

# Oregon Board of Examiners for Speech-Language Pathology & Audiology

# News For Oregon Licensees Fall 06

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## From Your Board Chair

Nancy Dunn, Audiologist  
Board Chair

The Board of Examiners spent the summer months on professional

development audits and rules revisions. With a new legislative session due to begin in January, Board tasks will concentrate on developing and presenting the biennial budget for legislative review. In the 2005 legislative session, the Board successfully guided a statute change through the legislature. No statute changes are proposed for the 2007 session, but the Board will keep a watchful eye on any legislative issues that might affect Board operations.

The Board staff recently completed the audit of professional development (PD) reported by licensees at the January 2006 license renewal. Most of the licensees audited were randomly selected. As the table "2006 PD Audit Statistics" on page 2 shows, 44% of PD reports audited had deficiencies and 10% required some Board action.

*Continued on page 2*



## Save A Tree!

If you would like to receive this newsletter in a digital format via email, let us know!

"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.

## Proposed Rule Change Notice

Brenda Felber  
Executive Director

The Board is again proposing changes to several divisions of Oregon Administrative Rules, Chapter 335. This is your opportunity to read and comment before the revisions are considered for adoption.

Don't be surprised when rules affecting your practice change! This newsletter provides you notice of proposed rule revisions. The complete text of the amended and new rules may be found on the website at <http://www.bspa.state.or.us/BSPA/rules.shtml> or you can contact the Board office for hard copy. The Board welcomes your feedback.

In addition to changing the rules regarding professional development the Board voted to modify the procedures for reporting at renewal. Here are a few highlights:

*Continued on page 2*

## THE BOARD

**Chair**  
Nancy Dunn, AUD

**Vice-Chair**  
Ashley Northam, SLP

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

**Public Members**  
Carolyn Dowd  
Joyce Erickson

**Executive Director**  
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# Proposed Rule Change Notice

(continued from Page 1)

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- Licensees will be notified of their being selected for the professional development audit at time of renewal. They will submit their documentation along with the renewal form prior to the expiration date.
- Licensees not selected for audit at time of renewal will continue to be required to complete the professional development report and sign a statement that they meet the requirements.
- A subcommittee of the Board will meet to review professional development audit submissions for adherence to the rules.

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## From Your Board Chair

(continued from Page 1)

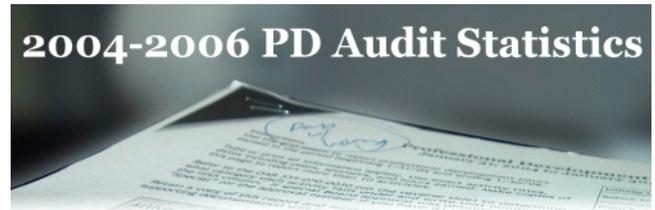
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The primary deficiencies noted on PD reports were:

- Reporting less than the required number of PD hours
- Reporting in-service activities not directly related to the practice of SLP / Audiology

Most of the audited licensees who were out of compliance with the PD requirements were assessed a delinquent fee rather than receiving a formal disciplinary action by the Board. This change in procedure is the result of new rules that will be adopted in October that are retroactive to Jan. 1, 2006. The new rules allow the Board to assess a fine for a number of infractions that would previously have required formal disciplinary action. Licensees who were disciplined by the Board in 2004 because of PD deficiencies will no longer have that Board action noted on the licensee registry on the website.

The Board has reviewed and revised all the professional development rules to make it easier for licensees to understand and comply with the PD requirements.



**Total Audited:** 142 (about 10% of licensees)  
119 Random  
23 Mandatory



**Total Passed Without Warning:** 80



**Total Passed With Warning:** 48



**Board Action Required:** 14

You can find the new proposed rules on the web at <http://www.bspa.state.or.us/BSPA/rulechanges/335-Proposed09152006.pdf>. A public rules hearing is scheduled at the OSHA Conference, October 13 at 10:30 AM at the Vancouver Hilton. Please read the proposed rules and submit your comments to the Board by letter or email prior to 5 PM on the 6th of October. Or better yet, attend the hearing!

The Board of Examiners has now licensed speech-language pathology assistants (SLPAs) for 3 years and, as of September 2006, there are 158 licensed SLPAs in Oregon. Board member Ashley Northam will chair an Oregon Speech and Hearing Association committee that will perform a comprehensive review of the statute and rules that regulate the licensing of SLPAs. If you want to serve on this committee or provide input to the review committee, please contact Ashley at [anortham@chemeketa.edu](mailto:anortham@chemeketa.edu).

