

# QUESTIONS & ANSWERS ABOUT BOARD LICENSURE—SLPs & SLPAs

October 2013

## The Board & Licensure

### What is the Board's mission and authority?

The Board is granted authority from the Legislature to protect the public by regulating the practice of speech-language pathology and audiology in Oregon. The Board issues licenses to qualified applicants, establishes and audits quality standards for professional development and SLPA supervision, and ensures professional and ethical practice.

### Who serves on the Board?

The seven-member Board consists of two SLPs, two audiologists, an otolaryngologist, and two public members, who are appointed by the Governor and confirmed by the Oregon Senate to serve 3-year terms.

### What is the difference between Board licensure and ASHA certification? What is TSPC licensure?

A Board issued license is required to use the title of or work as a speech-language pathologist, audiologist, or speech-language pathology assistant in Oregon. [\[ORS 681.250\]](#) ASHA's Certificate of Clinical Competence is a voluntary credential based on national standards, **not** a license to practice. ASHA CCCs alone do not allow an individual to practice legally in Oregon; they must also hold a Board license. Individuals must hold their license before starting work (even if it is "orientation" or other non-client contact work).

An exception to Board statute allows an SLP practicing **solely in** and **employed by** public schools in Oregon to hold an educator license with a communications disorders or speech impaired endorsement issued by the Teacher Standards & Practices Commission, or TSPC. A TSPC license does **not** allow an SLP to have a private practice, to work for a staffing agency, or to work in any other setting. [\[ORS 681.230\]](#). However, a school district may **not require** an SLP acting within their professional scope to hold a TSPC license as a condition of employment. Only if a district requires an SLP to perform educator duties, the district may require an SLP to hold a TSPC educator license.

### How does the Board's mission differ from that of ASHA, OSHA, AAA, ABA, and OAA?

National and state-level professional associations exist to advance the interests of the speech and hearing professions. They develop and promulgate professional and ethical standards, and scope of practice. They advocate for billing and reimbursement and other issues. They may offer continuing education programs, and set standards for continuing competency. They may lobby legislators to attain professional goals. As membership organizations, they charge dues.

The Board is an agency of state government that protects the public by regulating professional practice.

The Board has a majority of professional members on it, and sets standards for licensure and continuing competency, and professional and ethical practice. However, the Board must act to protect the patient and public, **not** the professional. As a part of the executive branch, the Board may provide information to legislators, but is limited in how it can represent the interests of itself or its licensees. The Board is supported 99% by licensing fees; it receives no tax dollars.

### When will my license expire? What will I need to do to renew it?

All Board licenses (except the 1-year conditional SLP license and the 180-day provisional SLPA license) expire at the same time every two years. **Your license will expire on January 30, 2014. The deadline for renewing your license is December 31, 2013 (think New Year's Eve!).** Renewal applications received after 11:59 p.m. on December 31<sup>st</sup> will be charged a late fee of \$100. [\[OAR Chapter 335, Division 60\]](#) Renewal applications are completed online; you can pay online via a credit card or mail payment by check. All regular licensees must report professional development (PD) hours on their renewal application; see below for further information on PD.

### **Is there a “grace period” during which I can practice with an expired license if I don’t renew on time?**

No. YOU MAY NEVER LEGALLY PRACTICE WITH AN EXPIRED LICENSE.

### **If I am not seeing clients, may I work without a license or call myself an SLP, SLPA or audiologist?**

No. Board statute prohibits individuals from calling themselves an SLP, audiologist, or SLPA without an appropriate license. This also means that you may not be employed in a position carrying that title without first obtaining a license, regardless of whether you actually see clients during that time. [\[ORS 681.250\(2\)\]](#)

### **What is my obligation to make sure that others are appropriately licensed?**

As a license, you are prohibited from assisting or permitting any person to practice speech-language pathology or audiology without a license. So if you are in a supervisory position, please be aware of the license status of your employees/supervisees. [\[OAR 335-005-0010\(2\)\(g\)\]](#)

### **Are students or trainees required to be licensed?**

Anyone enrolled in a practicum course through an approved college or university program does not need to hold a Board license, as long as they are continuously supervised and clearly identified as a student or trainee, and are paid only a reasonable educational stipend. [\[ORS 681.230\]](#) As of September 2013, temporary rules allow prospective SLPAs to obtain a Provisional SLPA license for 180 days to legally complete their fieldwork outside of an academic practicum. Provisional SLPAs may be paid in non-licensed position (such as Educational Assistant), or may receive an educational stipend, or be uncompensated. They must call themselves a Provisional SLPA and be supervised for 100% of their clinical interaction time.

