



## BOARD MEETING MINUTES

November 6, 2015

### 1. Call to Order / Roll Call / Establishment of Quorum

Alison Grimes, Board Chair, called the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board meeting to order at 9:10 a.m. Ms. Grimes called roll; six members of the Board were present and thus a quorum was established.

#### Board Members Present

Alison Grimes, Board Chair  
Patti Solomon-Rice, Vice Chair  
Marcia Raggio, Board Member  
Dee Parker, Board Member  
Amnon Shalev, Board Member  
Debbie Snow, Public Board Member

#### Board Member Absent

Rodney Diaz, MD, Public Board Member  
Jaime Lee, Public Board Member  
Deane Manning, Board Member

#### Staff Present

Paul Sanchez, Executive Officer  
Breanne Humphries, Program Manager  
Sabina Knight, Legal Counsel  
Lou Galiano, DCA Web Cast  
Anita Joseph, Enforcement Coordinator  
Karen Robison, Enforcement Analyst  
Marti Shaffer, Enforcement Analyst

#### Guests Present

William Barnaby, Sr.  
William Barnaby, Jr.  
Becky Bingea, California Academy of Audiology (CAA)  
Vanessa Cajina, KP Public Affairs for Hearing Healthcare Providers (HHP)  
Bill Forrest  
Shelly Jones, DCA Executive Office  
Dennis Zanchi, SOLID

### 2. Hearing on Petition for Early Termination of Probation – Kathryn Ellis, SLP, License # 15760

The Hearing on Petition for Early Termination of Probation – Kathryn Ellis has been postponed.

3. The Board went into closed session.

11-2011- 57

Stipulated settlement - Adopted

### **Open Session**

4. Public Comment for Items not on the Agenda

Becky Bingea informed the Board that the California Academy of Audiology (CAA) would be meeting with Assembly Member Kevin Mullin on December 1, 2015, regarding sponsoring a bill to allow for CSU stand-alone AuD program(s). There are two AuD programs in California and additional programs are needed to meet the growing needs of the aging and newborn populations. The CAA is requesting Board support, in the form of a formal letter, by early January requesting that the California State University (CSU) system be allowed to offer stand –alone AuD programs.

5. Approval of the June 19, 2015 Meeting Minutes and August 20-21, 2015 Meeting Minutes

### **M/S/C Ms. Solomon-Rice/Raggio**

- **Approve the June 19, 2015 and the August 20-21, 2015, Board meeting minutes as amended.**

6. Review and Approval of Strategic Plan

The Board worked line by line and discussed edits to the Strategic Plan. Dennis Zanchi will make the changes the Board brought forth during the board meeting. Ms. Grimes noted the document is laid out clearly and reads fabulously. The Board will meet by teleconference to approve the changes.

7. Update on the Council of Academic Programs in Communication Sciences and Disorders Meeting

Ms. Solomon-Rice informed the Board and the public who the Council of Academic Programs in Communication Sciences and Disorders (CAPSCD) is, what they do, and how often the council meets. She noted that William Hattrick with the California Commission on Teacher Credentialing (CTC) gave a presentation regarding the credentialing restructuring process the CTC is undertaking. Ms. Solomon-Rice stated there is a new AuD program at the University of the Pacific (UOP) in San Francisco with a class size of twenty-two. Loma Linda University in the fall of 2015 started a clinical doctorate program in Speech-Language Pathology which has a class size of 4-6 students. Ms. Raggio gave a presentation at the CAPSCD meeting regarding increasing the number of Audiology programs offered in California. Universities receive approximately 200-300 graduate applications each year and accept 25-35 students.

8. Update from National Council of State Boards of Examiners of Speech-Language Pathology and Audiology Conference

Ms. Grimes attended the National Council of State Boards of Examiners of Speech-Language Pathology and Audiology (NCSB) Conference. She suggested that the Board re-establish a connection with this

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organization as they are a valuable resource regarding the SLP and AuD trends across the country. Important topics discussed at the conference were license portability, hearing aid dispensing allowable as a part of an AuD license, exempt licensure settings, telepractice, and the North Carolina Dental Board Decision.

9. Proposed Regulations – Discussion and Possible Action

a. Title 16, CCR, Sections 1399.152 - RPE Clock Hours

The Board discussed the proposed language increasing the clock hour experience required for licensure as a SLP or AuD. Confusion arose as to why audiologists were included in the regulation since they are required to obtain a higher amount of experience. It was pointed out that one section speaks to supervised clinical experience and the other addresses supervised professional experience. Additional research will be conducted and the information gathered will be brought to the February Board meeting.

b. Title 16, CCR, Sections 1399.154.1-1399.154.8 - Speech-Language Pathology or Audiology Aides

Ms. Knight informed the Board the Audiology Aide (Aide) issue started before she became our legal counsel. The list started as a list of what duties aides could perform then changed to a list of what duties an aide could not perform. Aide duties cannot be limited because statute allows them to perform them under supervision. The Board could look into changing the Aides scope of practice or the Aide supervisory requirements, if there is a need. The Board discussed publishing an educational piece expressing the necessity of registering aides.

c. Title 16, CCR, Sections 1399.160.1, 1399.160.2, 1399.160.3, and 1399.160.7 - Self-study Hours

The Board reviewed the proposed language line by line and approved the proposed text.

