

APPROVED

BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY THURSDAY, MAY 19, 2005 BOARD MEETING MINUTES

CALL TO ORDER:

Dr. Michael Ridenhour, Chair, called the quarterly meeting of the Board of Audiology and Speech Pathology to order at 9:30 a.m. on Thursday, May 19, 2005, in Board Room #3, at 6603 West Broad Street, 5th Floor, Richmond, Virginia.

Present:

Michael Ridenhour, Au.D.
Susan Chadwick, Au.D.
Angela W. Moss, M.A., CCC-SLP
Katrina Eid, Ph.D., SLP
Andrew M. Klein, M.D.
Alfred J. Wolfe, Citizen Member

Members Absent:

Robin R. Holley Duke, Citizen Member

Staff Present:

Elizabeth Young, Executive Director
Emily Wingfield, Assistant Attorney General
Annie B. Artis, Operations Manager

Guests Present:

Bill Ferguson, Department of Professional and Occupational Regulation
Bonnie Atwood, David Bailey and Associates, Inc.
Dan C. Halling, James Madison University
Allison Halling
Valerie Watkins
Tsepho Williams

Approval of Agenda

The agenda was approved as submitted.

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Public Comment

There was no public comment.

Acceptance of Minutes

With a properly seconded motion by Dr. Chadwick, the board approved the minutes of its February 17, 2005 meeting.

New Business

2005 Virginia General Assembly Update

Ms. Yeatts gave an update regarding the 2005 Virginia General Assembly:

HB 455 Dietitians; licensure

This bill was defeated. A letter was sent to the Joint Commission on Health Care to do a study.

HB 2038 Midwifery; licensure

This is a new profession that will be licensed by the Board of Medicine.

HB 2237 Practitioner Self-Referral Act; exemption

Ms. Yeatts stated that this bill does have some relevance to the Board of Audiology and Speech-Language Pathology; it relaxes prohibition.

HB 2429 Prescription Monitoring Program; includes reporting by out-of-state dispensers

Ms. Young stated that this bill affects all practitioners and consumers in Virginia. She stated this was a major initiative for the department; however, this bill does not directly affect this Board.

HB 2512 Assisted living facilities; requires administrators to be licensed

Administrators of Assisted living facilities will be licensed under the reconfigured board of Long Term Care Administrators with nursing home administrators.

HB 2515 Medical records; charge for copies distinguished between patient request & subpoenaed records

This bill addresses patient records and the charges that can be levied on a patient.

HB 2616 Health records; revises certain provisions for privacy of minors

This bill addresses medical malpractice and will seek out frivolous and fraudulent law suits.

HB 2804 Health care practitioners; immunity for making voluntary report regarding conduct or competency

Ms. Yeatts stated that this bill is relevant to all practitioners. It extends immunity to those persons making reports required by law or pursuant to an investigation or testimony in a judicial or administrative proceeding.

Board of Hearing Aid Specialists

Mr. Ferguson, Executive Director of the Boards of Hearing Aid Specialists, Opticians and Barbers, with the Department of Professional and Occupational Regulation introduced himself to the Board. Dr. Chadwick stated that the regulations for the Board of Hearing Aid Specialists were somewhat confusing and asked for clarification of §18 VAC 80-20-230 (1. & 2.) – Fitting and sale of hearing aids for children. Dr. Chadwick questioned Mr. Ferguson to ask the BHAS about who should provide medical clearance for use of hearing aids in children under the age of 18 years. Should it be an otolaryngologist or a hearing aid specialist? Mr. Ferguson stated that certainly the regulations are put in place to protect the consumer; however, he does not want them to be burdensome to the licensee. He stated he would obtain clarification from his board and submit his findings to this Board.

Board of Health Professions Meeting of April 13, 2005

Dr. Ridenhour gave a brief report on the Board of Health Professions meeting. He stated the board discussed the various studies that had resulted in new professions that would be regulated by this agency to include midwifery. He also stated there were interesting issues that came up regarding otolaryngology. Mr. Ridenhour stated the Board of Health Professions is planning to host an educational forum in October. He further stated the

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Board of Health Professions has discussions regarding the studies on telehealth and naturopaths; the studies may be completed by the fall of 2005.

Credentials Committee

Ms. Young discussed the issue of audiologists and/or speech-language pathologists who are seeking licensure in Virginia yet have not practiced for 5-10 years and/or they have taken the Praxis examination over three years ago. Ms. Young asked the Board for guidance and asked if there was any documentation that could be presented in lieu of the current requirements. Board Counsel, Ms. Wingfield, stated that the Board would have to follow the rules as stated in the current regulations.

