

News For Oregon Licensees

FALL '05

Oregon Board of Examiners for Speech -Language Pathology & Audiology



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"News for Oregon Licensees" is a publication of the Oregon Board of Examiners for Speech-Language Pathology and Audiology, published annually or as needed. The Board welcomes your suggestions for articles as well as news items. Neither the Board, its members, nor its staff are responsible for factual statements or opinions published in this newsletter. The Board reserves the right to refuse or edit all articles submitted.

Contact the Board office for further information on how to submit a suggestion or article.

New Rule Changes

Revise, revise, revise

Brenda Felber
Executive Director
BSPA

The Board has drafted rules to amend various Oregon Administrative Rules, Chapter 335 in divisions 5, 60, 80 and 85.

The Board is also proposing to adopt a new rule in division 95 relating to special permits for TSPC-licensed speech-language pathologists and to repeal an outdated rule relating to grandparenting of speech-language pathology assistants.

Major changes result from House Bill 2065 which revised Oregon Revised Statute Chapter 681, the practice act for audiologists and

Goodbye...and Hello!

A fond farewell and a hearty welcome.

Brenda Felber
Executive Director
BSPA

The end of June brought many changes to the Board. We said goodbye to long term member and most recent Board chair, Joanna (Jo) Burk. Joanna has served on the Board since July of 1993, probably the longest serving Board member in history! (Please see Jo's related article, "From the Chair", on page 2) Jo rarely missed a meeting. In addition to serving as the Board chair the past 3 years, Jo served on the subcommittee for transcript review, reviewing transcripts for applicants to verify that they complied with the requirements in Oregon Revised Statute 681.

James Thomas, the Board member filling the

otolaryngologist position, served two terms since September of 1999. The Board appreciated his practical, even-handed attitude and advice during many disciplinary discussions.



Raye Ann, Carolyn and Gloria listen intently about an issue.

Raye Ann Gaskins, public member, served since October of 1999. The Board has been fortunate to have involved public members

Continued on page 3

speech-language pathologists. You can read the revised chapter at the Board website; the chapter will be updated on the website as soon as it is available.

An important change is that the fees are no longer stated in the statute. This will allow the Board to set fees as necessary to cover expenses and to bring the procedure in line with other licensing boards. See related article on page 2, "Board Proposes Increase in Licensing Fees".

A public hearing on the proposed rules is scheduled for Friday, September 9th at 10:00 and written comments will be accepted until that time. For more information please read the notice included in this newsletter on page 5. 📞

THE BOARD

Chair
No new chair elected

Vice-Chair
Nancy Dunn, AUD

Professional Members
Carol Clupny, SLP
Harold Kim, MD
Ashley Northam, SLP
Gloria Schnell, AUD

Public Members
Carolyn Dowd
Joyce Erickson

Executive Director
Brenda Felber

Office Assistant & Editor
Tim Anderson

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Board Proposes Increase in Licensing Fees

Brenda Felber
Executive Director
BSPA

With the passage of House Bill 2065, the Board now has the authority to adopt fee amounts by rule. Fees will then be ratified by the legislature in the next session.

An increase in the fees for the largest category of licensees, speech-language pathologists and audiologists, is past due. Fees have not been increased since 1995 and the Board has spent down its cash balance ever since to cover administrative and legal expenses.

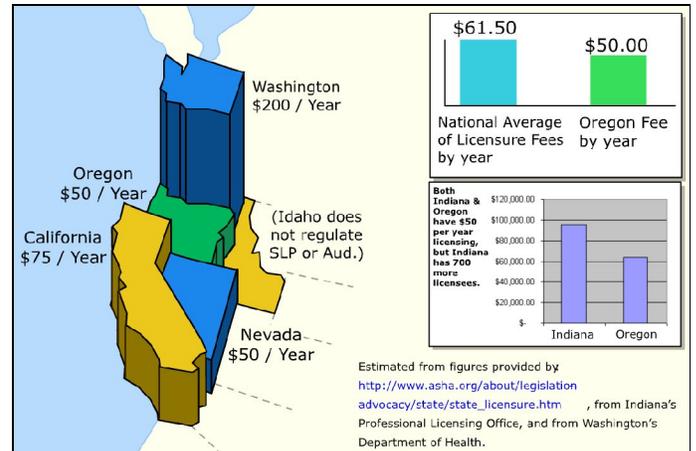
Here is a summary of what is proposed:

Fee Type	Current Fees	Proposed Fees
Active License	\$100/ two years	\$160/two years
Inactive License	\$20/two years	\$50/two years
Delinquent renewal	\$10	\$50
Application	\$30	\$40

All other fees, e.g. for speech assistants certificates and conditional licenses, will remain the same.

