One of Key Performance Measures established by the state is an annual Board self-evaluation. These were conducted in June 2008 and August 2009. As Board Chair, I am pleased to report that the Board has accomplished a great deal over the last year, and we are primed for even more!

This edition of *The Voice* highlights many of these achievements:

- Collaboration with TSPC to consolidate SLP licensing under BSPA;
- Collaboration with professional organizations and OHLA to consolidate regulation of all audiology practice under BSPA;
- Comprehensive review/update of BSPA administrative rules to reflect current best practices;
- Thorough financial review and implementation of a fee increase to sustain Board operations over the next 4-6 years;
- Investigation and consideration of a burgeoning number of complaints/professional concerns to protect the public health and safety (our caseload has grown from 2-3 complaints per year before 2007 to 36 to date in 2009);
- Implementation of a new performance measure: an annual SLPA supervision audit;
- Continued outreach to licensees through regular newsletters, email bulletins, meetings and presentations, to make the Board more visible and accessible; and
- Increased collaboration with other Health Related Licensing Board Directors on issues of mutual strategic and operational concern.

At the same time, the Board has an ambitious set of goals for the future. These include:

- Finalizing the TSPC-BSPA transition plan regarding SLP licensure, and implementing it through Administrative Rule revisions and statutory changes requiring legislative approval;
- Addressing transition issues as BSPA assumes full oversight for audiologists dispensing hearing aids;
- Evaluating Board resource needs and developing 2009-11 expenditures budget to accommodate increased licensing and investigation workload;
- Expanding information and enhancing navigation on BSPA website, to make information more accessible and user-friendly;

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• Continued monitoring and improvement of licensees’ compliance with SLPA supervision and professional development requirements, and of BSPA customer service and Board effectiveness;
• Improving systems for handling and tracking complaints/professional concerns (using increased resources);
• Continued enhancement of Board policies and procedures, in conjunction with other Health Related Licensing Boards and national best practices;
• Continued cooperation with professional organizations and training sites to enhance public access to quality hearing and speech services in Oregon; and
• Continued outreach to licensees through regular newsletters, email bulletins, meetings and presentations, to make the Board more visible and accessible.

Our Board members are dedicated to our mission of public protection. We hold about six productive day-long meetings per year (and spend time between meetings, too), working collaboratively to meet ever-increasing professional challenges. Most of our Board members are volunteers (some receive a $30 stipend per meeting), and a few licensees have volunteered to serve as peer reviewers. Our executive director and administrative assistant accomplish a great deal (despite part-time work schedules) to support the Board’s goals. I’m proud of our work, and hope you are, too!

As always, if you have questions or concerns you would like to bring to the Board’s attention, feel free to contact any one of us.

Recent Board Actions
Click on the licensee name or go to the Recent Board Actions tab on our website for more details. Actions involving ongoing administrative hearings are not included.

9/16/09
Mahler, Lucinda S.
Permit to Supervise SLPA Holder # P3010
Outcome: Final Order by Default: Reprimand and $300 Civil Penalty

Zimel, Amanda K.
Speech-Language Pathology Assistant # A0184
Outcome: Final Order by Default: Reprimand and $350 Civil Penalty

9/14/09
Montoro, Leslie T.
Former SLP Licensee #12682
Outcome: Consent Order: $5,000 Civil Penalty

8/19/09
Moore, Patty L.
Speech-Language Pathology Assistant # A0075
Outcome: Emergency Suspension issued August 19, 2009

8/5/09
Uhden, Linda D.
Permit to Supervise SLPA Holder # P3038
Outcome: Final Order by Default: Reprimand and $300 Civil Penalty

6/8/09
Price, Renee A.
Speech-Language Pathologist #P2881
Outcome: Final Order by Default: Reprimand and $300 Civil Penalty

5/15/09
Harris, Jeffrey P.
Speech-Language Pathologist #12971
Outcome: Final Order by Default: License Suspension from January 29, 2009 through February 8, 2009 and $1,000 Civil Penalty

3/25/09
Haffield, Christina M.
Speech-Language Pathology Assistant #A0121
Outcome: Emergency Suspension issued March 25, 2009

TSPC Votes to “Get Out of the SLP Licensing Business”: BSPA-TSPC Transition Plans Underway

Sandy Leybold, MPH
Executive Director

In August 2008, not long after I came on board as Executive Director, I contacted Vickie Chamberlain, my counterpart at the Teacher Standards and Practices Commission (TSPC,) to collaborate on issues of common concern since TSPC is able to license SLPs who work in K-12 school districts, educational service districts and charter schools. Ashley Northam, our Board Chair, and I subsequently participated in several meetings with educational stakeholders, including ESD and school administrators, human resources representatives, professional association leaders, and special education directors.