Masters Degree or Equivalency

Dr. Ryals from James Madison University was unable to attend; therefore Mr. Halling attended in her absence. Mr. Halling addressed the equivalency issue for students who are currently in transition from the Master's Degree program to the Doctoral program. He stated this transition is greatly impacting the students and the preceptors within the profession. He stated he shared the concerns over licensure of students and agreed that some changes need to be implemented into the curriculum; however, the processes necessary to make these changes are very slow. Mr. Halling stated that Ms. Watkins is currently an applicant with this Board and she has fulfilled all of her requirements, all hours have been completed and she has successfully completed a one year residency. He stated Ms. Watkins has also completed her clinical practicum; therefore, the only thing remaining to complete is her dissertation. Mr. Halling indicated that some type of transition into the Doctoral program is needed. He stated that changes seemingly were made at the Board with no opportunity for public comment. Ms. Young assured Mr. Halling that no changes were made in the regulation. She stated that the board had received an interpretation in regard to equivalency and this invoked a change in procedure and far as equivalency. Dr. Chadwick stated that the board has serious concerns about licensing someone who does not have a degree.

Closed Meeting

On a properly seconded motion by Ms. Moss, the Board voted 6-0 in favor of the motion to enter into a closed meeting at 10:30 a.m. pursuant to §2.2-3711(A)(7) of the Code of Virginia to consult with legal counsel regarding the matter of equivalency. The motion carried unanimously.

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Re-Convene

On a properly seconded motion by Dr. Klein, the Board voted 6-0 in favor of the motion that only public business matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by this Board.

The Board reconvened in open session at 11:00 a.m. pursuant to §2.2-3712 of the Code.

Ms. Moss made the following motion: The Board of Audiology and Speech-Language Pathology has reviewed regulation 18 VAC 30-20-170(B) and has decided to return to its previous interpretation of licensure by offering a Consent Order with board terms for the degree to be completed within one year of licensure. The motion was properly seconded by Dr. Klein. The motion carried unanimously.

Dr. Klein made the following motion: The Board of Audiology and Speech-Language Pathology would like to submit a Notice of Intended Regulation Amendment (NOIRA) for periodic review of the regulations. The motion was properly seconded by Dr. Chadwick. The motion carried unanimously.

Mr. Wolfe made a motion to have board staff propose legislation for the creation of a provisional license. The motion was properly seconded by Dr. Klein. The motion carried unanimously.

Professional News

Ms. Young stated she provided the letter from Dr. Gans of the American Academy of Audiology (AAA) and the Press Release from the American Speech-Language-Hearing Association (ASHA) for the Board's information and review.

SHAV Conference

Ms. Young stated she attended the Speech-Language Hearing Association of Virginia (SHAV) conference in March 2005 and had prepared a presentation. Sally Jones-McNamara, SLP attended her workshop.

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American Auditory Society Meeting

Dr. Ridenhour informed the Board that he attended the American Auditory Society meeting which was held in Scottsdale, VA in March 2005. There were over 350 audiologists in attendance.

National Association of Black Speech-Language Pathologists

Ms. Moss informed the Board that she attended the National Association of Black Speech-Language Pathologists meeting which was held in Richmond, VA during the last week of April 2005. There were over 500 people in attendance.

American Academy of Audiology

Dr. Chadwick attended the American Academy of Audiology (AAA) meeting in Washington, D.C in April 2005. She stated that there were also discussions at the meeting regarding licensure of 4th year student.

Ms. Young encouraged Board members to keep her informed of meetings and she will disseminate the information to the other board members.

Continuing Competency Committee

Ms. Young gave a report regarding the continuing competency audit that was conducted for audiologists and speech-language pathologists. She stated that included in the audit were: twelve school speech-language pathologists; sixty-two speech-language pathologists and three audiologists, for a total of seventy-seven. Ms. Young stated of that number, 17% have not responded. She further stated that the options for those who have not responded are to offer them a Pre-Hearing Consent Order or send out a second letter. Ms. Yeatts stated that the Confidential Consent Agreement (CCA) is another option; if this document is not signed, an informal hearing would be held. Dr. Klein suggested that we send certified letters and if they fail to respond within thirty days, notify them to appear for a disciplinary hearing.

Ms. Moss made a motion to send out second audit letters, certified, to those licensees who have failed to respond. The motion was properly seconded by Dr. Eid. The motion carried unanimously.

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Executive Director's Report

Ms. Young reviewed the quarterly statistics of license holders, the board budget ending March 31, 2005 and the board calendar for the remaining year.

Recognition Award

Dr. Ridenhour presented Dr. Eid with a plaque in recognition of her dedicated service to the Board of Audiology and Speech-Language Pathology.

Adjournment

With no further business, Dr. Ridenhour adjourned the meeting at 11:20 a.m.

Michael Ridenhour, Au.D., Chair

Elizabeth Young, Executive Director

Date

Date