



HEARING AID DISPENSING COMMITTEE MEETING MINUTES

Sacramento, CA

December 5, 2024

1. Call to Order / Roll Call / Establishment of Quorum

Tod Borges, Committee Chair, called the Hearing Aid Dispensing Committee (Committee) meeting to order at 1:11 p.m. Mr. Borges called roll; five members of the Committee were present and thus a quorum was established.

Board Members Present

Tod Borges, Hearing Aid Dispenser, Committee Chair
John Dandurand, Hearing Aid Dispenser
Charles Sanders, Dispensing Audiologist
Tamara Chambers, Otolaryngologist, Public Member
Amy White, Dispensing Audiologist

Staff Present

Cherise Burns, Interim Executive Officer
Maria Liranzo, Legislation/Regulation/Budget Analyst
Yuping Lin, DCA Legal Counsel
Dao Choi, DCA Regulatory Counsel

2. Public Comment for Items Not on the Agenda

Mr. Borges asked for public comment for items not on the agenda. There were no comments from the public, outside agencies, or associations.

3. Discussion and Possible Action Regarding Postfitting Counseling and Foreign Body In The Ear Canal as Stated in Business and Professions Code (BPC) Sections 2538.11, 2538.36, and 2539.6 and Title 16, California Code of Regulations (CCR) Sections 1399.125 and 1399.126

Mr. Borges invited Maria Liranzo to provide an update on possible action to amend the regulations regarding postfitting counseling and foreign body in the ear canal. Ms. Liranzo provided a background regarding postfitting counseling and foreign body in the ear canal and presented the proposed regulatory language. Mr. Borges stated that the intent is to create guidelines for dispensers to remove hearing aid domes from a patient's ears without medical referral.

Mr. Borges commented on the proposed definition of postfitting counseling. Dr. Amy White asked if the location of where the hearing aid dome is being removed needs to be specified. Cherise Burns suggested using the phrase "in the ear canal or ear lobe" as used in the proposed CCR section 1399.126(b). Ms. Liranzo noted the changes.

Mr. Borges commented on the requirements to remove hearing aid dome. Dr. White stated that it doesn't make sense for a dispensing audiologist to obtain verification from an otolaryngologist or audiologist if they themselves are an audiologist. Ms. Liranzo suggested having another section to

have different requirements for dispensing audiologists. Dr. White asked what the requirements would be for a dispensing audiologist to remove a hearing aid dome, if any. John Dandurand replied that dispensing audiologists and hearing aid dispensers were both required to do medical referral under the law and asked if both license types will be required to be verified by an otolaryngologist. Mr. Dandurand stated that otolaryngologists may not want to sign for liability purposes. Ms. Burns commented on how speech-language pathologists train and obtain verification to perform Fiberoptic Endoscopic Evaluation of Swallowing (FEES). Mr. Borges asked if the verification should only be from an otolaryngologist. Dr. White replied that verification can come from an audiologist because they have extensive training on cerumen management and working in the ear canal as part of the doctoral program. Ms. Burns stated that speech-language pathologist (SLP) can be trained to perform FEES by another trained speech-language pathologist for half of the requirement. Mr. Dandurand asked Dr. Tamara Chambers if, as an otolaryngologist, she would be comfortable with dispensers removing hearing aid domes. Mr. Borges stated that the proposed language will specify where in the ear the hearing aid dome can be removed from and commented on the removal of lyric hearing aids. Dr. Chambers commented on the training and where in the ear canal the hearing aid dome should be removed from. Mr. Borges asked if dispensing audiologists should be removed from the verification requirements. The Committee expressed agreement with the change. Ms. Burns recommended specifying requirements for dispensing audiologists. Ms. Liranzo stated that she noted adding a new subsection (c) for requirements for dispensing audiologists which will require them to comply with the proposed CCR sections 1399.125(b)(3) and (b)(4). Dr. White stated that audiologists are permitted to do everything a hearing aid dispenser can do except sell a hearing aid. Ms. Burns stated that it has to do with the dispensing license. Mr. Borges asked if an audiologist who doesn't fit hearing aids regularly is competent to train hearing aid dispensers to remove hearing aid domes. Dr. White replied that the audiology training is the same. Dr. Charles Sanders replied that Kaiser has audiologists who don't work with hearing aids. Mr. Dandurand asked if this includes audiologists who were licensed with a master's degree. Mr. Borges and Ms. Burns replied that they were grandfathered in. Ms. Liranzo stated that specifying dispensing audiologist in regulations is necessary because of how the law is written.

Mr. Borges asked what the verification should look like. Ms. Burns replied that there are no specific requirements about what the SLP verification for FEES should look like and suggested that it should be signed. Mr. Borges asked if it should say "written and signed." Ms. Dao Choi stated that it could be implied that it is signed but including the word "sign" will make it more clear. Mr. Borges stated he prefers that it not be implied and recommended including the word "sign." Dr. Chambers stated that the American Board of Otolaryngology is now called the American Board of Otolaryngology – Head and Neck Surgery. Mr. Borges recommended to remove "or licensed dispensing audiology" at the end of the statement in proposed CCR section 1399.125(b)(1). Ms. Choi asked the Committee if the verification should be renewed or is it a one-time verification. Ms. Burns replied that SLP verification for FEES is a one-time verification and stated that it is not a question that has come up. Ms. Liranzo stated SLPs make FEES a regular part of their practice after they have been verified.

