

DEPARTMENT OF CONSUMER AFFAIRS
**TITLE 16. SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
AND HEARING AID DISPENSERS BOARD**

**PROPOSED SECOND MODIFIED REGULATORY LANGUAGE
Continuing Professional Development Requirements**

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout . Added modified text is shown in <i><u>italicized double underline</u></i> Deleted modified text is show in <i><u>italicized double strikethrough</u></i> Added 2nd modified text shown in <u>bold double underline</u> Deleted 2nd modified text shown in <u>bold double strikeout</u>
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Adopt section 1399.160 of Article 11 of Division 13.4 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.160. Definitions.

As used in this article:

(a) A continuing professional development “course” means a form of systematic learning at least one hour (60 minutes) in length including, ~~but not limited to,~~ academic studies, extension studies, lectures, conferences, seminars, and workshops, ~~and self-study courses.~~

~~(b1) A “self-study course” means a form of systematic learning performed at a licensee's residence, office, or other private location including, but not limited to, viewing or listening to recorded courses, or participating in “self-assessment testing” (open-book tests that are completed by the licensee, submitted to the provider, graded, and returned to the licensee with correct answers and an explanation of why the answer chosen by the provider was the correct answer). A self-study course does not mean a course taken at an accredited university towards a degree, nor does it include any interactive courses offered via electronic media where the course offering affords participants the opportunity to interact with an instructor and/or other course participants~~course where the course instruction and licensee participation do not occur simultaneously, and requires *the completion of an evaluation on what was learned during the course or at the conclusion of the course.* completing and obtaining a grade of 70% or more on an assessment or examination of the course content at the conclusion of the course instruction.

(eb) A continuing professional development “provider” means an accredited institution of higher learning, a nonprofit education association, a nonprofit professional association,

an individual, or other organization that offers continuing professional development courses and meets the requirements contained in this article.

(dc) A “renewal period” means the ~~two-year~~ period that spans from a license's expiration date to the license's next expiration date.

(ed) An “operational plan” means a detailed, written description which contains information that explains how the provider intends to conduct business, advertise its courses, provide educational services, and meet the minimum standards established in this article.

(fe) “Continuing pProfessional development” shall have the same meaning and effect as the term “continuing education” when interpreting the provisions in this Aarticle.

Note: Authority cited: Sections 2531.95 and 2532.6(a), Business and Professions Code.
Reference: Section 2532.6(b), (c)(1), (e) and (f), Business and Professions Code.

Adopt section 1399.160.1 of Article 11 of Division 13.4 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.160.1. License Renewal Requirements.

(a) Except as provided in Section 1399.160.2, when applying to renew their license for the first time, a speech-language pathology or an audiology licensee whose license expires in the year 2001, shall certify in writing, ~~when applying for license renewal,~~ by signing a statement under penalty of perjury that during the preceding renewal period from the date of issuance the licensee has completed twelve (12) hours of continuing professional development courses as defined in Section 1399.160.3(a) from a provider approved under Section 1399.160.7.

(b) Except as provided in Section 1399.160.2, when applying to renew their license for the first time, a licensee who holds both a speech-language pathology license and an audiology license ~~that expire in the year 2001,~~ shall certify in writing, ~~when applying for license renewal,~~ by signing a statement under penalty of perjury that during the preceding renewal period from the date of issuance the licensee has completed eight (8) hours of continuing professional development courses for each license for a total of sixteen (16) hours of continuing professional development as defined in Section 1399.160.3(b) from a provider approved under Section 1399.160.7.

(c) Except as provided in Section 1399.160.2 and subsection (a), a speech-language pathology or an audiology licensee shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed twenty-four (24) hours of continuing professional development courses as defined in Section 1399.160.3(c) from a provider approved under Section 1399.160.7.

(d) Except as provided in Section 1399.160.2 and subsection (b), a licensee who holds both a speech-language pathology license and an audiology license, shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed sixteen (16) hours of continuing professional development courses for each license for a total of thirty-two (32) hours of continuing professional development as defined in Section 1399.160.3(d) from a provider approved under Section 1399.160.7.

(e) Except as provided in Section 1399.160.2, a licensed audiologist authorized to dispense hearing aids as provided by Section 2539.1 of the Code shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed twelve (12) hours of continuing professional development as defined in Section 1399.160.3(e) from a provider approved under Section 1399.160.7.

(f) Except as provided in Section 1399.160.2, a licensee who holds both a speech-language pathology license and an audiology license authorized to dispense hearing aids as provided by Section 2539.1 of the Code shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed sixteen (16) hours of continuing professional development as defined in Section 1399.160.3(f)(1) from a provider approved under Section 1399.160.7 biennially and eight (8) hours of continuing professional development as defined in Section 1399.160.3(f)(2) from a provider approved under Section 1399.160.7 annually.

