BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS BOARD 1601 Response Road, Suite 260, Sacramento, CA 95815 P (916) 287-7915 | www.speechandhearing.ca.gov



MEMORANDUM

DATE	April 24, 2023
ТО	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Paul Sanchez, Executive Officer
SUBJECT	Agenda Item 6: Executive Officer Report

This report and the statistical information provided by staff is to update you on the current operations of the Board.

a) Administration Update

To prevent a deficit in the current budget year, Board management reduced its staffing by ending the appointment of the recently hired limited-term enforcement analyst. In addition, the Board's part-time legislation analyst's hours were temporarily reduced. We are working with DCA Budgets to closely analyze our funding needs for current and future staffing.

b) Outreach Update

On April 1, 2023, Gilda Dominguez and I provided a presentation to the attendees of the California Speech Language Hearing Association (CSHA) Convergence Conference in Anaheim California. The presentation included an overview of the Board, the importance of licensure, an enforcement overview, the Board's role in legislation and regulations, and an update of recent legislation and regulations. After the presentation, I participated in a podcast with CSHA representatives and discussed changes in licensing, the Board, and the importance of licensee involvement in regulatory and legislative processes.

On April 4, 2023, I participated in a meeting with California Council of Academic Programs in Communication Sciences and Disorders to discuss online licensing, licensing timeframes, and answer general questions related licensing.

c) Budget Report

Included in your Board materials is the most recent Expenditure Projection Report (Item 7c). This report reflects fiscal activity through January 31, 2023 and is based on data provided by DCA's Budget Office. Based on the current projections, the Board is on course to expend most of its budget. This year, the Board's budget was impacted by an increase in operating costs, including personnel and enforcement. To prevent a fiscal year-end deficit, Board management has made temporary spending reductions that include reducing staffing levels, postponing a practical examination, and lower overall general spending. We will continue to monitor the budget closely and work with DCA Budgets to have more information on final projections and reversion amounts as we get closer to the end of the fiscal year.

Also included in your Board materials is a current Fund Condition Report (Item 7c) that reflects the 2023-2024 Governor's Budget. This report is a snapshot of the Board's fund condition and will continue to be adjusted to reflect this year's complete revenue and expenditures.

d) Regulations Report

Below is a table with the Board's pending rulemaking files that are either going through the DCA Initial Review Process or already in the Official Rulemaking Process with the Office of Administrative Law. A separate detailed report (Agenda Item 12) is provided in your materials and will be discussed during the full Board meeting.

Rulemaking File	Final OAL Filing Date	Status	Comments
Required Professional	8/4/2023	2/13/2023 – Approved by OAL	Effective April 1, 2023
Experience		12/29/2022 – Submitted to OAL	
Direct Supervision Requirements		12/19/2022 – Submitted for Agency review	
and Tele- Supervision		12/14/2022 – Submitted for DCA review	
		11/7/2022 – 15-day comment period	
		10/28/2022 – Board approved modified text	
		8/5/2022 – Initial 45-day comment period	
		6/13/2022 – Submitted for Agency review	

Rulemaking File	Final OAL Filing Date	Status	Comments
	J	4/5/2022 – Submitted for DCA review	
		5/17/2021 – Submitted for Legal review	
		5/14/2021 – Board approved language	
Notice to Consumers	9/8/2023	2/6/2023 – Approved by OAL	Effective April 1, 2023
Consumers		12/23/2022 – Submitted to OAL	2023
		12/19/2022 – Submitted for Agency review	
		12/12/2022 – Submitted for DCA review	
		12/9/2022 – Submitted for Legal review	
		11/29/2022 – 15-day comment period	
		10/28/2022 – Board approved modified text	
		9/9/2022 – Initial 45-day comment period	
		8/15/2022 – Submitted for Agency review	
		8/9/2022 – Submitted for DCA review	
		3/24/2022 – Submitted for Legal review	
		2/25/2022– Board approved language	
Uniform Standards	9/29/2023	2/13/2023 – Approved by OAL	Effective April 1, 2023
Related to		12/29/2022 – Submitted to OAL	2023
Substance- Abusing		12/19/2022 – Submitted for Agency review	
Licensees		12/12/2022 – Submitted for DCA review	
		12/9/2022 – Submitted for Legal review	

