

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY 🔹 GAVIN NEWSOM, GOVERNOR

SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS BOARD 1601 Response Road, Suite 260, Sacramento, CA 95815 P (916) 287-7915 | www.speechandhearing.ca.gov



# MEMORANDUM

DATE	September 3, 2024
ТО	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Agenda Item 10: Executive Officer Report

This report and the statistical information provided by staff is to update you on the current operations of the Board.

### a) Administration Update

Since our last Board meeting, Board management recruited for and filled the three staff vacancies. The vacancies included an enforcement analyst, a continuing education auditor and enforcement analyst, and a licensing technician. The licensing technician has completed training, and the CE auditor and enforcement analysts are in different phases of their subject matter training.

#### b) Budget Report

As mentioned at our previous meeting, the Board has been actively reducing expenditures and closely monitoring spending to achieve savings mandated by the Department of Finance. These reductions may impact Board operations, travel, and could result in holding some future meetings remotely. In addition, the Board is being asked to look at realizing additional savings through vacant positions and the elimination of positions identified. Board management is currently working with DCA Budget Office on a plan to comply with the budget requirements and achieve savings while minimizing the impact on our operations.

Included in your Board meeting materials is the Budget Report (Item 10e) that reflects operating expenditures through the final month (month 13) of the 2023-24 budget year. The report shows a reversion of approximately \$159,000, which is a surplus of 5.64 percent of the Board's budget.

Also included in your materials is a Fund Condition Report (Item 10e) prepared August 28, 2024. This report is a snapshot of the Board's fund condition and shows that the Board's revenue and budget allocation for the current 2023-24 budget year plus four years. Despite conservative revenue projections, the Board's fund condition outlook is healthy for the next three years.

#### c) Outreach Update

On July 15, 2024, Cherise Burns and I met with California Speech-Language Hearing Association Leadership to discuss the Board's pending regulations related to their professions.

On August 6, 2024, Dr. Amy White and I met with the California Academy of Audiology (CAA) conference committee to discuss presenting at their annual conference remotely and strategies to best address the questions of their membership.

On August 13, 2024, I met with the CAA Board of Directors to assist with their member education efforts related to answering questions related to enforcement, third-party administrators, and unlicensed activity.

#### d) Licensing Report

Overall, licensing cycle times have continued to maintain the dramatic improvements from previous years. We are continuing to evaluate the online licensing program and application processes.

We continue to monitor processing time data and are continuing to see overall reductions of approximately 52 percent on average, with reductions in any one month ranging from 26 percent during non-peak months up to 68 percent during peak months. We will provide more detailed data once we have a full year of data post implementation to report.

<u>Licensing Cycle Times</u> – The chart below provides a snapshot of the Board's current and past licensing processing times.

Licensing Cycle Times	9/1/23	10/1/23	12/1/23	3/1/24	6/11/24	8/23/24
Speech-Language Pathologists (SLP) and Audiologists (AUD) Complete Licensing Applications	12 weeks	10 weeks	9 weeks	3 weeks	2 weeks	2 weeks
Review and Process SLP and AUD Supporting Licensing Documents	6 weeks	3 weeks	1 week	1 week	1 week	2 weeks

Licensing Cycle Times	9/1/23	10/1/23	12/1/23	3/1/24	6/11/24	8/23/24
Review and Process RPE Applicant's Verification of Experience Forms for Full Licensure	8 weeks	10 weeks	6 weeks	3 weeks	1 week	2 weeks
Hearing Aid Dispensers (HAD) Complete Applications	12 weeks	12 weeks	10 weeks	9 weeks	2 weeks	2 weeks

