

DEPARTMENT OF CONSUMER AFFAIRS  
**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS**  
**DIVISIONS 13.3 and 13.4**  
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND  
HEARING AID DISPENSERS BOARD

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:  
**Processing Times**

**NOTICE IS HEREBY GIVEN** that the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (hereafter Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

**PUBLIC HEARING**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

**WRITTEN COMMENT PERIOD**

Written comments relevant to the action proposed, including those sent by mail or e-mail to the addresses listed under “Contact Person” in this Notice must be received by the Board at its office no later than **by Tuesday, April 29, 2025**, or must be received by the Board at the hearing, should one be scheduled.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by sections 2531.06 and 2531.95 of the Business and Professions Code (BPC), and to implement, interpret, or make specific the provisions of Assembly Bill (AB) 1757 (Committee on Budget, Chapter 229, Statutes of 2003), the Board is considering repealing sections 1399.113 and 1399.151.1 and amending sections 1399.141, 1399.153.2, 1399.160.6, 1399.170.4, and 1399.170.13 of title 16 of the California Code of Regulations (CCR)<sup>1</sup>.

**INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW**

---

<sup>1</sup> All CCR references are to Title 16 unless otherwise noted.

## Summary of Existing Laws and Effect of the Proposed Action

Existing law under BPC sections 2531.06 and 2531.95 authorizes the Board to adopt or repeal regulations for the enforcement of the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act (Act) and the laws subject to its jurisdiction. The Board intends to use its authority to remove processing times related to hearing aid dispensers in CCR section 1399.113 and related to speech-language pathology and audiology in section 1399.151.1, delete any reference to CCR sections 1399.113 or 1399.151.1, and remove any other processing times specified in regulations.

The Board adopted and amended various regulations related to processing times in accordance with the Permit Reform Act of 1981 (Government Code sections 15374-15378). The Permit Reform Act of 1981 required state agencies, including the Board, to adopt regulations regarding their procedures for considering and issuing permits. The Permit Reform Act of 1981 was repealed by the legislature per Assembly Bill (AB) 1757 (Committee on Budget, Chapter 229, Statutes of 2003). As a result, specifying processing times in regulation is no longer statutorily required and, for the reasons detailed herein, no longer functionally necessary.

In October 2021, the Board adopted proposed regulatory text to repeal CCR sections 1399.113 and 1399.151.1 through the Section 100 rulemaking process. However, those sections did not qualify for the Section 100 rulemaking process due to the authority relied upon to adopt the Board's processing times in those regulations.

The reality is that processing times are dynamic and not always consistent throughout the year. The timeframe for processing applications varies due to factors outside the Board's control. For example, the Board generally processes applications in the date order received, but the Board is statutorily required to expediate the processing of applications for applicants who qualify under BPC sections 115.4, 115.5, 115.6, and 135.4. This can result in expedited applications being processed much faster than the processing times identified in regulation and in delays for the non-expedited applications. Further, processing times increase with influxes in application submissions, generally occurring at the end of the academic year around the months of May and June, and this can result in a backlog lasting several months due to the volume of those applications. Conversely, processing times are reduced when there are lulls in application submissions. Applicants also experience an increase in processing time when submitting an incomplete application, which requires Board staff to contact the applicant for the missing information.

Although the uniformity of processing times throughout the year may be affected by factors outside the Board's control, the Board utilizes technology to track processing times and provide application information. In accordance with BPC section 139.5, the Board provides timeframes for processing license and registration applications on its

internet website, which are more accurate and more current than what is found in regulation because they are based on actual workloads rather than ideal or theoretical workloads, as the regulations are. Moreover, despite the requirements of BPC section 139.5 to provide information on at least a quarterly basis, the Board's internal policy is to update application processing timeframes more frequently than a quarterly basis, subject to actual workloads.

The Board believes it does not serve the public to provide outdated and inaccurate processing times in regulation, and, instead, consistent with BPC section 139.5, provides processing times on the Board's website, which is a more appropriate location for current information about processing times. From the Board's website, interested parties can find the Board's processing times by clicking the Applicant/Registrant tab or the Contact Us link at the top of the Board's website. The webpages will contain a table detailing the date through which applications are reviewed/processed, current processing times, and average processing times over the past month. In addition, the table provides dates for different stages of the review process and dates for forms and approvals that do not require a background check from fingerprints. In addition, applicants can quickly and conveniently check the details and status of their application by visiting the Board's website and entering the requested identifying information. The screen will then display useful information related to the applicant's application, including the license type applied, the requirements for licensure, the applicant's status in fulfilling each of those requirements, and whether any deficiencies were identified in the applicant's application.

Because the processing times reflected in regulation fail to adequately account for actual workloads that have changed since they were adopted and because it would be unduly burdensome to update the regulations every time workloads change, the Board proposes to remove processing times related to hearing aid dispensers in section 1399.113 and related to speech-language pathology and audiology in section 1399.151.1, delete any references to sections 1399.113 or 1399.151.1, and remove any other processing times specified in regulations.

The following is a summary of the proposed changes the Board seeks to make:

1. Repeal Section 1399.113 of Article 2 of Division 13.3 of the CCR

This section is being deleted to remove the processing time for hearing aid dispenser applications because it is no longer statutorily required or functionally necessary to specify processing times in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment.

2. Amend Section 1399.141 of Article 7 of Division 13.3 of the CCR

This section is being amended to remove the processing time for reviewing and notifying the approval of continuing education provider applications and any reference to it because it is no longer statutorily required or functionally necessary to specify the processing time in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent than the regulations, which must go through the rulemaking process for amendment.

The timeframe the applicant has to correct any issues that arises during the review process is also being removed because it is outdated and no longer aligns with the Board's current or average processing time.