## **Professional Development**

### **What do I need to do for continuing education or professional development (PD)?**

Professional development (PD) is an ongoing quality assurance activity of the Board. SLPs and audiologists must complete **30 hours** of approved professional development every two years, and SLPAs must complete **15 hours**. Licensees first licensed after August 1, 2012 have pro-rated PD requirements. These hours are reported on your renewal application.

You must keep certificates of attendance or official transcripts for four years from the date of attendance, and be prepared to submit these if you are selected for PD audit.

Board rules spell out what types of activities are accepted, on what topics, and from what providers/ sponsors. Some activities are pre-approved; some require special approval. The PD Triple Test Guide has been developed to help you determine if you need to request special approval. Special approval must be requested before (or no later than 30 days after) the date of the PD activity. Look for the specifics in the PD rules, or the Professional Development page of the Board’s website. [\[OAR Chapter 335, Division 70\]](#)

## **Disciplinary Actions & Complaints**

### **How does the Board monitor licensee conduct?**

The Board has professional and ethical standards that are similar to ASHA’s [\[OAR Chapter 335, Division 5\]](#). The Board is also responsible for enforcing its statutes and rules regarding licensure requirements, professional development, SLPA supervision, etc. When a complaint is submitted to the Board by a patient, professional or member of the public, or when the Board becomes aware of a compliance issue, the Board reviews the evidence and may issue disciplinary action to a licensee or other responsible party.

### **What are my obligations to report certain situations to the Board?**

1. A licensee who is convicted of a misdemeanor or felony or who is arrested for a felony crime must report **it within 10 days** after the conviction or arrest. *(Notify the Board office via e-mail, and send copies of court or arrest*

documents).

2. An SLPA or conditional SLP must report changes in their supervisory relationships (add/drop) **within 30 days** of the change. (Download a supervisory change form from the Forms page of the website, and fax, email, or mail it to the Board office.)

3. A licensee who has changed jobs or moved must submit new contact information (email address, work and home addresses, and phone numbers) **within 30 days of the change**. The Board relies on e-mail for newsletters and other correspondence. We use your e-mail only for Board business; it is not considered public, and we do not sell it. (Submit an address change form, available on the Forms page of the website.)

4. A licensee who has reason to believe that another licensee has engaged in unprofessional conduct (conduct unbecoming a licensee or detrimental to the best interests of the public, endangering a patient or client, and/or violated professional and ethical standards), or has engaged in prohibited conduct (a criminal act against a patient or client, or a criminal act that creates a risk of harm to a patient or client), must report that conduct to the Board without undue delay, but **not later than 10 working days** after learning of the conduct. (Call or email the Executive Director, and send copies of relevant documents.)

5. All Board licensees are mandatory reporters of child abuse (ORS 419B.010), elder abuse (ORS 124.060), abuse of mentally ill or developmentally disabled persons (ORS 430.765), and abuse of long term care facility residents (ORS 441.645). See these specific Oregon Revised Statutes for reporting instructions.

#### **How do I report a name change to the Board?**

Name changes must be reported to the Board **within 30 days of the change**. Download a [Name Change Report](#) from our Forms page, and submit it along with the court document (e.g., marriage certificate or divorce decree), that documents the legal name change. A new license will be printed and mailed to you. There is **no charge for this service** to our licensees.

#### **How do I get verification of my Oregon license status sent to another state?**

If the other state has a form they need filled out, send a copy of that to the Board office. Otherwise, you can email to ask us to send verification to the other state. Make sure that we have the full and correct address. There is **no charge for this service** to our licensees.

#### **If I am not working in Oregon, can I let my license lapse, and then reactivate it later?**

Yes, and there are two routes for this:

(1) **You can request to change your license to “inactive” status.** This is an actual license category that requires a small fee every two years to maintain. YOU MAY NOT PRACTICE OR BE EMPLOYED AS--OR CALL YOURSELF--AN SLP, AUDIOLOGIST OR SLPA IN OREGON while holding an inactive license. Download a [Request for Inactive Status Form](#) from our Forms page, and read the information carefully to make sure that you meet the criteria for going inactive and understand the obligations you will have when you reactivate your Oregon license.