Mr. Borges stated that the ten supervised removals might be too many and recommended five. Mr. Borges stated the lyric training requires at least one removal. Mr. Dandurand asked if five is still too much. Dr. White replied that regulations would not be necessary if there wasn't a substantial number of supervised removals. Dr. Chambers stated that it has to be at least three because of how the dome could fall in the ear. Mr. Dandurand expressed agreement with three. Dr. White stated that three is not enough. Mr. Borges commented on training requirements whether it has to be on a live person or on ear models. Dr. White asked how hard it would be to add this to the dispensing practical examination. Mr. Borges commented that it may take years, and the regulations will be

necessary until the Board is able to add it to the practical examination, if possible. Ms. Burns replied that the Board did the occupational analysis for hearing aid dispensing a few years ago and that it will be in the next couple of years when the Board will start another one. Mr. Dandurand asked if this training has to be in a class. Ms. Burns replied that this is how the SLPs are doing it for FEES. Mr. Borges stated that a dispenser can see an audiologist, if their work setting has one, to receive their verification. Dr. White stated it can be any audiologist. Ms. Burns stated that the law doesn't specify a training course for SLP verification on FEES. The Committee expressed agreement to require five supervised removals.

Mr. Dandurand asked if the text could just say "before the second bend of the ear canal." Dr. Chambers commented on the different parts of the ear canal such as the bony canal and cartilaginous and stated there wasn't a problem for dispenser to work on the soft tissue part of the ear. Dr. Chambers asked if "before the second bend of the ear canal" is anatomically the same as the soft tissue part of the ear. Mr. Borges replied that it is and stated that the cartilage is before the second bend and the bony part is after the second bend. Mr. Borges suggested simplifying the text so that it reads "the hearing aid dome is before the second bend of the ear canal." Dr. White and Mr. Dandurand expressed agreement with the suggested changes.

Mr. Borges asked for clarification on the proposed CCR section 1399.125(b)(4). Dr. White replied that a dispenser would be able to remove the hearing aid dome if the consumer with any of the contraindications listed in the proposed CCR section 1399.125(b)(4) receives clearance from an otolaryngologist. Mr. Borges stated that dispensers shouldn't remove the hearing aid domes if the consumer has any contraindications. Mr. Borges further stated that if the consumer has to get clearance from an otolaryngologist, then the otolaryngologist should be the one removing the hearing aid dome. Mr. Borges asked if the list of contraindications should be expanded to include tympanic membrane perforation, hepatitis, or blood thinners. Dr. White replied that many consumers who are on blood thinners wear lyric hearing aids, which are fitted deep in the ear, and stated that listing blood thinners as a contraindication may limit a dispenser's ability to perform the removal. Mr. Borges asked if the text could include the word "including." Ms. Choi replied that the text can have the word "include" to signify a non-exhausted list. Ms. Choi asked if this should be its own subsection and if another subsection should be added to state contraindications in which a dispenser can remove a hearing aid dome from people on blood thinners. Mr. Borges replied that it is not necessary to specify contraindications in which a dispenser can remove a hearing aid dome. Ms. Choi stated that contraindications should be their own subsection. Dr. White asked what other conditions should be listed as contraindications. Dr. Chambers asked about conditions that are not congenital or traumatic and won't necessarily have active drainage like cellulitis or abscess or conditions arrhythmia or exquisite tenderness. Dr. White suggested including the words "other signs of infection" with active drainage from the ear. Dr. Chambers asked about dizziness and hearing changes. Dr. White replied that the dizziness may not be related to the hearing aid dome. Mr. Borges stated that he has no issue with dizziness, not being a contraindication. Dr. Chambers stated that she doesn't find it a problem so long as dispensers are anatomically away from areas of concern.

Ms. Liranzo stated that subsection (c) will be added to the proposed CCR section 1399.125 to say, "a licensed dispensing audiologist shall not remove a hearing aid dome unless they comply with subsections (b)(3) and (d)." Ms. Liranzo further stated that subsection (b)(4) will become subsection (d) and will say, "a hearing aid dome shall not be removed if the patient has contraindications to the procedure. For purposes of this paragraph, contraindications may include: (A) Visible congenital or traumatic deformity of the ear. (B) Active drainage from the ear or other signs of infection."

Ms. Liranzo provided a background in CCR section 1399.126 and stated that since the regulations already defined a term from BPC section 2538.36, staff recommend adding to this section to define foreign body. Dr. White asked if the text has to say, “a complete and intact hearing aid or dome of a hearing aid present in a client’s ear is not considered a “foreign body.” Ms. Burns replied that the law was written when hearing aids or hearing aid domes were not in the ear. Dr. White asked if it can be written differently so that it doesn’t say a foreign body. Mr. Burns replied that it has to be written this way for the purpose of BPC sections 2538.36 and 2539.6 and noted that the CCR section 1399.126 starts with the text “for purposes of sections 2538.36 and 2539.6.” Ms. Choi asked if there is another word that can be used instead of “foreign body.” Dr. White and Ms. Burns replied that this is the word used in statutes. Ms. Burns stated that if a dispenser can put a hearing aid in the ear, then they should be able to remove it.

Dr. White asked how this procedure can be added to the practical examination. Ms. Burns replied that the occupational analysis survey will ask for new areas of the practice where licensees can state that the removal of hearing aid domes is part of the practice.

