

DEPARTMENT OF CONSUMER AFFAIRS
**TITLE 16. SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
AND HEARING AID DISPENSERS BOARD**

**PROPOSED REGULATORY LANGUAGE
Required Professional Experience
Direct Supervision Requirements and Tele-Supervision**

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
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Amend section 1399.153 of Division 13.4 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.153 Definitions

As used in this article, the term:

(a) “Required professional experience” or “RPE” means the supervised practice of speech-language pathology or audiology for the purpose of meeting the requirements for licensure in accordance with Sections 2530.5, subdivision (f), ~~and 2532.2,~~ subdivision (e), and 2532.25, subdivision (b)(2) of the Code and these regulations.

(b) “Required professional experience supervisor” or “RPE supervisor” means a person who is licensed as a speech-language pathologist or audiologist in the field for which licensure is sought, or has qualifications deemed equivalent by the Board. “Qualifications deemed equivalent by the Board” include a supervisor who holds legal authorization to practice in the state where the experience is being obtained in the field for which licensure is sought if the required professional experience is obtained in a setting which is exempt from the licensure requirements of the Act or out of state.

(c) “Required professional experience temporary license holder” or “RPE temporary license holder” means a person who has complied with Section 1399.153.2 of these regulations.

(d) “Direct supervision” means in person, one-on-one audiovisual observation, and guidance, as needed by the RPE supervisor of activities related to the practice of speech-language pathology or audiology.

(e) “Tele-supervision” means synchronous, one-on-one audiovisual observation, and guidance, as needed through electronic audio and video monitoring by the RPE supervisor of activities related to the practice of speech-language pathology or audiology while care is being provided to the patient.

Note: Authority cited: Section 2531.95, Business and Professions Code.
Reference cited: Sections 2530.5, 2532.2, and 2532.25, Business and Professions Code.

Amend section 1399.153.3 of Division 13.4 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.153.3 Responsibilities of RPE Supervisors

An RPE supervisor's responsibilities shall include, but are not limited to:

(a) Legal responsibility for the health, safety and welfare of the patients treated by the RPE temporary license holder.

(b) ~~Insuring~~ Ensuring that the extent, kind, and quality of functions performed by an RPE temporary license holder under the supervisor's supervision is in compliance with these regulations and is consistent with the RPE temporary license holder's education and training.

(c) ~~Insuring~~ Ensuring that such supervision consists of direct ~~monitoring~~ supervision for a minimum of eight (8) hours per month for each full-time RPE temporary license holder and four (4) hours per month for each part-time RPE temporary license holder.

(1) Tele-supervision of the RPE temporary license holder may be utilized in lieu of direct supervision if it meets the following requirements:

(A) Tele-supervision is limited to no more than four (4) hours per month for each full-time RPE temporary license holder and limited to no more than two (2) hours per month for each part-time RPE temporary license holder.

(B) The RPE supervisor informs the patient about the use of tele-supervision and obtains verbal or written consent from the patient for the use of the tele-supervision. The consent shall be documented by the RPE supervisor in the patient's record prior to the first use of tele-supervision with the patient.

(i) If the RPE supervisor obtained verbal consent from the patient, the patient record shall reflect the consent was verbal and the date on which it was obtained.

(ii) If the RPE supervisor obtained written consent from the patient, the patient record shall include a copy of the written consent, which shall include the date on which it was obtained.

(C) The RPE supervisor evaluates the functions the RPE temporary license holder will perform while tele-supervision will occur and, based on the RPE supervisor's professional judgement of the individual RPE temporary license holder's ability, the RPE supervisor determines there is no need to be physically present with the RPE temporary license holder.

(D) Based on the functions the RPE supervisor will demonstrate to the RPE temporary license holder, the RPE supervisor determines in their professional judgment there is no need to be physically present with the RPE temporary license holder.

(E) The RPE temporary license holder is physically present with the patient while being tele-supervised by the RPE supervisor.

(F) The RPE supervisor determines, based on their professional judgement, that other issues or conditions do not exist that make the use of tele-supervision inappropriate in that given situation.

(d) "Direct monitoring supervision" of the RPE temporary license holder may consist of ~~the personal observation of~~ the following:

- (1) evaluation and assessment procedures;
- (2) treatment procedures;
- (3) record keeping, evaluation or assessment reports, correspondence, plans for management, and summaries of case conferences;
- (4) participation in case conferences.
- (5) At least fifty (50) percent of the supervisor's ~~observation~~ supervision, whether provided by direct supervision or tele-supervision shall be of the RPE temporary license holder's evaluation, assessment, and treatment procedures.

(e) Reviewing and evaluating the RPE temporary license holder's performance on a monthly basis for the purpose of improving his or her professional expertise. The RPE supervisor shall discuss the evaluations with the RPE temporary license holder and maintain written documentation of these evaluations and reviews. The written evaluations shall be signed by both the RPE supervisor and the RPE temporary license holder. If the supervisor determines the RPE temporary license holder is not minimally competent for licensure, the RPE temporary license holder shall be so notified orally and in writing. A written statement documenting the basis for the supervisor's determination shall be submitted with the final verification of experience to the Board.

(f) Reviewing and countersigning all evaluation and assessment reports, treatment plans, progress and discharge reports drafted by the RPE temporary license holder.

(g) A “Required professional experience supervisor” must have completed not less than six (6) hours of continuing professional development in supervision training prior to assuming responsibility as a RPE supervisor, and three (3) hours of continuing professional development in supervision training every four years thereafter. If the continuing professional development in supervision training is obtained from a Board-approved provider as defined in Section 2532.6 subdivision (e) of the Code, the hours may be applied towards the continuing professional development requirement for licensees set forth in Section 1399.160.3 of the California Code of Regulations.

Note: Authority cited: Sections 2531.95, 2532.2, and 2532.6, Business and Professions Code. Reference cited: Sections 2532.2 and 2532.6, Business and Professions Code.