On page 3 in this newsletter is a press release from the Department of Justice (DOJ) concerning use of the title "audioprosthologists" by hearing aid specialists. The action by the DOJ is a major victory for Oregon audiologists. The Board appreciates the work of the attorneys at the DOJ, especially Thomas Elden, in negotiating the settlement.

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## RECENT BOARD ACTIONS

### Board Actions from July 20, 2006 Board Meeting

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.



The Board decided to cease listing PD-related discipline on the license lookup website, unless that discipline involved a suspension or revocation.



#### Hunt, Ron (not a licensee)

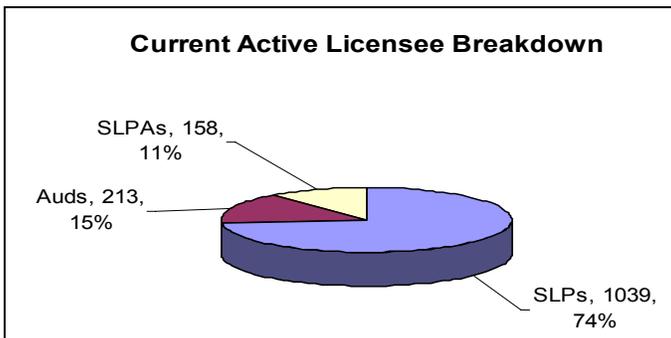
**Outcome:** Final Order by Default for Civil Penalty

**Violation:** ORS 681.250(2) "No person shall practice speech-language pathology or audiology or purport to be a speech-language pathologist or audiologist in this state unless the person is licensed in accordance with the provisions of this chapter."

**Clarification:** Mr. Hunt, a licensed Hearing Aid Specialist, signed an audiogram on a signature line above the word "audiologist".

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

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## AG MYERS FILES AGREEMENTS WITH PORTLAND HEARING AID SPECIALISTS FOR USE OF A MISLEADING TITLE

Press Release from Oregon Dept. of Justice dated August 23, 2006

Attorney General Hardy Myers today filed settlement agreements with two Portland hearing aid specialists and a Portland hearing aid company for continuing to use a misleading term of credential after being warned by authorities to cease using it. Named in an Assurance of Voluntary Compliance (AVC) filed today in Marion County Circuit Court are Dan King and his company Cascade Hearing & Audiology Centers, Inc., doing business as Cascade Hearing Centers and Cascade Hearing and Audioprosthology Centers. The company has stores in East Portland, Beaverton, Clackamas and Oregon City.

Named in a second Assurance is Cornell Saftencu of Portland, who is a partner with King in a fifth Cascade Hearing store in Lake Oswego.

The AVCs admit no violation of law.

"Oregon consumers need to be able to trust the credentials used by professionals in their advertising," Myers said. "Although these individuals had received advanced training, it did not give them the right to use a title that is similar to another and carries the potential for confusion."

Investigators from the Board of Examiners for Speech-Language Pathology and Audiology, which licenses audiologists, and the Oregon Department of Justice found that licensed hearing aid specialists King and Saftencu, after taking a 13-weekend class, began using the term "audioprosthologist" on the company's website, in newspaper and yellow page advertising, in an assumed business name and on certificates hung on their office walls. The two hearing aid specialists continued to use the title of "audioprosthologist" although the Oregon Department of Justice requested they stop.

*Continued on page 4*

## AG MYERS... (continued from Page 3)

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The requirements to be an audiologist are much more rigorous than to be a hearing aid specialist though some persons hold both licenses. Under the agreements, King, Saftencu and the company must stop using the term "audioprosthologist" in all forms of media unless the laws of Oregon were to permit it. They cannot use any title similar to audiologist in the services they provide as hearing aid specialists.

In addition, King and his company Cascade Hearing paid \$1,750 and Saftencu paid \$500 to the Department of Justice Consumer Protection Account.

Brenda Felber, executive director of the Oregon Board of Examiners for Speech-Language Pathology and Audiology, said, "The outcome of this case is consistent with the Board's goal of protecting Oregon consumers."

Consumers wanting information about consumer protection in Oregon may call the Attorney General's consumer hotline at (503) 378-4320 (Salem area only), (503) 229-5576 (Portland area only) or toll-free at 1-877-877-9392. Justice is online at [www.doj.state.or.us](http://www.doj.state.or.us).

Information on the licensure of Oregon audiologists can be found at [www.oregon.gov/BSPA](http://www.oregon.gov/BSPA) or by calling (971) 673-0220.

### CONTACT:

Jan Margosian, (503) 947-4333 (media line only)

Email: [jan.margosian@doj.state.or.us](mailto:jan.margosian@doj.state.or.us)

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## What Do You Think?

