



Board of Examiners  
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## Meeting Minutes October 30, 2015 Portland State Office Building Conference Room 445 Portland, Oregon

**PRESENT:** Lyndsay Duffus, Chair, Audiologist  
Elynor McPeak, Public Member  
Gail Swanstrom, Audiologist  
Jean Verheyden, M.D., Otolaryngologist  
Anna Sanger Reed, Public Member

Erin Haag, Executive Director  
Tyler Anderson, AAG  
George Finch, Investigator  
David Linn, Administrative Assistant  
Nancy Dunn, Clinical Consultant  
(Arrived: 9:52 a.m. Left: 11:11a.m.)

**EXCUSED:** Wendy Gunter, Vice Chair,  
Speech-Language Pathologist  
Jennie Price, Speech-Language Pathologist

### CALL TO ORDER

The meeting was called to order at 9:03 a.m. by Chair Duffus, after a roll call quorum was established.

### MINUTES OF JULY 31, 2015, AUGUST 7, 2015, AUGUST 14, 2015 MEETINGS

Verheyden moved to approve the July 31, 2015, August 7, 2015 & August 14, 2015 meeting minutes as written. Swanstrom seconded. The motion passed unanimously.

### HERMISTON EXEMPTION REQUEST & PUBLIC COMMENTS

Dr. Jon Mishra, Director of Special Education for the Hermiston School District, spoke about the district's petition to the Board asking for Speech-Language Pathology Assistant (SLPA) rule exemptions. Handouts included the initial petition, a letter from Executive Director Haag to Dr. Mishra asking for more details, and an updated petition including the requested information. OAR 335-095-0050 (5)(a)(b)(c) allows educational facilities in remote geographical areas of the state or with severe shortages of licensed personnel to apply for an exemption to the 1:2 ratio for SLPA supervision. Mishra reported that the district serves about 650 special education students with about 300 needing speech-language services. He was able to hire at least one SLP through Ardor Health Solutions since the time the petition was submitted. Mishra appreciated the opportunity to meet with the Board and other interested parties in person.

Greg Gallagher of Presence Learning was in attendance to answer questions and assure the Board of their company's commitment to complying with Board rules and statutes should it allow the requested exemption. He had questions about how the SLPA supervision rules were developed. Ashley Northam, Past President of the Oregon Speech-Language & Hearing Association (OSHA) and SLPA Program Director at Chemeketa Community College read a statement on behalf of OSHA in opposition to any exemptions beyond those that are allowed in the Board's rules. Andy McMillin, President of OSHA was present. Robin Shobe, licensed Speech-Language Pathologist (SLP) and manager of the Oregon Department of Education's SLP scholarship program, spoke in favor of alternative delivery models such as telepractice. Shobe is concerned that the program has been hurt by recent passage of SB 287 which eliminated the exemption for licensure of SLPs if they were licensed by the Teacher Standards and Practices Commission (TSPC). She feels that there has not been enough research to suggest that one treatment model is

superior to another and that students are in need of services. Shobe and Northam discussed the merits of a “grow your own program” that involves recruiting professionals who have ties to the local community and getting them the needed education and training. Sharon Soliday of the Hello Foundation submitted testimony in writing. Haag pointed out that Hermiston does not yet have four SLPAs recruited, and as such does not yet need the exemption. Since the exemption is available for a limited period of time it might be wise for Hermiston to withhold their request until it is truly needed. Felicia Holgate, Executive Director of the Oregon Occupational Therapy Licensing Board, was also present.

### **EXECUTIVE SESSION**

Chair Duffus thanked the public for their participation, and called the Executive Session into order at 9:52 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 executive session ended at 1:07 p.m. and the Board returned to public session.

### **MOTIONS FOLLOWING EXECUTIVE SESSION**

#### **2015-08**

Verheyden moved to close with no violation. Swanstrom seconded.  
Aye: Duffus, McPeak, Sanger Reed, Swanstrom, Verheyden  
Nay: None  
Motion passed by unanimous roll call vote.

#### **2015-06**

Sanger Reed moved to close with no action and the Board will send a letter of education. McPeak seconded.  
Aye: Duffus, McPeak, Sanger Reed, Swanstrom, Verheyden  
Nay: None  
Motion passed by unanimous roll call vote.

#### **2015-10**

Swanstrom moved to close with no action with letter. Sanger Reed seconded.  
Aye: Duffus, McPeak, Sanger Reed, Swanstrom  
Nay: None  
Recused: Verheyden  
Motion passed by unanimous roll call vote.

#### **2015-29**

Verheyden moved to close with no action. Duffus seconded.  
Aye: Duffus, McPeak, Sanger Reed, Swanstrom, Verheyden  
Nay: None  
Motion passed by unanimous roll call vote.

#### **2015-34**

Duffus moved to issue the license. Swanstrom seconded.  
Aye: Duffus, McPeak, Sanger Reed, Swanstrom, Verheyden  
Nay: None  
Motion passed by unanimous roll call vote.

#### **2015-25; 2015-27; 2015-28; 2015-30; 2015-33**

Sanger Reed moved to ratify the administrative closures of the above cases. Verheyden seconded.  
Aye: Duffus, McPeak, Sanger Reed, Swanstrom, Verheyden  
Nay: None  
Motion passed by unanimous roll call vote.

**Licenses issued from July 22, 2015 through October 20, 2015**

Verheyden moved to ratify the issuance of these licenses. McPeak seconded.

Aye: Duffus, McPeak, Sanger Reed, Swanstrom, Verheyden

Nay: None

Motion passed by unanimous roll call vote.

**HERMISTON EXEMPTION REQUEST**

The Board will continue to gather information about the Hermiston request for exemption. Since there are time limits on the exemptions allowed under Oregon law, the Board determined it would be better for the district if the request is tabled until such time as it is actually needed.

**EXECUTIVE DIRECTOR'S REPORT**

Erin Haag, Executive Director, attended the annual meeting of the Oregon Academy of Audiology (OAA) on Saturday, October 3<sup>rd</sup>, and gave a short talk on current issues including the Oregon Department of Justice advisory opinion that tinnitus may not be diagnosed or treated by Hearing Aid Dispensers. Haag has also recently attended investigator training at a conference hosted by the Council on Licensure, Enforcement and Regulation (CLEAR) and the National Council of State Boards for Speech-Language Pathology and Audiology (NCSB). The online renewal system has been tested and should open on November 1<sup>st</sup>. The Board's finances are in good shape due to this early time in the biennium and the savings from not needing to immediately hire an investigator. Haag discussed the Board's business continuity plan including plans to make sure that a copy of our database is maintained outside the state. Duffus reported that she represented the Board at the OSHA conference but did not receive any questions. Haag will send out a proposed meeting schedule for 2016.

**ADJOURNMENT**

The Board meeting adjourned at 1:17 p.m. The next Board meeting will be held at 9AM, Friday, February 5, 2016.