#### e) Practical Examination Report

The most recent practical exam was held on June 28-29, 2024. The results are noted below. The next practical exam will be held on September 20-21, 2024. Future practical exams are posted on the website at

https://www.speechandhearing.ca.gov/applicants/exam\_dates.shtml

HAD Practical Examination Results for June 28-29, 2024												
Candidate TypeNumber of CandidatesPassed%Failed												
Applicants with Supervision (Temporary Trainee License)												
Hearing Aid Dispensers	33	25		8								
Audiologists	4	2		2								
Required Professional Experience	4	3		1								
Aide												
Applicants Licensed in	Another State	(Temporary	y Licens	e)								
Hearing Aid Dispenser	3	2		1								
Audiologist	0	0		0								
Applicant	s without Supe	rvision										
Hearing Aid Dispensers	4	3		1								
Audiologists	1	1		0								
Required Professional Experience	0	0		0								
Total Number of Candidates	49	36	73%	13	27%							

#### f) Enforcement Report

The Board has received 147 complaints and subsequent arrest notifications through the third quarter of the 2023-2024 reporting year. During this same period, the Board has issued three (3) citation and fines.

There are currently ten (10) formal discipline cases pending with the Attorney General's Office. The Board is currently monitoring sixteen (16) probationers of which seven (7) probationers require drug or alcohol testing and three (3) are in a tolled status.

Name	License No.	License Type	Case No.	Effective Date	Action Taken
Lilly, Alice Penelope	HA 8322	Hearing Aid Dispenser	1C-2018-168	May 7, 2024	Voluntary Surrender of License
Banaga, Ramon Rocello	SPA 3446	Speech- Language Pathology Assistant	11-2017-073	May 2, 2024	Voluntary Surrender of License
Yorky, Michael Jeffrey	HT 10621	Hearing Aid Dispenser Trainee	1C-2022-034	December 21, 2023	Revocation Stayed, Three Years Probation with Specified Terms and Conditions
Hernandez, Yara Del Rocio	SPA 8158	Speech- Language Pathology Assistant	11-2022-039	October 14, 2023	Revocation Stayed, Three Years Probation with Specified Terms and Conditions
Mayhew, Debra Lynn	HA 3178	Hearing Aid Dispenser	1C-2016-095	September 15, 2023	Voluntary Surrender of License

The following disciplinary actions have been adopted by the Board during the past 12 months (this list includes actions taken while a licensee was on probation):

#### g) Regulations Report

Below is a table with the Board's pending rulemaking files that are either going through the DCA Initial Review Process or already in the Official Rulemaking Process with the Office of Administrative Law. The Board is making great strides in completing rulemaking files with the help of each Board member, staff, and DCA Legal. During the past two years, the Board has completed six rulemaking files and is close to completing two more before the end of the year. A separate detailed report (Agenda Item 17) is provided in your materials and will be discussed during the full Board meeting.

Rulemaking File	Final OAL Filing Date	Status	Comments
SLPA	2/8/2024	3/19/2024 – Approved and filed with the	Effective on July
Supervision		Secretary of State by the OAL	1, 2024
Requirements		2/6/2024 – Submitted to OAL	<i>.</i>
		2/2/2024 – Board approved modified text	
		1/29/2024 – 15-day comment period	
		12/29/2023 – Withdrawn from OAL	
		11/15/2023 – Submitted to OAL	
		10/9/2023 – Submitted for Agency review	
		10/3/2023 – Submitted for DCA review	
		9/8/2023 – Submitted for Legal review	
		6/14/2023 – 15-day comment period	
		5/10/2023 – 15-day comment period	
		4/27/2023 – Board approved modified text	
		3/9/2023 – 15-day comment period	
		2/24/2023 – Board approved modified text	
		11/11/2022 – Initial 45-day comment period	
		11/3/2022 – Submitted for Agency review	
		10/28/2022 – Submitted for DCA review	
		8/18/2022 – Submitted for Budget review	
		8/18/2022 – Submitted for Legal review	
		5/13/2022 – Board approved language	
HAD CE	7/27/2024	8/14/2024 – Approved and filed with the	Effective on
Requirements		Secretary of State by the OAL	October 1, 2024
		7/2/2024 – Submitted to OAL	
		6/12/2024 – Board approved modified text	
		5/14/2024 – 15-day comment period	
		5/1/2024 – Withdrawn from OAL	
		3/21/2024 – Submitted to OAL	
		3/15/2024 – Submitted for DCA review	
		3/12/2024 – Submitted for Legal review	
		1/8/2024 – 15-day comment period 7/28/2023 –	
		Initial 45-day comment period	
		6/26/2023 – Submitted for Agency review	
		6/19/2023 – Submitted for DCA review	
		5/17/2023 – Submitted for Budget review	
		5/10/2023 – Submitted for Legal review	
		4/27/2023 – Board approved language	