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Tim Anderson  
Administrative Assistant

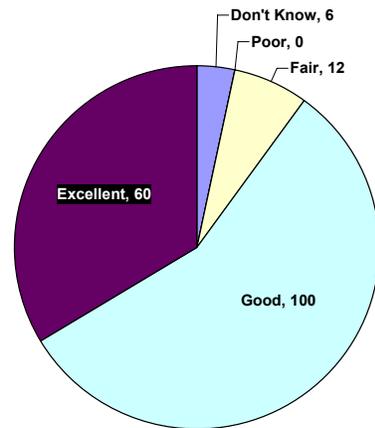


The legislature requires all Oregon state agencies to survey their customers on five areas decided to be key in customer service: timeliness, accuracy, helpfulness, expertise

and availability of information. BSPA performed this initial survey via a mass email to all licensees with email addresses in July. Here are the results, data as of 8/29/06. Remember as you look over the results that the primary function of this Board is to protect the public from substandard speech-language pathology or audiology practice.

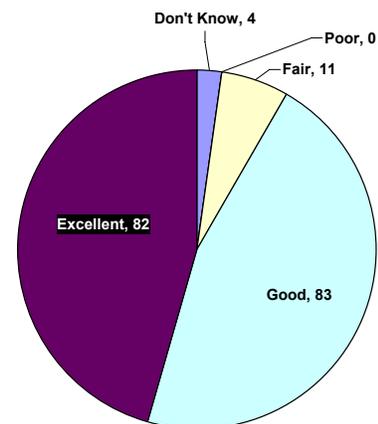
## OVERALL QUALITY

How do you rate the overall quality of service provided by the BSPA?



## TIMELINESS

How do you rate the timeliness of services provided by the BSPA?



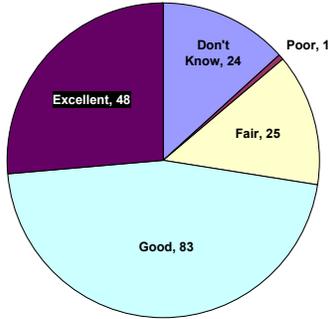
*Continued on page 5*

# What Do You Think?

(continued from Page 4)

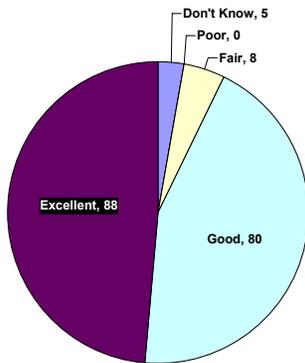
## AVAILABILITY OF INFO

How do you rate the availability of information at the BSPA?



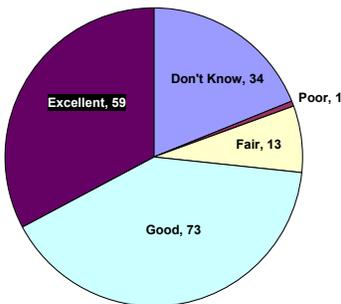
## ACCURACY

How do you rate the ability of the BSPA to provide services correctly the first time?



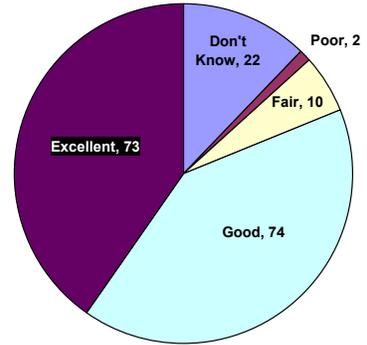
## EXPERTISE

How do you rate the knowledge and expertise of the BSPA employees?



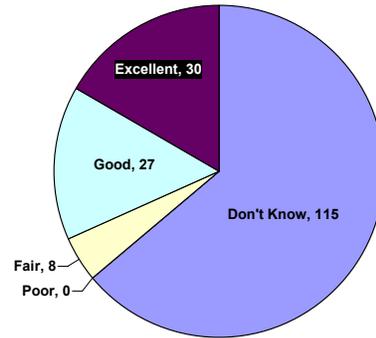
## HELPFULNESS

How do you rate the helpfulness of the BSPA employees?



## COMPARATIVE

How does the service you received at BSPA compare to that provided by other states?



Thanks to those who took the time to participate; it helps us improve our services. If you would like to participate in the survey, please visit <http://bspa.oregonsurveys.com>.

