



Board of Examiners
For Speech-Language
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**Meeting Minutes
October 26, 2018
Portland State Office Building
Conference Room 445
Portland, Oregon**

PRESENT: Gail Swanstrom, Audiologist, Chair
Victoria Edwards, Speech-Language
Pathologist, Vice-Chair
Amy Martin, Speech-Language
Pathologist
Dustin Ooley, Audiologist
Anna Sanger Reed, Public Member
Clarence Williams, Public Member

Erin Haag, Executive Director
David Linn, Administrative
Assistant
George Finch, Investigator – By
Phone (10:12am)
Tyler Anderson, AAG

EXCUSED: n/a

CALL TO ORDER

The meeting was called to order at 9:08 a.m. by Chair Swanstrom, after a roll call quorum was established. She welcomed two new Board members - Amy Martin, CCC-SLP, and Clarence Williams, public member.

PREVIOUS MEETING MINUTES:

Ooley noted his name was misspelled on the June minutes. Ooley moved to approve the June 8th 2018 with that correction, and the August 30th, 2018 minutes as distributed. Sanger Reed seconded the motion and it passed unanimously.

PUBLIC COMMENTS:

Linda D'Onofrio, CCC-SLP provided written and oral testimony on a matter she was concerned about, and the Board thanked her for her comments.

CHAIR'S REPORT:

Chair Swanstrom reported that she was approached by the Chair of the Oregon Mortuary & Cemetery Board (OMCB) about awarding Director Haag with an additional 40 hours of vacation for exceptional performance. Both Chairs agreed to award Haag for splitting her time between the two agencies while OMCB hired a new director.

EXECUTIVE DIRECTOR'S REPORT:

Election of Board Officers: The Board members discussed among themselves who could act as chair and vice-chair. Edwards expressed interest but was concerned about the time commitment. Sanger Reed asked if it was common for a public member to act as chair and Haag said it was not common but that it was permissible. Swanstrom said she could continue as chair. Ooley moved to re-elect Swanstrom as Chair. The motion was seconded by Edwards and passed unanimously. Swanstrom nominated Edwards to again serve as Vice-Chair. Ooley seconded the motion and it passed unanimously.

NCSB / SLP Licensing Compact: Director Haag recently attended the annual conference of the National Council of State Boards of Examiners (NCSB). A prominent topic discussed was “Compact Licensure”. Licensing compacts are agreements between states that create a compact commission to issue credentials to practice in states that are members. Individuals would have a “home state” and then could apply to the compact for “privileges to practice” in additional states that are members of the compact. Oregon was the first state legislature to adopt enter a compact for licensure of physical therapists and now that the compact has more than ten state members it as begun operations. A benefit of a compact would be to expedite licensure applications for military spouses and traveling practitioners. Another advantage would be prompt sharing of disciplinary and investigatory information with all states where a licensee holds a privilege. Each state board would retain its individual sovereign ability to discipline any person with a license or privilege to practice in that state, (i.e. Oregon).

Director Haag was asked to be one of about twelve individuals to serve on the National Compact Commission Advisory Committee. The first meeting was in-person, and there have been several teleconference meetings where the general principals of such a commission have been debated. The endeavor is sponsored by a grant from the American Speech, Language and Hearing Association (ASHA) to the Council of State Governments (CSG), whose staff have coordinated the project. Oregon is a member state of the Council of State Governments, and in 2017 Governor Brown has served as its President. In its history, CSG has set up hundreds of interstate contracts. The Compact Advisory Committee appointed a drafting committee, which has put out a draft for public comment. (Contact Director Haag for more information if you wish to read and/or comment on the document.)

Oregon would need to pass legislation in order to join such a compact. The Board supports investigation of the issue, which will ultimately be decided by the Governor.

One issue of great importance to the state is that Oregon does not release social security numbers to any entity. This has created a few glitches in the implementation by the PT board, but that compact has worked with Oregon to utilize other personally identifiable information to identify licensees. If BSPA were to join a compact, there could be a fee that would be passed on to all Oregon licensees. However, CSG staff told Haag that they know of potential federal grants that would pay for the compact.

New ASHA CEU Requirements: Haag reported that beginning in 2020, ASHA will have new CEU (professional development) requirements for coursework in ethics. In addition, those who supervise SLPAs or clinical fellows will be required to take coursework in supervision. Haag

said that the SLPA rulemaking committee will take this under advisement as they prepare a draft of rules changes for the Board's consideration.

ASHA to develop certification for speech-language pathology assistants (SLPAs) and audiology assistants: ASHA has convened committees to develop certifications by 2020. Haag said after those are implemented, the Board should also review its own rules and consider creating a new license for audiology assistants.

