



BOARD MEETING MINUTES

May 11-12, 2017
San Francisco, CA

For the sake of clarity, the meeting minutes are organized in numerical order to reflect their original order on the agenda; however, issues were taken out of order during the meeting.

May 11, 2017

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 2:22 p.m. Ms. Grimes called roll; seven members of the Board were present and thus a quorum was established.

Board Members Present

Alison Grimes, Dispensing Audiologist, Board Chair
Patti Solomon-Rice, Speech-Language Pathologist, Vice Chair
Rodney Diaz, Otolaryngologist, Public Board Member
Marcia Raggio, Dispensing Audiologist
Dee Parker, Speech-Language Pathologist
Amnon Shalev, Hearing Aid Dispenser
Debbie Snow, Public Board Member

Board Members Absent

Jaime Lee, Public Board Member

Staff Present

Paul Sanchez, Executive Officer
Jennifer Iida, DCA Web Cast
Anita Joseph, Enforcement Coordinator
Norine Marks, Legal Counsel
Karen Robison, Analyst

Guests Present

Sean Green, the Speech Pathology Group (SPG)
Dennis Van Vliet, Dispensing Audiologist

2. Public Comment for Items not on the Agenda

A comment was made inquiring why AB 1601 was not listed in the Legislative Update section of the agenda.

3. Review and Approval of the February 9-10, 2017, and March 30, 2017, Board Meeting Minutes

M/S/C Parker/Raggio

- **Motion to approve the February 9-10, 2017 Board Meeting Minutes, as amended. The motion carried 7-0**

M/S/C Shalev/Diaz

- **Motion to approve the March 30, 2017 Board Meeting Minutes. The motion carried 7-0**

4. Update on Bagley-Keene Open Meetings Act

Norine Marks updated the Board on this year's changes to the Bagley-Keene Open Meetings Act (ACT). She reminded the Board the purpose of the Act is government transparency. Ms. Marks discussed the top ten rules of the Act, teleconference etiquette, closed session, recording of votes, and special accommodation requests.

5. Board Election of Officers

The Board held the election of Board officers for the fiscal year beginning July 1, 2017. Ms. Grimes nominated Dee Parker to the position of Board Chair. Ms. Grimes nominated Marcia Raggio to the position of Board Vice Chair.

- **The Board voted on the nomination of Ms. Parker to the position of Board Chair. The motion carried 7-0**
- **The Board voted on the nomination of Ms. Raggio to the position of Board Vice Chair. The motion carried 7-0**

6. Executive Officer's Report

a. Administration Update

Paul Sanchez reported that there are two vacancies in the office and the Board management is recruiting for a licensing analyst and an administrative assistant. Mr. Sanchez updated the Board on licensing and stated that staff are working on continuous improvements in licensing that are resulting in reduced processing times. Mr. Sanchez informed the Board that staff are exploring online license renewal and would provide future updates as this project progresses.

b. Budget Report

Mr. Sanchez reported on the Board's expenditure and revenue reports. He then covered the Board's current fund condition and discussed the characteristics of the report and factors that can change the condition of the fund. He pointed out that although there is enough money to sustain the Board, without an increase in revenue, the Board will start to dip into its reserves. A question was posed about legislation to increase fees in which Mr. Sanchez responded the Board is considering conducting a fee study to help justify the fee increase that was already approved by the Board.

c. Licensing Report

Mr. Sanchez discussed licensing timeframes and reported that current Speech and Audiology processing times are one to three weeks and slightly longer for Hearing Aid Dispensers.

d. Practical Examination Report

Mr. Sanchez reported that the next practical examination will be held in a few weeks.

e. Enforcement Report

Mr. Sanchez gave an overview of the enforcement statistics. Ms. Grimes requested the Audiology complaints be separated from the Speech complaints so she knows specifically what is happening in her profession as opposed to the other professions. Mr. Sanchez noted that, occasionally, a report which breaks down complaints received by profession can be brought before the Board; but, at this time resources are not available to provide this information on a consistent basis. Ms. Raggio agreed with Ms. Grimes request so that knowledge of how many complaints are received and what the subjects of the complaints are so educators can address those issues during school coursework or professional associations can address them with continuing education courses. Mr. Sanchez agreed to provide the requested breakdowns in a summary report at the end of each fiscal year.

