



BOARD MEETING NOTICE AND AGENDA

The Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board (Board) will hold a Board Meeting in person and via WebEx Events on

Friday, February 21, 2025, beginning at 8:30 a.m.

LOCATION FOR OBSERVATION AND PUBLIC COMMENT:

*Department of Consumer Affairs (Headquarters Building)
1625 North Market Blvd., Hearing Room # 102 (1st Floor)
Sacramento, CA 95834*

IMPORTANT NOTICE TO THE PUBLIC:

The Board will also hold this public meeting via WebEx, to observe and participate from a remote location, please log on to WebEx (Instructions to connect to this meeting can be found at the end of this agenda). To participate in the WebEx Events meeting, please log on to the following websites each day of the meeting:

Friday, February 21, 2025, WebEx Link, beginning at 8:30 a.m:

If accessing by computer or online:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mc947cc7eae88e78c91579b54539f034e>

If accessing by phone: Dial +1-415-655-0001 US Toll, Access code: 2485 765 1912, Passcode: 75724232

Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make a public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com

To observe the meeting without the ability to provide public comment, a live stream of the Board Meeting will available during each day of the meeting at <https://thedcapage.blog/webcasts/>

Due to potential technical difficulties, please consider submitting written comments by 5:00 pm, Wednesday, February 19, 2025, to speechandhearing@dca.ca.gov for consideration.

Action may be taken on any agenda item. Items may be taken out of order to facilitate the effective transaction of Board business.

Board Members

Gilda Dominguez, Speech-Language Pathologist, Board Chair

Amy White, Dispensing Audiologist, Board Vice Chair

Tod Borges, Hearing Aid Dispenser

Tamara Chambers, Otolaryngologist, Public Member

Charles Sanders, Dispensing Audiologist

Karen Chang, Public Member

VACANT, Hearing Aid Dispenser

VACANT, Public Member

VACANT, Speech-Language Pathologist

Full Board Meeting Agenda

OPEN SESSION

1. Call to Order / Roll Call / Establishment of Quorum
2. Public Comment for Items Not on the Agenda (*The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))*)
3. Review and Possible Approval of the December 5 - 6, 2024, Board Meeting Minutes
4. DCA Update – DCA Board and Bureau Relations
5. Board Chair's Report
 - a) Board and Committee Meeting Calendar

9:00 a.m. (Time Certain) – Petition Hearing for Penalty Relief

6. Petition for Penalty Relief – Modification of Probation – Arturo Avina, License # SP 27490, Case # 11-2024-046

CLOSED SESSION

7. The Board Will Meet in Closed Session Pursuant to Government Code Section 11126(c)(3) to Discuss Disciplinary Matters Including Proposed Decisions, Stipulated Decisions, Defaults, Petitions for Reductions in Penalty, Petitions for Reconsideration, and Remands.
8. Pursuant to Government Code Section 11126(a)(1), the Board will Meet in Closed Session to Consider and Take Possible Action on the Appointment of an Executive Officer.

BREAK 12:00 – 12:30 pm (Time Approximate)

OPEN SESSION

9. Interim Executive Officer's Report
 - a) Administration Update
 - b) Outreach Update
 - c) Budget Report
 - d) Regulations Report
 - e) Licensing Report
 - f) Practical Examination Report
 - g) Enforcement Report
10. Discussion and Possible Action to Revise the Legislative Proposal Adopted by the Board 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
11. Update on Adopted Regulations Regarding Advertising for Hearing Aid Dispensing as stated in Title 16, CCR section 1399.127
12. Future Agenda Items
13. Adjournment

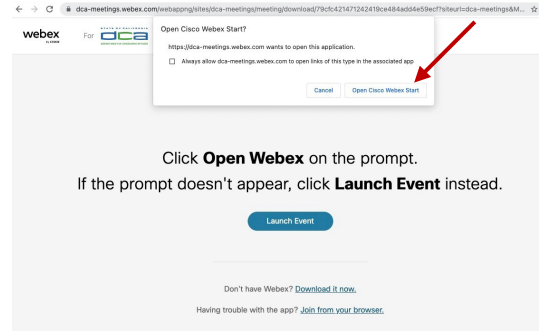
Agendas and materials can be found on the Board's website at www.speechandhearing.ca.gov.

