to the Initial Statement of Reason that were noticed to the public on March 8, 2024, and as such, the Board declined to make any amendments to the proposed text based thereon, pursuant to Government Code section 11346.8(c).

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

15. Summary: The Board received one (1) comment stating that most districts or providers who offer live courses by means of joining a zoom meeting and participants type their name or complete a course evaluation rating the presenter and information to get a certificate of completion. The comment noted that participants are in no way required to demonstrate they have listened or learned anything. The comment stated that this is in contrast to viewing pre-recorded sessions offered on popular continuing education platforms where participants must take a quiz to show they have been attentive during the training and can answer questions about the material presented. The comment further stated that they assume the original intention with the live course requirement was to ascertain people would actually listen but now that live in-person courses are rare, people turn to live online courses for which one can usually get credit without actually listening to a single word.

Board Response: The comments were not specifically directed at the proposed modifications made to the text or addendum to the Initial Statement of Reason that were noticed to the public on March 8, 2024, and as such, the Board declined to make any amendments to the proposed text based thereon, pursuant to Government Code section 11346.8(c).

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why it will continue to limit the number of CPD hours that can be completed through self-study courses in Summary and Board Response # 1 above.

Summary of Comments and Board Responses (Third 15-Day)

16. Summary: The Board received one (1) comment expressing support of the proposed modified text, including increasing the number of self-study hours to twelve (12) hours and increasing the number of client care/indirect continuing education unit (CEU). The comment stated that the courses allow for greater flexibility in completion of the hours to accommodate busy work schedules that can make it challenging to attend

preferred live courses. The comment further stated that it would allow for preferred course(s) to still be completed/counted under self-study as well as allow clinicians with the ability to take more CEU courses that are of most interest/relevance to them and their current role.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

17. Summary: The Board received one (1) comment that they would like to see the Board's CEU regulations to be like American Speech-Language-Hearing Association (ASHA) and other state regulations which do not impose a regulation of self study hours. The comment stated that it is difficult to obtain live content since the COVID pandemic and noted that it may not be in line with licensee's interested in the field of audiology when it is available. The comment further stated that it is better to not impose a regulation of self study hours with the advancement of available online content for CEUs in audiology so that it can be in line with CEU regulation in other states and with ASHA.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

18. Summary: The Board received one (1) comment asking if licensees will no longer have to obtain CEUs from a list of approved providers.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document. Further, no objection or recommendation was provided.

19. Summary: The Board received four (4) comments expressing support to increase the number of self-study hours to half of the total hours but recommended an increase to more or all the hours to be through self-study for the following reasons:

- It's very inaccessible to make live hours a requirement either expensive and require the use of paid time off (PTO), or online hours on different websites are hard to schedule into our already busy schedule.
- The public is well served by allowing all CEU units to be earned through self study, and removing the language that overregulates course content.
- It will have no impact on the quality of speech and language professional development.
- Proposed revisions overregulate CEU requirements and discourage current licensees from seeking renewal.
- Occupational Therapists (OTs) and Physical Therapists (PTs) in the state are allowed to obtain one hundred (100) percent non-live CEU
- The SLP shortage means that most of us are working long hours and do not have extra time to take off to attend live CEUs. We are often meeting our CEU credits in the evening and on our weekends. Even if our employer allows us to take the time off to attend the CEU, we cannot because there is no one to fill in for us in our absence and it only adds more work to our already overflowing plates.
- There are so many amazing, recorded courses that won't count for my certification but make a difference in how I practice as a SLP.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

20. Summary: The Board received three (3) comments recommending “live” CEUs be reduced or eliminated for the following reasons:

- It's a financial burden to try and find, travel to, or move a schedule around to attend a live online or in person course as more and more classes have become virtual, and on demand it actually has become.
- PT and OT do not have an “in person” or “live” requirement and thus can fulfill all of their CEU hours through on online subscription which is a fraction of the cost one would pay for a single in person course.
- It would be really helpful if licensees didn't have to attend courses in person.
- It is challenging to get the time approved off work or squeeze into family schedule on the weekend.
- Other states do not have a self study limitation or live hours requirement for SLPs, and California should follow suit.

