



**Advisory Committee Meeting Minutes  
August 22, 2008**

Department of Consumer Affairs  
2005 Evergreen Street  
"Lake Tahoe Conference Room"  
Sacramento, CA  
(916) 263-2666

**Advisory Committee Members Present**

Lisa O'Connor, M.A., Chairperson  
Alison Grimes, Au.D.  
Naomi Smith, Au.D.  
Robert Hanyak, Au.D.  
Carol Murphy, M.A.  
Jennifer Hancock, M.A.

**Staff Present**

Annemarie Del Mugnaio, Executive Officer  
Cynthia Alameda, Staff Analyst  
Lori Pinson, Staff Analyst  
George Ritter, Legal Counsel

**Advisory Committee Members Absent**

Paul Donald, M.D.

**Guests Present**

Katherine Demos, DCA Legislative & Regulatory Review Unit  
Rachel Hongal, DCA Legislative & Regulatory Review Unit  
Kinzie Murphy, California Speech-Language-Hearing Association  
Jan Prior, California Speech-Language-Hearing Association  
Linda Pippert, AlphaVista Services  
Abhay Upadhyaya, ACREVS  
Sam Manshani, ACREVS  
Jicky Thomas, AlphaVista Services  
Priya Lamer, AlphaVista Services  
Robert Powell, California Speech-Language Hearing Association

**I. Call to Order**

Chairperson O'Connor called the meeting to order at 9:12 a.m.

**II. Introductions**

Those in attendance introduced themselves.

**III. Approval of Meeting Minutes for May 22-23, 2008 Audiology Practice Committee Meeting, Speech-Language Pathology Practice Committee Meeting and Full Board Meeting**

The Committee discussed minor grammatical edits to the meetings.

**M/S/C: Hanyak/Grimes**

The Committee voted to approve the May 22-23, 2008 Audiology Practice Meeting Minutes, the Speech-Language Pathology Practice Meeting Minutes, and the full Board meeting minutes as amended.

**IV. Discussion of Proposed Statutory Changes for Audiology Support Personnel Including: Expansion of Supervision Parameters and Scope of Responsibility**

Ms. Del Mugnaio explained that at the May 22-23, 2008 meetings, the Board discussed the issue of redefining both statute and regulations pertaining to the use and supervision of audiology aides. She stated that the Board's goal was to provide more clarity to the existing provisions and possibly greater flexibility in the existing direct line-of-sight supervision requirements for more routine and less involved tasks. Ms. Del Mugnaio stated that the Board approved a recommendation from the Audiology Practice Committee Meeting to delegate to staff, with input from the audiology board members, the task of compiling a detailed listing of audiology aide duties as documented on aide registration forms. Ms. Del Mugnaio referenced a table included in the meeting packets documenting the audiology aide duties as recorded on board-approved aide registration documents. She explained that Ms. Grimes edited the table and provided comments on tasks that were either inappropriate to assign to audiology aides or required a specific level of supervision.

The Committee discussed the table of aide duties and determined that some tasks listed were not appropriate to assign to support personnel, as the tasks required the professional judgment of a trained audiologist.

Ms. Grimes commented that she believes there is a large population of audiologists that do not know or understand the existing audiology aide registration requirements in the state. She stated that the Bureau should consider preparing an educational packet to be sent to all audiologists in the state.

Mr. Hanyak suggested sending the audiology task table along with a cover memo explaining the Board's existing requirements and intent to broaden the supervision parameters for audiology aides. He stated that it would accomplish both educating our licensing population and also soliciting comments from the profession regarding future oversight of audiology support personnel.

Ms. Del Mugnaio reported that, in addition to the task of developing a list of duties commonly assigned to aides, the Board had also requested that she and Mr. Ritter craft proposed legislation to broaden the supervision parameters for audiologists employing the assistance of registered audiology aides. She referenced the proposed changes for the Committee's review as included in the meeting materials.