Finance & Budget Report – Haag distributed and reviewed the financial statement of revenue and expenses through September, 2018, month 15 of the 24 month biennium. She also shared budget projections to the end of this biennium (6/31/19) and the analyst-approved budget for 2019-21. The Board is in good financial shape for the current biennium and saved funds for seven months while the Executive Director billed 50% of her time when serving as Interim ED for the OMCB. The legislature approved funding for a part time investigator and for clinical reviewers to help the Board deal with the caseload. DOJ costs have increased both due to one large case that went to appeal (the Board prevailed), and due to inflation. The Board is on a flat fee system which helps with risk management and smooths expenses over a longer time rather than having to be paid when occurred. The Board has had to incur unexpected expenses for I.T. due to the long-time contractor no longer doing business with the state.

The 2019-21 budget is mostly a maintenance budget, but includes a full-time staff investigator rather than part time. It also includes funding for a major increase in I.T. expenses related to the need to replace the old contractor and an antiquated database. Haag explained the State's "Pay Equity" project that could potentially add more pay "steps" for some state employees, and that she and the other HRLB executive directors have asked for their positions to be evaluated.

Swanstrom asked if any general funds were used to fund the Board and Haag explained that the Board is only funded through licensing fees. There could be a need to increase licensing fees for the 2021-23 budget cycle, and possibly even by 2020.

Edwards moved to approve the draft budget as presented. Swanstrom seconded. The motion carried unanimously.

Accounting Audit – Haag reported that BSPA and the other five Health Related Licensing Boards (HRLBs) requested an audit related to accounting procedures and expect a report soon.

OSHA/FARB – Executive Assistant Linn attended the annual conferences of the Oregon Speech and Hearing Association (OSHA) and the Federation of Associations of State Boards (FARB).

2019 Session: Other than the budget bill, the Board has submitted no bills. There are also no proposed changes to the Board's "key performance measures."

Workforce data: Licensees were required by law during renewals to answer questions about their workplace. This data is now available and a public copy will be available in the near future.

Collaboration with Oregon Medicaid and the Oregon Department of Education: Haag reported she has had very positive meetings with these two agencies and they intend to all collaborate on training programs for school administrators and on other issues of common concern.

SLPA Rule Making – The SLPA rulemaking advisory committee, chaired by Ashley Northam, CCC-SLP, has held meetings and intends to have a draft before the Board at their January meeting.

Telepractice Rule Making – The Board reviewed each line of the rules proposed by the telepractice committee. After considerable discussion, they made some changes (see documents). The Board asked that the SLPA committee weigh in on whether SLPAs should be allowed to provide services via telepractice. The Board stated they wished for the client/patient/student to be allowed to request in-person services at any time.

Martin moved to move forward with the proposed draft telepractice rules, Swanstrom seconded, and the motion passed unanimously.

EXECUTIVE SESSION

Chair Swanstrom called the Executive Session to order at 12:13 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 executive session ended at 2:09 p.m. and the Board returned to public session.

MOTIONS FOLLOWING EXECUTIVE SESSION

2017-71 A & B: Ooley moved to close with no action. Seconded by Swanstrom, the motion carried unanimously.

2016-45 & 2016-58: Edwards moved to close with no action. Ooley seconded. The motion carried unanimously.

2016-40: Swanstrom moved to close with no action. Williams seconded. The motion carried unanimously.

2016-47: Ooley moved to close with action. Edwards seconded. The motion carried unanimously.

2016-63: Edwards moved to close with no action. Swanstrom seconded. The motion carried unanimously.

2018-24: Sanger Reed moved to issue license. Ooley seconded. The motion carried unanimously.

2018-19: Ooley moved to close with no action. Sanger Reed seconded. The motion carried unanimously.

2018-23: Edwards moved to close with no action. Swanstrom seconded. The motion carried unanimously.

2018-26: Swanstrom moved to close with no action. Williams seconded. The motion carried unanimously.

2018-27: Sanger Reed moved to close with no action. Ooley seconded. The motion carried unanimously.

2018-28: Ooley moved to close with no action. Martin seconded. The motion carried unanimously.

Edwards moved to ratify the issuance of the licenses between February 1, 2018 – October 29, 2018. Ooley seconded. The motion carried unanimously.

Open Cases –Ooley moved to extend the Board’s open cases. Swanstrom seconded. The motion carried unanimously.

ADJOURNMENT

The Board meeting adjourned at 2:15 p.m. The next Board meeting will be held at 9 a.m., Friday, January 11, 2019.