(eg) A licensee who falsifies or makes a material misrepresentation of fact when applying for license renewal or who cannot verify the completion of the continuing professional development requirement by producing a record of course completion, upon request by the Board, is subject to disciplinary action under Section 2533(e) of the Code.

(h) Any person whose license has been expired for two renewal cycles or more shall complete the required hours of continuing professional development for the most recent renewal cycle before such license may be restored.

NOTE: Authority cited: Sections 2531.95 and 2532.6(a), Business and Professions Code. Reference: Sections ~~2532.6(b), 2532.6(c), 2532.6(d) and 2533(e)~~, Business and Professions Code.

Adopt section 1399.160.2 of Article 11 of Division 13.4 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.160.2. Exemptions from Continuing Professional Development.

~~(a) An initial licensee shall complete at least twelve (12) hours of continuing professional development, of which no more than four (4) hours may be earned through the following activities prior to his or her first license renewal:~~

~~(1) No more than (2) hours of self-study activities;~~

~~(2) No more than (2) hours from courses related to the discipline of speech-language pathology or audiology as defined in Section 1399.160.4(c)(4), or in indirect client care courses as defined in Section 1399.160.4(c)(3).~~

~~(ba)~~ A licensee is exempt from the continuing professional development requirement if ~~his or her~~ their license is inactive pursuant to Sections 703 and 704 of the Code.

~~(eb)~~ To obtain an exemption, a A-licensee may shall submit a written request for exemption from the continuing professional development requirement for any of the reasons listed below. The Board will notify the licensee, within thirty (30) working days after receipt of the request for exemption, whether the exemption was granted. If the request for exemption is denied, the licensee is responsible for completing the full amount of continuing professional development required for license renewal. The Board shall grant the exemption if the licensee can provide evidence, satisfactory to the Board, that:

(1) ~~For at least one year~~ any amount of time during the licensee's previous license renewal period the licensee was ~~absent from California due to military service~~ called to active duty as defined in Section 114.3 of the Code;

(2) For at least one year during the licensee's previous license renewal period the licensee resided in another country; or

(3) During the licensee's previous renewal period, the licensee or an immediate family member, where the licensee has primary responsibility for the care of that family member, was suffering from or suffered a disability. A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. The disability shall be verified by a licensed physician or psychologist with special expertise in the area of disability. Verification of the disability shall include:

(A) the nature and extent of the disability;

(B) an explanation of how the disability hinders the licensee from completing the continuing professional development requirement; and

(C) the name, title, address, telephone number, professional license or certification number, and original signature of the licensed physician or psychologist verifying the disability.

(c) If the request for exemption from the continuing professional development requirement is granted, it shall be valid only for the current renewal period.

Note: Authority cited: Sections 2531.95 and 2532.6(a), Business and Professions Code.
Reference: Sections 114.3 and 2532.6(d), Business and Professions Code.

Adopt section 1399.160.3 of Article 11 of Division 13.4 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.160.3. Continuing Professional Development Requirements.

(a) A licensee who renews under Section 1399.160.1(a), whose license expires in the year 2001, shall accrue at least twelve (12) hours of continuing professional development hours in courses as defined in Section 1399.160.4. A licensee under this subsection who claims may accrue no more than four (4) hours of continuing professional development hours for courses through self-study courses shall be allowed to claim no more than six (6) hours of continuing professional development earned through self-study during this renewal period. A licensee under this subsection who claims continuing professional development credit from courses as defined in ~~Section 1399.160.4(c)(4) or~~ Section 1399.160.4(c)(~~32~~) shall be allowed to claim no more than ~~three (3) two (2)~~ hours of continuing professional development from such courses.

(b) A licensee who renews under Section 1399.160.1(b) holds both a speech-language pathology license and an audiology license that expire in the year 2001, shall accrue at least eight (8) hours of continuing professional development hours from courses as defined in Section 1399.160.4 for each license. A licensee under this subsection who claims may accrue no more than two (2) hours of continuing professional development hours for courses through self-study courses shall be allowed to claim no more than four (4) hours of continuing professional development earned through self-study for each license. A licensee under this subsection who claims continuing professional development hours from courses as defined in ~~Section 1399.160.4(c)(4) or~~ Section 1399.160.4(c)(~~32~~) shall be allowed to claim no more than ~~two (2) one and one half (1.5)~~ hours of continuing professional development from such courses for each license.

(c) A licensee who renews under Section 1399.160.1(c) shall accrue at least twenty-four (24) hours during a single renewal period of continuing professional development hours from courses as defined in Section 1399.160.4. A licensee under this subsection who claims may accrue no more than eight (8) hours of continuing professional development hours for courses earned through the following activities during a single renewal period:

(1) No more than six (6) hours of self-study shall be allowed to claim no more than twelve (12) hours of continuing professional development earned through self-study activities,

(2) No more than four (4) hours A licensee under this subsection who claims continuing professional development hours from courses related to the discipline of speech-language pathology or audiology, as defined in ~~Section 1399.160.4(c)(4)~~ or in indirect client care courses as defined in Section 1399.160.4(c)(~~32~~) shall be allowed to claim no more than ~~six (6)~~four (4) hours of continuing professional development from such courses.