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board Chair and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. In the event a quorum of the board is unable to attend the meeting, or the board is unable to maintain a quorum once the meeting is called to order, the members present may, at the Chair's discretion, continue to discuss items from the agenda and make recommendations to the full board at a future meeting. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

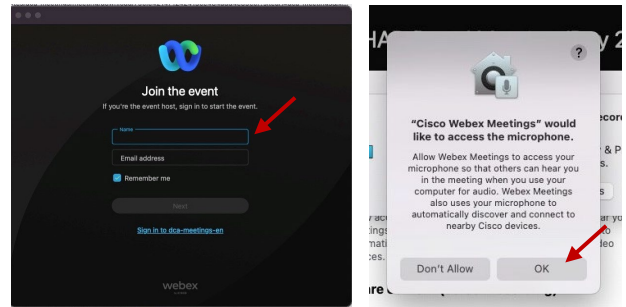
The meeting facility is accessible to persons with a disability. Any person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the Board office at (916) 287-7915 or making a written request to Cherise Burns, Interim Executive Officer, 1601 Response Road, Suite 260, Sacramento, California 95815. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

If joining using the meeting link

- 1 Click on the meeting link. This can be found in the meeting notice you received.
- 2 If you have not previously used Webex on your device, your web browser may ask if you want to open Webex. Click "Open Cisco Webex Start" or "Open Webex", whichever option is presented. DO NOT click "Join from your browser", as you will not be able to participate during the meeting.



- 3 Enter your name and email address*. Click "Join as a guest". Accept any request for permission to use your microphone and/or camera.

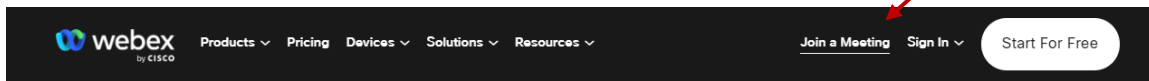


* Members of the public are not obligated to provide their name or personal information and may provide a unique identifier such as their initials or another alternative, and a fictitious email address like in the following sample format: XXXXX@mailinator.com.

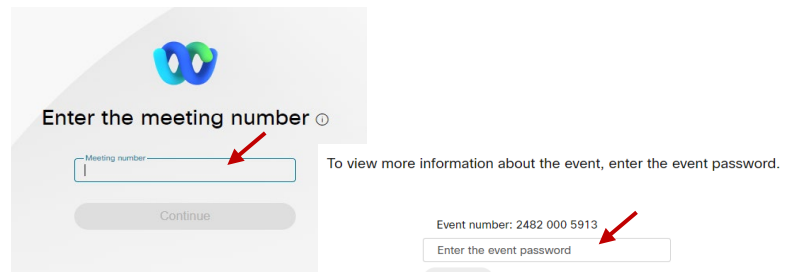
OR

If joining from Webex.com

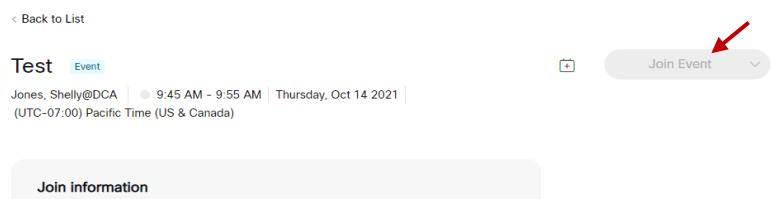
- 1 Click on "Join a Meeting" at the top of the Webex window.



- 2 Enter the meeting/event number and click "Continue". Enter the event password and click "OK". This can be found in the meeting notice you received.



- 3 The meeting information will be displayed. Click "Join Event".



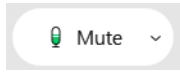
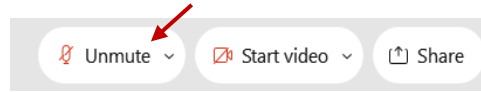
OR

Connect via telephone*:

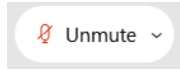
You may also join the meeting by calling in using the phone number, access code, and passcode provided in the meeting notice.

Microphone

Microphone control (mute/unmute button) is located on the command row.