Rulemaking File	Final OAL Filing Date	Status	Comments
SLP-AU CPD Requirements	10/5/2024	7/26/2024 – Submitted to OAL 7/9/2024 – Submitted for Agency review 7/5/2024 – Submitted for DCA review 7/2/2024 – Submitted for Budget review 7/1/2024 – Submitted for Legal review 6/12/2024 – Board approved modified text 5/14/2024 – 15-day comment period 3/8/2024 – 15-day comment period 3/1/2024 – Board approved modified text 12/8/2023 – 15-day comment period 12/1/2023 – Board approved modified text 10/6/2023 – Initial 45-day comment period 7/25/2023 – Submitted for Agency review 5/11/2023 – Submitted for Budget review 5/5/2023 – Submitted for Legal review 4/27/2023 – Board approved language	Board staff expects a response from OAL by September 10, 2024, with a January 1, 2025, effective date.
HAD Advertising Requirements	11/16/2024	<ul> <li>7/25/2024 – Submitted for Agency review</li> <li>7/22/2024 – Submitted for DCA review</li> <li>7/19/2024 – Submitted for Budget review</li> <li>7/17/2024 – Submitted for Legal review</li> <li>6/12/2024 – Board approved modified text</li> <li>3/8/2024 – 15-day comment period</li> <li>3/1/2024 – Board approved modified text</li> <li>3/1/2024 – Board approved modified text</li> <li>3/1/2024 – Public hearing pursuant to</li> <li>Government Code section 11346.8</li> <li>11/17/2023 – Initial 45-day comment period</li> <li>9/21/2023 – Submitted for Agency review</li> <li>8/15/2023 – Submitted for Budget review</li> <li>5/19/2023 – Submitted for Legal review</li> <li>4/27/2023 – Board approved language</li> </ul>	
Processing Times		4/15/2024 – Submitted for Budget review 4/15/2024 – Submitted for Legal review 12/1/2023 – Board approved language	As of August 5, 2024, Board staff is preparing regulatory package for Departmental Review.

#### Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board - 0376

#### FY 2023-24 BUDGET REPORT

September 5-6, 2024 Board Meeting

FM 13

	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23			FY 2023-	24	
OBJECT DESCRIPTION	ACTUAL EXPENDITURES (MONTH 13)	ACTUAL EXPENDITURES (Prelim FM13)	ACTUAL EXPENDITURES (Prelim FM13)	ACTUAL EXPENDITURES (Prelim FM13)	GOVERNOR'S BUDGET 2023-24	CURRENT YEAR EXPENDITURES 06.30.2024	% SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
PERSONNEL SERVICES	1						1		
Salary & Wages (Staff)	601,545	599,726	746,598	842,376	893,000	809,790	91%	809,790	83,210
Statutory Exempt (EO)	98,268	92,318	106,164	114,225	82,000	111,479	136%	111,479	(29,47
Temp Help	64,729	38,449	57,039	56,831	1,000	4,749	475%	4,749	(3,74
Board Member Per Diem	4,600	1,700	5,100	5,600	6,000	2,400	40%	2,400	3,60
Overtime/Flex Elect/Lump Sum	55,901	54,620	67,286	67,655	5,000	75,927	1519%	75,927	(70,92
Staff Benefits	434,247	418,932	489,282	582,080	599,000	581,545	97%	581,545	17,45
TOTALS, PERSONNEL SVC	1,259,290	1,205,746	1,471,470	1,668,767	1,586,000	1,585,890	100%	1,585,890	11
OPERATING EXPENSE AND EQ	UIPMENT					I	J		
General Expense	48,858	67,144	74,273	59,288	78,000	49,577	64%	54,010	23,99
Printing	11,227	19,251	40,231	42,470	32,000	44,293	138%	86,218	(54,21
Communication	7,072	7,482	3,518	3,158	25,000	1,725	7%	1,725	23,27
Postage	7,155	1,725	6,407	4,232	14,000	4,943	35%	4,943	9,05
Insurance	25	158	22	17	0	23	0%	23	(2
Travel In State	13,115	9,148	11,088	15,381	36,000	15,534	43%	15,534	20,46
Training	7,088	0	175	2,845	11,000	0	0%	0	11,00
Facilities Operations	101,321	82,568	126,495	140,624	113,000	143,422	127%	143,422	(30,42
Utilities				420	0	605	0%	605	(60
C & P Services - Interdept.	52	70	82	83	24,000	0	0%	0	24,00
Attorney General	156,882	298,782	200,014	86,055	143,000	151,478	106%	151,478	(8,47
Office Admin. Hearings	8,025	128,785	38,496	30,808	61,000	24,708	41%	24,708	36,29
C & P Services - External	73,529	79,957	64,415	73,311	70,000	95,058	136%	103,164	(33,16
DCA Pro Rata	367,221	355,665	463,371	138,234	508,000	441,400	87%	441,400	66,60
DOI - Investigations	200,908	32,198	96,124	58,523	8,000	7,262	91%	7,262	73
Interagency Services	0	2,196	118	621	29,000	633	2%	633	28,36
IA w/ OPES	67,039	24,264	47,009	17,086	60,000	46,414	77%	46,414	13,58
Consolidated Data Center	4,971	14,553	20,198	23,753	25,000	23,517	94%	23,517	1,48
Information Technology	431	5,210	4,171	5,115	17,000	8,928	53%	8,928	8,07
Equipment	15,400	30,670	1,193	2,236	21,000	1,239	6%	1,239	19,76
Other Items of Expense	113,356	2,553	1,746	2,076	0	662	0%	662	(66
TOTALS, OE&E	1,172,675	1,117,103	1,194,721	706,337	1,275,000	1,058,027	83%	1,115,687	159,31
OTAL EXPENSE	2,431,965	2,322,849	2,666,191	2,375,104	2,828,000	2,643,917	93%	2,701,577	159,42
							SURPLU	JS/(DEFICIT):	5.64

Updated 9/5/2024

#### 0376 - Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund Analysis of Fund Condition (Dollars in Thousands)

2024-25 Governor's Budget With 2023-24 Pre-actuals

2024-25 Governor's Budget With 2023-24 Pre-actuals		Pre- ctuals 023-24	2024-25		BY 2025-26		BY +1 2026-27		BY +2 2027-28	
	20	JZ3-Z4								
BEGINNING BALANCE	\$	1,634	\$	1,966	\$	1,490	\$	1,204	\$	819
Prior Year Adjustment	\$	-	\$	-	\$	0	\$	0	\$	0
Adjusted Beginning Balance	\$	1,634	\$	1,966	\$	1,490	\$	1,204	\$	819
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS										
Revenues										
4121200 - Delinquent fees	\$	34	\$	33	\$	33	\$	33	\$	33
4127400 - Renewal fees	\$	2,370	\$	2,275	\$	2,275	\$	2,275	\$	2,275
4129200 - Other regulatory fees	\$	59	\$	41	\$	41	\$	41	\$	41
4129400 - Other regulatory licenses and permits	\$	730	\$	614	\$	614	\$	614	\$	614
4163000 - Income from surplus money investments	\$	87	\$	25	\$	18	\$	12	\$	5
4171400 - Escheat of unclaimed checks and warrants	\$	6	\$	6	\$	6	\$	6	\$	6
4172500 - Miscellaneous revenues	\$	-	\$	-	\$	-	\$	-	\$	-
Totals, Revenues	\$	3,286	\$	2,994	\$	2,987	\$	2,981	\$	2,974
Totals, Transfers and Other Adjustments	\$	-	\$	-	\$	-	\$	-	\$	-
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$	3,286	\$	2,994	\$	2,987	\$	2,981	\$	2,974
TOTAL RESOURCES	\$	4,920	\$	4,960	\$	4,477	\$	4,185	\$	3,793
Expenditures:										
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$	2,648	\$	3,292	\$	3,123	\$	3,216	\$	3,313
9892 Supplemental Pension Payments (State Operations)	\$	38	\$	28	\$	-	\$	-	\$	-
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$	268	\$	150	\$	150	\$	150	\$	150
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$	2,954	\$	3,470	\$	3,273	\$	3,366	\$	3,463
FUND BALANCE										
Reserve for economic uncertainties	\$	1,966	\$	1,490	\$	1,204	\$	819	\$	330
Months in Reserve		6.8		5.5		4.3		2.8		1.1