Mr. Borges asked if it is necessary to specify the equipment. Dr. White replied that the list of tools is exhaustive and will depend on what the person finds comfortable. Ms. Burns stated that it may be necessary to specify tools that are not appropriate. Dr. White stated that tools are determined by the person in accordance with the infection control procedures.

Mr. Borges asked for public comment.

Joe Bartlett, Legislative Director for Hearing HealthCare Providers/California Association (HHP), expressed appreciation for the discussion and expressed support for precautions taken for the consumers while addressing the inconvenience they experience when they have to find and see a doctor for this procedure. Mr. Bartlett stated that HHP could provide courses or training at their annual conferences and materials.

Ms. Liranzo recommend the Committee to either adopt as amended or request staff to bring the text back with the changes. Mr. Borges stated he would like staff to bring the text back with the changes.

4. Adjournment

The meeting adjourned at 1:59 p.m.

AUDIOLOGY PRACTICE COMMITTEE MEETING MINUTES Sacramento, CA December 5, 2024

1. Call to Order / Roll Call / Establishment of Quorum

Dr. Amy White, Committee Chair, called the Audiology Practice Committee (Committee) meeting to order at 2:04 p.m. Dr. White called roll; four members of the Committee were present and thus a quorum was established.

Board Members Present

Amy White, Dispensing Audiologist, Committee Chair

Karen Chang, Public Member
Tamara Chambers, Otolaryngologist, Public Member
Charles Sanders, Dispensing Audiologist

Staff Present

Cherise Burns, Interim Executive Officer
Maria Liranzo, Legislation/Regulation/Budget Analyst
Yuping Lin, DCA Legal Counsel
Dao Choi, DCA Regulatory Counsel

2. Public Comment for Items Not on the Agenda

Dr. White asked for public comment for items not on the agenda. There were no comments from the public, outside agencies, or associations.

3. Discussion and Possible Action to Amend Regulations Regarding General Application Requirements and Speech-Language Pathology and Audiology Aide Requirements as Stated in Title 16, California Code of Regulations (CCR) Sections 1399.151.2, 1399.151.3, 1399.151.4, 1399.154 through 1399.154.12, and 1399.157

Dr. White invited Maria Liranzo to provide an update on possible action to amend the regulations regarding audiology aide requirements. Ms. Liranzo provided a background and summary of changes to the proposed regulatory language since the last committee meeting.

Dr. White commented on the hearing conservation program required by Title 8, CCR Section 5097 and asked if the supervision and training needs to be defined or can the proposed regulatory text reference this section. Mr. Liranzo replied that the proposed section 1399.154.10 on training refers to Title 8 CCR section 5097 and the proposed section 1399.154.9 on supervision specifies “indirect” supervision, which complies with Title 8 CCR section 5097. Dr. White expressed agreement and stated that she didn’t want to add or double what is already required.

Dr. White asked if the Council for Accreditation in Occupational Hearing Conservation certification should be specified in the proposed subsection (a)(9) in CCR section 1399.154.1. Ms. Liranzo replied that subsection (a)(9) refers to the proposed CCR section 1399.154.10 regarding the training of audiology aides.

Dr. White asked if everything after the proposed CCR section 1399.154.11(j) means that it cannot be performed without a valid hearing aid dispenser license or a valid hearing aid trainee license. Ms. Burns replied that each item is separate.

Dr. White asked why a valid license is required for the proposed CCR section 1399.154.11(k) but not for the proposed CCR section 1399.154.11(j). Ms. Burns replied that it could be combined. Dr. Charles Sanders stated that a hearing aid dispenser should not be touching a cochlear hearing aid. Dr. White suggested adding the words “independently adjust” to (j) and remove the words “hearing aids” from 1399.154.11(k).

Dr. White asked for public comment. There were no comments from the public, outside agencies, or associations.

Karen Chang moved to recommend the regulatory text for Title 16, CCR Sections 1399.151.2, 1399.151.3, 1399.151.4, 1399.154 through 1399.154.12, and 1399.157 to the Board to initiate the rulemaking process, as amended, and direct Board staff to prepare the regulatory text for Board review and approval.

Tamara Chambers seconded the motion.

The motion carried 4-0. (Ayes: White, Chang, Chambers, and Sanders)

4. Adjournment

The meeting adjourned at 2:20 p.m.

**SPEECH-LANGUAGE PATHOLOGY PRACTICE COMMITTEE MEETING MINUTES
Sacramento, CA
December 5, 2024**

1. Call to Order / Roll Call / Establishment of Quorum

Gilda Dominguez, Committee Chair, called the Speech-Language Pathology Practice Committee (Committee) meeting to order at 2:36 p.m. Ms. Dominguez called roll; two members of the Committee were present and thus a quorum was established.

Board Members Present

Gilda Dominguez, Speech-Language Pathologist, Committee Chair
Tamara Chambers, Otolaryngologist, Public Member

Staff Present

Cherise Burns, Interim Executive Officer
Maria Liranzo, Legislation/Regulation/Budget Analyst
Yuping Lin, DCA Legal Counsel
Dao Choi, DCA Regulatory Counsel

2. Public Comment for Items Not on the Agenda

Ms. Dominguez asked for public comment for items not on the agenda. There were no comments from the public, outside agencies, or associations.

