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Winter 2018 Edition

News For Oregon Licensees

Oregon Board of Examiners for Speech -Language Pathology & Audiology

Telepractice Rulemaking Hearing Set for March 15th

A telepractice rule-making committee made up of audiologists and speech-language pathologists held a series of meetings to draft a set of “telepractice” rules ([see them here](#)). Board statute and rules are currently silent on this modality with the exception of the rule stating that services may not be provided solely via correspondence ([OAR 335-005-0015\(8\)](#)). Legislators, the public, and practitioners have asked for clarity in order to address concerns such as public health, safety, privacy and efficacy. The committee reviewed guidelines from the American Speech-Language & Hearing Association (ASHA), existing rules in other states, Oregon Physical Therapy Board and Occupational Therapy Board rules and other documents.

On October 26th, the Board voted to approve those draft rules after making some changes. The Board included a requirement for an in-person initial evaluation/assessment. They also added language that makes it clear that the patient/client/student may request services to be provided in person and that practitioners must provide clients with information on how to make a complaint to the Board. The committee’s draft rules prohibited speech-language pathology assistants (SLPAs) from providing treatment via telepractice and the Board struck that rule in order to allow a separate SLPA rulemaking committee to review the concept before making a final decision.

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Speech-Language Pathology Assistant (SLPA) Rulemaking Committee Seeks Comments

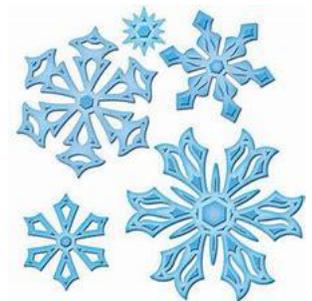
A rulemaking advisory committee, Chaired by Ashley Northam, SLP, is seeking comments on the Board's rules pertaining to SLPAs. This committee is well-rounded geographically and includes SLPs, SLPAs and a school administrator. Their next meeting is at 11AM, Monday, January 7th in conference room 445, 800 NE Oregon Street in Portland. If you wish to provide comments, you may submit them in writing via email to speechaud.board@state.or.us, send via fax to (971) 673-0226, or by regular mail to BSPA, 800 NE Oregon St., Suite 407, Portland, OR 97232-2187. You may also provide oral comments during the opening public comment session at the beginning of the meeting.

The committee is reviewing all Oregon Administrative Rules (OARs) regarding SLPAs and hopes to provide a draft for the Board's consideration at the January or April meeting, with any rules changes to take effect next summer. It is reviewing rules from other states and ASHA best practices and ethical guidelines. Some of the ideas being considered are asking SLPs to create individualized supervision plans for their SLPAs based on years of experience and technical expertise rather than a simple supervision percentage. Other ideas include revising the clinical interaction log and ensuring that the SLP see each of their clients/students/patients themselves at regularly scheduled intervals.

ASHA has announced that it will be creating a certification program including a national examination for SLPAs and audiology assistants. At that time, Oregon will consider adding audiology assistants as a license type, and will re-visit the SLPA rules.

Please note that the current SLPA rules are still in effect and being enforced by the Board. The existing rules were instituted more than ten years ago and have not changed, nor has the Board changed its interpretation of the rules.

SLPAs may only provide services for the patients/students/clients that are on the official caseload of their supervising SLP. They may not provide services for the patients/students/clients on the caseload of any other SLP or any clinical fellows.



National Compact Licensure Draft Open for Public Comment

By Erin K. Haag, Board Executive Director

Over the last year I've had the pleasure of serving as one of two state regulatory board executive directors, a representative from the armed forces, and a number of SLPs and Audiologists on the national compact licensure advisory committee. The project is being run by the National Council of State Governments through a grant from ASHA. The Oregon Board of Examiners for Speech-Language Pathology and Audiology (the Board) is open to the concept of a national licensure compact, but has not taken a formal position at this time and will await direction from Governor Brown.

The advisory committee has held numerous meetings (all but one by conference call) to review a number of models and there were spirited discussions. In 2017, Oregon was the first state legislature to enact the national physical therapy compact, which became active once it was passed by ten states. After considerable debate, our advisory committee agreed to pursue the same "privilege to practice" model of the PT compact and assigned a smaller drafting sub-committee to flesh out the details. The group expects to complete its work, including preparation of sample legislation, by the end of 2019.

The committee is now asking for public comment on the draft, which I can provide to you on request via email: Erin.Haag@state.or.us.