**M/S/C Solomon-Rice/Parker**

- **Move to approve the proposed text for a 45 day public comment period; delegate to the EO the authority to adopt the proposed regulatory changes if there are no adverse comments received during the public comment period and make any technical and non-substantive changes that may be required to complete the rule making file. The motion carried 6-0**

d. Title 16, CCR, Sections 1399.131 & 1399.155 - Disciplinary Guidelines for Speech-Language Pathologists, Audiologists, and Hearing Aid Dispensers

The Board reviewed the proposed language and noted corrections that needed to be made to the language. Anita Joseph explained what the tolling of probation is. Ms. Knight will be checking to determine if the Board can place a time limit on tolling and acceptability of including the requirement to pay if bankruptcy is filed. The Disciplinary Guidelines will be revised and brought back at the February Board meeting.

## 10. Executive Officer's Report

Mr. Sanchez informed the Board that Monique Stephens has been hired as a seasonal clerk to assist with reception duties. He advised the Board that the CPS-HR workforce assessment and process improvements has been delayed and expects the project to start up again in December and be completed in the spring of 2016.

- a. Administration Update
- b. Budget Report

Mr. Sanchez briefed the Board on the budget process and let them know many hours have been spent working on Budget Change Proposals (BCP). He informed the Board that BCP's are confidential but noted an increase in resources is being sought and further information will be shared when the BCP is no longer considered confidential.

- c. Licensing Report

Mr. Sanchez reported that licensing processing times have increased as peak licensing season is coming to an end. He pointed out the impact the loss of temporary staff has had on the processing timeframe and the need of additional staff was articulated in the budget process.

- d. Practical Examination Report

Three of five practical exams have been held in 2015, which is an increase from prior years. Ms. Humphreys and staff have worked to improve and streamline the examination process in order to meet the high demand from candidates, including improvements to the examiner training program. The pass/fail data from the last examination is not currently available but will be included in the report during the February Board meeting.

- e. Enforcement Report

Discussion ensued concerning the days it takes a complaint to be assigned to an analyst from the date it is received in the office. Mr. Sanchez informed the Board that Ms. Joseph worked hard to make the sure the stats were accurately reflected.

- f. Status of Pending Regulations

Mr. Sanchez apprised the Board that progress is being made moving the regulations. Karen Robison explained what the final filing date means and gave an estimated date of when the SLPA regulations would be effective. Ms. Robison informed the Board that the non-substantive change regulations had been approved and the new law book will reflect those changes.

## 11. Update on 2015 Legislation

- a. AB 12 (Cooley) State Government: Administrative Regulations: Review

The Board was informed AB12 is in Senate appropriations.

b. AB 85 (Wilk) Open Meetings

The Board was informed AB 85 has been vetoed by the Governor

c. AB 333 (Melendez) Healing Arts: Continuing Education

The Board was informed AB 333 passed, however; legislation will only take effect if the Board enacts regulations allowing Continuing Education (CE) credit in CPR to be included as an approved CE subject.

d. AB 1351 (Eggman) Deferred Entry of Judgment

The Board was informed AB 1351 has been vetoed by the Governor.

e. AB 1352 (Eggman) Deferred Entry of Judgment

The Board was informed AB 1352 passed. Ms. Knight noted this bill is in response to Federal requirements which allow original pleas be stricken by certain substance abusers if they complete a rehabilitation program.

f. SB 467 (Hill) Professions and Vocations

The Board was informed this bill passed.

g. SB 479 (Bates) Healing Arts: Behavior Analysis

The Board was informed SB 479 is in Assembly appropriations and has stalled. Bill Barnaby reported on the history and current status of the bill. He advised the Board that the California Speech and Hearing Association (CSHA) will be watching for any movement in the area and will notify Mr. Sanchez if the current bill is amended or if a new bill is authored. Mr. Barnaby requests the Board take an interest in this bill and support the Board of Psychology's consumer protection requirements in the bill.

12. Discussion and Possible Action on Board Policy Regarding Requests for Teleconference Appearances for Petitions for Reduction of Penalty or Reinstatement

The Board discussed a teleconference appearance request from a reduction of penalty petitioner. The Board noted that they have a big responsibility when hearing a case to reduce a probation penalty or reinstate a license. The failure of technology, inability to evaluate credibility, disadvantage to the petitioner and not knowing who is with the petitioner were debated in the course of the discussion. The Board was informed by that legal counsel that policy can be made however, she is not aware of any Boards that allow Teleconference appearances. The Board requests staff gathers more information to bring to the February Board meeting.

### 13. Future Agenda Items and Future Board Meeting Dates

SLP Aides

Education on Registering AuD Aides

Hearing Aid Dispenser self-study hours

Disciplinary Guidelines

Foreign Educated applicants

SLP supervision audits - SLPA's

Regional Center providing inadequate services

Teleconference Petition discussion

Support for additional AuD programs

Strategic Plan

- a. February 4-5, 2016 – San Diego
- b. May 12-13, 2016 (Location to be determined)

The May Board meeting will be held in the Bay Area.

- c. August 11-12, 2016 (Location to be determined)

The August Board meeting will be held in Sacramento.

- d. November 10-11, 2016 (Location to be determined) (Dates on State Holiday)

### 14. Adjournment

The Board adjourned at 3:26 p.m.