- Live” CEU courses are held during the school day and no time during the workday to participate in CEU’s or use PTO.
- We can receive the exact same information in other formats that is at times that work better with our schedule.
- Majority of school districts do not provide time off to attend conferences on district time.
- SLP in medical setting work year-round and are unable to attend live conferences due to their work schedules.
- outdated requirement in this age of technology and easy access to quality CEU training online.
- SLPs need the flexibility to choose what type of course best meets their client/student needs.
- Making a distinction between live/interactive and recorded results in many people choosing to do “what they can find” vs what is best for their caseload.
- This is critical to ensure we operate at the top of our license.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why it will continue to require CPD hours that are not completed through self-study courses in Summary and Board Response # 1 above.

21. Summary: The Board received six (6) comments expressing support to cut or reduce the required number of "live" CEUs in half but recommended the requirement for "live" CEUs be eliminated for the following reasons:

- Jobs have changed dramatically in recent years and taking time off for a conference is nearly impossible. In the schools, SLP are required to make up any missed sessions and productivity requirements in the medical setting mean that taking time off can reflect negatively on patient care and job performance.
- Live conferences whether virtual or in-person are held during working hours, which is problematic. Self-study courses can be taken so that there is no impact on the workday.
- We are forced to take “live” courses that don’t relate to our setting and/or that have zero benefit to us and our students because they are scheduled at times that don’t conflict with our therapy sessions.
- There are “recorded” CEUs that look interesting and helpful but are a waste of time.
- The current requirements are only hurting students/clients and hindering our

growth and development within our setting.

- It is extremely difficult to maintain a license and earn the required number of live CEUs each year for a reasonable cost without a salary or as a stay-at-home parent who is not currently practicing and may want to work again in the future.
- Self-study and live conferences are equally enlightening, evidence based, and helpful to maintaining understanding of the changes and current research in the field.
- Self-study courses can be taken at our convenience, which is helpful for the demanding schedules of all SLPs and benefits the clients they serve.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why it will continue to require CPD hours that are not completed through self-study courses in Summary and Board Response # 1 above.

22. Summary: The Board received one (1) comment expressing concerns with the term self-study and asked to please clarify the terms. The comment also recommended that all hours be from recorded courses and webinars which allows for flexibly in complete them when it works with their schedule. The comment stated that the content is the same as live course and a version you could access after the live event. It furthered stated that the content is not determined by the licensee but by ASHA.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

23. Summary: The Board received one (1) comment expressing support to reduce the number of "live" CEUs by half for SLPs and recommended the elimination of the requirement for "live" CEUs for the following reasons:

- Attending live conferences poses significant logistical difficulties for school based SLPs where responsibilities require careful planning to ensure continuity of services for our students and the nature of our work compels us to make up any missed sessions which makes it extremely challenging to accommodate time away for professional development activities.
- SLPs working in medical settings encounter productivity demands that restrict their ability to participate in live conferences during working hours and scheduling conflict between live events and full-time employment impedes our access to valuable opportunities for skill enhancement and knowledge acquisition.
- Self-study courses offer a flexible alternative that aligns more seamlessly with our professional commitments and the abundance of high-quality resources available for self-directed learning empowers us to engage in continuous education without disrupting our workday.
- Self-study materials have proven to be exceptionally relevant and conducive to enhancing my clinical practice.
- It would better accommodate the diverse needs and circumstances of SLPs which will facilitate ongoing professional growth and development.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why it will continue to limit the number of CPD hours that can be completed through self-study courses in Summary and Board Response # 1 above.

24. Summary: The Board received five (5) comments expressing support to increase the number of self-study or non-live format or conferences to half of the total required professional development hours or CEUs for the following reasons:

- Time constraints of a full-time school position mean that we cannot attend something live/in person.
- Having the flexibility to participate in the learning at another time means better align specific professional needs, rather than having to seek out live hours solely for the purpose of having live hours.
- Our current technology allows us to be flexible and creative about how we deliver information, check understanding, and encourage participation; therefore, there are other ways to ensure the quality of professional development, other than simply checking it's live.
- Allows more convenience for those who have other obligations or hardships to continue to meet their CEU requirements.

