

## APPROVED MINUTES

### BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY MEETING MINUTES

The Virginia Board of Audiology and Speech-Language Pathology met on Monday, September 17, 2007 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Conference Room #4, Richmond, Virginia. The following members were present:

Susan G. Chadwick, Au.D  
Sally Jones-McNamara, MCS, CCC-SLP, CCP  
Angela W. Moss, MA, CCC-SLP  
Ronald Spencer, RN  
Mary Kay Wakefield

The following members were absent:

Kenneth Cox, Au.D.  
Geoffrey T. Harter, M.D.

DHP staff present for all or part of the meeting included:

Lisa R. Hahn, Executive Director  
Sandra Whitley Ryals, Director  
Amy Marschean, Senior Assistant Attorney General  
Elaine Yeatts, Senior Policy Analyst  
Annie B. Artis, Licensure Operations Manager  
Rashaun Minor, Discipline Operations Manager

Guest Present:

William H. Ferguson, II, Executive Director –Board of Hearing Aid  
Specialists, DPOR

#### **CALLED TO ORDER**

Dr. Chadwick, Chair, called the quarterly meeting to order at 10:14 a.m.

#### **ORDERING OF THE AGENDA**

The agenda was re-ordered to add discussion of the ASHA Convention.

#### **INTRODUCTIONS**

Ms. Hahn introduced the new ASLP citizen board member, Mary Kay Wakefield. Ms. Wakefield replaces Ms. Holley Duke. Ms. Hahn stated that Ms. Wakefield brings a

wealth of experience to the board. Dr. Chadwick asked board members and board staff to introduce themselves.

### **PUBLIC COMMENT PERIOD**

Dr. Chadwick asked for public comment.

There was no public comment.

### **ACCEPTANCE OF MINUTES**

Upon a motion by Mr. Spencer and seconded by Ms. Jones-McNamara the Board voted to approve the May 24, 2007 meeting minutes.

The motion carried unanimously.

Upon a motion by Ms. Moss and seconded by Ms. Jones-McNamara the Board voted to approve the Public Hearing of July 12, 2007.

The motion carried unanimously.

Upon a motion by Mr. Spencer and seconded by Ms. Moss the Board voted to approve the Informal Conference Committee of July 12, 2007.

The motion carried unanimously.

### **NEW BUSINESS**

#### **Agency Director's Report – Ms. Sandra Whitley Ryals**

Ms. Ryals welcomed the board members to the Perimeter Center and gave an overview of the other state agencies that are also located in the building.

Ms. Ryals discussed the Key Performance Measures for the Department of Health Professions (DHP). The three Key Performance Measures; (1) Customer Satisfaction – achieving and maintaining a high customer satisfaction rate with initial applicants for licensure (2) Processing Applications – a goal of processing applications within 30 days and (3) Complaint Resolution – complaints relating to patient care resolved within 250 days.

Ms. Ryals stated the Board of Audiology and Speech-Language Pathology is doing great in regard to customer satisfaction, as well as all other boards. The rate across all boards at this time is 94.8% and the goal is at least 97%. Ms. Hahn stated that the licensees complete surveys regarding their satisfaction and send their responses in to the board. She stated at the next board meeting she will provide some of the surveys for review. Ms.

Hahn further stated that the responses have enabled board staff to make positive changes in regard to the licensure process; such as making the applications and instruction sheets more user friendly.

Ms. Ryals briefly discussed the budget; however, the details of such discussion were confidential. She further stated that all out of state travel must be approved by Secretary Tavener.

Ms. Ryals discussed in detail the disciplinary process, and case priorities. She addressed the next steps in the Key Performance Measures such as examining the specifics with each Board, identifying strategies to meet and exceed goals, find methods to streamline processes and to implement actions to improve outcomes and focus on patient care cases.

Ms. Ryals stated some areas are beyond board and staff control; however, the boards are working through ethical issues in regard to the disciplinary process. She stated that an old case review team has been developed in order to clear up the backlog of old cases.

Ms. Ryals congratulated and thanked Ms. Hahn and staff for doing a great job.

## **REGULATORY AND LEGISLATIVE**

### **Consideration of Comment on Proposed Regulations**

Ms. Hahn informed the board of the public comment received on the proposed regulations. She stated that Ms. Brenda Ryals of James Madison University recommended that the Board extend the provisional licensure period from 12 to 18 months and add the word "didactic" to the educational requirement listed in 18 VAC30-20-171.A.2. Ms. Hahn stated that Dr. Danny Gnewikow, also provided public comment and his comments concurred with Dr. Ryals comments.

