

News For Oregon Licensees

Oregon Board of Examiners for Speech -Language Pathology & Audiology

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Message From the Director

I wanted to express my thanks to all of the volunteers who served on the telepractice and SLPA rulemaking committees. More than 30 licensees worked hard on the rules and we had many lively discussions that indicated their dedication and commitment to provision of quality services to Oregonians. Dozens of licensees and others also provided public comment, and all of them were considered by the Board before enacting the new rules. Committee members and I have conducted a number of training sessions on the new SLPA rules, including a presentation at the Oregon Speech-Language and Hearing Association annual conference (OSHA) the fall Council of School Administrators (COSA) conference, and a summer school-based Medicaid meeting presented by OHA and ODE. We have also made presentations to some school districts and ESDs, and I am available to travel to your area of the state in order to help licensees and administrators understand and properly implement them. If you wish to have a training in your area or have other questions please email me at: Erin.Haag@state.or.us.

In 2020, the Board will begin considering legislative concepts for the 2021 legislative session, including the possibility of adding a speech-language pathology assistant position on the Board. I hope you all have a safe and enjoyable holiday season. - Erin Haag, Executive Director

License Renewal Update and Tips

Licensure renewals are in progress and approximately 800 of our 3,000 licensees have successfully renewed as of December 12th. Board staff have returned 288 calls so far and will be working evenings and weekends to help you through the process. We ask that you send your questions via email in order to receive faster service due to the high call volume: speechaud.board@state.or.us

The renewal deadline is midnight on December 31st, and licenses expire on January 30, 2020. The Board wishes to express our thanks to all of you for your patience with this new licensing system and the fact that, unlike in previous years, our vendor was not able to make the system live during November. As a result, the Board was also unable to send notices in advance to people whose professional development hours will be audited. The main difference this year is that we are asking all licensees to upload proof of professional development during the renewal process. The system asks you to list each course taken and upload the certificate for each course (any format is fine). However, if you have an ASHA or other registry that lists all of your courses, you may list that as one activity and upload the registry. Please note that you do not have to request or wait for ASHA to send you the official ASHA transcript – the Board is accepting the unofficial document. Another issue is that the system is not always returning people to their renewal application once they have completed the OHA workforce data survey. If this happens you will need to log back into the system.

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SLPA Rule Changes Take Effect January 1, 2020

The Board approved new rules governing the use of speech-language pathology assistants (SLPAs) and those take effect on January 1, 2020. They can be found on our website at www.oregon.gov/bspa.

The new rules are intended to provide a more qualitative rather than quantitative approach to supervision. The Board and committee members recognize that some SLPAs have many years of experience and require a different level of supervision than individuals who have just started their career. Instead of the Board requiring supervision to be provided for each client at least 20% of the time every 30 days, the Board is now requiring the supervisor and SLPA to work together to create a customized supervision plan within two weeks of the SLPA beginning work. At that time, the SLP will also be required to conduct a skills assessment of the SLPA in order to determine what kinds of clients the SLPA can be assigned. The SLPA and SLP are now required to meet for at least one hour per month to discuss the plans of care and provide coaching to the SLPA. If that supervision does not occur for 2 months, the SLPA must report it to the Board. If an SLPA works with more than one SLP, the SLPA must meet with each SLP for one hour per month. It is acceptable to break that 60 minutes into smaller segments, such as 15 minutes per week, etc. The meetings must be held in real time (e-mail exchanges do not count as meetings).

Many aspects of the rules have not changed, the most important being that the speech-language pathologist (SLP) continues to be responsible for all treatment provided by SLPAs to their own clients/patients/students. In the past, the Board found cases where the SLP was not providing supervision for the treatment of each client, student and patient every 30 days as

required. The new rules require the SLP to treat, or co-treat each and every client, student and patient on their caseload at least

every 60 calendar days. This will ensure that the SLP is continuously re-assessing and adjusting the plan of care. As before, SLPAs may not treat any students on the caseload of a clinical fellow.