- Reduces the stress of taking time off for travel and the financial burden
- There are barriers to accessing live courses including some scheduled during the workday, and synchronous conferences/seminars being more expensive than non-synchronous ones.
- It is a financial burden for newer SLPs who employers may not pay for professional development or have to miss out on getting paid.
- Increasing the number of self-study hours will help SLPs learn at their own pace and allow them access to less costly CEUs that they can count to the professional requirements to remain licensed in this state.
- Many continuing education sessions that are live take place during the workday which means cancel sessions for those who work in schools and requires SLPs to make up sessions which is already difficult given the workloads in schools; or having to take time for those in private practice or other settings off and not getting paid.
- It gives working SLPs the flexibility needed to meet professional development requirements.

Of those comments, one comment noted that they have a strong interest in lifelong learning and regularly seeks out professional development courses, often preferring courses that align with the needs of their current setting and population. Another comment noted that they engage in self-study weekly if not daily and is going to provide CEUS soon.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

25. Summary: The Board received two (2) comments expressing support to the reduce the “live hours” requirement and recommended that there shouldn’t be any “live hours” requirement for the following reasons:

- Conferences and online live CEUs are scheduled during the workday which causes us to miss mandated minutes with the kids on our caseloads and we are expected to make up those missed minutes which causes a lot of unneeded stress and workload.
- The flexibility of self-study better suits our profession.
- National organization allows all continuing education units to be recorded or 'self-study'.
- SLP job has changed dramatically. Schools rarely fund CEU opportunities or allow SLPs to miss seeing their students unless missed sessions can be made up; and there are productivity expectations in medical setting that makes it difficult for SLPs to take 'time off' to attend these courses.

- most of these courses seem to be offered during the work week and typical workday which this creates a hardship for the SLPs.
- Self-study courses and recorded seminars can be taken at the SLPs' convenience.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why it will continue to require CPD hours that are not completed through self-study courses in Summary and Board Response # 1 above.

26. Summary: The Board received one (1) comment expressing concerns that the Board did not respond to the following public comments at its Board meeting on December 1, 2023:

- In-person courses require travel, time off of work, and are more expensive
- Self-study courses are more valuable and affordable than in-person courses
- In-person courses create hardships for working parents
- There is a substantial financial burden for in-person courses
- Setting aside time to travel and attend courses can interfere with providing services

The comment also expressed concerns with the underlying documents the Board noticed to the public on March 8, 2024, and stated that they are of low-quality, specious, outdated, and misleading. The comment further stated the following:

- The document from the Association of State and Provincial Psychology Boards' Guidelines for Continuing Professional Development neither supports nor contradicts the Board's position. It appears that it would favor non-live CEUs for licensed professionals; however, it does not differentiate "synchronous" from "asynchronous" learning.
- The article, *Evidence For Continuing Professional Development Standards For Regulated Health Practitioners In Australia: A Systematic Review*, contradicts the Board's position. The study reports "three well-designed studies that provide an insight into the efficacy of different types of continuing professional development (CPD) in improving practitioner competence and patient safety. These are two medium quality systematic reviews of syntheses and a medium quality narrative review of systematic reviews that provide consistent evidence that traditional or formal forms of CPD, such as conference presentations,

lectures and symposia, taken alone have very little impact on improving clinician performance or patient health outcomes.” The study also reports that although research findings “vary widely”, they “consistently show that e-learning is as effective as face-to-face CPD approaches” (importantly, “e-learning” in this context consists primarily of asynchronous instruction).

