

2022 LEGISLATIVE ADVISORY

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) would like to notify you of legislative changes that may impact your practice and/or the profession. Unless otherwise specified, these changes are effective as of January 1, 2023.

AB 2686 (Berman) Speech-language pathologists, audiologists, and hearing aid dispensers

Status: Chapter 415, Statutes of 2022

Bill Summary: This bill extends the Board's sunset date until January 1, 2027 and addresses a number of issues raised by the Board during the sunset review process including requiring licensees to provide the Board with their email address, expanding the reasons for which the Board is authorized to take disciplinary action, and requiring aide registrations to be renewed every two years. This bill also changes the licensing requirements for Audiologists by clarifying that the required clinical practice must be under the direction of an audiology doctoral program and removing the requirement that the required professional experience must follow the completion of the didactic and clinical rotation requirements. This bill also revises the process for licensees seeking to petition the Board for reinstatement or modification of penalty, including specifying a minimum period of time before the licensee can petition the Board again. This bill also creates a renewal requirement for Audiology and Speech-Language Pathology Aide (Aide) registrations. Additionally, this bill removes the statutory requirement and membership for the Hearing Aid Dispensing Committee.

Impact on Licensees: All Board licensees will need to notify the Board within 30 calendar days of any changes to their email address, email addresses provided to the Board are for Board use only and are not considered public like a licensee's Address of Record. Any licensee with a revoked or suspended license or currently on probation must wait a specified minimum period of time before submitting a petition for reinstatement or modification of penalty. Additionally, any Audiologist or Speech-language pathologist with an Aide currently registered with the Board must pay a renewal fee every 2 years and update the board on the duties the aide performs while assisting the supervisor in the practice of audiology or speech-language pathology, and the training program and assessment methods the supervisor is utilizing to ensure the aide's continued competency.

SB 1237 (Newman) Licenses: military service

Status: Chapter 386, Statutes of 2022

Bill Summary: This bill expands the requirement that boards waive renewal fees and continuing education requirements to include individuals on duty in the California National Guard or on active duty in the United States Armed Forces.

Impact on Applicants: Board licensees on duty in the California National Guard or on active duty in the United States Armed Forces can renew their license without paying renewal fees or completing the continuing education requirements.

SB 1453 (Ochoa Bogh) Speech language pathologists

Status: Chapter 450, Statutes of 2022

Bill Summary:

This bill allows a Speech-Language Pathologist to perform the FEES procedure in primary care and specialty clinics, county medical facilities, hospitals and skilled nursing facilities, hospice facilities, and medical group practices, without the presence of a physician, as long as the facility has emergency medical backup procedures, including a physician or other appropriate medical professional being readily available.

This bill also removes the requirement that an Otolaryngologist authorize the FEES procedure and instead allows a Speech-Language Pathologist to perform the FEES procedure upon the orders of a licensed physician. This bill prohibits a Speech-Language Pathologist from performing the FEES procedure on patients who have contraindications that would prevent the procedure from being performed safely, unless the Speech-Language Pathologist has consulted and documented clearance with the physician and surgeon that the licensed Speech-Language Pathologist can safely perform the procedure. Contraindications may include, but are not limited to, cases of bilateral obstruction of nasal passages, refractory epistaxis, cardiac disorder with acute risk of vasovagal episode and bradycardia, history of vasovagal episodes, facial trauma, recent trauma to the nasal cavity, or surrounding tissue and structures secondary to surgery or injury, severe bleeding disorders, severe movement disorders, severe agitation, and inability to cooperate with the examination.

Additionally, this bill clarifies that a speech-language pathologist must perform 25 supervised FEES procedures, including 10 supervised by an Otolaryngologist or physician who performs nasal endoscopy as part of their practice and 15 supervised by an experienced physician or Speech-Language Pathologist competent in the FEES procedure. The Speech-Language Pathologist must also obtain written verification from one Otolaryngologist that they performed the minimum of 25 procedures and are competent to perform the FEES procedure.

Impact on Applicants: Board licensees seeking written verification from one Otolaryngologist that they are competent to perform the FEES procedure must perform 25 supervised FEES procedures, including 10 supervised by a physician who performs nasal endoscopy as part of their practice and 15 supervised by an experienced physician or Speech-Language Pathologist competent in the FEES procedure. Board licensees can only perform the FEES procedure upon the orders of a licensed physician and on patients without contraindications that would prevent the procedure from being performed safely. The FEES procedure can be performed in primary care and specialty clinics, county medical facilities, hospitals and skilled nursing facilities, hospice facilities, and medical group practices, without the presence of a physician, as long as the facility has emergency medical backup procedures, including a physician or other appropriate medical professional being readily available.