Ms. Del Mugnaio agreed to prepare a mailing to all licensed audiologists regarding audiology aides in order to educate the licensing population about existing registration requirements and supervision provisions, and to also invite input on amendments to the provisions to create greater flexibility in the supervision parameters while upholding a high level of consumer protection.

**M/S/C: Hanyak/Grimes**

The Committee voted to recommend to the Director of the Department that the proposed statutory change to Business and Professions Code Section 2530.2(1) regarding the direct supervision of audiology aides be amended to reflect the general supervision language as prepared by Mr. Ritter to read, *An audiology aide may not perform any functions that constitute the practice of audiology unless he or she is under the supervision of an audiologist.*

#### **V. Review Proposed Procedural Changes for Evaluating the Training and Competency of Foreign Educated Applicants**

Ms. Del Mugnaio referenced an issue paper she prepared for the Committee documenting the licensing processes of the Medical Board of California (MBC) and the Board of Occupational Therapy (BOT) relative to internationally trained applicants. She reported that both professions, that is, medicine and occupational therapy, have statutes defining the educational training requirements in terms of specific discipline content areas that must be covered in order for applicants to qualify for the respective license. Ms. Del Mugnaio commented that having such provisions relative to course content requirements and clinical training is helpful when reviewing foreign trained applicants. She reported that both the medical and the occupational therapy professions also have international organizations that are recognized by regulatory bodies as source verification bodies that verify both authenticity and rigor of foreign training institutions. She stated that the professions of speech-language pathology and audiology do not have these types of clearinghouse organizations, nor are there any prerequisites to sit for the national Praxis examinations in Speech-Language Pathology or Audiology as there are in medicine and occupational therapy.

Ms. Del Mugnaio reported that the MBC and the BOT do employ subject matter experts to review foreign transcripts on occasion when there is some question as to the equivalency of the documented training. She stated that the procedures are not complex and appear to be something the Bureau could adopt without adding labor-intensive review procedures. She inquired whether the Committee believed there would be enough subject matter volunteers from the academic community who would be interested in serving the Bureau as expert reviewers for foreign-trained transcript evaluation. Ms. Del Mugnaio stated that the volunteer positions could be paid consultant positions in the future once a funding needs assessment and revenue source is identified.

Chairperson O'Connor commented that she believes there are enough interested professionals to assist the Bureau with this endeavor in the interest of employing a more thoughtful and consistent review process for scrutinizing the professional training of foreign-educated applicants. She inquired as to whether the transcripts would still be evaluated by an approved evaluation service.

Ms. Del Mugnaio stated that she envisioned the process to include a translation process but not necessarily a transcript evaluation.

The Committee discussed the need for a complete foreign transcript evaluation by an approved evaluation service so that both institutional authenticity and degree merit would be documented for the expert reviewer.

Ms. Hancock inquired whether a special fee could be established for foreign applicants in order to cover the cost of the extensive review process.

Ms. Del Mugnaio stated that establishing a new fee would require specific legislation and may be something the Bureau should consider in the coming legislative session.

Mr. Hanyak suggested that Ms. Del Mugnaio request assistance from the academic professional community at the upcoming California Academic Programs in Communication Sciences and Disorders Meeting on October 10, 2008.

Ms. Del Mugnaio agreed to prepare an invitation letter for the meeting and also stated that she and Ms. Pinson would work on drafting expert review forms for the Committee to consider at the November 20, 2008 meeting.

#### **A. Report from Committee Members on Review of the Current Test of English for International Communication (TOEIC) Examination**

Ms. Murphy reported that she reviewed the content and format of the TOEIC examination by researching the examination materials on the Educational Testing Services (ETS) website and by discussing the examination administration with an ETS representative. She stated that she was interested in actually participating in the examination; however, it would entail scheduling a special examination appointment and a \$200.00 fee. Ms. Murphy indicated that, based on her preliminary review of the TOEIC, it appeared that the examination focused on intonation and pronunciation to a greater degree than the TOEFL. She reported that a score of 8 on the TOEIC indicated that an individual would be fluent in English. Ms. Murphy also reported that the Bureau would need to develop a cut-score for the examination, as there is no national examination passing score identified for the TOEIC at the present time.