The goal was to compare our licensing practices, and to make sure that each agency was upholding high standards for SLP qualifications and professional practice. Duplication of effort between the agencies was confusing licensees and administrators and was perpetuating different definitions and qualifications for speech professionals working in schools.

We found myths that had guided SLP practice in schools for some time. The most important yet pervasive myth is “I still need to have a TSPC license even though I hold a BSPA license”. The fact is that BSPA licensure is valid for any practice setting in Oregon, and SLPs providing services to children under their Individual Education Plans (IEPs) are not required to hold TSPC licensure (see ORS 343.221). For policy reasons, school districts may require TSPC licensure for SLPs, but this policy is inconsistent, since other special education providers in schools (such as physical therapists and occupational therapists) are licensed solely by their respective professional boards.

We also found quite different qualifications for licensing SLPs by BSPA and for issuing communications disorders endorsements to licensed educators by TSPC. BSPA license requirements include a master’s degree or equivalent coursework (60 semester credits) from an ASHA-accredited program, completion of a Clinical Fellowship Year, and a score of 600+ on the Praxis exam. Some current TSPC licensees have practiced

(Continued on page 3)
Comprehensive Rule Changes Went Into Effect on July 1, 2009
Sandy Leybold Executive Director

After following the process for changing Oregon Administrative Rules that is prescribed by the state, the Board took final action on the proposed changes at its May 22, 2009 meeting. The rule changes were effective July 1, 2009. All licensees were notified in an “Information Flash” e-mail sent July 2, 2009.

The full text of the rule changes was published in the Spring 2009 BSPA newsletter, The Voice. In summary, the revisions:

- Added and clarified definitions of unprofessional conduct
- Clarified need for timely reporting of home and business addresses and SLPA supervision changes
- Increased licensing fees
- Reduced professional development hours required for renewal and re-activation
- Added professional development requirement for initial licensure
- Clarified SLPA supervision requirements
- Allowed BSPA to exempt school districts in critical shortage areas from certain SLPA supervision requirements based upon an application and approval process
- Changed miscellaneous text for clarity

Another Rule Revision Process: Hearing to be Held on October 28th
Sandy Leybold Executive Director

Much less elaborate and comprehensive than the rule changes proposed this spring, we are doing a bit of necessary “housekeeping”. After reducing the professional development (PD) hours for SLPs, audiologists, and SLPA, we realized that we had neglected to address the dual SLP/AUD licensees (there are nine currently!), and that there was a confusing typo in another rule.

Rules affected this time are:

- 335-070-0065(1): Changes actual number of professional development hours to a percentage of the requirements to align with other professional development rules.
- 335-095-0060(1)(b): changes typographical error of “dysphasia” to “dysphagia”

The hearing notice and detailed language is available on our website at: http://www.oregon.gov/BSPA/pdfs/Notice_of_Prop_Rulemaking_9-15-09.pdf. Written comments may also be submitted by 5:00 p.m. on October 28th to the Board office for consideration.

Key Performance Measures (KPMs) Analyzed
Sandy Leybold Executive Director

All state agencies participate in a legislatively-mandated annual assessment of performance on several Key Performance Measures. Current BSPA KPMs measure the number of school districts employing SLPA’s, licensee compliance with professional development requirements, customer service, and Board effectiveness on governance measures.

The most recent KPM report was submitted at the end of September. If you’d like to take a look at the full report, it’s on our website at http://www.oregon.gov/BSPA/pdfs/APPR_Report_08-09.pdf

(“TSPC Votes...” Continued from page 2)

in schools for 30+ years but have no graduate education. Some have completed 45 quarter units of graduate work (the equivalent of one year). This education and experience would not qualify these SLPs to obtain a BSPA license under our statutes.

BSPA and TSPC believe that qualified SLPs who began practicing before the master’s degree became the entry level credential, and who have kept up their professional skills, should be able to continue to practice. TSPC and BSPA share concerns about maintaining high quality standards for SLPs. Both agencies also recognize difficulties in recruiting well-qualified SLPs in Oregon and nationwide. But TSPC has used alternative routes to allow unqualified individuals to act as SLPs through ancillary licensure rules such as Conditional Assignment Permits (CAP), Emergency Teaching Licenses, and Restricted Transitional Teaching Licenses.