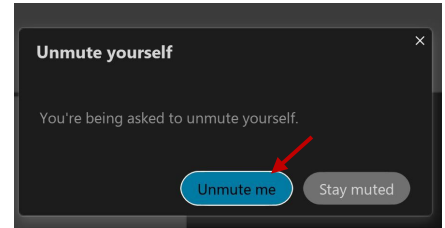


Green microphone = Unmuted: People in the meeting can hear you.



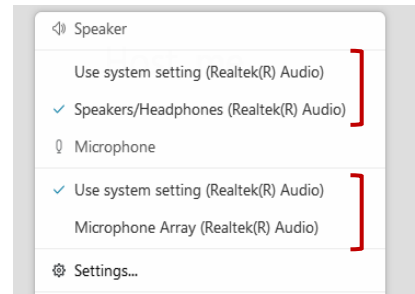
Red microphone = Muted: No one in the meeting can hear you.

Note: Only panelists can mute/unmute their own microphones. Attendees will remain muted unless the moderator enables their microphone at which time the attendee will be provided the ability to unmute their microphone by clicking on "Unmute Me".



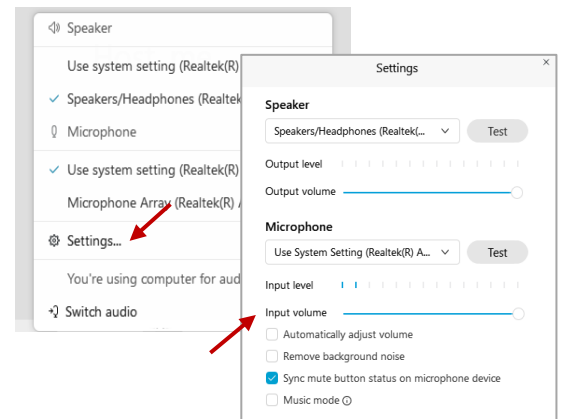
If you cannot hear or be heard

- 1 Click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window, select a different:
 - Microphone option if participants can't hear you.
 - Speaker option if you can't hear participants.



If your microphone volume is too low or too high

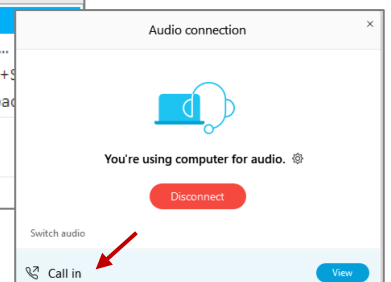
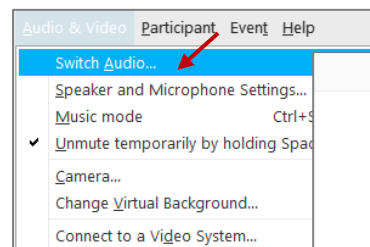
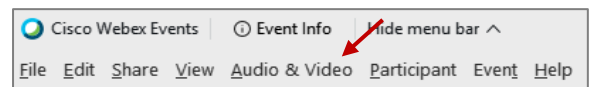
- 1 Locate the command row – click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window:
 - Click on "Settings...":
 - Drag the "Input Volume" located under microphone settings to adjust your volume.



Audio Connectivity Issues

If you are connected by computer or tablet and you have audio issues or no microphone/speakers, you can link your phone through Webex. Your phone will then become your audio source during the meeting.

- 1 Click on "Audio & Video" from the menu bar.
- 2 Select "Switch Audio" from the drop-down menu.
- 3 Select the "Call In" option and following the directions.



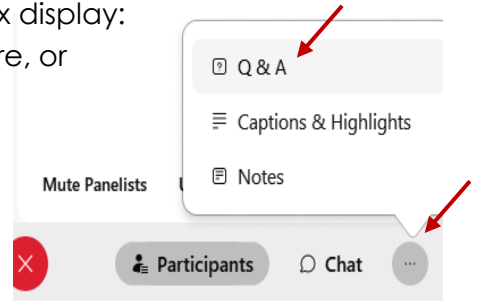
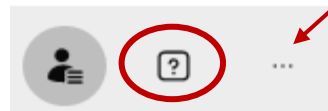
The question-and-answer (Q&A) and hand raise features are utilized for public comments.

NOTE: This feature is not accessible to those joining the meeting via telephone.

