



Board of Examiners  
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## Meeting Minutes November 8, 2013 Portland State Office Building Conference Room 445 Portland, Oregon

**PRESENT:** Lyndsay Duffus, Audiologist, Vice-Chair  
Evan "Butch" Evans, Audiologist Member  
Ralph Blanchard, Public Member  
Betsy Chase, Public Member  
Mark Wax, Otolaryngologist Member – By Phone  
(until 10:15am)  
Wendy Gunter, SLP Member

**STAFF:**  
Sandy Leybold, Executive Director

**INVITED GUESTS:**  
Henry Trinh, Audiology Student

**EXCUSED:** Jennie Price, SLP, Chair

### CALL TO ORDER

The meeting was convened at 10:06 a.m. by Vice-Chair Duffus and a quorum was established.

### REVIEW/APPROVE MINUTES OF AUGUST 23, 2013 MEETING

The Board reviewed draft minutes for the August 23, 2013 meeting. Gunter noticed that under "Telepractice", the Board member going to NCSB conference was Gunter and it should be Duffus. Chase noted a typographical error in the fifth paragraph under the Executive Director report, where the sentence should read, "The APPR will be submitted to the Legislature...."

Blanchard moved to approve the August 23, 2013 minutes as corrected. Evans seconded.  
Motion passed by unanimous roll call vote of those present.

### PUBLIC COMMENTS

#### *Nancy Dunn, Audiologist, President of Oregon Academy of Audiology:*

Nancy Dunn presented concern on behalf of OAA regarding Board rules on qualifications for the supervision of audiology practicum students. The rule requires supervisors to hold their CCCs in Audiology from ASHA, or be certified by the American Board of Audiology. Dunn noted that fewer than 54% of licensed audiologists in Oregon maintain CCC-A certification and only 17% hold the ABA certification, which limits the number of possible supervisors for audiology practicum students. She pointed out that the Board licensing requirements are the same or more stringent than the listed certifications, so the certification requirements add no extra consumer protection. OAA recommends changing the rule so that "supervisors must be state licensed".

#### *Victoria Keetay, Professor and Director, School of Audiology, Pacific University:*

Victoria Keetay advocated for a change in this rule as soon as possible due to the number of upcoming audiology students. Duffus asked why this seems to be a newer development. Keetay responded that it appears professionals are increasingly obtaining state licensure and not association certification.

Duffus thanked the audiologists for their comments and said the Board would consider their request later in the agenda.

## **RECOGNITION OF PAST BOARD MEMBER**

Nancy Dunn was recognized by immediate past Board Chair Evans and Vice-Chair Duffus for her many previous years of service and leadership as Board member and Chair, and as a conscientious and knowledgeable member of the audiologist community. Dunn received a Certificate of Appreciation and thanked the Board for the recognition.

## **PERMANENT RULE-MAKING**

Leybold reminded the Board that temporary rules approved at the May and June Board meetings will expire in 180 days, unless they are made permanent. Temporary rules filed on May 17, June 28, and September 13, 2013 tweaked the professional development rules (following the major revisions implemented in March), implemented the new fee schedule as approved by the Legislature for 2013-15, and implemented temporary licenses as provided in the statute changes in 2011 (in addition to some other smaller changes). Importantly, these temporary rules implemented the new Provisional SLPA Certificate. These temporary changes were combined into one Notice of Proposed Rulemaking that received support from OSHA and support and comments from a few other individuals during the public comment period. Leybold presented the rule text, comments, and some key questions for the Board's review and final decision-making.

### *SLPA Coursework Requirements (OAR 335-095-0030)*

There was a discussion regarding the policy of not accepting course work for licensure if the course work is older than seven years. An office policy had been adopted in previous years that limited it to seven years. Leybold asked the Board for guidance. The consensus was that the practicum and professional development requirements were sufficient to demonstrate current competency without scrutinizing the age of coursework for licensure.

The Board discussed the type of coursework considered technical and how much of it should be completed before the practicum when evaluating applicant's coursework for provisional SLPA certification. The consensus was to not further define specific technical coursework requirements or specify how many credits must be completed before the practicum is begun, but to evaluate that on a case-by-case basis. The Board was satisfied with the current rule, which requires 45 technical quarter credits and 90 quarter credits total, that must be completed before a person applies for a provisional SLPA license. The Board believes this maintains standards while not limiting access to the profession.

### *Hearing Screenings*

There was a question whether hearing and speech screenings fit the definition for clinical interaction. This has been discussed previously by the Board. There was agreement that the fieldwork should not consist solely of screening. Leybold asked if the Board could define a maximum number of screening hours as an administrative guideline. The Board decided not to specify, since the requirement for other types of skills and activities would sufficiently limit the amount of the clinical fieldwork that is screenings.

### *Temporary License*

The discussion focused on the timeframe between when a person completes their educational requirements and when their degree is conferred for the purpose of being licensed. Chase suggested a definition for temporary licensure including "when the degree will not be conferred before employment begins".

Chase made a motion to amend OAR335-085-0010(2) to replace "30 days" with "before employment begins". Blanchard seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

### *CPR certification*

A provider of CPR courses wrote into the Board office about which CPR courses are pre-approved for licensees' professional development. Current rules only list American Heart Association or American Red Cross. After discussing information submitted by another CPR vendor, the Board decided to add "or equivalent".

Evans made a motion to amend OAR335-070-0020(5)(f) to include "or equivalent". Blanchard seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

### *Mentoring for PD*

A comment was received asking about professional development credit for mentoring students. Board members acknowledged that there is much to learn from mentoring, but were concerned about this being used in lieu of other PD. Board consensus was not to change the rule at this time.