Rulemaking File	Final OAL Filing Date	Status	Comments
	T ming Date	9/30/2022 - Initial 45-day comment period	
		9/12/2022 – Submitted for Agency review	
		8/22/2022 – Submitted for DCA review	
		3/24/2022 – Submitted for Legal review	
		8/13/2021 – Board approved language	
SLPA Academic and Program	11/10/2023	3/1/2023 – Submitted for Legal review	Public comment period closed 12/27/2022
Requirements		11/11/2022 – Initial 45-day comment period	12/21/2022
		11/1/2022 – Submitted for Agency review	
		10/18/2022 – Submitted for DCA review	
		8/19/2022 – Submitted for Legal review	
		8/12/2022 – Board approved language	
SLPA Supervision Requirements	11/10/2023	3/9/2023 – 15-day comment period	Public comment period closed 3/24/2023
requirements		2/24/2023 – Board approved modified text	3/24/2023
		11/11/2022 – Initial 45-day comment period	
		11/3/2022 – Submitted for Agency review	
	10/28/2022 – Submitted for DCA review		
		8/18/2022 – Submitted for Legal review	
		5/13/2022 – Board approved language	

Rulemaking File	Final OAL Filing Date	Status	Comments
Fingerprinting Requirements		8/31/2022 – Submitted for Legal review 5/13/2022 – Board approved language	Board staff working with DCA Budgets Office to develop the Economic and Fiscal Impact Statement
Examination Requirements for Hearing Aid Dispensers and Dispensing Audiologists		5/13/2022 – Board approved language	Board staff drafting regulatory documents
SLP-AU CPD Requirements		1/31/2023 – Submitted for Legal review 8/12/2022 – Board approved language	Board staff working with DCA Legal
HAD CE Requirements		8/12/2022 – Board approved language	Board staff drafting regulatory documents

e) <u>Licensing Report</u>

As reported at the last Board meeting, all application types are now available through the online system. The system development and troubleshooting workload is being absorbed by Board Licensing staff. Board staff is also working through the licensing backlog created as a result of the project workload. Our goal is to get through most of the existing backlog in the next eight weeks.

<u>Licensing Cycle Times</u> – The chart below provides a snapshot of the Board's current and past licensing processing times. We have seen a significant increase in licensing cycle times since during the past four months. Licensing staff are processing backlogged paper applications received prior to certain application types being launched online while completing other project implementation tasks for the new online application system.

Licensing Cycle Times	5/1/22	8/1/22	11/1/22	2/1/23	Current
Speech-Language Pathologists (SLP) and Audiologists (AUD) Complete Licensing Applications	4 weeks	6 weeks	8 weeks	12 weeks	13 weeks

Licensing Cycle Times	5/1/22	8/1/22	11/1/22	2/1/23	Current
Review and Process SLP and AUD Supporting Licensing Documents	3 weeks	4 weeks	7 weeks	9 weeks	12 weeks
Review and Process RPE Applicant's Verification of Experience Forms for Full Licensure	3 weeks	5 weeks	3 weeks	7 weeks	8 weeks
Hearing Aid Dispensers (HAD) Applications	3 weeks	4 weeks	5 weeks	9 weeks	12 weeks

f) Practical Examination Report

The practical examination that was scheduled for April 21-22 was postponed to July 14-15, 2023. Below is a summary of results from the January examination.

HAD Practical Examination Results for January												
Candidate Type	Number of Candidates	Failed	%									
Applicants with Supervision (Temporary Trainee License)												
Hearing Aid Dispensers	19	9		10								
Audiologists												
Required Professional Experience	2	1		1								
Aide												
Applicants Licensed in	Another State	(Temporary	y Licens	e)								
Hearing Aid Dispenser	6	2		4								
Audiologist	2	2										
Applican	ts without Supe	rvision										
Hearing Aid Dispensers	8	4		4								
Audiologists	4	2		2								
Required Professional Experience												
Total Number of Candidates	41	20	49%	21	51%							

g) Enforcement Report

The Board received 96 complaints and subsequent arrest notifications through the third quarter of the 2022-23 reporting year. During this same period the Board has issued four (4) citation and fines and one (1) cease and desist letter.

There are currently three (3) formal discipline cases pending with the Attorney General's Office. The Board is currently monitoring 19 probationers of which six (6) probationers require drug or alcohol testing and three (3) are in a tolled status. Included in your Board materials (Item 6g) is the Board's statistical Enforcement Report.