1. Assumes workload and revenue projections are realized in BY +1 and ongoing

2. Expenditure growth projected at 3% beginning BY +1.

#### Prepared 8.28.2024

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Speech-Language Pathology	$\alpha$ Autology $\alpha$ ficalling	Alu Dispensers Doard
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	FY							
LICENSES ISSUED	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24
								QTR 4
AIDE	44	33	32	44	22	44	52	60
AU	53	77	63	63	71	79	51	91
DAU	24	30	35	31	23	28	26	31
AUT	0	2	4	3	1	4	1	0
PDP	21	20	15	5	13	14	10	29
RPE	897	945	977	1,059	1,039	1,177	1,095	1,469
SLP	1,457	1,482	1,446	1,444	1,621	1,782	1,664	2,129
SPT	0	0	0	0	0	1	1	4
SLPA	501	558	602	615	505	649	640	913
HAD Permanent	120	137	135	95	55	108	83	145
HAD Trainee	152	169	156	116	93	124	142	173
HAD Licensed in Another State	16	20	17	12	11	22	7	13
HAD Branch	315	341	333	312	249	263	162	251
TSA (Military Temporary)	N/A	2						
TSP (Military Temporary)	N/A	6						
TOTAL LICENSES ISSUED	3,556	3,781	3,783	3,755	3,681	4,251	3,934	5,316
	FY							
LICENSEE POPULATION	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24
								QTR 4
AIDE	235	216	245	273	290	306	310	344
AU	698	720	831	837	830	869	840	869
DAU	1,211	1,246	1,334	1,384	1,375	1,416	1,453	1,487
Both License Types	1,909	1,966	2,165	2,221	2,205	2,285	2,293	2,356
AUT	0	2	4	7	8	8	7	7
PDP	174	177	178	165	160	152	141	160
RPE	1,174	1,232	1,364	1,595	1,626	1,740	1,871	2,304
SLP	18,024	19,161	21,374	22,527	23,309	24,894	25,929	27,403
SPT	0	0	0	0	0	1	1	5
SLPA	3,752	4,118	4,822	5,297	5,538	5,962	6,260	6,825
HAD Permanent	1,179	1,266	1,380	1,407	1,398	1,439	1,399	1,429
HAD Trainees	238	204	214	237	243	267	297	314
HAD Licensed in Another State	18	28	31	42	47	66	59	66
HAD Branch Office	1,409	1,297	1,347	1,401	1,411	1,429	1,267	1,297
TSA (Military Temporary)	N/A	2						
TSP (Military Temporary)	N/A	4						
TOTAL LICENSEES	27,877	29,451	32,879	34,899	35,945	38,243	39,834	42,516

\* Data as of July 1, 2024

Legend:

AID = Speech-Language Pathology/Audiology Aide

AU = Audiologist

- DAU = Dispensing Audiologist
- AUT = Audiologist (6-month Temporary)
- PDP = Continuing Education Provider
- RPE = Required Professional Experience
- SP = Speech-Language Pathologist