Q&A Feature

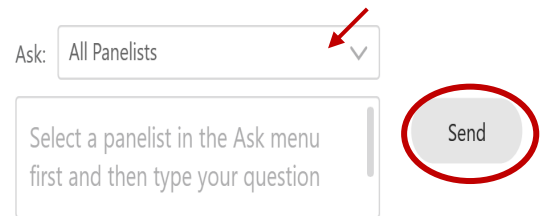
1 Access the Q&A panel at the bottom right of the Webex display:

- Click on the icon that looks like a “?” inside of a square, or
- Click on the 3 dots and select “Q&A”.



2 In the text box:

- Select “All Panelists” in the dropdown menu,
- Type your question/comment into the text box, and
- Click “Send”.



OR

Hand Raise Feature

- 1
- Hovering over your own name.
 - Clicking the hand icon that appears next to your name.
 - Repeat this process to lower your hand.

If connected via telephone:

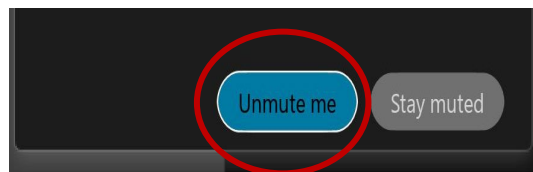
- Utilize the raise hand feature by pressing *3 to raise your hand.
- Repeat this process to lower your hand.

Unmuting Your Microphone



The moderator will call you by name and indicate a request has been sent to unmute your microphone. Upon hearing this prompt:

- Click the **Unmute me** button on the pop-up box that appears.

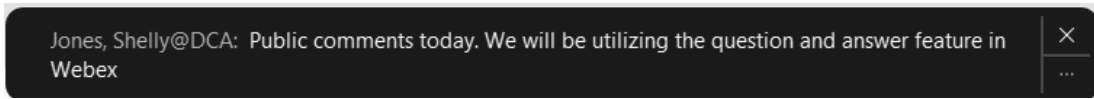


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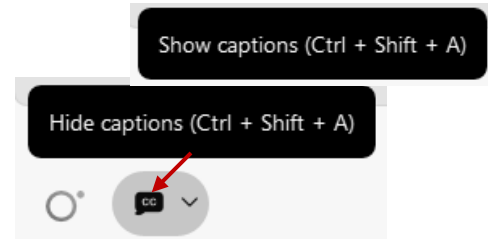
If connected via telephone:

- Press *3 to unmute your microphone.

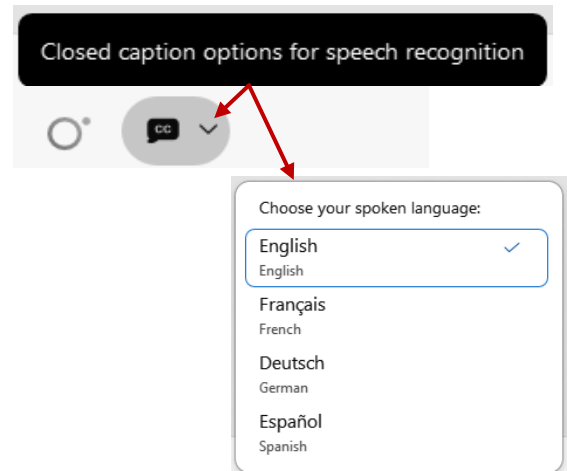
Webex provides real-time closed captioning displayed in a dialog box on your screen. The captioning box can be moved by clicking on the box and dragging it to another location on your screen.