The Board supports itself solely by the licensing fees you pay. Typical expenses include rent, attorney fees, personnel, telecommunications support and service- all expenses necessary to operate a small office. As you might realize, the cost of operations has gradually increased over the past ten years while income has remained relatively flat.

With the increase in fees, the office will be staffed with 1.4 FTE, an increase of .55 over the current .85 FTE. We hope to be able to serve you even better! 🎧



From the Chair

Reflections...

Joanna Burk
Retired Board Member and Chair
BSPA



Jo Burk, newly retired Board chair.

As I leave the Board after serving three consecutive terms, it is amazing to look back and reflect on the changes that have taken place for our Board and profession since July 1, 1993.

During this time, conditional licenses were offered for first time applicants and the residence requirement was taken away.

Rural programs were offered by our two State Universities to assist in qualifying school SLPs for licensure. Brenda Felber was hired in 1996 and she has proven to be a great asset to our Board. Laws were written (and passed by the legislature) to require professional development hours for license renewal. This also brought an increase in disciplinary issues because the Board takes the law and rules written to support it, seriously. We also find that consumers are savvier about their rights. Laws and rules also were written to provide certification of Speech Language Assistants. The refining of this phase took my whole last term. Rules are now in the process of changing to accommodate the new AuD degree.

And with all these changes there has been a gradual increase in office staff with one staff member in particular, Tim, adding to the quality of our service to consumers. The work of Brenda and Tim particularly makes the work for volunteer Board members much easier. I am leaving the Board at this time, because I feel that it is time for those people who are still actively involved in the professions of speech pathology and audiology to have their say. In the 12 years that I have been on the board, I have served with great people and I know that tradition will continue. 🎧

"Goodbye...and Hello" continued from Page 1

such as Raye Ann. Raye Ann truly brought the consumer perspective to the Board discussions. She also shared her expertise in drafting, editing and proofreading.

Lezlie Pearce-Hopper, speech-language pathologist, served since December of 1996. In addition to bringing a perspective from ASHA and OSHA, Lezlie served on the professional development approval subcommittee since the beginning of the requirement of professional development! We know she worked long hours reviewing and tracking the many requests for special approval. In addition, Lezlie was involved in the legislative process: she traveled to the capitol to attend budget hearings and most recently testified for House Bill 2065, the Board's bill in the 2005 legislative session.

Many thanks go out to these Board members who have served our community so well!
It has been my pleasure to work with these professionals.

The Board welcomes replacement members Carol Clupny, SLP, Dr. Harold Kim, Joyce Erickson, public member and Ashley Northam, SLP. 🗨️

New Website, Lookup, and Telephone Number

It's a brave new world

Tim Anderson
Administrative Assistant
BSPA

In addition to changes to the Board itself, there have been changes to our website and our telephone system. The new look of the website is due to a centrally-managed content management system installed by the State of Oregon to give agencies a more uniform presence on the Internet. The address is the same: www.bspa.state.or.us.

We are in the process of putting up a new licensee lookup and verification system on the web. Be on the lookout!

Our phone number has changed to (971) 673-0220, and our fax is now (971) 673-0226. This change is due to becoming part of a large telephone system put in place by the State to save money. With the Legislative approval of additional staff time for me, we hope to provide better telephone coverage to you. 🗨️



Below are recent public actions taken by the Board. The Board publishes the number and verbatim text of the rule violated on public licensee discipline. A copy of statute, administrative rule and public orders of the Board is available upon request.

Official Transcripts Required

All applicants will now be required to provide official, sealed transcripts to verify their education. NCQA requires verification of education directly from the educational institution in the form of official transcripts. Applicants can still send in transcripts with their application, but they will only be accepted if received sealed.

New Format for Board Disciplinary Actions

The Board decided to change the format for reporting disciplinary actions in its newsletter and on this website. The new format is shown below with a description of each item.

Licensee Last Name, First Name, License Type & Number

For identification

Outcome *The resulting Board action after investigation and decision by the Board*

Violation *The verbatim text of the Oregon Revised Statute or Administrative Rule violated*

Clarification *Any public notes that pertain to the outcome*

A Copy of relevant Oregon Revised Statutes, Administrative Rules, and the public documents are available upon request. *An informational statement letting the reader know that they may request additional public documentation that does not appear due to space constraint.*

Republished Board Action

The following Board action (published in the November, 2004 newsletter) is republished for clarification.