For example, TSPC reported last spring that it had issued 33 Restricted Transitional Teaching Licenses in Communications Disorders. Six of these individuals had neither a master’s nor a bachelor’s degree with a major in communications disorders/speech, yet they were functioning as SLPs. Emergency Teaching Licenses were issued to six individuals in 2008-09; five would qualify for the Restricted Transitional Teaching License under circumstances recommended by TSPC (including being enrolled in a graduate program in SLP, and demonstrating academic progress to complete it in three years), but one would not. TSPC also previously issued Conditional Assignment Permits (CAPs) to teachers with little or no preparation in Speech-Language Pathology. This practice was discontinued last fall.

In August 2009, TSPC Commissioners voted to move away from licensing SLPs, and to work with BSPA to develop a transition plan for consideration at their November meeting. Last March, our Board developed a draft transition plan which addresses licensees with the following qualifications:

- SLPs holding master’s degrees in speech/communications disorders
- Bachelor’s-prepared SLPs trained before master’s degree requirement
- Individuals currently enrolled in master’s degree programs

Master’s-Prepared Individuals
BSPA’s draft proposal would allow SLPs to continue under TSPC licensure until their current license expires, then renew through BSPA. Individuals would pay application and licensing fees to the Board, including demonstrating current professional development (30 hours within the last two years) at the time of transition to BSPA.

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Now’s the Time to Finish Up Your Required PD
Sandy Leybold
Executive Director

Professional development (PD) requirements for renewal were reduced on July 1, 2009. SLPs and audiologists need 30 hours every biennium, and SLPAs now need only 15 hours.

All licensees need to document completion of the required amount of PD when submitting your application for renewal. Renewal notices will be sent in early November 2009. Those who are randomly selected for PD audit (5-15% of licensees) need to also provide hard copy documentation of PD earned. All will need to be completed and submitted before your current license expires on Saturday, January 30, 2010.

An exception: those who obtained their initial licensure on or after August 1, 2009 do not need to document any professional development for the 2010 renewal.

Several low-cost online PD resources are approved by the Board. Remember, you must apply for approval for any PD that is not on our approved list before attending or within 30 days after attending the program to use it to meet Board requirements.

Get Ready for Renewals with Online Payments!
Sandy Leybold
Executive Director

In January 2010, BSPA will have a 100% online renewal process available for licensees (except those selected for PD audit). In our 2008 renewal cycle, licensees could fill out your renewal form online. However, at that time, you had to print the renewal form, attach a check, and snail-mail it to the Board.

Beginning this renewal cycle, BSPA can accept electronic credit card payments. The State of Oregon has established a secure mechanism to receive your payments.

Remember it may take one to two weeks for us to issue your license after receiving your renewal request. Renewal notices will start going out in early November. Renewal requests received by mid-January should be turned around by the end of the month.

Please renew on time to avoid a $200 late/delinquent fee. This fee is now equivalent to our application fee to reflect the extra handling that late renewals require.

Make it easy on yourself by renewing early using our online payment system. No trips to the post office during the holidays to mail your packet—it can all be done online!

(“TSPC Votes…” Continued from page 3)

The impact on BSPA workload would be gradual since TSPC licenses expire throughout the year, based on licensee birthdates. There are approximately 500 SLPs currently holding dual TSPC and BSPA license. After the transition, these individuals would save TSPC licensing fees, and would experience less duplication and confusion (for instance, meeting only agency’s PD requirements and licensing timelines). Also, the transition would eliminate the need for the BSPA Permit to Supervise SLPAs, which has not been well understood by TSPC licensees.

Bachelor’s-Prepared Individuals
BSPA intends to create “grandfathering” provisions to allow licensing by BSPA based upon the year and topic of the original degree, number of years practicing as an SLP, and continuing education credits. Some bachelor’s-prepared individuals currently licensed by TSPC might not meet BSPA grandfathering standards. These individuals could seek SLPA certification and/or enroll in an online graduate program while remaining employed. Some grandfathered individuals are recognized by TSPC statute, and this would need to be coordinated/recognized as part of the final transition plan.

While these individuals are few in number, grandfathering them would create a significant workload for BSPA. Each application would require staff and Board time to review and adjudicate. Importantly, the grandfathering provisions require statutory changes to implement, since SLP qualifications are outlined in statute. Statutory language needs to be drafted by spring 2010, shared with key legislators, supported by multiple stakeholders, and presented in the 2011 Legislative Session for implementation in 2012.

Individuals Currently Enrolled in Graduate Programs
Current thinking would create a new BSPA licensing category, such as “SLPA2” or “Senior SLPA”, to allow an expanded scope of practice for an individual enrolled in a distance education graduate program in Speech-Language Pathology that is approved by ODE and/or accredited by ASHA.