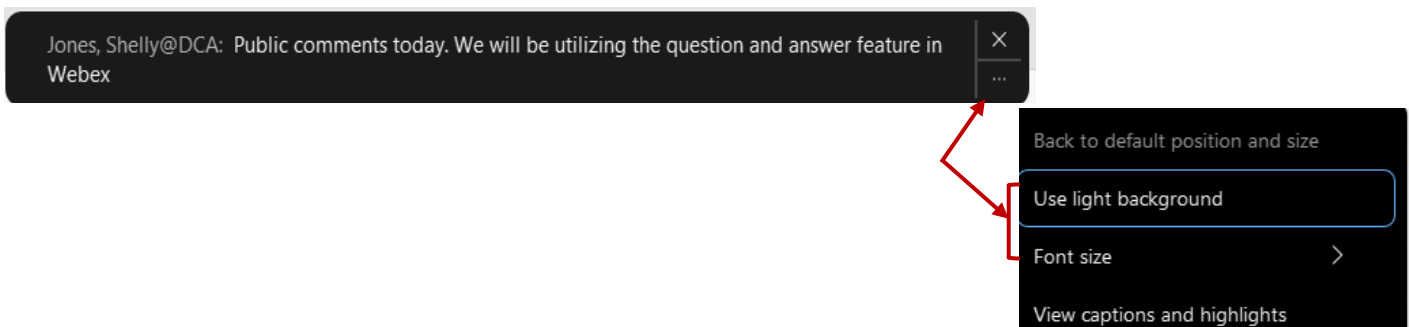
The closed captioning can be hidden from view by clicking on the closed captioning icon. You can repeat this action to unhide the dialog box.



You can select the language to be displayed by clicking the drop-down arrow next to the closed captioning icon.



You can view the closed captioning dialog box with a light or dark background or change the font size by clicking the 3 dots on the right side of the dialog box.





MEMORANDUM

DATE	February 12, 2025
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item 3: Review and Possible Approval of the December 5 - 6, 2024 Board Meeting Minutes

Background

Attached is a draft of the meeting minutes from the December 5 - 6, 2024 Board Meeting.

Action Requested

Staff recommends the Board review and discuss the provided materials. The Board may wish to determine whether or not to approve the December 5 - 6, 2024 Board Meeting minutes.

Attachment: December 5 - 6, 2024 Board Meeting Minutes

HEARING AID DISPENSING COMMITTEE MEETING MINUTES - DRAFT
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 dispensers' 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 - DRAFT 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 - DRAFT 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 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 - DRAFT
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.



MEMORANDUM

DATE	February 3, 2025
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Gilda Dominguez, Board Chair
SUBJECT	Agenda Item 5: Board Chair's Report

The Board Chair will provide a verbal update on Board and Committee activities and assignments.

a. Board and Committee Meeting Calendar

Meeting Date	Location	Agenda	Meeting Materials	Minutes	Webcast
2025					
December 4 – 5, 2025	Southern California (TBD)				
August 21 – 22, 2025	Teleconference				
May 15 – 16, 2025	Teleconference				
February 21, 2025	Sacramento, California and Teleconference	Agenda			

STANDING COMMITTEES

Standing Committee composition and leadership are determined by the Board President and are fully within the scope of the Open Meetings Act. Standing Committee meetings are often held in conjunction with regularly scheduled Board Meetings.

SLP PRACTICE COMMITTEE		
<i>Addresses changes in practice patterns and recommends position statements and/or scope of practice amendments for consideration.</i>		
Name	Position	Profession
Gilda Dominguez	Chair	SLP
VACANT	Member	SLP
Tamara Chambers	Member	ORL/Public

AUDIOLOGY PRACTICE COMMITTEE
*Addresses changes in practice patterns and recommends position statements
and/or scope of practice amendments for consideration.*

Name	Position	Profession
Amy White	Chair	DAU
Charles Sanders	Member	DAU
Tamara Chambers	Member	ORL/Public
Karen Chang	Member	Public

HEARING AID DISPENSERS PRACTICE COMMITTEE
*Addresses changes in practice patterns and recommends position statements
and/or scope of practice amendments for consideration.*

Name	Position	Profession
Tod Borges	Chair	HAD
VACANT	Member	HAD
Karen Chang	Member	Public

HEARING AID DISPENSING COMMITTEE
*Provides policy and regulatory guidance with respect to hearing aid dispensing practices
and recommends scope of practice amendments for consideration.*

Name	Position	Profession
Tod Borges	Chair	HAD
VACANT	Member	HAD
Charles Sanders	Member	DAU
Amy White	Member	DAU
Tamara Chambers	Member	ORL/Public

AD HOC COMMITTEES

Ad Hoc Committees may be established by the Board President as needed. Composition and leadership will be appointed by the Board President. Ad Hoc Committees may include the appointment of non-Board members at the Board President's discretion. Ad Hoc Committees are not fully within the scope of the Open Meetings act, however all recommendations made by Ad Hoc Committees must be reviewed and voted on by the Board in a public Board Meeting.