Ms. Del Mugnaio inquired whether the TOEIC is widely available to foreign trained applicants who are applying for a health care work visa through the Visa Screen process.

Ms. Murphy indicated that the TOEIC is available to foreign trained applicants; however, the Office of Homeland Security is still in the process of conducting a standard-setting analysis in order to identify a passing score for the examination.

Ms. Del Mugnaio inquired whether ETS might assist the Committee with establishing its own passing score or examination benchmarking for the purposes of licensure.

Ms. Murphy agreed to contact ETS to request a representative to present information to the Committee regarding the TOEIC examination in terms of administration, content, and standard setting procedures.

Chairperson O'Connor requested Ms. Murphy participate in the TOEIC examination and seek financial compensation from the Bureau in order to assess the rigor of the test.

Ms. Murphy agreed to arrange to take the TOEIC examination and report her experience to the Committee at the November 20, 2008 Advisory Committee Meeting.

Ms. Linda Pippert of AlphaVista Services stated that her employment agency would be in favor of having expert reviewers examine the foreign transcripts and would welcome a recognized oral proficiency examination in order to more accurately identify those foreign-trained applicants who do possess the requisite training and oral language competency to serve the state's work force needs.

**B. Examine Performance Evaluation Form for Rating the Clinical Competence of Required Professional Experience Temporary License Holders**

Chairperson O'Connor referenced the required professional experience (RPE) rating form she developed with input from Ms. Hancock and stated that the form was designed to be a resource tool for RPE supervisors to use to document the periodic (monthly) progress or their RPEs. She stated that she reviewed the American Speech-Language-Hearing Association's (ASHA's) Skills Inventory form to generate ideas, but was unable to attach the comprehensive competencies listed on the ASHA form, as the Bureau has not validated the competencies for the purpose of entry-level licensure.

Ms. Del Mugnaio responded and stated that the ASHA form is more extensive and involved than what the Bureau may be interested in, as the RPE ratings form should be streamlined and simple for the supervisor to complete. She stated that the form was intended to be optional at this point and developed only as a resource to supervisors.

Mr. Ritter explained that, if a form were to be required that included a set of clinical competencies and pre-requisites, it would need to be adopted by regulation.

Ms. Grimes stated that there are prescribed forms used by the audiology doctoral programs for the student externs that include clinical standards and benchmarks.

Ms. Hancock stated that she wanted the form to include a place for the RPE to provide feedback about the experience and the supervision.

The Committee approved the form and agreed that the form should be available to RPE supervisors as an optional resource tool.

Ms. Del Mugnaio agreed to post the form on the Bureau website immediately following the meeting.

**C. Approval of Evaluation Service: Academic & Credential Records, Evaluation & Verification Service (ACREVS Inc.)**

Ms. Del Mugnaio reported that she contacted the Licensing Manager at the Board of Accountancy to inquire about the Board's process for reviewing and approving transcript evaluation services and to discuss whether the Board has had any concerns with the services provided by ACREVS. Ms. Del Mugnaio referenced documents included in the meeting packets detailing the Board of Accountancy's review procedures for evaluating the merits of the transcript evaluation services and commented on the thorough review employed by the Board to ensure the quality and integrity of the evaluation services it approves. She also stated that there had been no complaints or concerns on the part of the Board of Accountancy or its applicants with respect to the services of ACREVS, and reported that ACREVS is one of the more widely used evaluation services for internationally trained accountants.

The Committee agreed that ACREVS should be included as an approved transcript evaluation service for the purposes of validating foreign transcripts for applicants applying for state licensure.

Ms. Del Mugnaio commented on the extensive proposal submitted by ACREVS to the Committee documenting the expertise of the ACREVS staff, the thorough reference library, performance criteria, and external audit mechanisms.

The Committee discussed the noted disparity in course offerings within the state training programs and commented that a greater emphasis on training students in specific areas of practice and disorders, such as dysphagia, Autism Spectrum Disorder, and auditory processing disorders needs to be incorporated into the standard training model for all speech-language pathology and audiology training programs.

