

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

PROPOSED REGULATORY LANGUAGE
Processing Times

Legend:	Added text is indicated with an <u>underline</u> . Deleted text is indicated by strikeout .
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Repeal Section 1399.113 of Article 2 of Division 13.3 of Title 16 of the California Code of Regulations (CCR)¹ as follows:

~~§ 1399.113. Review of Hearing Aid Dispenser Applications; Processing Time.~~

~~(a) The Board shall inform in writing an applicant for licensure as a hearing aid dispenser within 17 days of receipt of the initial application form whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(b) The Board shall inform an applicant for licensure as a hearing aid dispenser within 189 days after completion of the application of its decision whether the applicant meets the requirements for licensure. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant. This period may be extended by that time necessary for retaking or rescheduling an examination.~~

~~NOTE: Authority cited: Section 2531.06, Business and Professions Code. Reference: Section 2538.24, Business and Professions Code.~~

Amend Section 1399.141 of Article 7 of Division 13.3 of the CCR as follows:

§ 1399.141. Approval of Continuing Education Providers.

(a) In order to be approved by the Board as a continuing education provider the following information shall be submitted with an application, Continuing Education Course Approval Application for Hearing Aid Dispensers, form CEP 100 (Rev 05/16), incorporated herein by reference, provided by the Board:

(1) Remit the \$50 per subject continuing education course approval fee.

¹ Unless otherwise noted, all references to the CCR hereafter are to Title 16.

(2) The course content for all courses, including ethics, shall be current practices as related to the fitting of hearing aids for aiding or compensating for impaired human hearing or any of the subjects listed in subsection (a)(1) of section 1399.140, within the scope of practice for a dispenser as defined by Section 2538.11 of the Code and generally for the benefit of the consumer. The course content shall be information related to the fitting of hearing aids, and this information shall be at a level above that basic knowledge required for licensure as set forth in Section 2538.25 of the Code, except that basic knowledge which would serve as a brief introduction to the course. The phrase “at a level above that basic knowledge” means any subjects, issues, topics, theories, or findings that are more advanced than the entry level of knowledge of the practice of fitting or selling hearing aids as provided in Section 2538.11 of the Code.

(3) Teaching methods for each course or program shall be described, e.g., lecture, seminar, audiovisual, simulation, etc.

(4) Each course or program shall clearly state the educational objective that can be realistically accomplished within the framework of the course or program, and the number of hours of continuing education credit which may be obtained by completion of a specified course.

(5) Instructors shall be qualified to teach the specified course content by virtue of their prior education, training, and experience. A provider shall ensure that an instructor teaching a course has at least two of the following minimum qualifications:

(A) A license, or, if in a setting or state which does not require licensure, legal authorization to provide services in an area related to the subject matter of the course. The license shall be current, valid, and free from restrictions due to disciplinary action by the Board or any other health care regulatory agency;

(B) Training or experience in teaching courses in the subject matter; or

(C) At least two ~~years~~ (2) years of experience in an area related to the subject matter of the course. A resume of each instructor shall be forwarded with the application for approval.

(6) Each course or program shall include an evaluation method which documents that educational objectives have been met, such as, but not limited to, a written evaluation or written examination by each participant.

(7) Only those courses or programs which are open to all licensed hearing aid dispensers shall be approved by the Board.

(b) Providers shall maintain a record of attendance of each participant who is licensed as a hearing aid dispenser for a period of four (4) years, and shall provide such record to the Board upon request. The record shall indicate those dispensers who have complied with the requirements of the course or program offered.

(c) Applications for approval of a continuing education provider shall be submitted to the Board at its Sacramento office ~~allowing for sufficient time for review and prior approval as follows: The Board will inform the provider within 30 days of receipt of the application whether the application is complete or deficient. The provider shall cure any deficiency within 30 days of such notice. The Board will approve or deny the application within 30 days of the date that the application is complete, or the last date to cure the deficiency.~~ A provider may appeal to the Executive Officer of the Board the denial of approval of any course. Such appeal shall be filed with the Executive Officer of the Board not more than ~~thirty (30)~~ 30 days after the date of notice of such denial. The Executive Officer shall notify the provider of the final decision within ten (10) days of the appeal.

(d) Any change in the course content or instructor shall be reported to the Board on a timely basis.

(e) The Board may withdraw the approval of any provider for failure to comply with the provisions of this section.

