



Board of Examiners  
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## Meeting Minutes January 21, 2011 Portland State Office Building Conference Room 445 Portland, Oregon

**PRESENT:** Ashley Northam, SLP, Chair (arrived 10:10 a.m.)    Sandy Leybold, Executive Director  
Evan “Butch” Evans, Audiologist, Vice-Chair  
Jennie Price, SLP  
Lyndsay Duffus, Audiologist  
Elisa Williams, Public Member  
Mark Wax, Otolaryngologist Member  
Ralph Blanchard, Public Member

### CALL TO ORDER

The meeting was called to order at 10:08 a.m. by Vice-Chair Evans, and roll call was taken. Northam arrived at 10:09 and assumed the chair.

### PUBLIC COMMENTS

There were no members of the public in attendance and no public comments.

### REVIEW/APPROVE DRAFT MEETING MINUTES

The Board reviewed draft minutes for the December 10, 2010 meeting. Price moved to approve the minutes as submitted. Evans seconded.

Aye: Northam, Evans, Price, Duffus, Williams, Wax  
Nay: none.  
Abstain: Blanchard  
Motion passed.

### BOARD CHAIR REPORT

Northam welcomed Blanchard to the Board. Northam stated that she recently presented at a Medicaid billing training in Eastern Oregon in her role as Board Chair, and she encourages the Board to develop a relationship with the Medicaid billing unit since many of our rules dovetail with theirs regarding SLP and SLPA practice.

### EXECUTIVE DIRECTOR REPORT

Leybold presented her report to the Board as it relates to current Board goals. Leybold reported that the December E-Board approved our request for additional budget limitation, so that her position is approved at full-time from January – June, a part-time temporary investigator may be hired for that same period, and anticipated expenses related to our disciplinary caseload, merchant fees, and state government service charges may be paid. Leybold reported that Governor Kitzhaber appointed a new healthcare advisor: Mike Bonetto. Leybold noted that a legislative concept (number 2221) had been drafted to create a taskforce to look into consolidating some of the health care boards. She will follow up on this if/when legislation is proposed. Leybold stated that the statute changes this Board proposed have become SB 141, and she provided information on the committees expected to hear the bill.

Leybold discussed the status of the budget. Leybold then presented a comparison of customer service survey statistics from various other health-related licensing Boards with BSPA.

## **CONFIDENTIALITY POLICY**

Leybold asked the Board members to review the BSPA confidentiality policy to insure that they were up to date. If approved, she asked Board members to sign copies to affirm their support for the policy.

The Board members read the policy. Duffus moved to approve it. Blanchard seconded.

Aye: Northam, Evans, Price, Duffus, Williams, Wax, Blanchard

Nay: none.

Motion passed by unanimous vote.

## **DRAFT ADMINISTRATIVE RULES**

The Board reviewed the sole comment received on the administrative rule changes put forth in the December Board meeting, and publically proposed on December 13, 2010. The comment asserted that it would be a hardship to pay the licensing fee at the same time as ASHA dues. Leybold also presented the hearing officer's report for the 1/19/11 rule hearing.

Leybold stated that phoned the commenter and explained that the proposed new renewal date would provide a 30 day period for staff to review professional development and complete the renewal process before licenses expire.

Wax moved to adopt the proposed administrative rule changes. Duffus seconded.

Aye: Northam, Evans, Price, Duffus, Williams, Wax, Blanchard

Nay: none.

Motion passed by unanimous vote.

## **AUDIOLOGY ISSUES UPDATE**

Duffus reported that she and Evans had attended Pacific University's open house recently and that Pacific is close to having a clinical doctorate degree program in Audiology approved. Duffus stated that the program will be an intensive 3-year program (two classroom years + one clinical year). Only two other programs nationally have a 3-year program; most are four years.

The Board discussed the new program and the possible need to create administrative rules to support the preceptorship programs.

Evans and Duffus reported on their meeting with Scot Frink, a member of Oregon Health Licensing Agency's Advisory Council on Hearing Aids. Frink was concerned that Board rules are less specific, and possibly less strict, than OHLA's about verifying the fit of hearing aids. The Board affirmed that audiologists know that verification needs to occur, and that this is part of professional practice for audiologists. Appropriate ways of performing verification may vary from patient to patient. The Board supports professional best practices. However, the Board does not feel it is appropriate to put the specifics of all professional practices into rule. It is the responsibility of the professional associations to define and promulgate professional standards. If the Board receives a complaint about whether an individual licensee is performing according to best practices, it will investigate and make a determination about whether the licensee is not practicing competently and if the public safety is at risk. The Board consensus was to clarify this position in an upcoming Board newsletter.

Duffus reported on the progress of pediatric audiology standards, stating that they are still under development by the profession and more information will be forthcoming. Evans suggested that the Board include an item in an upcoming newsletter reminding professionals to perform a self-assessment of their skills and to refer to another professional when needed.

## **EXECUTIVE SESSION**

The Board entered Executive Session at 11:50 a.m. to consider information obtained as part of investigations of licensee or applicant conduct as provided in ORS 192.660(2)(k), consider information or records that are exempt by law from public inspection as provided in ORS 192.660(2)(f), and to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed as provided in ORS 192.660(2)(h).

The Board returned to public session at 12:55 p.m.

## **ACTIONS FOLLOWING EXECUTIVE SESSION**

### **2009-13**

Evans moved to lift the limitation but continue probation status for the licensee. Duffus seconded.

Aye: Northam, Evans, Price, Duffus, Williams, Wax, Blanchard  
Nay: none.  
Motion passed by unanimous vote.

### **2010-54**

Duffus moved to impose \$500 civil penalty for unlicensed practice. Wax seconded.

Aye: Northam, Evans, Price, Duffus, Williams, Wax, Blanchard  
Nay: none.  
Motion passed by unanimous vote.

### **2010-55**

Williams moved to close with no violation found. Blanchard seconded.

Aye: Northam, Evans, Price, Duffus, Williams, Wax, Blanchard  
Nay: none.  
Motion passed by unanimous vote.

### **2010-57**

Evans moved to close with no violation found. Price seconded.

Aye: Northam, Evans, Price, Duffus, Williams, Wax, Blanchard  
Nay: none.  
Motion passed by unanimous vote.

## **RATIFY LICENSES ISSUED DECEMBER 10, 2010 – JANUARY 20, 2011**

Wax moved to ratify the licenses as presented. Williams seconded.

Aye: Northam, Evans, Price, Duffus, Williams, Wax, Blanchard  
Nay: none.  
Motion passed by unanimous vote.

## **NEXT MEETING DATE/ADJOURNMENT**

Next meeting will be held on April 1, 2011. The meeting adjourned at 1:00p.m.