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## Major changes proposed for Division 70, Professional Development

Brenda Felber  
Executive Director

You will notice many changes in Division 70. Because of this, we are printing the entire division in this newsletter. The Board encourages all licensees to **read this section as changes will go into effect upon filing of the rules**

*Continued on page 6*

# Major Changes...

(continued from Page 5)

(probably November of this year) and will affect what may be counted for professional development at renewal in January 2008. For instance, the Board agreed that a "Universal Health Precautions" class should be a part of professional development particularly for those employed in a health care setting. The Board thanks those licensees who provided the rationale for inclusion of this subject.

The Board also plans to create a test on the Oregon Practice Act (Oregon Revised Statute Chapter 681 and Oregon Administrative Rules Chapter 335). Licensees will be able to take the test and upon passing earn professional development units. Watch for more information on the website or upcoming newsletters.

Visit the website to review all of the proposed changes to the rules.

## Full Text of Division 70 with Proposed Changes

Additions are marked in bold and underlined; deletions are bracketed.

### 335-070-0010

#### Philosophy

Upon the effective date of these rules, evidence of professional development will be required in order to maintain licensure in speech-language pathology and audiology or certification as a speech-language pathology assistant. Each individual licensed as a speech-language pathologist, audiologist, or speech-language pathology assistant is responsible for optimum service to the client and is accountable to the client, the employer and the profession for evidence of maintaining high levels of skill and knowledge. Credit will be given in a variety of activities which increase knowledge and enhance professional growth.

Stat. Auth.: ORS 681.420(5) & ORS 681.460

Stats. Implemented: ORS 681.320(1)(a) & ORS 681.360(3)(c)

Hist.: SPA 2-1996, f. & cert. ef. 7-22-96; SPA 1-2003, f. & cert. ef. 5-7-03

### 335-070-0020

#### Professional Development Hours Defined

(1) Professional development is defined as participation in courses, classes, workshops and other activities for the purpose of developing and updating professional skills directly related to the performance and practice of speech-language pathology and audiology.

**(a) Activities accepted for professional development include but are not limited to:**

**(A) activities on the clinical practice of speech-language pathology and audiology;**  
**(B) teacher-oriented content that is not related to the profession but enhances ability to serve students;**

**(C) business and management activities to**



Hank Kim, Carolyn Dowd and Brenda Felber

**enhance practice management;**

**(D) courses involving professional ethics, diversity issues, reimbursement issues;**

**(E) foreign language study when the language is needed for direct clinical practice.**

**(b) Activities not accepted include but are not limited to:**

**(A) attending meetings, including association, business, committee, board meetings;**

**(B) serving on committees and volunteer activities;**

**(C) work experiences when they are part of the licensee's regular job description including supervising clinical fellows, publishing articles, making presentations and teaching classes.**

(2) Credit for professional development shall be calculated on an hourly basis. One professional development hour (PDH) is defined as sixty (60) minutes or one (1) clock hour of attendance/participation in an approved professional development activity unless otherwise stated. For example, one hour may be considered equivalent to .1 CEU; therefore [10 PDHs = 1.0 ASHA CEU] **1.0 ASHA CEU = 10 PDHs.** [Effective January 31, 2004, each applicant for renewal of a license shall complete forty (40) clock hours of documented and approved professional development to be reported at renewal on January 30, 2006, and each renewal thereafter. Approved professional development hours completed in excess of the requirement shall not be carried over to the subsequent renewal period.]

Continued on page 7

# Major Changes...

(continued from Page 6)

**(3) Licensees shall complete the required professional development hours within the two year period prior to license renewal, that is, 24 months prior to January 30 of each even numbered year. Approved professional development hours completed in excess of the requirement shall not be carried over to the subsequent renewal period.**

**(4) At least fifty percent (50%) of the required professional development hours must be directly related to the clinical practice of speech pathology and audiology.**

**(5) Not more than fifty percent (50%) of the required professional development hours may be accrued in a single course or activity.**

Stat. Auth.: ORS 681.420(5) & ORS 681.460

Stats. Implemented: ORS 681.320(1)(a)

Hist.: SPA 2-1996, f. & cert. ef. 7-22-96; SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2003, f. & cert. ef. 5-7-03'



*Gloria Schnell, Ashley Northam, and Hank Kim discuss PD rule revisions at the July 20 Board meeting.*

## 335-070-0030

### **Activities Acceptable [for Obtaining Professional Development Hours] without Special Board Approval**

Professional development hours may be accrued from, but are not limited to, the following sources:

[**(1)** Attendance at educational programs where continuing education credit is given and approved by the Oregon Speech-Language and Hearing Association (OSHA) and other state chapters of the American Speech-Language Hearing Association (ASHA).

[**(2)** Attendance at educational programs where continuing education credit is given and approved by the American Speech-Language Hearing Association (ASHA), including other state association educational programs.