3. Discussion and Possible Action to Amend Regulations Regarding Scope of Responsibility, Duties, and Functions of Speech-Language Pathology Assistants as Stated in Title 16, CCR section 1399.170.3

Ms. Dominguez invited Maria Liranzo to provide an update on possible action to amend the regulations regarding scope of responsibility, duties, and functions of speech-language pathology assistants. Ms. Liranzo provided background, questions, and materials to consider for discussion.

Ms. Dominguez commented on speech-language pathology assistant (SLPA) program curriculum and stated she didn't find anything specific for swallowing disorders and feeding and asked if more information can be obtained from SLPA programs. Ms. Dominguez also asked if curriculum

information can be obtained from programs for Certified Occupational Therapy Assistant (COTA). Ms. Dominguez stated that she has seen COTA job descriptions that include feeding and asked for more information on occupational therapy advanced practice in swallowing assessment, evaluation, or intervention and the role of a COTA. Ms. Dominguez commented on an article she found in the American Journal of Occupational Therapy that discussed training in feeding, eating, and swallowing in the practice of occupational therapy and what an occupational therapist and COTA can or cannot do in the oral and pharyngeal phase. Ms. Burns replied that Board staff can look at SLPA program curriculum to see if there is anything specific for swallowing disorder and feeding as they are required to provide that information to the Board as part of requesting and maintaining approval. Ms. Burns stated she is not familiar with occupational therapy advanced practice, but Board staff can reach out to the Board of Occupational Therapy for information. Ms. Liranzo stated that she did come across advanced practice in swallowing assessment, evaluation, or intervention when preparing materials for the meeting but was not able to find information on the role of COTA when their supervisor is approved for advanced practice in swallowing assessment, evaluation, or intervention. Ms. Burns stated that jobs are often advertised with descriptions for duties that would be considered unlicensed practice and commented on jobs for speech aides using descriptions of duties that would require a SLPA license. Dr. Tamara Chambers commented on the differences between oral and pharyngeal phase and services provided. Ms. Dominguez asked if feeding, eating, and swallowing is part of the COTA training curriculum.

Ms. Dominguez commented on the meeting material provided regarding the laws and regulations on occupational therapy assistants. Ms. Dominguez and Dr. Chambers commented on services provided in the oral phase such as hand to mouth or spoon to mouth.

Ms. Dominguez commented on the meeting material provided regarding the laws and regulations in neighboring states.

Ms. Dominguez asked about the roles and responsibilities of COTA and those who work under a supervisor with advanced practice. Ms. Liranzo replied that Board staff can ask the Board of Occupational Therapy for information on COTA under the supervision of an occupational therapist with advanced practice and stated that she was able to find competency requirements for occupational therapists but not a COTA. Ms. Burns stated that many roles and responsibilities may be left to the profession and at the discretion of the supervisor.

Ms. Burns recommended the Committee to consider a competency model if the Committee does decide to allow a SLPA to perform this procedure and SLPA training programs aren't providing training on this procedure and commented that we would not want our regulations unnecessarily limiting SLPAs. Ms. Burns stated that with the change skilled nursing home facilities could be using more SLPAs to perform the procedure but currently are not able to due to the regulation. Dr. Chambers commented on changing the landscape of the profession by allowing SLPAs to perform this procedure. Ms. Dominguez stated that services provided by SLPAs are not always reimbursable for adult populations but might for pediatric populations and would benefit as they may currently be receiving these services from COTAs instead of SLPAs.

Dr. Chambers commented on supervision responsibility of speech-language pathologists and COTA in hospitals. Ms. Dominguez asked if the Board has a statement regarding the supervision of occupational therapists by speech-language pathologists and stated that she previously saw a statement that speech-language pathologists were not allowed to supervise occupational therapists. Ms. Burns replied that there is a statement on the Board's website. Ms. Dominguez asked for

clarification as to why occupational therapists need to be a licensed speech aide. Ms. Burns replied that the information is dated and stated that staff can review and present it at a future meeting.

Ms. Burns asked if questions 2, 3, and 4 would be looked at after the Committee reviews program curriculum. Ms. Dominguez replied that they will be considered after the review of the requested information.

Ms. Dominguez asked for public comment. There were no comments from the public, outside agencies, or associations.

4. Discussion and Possible Action to Amend Regulations Regarding General Application Requirements and Speech-Language Pathology and Audiology Aide Requirements as Stated in Title 16, CCR Sections 1399.151.2, 1399.151.3, 1399.151.4, 1399.154 through 1399.154.12, and 1399.157

Ms. Dominguez invited Ms. Liranzo to provide an update on possible action to amend the regulations regarding speech-language pathology aide requirements. Ms. Liranzo provided background, a summary of changes to the proposed regulatory language since the last committee meeting and questions the committee should consider for discussion.

Ms. Dominguez asked if the words “immediate supervision” could be used in CCR section 1399.154.2 to align with proposed changes to audiology aide. Ms. Burns replied that the use of speech aid may differ from an audiology aide. Ms. Liranzo suggested removing or clarifying the use of an alternative plan of supervision.

Ms. Dominguez asked how many speech aides are registered with the Board. Ms. Burns replied that the data does not distinguish the two types of aides and stated that the online registration are mostly audiology aides. Ms. Burns further stated that Board staff can collect data to present at the next meeting.