- HA = Hearing Aid Dispenser

- HTL = Hearing Aid Dispenser Temporary (1-year)
- HT = Hearing Aid Dispenser Trainee
- BR = Hearing Aid Dispenser Branch
- TIA = Military Spouse/Domestic Partner 1- Year Temporary AID
- TAU = Military Spouse/Domestic Partner 1- Year Temporary AU
- TRP = Military Spouse/Domestic Partner 1- Year Temporary RPE
- TSP = Military Spouse/Domestic Partner 1- Year Temporary SP
- SPT = Speech-Language Pathologist (6-Month Temporary) TSA = Military Spouse/Domestic Partner 1- Year Temporary SPA
- SPA = Speech-Language Pathology Assistant
- THA = Military Spouse/Domestic Partner 1- Year Temporary HAD
- THT = Military Spouse/Domestic Partner 1- Year Temporary HT

## Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board Enforcement Report

COMPLAINTS AND	FY	FY	FY	FY	FY	FY 2023-24
CONVICTIONS	2018-19	2019-20	2020-21	2021-22	2022-23	Q4
Complaints Received	158	164	91	79	89	80
Convictions Received	124	103	45	48	60	67
Average Days to Intake	1	1	5	7	4	5
Closed	5	17	2	0	0	0
Pending	1	1	6	0	0	4

	FY	FY	FY	FY	FY	FY 2023-24
INVESTIGATIONS Des	k 2018-19	2019-20	2020-21	2021-22	2022-23	Q4
Assigned	273	260	131	131	151	148
Closed	188	189	193	178	143	113
Average Days to Complete	148	222	380	598	289	185
Pending	198	260	198	132	130	149

	FY	FY	FY	FY	FY	FY 2023-24
INVESTIGATONS DO	DI 2018-19	2019-20	2020-21	2021-22	2022-23	Q4
Assigned	13	9	0	1	0	8
Closed	12	10	8	6	1	8
Average Days to Complete	752	770	839	1,409	150	207
Pending	20	19	11	2	1	6

	FY	FY	FY	FY	FY	FY 2023-24
ALL TYPES OF INVESTIGATIONS	2018-19	2019-20	2020-21	2021-22	2022-23	Q4
Closed w/o Discipline Referral	183	181	187	178	140	104
Cycle Time - No Discipline	184	251	368	491	285	147

	FY	FY	FY	FY	FY	FY 2023-24
<b>CITATIONS/CEASE &amp; DESIST</b>	2018-19	2019-20	2020-21	2021-22	2022-23	Q4
Citations Issued	16	11	6	7	6	4
Avg Days to Citation & Fine	155	336	429	1,138	439	211
Cease & Desist Letters Issued	1	0	2	0	1	0

	FY	FY	FY	FY	FY	FY 2023-24
ATTORNEY GENERAL CASES	2018-19	2019-20	2020-21	2021-22	2022-23	Q4
Pending at the AG	21	23	21	10	3	10
Accusations Filed	4	8	8	5	1	4
Statement of Issue (SOI) Filed	5	1	2	0	0	0
Accusation Withdrawn, Dismissed,						
Declined	3	1	0	1	3	0
SOI Withdrawn, Dismissed,						
Declined	4	1	0	0	0	0
Average Days to Discipline	1,741	824	2,245	1,362	1,221	405

## Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board Enforcement Report

ATTORNEY GENERAL	FY	FY	FY	FY	FY	FY 2023-24
FINAL OUTCOME	2018-19	2019-20	2020-21	2021-22	2022-23	Q4
Probation Only	4	5	1	1	4	2
Surrender of License	1	3	3	2	0	0
License Denied (SOI)	2	1	0	1	0	0
Suspension & Probation	1	0	0	2	0	0
Revocation-No Stay of Order	1	3	2	4	1	0
Public Reprimand/Reproval	0	0	0	0	0	0

Note: All data provided prior to FY 2022-23 uses complaint open date as the start to any "Days to" data provided in this report.