**VI. Discussion of the Services Provided by “Behavior Analysts (Behaviorists) ” and Potential for Unlicensed Activity**

Ms. Del Mugnaio referenced a recent letter of concern sent to the Bureau from a licensed speech-language pathologist who is an authorized provider for state regional centers and who has encountered a number of situations where behaviorists are being authorized by regional centers to provide speech and language therapy.

Ms. Del Mugnaio provided a history of the former Board’s discussions, both internally and with the Department of Developmental Services (DDS) and regional centers, regarding the inappropriate use of behaviorists to provide communication therapy and intervention to children served by the state regional centers. Ms. Del Mugnaio referenced communications between the Board and DDS in fall of 2006 and stated that such discussions between the board and DDS dated back as far as 2002. Ms. Del Mugnaio stated that DDS is aware of the Board’s concerns but indicated in prior conversations that no formal complaints had been filed with DDS.

Chairperson O’Connor recalled telephone discussions she and Ms. Del Mugnaio had with DDS staff and indicated that DDS was interested in learning of specific cases involving inappropriate use of authorized providers. She suggested that the Committee write another letter to DDS attaching the specific concerns and events documented in the complaint submitted to the Bureau by the licensed speech-language pathologist.

Ms. Smith commented that there is a lack of accountability of regional centers to DDS and a great deal of variability in provider standards from one regional center to another. She stated that DDS does conduct compliance reviews of regional centers; however, there is little corrective action enforced upon identification of deficiencies or noncompliance.

Ms. Smith recommended that a separate letter be sent to the professional association for behavioral analysts to explain the Committee’s concerns.

Ms. Del Mugnaio agreed to craft letters to both DDS and the behavioral analyst professional body documenting the Committee’s concerns regarding the unlicensed practice of some behaviorists providing communication therapy and intervention in the state.

The Advisory Committee adjourned into in closed session at 11:26 a.m. to deliberate the following enforcement matters.

**VII. Closed Session (pursuant to Government Code Subsections 11126 (a)(1) (c)(3)) Proposed Decisions/Stipulations/ Other APA Enforcement Actions**

**A. Proposed Stipulation and Settlement for Surrender of License in the Matter of the Accusation Against Susan Caroline Serrano, AU 1076**

**B. Proposed Stipulation and Settlement for Public Reprimand In the Matter Against David Michael Illich, AU 778**

The Advisory Committee reconvened in open session at 11:43 p.m. and introductions were made by all present.

**VIII. Executive Officer's Report (Annemarie Del Mugnaio)**  
**A. Budget Update**

Ms. Del Mugnaio reviewed the budget expenditure and projection report as of June 30, 2008 for FY 07/08, as included in the meeting packets. She referenced the revenue chart included in the budget projection as prepared by Cynthia Alameda and stated that the Bureau has a sufficient fund reserve of approximately 11 months.

Ms. Alameda provided a general overview of the year's expenditures and projections.

**B. Review/Status and Implementation Issues of Proposed Regulations**  
**1. Qualifications for Clinical Supervisors of Students and Individuals Completing the Required Professional Experience (New Continuing Professional Development Requirements)- California Code of Regulations Section 1399.152.2- 1399.153**

Ms. Del Mugnaio reported that the Office of Administrative Law (OAL) approved the regulation package on July 23, 2008 with an effective date of August 22, 2008. She stated that a frequently asked question document was developed prior to the May 22-23, 2008 meeting and revised following the meeting to provide clarity regarding the implementation of the provisions. Ms. Del Mugnaio indicated that the following issues remain outstanding and require further consideration:

- Supervisors providing supervision out-of-state- to those seeking California licensure. Should out-of-state supervisors be subject to the same CPD requirements?
- Supervision training as defined in current regulations CCR Section 1399.160.4 is deemed indirect client care of which licensees may only apply 4 hours of credit toward the 24 hour CPD requirement. The new supervisor qualification provisions 1399.153.3(g) require 6 hours of initial supervision training and provide for an avenue wherein licensees may credit the 6 hours toward the 24 hours CPD requirement for license renewal as defined in Section 1399.160.3. Should the SLPAB remove supervision training from the definition of indirect client care activity and instead consider such training as direct client care?