(f) Each provider shall submit to the Board on an annual basis a description or outline of each approved course to be offered the following year and a resume of any new instructor who will be presenting the course. This information shall be submitted prior to the re-offering of the course ~~within the timeframe set forth in subsection (c).~~

NOTE: Authority cited: Section 2538.18, Business and Professions Code. Reference: Sections 2538.18 and 2538.57, Business and Professions Code.

Repeal Section 1399.151.1 of Article 2 of Division 13.4 of the CCR as follows:

~~§ 1399.151.1. Review of Applications; Processing Time.~~

~~(a) Speech-Language Pathology Licenses.~~

~~(1) The Board shall inform in writing an applicant for licensure as a speech-language pathologist within 37 days whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(2) The Board shall inform in writing an applicant for licensure as a speech-language pathologist within 37 days after completion of the application, of its decision whether the applicant meets the requirements for licensure. "Completion of the application" means~~

~~that a completed application form together with all required information, documentation and fees have been filed by the applicant. This period may be extended if the applicant is delayed in obtaining or completing any required professional experience.~~

~~(b) Audiology Licenses.~~

~~(1) The Board shall inform in writing an applicant for licensure as an audiologist within 46 days whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(2) The Board shall inform in writing an applicant for licensure as an audiologist within 20 days after completion of the application of its decision whether the applicant meets the requirements for licensure. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant. This period may be extended if the applicant is delayed in obtaining or completing any required professional experience.~~

~~(c) Aide Registrations.~~

~~(1) The Board shall inform in writing an applicant for registration as an aide within 30 days whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(2) The Board shall inform in writing an applicant for registration as an aide within 20 days after completion of the application, of its decision whether the applicant meets the requirements for registration. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant.~~

~~(d) Continuing Professional Development Provider Approvals.~~

~~(1) The Board shall inform in writing an applicant for approval as a continuing professional development provider within 30 days whether the application is complete and accepted for filing or is deficient and what specific information is required to correct the deficiency.~~

~~(2) The Board shall inform in writing an applicant for approval as a continuing professional development provider within 30 days after completion of the application, of its decision whether the applicant meets the requirements for approval. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant.~~

~~(e) Continuing Professional Development Course Submissions.~~

~~(1) The Board shall inform in writing a licensee and/or a continuing professional development provider within 30 days as to whether a voluntary petition for course approval documentation is complete and accepted for filing or is deficient and what specific information is required to correct the deficiency. The term “complete” means that all required information and documentation has been filed by the licensee and/or continuing professional development provider.~~

~~(2) The Board shall inform in writing a licensee and/or continuing professional development provider within 45 days after completion of the documentation submitted for a voluntary petition for course approval, of its decision whether the course meets the course content requirements as defined in Section 1399.160.4.~~

~~(f) Speech-Language Pathology Assistant.~~

~~(1) The Board shall inform an applicant for registration as a speech-language pathology assistant within 30 days whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(2) The Board shall inform an applicant for approval as a speech-language pathology assistant within 85 days after completion of the application, of its decision whether the applicant meets the requirements for registration. “Completion of the application” means that a completed application form together with all required information, documentation and fees have been filed by the applicant.~~

~~NOTE: Authority cited: Sections 2531.95, 2532.6(a) and 2538.1(a), Business and Professions Code. Reference: Sections 2530.6, 2531.4, 2532.6(e), 2532.6(e)(2) and 2534.2(f), Business and Professions Code.~~

Amend Section 1399.153.2 of Article 4 of Division 13.4 of the CCR as follows:

§ 1399.153.2. Application and Fees.

~~(a) All persons desiring to begin their required professional experience shall file an RPE temporary license application with the Board as provided in Section 1399.151. No person shall commence any RPE in a setting in which licensure is required in the Act until ~~he or she has~~ they have been issued a required professional experience temporary license. Upon receipt of the RPE temporary license application, the Board will immediately review the RPE plan and notify the applicant of its approval or disapproval. As soon as possible thereafter the Board will review the applicant's credentials and notify the applicant as to the approval of his or her credentials for licensure.~~

~~(b) All RPE temporary license applicants shall submit at the time of filing the RPE temporary license application a non-refundable fee of \$35.00 which is applicable to the application fee as required in Section 1399.157(a).~~

(c) Any experience gained prior to the issuance of the RPE temporary license will not be counted toward licensure, unless the RPE temporary license holder is practicing in a setting exempt under Section 2530.5 of the Code, or in another state.

(d) Application under this section shall constitute temporary licensure of the RPE applicant under Section 2530.5 of the Code.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.5, 2532.1 and 2532.2, Business and Professions Code.