Ms. Dominguez asked if there have been any requests for alternative plan of supervision. Ms. Burns replied that she will need to get more information from the licensing staff to answer that. Ms. Dominguez stated that this information may determine the text.

Dr. Chambers asked what the current supervision requirement for SLP aide is. Ms. Dominguez replied that it is in-person unless an alternative plan is approved.

Ms. Dominguez asked for public comment. There were no comments from the public, outside agencies, or associations.

5. Adjournment

The meeting adjourned at 3:10 p.m.

**BOARD MEETING MINUTES
Sacramento, CA
December 6, 2024**

1. Call to Order / Roll Call / Establishment of Quorum

Gilda Dominguez, Board Chair, called the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) meeting to order on December 6, 2024, at 9:00 a.m. Ms. Dominguez called roll; seven members of the Board were present and thus a quorum was established.

Board Members Present

Gilda Dominguez, Speech-Language Pathologist, Board Chair

Amy White, Dispensing Audiologist, Board Vice Chair

Tod Borges, Hearing Aid Dispenser

Tamara Chambers, Otolaryngologist, Public Member

Karen Chang, Public Member

John Dandurand, Hearing Aid Dispenser

Charles Sanders, Dispensing Audiologist

Staff Present

Cherise Burns, Interim Executive Officer

Maria Liranzo, Legislation/Regulation/Budget Analyst

Yuping Lin, DCA Legal Counsel

Dao Choi, DCA Regulatory Counsel

2. Public Comment for Items Not on the Agenda

Ms. Dominguez asked for public comment for items not on the agenda.

There were no comments from the public, outside agencies, or associations.

3. Acknowledgment of Paul Sanchez's Service to the Board

Ms. Dominguez presented a certificate of appreciation to Paul Sanchez for his service to the Board, whereupon she read the statement on the certificate.

Tod Borges, Dr. Amy White, Karen Chang, Cherise Burns, and Ms. Dominguez expressed their appreciation of Mr. Sanchez's service to the Board.

Mr. Sanchez expressed his appreciation for his service to the Board.

Ms. Dominguez asked for public comment for items not on the agenda.

Joe Bartlett, Legislative Director for Hearing HealthCare Providers/California Association (HHP), expressed appreciation for Mr. Sanchez's service to the Board.

4. Review and Possible Approval of the September 5-6, 2024, Board Meeting Minutes

Ms. Dominguez opened the discussion on the review and possible approval of the minutes. Maria Liranzo provided a summary of the minutes.

Ms. Dominguez asked for Board discussion. There was no Board discussion.

Ms. Dominguez asked for public comments. There were no comments from the public, outside

agencies, or associations.

Amy White moved to approve the September 5-6, 2024, Board Meeting minutes.

John Dandurand seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, Dandurand, Sanders)

5. Review and Possible Approval of the November 1, 2024, Board Meeting Minutes

Ms. Dominguez opened the discussion on the review and possible approval of the minutes.

Ms. Liranzo provided a summary of the minutes.

Ms. Dominguez asked if the word “quickly” can be replaced with “efficiently” on page 2 of 4.

Ms. Liranzo noted the changes.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

Tod Borges moved to approve the November 1, 2024, Board Meeting as amended.

Tamara Chambers seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, Dandurand, Sanders)

6. DCA Update – DCA Board and Bureau Relations

Ms. Dominguez invited staff from DCA Board and Bureau Relations to provide an update.

Yvonne Dorantes provided an update on the Form 700 filing; DCA’s Diversity, Equity, and Inclusion Steering Committee; unconscious bias training for Board members; military licensing resources webinar; and DCA’s charitable campaign including the turkey drive and Our Promise Campaign.

Ms. Dominguez asked for Board discussion. There was no Board discussion.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

7. Board Chair’s Report

Ms. Dominguez reported on the Board meeting calendar and stated the first meeting in 2025 will be on February 21st.

Ms. Dominguez commented on committee membership and vacancies.

Ms. Dominguez invited Mr. Borges to provide a report on the discussion at the Hearing Aid Dispensing Committee. Mr. Borges provided a report on what the Committee discussed.

Ms. Dominguez invited Dr. White to provide a report on the discussion at the Audiology Practice Committee. Dr. White provided a report on what the Committee discussed.

Ms. Dominguez provided a report on what the Speech-language Pathology Practice Committee discussed.

Ms. Dominguez asked for Board discussion. There was no Board discussion.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

8. Executive Officer's Report

Ms. Dominguez invited Ms. Burns to provide the Executive Officer's report.

Ms. Burns provided an administration update which included the appointment of an Interim Executive Officer and the status on the recruitment of an Executive Officer.

Ms. Burns provided an outreach update which included Registered Dental Hygiene Board's meeting on November 16, 2024, regarding registered dental hygienist scope of practice and oral myofunctional therapy. Ms. Burns stated that she has made it clear to the Registered Dental Hygiene Board that oral myofunctional therapy for the purpose of speech and swallowing falls within the speech-language pathology scope of practice.

Ms. Burns reported on the budget including a projected 2.8% surplus in the budget and months in reserves, and the status of budget reductions mandated by the governor.

Ms. Burns reported on the Board's rulemaking files and stated the Board has completed seven rulemaking files in the last two years with one more to be completed by the end of the year.

Ms. Burns reported on licensing including processing times, statistics on the number of licenses issued and the licensee population, and practical examination results.

Ms. Burns reported on enforcement data including complaints, citations and fines, formal discipline, and probationers being monitored.