The following disciplinary actions have been adopted by the Board during the past 12 months:

Name	License No.	License Type	Case No.	Effective Date	Action Taken
Green (Malek), Natalia Chojnacka	SP 22694	Speech- Language Pathologist	1I-2019- 175	November 18, 2022	Revocation Stayed, Three Years' Probation with Specified Terms and Conditions
Banaga, Ramon Rocello	SPA 3446	Speech- Language Pathology Assistant	1I-2017- 073	August 19, 2022	Revocation Stayed, Seven Years' Probation with Specified Terms and Conditions
Swanson, Robin	HA 3104	Hearing Aid Dispenser	D1-2012- 98	July 28, 2022	Revocation of License
Arreola, Diana	SPA 5384	Speech- Language Pathology Assistant	1I-2019- 177	June 2, 2022	Voluntary Surrender of License
Brasier, Carley Amara Green	SP 20434	Speech- Language Pathologist	1I-2018- 222	May 28, 2022	Revocation Stayed, Five Years' Probation with Specified Terms and Conditions
Lilly, Alice Penelope	HA 8322	Hearing Aid Dispenser	1C-2018- 168	May 6, 2022	Revocation Stayed, Three Years' Probation with Specified Terms and Conditions
Colbert, Michael	HA 5026	Hearing Aid Dispenser	1C-2018- 081	May 1, 2022	Voluntary Surrender of License

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board - 0376 FY 2022-23 BUDGET REPORT

April 27, 2023 Board Meeting

FM 7

	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22			FY 2022-	23	
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	GOVERNOR'S	CURRENT YEAR			
	EXPENDITURES	EXPENDITURES	EXPENDITURES	EXPENDITURES	EXPENDITURES	BUDGET	EXPENDITURES	PERCENT	PROJECTIONS	UNENCUMBERED
OBJECT DESCRIPTION	(MONTH 13)	(MONTH 13)	(MONTH 13)	(Prelim FM13)	(Prelim FM13)	2022-23	01.31.2023	SPENT	TO YEAR END	BALANCE
PERSONNEL SERVICES										
Salary & Wages (Staff)	478,930	525,967	601,545	599,726	746,598	748,000	481,867	64%	746,997	1,003
Statutory Exempt (EO)	91,296	94,944	98,268	92,318	106,164	82,000	66,465	81%	129,500	(47,500
Temp Help	8,446	224	64,729	38,449	57,039	1,000	28,463	2846%	,	(27,463
Board Member Per Diem	5,100	4,700	4,600	1,700	5,100	6,000	3,400	57%	,	1,900
Overtime/Flex Elect	19,003	36,663	55,901	54.620	67,286	5,000	47,995	960%	49,895	(44,895
Staff Benefits	309,624	332,488	434,247	418,932	489,282	485,000	333,882	69%	533,800	(48,800
TOTALS, PERSONNEL SVC	912,400	994,986	1,259,290	1,205,746	1,471,470	1,327,000	962,072	72%		(165,755
OPERATING EXPENSE AND EQUIPMENT	·						,		,	, ,
General Expense	42,122	34.923	48,858	67,144	74,273	68,000	23,902	35%	42,811	25,189
Printing	9,772	10,587	11,227	19,251	40,231	28,000	20,471	73%	,	6,351
Communication	6,228	5,986	7,072	7,482	3,518	21,000	1,040	5%	,	16,920
Postage	25,482	19,259	7,155	1,725	6,407	12,000	2,066	17%	,	8,800
Insurance	20,402	4,040	25	158	22	0	2,000	0%	l 100	(100
Travel In State	15,163	5,210	13,115	9,148	11,088	30,000	7,040	23%	12,674	17,326
Training	0,100	0,2.0	7,088	0,110	175	9,000	325	23% 4%	2,905	6,095
Facilities Operations	73,447	86,769	101,321	82,568	126,495	99,000	79,237	80%	140,234	(41,954
C & P Services - Interdept.	38	49	52	70	82	24,000	0	0%		24,000
Attorney General	133,121	112,665	156,882	298,782	200,014	154,500	110,222	71%		500
Office Admin. Hearings	45,135	37,170	8,025	128,785	38,496	27,500	13,172	48%	26,758	742
C & P Services - External	82,277	71,696	73,529	79,957	64,415	70,000	19,481	28%		15,399
DCA Pro Rata	339,000	392,000	367,221	355,665	463,371	464,000	331,500	71%	464,000	0
DOI - Investigations	153,000	200,000	200,908	32,198	96,124	66,000	49,500	75%	66,000	0
Interagency Services	0	0	0	2,196	118	29,000	310	1%		28,690
IA w/ OPES	0	500	67,039	24,264	47,009	60,000	0	0%	17,308	42,692
Consolidated Data Center	3,258	195	4,971	14,553	20,198	17,000	8,691	51%		8,309
Information Technology	1,240	2,013	431	5,210	4,171	17,000	3,277	19%	3,277	13,723
Equipment	3,220	0	15,400	30,670	1,193	12,000	0	0%		10,361
Other Items of Expense		0	113,356	2,553	1,746	0	1,326	0%		(3,000
TOTALS, OE&E	1,001,524	1,199,919	1,172,675	1,117,103	1,194,721	1,208,000	96,300	8%	1,027,957	180,043
TOTAL EXPENSE	1,913,924	2,194,905	2,431,965	2,322,849	2,666,191	2,535,000	1,604,977	63%	2,520,712	14,288
								SURPLL	JS/(DEFICIT):	0.56%