(2) **You can let your license lapse by not renewing it when it expires.** If you wish to reactivate within 4 years, you may do so. However, if your license is expired for more than 4 years, you will need to reapply, including re-submitting all the documents originally required for application (i.e., transcripts, evidence of clinical fellowship or fieldwork, Praxis scores, verification of other licenses held).

So if you are working in another state, but intend to return to Oregon, or if you are “stopping out” of the profession for a while to raise a family, it is advisable to maintain your license in “inactive” status, so that you can readily reactivate it even if you are out of the profession for more than four years.

### **How do I reactivate my inactive or expired license?**

Call or email the Board office; we will verify your license and address information and send you a reactivation application. You will need to pay a reactivation fee or a new application fee plus the license fee due at the time. You also will need to complete PD requirements, which vary depending on how long your license was inactive or expired.

### **About SLPA Supervision**

SLPAs must practice with appropriate supervision from a qualified SLP to whose caseload they are assigned. Please review the definitions of clinical interaction, direct supervision and indirect supervision. They are in our rules (Division 335, Section 95) available on our website. OAR 335-095-0010 says:

#### **Definitions**

(3) Clinical Interaction: Interaction where the speech-language pathology assistant (SLPA), or clinical fieldwork participant (provisional speech-language pathology assistant certificate holder or practicum student) is actively participating in or leading a therapy session.

(4) Direct Supervision: On-site, within sight and/or sound, or live videoconference observation and guidance by a speech-language pathologist while a speech-language pathology assistant performs a clinical interaction.

(5) Indirect Supervision: Those activities other than direct observation and guidance *conducted by a speech-language pathologist* that may include consultation, record review, lesson planning, and review and evaluation of audio-or videotaped sessions. Indirect supervision may be done in person or via telephone or electronic communication modes.

A Provisional SLPA Certificate holder must be directly supervised 100% of their clinical interaction time. For the first 90 days of employment with a given employer, a regular SLPA Certificate holder must be directly or indirectly supervised for a total of 30% of their clinical interaction time, with 20% directly supervised.

After the first 90 days with a given employer, a regular SLPA Certificate holder must be directly or indirectly supervised for a total of 20% of clinical interaction time, with at least 10% directly supervised. Direct supervision occurs **at the same time** as a clinical interaction. **Indirect supervision is NOT direct observation—it is other activities with one’s supervisor. Typically it is NOT at the same time as clinical interaction.**

#### **How to Calculate Percentages of Supervision**

The percentage is based on the total time in clinical interaction, not total work time. However, clinical interaction time is almost certainly LESS than total hours worked.

For example, an SLPA might have an 8-hour workday that consists of 6 hours of clinical interaction, 0.5 hour of indirect supervision with one’s supervising SLP (as defined above), and 1.5 hours of photocopying or materials prep or staff meetings or whatever that is **neither** clinical interaction nor indirect supervision activities.

During that 6 hours of clinical interaction, the SLPA may have received 1 hour of direct supervision. Some workdays might have no direct supervision or indirect supervision—it depends on when the supervisor is scheduled to observe or review the SLPA’s work.

#### **Documentation Requirements**

Documentation of supervision must include the following elements: date, activity, time spent, and direct or indirect supervision level. Logs must be calculated monthly and must be retained by the SLPA for 4 years, and be made available upon request by the Board. Review your supervision logs regularly to make sure you will have the required hours each month. We have developed a “[smart form](#)” to serve as a clinical log. This is helpful because it can perform calculations as the form is completed.

### Common Errors & A Sample Clinical Log

Some people get confused when thinking that all work time (or all clinical interaction time) is either directly or indirectly supervised, and this is not true, based upon the definitions. Here are some sample days that could occur (based on an 8-hour workday):