- The blog, *Competence, Ethical Practice, and Going It Alone*, neither supports nor contradicts the Board’s position. The blog discusses how psychotherapists may utilize in-person continuing education events for networking and collaboration; nonetheless, the authors note that this is not the only available solution. The authors also caution that in-person events do not automatically foster collaboration and interprofessional practice.
- The blog, *Designing Professional Development Training Programs with the Learner in Mind*, contradicts the Board’s position and advocates for neurodivergent learners to pick their best learning style. Also, the blog may not have been written by an expert and should not be used to guide the Board’s decision-making. The blog reports that “recent research from Volpone et al. shows that providing professional development training in the form of self-paced tutorials or when appropriate, on-the-job training was preferred by neurodivergent employees over in-class or online courses (2022). Additionally, providing information in multiple ways, such as verbally, through short video clips, microteaching, gamification, hands-on learning, or mentoring accounts for differences in learning preferences and yields better results.”
- The blog, *Neurodiversity and Career Development: Strategies for Advancement*, neither supports nor contradicts the Board’s position. Also, the blog may not have been written by an expert and should not be used to guide the Board’s decision-making. The blog mentions video conferencing as one of many possible solutions for neurodiverse individuals but does not state that this learning modality should be required.
- The article, *Continuing Professional Development: Best Practices*, neither supports nor contradicts the Board’s position. The article does not describe a research study and instead summarizes existing practices regarding CEUs across various organizations for physicians. It does not mention synchronous or asynchronous learning when discussing the need for “interactivity” in CEUs, and utilizes a very low level of evidence.
- The blog, *Interactive Learning in Continuing Professional Development: “at Least 25 Per Cent of Time ”* utilizes an alarmingly low level of evidence and should not be used by the Board in its decision-making process. It written by an individual whose highest credential is an “MB” and an “MEd”. Moreover, this blog does not include a research study but instead summarizes existing practices regarding CEUs at the time of its publication, and it is unclear exactly when this blog was published since it is not copyrighted. However, since it only includes references from before the 2000s, one could reasonably assume it was also written before then.

The comment expressed concerns that the Board did not meet the “necessity” standard described in California Code of Regulations, Title 1, Division 1, Chapter 1, Article 2, Section 10 to substantiate its requirement for “live” CEUs. The comment argued that the Board made incorrect or misleading statements such as:

- “...courses for self-study do not have participants participating with the instructor”
- “I especially like that you pointed out professional isolation because someone can work really hard at even staying on top of the trends, and research, et cetera... but the value of being able to connect with other colleagues is, um, you can’t really substitute that.”
- “... most of the research, even from when I first started doing some of this over 20 years ago, was that interaction and interactivity and less social isolation... that’s always the big component, right?... licensees, for lack of a better word, sometimes get a little off course ethically even speaking when we’re more socially isolated... we’re not checking with our peers... we don’t occasionally say ‘oh, something weird happened in the clinic yesterday and I just wanna, you know, chat about it’...”

The comment stated that:

- Non-live or self-study CEUs provide opportunities to interact with the instructor and sometimes with other attendees such as a chat window that is left open so participants can ask each other questions at any time which was utilized by ASHA at their annual convention for those who participate virtually. Instructors also frequently provide their contact information for follow-up questions.
- It is concerning to hear a Board member insinuate that professionals who actively read research in our profession are isolationists and that they are not doing enough. This aside, CEU requirements are meant to enhance a professional’s knowledge and skills to better serve their clients; they are not social events. Moreover, a licensee could reasonably obtain all CEUs in a non-live format and still maintain positive, collaborative relationships with other professionals— the two are not mutually exclusive.
- It is concerning to hear a Board member imply that licensees who enjoy the flexibility of non-live CEUs are isolationists who will inevitably practice unethically. Importantly, obtaining non-live CEUs does not preclude inter- or intra-professional collaboration.

The comment expressed concerns that the Board has not listened to feedback from external stakeholders who maintain that non-live CEUs are not only more efficient, but they better protect the public.

Board Response: The Board responded to the public comments identified by this comment in Summary and Board Response # 1 above.

The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board believe that it has met the “necessity” standard described in 1 CCR section 10 and listened to feedback from external stakeholders, mostly licensees. The Board rejected recommendations to allow all hours to be completed through self-study courses for the reasons stated in Summary and Board Response # 1 above.