SUNSET REVIEW AD HOC COMMITTEE
Develop for the Board's review the Board's Sunset Review Report to the California Legislature

Name	Position	Profession
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Gilda Dominguez	Chair	SLP
Amy White	Member	DAU
ENFORCEMENT AD HOC COMMITTEE <i>Review and recommend to the Board proposed revisions to the laws, regulations, and policies related to the Board's enforcement of the Boards Practice Act.</i>		
Name	Position	Profession
Gilda Dominguez	Chair	SLP
Tod Borges	Member	HAD
LEGISLATIVE AD HOC COMMITTEE <i>Review and recommend to the Board proposed positions on legislation impacting the Board, its licensees, and the Board's Practice Act</i>		
Name	Position	Profession
Karen Chang	Chair	Public
Gilda Dominguez	Member	SLP

Legend:

DAU - Dispensing Audiologist
 ORL/ENT - Otolaryngologist/Ear, Nose & Throat

HAD - Hearing Aid Dispenser
 SLP - Speech-Language Pathologist



MEMORANDUM

DATE	February 10, 2025
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Cherise Burns, Interim Executive Officer
SUBJECT	Agenda Item 9: Interim Executive Officer Report

This report and the statistical information provided by staff is to update you on the current operations of the Board.

a) Administration Update

The job posting for the Executive Officer recruitment opened on November 5, 2024 and closed on December 6, 2024. Interviews are being conducted by the Board at the February 21, 2025 Board Meeting.

The Assistant Executive Officer position will remain vacant until the conclusion of the Executive Officer recruitment process.

b) Outreach Update

Since the Board’s December meeting, Cherise Burns has had conference calls with representatives from the California Speech Language Hearing Association (CSHA) and California Academy of Audiology, at their request, to discuss issues affecting speech-language pathologists and audiologists in California.

In March, Gilda Dominguez, Board Chair, and Cherise Burns, as Interim Executive Officer, will be speaking at the CSHA Convergence Conference to provide updates on the Board’s Laws and Regulations related to requirements for continuing professional development and supervision of speech-language pathology assistants. Attendance will be remote or at no cost to the State.

c) Budget Report

The Board continues to actively reduce expenditures and closely monitor spending to achieve savings mandated by the Department of Finance. These reductions may impact Board operations, travel, and result in holding half of future meetings remotely. Board

management is currently awaiting information from the Department of Finance regarding our plan to comply with additional budget reduction requirements that would achieve savings while minimizing the impact on Board operations.

Included in your Board meeting materials is the Budget Report (Item 9c) that reflects operating expenditures through the final month (month 6) of the 2024-25 budget year. The report shows a reversion of approximately \$36,667, which is a surplus of 1.11 percent of the Board's budget.

One area to highlight is the higher-than-normal Office of Attorney General and Office of Administrative Hearings expenditures. Due to higher-than-average number of enforcement cases being adjudicated and heard in this fiscal year, and the upcoming cases that will be adjudicated and heard by the end of the fiscal year, the Board will over expend in both these line items. We are monitoring these caseloads and ensuring that our most critical cases continue to be adjudicated in order to protect California consumers. The DCA Budget Office and Board staff are working together closely to ensure the Board has adequate funding to continue upholding consumer protection.

Also included in your materials is a Fund Condition Report (Item 8e) prepared November 19, 2024. This report is a snapshot of the Board's fund condition and shows the Board's revenue and budget allocation for the current 2024-25 budget year plus three future years. Despite conservative revenue projections, the Board's fund condition outlook is healthy for the next three years.

d) Regulations Report

Below is a table with the Board's pending rulemaking files that are either going through the DCA Initial Review Process or already in the Official Rulemaking Process with the Office of Administrative Law. The Board is making great strides in completing rulemaking files with the help of each Board member, staff, and DCA Legal. During the past two years, the Board has completed eight (8) rulemaking files. A separate detailed report will be provided at the next Board meeting in May.