Duffus moved to approve the proposed permanent rule changes as promulgated, with the modifications approved separately above. Duffus seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

### *Audiology Preceptors*

Upon the recommendations in public comments from Victoria Keetay and Nancy Dunn, the Board discussed the necessity of ASHA CCCs or ABA certification for audiology student preceptors. Evans emphasized the desire to support ASHA certification to be consistent with our use of their standards. Gunter acknowledged the changes in the field as educational programs have changed to incorporate audiology practica. Duffus did not think it is appropriate for the Board to define supervision requirements for college students enrolled in academic programs. There was a question about proposing a temporary or permanent rule change. Leybold recommended using the normal rule making process as the issue was not basic housekeeping or a public safety emergency.

Duffus moved to change the supervision requirement for practicum students from audiologists holding ASHA CCCs or ABA certification to audiologists who are state licensed. Blanchard seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

## **POLICY UPDATES FROM NCSB**

### *Telepractice and regulation of support personnel*

Leybold and Duffus attended the NCSB (National Council of State Boards of Examiners for Speech-Language Pathology and Audiology) conference in November, where telepractice was a scheduled topic. Duffus explained the Board's position that if the patient is in Oregon, the practitioner must be licensed in Oregon. There are standards issues, especially when a potential consumer might be poor candidates for telepractice. Gunter described telepractice as an important clinical service delivery method, and she can report to the Board at the next meeting.

The Board discussed the support staff presentation brought up at the NCSB meeting. Audiology assistants came up as a possible license category. Duffus suggested requesting information and eliciting opinions from the audiology professional associations. Leybold pointed out the need for a statutory change and the need for professional associations to take a lead in moving the process forward.

### *Mail Order Hearing Aids*

There is an emerging discussion across states about Medicare companies (United Healthcare) are allowed to send Medicare patients hearing aids through the mail without proper fitting procedures. There is a lack of local control and accountability. The consensus from many licensing Boards is the need for federal action.

## **EXECUTIVE DIRECTOR REPORT**

Leybold has been in contact with TSPC and ODE about ensuring licensure of clinical fellowship and practicum students.

Leybold updated the Board on the 2013-15 biennium budget. Leybold explained changing the DOJ expenses to a flat fee system which spreads potential large costs over a longer span of time.

Leybold presented a summary of relevant 2013 legislation. One bill relates to an upcoming PD requirement on cultural competency. The Board will need to discuss this as this evolves through Oregon Health Authority.

## **BOARD ORGANIZATION ISSUES**

### *PD applications*

The Board has delegated the approval of PD applications to two specified Board members, one SLP and one audiologist. The current designees are Wendy Gunter and Lyndsay Duffus.

Gunter made a motion to approve the Board's PD delegation policy. Duffus seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

### *Selection of Officers*

Leybold presented a policy document, "Selection of Officers", to the Board to assist the appointment of Board officers. Evans suggested the possibility of having an open non-voting Board member position as a method to encourage student representation from the State's SLP and audiology programs. The Board greatly encourages participation of students from the various local programs to come and comment during meetings.

Evans made a motion to approve the policy document. Gunter seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

## **EXECUTIVE SESSION**

The Board entered Executive Session at 12:25 p.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 1:45 p.m.

## **MOTIONS FOLLOWING EXECUTIVE SESSION**

### **2013-36**

Evans moved to close with no violation. Blanchard seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

### **2013-39**

Blanchard moved to close no action. Evans seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

### **2013-44, 2013-45**

Duffus moved to close with no action. Evans seconded

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

### **2013-40**

Duffus moved to ratify the license. Blanchard seconded.

Aye: Chase, Blanchard, Gunter, Evans, Duffus

Nay: None

Motion passed by unanimous roll call vote of those present.

**2013-08**

Chase moved to ratify the license. Blanchard seconded.  
Aye: Chase, Blanchard, Gunter, Evans, Duffus  
Nay: None  
Motion passed by unanimous roll call vote of those present.

**2013-25**

Gunter moved to ratify the issuance of the license. Chase seconded.  
Aye: Chase, Blanchard, Gunter, Evans, Duffus  
Nay: None  
Motion passed by unanimous roll call vote of those present.

**2013-37**

Evans moved to close with no action. Blanchard seconded.  
Aye: Chase, Blanchard, Gunter, Evans, Duffus  
Nay: None  
Motion passed by unanimous roll call vote of those present.

**2013-43**

Blanchard moved to close with no violation. Gunter seconded.  
Aye: Chase, Blanchard, Gunter, Evans, Duffus  
Nay: None  
Motion passed by unanimous roll call vote of those present.

**2013-42**

Chase moved to ratify closure of the case with no violation. Duffus seconded.  
Aye: Chase, Blanchard, Gunter, Evans, Duffus  
Nay: None  
Motion passed by unanimous roll call vote of those present.

**2013-51**

Duffus moved to accept the quiz as fulfilling the education requirement of the probation. Chase seconded.  
Aye: Chase, Blanchard, Gunter, Evans, Duffus  
Nay: None  
Motion passed by unanimous roll call vote of those present.

Evan moved to accept the PD audit and renewal guidelines as presented. Duffus seconded.  
Aye: Chase, Blanchard, Gunter, Evans, Duffus  
Nay: None  
Motion passed by unanimous roll call vote of those present.

**RATIFY LICENSES ISSUED AUGUST 15, 2013 – OCTOBER 25, 2013**

Chase moved to ratify the issue of these licenses. Evans seconded.  
Motion passed by unanimous roll call vote of those present.

**NEXT MEETING DATES/ADJOURNMENT**

The next regular meeting is scheduled for February 21, 2014.  
The meeting adjourned at 1:50 p.m.