27. Summary: The Board received eighty-three (83) comments recommending one hundred (100) percent non-live CEUs for the following reasons:

- Many SLPs subscribe to ASHA learning pass or Speechpathology.com to afford CEUs and the opportunity to attend live recordings is limited on those platforms.
- There is no need for live trainings just to ask questions because many presenters allow you to email them with follow up questions or provide resources within the presentation that allow SLPs to further learn about the topic.
- Attending live CEUs requires us to miss time with clients and lose money.
- OTs and PTs in the state are allowed to obtain one hundred (100) percent non-live CEUs.
- Being in this field has its challenges but having strict rules for how we need to take our CEUs should not be one of them.
- We should choose to further our knowledge based on current caseload, personal interest or curiosity, or future job settings, as well as at our discretion and on our time.
- It is the way to move forward in an increasingly digital world with less and less money allowed by our employers for professional development.
- I will not renew my license in this state if this doesn't change.
- Attending live CEUs are costly and we miss workdays to attend them.
- Many employers are offering free non-live CEUs as part of compensation packages that we would like to take advantage of these opportunities.
- Requiring a certain number of live courses is extremely difficult for those who are self-employed and have young children. It very hard between not being paid and having to find childcare to attend a live course.
- Obtaining CEUs should be up to the person paying for the course not the board.
- The CEU requirements resulted in not attending needed trainings on evidence-based treatment strategies because they are not offered live, and it is unprofessional that a course being live or not is an SLPs primary motivation for taking a CEU course.
- This give SLPs better options for keeping current in the field.

- Selecting lower quality CEUs simply because they are live.
- It is baffling that the requirement continues to persist without any explanation.
- It is difficult attending live CEU's in person with the cost of living and inflation.
- Virtual live CEU's are during our workday and require us to cancel sessions with clients. Many districts still require us to make up these missed sessions.
- It has become much easier to complete our continuing education in this day and age with Zoom rather than having to be somewhere in person
- It is difficult to take time away from work and our families to complete this.
- The internet is full of great content and it's much more affordable not to have to travel and miss work for the CEUs in a subject that's relevant.
- Other provider groups and national organization like ASHA doesn't have this requirement and allow one hundred (100) percent non-live CEUs.
- Other allied health professions allow one hundred (100) percent non-live CEUs
- Professional development and continuing education should be seen as equal no matter how it is accrued. Live vs pre-recorded makes no difference in the outcome. We have full lives, busy jobs, and it shouldn't matter that the only time we may have for a course is in the evening or nighttime.
- It offers us all the flexibility to attend presentations of varying topics and at more convenient days and times.
- It is extremely difficult to find the time to attend live CEUs due to high caseload, schedule, and IEPs participate.
- It is stressful because not all of us have the ability to travel to conferences or attend live webinars to fulfill the live CEU requirement.
- We can stay up to date with best practices in a way that would allow more flexibility within our limited means and time.
- It would be beneficial.
- It would open up more opportunities for learning information relevant to the field.
- The requirement to have live CEUs is outdated and does not support the majority of SLPs in this state who are women, work full-time, are mothers, and do not have a plethora of income being that our state is extremely expensive to live in.
- Live CEUs requires extra time for travel and oftentimes cost more money.
- They do not teach us more information.
- Live CEU requirement is a burden and an unnecessary requirement.
- The current limitations of six (6) hours of non- live CEU hours are extremely restrictive, have not kept up with technological advances, and do not promote equity in practice or access to education within our profession.
- The limitation is a reminder of a bygone age of hotel room lectures that serves mostly the presenters and companies who benefit financially from them and does not represent the modern clinical world or available technology.
- The majority of higher-level professional level SLP CEU courses are offered in both non-live and live format and rightfully so, as this allows them to be accessible to all clinicians, regardless of finances, work/life/family situations,

available PTO or working hours.