### **Adoption of Final Regulations**

Ms. Yeatts stated that §54.1-2604 of the Code of Virginia gave the board the authority to establish a provisional license for audiologists. She further stated that the regulations had to be adopted in less than 280 days from the enactment of the legislation, so emergency regulations for provisional licensure have been in effect from September 1, 2006 to August 31, 2007. The Governor now has authority to grant a six month extension, so the regulations have been extended until February 27, 2008. Ms. Yeatts further stated that by the year 2012, the masters degree program will be phased out and all audiologists will be required to complete a doctoral degree program.

Ms. Yeatts informed the board that they could either: 1) adopt the language of the emergency regulations (that are currently in effect through February 27, 2008), which restricted full licensure to applicants who have completed their clinical experience and been granted ASHA or ABA certification; or 2) adopt the language of the proposed

regulations, which allowed applicants with a master's or doctoral degree but no clinical experience to be granted a full licensure to practice audiology.

Ms. Yeatts suggested that the board review each section of the draft final regulations, to include clarifications requested by commentors on the proposed regulations.

**18VAC30-20-170. Requirements for licensure**

B. The board may grant a license to an applicant for licensure as a speech-language pathologist who:

1. Holds a master's degree or its equivalent as determined by the board or a doctoral degree from a college or university whose audiology and speech-language program is [~~regionally~~] accredited by the [~~Council on Academic Accreditation of the~~] American Speech-Language-Hearing Association or an equivalent accrediting body; and

Upon a motion by Ms. Jones-McNamara and seconded by Ms. Moss the board voted to accept the changes as written.

The motion carried unanimously.

**18VAC30-20-171. Provisional licensure in Audiology.**

A. The board may grant a provisional license in Audiology to an applicant who submits a completed application and fee with documentation that the applicant:

1. Is currently enrolled in a doctoral program in Audiology at a college or university whose Audiology program is accredited by the [Council on Academic Accreditation of the] American Speech-Language-Hearing Association or an equivalent accrediting body;
2. Has successfully completed all the [didactic] coursework required for the doctoral degree, as documented by the audiology program; and

Upon a motion by Mr. Spencer and seconded by Ms. Jones-McNamara the board voted to accept the changes as written.

The motion carried unanimously.

B. A provisional license shall expire [12 18] months from the date of issuance and may be renewed for an additional [12 6] months by payment of a renewal fee. Renewal of a provisional license beyond 24 months shall be for good cause shown as determined by a committee of the board.

Upon a motion by Ms. Moss and seconded by Ms. Jones-McNamara the board voted to accept the changes as written.

The motion carried unanimously.

C. The holder of a provisional license in Audiology shall only practice under the supervision of a licensed audiologist in order to obtain clinical experience as required for [licensure in 18VAC30-20-170 certification by American Speech-Language-hearing Association, the American Board of Audiology or any other accrediting body recognized by the board]. The provisional licensee shall be responsible and accountable for the safe performance of those direct patient care tasks to which he has been assigned.

Upon a motion by Ms. Jones-McNamara and seconded by Ms. Moss the board voted to accept the changes as written.

The motion carried unanimously.

D. Licensed audiologists providing supervision shall:

[1. Notify the board of his intent to provide supervision for a provisional licensee;

[42]. Document the frequency and nature of the supervision of provisional licensees;

23]. Be responsible and accountable for the assignment of patients and tasks based on their assessment and evaluation of the provisional licensee's knowledge and skills; and

[34]. Monitor clinical performance and intervene if necessary for the safety and protection of the patients.

E. The identify of a provisional licensee shall be disclosed to the client prior to treatment and shall be made a part of the client's file.

Upon a motion by Ms. Moss and seconded by Ms. Jones-McNamara the board voted to develop more information and language in order to provide clarity.

The motion passed unanimously.

Upon a motion by Mr. Spencer and seconded by Ms. Moss the board voted to accept the original language in the current emergency regulations related to granting a full license pursuant to 18VAC30-20-170.

The motion passed unanimously.

Upon a motion by Mr. Spencer and seconded by Ms. Jones-McNamara the board voted to adopt as the final regulations as amended.

The motion passed unanimously.

Upon a motion by Ms. Moss and seconded by Ms. Jones-McNamara the board voted to submit the package as final regulations with an additional comment period of 14 days.