Schnell, Gloria, Audiology License #20618

Outcome: Consent Order for Reprimand

Violation: OAR 335-005-0010(2) "[Unprofessional conduct means:] Making a false statement to the Board."

Clarification: Ms. Schnell admits she inadvertently included some inaccurate information in the application for renewal that she filed with the Board in November 2003.

A Copy of relevant Oregon Revised Statutes, Administrative Rules, and the public documents are available upon request.

Licensing during the CFY

It's the Law!

Brenda Felber
Executive Director
BSPA

If you are in your clinical fellowship year (CFY) or if you are supervising a CFY candidate, you should know that the CFY candidate most likely needs a license from this Board to practice.

Conditional licenses, outlined in Division 80 of Chapter 335 of the Oregon Administrative Rules became effective in 2001.

The statute or practice act, Chapter 681, was revised in 1995 to include licensure requirements for individuals to practice speech-language pathology or audiology while completing the licensing requirements of this chapter. Chapter 681 was most recently revised to require that the supervising speech-language pathologist to hold a license from this Board; a supervisor with just ASHA CCC's is no longer sufficient.

The rules regarding supervisory and reporting requirements outlined in the rules are general but a person following the American Speech and Hearing Association's (ASHA) requirements can feel confident that they will satisfy the

Legislation of Interest

New laws and changes that affect you

Brenda Felber
Executive Director
BSPA

In the first time in 10 years the Board took the initiative to open and revise the practice act, Oregon Revised Statute Chapter 681. House Bill 2065 passed into law in July and rules were drafted in anticipation.

The biggest and possibly most important change is that the fees were taken out of statute and the Board will now be able to adopt fees through the administrative rule process. The small agency is in need of a fee increase to manage the office for over 1600 licensees. As Deborah Manthe, legislative fiscal officer assigned to the Board stated, "I am amazed that this Board has managed with so little staff for so long!"

Increased license fees adopted through administrative rules (see related articles p. 2) will provide funding for an increase from .85 FTE to 1.4 FTE.

Other changes that brought the Board consistent with other

Board's requirements.

Those students completing their CFY in the public schools are exempt from needing licensure from this Board. They may not, however, by law, supervise speech assistants.

As with most licensure requirements, a person must first apply and obtain the conditional license certificate before beginning to practice. *It's the law!* 🗣️

Got PD?

Renewal time is close

Tim Anderson
Administrative Assistant
BSPA

Here we are again; renewal of your license is just around the corner. You may want to total up your professional development to ensure that you have enough hours. Waiting until the very last minute to get those last few hours puts you in a precarious position; if something happened, you might not get all of your 40 hours in time.

If you need more information on professional development, visit the PD page on our website:

www.oregon.gov/BSPA/pd.shtml 🗣️

state licensing boards are:

- Raises civil penalty ceiling from \$1000 to \$5000.
- Allows the Board to levy the civil penalty for any unlicensed practice.
- Clarifies disciplinary procedures.
- Housekeeping changes.

Early in the legislative session, the bill was amended to include language for the Board to adopt rules to permit a TSPC-licensed speech-language pathologist to legally supervise a speech-language pathology assistant without obtaining state licensure.

You may view the revised statute at our website or request a hard copy by contacting the Board office.

Office specialist, Tim Anderson and I look forward to serving you and facilitating consumer protection for all Oregonians in the next biennium! 🗣️

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking
accompanies this form.

Board of Examiners for Speech-Language Pathology and Audiology 335
Agency and Division Administrative Rules Chapter Number

Brenda Felber 971 673-0220
Rules Coordinator Telephone

800 NE Oregon St, Ste 407, Portland, Or 97232-2162
Address

Friday, September 9, 2005 10:00 – 11:00 a.m.
Portland State Office Bldg. 800 NE Oregon St Room 445

Vice-chair Nancy Dunn
Date Time Hearings Officer
Location

Note: Comments may be submitted by fax (971)673-0226 until 10:00 a.m. on 9/9/05.