*Date	Day	*Clinical Interaction	*Direct Supervision	*Indirect Supervision	Other activities	Total Hrs Worked	Comments
2/4/13	M	6	0	1.5	.5	8	Spent 1.5 hrs reviewing progress of 20 students with SLP; half-hour on project for classroom teacher
2/5/13	T	7	0	0	1	8	SLP was absent—will make up scheduled supervision time on Friday; staff meeting from 10-11
2/6/13	W	6	.5	0	2	8	SLP observed 10am session; worked 2 hours on materials prep in pm
2/7/13	Th	7	2	0	1	8	SLP observed group sessions from 9-11am; attended IEP mtg with SLP from 2-3 pm
2/8/13	F	3	3	3.5	1.5	8	SLP observed 8-11am sessions; spent 1.5 hrs on materials prep after consulting with SLP on progress of all students on caseload for 3.5 hrs
2/9/13	Sa	0				0	Weekend
2/10/13	Su	0				0	Weekend
2/11/13	M	0	0	3	5	8	Met with SLP from 8-11am, attended in-service from noon-5pm

On your clinical log, you are only reporting the highlighted/asterisked columns, so the hours logged each day do not add up to all work time. You could have work days with no clinical interaction, no direct supervision, and/or no indirect supervision—or any combination of these. The only thing you can't have is more direct supervision than clinical interaction.

Because of the variation in activities from day to day (scheduled and unscheduled), the Board looks at the percentage of direct and indirect supervision **over the course of a month**, not just a day or week. Note that in the example above, the SLP was sick on Tuesday, when she was scheduled to observe sessions and meet with the SLPA for an hour regarding student progress. These scheduled hours could be made up later in the week or month.

## Some Additional Questions & Answers About SLPA Supervision

**Q: What are the obligations of an SLP supervising an SLPA?**

**A:** First, the SLPA must be certified (licensed) by the Board, and must practice within the scope of duties in Board rule. Second, the SLP must be qualified as a supervisor Board rules [[OAR 335-095-0040](#)]. Generally, the SLP must hold a Board license or appropriate TSPC license, and have two years of professional experience beyond their graduate degree. Requirements are modified for SLPs holding certain TSPC licenses. The SLP and SLPA should *both* make sure you *both* have the necessary qualifications.

Board rules specify how many hours of supervision must be provided each month, and define what activities count as direct and indirect supervision. There is a limit to how many SLPAs any one SLP can supervise. SLPAs must keep clinical logs that are signed and initialed by the supervising SLP. These logs are subject to audit by the Board. Both the SLP and the SLPA are held accountable for the accuracy of these logs, and to make sure that the appropriate supervision is provided. All of the requirements for supervision are spelled out in [OAR 335-095-0050](#).

SLPA supervision rules are based on the concept that the clients are on the caseload of a specific SLP, and the SLPA assists the SLP with that caseload. So if an SLPA assists more than one SLP with their caseload, supervision requirements must be met monthly for each caseload. [[OAR Chapter 335, Division 95](#)]

**Q: Does direct supervision require observing the SLPA working with all clients at some point or with a sampling of clients?**

**A:** Over the course of treatment, some portion of each student/client's therapy should be supervised by the SLP; however, the Board does not require documentation at the client level. Documentation should be kept for each caseload with which the SLPA assists. There should be no group of clients who is being seen only by an SLPA without periodic SLP supervision.

For example, if one SLPA works for two part-time SLPs who share responsibility for a caseload, then the supervision requirements can be shared by those SLPs to meet the total supervision hours. If an SLPA works with two different caseloads assigned to two separate SLPs (at one site or more than one site), then each SLP should provide the required percentage of supervision.

**Q: Does the supervising SLP need to be on site with the SLPA while they are working with students?**

**A:** No, however, they must be able to be reached throughout the work day. And the supervising SLP must be "On-site, within sight and/or sound, or on live videoconference" to observe and guide the SLPA for the direct supervision requirement.

**Q: Does a temporary supervisor need to be Board licensed?**

**A:** No, but if they hold a TSPC license, they must have at least two years of professional experience.

**Q: When must an interim supervisor be assigned? What must their qualifications be?**

**A:** If a supervisor is unable to meet their obligations for more than a week, an interim supervisor who meets the qualifications in OAR 33-095-0040 must be assigned as a replacement. The SLPA must submit a [supervision change form](#) within 30 days of any supervisor change.

**Q: Can an SLPA provide direct therapy to a student if the supervising SLP does not know that student?**

**A:** No. The scope of duties for an SLPA outlined in [OAR 335-095-0060\(1\)\(b\)](#) states that the SLPA may provide direct treatment to clients identified by the supervising SLP only in accordance with treatment plans developed by the supervising SLP.