[**(3)** Attendance at educational programs where continuing education credit is given and approved by the American Academy of Audiology.

[**(4)** Attendance at educational programs where continuing education credit is given and approved by the Oregon Academy of Audiology and other state chapters of the American Academy of Audiology.]

[**(1)** Attendance or participation in educational programs where continuing education credit is approved by the American Speech-Language Hearing Association (ASHA) or the American Academy of Audiology (AAA).

[**(2)** Attendance or participation in educational programs where continuing education credit is given by the Oregon Speech-Language and Hearing Association (OSHA) and other state chapters of the American Speech-Language Hearing Association (ASHA); the Oregon Academy of Audiology (OAA) and other state chapters of the American Academy of Audiology.

[**(3)** Continuing education units (CEUs) earned through ASHA.

[**(5)** Attendance at educational programs where continuing education credit is given and approved by the Health Licensing [Office] Agency Hearing Aid [Dealers] Specialist Licensing Program.

[**(6)** Academic course work [taken after successful completion of the master's degree licensure requirement and] taken for credit with a minimum grade of "C", from an educational institution accredited by an appropriate state or regional body or approved by the Board. The courses must relate to the clinical practice of speech-language pathology or audiology. One academic semester hour shall be equivalent to fifteen (15) clock hours for professional development credit. One academic quarter hour shall be equivalent to ten (10) clock hours for professional development credit. **There is a limit on the number of hours reportable for a single course; see 335-070-0020(5).** [Courses must be on the graduate level, with a minimum grade of "C" required.]

[**(7)** Self-assessment home study courses accompanied by examination and sponsored by a [nationally]Board-recognized professional organization in audiology or speech-language pathology.

[**(8)** Speech-language pathology or audiology in-service programs offered by [public schools, hospitals and clinics] **public school districts, education service districts, and hospitals.** Programs must **directly** relate to the performance and practice of speech-language pathology or audiology **for the purpose of developing and updating professional skills** [and signed documentation must be provided for participants].

[**(9)** CPR classes for a maximum of two (2) hours credit during the two-year licensing period. **(9) A universal health precautions class for a maximum of one (1) hour credit during the two-year licensing period.**

*Continued on page 8*

# Major Changes...

## (continued from Page 7)

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Stat. Auth.: ORS 681.420(5) & 681.460  
Stats. Implemented: ORS 681.320(1)(a)  
Hist.: SPA 2-1996, f. & cert. ef. 7-22-96; SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2004, f. & cert. ef. 2-6-04; SPA 2-2004, f. & cert. ef. 5-26-04

### 335-070-0040 Procedures for Special Board Approval of Professional Development Offerings

Approval of professional development activities not specified above may be requested from the Board by an institution, organization, agency or individual licensee. Such requests may be submitted before or after the professional development activity takes place. [If prior approval is required, requests must be received by the Board office no later than 60 days prior to the commencement of the activity. Requests for approval following an activity must be received by the Board office no later than 30 days after the professional development offering takes place.] [If the] A request [is] made later than 30 days after [the] a professional development offering takes place **is considered to be late.** [but prior to November 1<sup>st</sup> of each odd-numbered year, the] If a requestor [will] **wishes to have a late request for special Board approval considered, the requestor needs to** pay the delinquent fee [to have the request considered for approval]. No [special] late requests **for special Board approval** [for the current licensing period] will be considered between November 1<sup>st</sup> of odd-numbered years and January 30 of even-numbered years. All requests must be submitted on a form provided by the board, stating the type of learning activity, the subject matter, the names and qualifications of the instructors and the number of professional development hours offered. An activity shall qualify for approval if the board determines that the activity:

- (1) Is an organized program of learning; and
- (2) Pertains to subject matter which integrally relates to the practice of speech-language pathology and/or audiology; and
- (3) Contributes to the professional competency of the licensee; and
- (4) Is conducted by individuals who have education, training or experience acceptable to the Board.
- (5) Credit for the hours of a single presentation will be acceptable if the presenter submits the request for approval within the required timeframe and meets criteria (1) through (4) above.

(6) Credit will not be given for attending or participating in a particular activity more than once in a licensing period.