(31) A licensee who renews an audiology license and claims continuing professional development hours from courses related to hearing aid dispensing shall be allowed to claim no ~~Not~~ more than 50% of the continuing professional development hours required from such courses of a licensed non-dispensing audiologist, may be in hearing aid courses, but and the continuing professional development hours shall not be obtained from courses where the content focuses on marketing, launching, or demonstrating the marketability of equipment, devices, or other products regardless of whether the course focuses on a particular manufacturer's or company's equipment, devices, or product ~~equipment, devices, or other products of a particular publisher, company or corporation.~~

(d) A licensee who renews under Section 1366.160.1(d) ~~holds both a speech-language pathology license and an audiology license,~~ shall accrue ~~at least sixteen (16) hours of continuing professional development hours from~~ courses as defined in Section 1399.160.4 for each license. A licensee under this subsection who claims ~~may accrue no more than five (5) hours of continuing professional development hours for courses earned through the following activities for each license:~~

(1) No more than two and one-half (2.5) hours of self-study shall be allowed to claim no more than eight (8) hours of continuing professional development for self-study courses for each license. ~~activities,~~

(2) No more than two and one-half (2.5) hours A licensee under this subsection who claims continuing professional development credit from courses related to the discipline of speech-language pathology or audiology, as defined in ~~Section 1399.160.4(c)(4)~~ or in indirect client care courses as defined in Section 1399.160.4(c)(~~32~~) shall be allowed to claim no more than ~~four (4)~~two and one-half (2.5) hours of continuing professional development from such courses for each license.

(1) A licensee who renews an audiology license and claims continuing professional development hours from courses related to hearing aid dispensing shall be allowed to claim credit for those hours in accordance with Section 1399.160.3(c)(1).

(e) A licensee who renews under Section 1366.160.1(e) ~~licensed audiologist authorized to dispense hearing aids as provided by Section 2539.1 of the Code~~ shall accrue ~~at least twelve (12) hours of continuing professional development hours from courses as defined in Section 1399.160.4 annually.~~ A licensee under this subsection who claims ~~licensed audiologist authorized to dispense hearing aids may accrue no more than (3)~~

~~hours of continuing professional development hours for courses earned through the following activities during a single renewal period:~~

~~(1) No more than one and a half (1.5) hours of self-study shall be allowed to claim no more than six (6) hours of continuing professional development for self-study courses activities,~~

~~(2) No more than one and a half (1.5) hours A licensee under this subsection who claims continuing professional development hours from courses related to the discipline of audiology, as defined in Section 1399.160.4(c)(4) or in indirect client care courses as defined in Section 1399.160.4(c)(32), shall be allowed to claim no more than three (3) two (2) hours of continuing professional development from such courses.~~

~~(31) A licensee shall complete Exactly 50% of the continuing professional development hours required of a licensed audiologist authorized to dispense hearing aids, shall be obtained from courses related to hearing aid dispensing but and these hours shall not be obtained from courses where the content focuses on marketing, launching, or demonstrating the marketability of equipment, devices, or other products regardless of whether the course focuses on a particular manufacturer's or company's equipment, devices, or products. the equipment, devices, or other products of a particular manufacturer or company. The remaining 50% of the continuing professional development hours required of a dispensing audiologist shall be relevant to the practice of audiology as defined in Section 2530.2(k) and shall not be obtained from hearing aid dispensing courses as provided for in this section.~~

~~(f) A licensee who renews under Section 1366.160.1(f) holds both a speech-language pathology license and a dispensing audiology license shall accrue:~~

~~(1) At least sixteen (16) hours of cContinuing professional development hours courses in from speech-language pathology courses as defined in Section 1399.160.4. A licensee under this paragraph who claims biennially, of which no more than four (4) hours of the continuing professional development hours earned for courses may be accrued through the following activities during a single renewal period:~~

~~(A) No more than two and one half (2.5) hours of self-study shall be allowed to claim no more than eight (8) hours of continuing professional development for self-study courses activities,~~

~~(B) No more than two and one half (2.5) hours A licensee under this paragraph who claims continuing professional development hours from courses related to the discipline of speech-language pathology as defined in Section 1399.160.4(c)(4) or in indirect client care courses as defined in Section 1399.160.4(c)(32) shall be allowed to claim no more than four (4) two and one half (2.5) hours of continuing professional development from such courses.~~