Ms. Dominguez commented on processing times and expressed appreciation of Board staff's effort.

Ms. Borges asked if practical examination registration is done online or in-person or by mail.

Ms. Burns replied that it is done in-person or by mail and stated that the online application has been built but staff are trying to figure out how it will work with the current filing period requirements.

Dr. Chambers asked about the Office of Administrative Hearing (OAH) and equipment cost.

Ms. Burns replied that the equipment cost includes items requested but none were requested due to the state budget. Ms. Burns further replied that the OAH cost is always a projection and will depend on the number of hearings the Board has for citation appeals and discipline hearings by the OAH.

Ms. Burns stated that the Board is billed by the OAH a few months after the fact and the Board may see an increase in expenditures at the next meeting for the hearing the Board had in September.

Ms. Burns commented on the budget process and special provisions to request augmentation for

expenditures that exceed the current budgeted amount such as OAH or Office of Attorney General costs.

Mr. Borges asked where the expenditures for examiners can be found. Ms. Burns replied that examiners expenditures are in a couple line items such as their per diem is under C&P – External and their travel is under Travel In-State. Ms. Burns stated that the information is tracked for the Section 139 report which is a report to the Legislature regarding the cost of examinations.

Ms. Dominguez asked if there is a part of the examination that contributes to the fail rate. Ms. Burns replied that applicants should read and study the candidate handbook, time themselves, and don't apply until they are ready. Mr. Borges stated that the fail rate goes in waves because applicants will fail one month and pass it the next month. Dr. White stated that many students will take the examination during their first or second year of their program because programs will require it before they graduate. Dr. White and Dr. Charles Sanders commented on the dispensing experience students receive. Ms. Burns commented on how the practical examination used to be administered compared to how it is currently administered.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

9. Board 2025 – 2028 Strategic Plan Review and Approval

Ms. Dominguez invited Ms. Burns to report on the draft strategic plan. Ms. Burns presented the proposed Strategic Plan as amended on September 6, 2024, and asked for revisions. Mr. Borges noted to update the executive officer's information.

Mr. Borges asked for the status on filling Board vacancies. Ms. Burns replied that she has no updates and stated that it is common for other boards to have vacancies for a long time but will continue to ask for updates in the coming year.

Ms. Burns stated that Board staff will create objectives for each goal to complete the plan in the next four years with the help of DCA. Ms. Chang asked when the Board will see those objectives. Ms. Burns replied that it can be provided at a future meeting.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

Karen Chang moved to approve the Board 2025 – 2028 Strategic Plan.

Charles Sanders seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, Dandurand, Sanders)

10. Regulatory Report: Update, Review, and Possible Action on Board Regulation Packages

Ms. Dominguez invited Ms. Liranzo to provide the regulatory report. Ms. Liranzo provided an update on the Board's regulatory packages and noted an item that requires Board review and approval.

Mr. Borges asked if the dates were correct for the proposed regulation on fingerprinting requirements. Ms. Liranzo replied that it is and stated there was a fiscal impact that would require additional staff or reduced workload.

Ms. Dominguez asked for public comments on the report. There were no comments from the public, outside agencies, or associations.

Ms. Dominguez invited Ms. Liranzo to present the proposed changes to regulations regarding audiology supervised clinical experience. Ms. Liranzo provided a background on the proposed changes, a summary of changes to the proposed text since it was last adopted, and a question for Board discussion.

Dr. White stated that there is no need to specify master's and doctorate degree. John Dandurand asked if Board staff know the number of audiologists with a master's degree. Ms. Liranzo replied that staff would have to see how many audiologists were issued a license before the change to licensing requirements. Ms. Burns stated that out-of-state applicants may have also completed their education before the change to licensing requirements and also have a master's degree.

Ms. Liranzo stated that, since there is no difference to the requirements in subsections (e) and (f) if the word "graduate" is used, the Board either has to specify the degree type or remove subsection (f). Dr. White stated the reason it was specified was because the changes to licensing requirements and asked if it is necessary to differentiate. Ms. Burns replied that it may not be because the hours are the same. Mr. Borges asked if subsections (e) and (f) could be combined. Dr. White replied that it would say "graduate program" instead of "master's or doctoral program." Ms. Burns asked if the Board would like to combine subsections (e) and (f). The Board expressed agreement with the suggested changes. Ms. Liranzo noted the changes to subsection (e) to replace the word "master's" with the word "graduate" and remove ", and on or before December 31, 2007". Ms. Liranzo further noted the removal of subsection (f) and the re-lettering of subsection (g). Ms. Liranzo stated that subsection (a) was added to the text to clarify that different phrases used by educational institutions and professional organizations for the phrase "supervised clinical practice" as used in statutes mean the same.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

Karen Chang moved to rescind the prior proposed text and approve the proposed regulatory changes for 16 CCR section 1399.152.2, as provided in the materials and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Interim Executive Officer or alternative to take all steps necessary to complete the rulemaking and adopt the proposed regulations at 16 CCR section 1399.152.2 as amended.

Tamara Chambers seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, Dandurand, Sanders)

11. Discussion and Possible Action to Review and Revise the Board's Administrative Procedure Manual

Ms. Dominguez invited Ms. Burns to present the Board's Administrative Procedure Manual. Ms. Burns provided background information on the Board's Administrative Procedure Manual (Manual) and asked for revisions.