- We should not be financially and educationally penalized for not being able to travel or have to pay not only excessive fees for live courses but also the travel and childcare costs associated with them.
- The board's lifting of limitations on non-live hours during the pandemic allowed increased access and more than likely encouraged increased education. This allowance of one hundred (100) percent of all CEU hours should be continued by whatever modality is most appropriate for the clinician in their professional judgement.
- There are many of us that face financial challenges of affording in-person live lectures.
- There are many of us that struggle with receiving time off to attend these events.
- There have been major advances in technology these past few years that allow us to receive high quality training and lectures that have been pre-recorded and are sometimes even more helpful as we're able to go back and re-watch portions if needed to assist with our learning.
- Non-live format accommodates various schedules and learning styles.
- This change would address significant work-life balance and especially patient care issues because many of us in private practice and school-based SLPs often find that live CEU sessions conflict with our working hours. We are expected to use our PTO to attend these sessions, which places undue stress on our schedules and personal lives.
- We can continue our professional development without sacrificing personal time or patient care by allowing CEUs to be completed entirely online.
- Online CEUs offer the same quality and depth of learning as live sessions, utilizing modern technology to create interactive and engaging educational experiences.
- This change would not only enhance the well-being of private practitioners and school based SLPs but also ensure we can maintain the highest standards of care.
- It is increasingly challenging to meet the requirement in order to activate a license with the current climate of working in the schools. We are required to make-up services if we cancel sessions, and district often will not allow SLPs the time during the workday to attend a training or workshop, requiring us to find trainings on the weekends or during summer.
- The current regulations require the majority of CEUs to be from live courses which limits the time when courses are available. Most of the live classes are during the workday and not offered in the evenings.
- The current regulations limit the content that we have access to. Continuing education should be directly related to the patients being served and on topics that would be beneficial to our current caseload. We take whatever course is available when it has to be live and the information not needed and a waste of time.
- The scarcity of SLP professionals means many of us are stretched thin, with

little time to spare for live CEU attendance. We fulfill our credits during evenings and weekends, unable to afford the luxury of taking time off. If we are granted leave by our employers, finding coverage is a challenge which further burden us.

- This is less disruptive to services as we do not need to miss work to attend.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

28. Summary: The Board received one (1) comment recommending one hundred (100) percent non-live CEUs for SLPs or eliminate “live” CEUs because OT and PT are given a one hundred (100) percent non-live/asynchronous CEU option and SLP is an allied profession.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

29. Summary: The Board received two (2) comments expressing support to increasing the number of self-study hours to half of the total hours but recommended one hundred (100) percent non-live CEUs for SLP for the following reasons:

- OTs and PTs in the state are allowed to obtain one hundred (100) percent non-live CEUs
- The SLP shortage means that most of us are working long hours and do not have extra time to take off to attend live CEUs. We are often meeting our CEU credits in the evening and on our weekends. Even if our employer allows us to take the time off to attend the CEU, we cannot because there is no one to fill in for us in our absence and it only adds more work to our already overflowing plates.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

30. Summary: The Board received one hundred seventeen (117) comments recommending one hundred (100) percent non-live CEUs for SLP for the following reasons:

- It is difficult to obtain live CEUs in rural areas.
- OTs and PTs in the state are allowed to obtain one hundred (100) percent non-live CEUs.
- It is extremely difficult to meet the current standard of live CEU requirement.
- Other licensed professionals are able to obtain one hundred (100) percent non-live CEUs.
- It provides more opportunities for SLPs to attend other courses that may not be financially possible if they have to travel and pay for hotels and food.
- We should be able choose what we want and what we need without having the pressure to go to a place attending CEU classes physically.
- These hours are just as useful if not more than live CEUs.
- There is absolutely no need to attend live because live sessions are during the workday which is a disservice to our clients/students when we have to cancel sessions.
- We can obtain CEUs anytime to fit our schedules which will encourage us to seek out a wider variety of courses rather than simply what is “live” or not, thus resulting in stronger SLPs and higher quality care.
- Many live CEUs and conferences occur during work hours which makes it incredibly difficult to obtain the live CEUs.
- Having the opportunity to gain CEUs and further research to better ourselves as clinicians in a non-live format would be the most beneficial for us.
- Many non-live courses are just as informative and engaging as in-person courses.
- National organization like ASHA doesn't have this requirement and allow one hundred (100) percent non-live CEUs.
- CEUs that are live for the sake of them being live often are not relevant to our practice or helpful and relevant for our clients.
- This would be incredibly helpful for us in this profession of SLP.