Grammatical corrections are made to maintain consistency with writing and formatting style found in other parts of these regulations.

3. Repeal Section 1399.151.1 of Article 2 of Division 13.4 of the CCR

This section is being deleted to remove the processing time for speech language pathology and audiology applications because it is no longer statutorily required or functionally necessary to specify processing times in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment.

4. Amend Section 1399.153.2 of Article 4 of Division 13.4 of the CCR

This section is being amended to remove the processing time for reviewing and notifying the approval of RPE applications, as well as the reviewing and notifying the approval of the applicant's credentials because it is no longer statutorily required or functionally necessary to specify the processing time in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment.

This section is also being amended to remove gendered language in accordance with Assembly Concurrent Resolution No. 260 of 2018.

5. Amend Section 1399.160.6 of Article 11 of Division 13.4 of the CCR

This section is being amended to delete any reference to section 1399.151.1 processing times because section 1399.151.1 is being deleted by this proposed regulatory action.

Grammatical corrections and authority and reference citation changes in the note are made to maintain consistency with the writing, citation, and formatting style found in other parts of these regulations.

6. Amend Section 1399.170.4 of Article 12 of Division 13.4 of the CCR

This section is being amended to remove the processing time for notifying an educational institution of the Board's decision regarding a request for approval of a speech-language pathology assistant training program because it is no longer statutorily required or functionally necessary to specify the processing time in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment.

Authority and reference citation changes in the note are made to maintain consistency with the writing and citation style found in other parts of these regulations.

7. Amend Section 1399.170.13 of Article 12 of Division 13.4 of the CCR

This section is being amended to delete any reference to section 1399.151.1 because section 1399.151.1 is being deleted by this proposed regulatory action.

Authority and reference citation changes in the note are made to maintain consistency with writing and citation style found in other parts of these regulations.

### **Anticipated Benefits of Proposal**

The Board has determined that this regulatory proposal will have the following benefits:

This regulatory proposal does affect the health and welfare of California residents. The Board anticipates businesses and individuals who seek licensure or registration with the Board will benefit from this regulatory proposal because removing outdated information related to processing time will increase clarity. However, any benefits are unquantifiable at this time.

This regulatory proposal does not affect worker safety or the state's environment.

### **Evaluation of Consistency and Compatibility with Existing State Regulations**

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

**INCORPORATION BY REFERENCE:** None.

### **DISCLOSURES REGARDING THIS PROPOSED ACTION**

#### **FISCAL IMPACT ESTIMATES**

#### **Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:**

The regulations do not result in fiscal impact to the state. This proposal deletes obsolete provisions related to application processing timelines and makes non-substantive edits.

The regulations do not result in costs of savings in federal funding to the state.

**Nondiscretionary Costs/Savings to Local Agencies:** None.

**Cost to any Local Agency or School District for which Government Code Sections 17500-17630 Require Reimbursement:** None.

**Mandate Imposed on Local Agencies or School Districts:** None.

**Significant Effect on Housing Costs (and, if applicable, including any estimated costs of compliance or potential benefits of a building standard):** None.

#### **BUSINESS IMPACT ESTIMATES**

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This initial determination is based on the facts that the proposed regulatory action is related to application processing times and does not enhance or inhibit industry growth within the industries the Board regulates.

#### **Cost Impact on Representative Private Person or Business**

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

## **RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS:**

### **Impact on Jobs / Businesses**

The Board has determined that this regulatory proposal will not have any impact on the following:

- 1) the creation or elimination of jobs within the state,
- 2) the creation of new businesses or the elimination of existing businesses within the state, or,
- 3) the expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts as explained in the “Business Impact Estimates” section of this notice.

### **Benefits of Regulation**

The Board has determined that this regulatory proposal will have the following benefits:

This regulatory proposal does affect the health and welfare of California residents. The Board anticipates businesses and individuals who seek licensure or registration with the Board will benefit from this regulatory proposal because removing outdated processing time information from the CCR will increase clarity. However, any benefits are unquantifiable at this time.

This regulatory proposal does not affect worker safety or the state’s environment.

### **Business Reporting Requirements**

The regulatory action does not require businesses to file a report with the Board.

### **Effect on Small Business**

The Board has determined that the proposed regulations will not affect small businesses because they delete obsolete provisions related to application processing timelines and makes non-substantive edits.

## **CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1601 Response Road, Suite 260 Sacramento, CA 95815 during the written comment period, or at the hearing if one is scheduled or requested.

### **AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE**

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the Contact Person named in this Notice.

### **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board, at 1601 Response Road, Suite 260 Sacramento, CA 95815.

### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

### **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**



All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

## CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Maria Liranzo; Legislation, Regulations, and Budget Analyst  
Address: Speech-Language Pathology and Audiology  
and Hearing Aid Dispensers Board  
1601 Response Road, Suite 260 Sacramento, CA 95815  
Telephone No.: (916) 287-7915  
E-Mail Address: [SpeechandHearingRegulations@dca.ca.gov](mailto:SpeechandHearingRegulations@dca.ca.gov)

The backup contact person is:

Name: Cherise Burns, Interim Executive Officer  
Address: Speech-Language Pathology and Audiology  
and Hearing Aid Dispensers Board  
1601 Response Road, Suite 260 Sacramento, CA 95815  
Telephone No.: (916) 287-7915  
E-Mail Address: [SpeechandHearingRegulations@dca.ca.gov](mailto:SpeechandHearingRegulations@dca.ca.gov)

## AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at

[https://www.speechandhearing.ca.gov/board\\_activity/lawsregs/proposed\\_regulations.shtml](https://www.speechandhearing.ca.gov/board_activity/lawsregs/proposed_regulations.shtml).