The Committee discussed the above noted issues and determined that the new CPD requirements for RPE supervisors should not apply to out-of-state professional experiences.

The Committee agreed that the content of supervision training should be deemed a direct client care activity and noted that professional association guidelines and practice support documents clearly deem supervision training as critically important to the professional competency and growth of the supervised and the supervisor, which it is assumed will result ultimately in optimal service to clients.

Mr. Hanyak commented that he has not received many negative comments regarding the new regulations but has heard some resistance to repeating the three hours CPD requirement in supervision training every two years. He commented that it may be more feasible for licensees to complete the repeat training every four years, allowing for some growth or changes in the

supervision training materials. He also stated that the University of Pacific is offering supervision courses to licensees.

Chairperson O'Connor reported that she has instructed for at least four supervision training courses provided in the past few months in Los Angeles, Fremont, an on-line forum, and another scheduled for the California Academy of Audiology Conference in Sacramento.

The Committee agreed that the repeat training requirements should be changed from three hours every two years to three hours every four years.

**M/S/C: Hanyak/Murphy**

The Committee voted to make a recommendation to the Director of the Department that California Code of Regulations Section 1399.153 be amended to reflect a change in the supervision standards for refresher continuing professional development courses to be obtained every four years as opposed to every two years.

## **2. Board Approved Institution Regulations – California Code of Regulations Section 1399.152 (e)**

Ms. Del Mugnaio referenced the proposed language to amend current regulations providing the Bureau some discretion when considering the merits of professional training programs that are not accredited by recognized accreditation body. She stated that the Committee members had approved the regulatory change conceptually at a prior meeting, but she reworked the language to satisfy concerns raised by the Office of Administrative Law regarding provisional consistency with other regulations defining the criteria of a "board-approved" program. Ms. Del Mugnaio explained that, since the governance of the agency is now an Advisory Committee, the proposed change must be reviewed and approved by the Department prior to filing the change as a formal regulatory proposal.

**M/S/C: Smith/Grimes**

The Committee voted to make a recommendation to the Director of the Department that California Code of Regulations Section 1399.152(e) be amended to clarify the Bureau's authority to approve training programs that are not accredited by a recognized accrediting body but where the program training standards are consistent with accreditation standards.

## **C. Status of the Development of the Audiology Doctoral Training Programs in California**

Ms. Del Mugnaio reported that on July 10, 2008 the SLPAB received letters (included in the meeting packets) from the University of California (UC) and the California State University notifying the Bureau that the development of the proposed doctoral training programs in audiology will move forward as a linked program within the UC system. The two new training programs will be housed at the University of California, Los Angeles and the University of California, San Francisco as independent programs; however, the two programs will share faculty and other resources as deemed practical. She reported that the programs are scheduled to enroll students in the fall of 2010, which should provide both programs sufficient time to secure system approval and program accreditation. Currently, UC faculty is exploring opportunities for private program subsidy which, if materialized, could significantly off-set exorbitant program start-up costs. Also, the letter



from the UC noted that a modest expansion of the San Diego State-University of San Diego joint doctoral program will be pursued by UC with a commitment from both systems to address on-going resource needs. Ms. Del Mugnaio pointed out that the CSU letter referenced future plans to develop alternative models for training audiology doctoral students.

The Committee discussed educational standards for audiology training and reported that some states do have audiology doctoral programs where the institution does not house a medical facility.

Ms. Del Mugnaio stated that she received information regarding the Gold Standard Summit in Audiology Education to be held in January 12-14, 2009 in Orlando Florida and shared the information with the UC leadership.