Rulemaking File	Final OAL Filing Date	Status	Comments
SLP-AU CPD Requirements	10/5/2024	9/6/2024 – Approved and filed with the Secretary of State by the OAL 7/26/2024 – Submitted to OAL 7/9/2024 – Submitted for Agency review 7/5/2024 – Submitted for DCA review 7/2/2024 – Submitted for Budget review 7/1/2024 – Submitted for Legal review 6/12/2024 – Board approved modified text 5/14/2024 – 15-day comment period 3/8/2024 – 15-day comment period 3/1/2024 – Board approved modified text 12/8/2023 – 15-day comment period 12/1/2023 – Board approved modified text 10/6/2023 – Initial 45-day comment period 7/25/2023 – Submitted for Agency review 7/12/2023 – Submitted for DCA review 5/11/2023 – Submitted for Budget review 5/5/2023 – Submitted for Legal review 4/27/2023 – Board approved language	Effective on January 1, 2025
HAD Advertising Requirements	11/16/2024	12/30/2024 – Approved and filed with the Secretary of State by the OAL 11/12/2024 – Submitted to OAL 11/1/2024 – Board approved modified text 10/16/2024 – 15-day comment period 10/8/2024 – Withdrawn from OAL 8/28/2024 – Submitted to OAL 7/25/2024 – Submitted for Agency review 7/22/2024 – Submitted for DCA review 7/19/2024 – Submitted for Budget review 7/17/2024 – Submitted for Legal review 6/12/2024 – Board approved modified text 3/8/2024 – 15-day comment period 3/1/2024 – Board approved modified text 3/1/2024 – Public hearing pursuant to Government Code section 11346.8 11/17/2023 – Initial 45-day comment period 9/21/2023 – Submitted for Agency review 8/15/2023 – Submitted for DCA review 6/20/2023 – Submitted for Budget review 5/19/2023 – Submitted for Legal review 4/27/2023 – Board approved language	Effective on April 1, 2025
Processing Times		1/29/2025 – Submitted for Agency review 1/27/2025 – Submitted for DCA review 12/18/2024 – Submitted for Budget review 12/18/2024 – Submitted for Legal review 9/6/2024 – Board approved revised language 12/1/2023 – Board approved revised language 10/8/2021 – Board approved language	

Rulemaking File	Final OAL Filing Date	Status	Comments
Audiology Supervised Clinical Experience		1/23/2025 – Submitted for Budget review 1/8/2024 – Submitted for Legal review 12/6/2024 – Board approved revised language 12/1/2023 – Board approved language	

e) Licensing Report

Licensing cycle times continue to be dramatically better than previous years, with an overall reduction of 63 percent compared to 2020, 2021, and 2022. We evaluate the online licensing program and application processes on an ongoing basis.

Average Processing Times in Weeks (Complete Applications)												
Year	January	February	March	April	May	June	July	August	September	October	November	December
2020	4	3	4	3	3	3	5	7	6	4	3	5
2021	5	5	6	4	5	6	6	8	9	8	9	7
2022	4	5	4	3	3	3	4	5	7	7	7	10
2023	11	11	11	13	13	12	11	12	11	10	10	8
2024	5	3	2	1	2	2	2	2	1	1	1	1
2025	2	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Average Reduction	61%	26%	53%	68%	48%	46%	59%	68%	86%	82%	80%	86%

Licensing Cycle Times – The chart below provides a snapshot of the Board’s current and past licensing processing times.

Licensing Cycle Times	12/1/23	3/1/24	6/11/24	8/23/24	11/22/24	2/5/25
Speech-Language Pathologists (SLP) and Audiologists (AUD) Complete Licensing Applications	9 weeks	3 weeks	2 weeks	2 weeks	1 week	1 week
Review and Process SLP and AUD Supporting Licensing Documents	1 week	1 week	1 week	2 weeks	1 week	1 week
Review and Process RPE Applicant’s Verification of Experience Forms for Full Licensure	6 weeks	3 weeks	1 week	2 weeks	1 week	1 week
Hearing Aid Dispensers (HAD) Complete Applications	10 weeks	9 weeks	2 weeks	2 weeks	1 week	1 week

f) Practical Examination Report

The previous practical exam was held on January 31, 2025, and February 1, 2025. The results from that exam are not available yet. The previous practical exam was held on November 22 – 23, 2025. The exam results are noted below.