The motion passed unanimously.

### **BREAK**

The Board recessed at 12:20 p.m. and reconvened at 12:30 p.m.

### **NOIRA Regarding Endorsement**

Ms. Yeatts informed the board that she reviewed the licensure requirements of Maryland and North Carolina. She provided the information to the board for review. Ms. Yeatts asked the board if there was an interest in amending the regulations to have some provision to offer licensure by endorsement.

Upon a motion by Ms. Jones-McNamara and seconded by Ms. Moss the board voted to pursue and investigate avenues for endorsement with a Notice of Intended Regulatory Action.

The motion passed unanimously.

### **Final PPG Regulations**

Ms. Yeatts stated that the Public Participation Guideline regulations were approved as Final on August 25, 2007.

### **Annual Renewal vs. Biennial CEU**

Ms. Hahn informed the board that the Secretary's office had requested that the board review their regulations regarding annual renewal versus biennial CEU. She stated that a concern was registered with the Secretary's office that the regulations were confusing. Ms. Hahn requested the board to review this section. The consensus of the board was to have the requirements remain the same.

### **ASHA Convention**

Ms. Moss stated that she has paid some fees in order to attend the annual ASHA convention; however, she asked if the Board would pay for her registration fees. Additionally, Ms. Jones-McNamara informed the board that she is a presenter at the

ASHA conference and will be discussing malpractice. Ms. Jones-McNamara was also inquiring about registration reimbursement. Ms. Hahn recommended to submit receipts for possible reimbursement but cautions the board that any travel related expense must be approved by the Secretary's office.

### **Election of Officers**

Upon a motion by Ms. Moss and seconded by Mr. Spencer the board voted to re-elect Dr. Chadwick as Chair of the Board of Audiology and Speech-Language Pathology.

The motion carried unanimously.

Upon a motion by Dr. Chadwick and seconded by Ms. Jones-McNamara the board voted to re-elect Ms. Moss as Vice-Chair of the Board of Audiology and Speech-Language Pathology.

The motion carried unanimously.

### **EXECUTIVE DIRECTOR'S REPORT – Ms. Lisa R. Hahn**

Ms. Hahn stated that the board recently hired a new temporary employee, Denise Christian. Angel Winfield is no longer with the board.

Ms. Hahn stated that new board member orientation training is coming up in the fall and the board will be notified of the date.

Ms. Hahn stated that the agency move went smoothly; however, our office is still experiencing some challenges with our phone system. Therefore, if anyone experiences difficulty in reaching us by phone, please contact us by e-mail.

Ms. Hahn asked the board members to assist her in compiling information for the development of a newsletter. She believes it would be a very helpful and informative tool for the licensees. Ms. Hahn stated she would like to complete the newsletter by the end of 2007. Dr. Chadwick asked if certain areas were not covered in our regulations, what could be done. Ms. Hahn suggested that a guidance document be prepared to address procedures, specialty training, etc.

### **Board Contact Information**

Ms. Hahn provided pertinent telephone number as follows:

Board office number: (804) 367-4630  
Fax number: (804) 527-4413  
Complaint Line: (804) 533-1560  
Automated Verification line: (804) 270-6836

### Licensee Statistics

Ms. Hahn reported there are currently 2,949 licensees.

### Disciplinary Cases

Ms. Hahn reported that the board has 12 open disciplinary cases; 9 of which are in Enforcement.

### Budget

Ms. Hahn provided the Revenue and Expenditure summary for the period ending June 2007. Ms. Hahn reported that because of the new board realignments and other budgetary changes, it is projected that the board should not end the fiscal year with a negative cash balance but should encounter a positive cash balance by June, 2008.

### Calendar

Ms. Hahn provided the date for the upcoming board meetings which are scheduled for January 17, 2008 and May 22, 2008.

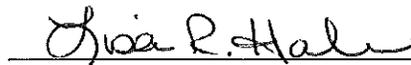
### ADJOURNMENT

With all business concluded, Dr. Chadwick adjourned the meeting.

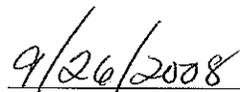
The meeting was adjourned at 1:04 p.m.



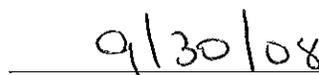
Susan G. Chadwick Au.D., Chair



Lisa R. Hahn, Executive Director



Date



Date