



Date: May 20, 2009
To: Oregon Board of Examiners for Speech-
Language Pathology & Audiology
From: Sandy Leybold
Subject: Presiding Officer's Report on Rulemaking
Hearing

Board of Examiners
For Speech-Language
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Hearing Date: May 20, 2009
Hearing Location: Portland State Office
Building – Room 445
800 NE Oregon St
Portland, OR 97232
Title of Proposed Rules: OAR 335 Amendments

The rulemaking hearing on the proposed rules was convened at 10:08 a.m. Attendees were asked to sign registration forms if they wished to comment on the proposed rules and informed of the procedures for taking comments. They also were told that the hearing was recorded. Before receiving comment, I briefly summarized the proposed rules.

Two persons attended the hearing, and both provided oral testimony, which is summarized below. Neither submitted written materials.

Summary of Oral Comments

Robyn Bean, Northwest Regional Educational Service District (NWESD):

Proposed striking the new rule OAR 335-095-0050 (1)(f): "Supervision requirements must be met for all clients on the caseload who receive treatment from the speech-language pathology assistant". Ms. Bean recognized the Board's intent to emphasize that SLPAs do not have their own caseload and that each client needs to receive supervision from an SLP. However, she felt that this rule implied that a certain proportion of direct supervision hours needed to be attributed each week to each client, and believes it is unfeasible for supervision to take place this way or for the Board to monitor this. She suggested alternative wording such as "The supervising SLP must see each client periodically, but no less than once every ___ weeks".

Ms. Bean also commented on the proposed fee increase, saying that while she is not looking forward to writing larger checks as a licensee, she realizes that the Board understands its budget and its needs better than she does.

Melanie Peters, Hillsboro School District:

Raised a concern that, depending upon the implementation date for the revised wording in OAR 335-095-0030(c), some practicum students could lose hours that they have already earned under the supervision of an SLP who has their ASHA CCC's but not their Oregon SLP license. [Leybold clarified that hours earned under the previous rules would still be counted towards SLPA certification, and this resolved Ms. Peters' concern.]

Regarding OAR 335-095-0050(5), Ms. Peters suggested that an additional rationale for exception to certain SLPA rules be implemented for districts such as hers that hire many new graduates in their CFY (clinical first year) or their first year following their CFY. She believes that an exception should be made to allow SLPs with less than 2 years of experience to supervise SLPAs.

Ms. Peters also made comments not specifically tied to proposed rule language, but relating to compliance with BSPA rules:

1. Ms. Peters commented that it would be helpful to districts if all BSPA licenses and permits expired at the same time; that is, biennially on January 30th. She said it is difficult for districts to track Permits to Supervise SLPAs, which expire on July 31st each year.
2. Ms. Peters urged "overcommunication" of BSPA rules and policies. She suggested that an email be sent to special education directors and possibly district HR directors when changes are made, so that there is no doubt about the effective date of rule changes.

The hearing was adjourned at 10:36 a.m.. The public comment period for written comments to the Rules Coordinator will close at 5:00 p.m. on May 21, 2009.

Sandy Leybold
Sandy Leybold, Executive Director, BSPA & Hearing Officer

5/20/09
Date