Amend Section 1399.160.6 of Article 11 of Division 13.4 of Title 16 of the CCR as follows:

§ 1399.160.6. Continuing Professional Development Course Approval.

(a) A licensee shall only be credited with continuing professional development hours if the licensee takes a course from a board-approved provider with a valid, current approval as a provider or from an entity listed in Section 2532.6(e)(1) of the Code.

(b) Courses related to the dispensing of hearing aids as offered by hearing aid manufacturers or companies for the purposes of continuing professional development shall be reviewed by the Board prior to the offering of the course. The continuing professional development provider must submit such request for course approval to the Board according to the timeline in Section 1399.151.1(e). Such request shall include:

(1) The nature of the sponsoring institution, the Board issued professional development provider number (with the exception of those entities listed in Section 2532.6(e)(1)), the address, telephone number, and contact person.

(2) Course title, date(s), location(s), and number of continuing professional development hours offered.

(3) Type and method of educational instruction and learner outcomes to be met.

(4) A course outline, course description, and instructor information and qualifications.

(5) If available, advertisements intended to be used by the provider to advertise the relevant course.

(c) A licensee or a continuing professional development provider may voluntarily petition Board consideration of any courses offered by an approved provider or an entity listed in Section 2532.6(e)(1) of the Code. The licensee or continuing professional

development provider must submit such request for course approval to the Board according to the timeline in Section ~~1399.151.1(e)~~. Such request shall include:

- (1) The name of the sponsoring institution, the Board issued professional development provider number (with the exception of those entities listed in Section 2532.6(e)(1)), the address, telephone number, and contact person.
- (2) Course title, date(s), location(s), and number of continuing professional development hours offered.
- (3) Type and method of educational instruction and learner outcomes to be met.
- (4) A course outline, course description, and instructor information and qualifications.
- (5) If available, advertisements intended to be used by the provider to advertise the relevant course.

NOTE: Authority cited: Sections 2531.95 and 2532.6(a), Business and Professions Code. Reference: Section 2532.6(b), ~~(e)(1)~~ and ~~(e)(2)~~, Business and Professions Code.

Amend Section 1399.170.4 of Article 12 of Division 13.4 of the CCR to read as follows:

§ 1399.170.4. Eligibility for Approval of Speech-Language Pathology Assistant Training Programs.

(a) To be eligible for approval by the Board as a speech-language pathology assistant training program (hereinafter referred to as “program”), the sponsoring institution shall be accredited by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges.

(b) To be eligible for program approval by the Board, the program director must meet the following requirements:

- (1) hold a current, active, and unrestricted California license,
- (2) have practiced speech-language pathology for at least five (5) years, and
- (3) not be the subject of Board disciplinary action within the past five (5) years.

(c) For the purposes of this section, the terms “disciplinary action” and “restricted California license” shall both mean that the license was revoked, suspended, placed on probation, or publicly reprimanded.

(d) An educational institution seeking approval of a speech-language pathology assistant program shall:

(1) Notify the Board in writing, by submitting a request from the officially designated representative of the sponsoring institution and the speech-language pathology assistant program director, of its intent to offer a new program.

(2) No later than six (6) months prior to the enrollment of students, submit a formal proposal to the Board demonstrating how the program will meet the requirements of Sections 1399.170.5. through 1399.170.10. The Board, at its sole discretion, may retroactively approve programs that enrolled students prior to the effective date of the regulations.

(e) The Board shall review the request and formal proposal and may thereafter grant or deny approval. The Board may request additional information to evaluate the request for approval and shall notify the program of its decision in writing within sixty (60) days from receipt of all requested documents.

(f) A material misrepresentation by the program of any information required to be submitted to the Board may be grounds for denial of approval or removal of the program from the approved list.

NOTE: Authority cited: Sections 2531.95 and 2538.1, Business and Professions Code. Reference: Section 2538.1, Business and Professions Code.

Amend Section 1399.170.13 of Article 12 of Division 13.4 of Title 16 of the CCR to read as follows:

§ 1399.170.13. Application.

Each person desiring registration as a speech-language pathology assistant shall file application forms (77A-60 New 08/01 and, if applicable, 77A-61 New 12/99) and any required supporting documentation with the Board as provided in Section 1399.151.1. Upon receipt of the speech-language pathology assistant application, the Board will review the application for registration and notify the applicant of its approval or disapproval.

NOTE: Authority cited: Sections 2531.95 and 2538.1(a), Business and Professions Code. Reference: Section 2538.1(b)(1), Business and Professions Code.