- Other states allow all required CEU's to be non-live.
- SLPs should be spending their time on patient care and billable hours instead of spending time and money to obtain “live” CEU's that could be achieved outside of work hours.
- Our schedules make it extremely difficult to attend live sessions.
- The information gained from the non-live sessions is just as valuable as that presented in the live format.
- SLPs will have a wider range of options to choose from and would allow us to select sessions that we personally feel would be most beneficial to our professional development.
- There are so many fantastic SLP courses available but many of them are not considered eligible for CEU credit due to recorded status.
- Relevant education topics need to be covered and shared with as many SLPs as possible in the most easily accessible ways which often means recorded ways.
- Many SLPs may be prevented from accessing vital information that could help California students and speech-language pathology clients if the Board does not promote access to non-live CEUs.
- This helps to facilitate affordability and accessibility of resources for our profession.
- It's difficult to get the amount of live CEU's that are needed on a yearly basis, not only from a time perspective but from a cost perspective as well. We need better and more available options.
- SLPs are working hard in their regular jobs and having to manage Live CEUs is not only costly from a financial perspective but also significantly impacts workload.
- It is vital part of being able to maintain my license while following my husband's orders, which sometimes takes us overseas. I am not able to attend conferences in-person during those tours.
- Non-live CEU's allow me the flexibility to still stay on top of cutting-edge research and hot topics in my field.
- There are fewer opportunities to attend live trainings especially for SLP's working in school districts where it is very difficult to take a day off to attend a live training.
- There's no difference between information gathered between live and non-live CEUs.
- There are unnecessary costs to take time off work, pay for hotel, travel, all of which is not generally covered by employers.
- We are still taking in the same information whether we watch live or watch the same course via virtual replay.
- Many SLPs are not able to take live courses as the times conflict with our actual work schedules.
- Non-live CEUs are a more economical option for those of us with constraints on

our budgets.

- Non-live CEUs allow us to deeply explore fields of study and specialty that are the most relevant for our clients not just those CEUs that happen to be happening live.
- Large caseloads and increase in paperwork have become a major time-constraint, which has forced many of us to take work home. This has impacted many of our personal and family lives. Having to take CEUs in person adds further imbalance between our work and personal lives by forcing us to take additional time away from our families and jobs.
- It is time consuming to attend live CEUs, more costly, and requires time off from a job we do not get paid when required to attend.
- Unable to obtain in-person CEUs due to finances.
- SLPs are thrilled to be bettering their clinical skills and education whether the coursework is in person or not.
- The content and quality of learning is the same for both live and non-live CEUs.
- Live CEUs can also be a financial burden on many SLPs due to the requirement to take time off of work and travel to obtain live CEUs.
- Forcing SLPs to get live CEUs does not increase the quality of our education.
- It limits our choices for courses and makes our jobs harder.
- Working parents need convenience.
- Live trainings are harder to find and it's much easier to fit online trainings into a busy day at my school site.
- The online trainings have been valuable to my growth as an SLP.
- This is an equitable practice when considering a variety of factors such as school districts and/or professionals can easily afford online CEUs (no gas, hotel, food to pay for) and some professionals may not be able to travel to obtain specialized training due to location or personal factors i.e., kids or parents to take care.
- It is challenging to find opportunities for live workshops when the online option has become the standard for the majority of CEU providers.
- There is no need to attend live in order to fully benefit from the educational content.
- Live webinars are often during the workday which is a huge disservice to our clients/students because it requires SLPs to cancel sessions to attend.
- It's becoming challenging to find live in-person trainings as many are online recordings.
- All continuing education no matter the format, live or non-live should count toward our continuing professional development credits for state licensure.
- More continuing education is not being offered live and are done in an on-demand format.
- It is cost prohibitive for SLPs to do live CEUs which often involve us traveling to where the event is being offered and incurring additional costs for transportation (gas and/or flight), hotel, and meals. We have to take time off of work for these

courses and potentially arrange for childcare which adds on additional expenses. These courses often cost \$400 in registration fees alone and our employers will rarely reimburse us for any of the costs associated with mandatory continuing education. We can take high quality continuing education through a variety of approved CE providers for as low as \$100 a year with unlimited courses.