7. Update on Board's Sunset Review

Mr. Sanchez reported that the Board submitted its responses to the Sunset Review Committee and an update from the Legislature has not been received at this time.

Closed Session

The Board entered into closed session at 3:40 p.m.

8. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Deliberate on Disciplinary Matters

D1-2009-29
Proposed Decision – Adopted

1C-2012-29
Stipulated Settlement – Adopted

1C-2012-40
Stipulated Settlement – Adopted

Return to Open Session

The Board returned to open session and immediately went into recess until May 12, 2017.

May 12, 2017

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 9:21 a.m. Ms. Grimes called roll; seven members of the Board were present and thus a quorum was established.

Board Members Present

Alison Grimes, Dispensing Audiologist, Board Chair
Patti Solomon-Rice, Speech-Language Pathologist, Vice Chair
Rodney Diaz, Otolaryngologist, Public Board Member
Marcia Raggio, Dispensing Audiologist
Dee Parker, Speech-Language Pathologist
Amnon Shalev, Hearing Aid Dispenser
Debbie Snow, Public Board Member

Board Members Absent

Jaime Lee, Public Board Member

Staff Present

Paul Sanchez, Executive Officer
Jennifer Iida, DCA Web Cast
Anita Joseph, Enforcement Coordinator
Norine Marks, Legal Counsel
Karen Robison, Analyst

Guests Present

Sean Green, SPG
Isaac White, Hearing Aid Dispenser
Dennis Van Vliet, Dispensing Audiologist

Closed Session

The Board entered into closed session at 9:21 a.m.

1C-2015-31
Stipulated Settlement – Non Adopt

Return to Open Session

The Board returned to open session at 10:52 a.m.

9. Speech-Language Pathology Practice Committee Report

Speech-Language Pathology & Audiology
& Hearing Aid Dispensers Board Meeting Minutes
May 11-12, 2017

a. Approval Process for Speech-Language Pathology Assistant Training Programs

Ms. Solomon-Rice reported to the Board the discussion of the Speech-Language Pathology Practice Committee (Committee). The Committee discussed holding a teleconference meeting to work towards updating the approval process for SLPA training programs. The meeting will be scheduled between June and August.

10. Update on Speech-Language Pathology Services Credential Variable Term Waiver Granted by the Commission on Teacher Credentialing and Supervision of Speech-Language Pathology Assistants

Ms. Parker briefed the Board on the meeting between the Commission on Teacher Credentialing (CTC) and the Department of Education (DOE) regarding the Variable Term Waiver (VTW). She noted that the meeting addressed the requirements for the VTW and compliance with the 2014 agreement. An emphasis was placed on CTC and DOE working together with school districts to ensure compliance with SLPA supervision requirements and other laws that govern SLPs and SLPAs.

11. Update on the Federal Trade Commission Hearing on Over-the-Counter Hearing Aids

Ms. Grimes provided a brief overview of the Federal Trade Commission's (FTC) hearing on over-the-counter (OTC) hearing aids which looked at the pros and cons of hearing aids being purchased at retail places of business for mild/moderate hearing loss. Other items of discussion on this topic included: that the bill is not for children; hearing aids are not typically covered by insurance; and that licensed dispensing audiologists and hearing aid dispensers will be able to sell both OTC hearing aids and hearing aids for all degrees of hearing loss.

12. Discussion and Possible Action regarding the Board's Development of Telecoil Fact Sheet for Consumers

The Board reviewed and discussed the draft of the consumer fact sheet including input from the Hearing Loss Association of America (HLAA). The Board delegated the task of developing the consumer fact sheet to a subcommittee of Ms. Raggio and Mr. Shalev. The consumer fact sheet will be placed on the Board website once it has been approved by the Board.