Dr. White suggested that the word "provide" needs a letter "s" at the end of the word in two places at the end of the first paragraph on page 3. Dr. White further suggested a period needs to be added to the sentence before the header "Notice of Meetings" on page 7 and the sentence before the header "Committee Appointment" on page 14. Ms. Burns suggested that "legislative ad hoc committee" on page 14 should be renamed to include regulations. Dr. White suggested the word "audiologist" should be plural in the first sentence after the header "Board Staff" on page 15. Dr. White further suggested the word "work" needs a letter "s" at the end of the word in the second to last sentence under the header "Attorney General Role" on page 21.

Dr. White asked if there were more pages to the Board's Administrative Procedure Manual. Ms. Burns replied that there are and stated that there must have been a problem with the printer. Ms. Burns further stated staff can print the remaining pages since the entire manual is available online to the public, whereupon staff printed and presented the remaining pages to the Board.

Mr. Borges asked if a fourth option should be added to the ballot vote definitions. Ms. Burns replied that it could be added and deferred to Yuping Lin to see if the fourth option should be to accept with edits.

Ms. Chang asked if the signatures on the ballot could be digital. Dr. White replied that she provides digital signatures. Ms. Chang asked if the Manual could say electronic signatures are acceptable. Ms. Burns noted the change will be added on page 25 after the second sentence in the first paragraph after the header "Ballot Procedure."

Ms. Chang asked if the email with the ballot has to be deleted. Ms. Burns replied that it does as well as deleting it from the trash folder. Ms. Burns stated that paper ballots have to be confidentially destroyed.

Dr. White suggested a period needs to be added to the first sentence in the last paragraph before the header "Ballot Procedure" on page 25.

Dr. White asked about the last sentence in the second paragraph after the header "Office of Administrative Hearing" and stated it appears to be an incomplete sentence. Ms. Liranzo replied that it appears to be a header. Ms. Burns stated that this and the paragraph after it are duplicate. Ms. Liranzo noted the changes to remove them.

Dr. Sanders commented on six different vote types available on the ballot. Ms. Burns stated that there should be a limited number. Mr. Borges stated he started seeing more vote options this year and suggested including them all. Ms. Burns stated that any changes to the penalty or term is held for discussion and suggested that the votes should be adopt/accept, adopt/accept with edits, reject, or hold for discussion. Dr. Chambers suggested using the definition of "make technical or other minor changes" on page 25 for the definition of "adopt/accept with edits".

Dr. Chambers suggested adding the word “the” before “deciding vote” in the third section of the second paragraph on page 26. Ms. Dominguez suggested replacing the word “timely” with the words “by the requested due date” at the end of the second paragraph on page 26.

Ms. Burns, Mr. Borges, Ms. Chang, and Mr. Lin commented on the differences in the Board’s votes on page 26 and the Administrative Law Judge’s votes on page 25. Ms. Chang asked if the discussion for the proposed decision and vote are done together. Ms. Burns replied that it is when it is held of discussion. Mr. Borges stated that the Administrative Law Judge will propose a decision to the Board and the Board decides on that decision. Mr. Borges asked if the stipulation on page 24 should come after the vote definition on page 26. Ms. Burns replied that it should and suggested moving proposed decisions to page 25.

Ms. Burns asked for additional changes and noted updates to the “Guide to the Bagley-Keene Open Meeting Act” and Department of Consumer Affairs Travel Guide. Ms. Liranzo stated that the travel guides include changes to the meal rates. Mr. Borges asked if it was reduced it. Ms. Burns replied that they changed how it works and stated that the hotel is based on GSA rates and rules on meals on the first and last day when the travel is under 24 hours.

Ms. Burns commented on the number of votes to hold for discussion. Ms. Dominguez stated that a period is missing in the first sentence of hold for discussion on page 26 after the parentheses.

Ms. Burns stated that staff can bring this item back to a future meeting with all the changes discussed today.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

12. Overview of the Process and Schedule for the Board’s 2025 Sunset Review Report and the 2026 Joint Sunset Review Oversight Hearings

Ms. Dominguez invited Ms. Burns to provide an overview of the process and schedule for the Board’s 2025 sunset review report and the 2026 Joint Sunset Review Oversight Hearings. Ms. Burns provided an overview of the sunset review process, the sunset review timeline, and information on the sunset review process. Ms. Burns stated that the Board should begin to identify issues to address during Sunset so that they can be discussed at a future board meeting.

Ms. Chang asked if the Board could address more than one item. Ms. Burns replied that the Board had four to five items in its last sunset report.

Dr. White asked if the audiology assistant license could be considered during sunset. Mr. Burns replied that it would have to go through the sunrise process and stated that this is a separate process to create a new license type.

Dr. White asked if additional board members need to be added to the ad hoc committee. Ms. Burns replied that an ad hoc committee has two members, and more than two members has to be a standing committee.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

13. Legislative Report: Update, Review, and Possible Action on Proposed Legislation

Ms. Dominguez invited Ms. Liranzo to provide the legislative report. Ms. Liranzo reported on the legislative calendar and deadlines, and all bills chaptered or vetoed by the governor since the last Board meeting. Ms. Liranzo stated that DCA Legal counsel looked at Senate Bill (SB) 1451 regarding the use of the word “doctor” or the letters or prefix “Dr.” and found that the Board’s regulations is in compliance with the statutory change found in SB 1451.