Stat. Auth.: ORS 681.420(5) & ORS 681.460  
Stats. Implemented: ORS 681.320(1)(a)  
Hist.: SPA 2-1996, f. & cert. ef. 7-22-96; SPA 1-2001, f. & cert. ef. 3-12-01

### 335-070-0050

### Responsibilities and Reporting Requirements of Licensees

The ultimate responsibility for professional development activities rests with the individual. This responsibility involves identification of each licensee's own development needs, taking the initiative in seeking continuing professional development activities to meet these needs, and seeking ways to integrate new knowledge, skills and attitudes. Each licensee has specific responsibility to:

- (1) Select approved activities by which to earn professional development hours;
- (2) Obtain from the Board approval for professional development activities not accredited by the Board;
- (3) Maintain records of professional development hours. Each licensee shall maintain, for a period of four (4) years, all documentation verifying successful completion of professional development hours.
- (4) Submit for license renewal a completed Board-prescribed application form, a completed professional development summary sheet, and the license renewal fee. During each license renewal period, up to fifteen (15%) of all licensees shall be required by the Board to furnish documentation of the completion of the appropriate number of professional development hours for a period not to exceed the current renewal period and the two years immediately preceding. **Licensees reinstating or reactivating their licenses at any time shall be required by the Board to furnish documentation of the completion of the appropriate number of professional development hours for the 24 months immediately preceding the month in which they are reinstating/reactivating.** Verification of professional development hours is not otherwise to be reported to the Board.
- (5) Document attendance and participation in a professional development activity in the form of, but not limited to, official documents such as transcripts, certificates, affidavits signed by instructors, receipts for fees paid to the sponsors. The type of documentation required varies depending on the specific activity submitted to the Board for approval; and

(6) Fully comply with the provisions of this regulation. Failure to comply shall constitute unprofessional conduct and may result in the (1) refusal to renew, (2) suspension, or disciplinary action including suspension, (3) revocation of the license, and/or (4) a civil penalty.

Stat. Auth.: ORS 681.420(5) & ORS 681.460  
Stats. Implemented: ORS 681.320(1)(a)  
Hist.: SPA 2-1996, f. & cert. ef. 7-22-96; SPA 1-2001, f. & cert. ef. 3-12-01

### 335-070-0055

#### Active Licensees

**Required professional development for renewal of an active license is:**

*Continued on page 9*

# Major Changes...

(continued from Page 8)

**(1) Speech-Language Pathology and Audiology: Forty (40) clock hours of documented and approved professional development;**

**(2) Dual licenses: Forty (40) clock hours of documented and approved professional development in audiology and forty (40) clock hours of documented and approved professional development in speech-language pathology. A maximum of twenty (20) hours may be applied to both licenses if the topic is applicable to both types of licenses. A CPR or universal health precaution class may be only counted once;**

**(3) Speech-Language Pathology Assistants: Twenty (20) clock hours of documented and approved professional development.**

**(4) Licensees shall complete the required professional development hours within the two year period prior to license renewal, that is, 24 months prior to Jan. 30 of each even numbered year.**

Stat. Auth.: ORS 681.420(5)

## 335-070-0060

### New Licensees

Professional development for new licensees will be required on the following scale:

(1) Licensed prior to July of even-numbered years – report the full number of required hours.

(2) Licensed from August 1st of even-numbered years through July of odd-numbered years - report half of required number of hours.

(3) Licensed after July 31<sup>st</sup> of odd-numbered years – no report is required.

Stat. Auth.: ORS 681.420(5) & 681.460

Stats. Implemented: ORS 681.320(1)(a)

Hist.: SPA 2-1996, f. & cert. ef. 7-22-96; SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2003, f. & cert. ef. 5-7-03; SPA 1-2004, f. & cert. ef. 2-6-04; SPA 2-2004, f. & cert. ef. 5-26-04

## 335-070-0065

### Dual Licensees

(1) Effective January 31, 2004, each applicant for renewal of a dual license shall complete forty (40) clock hours of documented and approved professional development in audiology and forty (40) clock hours of documented and approved professional development in speech-language pathology to be reported at renewal on January 30, 2006 and at each renewal thereafter. A maximum of twenty (20) hours may be applied to both license categories if the topic is applicable to both types of licenses. A class in CPR may be counted only once.

(2) Approved professional development hours completed in excess of the requirement shall not be carried over to the subsequent renewal period.

Stat. Auth.: ORS 681.420(5) & ORS 681.460

Stats. Implemented: ORS 681.250(1) & ORS 681.320(1)(a)

Hist.: SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2003, f. & cert. ef. 5-7-03

## 335-070-0070

### Conditional License

All professional development hours will be waived for conditional licensees; however, individuals are encouraged to participate in professional development activities.

Stat. Auth.: ORS 681.420(5) & ORS 681.460

Stats. Implemented: ORS 681.320(1)(a)

Hist.: SPA 2-1996, f. & cert. ef. 7-22-96

## 335-070-0075

### Speech-Language Pathology Assistants

Effective January 31, 2004, each applicant for renewal of a certificate shall complete twenty (20) clock hours of documented and approved professional development to be reported at renewal on January 30, 2006 and at each renewal thereafter. Approved professional development hours completed in excess of the requirement shall not be carried over to the subsequent renewal period.