Are auxiliary aids for persons with disabilities available upon advance request?
Yes No

RULEMAKING ACTION

ADOPT: 335-095-0055

AMEND:
335-005-0025, 335-060-0010, 335-060-0060, 335-070-0040, 335-070-0060, 335-070-0080, 335-070-0085

REPEAL: 335-095-0020

ORS Chapter 681.340, 681.360, 681.420, 681.460
Stat. Auth.:ORS

ORS Chapter 681.320, 681.330, 681.340, 681.360, ORS Chapter 25.278, Social Security Act, section 466(a)(13)
The new rule and the amended rule relating to fee increases are proposed to implement HB 2065, which is anticipated to become law this legislative session.
Stats. Implemented: ORS

RULE SUMMARY

Rule 335-095-0055 is a new rule outlining the process for a speech-language pathologist licensed by the Teachers Standards and Practices Commission to apply for and gain permission to supervise speech-language pathology assistants in schools. Amended rule 335-005-0025(11) (c) eliminates the requirement for audiology licensees to submit records of hours worked at various business locations at the time of licensure renewal. Amended rule 335-060-0010 outlines new fees for applications, delinquency fees, audiology and speech-language pathology licenses. Amended rule 335-060-0060 outlines the procedure for applicants that do not have a social security number. Amended rule 335-070-0040 restricts professional development credit for a particular activity to only once during a licensing period even if a licensee repeats the activity. Other amended rules in division 70 attempt to clarify the professional development reporting requirements for new licensees and deletes outdated requirements. Repealed rule in division 95 removes outdated text.

Full text of the proposed rules may be viewed on the Agency website at www.bspa.state.or.us or by contacting the Board office at (971) 673-0220 for a hardcopy.

ORS 183.335(2)(b)(G) requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

September 9, 2005
Last Day for Public Comment

/s/ _____
Signature and Date

Brenda Felber
Printed name

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.
ARC 920-2003

BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY 335
Agency and Division

In the Matter of:
Proposal to
Adopt Administrative Rules 335-095-0055
Amend Administrative Rule 335-005-0025, 335-060-0010, 335-060-0060, 335-070-0040, 335-070-0060, 335-070-0080, 335-070-0085
Repeal Administrative Rule 335-095-0020

Statutory Authority: ORS 681.460 The new rule and the amended rule relating to fee increases are proposed to implement HB 2065, which is anticipated to become law this legislative session.

Statutes Implemented: ORS 681

Need for the Rule(s):
Rule 335-095-0055 is a new rule outlining the process for a speech-language pathologist licensed by the Teachers Standards and Practices Commission to apply for and gain permission to supervise speech-language pathology assistants in schools. Amended rule 335-005-0025(11) (c) eliminates the requirement for audiology licensees to submit records of hours worked at various business locations at the time of licensure renewal. Amended rule 335-060-0010 outlines new fees for applications, delinquency fees, audiology and speech-language pathology licenses. The Board has spent down its cash reserves during the past nine years and is in need of a fee increase to continue operations. Fees have not been raised since 1995. Amended rule 335-060-0060 outlines the procedure for applicants that do not have a social security number. Amended rule 335-070-0040 restricts professional development credit for a particular activity to only once during a licensing period even if a licensee repeats the activity. Amended rule 335-070-0060 attempts to clarify the professional development reporting requirements for new licensees. Amended rules 335-070-0080 and 335-070-0085 remove outdated text. Repealed rule in division 95 removes outdated text.

Documents Relied Upon:
ORS Chapters 681
ORS Chapter 25.278, Social Security Act, section 466(a)(13)

Fiscal and Economic Impact:
Reduced fiscal impact for TSPC-licensed Speech-language pathologists to legally supervise speech-language pathology assistants. These licensees may obtain Board permission on an annual basis at \$60 rather than pay the licensure fee of \$80 per year. Increased fiscal impact for all licensed audiologists and speech-language pathologists practicing in Oregon. Board is proposing to raise annual fees from \$50 to \$80. All licensees who are delinquent in renewing licenses will begin paying a delinquent fee of \$50 instead of the current \$10. Licensees may avoid this fee by renewing on a timely basis. All new applicants for licensure and certification will begin paying an application fee of \$40 instead of the current \$30. No fiscal impact for amended rules in Division 70. Reduced fiscal impact for amended rule in Division 5: licensees will only submit documentation per Board's request.

Affect on small business: Small businesses will be provided opportunity to comment on these proposed rules.

Administrative Rule Advisory Committee consulted?:
The Board gained support for HB 2065 from both of the largest professional organizations in Oregon: Oregon Speech and Hearing Association and the Oregon Academy of Audiology. The comment period is much longer than the required period and a hearing is scheduled. The Board has also drawn attention to the rulemaking process in recent newsletters.


Authorized Signer and Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.
ARC 925-1997



HELP SAVE A TREE!

You can receive this newsletter in digital format. Simply email us at speechaud.board@state.or.us and ask us to send future newsletters via email.

Oregon Board of Examiners For
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