#### **D. Examination Validation Study Schedule- Office of Examination Resources**

Ms. Del Mugnaio stated that, as reported at the May 23, 2008 Board meeting, the Board was scheduled to conduct its examination validation studies for both the speech-language pathology and audiology licensing examinations in FY 07/08. However, after gathering the pertinent job analysis reports from the American Speech-Language-Hearing Association (ASHA) and the Educational Testing Service (ETS), the department's Office of Examination Resources concluded that the reports available to date were much too antiquated to use as relevant "practice analyses" for the purposes of validating the national examinations as required for licensure in California. Ms. Del Mugnaio reported that ASHA commissioned ETS to complete the audiology practice analysis late 2007 and the study was to be available in July 2008. She stated that she learned recently, that the audiology report will not be available until late September or October 2008. Ms. Del Mugnaio stated that ASHA informed her that a practice analysis for speech-language pathology should be completed in 2008, with a prospective completion date of fall 2009. She stated that she will update the Committee on the schedule for the examination validation focus group meetings at the November meeting.

#### **E. DCA Board & Bureau Summit – Professionals Achieving Consumer Trust November 20, 2008 Los Angeles**

Ms. Del Mugnaio reported that a website has been established for the summit at <http://www.dca.ca.gov/summit/>. She stated that the PACT Conference will run from November 18-21, 2008 and will be held at the Westin Los Angeles Airport. The SLPAB meeting is scheduled for Thursday, November 20, 2008. Ms. Del Mugnaio stated that several panel discussions and training opportunities are available to board and committee members on Wednesday, November 19, 2008, and must be registered for at the website above.

#### **F. Update on Board Action Items- Including correspondence with the Council on Academic Accreditation Regarding Program Review Processes**

Ms. Del Mugnaio reviewed the action item chart with the Committee and provided an update on the following actions items:

- *Communications with the Council on Academic Accreditation regarding restrictive timelines for training program application review and pre-accreditation.* Ms. Del Mugnaio reported that the Bureau received a preliminary letter from the CAA indicating that the CAA will carefully consider the Bureau's concerns at its next scheduled meeting and will provide a follow-up response soon.
- *Letter of July 30, 2008 to Assembly Member Dave Jones regarding the Bureaus concerns with the cumbersome and confusing Medi-Cal authorization and reimbursement processes as*

*managed by Electronic Data Systems.* Ms. Del Mugnaio reported that a meeting of stakeholder agencies convened by Assembly Member Jones is scheduled for September 10, 2008.

- *Letter July 14, 2008 from the American Board of Audiology (ABA) regarding the Bureau's request that the ABA collaborate with the Certification Council of ASHA regarding the development of a certificate of advanced qualifications in pediatric audiology.* Ms. Del Mugnaio indicated that the ABA responded and stated that the organization will move forward with developing its own standards as it would with any other certification standard. She stated that ASHA had not responded to date. Chairperson O'Connor agreed to send a follow-up letter to ASHA.
- *Frequently Asked Questions for Early Intervention Services to be posted on the Bureau's website.* Ms. Smith indicated that there is a wealth of information on the DDS website with respect to Early Start Programs and service providers. She recommended that a link to this information be added to the Bureau's website. Ms. O'Connor inquired about the Early Start Credential as issued by the California Commission on Teacher Credentialing (CCTC) and inquired whether the CCTC has readily available information on its website for parents and providers. Ms. Smith agreed to research the CCTC website for the information. Ms. Grimes recommended that information regarding the requirement for audiologists to make referrals to the Department of Education (DOE) upon diagnosis of an infant with a hearing loss be reinforced. She stated that there is a specific referral form that must be completed and submitted to Nancy Sagar at DOE. Ms. Smith agreed to speak with someone at DDS about updating the FAQs to include adding the hearing loss referral requirements

#### **G. Miscellaneous- 2008 Continuing Professional Development Audit**

Ms. Del Mugnaio provided an update on the continuing professional development audit statistics as of August 14, 2008, and referenced the statistical table included in the meeting packets, noting the pass/fail and pending review statistics for both speech-language pathologists and audiologists.