Another aspect that has not changed is that if an SLPA is working on the caseload of more than one SLP, they must be supervised by each of those SLPs. The SLPA must provide a supervisor form for each caseload pairing to the Board within 30 days. The Board has found cases where an SLPA was serving the caseload of more than one SLP, but was only obtaining supervision from one SLP. That is a big problem because that one SLP supervisor is not responsible for the caseloads of the other SLPs. Each SLP is responsible for all treatment provided to their clients/students/patients. The Board will require all SLP supervisors to take two hours of supervision PD before the next renewal.

The Board is required by the Legislature to conduct annual SLPA audits, and 2020 will be no exception. Staff is designing the format of that audit, which will be conducted in the Spring. We will expect SLPs to provide the Board with proof that the SLP treated or co-treated each client/student/patient at least every 60 calendar days. The Board will also request copies of the SLPA initial assessment, the supervision plan, logs of the monthly meetings, and lists of all SLPs and SLPAs and the locations where they are working with clients.

ASHA is developing a certification program for SLPAs, so the Board will review rules again in 2021.

ASHA Implementing Updated Clinical Fellowship Standards

Beginning January 1, 2020, ASHA is implementing new standards for clinical fellowships. One new requirement ASHA requirement is for supervisors to take a two hour course specifically in supervision. All of the new ASHA requirements can be found here: <https://www.asha.org/Certification/Clinical-Fellowship/>.

Many of the standards have not changed, such as the fact that **tele-supervision of the Fellow is not allowed unless ASHA provides an exemption in advance**. ASHA only awards the exemption for tele-supervision in rare cases where the practice location is so remote that there is no SLP available to provide on-site supervision. So, for example, an exemption might be awarded for a Fellow located in Paulina, but not if they are practicing in Salem or other cities in the highly populated Willamette Valley corridor. The Board has recently discovered that

some clinical fellows in Oregon were being supervised exclusively via tele-supervision, and this can place licensees at risk with both ASHA and the Board.

The Board does not require individuals to be a member of ASHA or hold their CCCs in order to obtain licensure. For SLPs, the Board will accept the ASHA CCCs, or the Board requires applicants to provide us with a passing Praxis score and proof of successful completion of the clinical fellowship as indicated on ASHA's rating form. The Board has always expected that the clinical fellowship meets ASHA standards. Medicaid requires that SLPs who bill must have completed a fellowship and other requirements that meet ASHA standards. It is important that Oregon statutes and rules align with ASHA's standards. As such, the Board will be reviewing and possibly updating CF rules in early 2020.

Make Sure Your Professional Development Counts

Below are some tips to make sure your professional development (PD) is acceptable for renewing your license. All licensees must renew their licenses on or before December 31, 2019. SLPs and audiologists must document 30 hours of acceptable PD: SLPAs must document 15 hours, completed in calendar years 2018-2019.

By rule, PD documentation must be maintained for four years. Licensees with insufficient or unacceptable PD will not be renewed until they have submitted the required amount, and if that requires going into the 2020-2021 period they will be subject to a delinquent fee and possible disciplinary action. Acceptable activities include:

- **University Courses**—For a graduate level course to count as professional development it must be taken for credit (pass/no pass is not acceptable) and the individual must earn a “C” or better. Documentation can be in the form of an official or unofficial transcript.
- **In-Service Activities**—In-service activities are only applicable without pre-approval when put on by public school districts, ESDs, hospitals, or universities, **for their own employees**. If you are employed by a school and attend a program sponsored by another district or the ESD, this requires special approval within 30 days of the course date. Ideally the sponsor will apply for such approval when they decide to open it up to other professionals who are not their employees, but it is the responsibility of the licensee to ensure it is an approved activity. Any PD activities must directly related to speech-language pathology and/or audiology. An in-service on basic office tasks or software may improve your service delivery but they are only indirectly related and would not be counted as PD. All PD documentation must have the title, date & length of the activity and must be signed as verified by a third party administrator.
- CPR and basic life support courses put on by the American Red Cross, American Heart Associate or equivalent providers. You can use the card earned after the course as documentation of completion.
- All other activities should be ASHA, AAA, ABA, OSHA or Board approved activities. Documentation can be an unofficial CEU registry and/or certificates of attendance.
- Remember that 1.0 ASHA CEUs are equal to 10 PD hours. **You must report your professional development in hours, not in ASHA CEUs. The complete rules can be found on our website: www.oregon.gov/bspa**