This credential would be similar to the Restricted Transitional Licenses currently issued by TSPC. It would require sponsorship by a school district or ESD, and would only be granted to those employed full- or part-time in an Oregon school district demonstrating severe staff shortages, using criteria similar to our SLPA supervision exception rule 335-095-0050(5)(a). BSPA could allow for annual renewal of this SLPA2 license, up to four years, as long as the licensee submits transcripts documenting...
Unlicensed Practice, Misrepresenting Credentials, & False Advertising

Sandy Leybold
Executive Director

An important part of the Board’s mission is to protect the public from unlicensed practice and to make sure that the credentials of all hearing and speech service providers are accurately represented to consumers and other professionals. Here are some recent concerns:

Hearing Aid Dispensers Listed in Audiologist Directories

Over the years, the Board has received complaints regarding false or misleading advertising in Yellow Pages, Yellowbook, PDC, and other phone directories. Also, as web-based directories have proliferated, there are many online sources of misinformation. These listings may constitute a violation of OAR 335-005-0025 Accurate Representation, especially OAR 335-005-0025(10) regarding audiologists’ involvement in hearing aid dispensing.

The Board has issued civil penalties to some hearing aid centers that were advertising in the “Audiology” section of phone directories, without having an audiologist on staff. Further work is underway with hearing aid dispensers and directory publishers to eliminate these misleading listings.

Supervising SLPAs Without a Valid BSPA License or Permit to Supervise SLPAs

Several SLPs licensed by TSPC were found on a recent audit to be supervising SLPAs without holding a valid Permit to Supervise SLPAs from this Board. This is a form of unlicensed practice. OAR 335-095-0040 outlines the “Qualifications for Supervising Speech-Language Pathology Assistants: (1) All supervision of services provided by a speech-language pathology assistant must be performed by a speech-language pathologist licensed under ORS Chapter 681 or hold a permit under OAR 335-095-0055. (2) The supervising speech-language pathologist must have at least two years of professional speech-language pathology experience.”

All SLPs should make sure that their assigned supervisors have appropriate credentials, by looking up their license status on our website (click the “Licensee Directory” on the left side of the BSPA homepage), calling the Board office, and/or requesting to see a copy of their supervisor’s SLP license or Permit issued by BSPA. All BSPA licensees should make sure their colleagues are appropriately licensed if they are supervising SLPAs, and alert the Board of any discrepancies. A recent revision of OAR 335-005-0020(10) clarifies that all SLPAs need to submit a Change in Supervisor form to the Board within 30 days of the change. This will allow the Board to double-check appropriate licenses and permits on a timely basis as well.

Advertising or Performing Professional Services Outside the Jurisdiction of Your License

While by training and experience, one may “be” a qualified Speech-Language Pathologist, an SLP licensed only by TSPC for work in a K-12 school district may not call themselves an SLP or offer SLP services in advertising for services provided as part of a private practice. Any private practice of speech-language pathology (including work for staffing agencies providing services to school districts) must be done by an individual holding a BSPA license. For further details about licensing exceptions, see ORS 681.230 or call the Board.

Educational/Instructional Assistants Calling Themselves SLPAs

OAR 335-005-0025 states: “(1) Individuals shall not misrepresent their credentials, competence, education, training, or experience.” Educational Assistants (EAs) should not call themselves SLPAs until or (Continued on page 6)

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continued enrollment and academic progress.

Although they would have an expanded scope of practice, SLPA2’s would also have more required supervision than regular SLPAs. The proposal currently envisions the following supervision requirements: 25% of clinical interaction for first two (or three) years of academic work (10% direct on-site; 10% direct on-site or via webcam; and 5% indirect). A clinical practicum (not a class based on clinical observation only) would count towards the supervised clinical interaction hours. Clinical logs would need to be submitted as part of the renewal request. In the third/final year, the individual would be in a practicum, supervised according to ASHA guidelines, and licensed through BSPA as a Conditional SLP as per current regulations. As with other SLPAs and Conditional SLPs, the supervisor would need to be licensed by BSPA.

This new category would increase the oversight over individuals functioning in a broader capacity while they are completing their graduate work. Currently, TSPC allows these individuals to function as SLPs without professional supervision.

Significant BSPA Board and staff time would be required to monitor supervision and perform annual renewals, and to educate school district administrators and current TSPC licensees about this option.

Since SLPA credentials and supervision requirements are outlined in BSPA Administrative Rules, these would need to be changed. Rule changes require a specific set of steps including public hearings; however, they do not require approval from other agencies or the Oregon Legislature.
Changes in Hearing Aid Dispensing License Requirements for Audiologists

Sandy Leybold
Executive Director

After many years of input from the professional associations, and recent collaboration between the Oregon Health Licensing Agency (OHLA) and BSPA, as of January 1, 2010, dispensing audiologists licensed by BSPA will no longer be required to be licensed as hearing aid specialists by OHLA. This change in licensure requirements is due to the passage of House Bill 3232 in the 2009 Legislative Session.