M/S/C Diaz/Shalev

- **Motion to delegate the continued work on the consumer fact sheet by the committee. The motion carried 7-0**

13. Discussion and Possible Action to Consider Amending Title 16, California Code of Regulations, Section 1399.127 - Hearing Aid Dispenser Advertising

The Board discussed the edits to the text of the Hearing Aid Dispenser Advertising regulation. A decision was made to have Mr. Shalev and Ms. Raggio continue to work on edits to the text.

14. Discussion and Possible Action to Consider adding Language to Title 16, California Code of Regulations on General Rules Regarding Fingerprints Requirement

Mr. Sanchez provided an overview of the regulation regarding the fingerprinting requirement. Ms. Marks updated the Board regarding the changes in the proposed text. The Board discussed the text of the regulation including the effective date and increasing amount of traffic infractions.

M/S/C Grimes/Diaz

- **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 with Mr. Shalev absent**

15. Legislation Update, Review, and Possible Action

- a. AB 12 (Cooley) State government: administrative regulations: review
- b. AB 77 (Fong) Regulations: effective dates and legislative review
- c. AB 241 (Dababneh) Personal information: privacy: state and local agency breach
- d. AB 349 (McCarty) Department of Consumer Affairs: applicants for licensure: special immigrant visas
- e. AB 387 (Thurmond) Minimum wage: health professionals: interns

Ms. Solomon-Rice presented an overview of the impact AB387 would have on hospitals, school districts, and other businesses that supervise interns, if passed.

M/S/C Solomon-Rice/Parker

- **Motion to have Mr. Sanchez and Ms. Grimes draft an “oppose as written” letter to the Legislature. The motion carried 7-0**
- f. AB 492 (Grayson) Public records: Department of Consumer Affairs: solicitation fees
 - g. AB 508 (Santiago) Health care practitioners: student loans
 - h. AB 612 (Rubio) Newborns and infants: hearing screening

Ms. Grimes presented an overview of AB 612. The Board chose to take a watch position.

- i. AB 703 (Flora) Professions and vocations: licensees: fee waiver
- j. AB 827 (Rubio) Department of Consumer Affairs: high-skill immigrants: license information
- k. AB 1005 (Calderon) Department of Consumer Affairs
- l. AB 1707 (Assembly Committee on Business and Professions) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

M/S/C Parker/Snow

- **Motion to take a support position on AB1707. The motion carried 7-0**
- m. SB 27 (Morrell) Professions and vocations: licensees: military service
 - n. SB 198 (Galgiani) Hearing aid dispensers: cerumen management

The Board was updated on the status of this bill after taking an oppose position at the February Board Meeting.

- o. SB 247 (Moorlach) Professions and vocations: license requirement: business: surety bond requirement

The Board was informed about the status of SB247. The Board was informed that it may take a position if it so chooses and the Board can direct Mr. Sanchez to draft a letter to the Legislature.

M/S/C Shalev/Raggio

- **Move to oppose SB247.**

The Board was informed that SB247 failed in committee wherein Mr. Shalev withdrew his motion.

16. Future Agenda Items and Future Board Meeting Dates

Items to be considered for future agendas are Hearing Aid Dispenser advertising regulation, Telehealth, Notice to Consumer regulation, Disciplinary Guideline receipt disclosure, SLP practice, SLPA training programs, and Sunset Review update.

- a. August 10-11, 2017 – Sacramento
- b. October 26-27, 2017 Southern CA
- c. February 8-9, 2018 – TBD

The Board chose to hold the February 2018 Board meeting in Sacramento.

- d. May 10-11, 2018 - TBD

The Board chose to hold the May 2018 Board meeting in the Bay Area.

17. Adjournment

The Board thanked Ms. Grimes for her work as the Board Chair for so many years. The meeting adjourned at 1:30p.m.