Stat. Auth.: ORS 681.375 & ORS 681.460

Stats. Implemented: ORS 681.360(3)(c)

Hist.: SPA 1-2003, f. & cert. ef. 5-7-03

## 335-070-0080

### Inactive Status License

(1) Professional development requirements may be waived for a licensee on inactive status during the period they remain inactive. However, if at any time the inactive licensee applies to the board to return to active status, the licensee must submit proof of completion of forty (40) professional development hours within the twenty-four (24) month period immediately preceding the date on which the application is submitted.

Stat. Auth.: ORS 681.420(5) & ORS 681.460

Stats. Implemented: ORS 681.320(1)(a)

Hist.: SPA 2-1996, f. & cert. ef. 7-22-96; SPA 1-2001, f. & cert. ef. 3-12-01

## 335-070-0085

### Expired Status

(1) Professional development requirements do not affect those licenses with expired status. However, if at any time within four years after the expiration date, the person whose license is in the expired status wishes to activate their license the applicant must submit proof of completion of forty (40) professional development hours within the twenty-four (24) month period immediately preceding the date on which the application is submitted.

Stat. Auth.: ORS 681.420(5) & ORS 681.460

Stats. Implemented: ORS 681.320(1)(a)

Hist.: SPA 1-2001, f. & cert. ef. 3-12-01

## 335-070-0090

### Extenuating Circumstances

The Board may consider a waiver of professional development requirements or acceptance of partial fulfillment based on Board review of written documentation.

Stat. Auth.: ORS 681.420(5) & ORS 681.460

Stats. Implemented: ORS 681.320(1)(a)

Hist.: SPA 2-1996, f. & cert. ef. 7-22-96

\*\*\*\*\*

Secretary of State

**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

The areas highlighted with the dotted lines deserve special attention.

Board of Examiners for Speech-Language Pathology and Audiology

Chapter 335

Agency and Division Administrative Rules Chapter Number

Brenda Felber 800 NE Oregon St, Ste 407, Portland, Or.

97232-2162 (971) 673-0220

Rules Coordinator Address Telephone

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

**RULE CAPTION**

**Allows audiologists to design one statement to hearing aid purchasers that conforms to all rules.**

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

In the Matter of:

OAR 335-001-0000, 335-001-0005, and 335-005-0030

Friday, October 13, 2006 10:30-11:00 a.m. Hilton Vancouver

Washington Conference Center\* Nancy Dunn

Hearing Date Time Location  
Hearings Officer

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Division 5: allows audiologists to design one statement to purchasers that conforms to all applicable rules.

*Note: Comments may be submitted by fax (971)673-0226 until 5:00 p.m. on 10/06/06.*

*An informal discussion of the proposed rules will take place from 9:30-10:30 a.m. and the public is invited to participate.*

Statutory Authority: ORS 681

Other Authority:

*\*The Conference Center is located at 301 W. 6<sup>th</sup> St in Vancouver, Washington. Room location will be announced as part of the Oregon Speech and Hearing Association Conference.*

*Auxiliary aids for persons with disabilities are available upon advance request.*

Stats. Implemented: ORS 681

Need for the Rule(s):

The rule in division 5 is modified so that requirements for Audiology licensees under this chapter do not conflict with requirements for licensees also licensed under ORS 694 as a hearing aid specialist.

Revisions to division 1 corrects the title of the Oregon Hearing Society and adopts the Attorney General's Model Rules, OAR Chapter 137, division one and division four.

**RULEMAKING ACTION**

**AMEND:**

**335-005-0030**

**335-001-0000, 335-001-0005**

ORS 681

Stat. Auth.

ORS 681

Stats. Implemented

**RULE SUMMARY**

The rule in division 5 is modified so that requirements for Audiology licensees under this chapter do not conflict with requirements for licensees also licensed under ORS 694 as a hearing aid specialist.

Revisions to division 1 corrects the title of the Oregon Hearing Society and adopts the Attorney General's Model Rules, OAR Chapter 137, division one and division four.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

Documents Relied Upon, and where they are available:

Fiscal and Economic Impact, including Statement of Cost of Compliance:

Division 5 revision eliminates need for extra paperwork for licensees who dispense hearing aids.

Rule 335-001-0000 revision has no impact on licensees.

Rule 335-001-0005 revision does not require the Board to provide notice and therefore fiscal impact was not considered.

How were small businesses involved in the development of this rule?

Small businesses were represented through review of the rules and the accompanying forms. Representatives from small businesses will also have the opportunity to provide input at the public hearing in October, 2006.