It is a welcome change for audiologists, who will now have this facet of their professional practice regulated by BSPA, along with all other aspects of their practice. It will also save audiologists $250 per biennium in licensing fees for just one portion of their practice.

OHLA’s transition plan includes:

**Refunds:** Fees received by OHLA for audiologists gaining initial licensure or renewing as a hearing aid specialist between July 1, 2009 and December 31, 2009 will be issued a notice as of January 1, 2010, requesting they notify OHLA if they would like a partial refund of their license/renewal fee.

Audiologists will be required to return their OHLA license to receive the refund.

**Renewal Notices:** Future renewal notices will state that if you are a licensed audiologist the requirement for hearing aid specialist licensing will no longer be mandatory.

**Regulation:** OHLA and BSPA will continue to work collaboratively on all complaints related to audiologists and hearing aid specialists as appropriate.

If you have questions about dispensing licenses, contact OHLA’s Licensing Division at (503) 378-8667.
Revised Rule: 30-Day Requirement for Notice of Address Change
Tim Anderson
Administrative Assistant

A recent update of our OARs makes it clear that you are required to let us know within 30 days if you have a change in your home or work address. Oregon Administrative Rule 335-005-0020(8) states: “Licensees will provide current home and business addresses and telephone numbers within thirty (30) days of the effective date of change.” It is important for the Board to have up-to-date contact information for renewal of your license and for regulation of your practice, and violations of the rule can lead to disciplinary action and/or fines.

Please keep us current on an email address that you check frequently, as well, so that we can continue to streamline our operations through electronic communication.

You can email or “snail-mail” (USPS) changes to us, just let us know whether it’s your home and/or business address that’s changing.

SLPA Supervision “Smart Form” Launched
Sandy Leybold
Executive Director

During the first SLPA Supervision Audit in March 2009, we realized it would be helpful for SLPs and SLPA s to have a standard clinical log form. The goal was to design a form to easily record and calculate the data needed to document appropriate amounts and types of SLPA supervision by SLPs.

The “smart form” we have created is in Excel. It can be completed electronically on a daily basis by the SLPA. During the month, it can give the SLPA a running total of supervision completed, so that if additional hours are needed, this could be corrected before the end of the month. At the end of the month, it can be printed, signed by the SLP and SLPA, and retained by the SLPA. If when the SLPA’s supervision log is audited by the Board, the

Got Questions?

So, is it 30 or 40 PD hours required at renewal?
It’s 30 for SLPs and AUDs; 15 for SLPA s.

Where can I find the renewal form?
We will send you a customized renewal form in November.

Do I need to send proof of attendance for PD?
You need to make sure you have it, but only send it in if your renewal form says you are being audited for PD.

Changes in Office Availability for Walk-in Traffic
Tim Anderson
Administrative Assistant

Licensing boards handle a great deal of confidential and sensitive information. As part of our continued commitment to information security, the suite we share with several health-related licensing boards in the Portland State Office Building is becoming a secure area. This means that the public will not be able to simply open the door and come in to the suite unannounced. However, we will install both a paging system to get the attention of Board staff if you want to visit us in person, and a secure drop slot to leave documents for us if we are not in.

Prompt customer service is still a high priority, as is timely turnaround of licenses and renewals. One to two weeks’

turnaround is a reasonable expectation for a new or renewed license to be issued from a complete application, although we can frequently do it faster. Keep in mind that we experience peaks in our workload, and you should never expect us to be able to issue or renew a license on-the-spot, or just a day or two before it expires!

If you would like to meet with the executive director or administrative assistant, please call ahead or email to make an appointment. Since each of us works part-time, and we have Board meeting days, vacation and sick leave, and statewide furlough days, there are occasions when neither one of us is physically in the office. We answer all email and phone messages as soon as possible, usually within a business day of receipt.

Criminal Background Checks May Be Enhanced
Sandy Leybold
Executive Director

With the passage of HB 2118 by the 2009 Legislature, effective January 1, 2010, health-related licensing boards including BSPA will have the statutory authority to conduct fingerprinting as part of a comprehensive criminal background check.

Over the next few months, the Board will research other licensing agencies’ policies and practices, and determine the approach we want to take with our applicants. TSPC and ODE currently perform these checks for individuals employed in schools, and other employers are increasingly conducting such checks as well. BSPA will need to write new administrative rules and develop policies to implement this change. Stay tuned!