



Board of Examiners
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Meeting Minutes

August 1, 2008

Meeting via Telephone Conference

PRESENT:

Ashley Northam, SLP, Audiologist, Chair
Carol Clupny, SLP Member
Elisa Williams, Public Member
Evan Evans, Audiologist Member

Absent:

Charles Murphy, Public Member
Alison Metcalf, Audiologist, Vice-Chair
Mark Wax, MD, Otolaryngologist

Sandy Leybold, Executive Director
Jeff Dover, AAG

CALL TO ORDER

The meeting was called to order at 3:09 p.m.

WELCOME/APPROVE AGENDA

Northam welcomed new Board member Evan (Butch) Evans, and referred to the Agenda previously circulated and posted on our website. There were no additional items requested by the Board.

APPROVAL OF MINUTES OF JUNE 19, 2008 MEETING

Clupny moved and Williams seconded the motion to approve the minutes of June 19, 2008 as circulated and posted in draft on our website. The motion passed unanimously.

PUBLIC INPUT

No members of the public were in attendance.

PROPOSED TEMPORARY RULE FOR SUPERVISION OF SLPAS IN RURAL AREAS

Board member Clupny had shared her concern at the June 19 meeting regarding the difficulty in finding Speech-Language Pathologists (SLPs) to supervise Speech-Language Pathology Assistants (SLPAs) in rural settings. . This is an issue that will impact SLPAs working in rural school districts at the beginning of the school year this fall. In the weeks since that meeting, Clupny and Northam developed the concept of a proposed new rule which would allow educational facilities to apply to the Board for a special exemption to OAR 335-095-0050 which addresses ongoing supervision of certified SLPAs employed by school districts and Educational Service Districts.

Northam provided draft language which stated:

“If Direct supervision requirements cannot be met by an on-site Speech Language Pathologist, sites (entities?) may apply for a one year special approval for permission to use video and audio conferencing to augment a portion of the required direct supervision hours”.

Discussion of this draft language included the following key points of clarification and revisions:

- Board members present agreed with the intent of a proposed exception to the Direct Supervision requirements that would take advantage of audio and video taping or

- conferencing technology to extend professional supervision into remote areas of the state.
- The new language should become an exemption under OAR 335-095-0050, rather than a new definition within OAR 335-095-0010.
- The specific sites or entities able to apply should be defined as “educational facilities”.
- The rule needs to specify what “portion” of the required direct supervision hours may be provided through audio or video technology. The consensus of the Board was “up to 75%” of the required Direct Supervision hours.
- It was agreed that the intent was to allow video and/or audio records, since consent for video-taping may not be granted by parents of the clients in all cases. Dover pointed out that the appropriate legal wording to reflect the Board’s intent would be “audio or video or a combination thereof”.
- In clarifying whether the audio or video sessions needed to be real-time conferencing, it was agreed that review and evaluation of audio- or video-taped sessions (as described in the existing definition of Indirect Supervision) would suffice.
- It was agreed that the July 31st expiration for such an exception made sense because this is the annual expiration for the SLPA certification.
- The Board wanted to be sure that this exception does not become the “norm” for any educational facility employing SLPAs. It was agreed that any facility should only be granted this exemption in two out of any five consecutive years.
- In addition to the type of supervision required, the ratio of SLP supervisors to SLPA employees can also be a significant concern in rural areas with severe shortages of Speech-Language Pathologists. The Board consensus was to allow a 1:4 ratio rather than the usual 1:2 ratio as part of granting such exemptions.
- Any supervision provided under this exception would be subject to the same documentation rules for any SLPA supervision. The documentation required is a log of direct and indirect supervision provided at specific dates and times, however, this log is not required to be submitted as part of the certification or license renewal, but must be available for audit purposes.
- This temporary rule should be in effect for the maximum time allowable for a temporary rule.

Northam had also drafted and circulated a Petition Form which would be filled out by an educational facility seeking this exception. While this form is part of the implementation which the Executive Director will oversee, Board members suggested additions and clarifications to the draft:

- Will need name, title, phone, and email for the contact person at the agency requesting the exception.
- Ask for an outline of the plan to complete supervision of the employed SLPA if the exemption is granted.
- Need to know the names of the SLPs and SLPAs.
- Request a completed “Report of Supervisor for SLPA Supervision” for each certified SLPA to be supervised under this exception, and make sure that each individual supervisor is listed by name on those forms.

Leybold will take the lead to work on implementing the temporary rule change. Dover offered to provide Leybold and Northam additional information regarding the process for creating temporary rules. Since a temporary rule is only valid for 180 days, Dover advised the Board to simultaneously begin the process of making a permanent rule change to reflect the Board’s intent on this matter.

Discussion also ensued regarding how to communicate this temporary rule as soon as it is effective. The plan includes the following suggestions:

- Oregon Board of Education contacts for special education directors
- Coalition of School Administrators (COASA) contacts for special education directors
- Oregon School Board Association
- Educational Service District organization (Northam)
- Specific districts in Eastern Oregon (Clupny)

ACTION ITEMS

Approve 4/4/08 meeting minutes

Clupny moved to approve the minutes. Northam seconded the motion. Motion passed by unanimous vote.

Approval of Proposed Language for Temporary Rule

Clupny moved and Williams seconded a motion to adopt the following language for a new temporary rule, to be added to OAR 335-095-0050:

(5) In remote geographic areas of the state or in other situations with severe shortages of licensed personnel, where Direct Supervision requirements cannot be met by an on-site Speech-Language Pathologist, educational facilities may apply for a one year exemption from certain requirements for supervision of certified Speech-Language Pathology Assistants.

(a) This exemption allows educational facilities to use the review and evaluation of audio- or video-taped records or live audio- or video-conferencing of clinical interactions, or a combination thereof, to provide a portion of the required Direct Supervision hours, up to a maximum of 75% of the required Direct Supervision hours.

(b) During the exemption period, a licensed Speech-Language Pathologist may supervise up to four full-time equivalent certified Speech-Language Pathology Assistants.

(c) This exemption will expire on July 31st of the year in which it is granted. An exemption shall only be granted for a maximum of two years out of each consecutive five year period.

The motion was unanimously approved.

SET NEXT MEETING DATE

The Board will hold a regular meeting on Friday, September 5, at 10:00 a.m. In addition, the Board agreed to hold Friday, November 7th as a likely next meeting date.

ADJOURN

The meeting was adjourned at 3:48 p.m.