



Board of Examiners
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Meeting Minutes February 21, 2014 Portland State Office Building Conference Room 445 Portland, Oregon

PRESENT: Jennie Price, SLP, Chair
Lyndsay Duffus, Audiologist, Vice-Chair
Evan "Butch" Evans, Audiologist Member
(By Phone Until 1:00 p.m.)
Betsy Chase, Public Member
Wendy Gunter, SLP Member

STAFF:
Sandy Leybold, Executive Director

INVITED GUESTS:

EXCUSED:
Ralph Blanchard, Public Member
Mark Wax, Otolaryngologist Member

CALL TO ORDER

The meeting was convened at 9:10 a.m. by Chair Price and a quorum was established.

EXECUTIVE SESSION

The Board entered Executive Session at 9:10 a.m. to consider information obtained as part of investigations of licensee or applicant conduct as provided in ORS 192.660(2)(k), consider information or records that are exempt by law from public inspection as provided in ORS 192.660(2)(f), and to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed as provided in ORS 192.660(2)(h).

The Board returned to public session at 1:35 p.m.

MOTIONS FOLLOWING EXECUTIVE SESSION

2013-53, 2014-07

Duffus moved to close with no action. Chase seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2013-05

Chase moved to initiate Board action. Duffus seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2013-27

Duffus moved to close with no action. Chase seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2013-35

Gunter moved to close with no action. Duffus seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2013-46

Gunter moved to issue a civil penalty. Chase seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2013-47

Duffus moved to close with no action with a letter from Executive Director. Gunter seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2014-03

Chase moved to ratify the administrative closure of this case. Duffus seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2014-06

Gunter moved to close with no action. Duffus seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2013-49

Gunter moved to recognize the application as incomplete, and close with no action. Chase seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2014-01

Duffus moved to ratify the administrative closure of this case with no violation. Chase seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2013-54

Duffus moved to ratify the closer of the case administratively with no violation. Chase seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2014-08

Duffus moved to initiate disciplinary action. Gunter seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

2014-10

Gunter moved to initiate disciplinary action. Chase seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

REVIEW/APPROVE MINUTES OF NOVEMBER 8, 2013 MEETING

The Board reviewed draft minutes for the November 8, 2013 meeting. Two motions listed Price as initiating Board actions after executive session and it should have been Duffus. On the revisions to August meeting minutes, Gunter was listed as attending the NCSB when it was Duffus.

Duffus moved to approve the November 8, 2013 minutes as corrected. Gunter seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

RATIFY LICENSES ISSUED NOVEMBER 8, 2013 – FEBRUARY 12, 2014

Duffus moved to ratify the issuance of these licenses. Gunter seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous roll call vote of those present.

CHAIR'S REPORT

TSPC, ODE, OSHA, and the Board's Chair and Executive Director have met to discuss licensure issues, with a focus on access to qualified SLP staff, especially in rural areas. ODE sponsors a program that provides partial scholarship support to individuals obtaining their master's degree via Nova's distance learning program. ODE wanted the Board to adopt rules to allow students in the Nova Southeastern University SLP graduate program to be licensed prior to obtaining a masters degree. TSPC grants such licenses. The group has discussed other options for attracting and retaining qualified SLPs, and it has discussed universal SLP licensure. The Chair is encouraged by this collaboration, and will report on updates.

PERMANENT RULE-MAKING

Audiology Preceptors

During its November 2013 meeting, the Board discussed licensure and certification requirements for audiology student preceptors. Draft rules were promulgated to change the supervision requirement for practicum students from audiologists holding ASHA CCCs or ABA certification to audiologists who are state licensed. Leybold reported that there were no formal comments in writing and that no one attended the rule making hearing. Leybold has received several informal responses that were positive to the rule change.

Duffus moved to approve the proposed permanent rule change as promulgated. Chase seconded.

Aye: Price, Duffus, Gunter, Chase

Nay: None

Motion passed by unanimous vote of those present.

SECRETARY OF STATE AUDIT OF HEALTH PROFESSIONAL REGULATORY BOARDS

Leybold reported on the informal results of the audit by the Secretary of State Audits Division. Consolidation of the health regulatory boards was *not* recommended. The auditors recognized that while many States may utilize consolidated licensing, there are no guaranteed efficiencies to be gained by consolidation. The auditors were generally positive in their findings, and noted that the health licensing boards differ in many respects from other State boards. One of the suggestions was consistent and enhanced background checks of applicants. Leybold explained the difficulty BSPA has had in obtaining legislative approval for funding the staff needed to conduct enhanced background checks. Another difficulty with background checks is the confidentiality of the results and how agencies cannot share the results among themselves, even when a license is denied due to contents of the

background report. There is a state task force looking at using digital fingerprinting to assist licensing background checks. Leybold is looking into how smaller agencies might share the administrative burden of conducting enhanced checks.

HRLB PEER REVIEW AUDIT REPORT ON BSPA

Leybold shared with the Board the HRLB peer review audit. Price noted the recommendations were fairly simple things that can be fixed with little time expended. Both Chair Price and Vice-Chair Duffus noted that the staffing levels at the Board office have recently increased and should help address some of the points in the report. The Board directed Leybold to draft a response to the audit.

POLICY UPDATES

Telepractice

The Board's clinical consultant, Ashley Northam, has supplied the Board with a summary of guidelines regarding telepractice. Gunter felt that the Board should address cases of inappropriate or unlicensed practice in the same way, regardless of whether the service was delivered via telepractice. Gunter expressed concern about singling out telepractice from other service models. Leybold pointed out the value of appropriate telepractice in rural areas where speech and audiology services may be scarce. Price suggested working with the Oregon Speech-Language Hearing Association to craft guidelines for consumers and practitioners utilizing telepractice.

Gunter moved to designate the Board's policy development goal regarding telepractice as complete. Chase seconded. Motion passed by unanimous vote of those present.

The Board will post some information to the Board's website and FAQ document. The Board will review any changes in the practice in another year.

EXECUTIVE DIRECTOR REPORT

Financial Report

Leybold shared the updated budget variance report with the Board. Leybold was positive about the spending trends and what was budgeted.

Annual Customer Service Survey Results

As we do annually, the Board office sent emails in October to solicit survey responses from all Board licensees. Leybold showed the Board the results, which were based on a high response rate. Board members noted that the majority of the responses were positive. Some concerns expressed were the difference of PD requirements between the Board and ASHA and the cost of licensure.

PD Audit Results

Leybold showed the Board the results from the biennial PD compliance audit. Probably the biggest issue noted by staff was the confusion among licensees about employer based PD. Employer-provided PD offerings are only allowable for employees of that entity, unless special approval is obtained. Gunter questioned the need to restrict the rule to only include employers. Leybold responded that the intent when the rules were revised was to include in-service on appropriate topics, while allowing the Board to scrutinize activities marketed to the wider profession.

PUBLIC COMMENTS

There were no public comments.

NEXT MEETING DATES/ADJOURNMENT

The next regular meeting is scheduled for May 2, 2014.

The meeting adjourned at 3:15 p.m.