#### **IX. Update from Committee Member Lisa O'Connor and Robert Hanyak On Credentialing Reform**

Chairperson O'Connor provided an update on the status of the development of the Communication Development Credential by the CCTC. She stated that there was a meeting held in July 2008 to discuss the credential standards and the title of the new credential. She stated that some opposed the title of "Communication Development" because of its connotation to speech and language therapy, and instead suggested the title using "Academic Language Development." Chairperson O'Connor stated that CCTC staff rejected the suggestion for the change in title, as there is already a "Language and Literacy" Credential, and the two titles would cause confusion. She stated that there was a series of questions asked by the design team of the invited experts surrounding training standards. Chairperson O'Connor indicated that the design team questions were similar to the questions asked at the March 2008 stakeholders meeting and that little progress had been made between March and July.

Mr. Hanyak stated that he attended the follow-up stakeholders meeting on August 13, 2008 in Costa Mesa and reported that the CCTC had developed seven new credential standards for the proposed Communication Development Credential. He stated that approximately 50 participants were in attendance. Mr. Hanyak commented that the seven standards as developed appeared vague and incomplete and said that a participant at the August stakeholders meeting had suggested that more detail be added to the standards before moving forward for CCTC approval in December 2008.

Chairperson O'Connor reported that she is aware that CSU Monterey Bay is one of three California State University (CSU) programs that have expressed an interest in offering training for the new credential.

The Committee discussed the issue surrounding CCTC's intent to improve access to communication intervention for school children by providing a new specialist credential that may be obtained with less required education than the speech-language pathology rehabilitative services credential. However, Mr. Hanyak and Ms. O'Connor commented that the proposed standards would require a curriculum of 50+ units of course work, which is equivalent to a Master's Degree and, therefore, would not be an abbreviated pathway to servicing children in the schools. The Committee also discussed the fact that the time investment to develop the curriculum and implement the training standards at the CSU campuses would take at least two years; therefore, students would not be graduating from the programs for another four to five years.

Ms. Grimes expressed concern regarding the proposed standard indicating that individuals obtaining the new credential would be charged with assessing and treating children with auditory processing disorders. She commented that the diagnosis and treatment of the disorder is highly complex, and even those with expertise in the area of auditory processing, struggle with intervention strategies. She inquired whether the Bureau could seek legislation to prevent the new credential from being adopted.

Mr. Hanyak stated that CCTC has the authority to develop new special education credentials under current law and that the Bureau may submit comments to the proposed standards once the standards are in regulatory form.

Mr. Powell stated that the State Department of Education has not fully implemented or conformed to the new Federal Individuals with Disabilities Education Act (IDEA) standards for related personnel services that requires such personnel to be highly qualified and competent. He suggested that CCTC is aware that regulatory changes are necessary in order to conform to current state education regulations to the federal requirements for special education. Mr. Powell commented that school districts are desperately trying to find qualified providers to serve the special education children and are facing legal challenges due to shortages in professional services. The school administrators view the new credential as a way to cultivate more specialists prepared to serve children with a range of learning disabilities, including a communication delay.

Mr. Hanyak stated that the proposed credential standards and the associated training model will be a topic of discussion at the California Academic Programs in Communication Sciences and Disorder meeting on October 10, 2009.

Chairperson O'Connor agreed to follow the progress of development on the new credential and report to the Committee at the next meeting.

## **X. Legislation**

### **A. AB 1545 – Eng – Re-establish Department of Consumer Affairs Boards**

Ms. Del Mugnaio reported that AB 1545 passed with no opposition and will re-authorize the Board, effective January 1, 2009. She stated that the existing Advisory Committee members

will be eligible to serve as temporary board members until appointments are made by the Governor and the Legislature.

