

**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 13.3. and 13.4**

DEPARTMENT OF CONSUMER AFFAIRS

**SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
AND HEARING AID DISPENSERS BOARD**

Final Statement of Reasons

Subject Matter of Proposed Regulations:

This final statement of reasons addresses the regulations applicable to Processing Times.

Sections Affected:

Sections 1399.113 and 1399.141 of Division 13.3 and sections 1399.151.1, 1399.153.2, 1399.160.6, 1399.170.4, and 1399.170.13 of Division 13.4, Title 16 of the California Code of Regulations (CCR).

Updated Information

The Informative Digest and Initial Statement of Reasons are included in the rulemaking file and incorporated as though set forth herein.

The Board staff noticed the proposed rulemaking with a 45-day comment period ending on April 29, 2025. The Board received one (1) comment with objection or recommendation during the comment period. There were no requests for a public hearing and no separate public hearing was held.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulations or would be more cost effective to

affected private persons and equally effective in implementing the statutory policy or other provision of law. The Board incorporates by reference the alternatives identified in its Initial Statement of Reasons and did not receive any comments that altered its findings.

Comments:

The 45-day comment period began on March 14, 2025, and ended on April 29, 2025. The Board did not hold a hearing. The Board's summary of and response to the comment received is presented below.

Comment:

The comment recommended that rather than removing language with response times from the regulation, the response times should instead be adjusted to a reasonable expectation for the Board. The comment stated that the Board has struggled to keep up with processing applications for hearing aid dispensing trainee licenses, practical exams and continuing education courses in the past and it is reducing accountability by removing the reasonable response timelines for applicants. The comment also stated that applicants may expect faster response times or may suffer further delays in the absence of these regulations. The comment also stated that there has been improvement in processing timelines over the last six (6) to eight (8) months, but from 2023 to early 2024 there were major delays. The comment expressed concern that another situation may arise with similar delays. Applicants will have no frame of reference for timely response and there will be nothing that the Board can use as a guideline.

Response to Comment:

The Board has reviewed and considered the comment and declines to amend the proposed text.

As described on pages 3 and 4 of the Initial Statement of Reasons, "processing times are dynamic and vary for reasons beyond the Board's control, including applicants under an expedited process, seasonal increases and decreases in application submissions, and the submission of incomplete applications. Given the length of the rulemaking process, regulations naturally cannot be revised with the regularity needed to reflect accurate and up-to-date processing times. As such, the Board finds it is not necessary to state new or updated processing times in its regulations. Instead, the Board displays processing times on its website, which is easily accessible and provides realistic expectations about how long the license and registration application review process can take at a given time. Although the Board is no longer statutorily required to specify its processing times in regulation, the Board provides timeframes for

processing license and registration applications on its internet website in accordance with BPC section 139.5. The processing times on the Board's website are more accurate and more current than what appears in regulation because the information is based on actual workloads and is updated regularly. The Board's internal policy is to update processing timeframes on a weekly basis, subject to workloads, which far exceeds the quarterly updates required by BPC section 139.5."

Due to potential variability in processing times based on many factors beyond the Board's control, the Board finds removing the processing times from the regulation to be an appropriate amendment to avoid confusion and misrepresentation of actual, current processing times.

The Board also works hard to meet the 30-day goal set by the Department of Consumer Affairs (DCA) for processing applications. The Board has been under that benchmark since February 2024.

In 2023 and early 2024, there were major delays in processing applications while the Board modernized its application process by moving to an online platform for payment and application submission. The Board's online application platform processes all applications online and requires each applicant to submit all necessary supporting documents (except college transcripts) before the application is submitted to the Board for staff review and approval. Since the modernization of the application process, the Board has seen significant reduction in processing times and an increase in the number of applications processed annually. The Board does not anticipate delays to the application process aside from those caused by seasonal increases in application submissions and incomplete applications where the applicant has failed to provide the correct supporting documentation, such as college transcripts.