5:00 p.m. on Friday, October 6, 2006

**Last Day for Public Comment**

Brenda Felber August 10, 2006

Last day to submit written comments to the Rules Coordinator

Printed name

Administrative Rule Advisory Committee consulted?: Yes. A small group of representatives reviewed the rules and the accompanying forms for input to the Board.

\*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 920-2005

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2005

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

**Board of Examiners for Speech-Language Pathology and Audiology**

Chapter 335  
Agency and Division Administrative Rules Chapter Number

Brenda Felber 800 NE Oregon St, Ste 407, Portland, Or. 97232-2162  
(971) 673-0220

Rules Coordinator Address Telephone

**RULE CAPTION**

**Clarifies professional development requirements, defines use of delinquent fee, and standardizes recordkeeping rules throughout.**

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Friday, October 13, 2006 10:30-11:00 a.m. Hilton Vancouver  
Washington Conference Center\* Nancy Dunn  
Hearing Date Time Location  
Hearings Officer

*Note: Comments may be submitted by fax (971)673-0226 until 5:00 p.m. on 10/06/06.*

*An informal discussion of the proposed rules will take place from 9:30-10:30 a.m. and the public is invited to participate.*

*\*The Conference Center is located at 301 W. 6<sup>th</sup> St in Vancouver, Washington. Room location will be announced as part of the Oregon Speech and Hearing Association Conference.*

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

**AMEND:**

OAR 335-010-0060, 335-010-0070, 335-060-0005, 335-070-0020, 335-070-0030, 335-070-0040, 335-070-0050, 335-095-0050, 335-095-0060

**ADOPT:**

335-070-0055

ORS 681

Stat. Auth.

ORS 681

Stats. Implemented

**RULE SUMMARY**

Professional development requirements in division 70 had not been reviewed extensively since implementation in 1998. Revisions attempt to better communicate the Board's desire for professional development that directly relates to the practice of speech-language pathology and audiology but at the same time recognizes the various work settings.

In the past the only means for the Board to assess a penalty for late response to audits and non-compliance with the professional development requirement was to go through the formal disciplinary process usually resulting in a permanent disciplinary action on the licensee's record. The revision to the delinquent fee definition allows the Board and the licensee to avoid this and pay a small fee.

Recordkeeping requirements will be more practical and consistent throughout with the revisions in these rules.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

5:00 p.m. on Friday, October 6, 2006

Last Day for Public Comment

Brenda Felber August 10, 2006

Last day to submit written comments to the Rules Coordinator

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 920-2005

The areas highlighted with the dotted lines deserve special attention.

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**

Agency and Division Administrative Rules Chapter Number

In the Matter of:  
OAR 335-010-0060, 335-010-0070, 335-095-0050, 335-095-0060  
335-060-0005, 335-070-0020, 335-070-0030, 335-070-0040, 335-070-0050, 335-070-0055

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

**Clarifies professional development requirements, define use of delinquent fee, and standardizes recordkeeping rules throughout.**

Statutory Authority: ORS 681

Other Authority:

Stats. Implemented: ORS 681

Need for the Rule(s):

Professional development requirements had not been reviewed extensively since implementation in 1998. Revisions attempt to better communicate the Board's desire for professional development that directly relates to the practice of speech-language pathology and Audiology but at the same time recognizes the various work settings.

In the past the only means for the Board to assess a penalty for late response to audits and non-compliance with the professional development requirement was to go through the formal disciplinary process usually resulting in a permanent disciplinary action on the licensee's record. The revision to the delinquent fee definition allows the Board and the licensee to avoid this and pay a small fee.

Recordkeeping requirements will be more practical and consistent throughout with the revisions in these rules.

Documents Relied Upon, and where they are available:

Fiscal and Economic Impact, including Statement of Cost of Compliance:

Recordkeeping changes will reduce the practitioners' time to comply with the revisions.

Professional development requirements are more clearly stated enabling the practitioner to know what is expected during the licensing period thereby avoiding costly professional development activities that will not satisfy the requirements. For those practitioners who do not comply, the expense of the delinquent fee is much less in terms of fiscal impact and harm to the licensee's record.

How were small businesses involved in the development of this rule?

Small businesses were represented through review of the rules and the accompanying forms. Representatives from small businesses will also have the opportunity to provide input at the public hearing in October, 2006.

Administrative Rule Advisory Committee consulted?: Yes. A small group of representatives reviewed the rules and the accompanying forms for input to the Board.

Brenda Felber 8/10/06

Authorized Signer Date  
Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

Board of Examiners for SLP & Aud.  
800 NE OREGON ST STE 407  
PORTLAND OR 97232