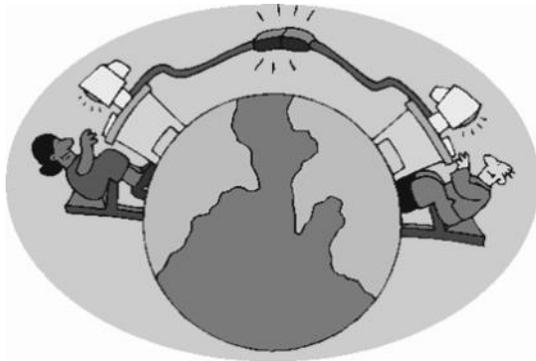
Please direct your questions and comments either to me at the email address listed above, or directly to the project manager via email:

Dan Logsdon, Manager, National Center for Interstate Compacts, Council of State Governments
Email: dlogsdon@csg.org. You are also encouraged to call Dan if you prefer: 859-244-8226.

Telepractice Rulemaking

(Continued)

These Board-approved rules are not final and there is still time to submit written comments or to address the Board. The next regular Board meeting is at 9AM, Friday, January 11th, and the Board will take additional comments during the public session which begins at 9AM. If the Board finds those comments compelling, they may revise the rules and conduct another vote during that meeting. The rules coming out of that meeting will be presented at a public hearing from 9AM – 10AM on Friday, March 15, 2019. The Board will then take any public hearing comments under advisement and have a final vote on the rules at their April 12th meeting. The tentative effective date for the new rules will be July 1, 2019.



Quick Professional Development Tip

The Professional Development Rules OAR 335 Division 70 outline the Board's three conditions for activities to be acceptable for license renewal without any special approval from the Board. There are: an acceptable activity (335-070-0020(2)); on an acceptable topic (335-070-0020(4)); and by an acceptable sponsor of PD (335-070-0020(5)).

The most common cause of failed audits is when submitted information does not meet the acceptable sponsor criteria. If you are counting hours supplied by a school district, hospital, university, or ESD, that entity must be your direct employer or you must request and obtain special Board approval within 30 days of the date of the event.

If you attended a PD activity that was not put on by your employer and is not approved by ASHA, AAA, OSHA, or OAA, then you should check our website to see if it has been specially approved. If one licensee applies for special approval and it is approved, then it is posted on our PD page and any licensee can then count that activity for renewal.

You can find out [Professional Development page here](#). If you have any questions, please contact our office.

Welcome New Board Members!

The Board welcomes two new members whose three year term commenced on July 1st.



Amy Martin, CCC-SLP, has worked for Intermountain ESD in Pendleton since 2013. Ms. Martin provides speech and language services for K-21 students based on current evidence-based practices. Martin earned her Master's degree in Special Education: Mild – Moderate Needs in 2003 and worked as a high school special education teacher until 2009, when she decided to make a career change and obtain her Master's degree from the University of Northern

Colorado in Speech and Language Pathology. During her free time, she serves as a committee member for the Pendleton Roundup Children's Rodeo and coaches Freshman Volleyball for Pendleton High School.

Clarence Williams is our new public board member. Williams lives in Harrisburg and is the Executive Director of Sean's Place Foster Homes which provide daily care and supervision for developmentally disabled adults. He is also co-founder of CJ Evolutions Promotions. Williams is a board member of the Oregon Black Education Foundation, served on the Board of the Veterans Legacy Founda-



tion and was a mentor for students at the University of Oregon. While employed with SCAR Jasper Mountain he was involved in the yearly fundraising campaign and was a major participant in the fund raising efforts for Bags of Love. Williams is a retired Army veteran and served as a combat medic for 14 years.



RECENT BOARD ACTIONS

10/18/18

De Anda, Stephanie, SLP #16193

Outcome: Consent Order

Violation: A Consent Order was issued on 10/18/2018 imposing a civil penalty of \$400. De Anda applied for licensure on November 3, 2017. On the application she indicated she was working at the University of Oregon as an Assistant Professor in the Department of Communication Services and Disorders as of September 18, 2017. The Board issued a license to De Anda on November 17, 2017. The Board found that De Anda worked without a license for approximately two months in violation of ORS 681.250(2).

8/31/18

Moran, Mark, SLP #13522

Outcome: Consent Order

Violation: A Consent Order was issued 8/31/18 wherein the Board issued Moran a license with a six month probation. Moran was initially licensed on 7/18/2011 and his license expired on 1/30/2012. On 8/6/18, the Board received an application from Moran to reinstate his SLP license. Applicant failed to disclose three arrests on his application, one of which resulted in a conviction for DUII in Kansas, in violation of OAR 335-005-0010(c). Applicant was cooperative with the Board's investigation and subsequently provided all required documents. The Board approved applicant's license and placed him on Probation for a period of six months. During the probationary period, Licensee must complete an ASHA-approved course on ethics, obtain a drug and alcohol evaluation by a physician, or drug/alcohol counselor, comply with all Board rules and statutes and not be arrested during the probationary period. If arrested for any reason, Licensee must inform the Board within ten days of the arrest. If all probationary terms are completed, on February 28, 2019, Licensee can apply for this probation to be lifted.

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 (see the Fall 2011 issue of *The Voice* for details).
- Any adverse action taken against a license by any state or federal agency or professional association.
- 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)