Ms. Chang asked if the names displayed in the strategic plan in compliance with SB 1451. Ms. Burns replied that the statutory language specifies sign, business card, or letterhead, or, in an advertisement, and the strategic plan is not a form of advertisement.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

14. Discussion and Possible Action to Adopt a Legislative Proposal for an Omnibus Bill to Amend BPC sections 2531.3, 2532.2, 2532.3, 2532.4, 2532.6, 2532.7, 2536, and 2538.53; Education Code Section 44831; and Welfare and Institutions Code Section 14132.55

Ms. Dominguez invited Ms. Liranzo to present the legislative proposal for an omnibus bill. Ms. Liranzo provided a background and summary of changes to the Board’s Practice Act and related laws.

Dr. Chambers suggested replacing the gendered pronouns with non-gendered pronouns in Welfare and Institutions Code Section 14132.55. Ms. Liranzo noted the changes.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

Tamara Chambers moved to adopt the legislative proposal as amended, direct staff to take all steps necessary to submit the proposal, and authorize the Executive Officer, or their designee, to take all steps necessary to complete the process for the legislative proposal.

Tod Borges seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, Dandurand, Sanders)

15. Legislative Items for Future Meeting

Ms. Dominguez asked for Board discussion. Ms. Liranzo stated that Board staff has no legislative items for future meeting.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

16. Election of Board Officers for 2025

Ms. Dominguez asked for nominations for Board Chair for 2025.

Dr. Sanders nominated Ms. Dominguez for Board Chair.

Ms. Dominguez asked for nominations for Board Vice Chair for 2025.

Mr. Dandurand nominated Mr. Borges for Board Vice Chair.

Mr. Borges nominated Dr. White for Board Vice Chair.

Ms. Dominguez asked for Board discussion.

Mr. Dandurand asked if there is a term limit for Board Chair and Vice Chair. Ms. Burns replied that there is not a limit.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

The nomination of Gilda Dominguez for Board Chair for 2025.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, Dandurand, Sanders)

The nomination of Tod Borges for Board Vice Chair for 2025.

The motion failed 1-6. (Ayes: Dandurand; Noes: Dominguez, White, Borges, Chambers, Chang, Sanders)

The nomination of Amy White for Board Vice Chair for 2025.

The motion carried 6-1. (Ayes: Dominguez, White, Borges, Chambers, Chang, Sanders; Noes: Dandurand)

17. Potential Dates for Board Meetings in 2025

Ms. Dominguez opened the discussion on potential dates for board meetings in 2025.

Ms. Burns stated the first meeting will be on Friday, February 21st in Sacramento.

Ms. Burns recommended the second meeting to either be on April 24-25, May 15-16, or June 5-6. Ms. Chang asked if the meeting will be remote. Ms. Burns replied that it depends on where the Board is at. The Board expressed agreement with May 15-16 and asked that it be remote.

Ms. Burns stated the third meeting will have to be remote and recommended the meeting to either be on July 24-25, August 7-8, August 14-15, or August 21-22. The Board expressed agreement with August 21-22.

Ms. Burns stated the last meeting will have to be in-person and noted the Board will have to review the sunset report and evaluate the executive officer. Ms. Burns recommended the last meeting to either be on November 13-14, December 4-5, or December 11-12. The Board expressed agreement with December 4-5. Ms. Burns suggested that this meeting be in Southern California at a school that preferably has students applying for licensure with the Board.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

18. Future Agenda Items

Ms. Dominguez asked for future agenda items.

Mr. Borges stated that questions were raised asking if hearing aid dispenser trainee can do their unsupervised hours at a location other than their primary place of business and if they need a branch license to practice at those other locations and requested that it be a future agenda item. Mr. Borges also requested that the question of whether the supervisor needs a branch license for the trainee to work there be added to the discussion.

Dr. White asked where the Board discussion ended with the interstate compact. Ms. Burns replied that she would have to look at her notes but believe the interstate compact wasn't fully established. Ms. Liranzo replied that it wasn't established at the time the Board discussed it and noted that the Board had questions related to enforcement that it wanted to wait to see how it was going to be implemented. Ms. Burns stated that an update on the interstate compact can be provided at a future meeting. Dr. White and Ms. Dominguez expressed agreement with the suggestion.

Dr. Chambers asked if there are other license statuses that can be included in the sunset like retiree. Ms. Burns replied that the Board has to get authority from the legislature to create a retiree status and commented on statuses that are penalty based, like suspension or family hold for failure to pay child support. Ms. Liranzo asked about voluntary cancellation. Ms. Burns replied that a person cannot cancel their license, however the Board has the authority to cancel a license, but it doesn't do so because a person might cancel their license to preemptively get rid of a complaint. Ms. Burns stated that when people ask to cancel their license, a hold is placed to stop mailing notices, but they stay expired until the license cancels after the statutorily specified timeframe has passed. Ms. Burns commented on a voluntary surrender status the Board of Psychology has due to cognitive decline and stated the Board does this only in lieu of discipline.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

19. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Discuss Disciplinary Matters Including Proposed Decisions, Stipulated Decisions, Defaults, Petitions for Reductions in Penalty, Petitions for Reconsideration, and Remands.

The Board did not meet in closed session.

20. Adjournment

The meeting adjourned on September 6, 2024, at 1:26 p.m.