Board Wins Gold Sustainability Award

In September the BSPA Office was awarded Gold Certification by the City of Portland’s Office of Sustainability. The “Sustainability at Work” program offers three levels of certification to recognize a business’s positive impact on our environment and our community. BSPA was the first State of Oregon agency certified under the program. Categories of scoring included: Reduce, Reuse, Recycle; Employee Engagement; Transportation; Energy; Water and Community Engagement.

The staff at the board office have been crafting ways to reduce energy and resource consumption. Several improvements have reduced the amount of paperwork coming into and out of the office. We are working to move towards a completely paperless operation and have changed policies and procedures to accept more electronic documentation, such as college transcripts. The new database allows licensees to update information online instead of submitting paper forms. Record retention and archiving activities have been streamlined. Staff were recognized for regularly volunteering both in the office, as well as in our larger community. These changes reflect our government’s role in supporting a greener economy and us all doing our small part to address potentially catastrophic climate change.





RECENT BOARD ACTIONS

5/31/19

Mansfield, Sara #12372

Outcome: Consent Order

A Consent Order was issued on 5/31/19 imposing a civil penalty of \$500 for unlicensed practice. Mansfield was initially licensed on 10/28/2003. On 01/31/16, Mansfield's license expired due to non-renewal. On or about August 24, 2016, the Board received a reactivation application from Mansfield and her license was reactivated on August 24, 2016. Mansfield worked without a valid license for approximately four and ½ months in violation of ORS 681.250(2). She failed to apply for renewal of her license in a timely basis, in violation of ORS 681.320(1)(a) & (b), OAR 335-060-0030(1) and OAR 335-060-0030(3)(a) and (b).

4/05/19

Moran, Mark, SLP #13522

Outcome: Order of Satisfaction of Probation

On August 31, 2018, the Board placed Licensee on probation for six months and imposed terms that were required to be completed during the probationary period. The Board has determined that Licensee has completed the terms of the probationary period to the Board's satisfaction. Effective April 5, 2019, Licensee is released from probation, and his license to practice speech-language pathology is unencumbered.

3/19/19

Ely, Sarah B, SLP #15208

Outcome: Consent Order

Violation: A Consent Order was issued on 3/19/2019 imposing a civil penalty of \$700 for unlicensed practice. Ely was initially licensed on 12/24/2013. On 01/31/16, Ely's license expired due to non-renewal. The Board found that Ely was unlicensed during its annual Speech-Language Pathology Assistant Audit. On or about 5/10/17, the Board received a reactivation application from Ely. Ely was employed by the Canby School District for approximately five months without holding a valid license in violation of ORS 681.250(2). She failed to apply for renewal of her license on a timely basis, in violation of ORS 681.320(1)(a) & (b), OAR 335-0060-0030(1) and OAR 335-060-0030(3)(a) &(b).

A reminder about events to report to the Board office:

- Any name used professionally. If you legally change your name you must submit a copy of whatever legal documentation you used to change the name, within 30 days. We will update our records and mail you a new license.
- Changes in work or home address, email, and phone number must be reported within 30 days.
- Changes in supervision, whether you are an SLPA or a CF holding a Conditional SLP license, must be reported within 30 days.
- Any licensee's conviction for a misdemeanor or felony and any arrest for a felony crime must be reported within 10 days after the conviction or arrest.
- Prohibited or unprofessional conduct on the part of yourself or another licensee must be reported within 10 working days.
- Any adverse action taken against a license by any state or federal agency or professional association, such as ASHA or AAA.
- Any reasonable belief that another individual is violating the Board's Professional and Ethical Standards.
- Any suspected Child Abuse (ORS 419b) Communicable Disease (ORS 433 & OAR 333-018) or Elder Abuse (ORS 124)
- **NEW REPORTING REQUIREMENT**—Any SLPA who does not receive the required supervision for two consecutive months shall notify the Board within 10 days.