### **B. SB 963 – Ridley-Thomas Regulatory Boards: Operations**

Ms. Del Mugnaio reported that Senate Bill 963 is a legislative proposal that would have amended the legislative review or audit process of regulatory boards and bureaus so that the reporting requirements of regulatory boards would pertain to the specific issues facing the industry or the regulatory body as opposed to an involved review of each of the board's programs and mandates. She stated that the Legislature recognizes the exorbitant time commitment and work load required of boards and bureaus to respond to the sunset review audit and is interested in streamlining the process to make the efforts on the part of both the Legislature and the agency up for review more focused. Ms. Del Mugnaio stated that the bill also included provisions placing controls on ex-parte communications, which is defined as communications between board members and professional colleagues or other interested parties regarding matters that the board may deliberate on at a future meeting. Senate Bill 963 would have required board members to disclose each and every ex-parte communication to the executive officer who would in turn make a public announcement listing all ex-parte communications at the following public meeting. Ms. Del Mugnaio reported that she attended a forum facilitated by the legislative staff who worked on SB 963 that brought together executive officers and association representatives to discuss the provisions of 963. She stated that many attendees voiced their concern regarding the language relative to reporting all ex-parte communications, as it may restrict the flow of information from industry and the public to the regulatory body. Ms. Del Mugnaio reported that many were concerned about the imposed penalties for casually discussing a professional issue with a colleague and then not remembering to report such to the agency executive officer. She commented that the language appeared to be restrictive with regard to board member communications. Ms. Del Mugnaio reported that SB 963 had been amended that day to strike much of the language changing the sunset review process and the restrictions on ex-parte communications, but contained sunset extension language for the Board of Psychology, the Acupuncture Board, the Board of Behavioral Sciences, the Contractors State Licensing Board, the Board of Geologists and Geophysicists, Court Reporters Board, and the Athletic Commission.

### **C. Other Legislation of Interest to the Committee**

Ms. Del Mugnaio stated that the Committee was tracking Senate Bill 1186, which was amended in the Senate on August 11, 2008, and added options for certificated personnel working in the public school to take and pass a qualifying examination other than the state basic skills proficiency test.

Mr. Powell commented that he believes that SB 1186 will be signed by the Governor.

Ms. Del Mugnaio stated that the Committee had requested that she track the children's health care coverage initiative as included in Senate Bill 1540, which would have provided health care coverage to eligible children in Orange County; however, the bill was held and is now inactive. Ms. Del Mugnaio reported that similar bills had been introduced in 2007 Senate Bill 32 and Assembly Bill 1, which were both broader health care coverage bills, but that both bills were withdrawn from the legislative cycle.

### **D. Status of Legislative Proposal Amending Entry-Level Licensing Requirements For Audiologists**

Ms. Del Mugnaio stated that she will submit the proposed legislative amendment, as previously approved by the former board, to the Department for consideration as an omnibus legislative amendment, which would raise the entry-level licensing requirements for audiologists to the doctoral training standard and the equivalency provisions for audiologists completing their clinical externship in other states under the auspices of a Board-approved audiology doctoral training program where provisional licensing is not required. Ms Del Mugnaio stated that she believes the legislative proposals are due to the Department in late September. She reminded the Committee that the proposal had been previously submitted to the Senate Business, Professions, and Economic Development Committee for consideration in early 2008 but was rejected due to other legislative priorities.

**XI. Review of 2007/2008 Annual Report Statistical Data**

The Committee reviewed the statistical data as provided by staff.

**XII. Public Comment on Items Not on the Agenda**

Ms. Jan Prior requested that the Bureau post information on its website directing individuals to the provisions regarding speech-language pathologists conducting endoscopic procedures for swallowing. She commented that several of her colleagues have contacted her inquiring about the licensing laws and the requirements for observation and supervision. Ms. Prior suggested that some form of a fact sheet with reference to the licensing laws regarding instrumental procedures for swallowing would be helpful.

Ms. Del Mugnaio agreed to post information on the Bureau's website directing the public to the pertinent information in the statute.

**XIII. Announcements**

**Next Advisory Committee Meeting is scheduled for November 20, 2008 at the Westin LAX Hotel, Los Angeles**

**XIV. Adjournment**

Chairperson O'Connor adjourned the meeting at 2:50 p.m.