Prepared 4.20.2023

2023-24 Governor's Budget FM7

	Actual 021-22	20	CY)22-23	20	BY 023-24	BY +1)24-25	3Y +2)25-26
BEGINNING BALANCE	\$ 1,545	\$	1,134	\$	1,546	\$ 1,578	\$ 1,520
Prior Year Adjustment	\$ -105	\$	0			\$ 0	\$ 0
Adjusted Beginning Balance	\$ 1,440	\$	1,134	\$	1,546	\$ 1,578	\$ 1,520
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS							
Revenues							
4121200 - Delinquent fees	\$ 31	\$	31	\$	32	\$ 32	\$ 32
4127400 - Renewal fees	\$ 2,001	\$	2,441	\$	2,397	\$ 2,397	\$ 2,397
4129200 - Other regulatory fees	\$ 73	\$	65	\$	55	\$ 55	\$ 55
4129400 - Other regulatory licenses and permits	\$ 480	\$	565	\$	562	\$ 562	\$ 562
4163000 - Income from surplus money investments	\$ 6	\$	9	\$	30	\$ 22	\$ 21
4171400 - Escheat of unclaimed checks and warrants	\$ 3	\$	3	\$	0	\$ 0	\$ 0
4172500 - Miscellaneous revenues	\$ 0	\$	1	\$	1	\$ 1	\$ 1
Totals, Revenues	\$ 2,594	\$	3,115	\$	3,077	\$ 3,069	\$ 3,068
Operating Transfers To General Fund 0001 per EO E 21/22-276 Revised (AB 84)	\$ -82	\$	0	\$	0	\$ 0	\$ 0
Totals, Transfers and Other Adjustments	\$ -82	\$	0	\$	0	\$ 0	\$ 0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 2,512	\$	3,115	\$	3,077	\$ 3,069	\$ 3,068
TOTAL RESOURCES	\$ 3,952	\$	4,249	\$	4,623	\$ 4,647	\$ 4,588
Expenditures:							
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 2,622	\$	2,521	\$	2,739	\$ 2,821	\$ 2,906
9892 Supplemental Pension Payments (State Operations)	\$ 38	\$	38	\$	38	\$ 38	\$ 0
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 158	\$	144	\$	268	\$ 268	\$ 268
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 2,818	\$	2,703	\$	3,045	\$ 3,127	\$ 3,174
FUND BALANCE							
Reserve for economic uncertainties	\$ 1,134	\$	1,546	\$	1,578	\$ 1,520	\$ 1,414
Months in Reserve	5.0		6.1		6.1	5.7	5.3

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing. Expenditure growth projected at 3% beginning BY +1.

2022-23 includes Attorney General and Office of Administrative Hearings augmentation.

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board

	FY							
LICENSES ISSUED	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23
								QTR 3
AU	48	53	77	63	63	71	79	46
DAU	26	24	30	35	31	23	28	22
AUT	0	0	2	4	3	1	4	1
SLP	1,352	1,457	1,482	1,446	1,444	1,621	1,782	1,240
SPT	0	0	0	0	0	0	1	0
SLPA	606	501	558	602	615	505	649	461
RPE	834	897	945	977	1,059	1,039	1,177	869
AIDE	44	44	33	32	44	22	44	43
PDP	22	21	20	15	5	13	14	9
HAD Permanent	140	120	137	135	95	55	108	73
HAD Trainee	180	152	169	156	116	93	124	115
HAD Licensed in Another State	16	16	20	17	12	11	22	7
HAD Branch	407	315	341	333	312	249	263	124
TOTAL LICENSES ISSUED	3,675	3,600	3,814	3,815	3,799	3,703	4,295	3,010