~~(2) At least eight (8) hours of continuing professional development hours from courses in dispensing audiology courses as defined in Section 1399.160.4 and 1399.160.3(e)(31). annually, of which no more than two (2) hours of A licensee under this paragraph who claims continuing professional development credit for courses earned may be accrued through the following activities during a single renewal period:~~

~~(A) No more than one (1) hour of self-study shall be allowed to claim no more than four (4) hours of continuing professional development for self-study courses activities,~~

~~(B) No more than one (1) hour A licensee under this paragraph who claims continuing professional development hours from courses related to the discipline of speech-language pathology as defined in Section 1399.160.4(c)(4) or in indirect client care courses as defined in Section 1399.160.4(c)(32) shall be allowed to claim no more than two (2) one and one half (1.5) hours of continuing professional development from such courses.~~

~~(g) If a licensee teaches a course offered by a provider registered with the Board or an entity listed in Section 2532.6 of the Code, the licensee may claim credit and claims continuing professional development credit for the same course, the licensee shall be credited only once per renewal, receiving the same amount of hours of continuing professional development credit as a licensee who attended the course.~~

~~(h) A licensee may shall not claim credit for the same course more than once for hours of continuing professional development per renewal.~~

~~(i) A licensee who takes an educational course as a condition of probation resulting from disciplinary action by the Board may shall not apply the course as credit towards the continuing professional development requirement.~~

~~(j) A licensee who supervises a Required Professional Experience temporary license holder must complete the required supervision training in Section 1399.153.3.~~

~~(k) A licensee who supervises a Speech-Language Pathology Assistant must complete the required supervision training in Section 1399.170.15.~~

~~(l) A licensee who claims continuing professional development for participating in a Board sponsored Occupational Analysis shall be credited no more than two (2) hours.~~

NOTE: Authority cited: Sections 2531.95 and 2532.6(a), Business and Professions Code. Reference: Section 2532.6(b), (c) and (e), Business and Professions Code.

Adopt section 1399.160.4 of Article 11 of Division 13.4 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.160.4. Continuing Professional Development Course Content.

(a) A licensed speech-language pathologist shall determine that the content and learning outcomes of a course are relevant to the practice of speech-language pathology as defined in Section 2530.2(d).

(b) A licensed audiologists shall determine that the content and learning outcomes of a course are relevant to the practice of audiology as defined in Section 2530.2(k).

(c) The content of a course shall pertain to direct patient/client care, related, or indirect patient/client care, or related to the practice of speech-language pathology or audiology.

~~(1) Examples of direct patient/client care courses for the practice of speech-language pathology include: fluency disorders, voice disorders, motor disorders of speech, dysphagia, speech science, oral and written language disorders, aphasia and neurogenic disorders of language and cognition, augmentative and alternative communication, phonological/articulatory disorders, language science, and patient/client counseling to facilitate recovery from, or adjustment to, a communication disorder.~~

~~(2) Examples of direct patient/client care courses for the practice of audiology include, auditory and vestibular assessment, auditory habilitation/rehabilitation, hearing assistive technology, industrial audiology/hearing conservation and hearing science.~~
Direct patient/client care courses cover the current practice of speech-language pathology or audiology. This may include content on instruments and technology used for assessment/diagnosis or intervention.

~~(3) Indirect patient/client care courses cover pragmatic aspects of speech-language pathology or audiology practice (e.g., legal or ethical issues, consultation, record-keeping, office management, managed care issues, research obligations, technological applications related to assessment/diagnosis or intervention).~~

~~(4) Courses that are related to the discipline practice of speech-language pathology or audiology may shall cover general medical or educational offerings including, but not limited to, social interaction, cultural and linguistic diversity, competency, and diversity, equity, and inclusion as it applies to service delivery for diverse populations; professional service delivery models; interdisciplinary case management issues; or medical pathologies related to neurological disorders that also result in communication difficulties.~~

(d) A provider shall ensure that a course has specific objectives that are measurable.

(e) Upon completion of a course, a licensee shall evaluate the course through some type of evaluation mechanism.

(f) Courses considered outside the acceptable course contentscope of continuing professional development include, but are not limited to, those in the following areas:

- (1) money management, the licensee's personal finances or personal business matters;
- (2) general physical fitness or the licensee's personal health;
- (3) presentations by political or public figures or other persons that do not deal primarily with the practice of either speech-language pathology or audiology;
- (4) tort liability;
- (5) courses that address increased office production or computerization, financial planning, employee benefits, marketing or motivational topics to increase productivity or profitability; ~~and~~
- (6) courses in which the primary beneficiary is the licensee, not the consumer; and
- (7) marketing, launching, or demonstrating the marketability of instruments and technology regardless of whether it focuses on a particular manufacturer's or company's instruments and technology.

Note: Authority cited: Sections 2531.95 and 2532.6(a), Business and Professions Code.
Reference: Section 2532.6(b), (c) and (e), Business and Professions Code.