- This ensures that we are then choosing continuing education that is applicable to our current needs as a SLP and not on what is cheapest, closest, or fits into our schedule best.
- Non-live CEUs provide greater flexibility and accessibility to SLPs with busy schedules, those in rural areas, or those with limited access to live events.
- A wider range of topics and formats become available when non-live CEUs are fully accepted.
- Non-live CEUs are often more affordable than live events thereby reducing the financial burden on SLPs.
- The quality of the approved courses is not lessened by watching a recorded version.
- Requiring live hours is no longer practical in this day and age with an increasing demand of SLPs, especially in the school setting. Live courses are offered EST during which Californian SLPs are still working.
- Live in person courses require the availability free time, travel costs, and often childcare responsibilities/costs, all which are running thin in this economy.
- There is a decline in company incentives to pay SLPs competitive rates and they are no longer giving financial assistance with education so we have to take personal time off in order to attend live events.
- It has become a financial hardship given employers no longer assist financially and minimum increase of rates if any.
- The format is most convenient.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

31. Summary: The Board received two (2) comments recommending one hundred (100) percent non-live CEUs for SLP and speech-language pathology assistant (SLPA). One comment stated that other licensed professionals are able to obtain one hundred (100) percent non-live CEUs. It further stated that this would be a great step in the

right direction and make a huge difference if they were allowed this opportunity, and that it is time to transition with the current social climate because most individuals if not all would benefit from this change.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

32. Summary: The Board received one (1) comment expressing concerns with fifty (50) percent of CEUs through non-live formats and recommended one hundred (100) percent non-live CEUs for SLP. The comments stated other licensed professionals are able to obtain one hundred (100) percent non-live CEUs

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

33. Summary: The Board received two (2) comments recommending one hundred (100) percent non-live CEUs for the following reasons:

- OTs and PTs in the state are allowed to obtain one hundred (100) percent non-live CEUs for the following reasons non-live CEUs.
- This rule is antiquated and maintains unnecessary barriers to continuing education in an increasingly connected and technologically savvy world.

The comments stated that the Board needs to study the reason for this inconsistency in regulations across similar professions and explain to licensees the specific rationale behind their determination that SLPs somehow are unable to learn as well as PTs and OTs via alternative, non-live formats.

One of the comments stated that it is unusual that the state would not have a consistent policy across similar professions, and single out the SLP field in particular - a more female oriented profession than the others.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

34. Summary: The Board received three (3) expressing concerns with fifty (50) percent for non-live CEUs and recommended one hundred (100) percent non-live CEUs for SLP for the following reasons:

- OTs and PTs in the state are allowed to obtain one hundred (100) percent non-live CEUs
- SLP shortage means that most of us are working long hours and do not have extra time to take off to attend live CEUs. We are often meeting our CEU credits in the evening and on our weekends.
- Even if our employer allows us to take the time off to attend the live CEU, we cannot do so because we do not have substitute personnel to help us with our workload.
- It only adds more work to our already overflowing plates
- Virtual CEUs are informative and work well with our schedule because we can watch in the evenings or weekends at our own pace.

Board Response: The Board did not change the proposed text to accommodate the comments. The comments were not on the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

35. Summary: The Board received one (1) comment asking for the right to attain CEU's on our own schedule because they are still gaining the same knowledge and are not

able to make many live CEU's due to their busy schedule, and ask why they should have to take off work to watch a live CEU. The commented stated that OTs and PTs in the state are allowed to obtain one hundred (100) percent non-live CEUs.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all CPD hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

36. Summary: The Board received one (1) commented stating that attending one hundred (100) percent virtual CEUs for licensure would be support practitioners and those they serve. The comment further stated that there are many providers and experts who offer training in virtual formats due to the restrictions or travel, and CEUs that a SLP may need to further their professional expertise may not be available in California. The recommended all virtual CEUs to be counted and noted that other licensed professionals are able to obtain non-live CEUs.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed through self-study courses during the 45-day comment period, and the Board explains why all hours cannot be completed through self-study courses in Summary and Board Response # 1 above.

37. Summary: The Board received one (1) commented recommending one hundred (100) percent non-live CEUs with proper documentation and a test for knowledge acquired because it will greatly assist with acquiring the required amount of hours.

Board Response: The Board did not change the proposed text to accommodate the comment. The comment was not directed at the modifications made to the text that was noticed to the public on May 14, 2024 (Government Code section 11346.8(c).) The modification noticed to the public on May 14, 2024, can be found on pages 4 and 5 of this document.

The Board received comments requesting more or all CPD hours to be completed

through self-study courses during the 45-day comment period, and the Board explains why all hours cannot be completed through self-study courses in Summary and Board Response # 1 above.