	FY							
LICENSEE POPULATION	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23
								QTR 3*
AU	556	698	720	831	837	830	869	856
DAU	1,045	1,211	1,246	1,334	1,384	1,375	1,416	1,454
Both License Types	1,601	1,909	1,966	2,165	2,221	2,205	2,285	2,310
AUT	0	0	2	4	7	8	8	7
SLP	14,860	18,024	19,161	21,374	22,527	23,309	24,894	25,837
SPT	0	0	0	0	0	0	1	0
SLPA	2,795	3,752	4,118	4,822	5,297	5,538	5,962	6,202
RPE	806	1,174	1,232	1,364	1,595	1,626	1,740	1,801
AIDE	133	235	216	245	273	290	306	304
PDP	160	174	177	178	165	160	152	152
HAD Permanent	996	1,179	1,266	1,380	1,407	1,398	1,439	1,458
HAD Trainees	158	238	204	214	237	243	267	297
HAD Licensed in Another State	18	18	28	31	42	47	66	61
HAD Branch Office	963	1,409	1,297	1,347	1,401	1,411	1,429	1,369
TOTAL LICENSEES	22,490	28,112	29,667	33,124	35,172	36,235	38,549	39,798

^{*} Data as of April 17, 2023

Legend:

AU = Audiologist RPE = Required Professional Experience SLPA = Speech-Language Pathology

 $DAU = Dispensing \ Audiologist \qquad PDP = Continuing \ Professional \ Development \ Assistant$

AUT = Audiologist Temporary SLP = Speech-Language Pathologist

HAD = Hearing Aid Dispenser SPT = Speech-Language Pathologist Temporary

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board Enforcement Report

COMPLAINTS AND	FY	FY	FY	FY	FY	FY 2022-23
CONVICTIONS	2017-18	2018-19	2019-20	2020-21	2021-22	Q3
Complaints Received	329	158	164	91	79	61
Convictions Received	128	124	103	45	48	35
Average Days to Intake	2	1	1	5	7	8
Closed	10	5	17	2	0	0
Pending	1	1	1	6	0	0

		FY	FY	FY	FY	FY	FY 2022-23
INVESTIGATIONS De	esk	2017-18	2018-19	2019-20	2020-21	2021-22	Q3
Assigned		446	273	260	131	131	102
Closed		388	188	189	193	178	102
Average Days to Complete		102	148	222	380	598	340
Pending		126	198	260	198	132	123

	FY	FY	FY	FY	FY	FY 2022-23
INVESTIGATIONS DO	2017-18	2018-19	2019-20	2020-21	2021-22	Q3
Assigned	17	13	9	0	1	0
Closed	19	12	10	8	6	1
Average Days to Complete	462	752	770	839	1,409	150
Pending	19	20	19	11	2	1

	FY	FY	FY	FY	FY	FY 2022-23
ALL TYPES OF INVESTIGATIONS	2017-18	2018-19	2019-20	2020-21	2021-22	Q3
Closed w/o Discipline Referral	386	183	181	187	178	99
Cycle Time - No Discipline	115	184	251	368	491	338

	FY	FY	FY	FY	FY	FY 2022-23
CITATIONS/CEASE & DESIST	2017-18	2018-19	2019-20	2020-21	2021-22	Q3
Citations Issued	26	16	11	6	7	4
Avg Days to Citation & Fine	82	155	336	429	1,138	790
Cease & Desist Letters Issued	3	1	0	2	0	1

	FY	FY	FY	FY	FY	FY 2022-23
ATTORNEY GENERAL CASES	2017-18	2018-19	2019-20	2020-21	2021-22	Q3
Pending at the AG	22	21	23	21	10	2
Accusations Filed	5	4	8	8	5	1
Statement of Issue (SOI) Filed	2	5	1	2	0	0
Accusation Withdrawn, Dismissed,						
Declined	4	3	1	0	1	2
SOI Withdrawn, Dismissed,						
Declined	0	4	1	0	0	0
Average Days to Discipline	780	1,741	824	2,245	1,362	1,221

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board Enforcement Report

ATTORNEY GENERAL FINAL	FY	FY	FY	FY	FY	FY 2022-23
OUTCOME	2017-18	2018-19	2019-20	2020-21	2021-22	Q3
Probation Only	4	4	5	1	1	4
Surrender of License	3	1	3	3	2	0
License Denied (SOI)	3	2	1	0	1	0
Suspension & Probation	0	1	0	0	2	0
Revocation-No Stay of Order	3	1	3	2	4	0
Public Reprimand/Reproval	1	0	0	0	0	0

Note: All data provided prior to FY 2022-23 uses complaint open date as the start to any "Days to" data provided in this report.