The next practical exam will be held on April 4 – 5, 2025 and the filing period for the exam is from February 13 – 27, 2025. Additional future practical exams are posted on the website at https://www.speechandhearing.ca.gov/applicants/exam_dates.shtml

HAD Practical Examination Results for November 2024					
Candidate Type	Number of Candidates	Passed	%	Failed	%
Applicants with Supervision (Temporary Trainee License)					
Hearing Aid Dispensers	28	21		7	
Audiologists	2	2		0	
Required Professional Experience	1	0		1	
Applicants Licensed in Another State (Temporary License)					
Hearing Aid Dispenser	3	1		2	
Applicants without Supervision					
Hearing Aid Dispensers	2	2		0	
Audiologists	11	7		4	
Total Number of Candidates					
	47	33	70%	14	30%

g) Enforcement Report

The Board has received 139 complaints and subsequent arrest notifications through the second quarter of the 2024-2025 reporting year. During this same period, the Board has issued eight (8) citations and fines (including CE/CPD related citations and fines).

There are currently ten (10) formal discipline cases pending with the Attorney General’s Office. The Board is currently monitoring 16 probationers of which seven (7) probationers require drug or alcohol testing and four (4) are in a tolled status.

The following disciplinary actions have been adopted by the Board during the past 12 months (this list includes actions taken while a licensee was on probation):

Name	License No.	License Type	Case No.	Effective Date	Action Taken
Williams, Jacob Tanner	HA 8116	Hearing Aid Dispenser	1C-2021-011	December 15, 2024	Revocation Stayed, Three Years Probation with Specified Terms and Conditions

Name	License No.	License Type	Case No.	Effective Date	Action Taken
Malek, Natalia Chojnacka	SP 22694	Speech-Language Pathologist	11-2019-175	October 21, 2024	Revocation of License
Moreland, Michele Kathleen	HA 7507	Hearing Aid Dispenser	1C-2012-040	August 7, 2024	Revocation of License
Lilly, Alice Penelope	HA 8322	Hearing Aid Dispenser	1C-2018-168	May 7, 2024	Voluntary Surrender of License
Banaga, Ramon Rocello	SPA 3446	Speech-Language Pathology Assistant	11-2017-073	May 2, 2024	Voluntary Surrender of License

CE/CPD Audits

In December 2024, the Board completed its first continuing education audit since 2018. The first audit was a 5 percent random selection of Speech-Language Pathologists, Speech-Language Pathology Assistants, Audiologists, and Hearing Aid Dispensers who renewed in January of 2024.

For the January 2024 audit, a total of 38 licensees were selected, of which 21 (55 percent) passed their audit, 14 (37 percent) failed the audit or failed to respond to the audit, and 2 (5 percent) qualified for exemptions under the regulations. Those that failed the audit are undergoing the administrative action process, which may result in the issuance of a citation and fine.

At the conclusion of the January 2024 audit, Board staff started the next audit of 5 percent of licensees that renewed in February and March of 2024, which resulted in 82 licensees being selected for audit, 39 from February 2024 and 43 from March 2024. This audit is still in progress and results will be provided at a future Board meeting.

CE/CPD Audit Results									
Audit Period	Number Audited	Passed	%	Failed	%	Exemption Granted	%	Citation Issued	%
January 2024	38	21	55%	14	37%	7	18%	In Progress	
February 2024	39	In Progress							
March 2024	43	In Progress							

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board - 0376

FY 2024-25 BUDGET REPORT

February 21, 2025 Board Meeting

FM 6

OBJECT DESCRIPTION	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25				
	ACTUAL EXPENDITURES (Prelim FM13)	ACTUAL EXPENDITURES (Prelim FM13)	ACTUAL EXPENDITURES (Prelim FM13)	ACTUAL EXPENDITURES (Prelim FM13)	GOVERNOR'S BUDGET 2024-25	CURRENT YEAR EXPENDITURES 12.31.2024	% SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
PERSONNEL SERVICES									
Salary & Wages (Staff)	599,726	746,598	842,376	809,790	950,000	454,930	48%	899,879	50,121
Statutory Exempt (EO)	92,318	106,164	114,225	111,479	114,000	51,141	45%	105,694	8,306
Temp Help	38,449	57,039	56,831	4,749	1,000	0	0%	0	1,000
Board Member Per Diem	1,700	5,100	5,600	2,400	6,000	1,500	25%	3,000	3,000
Overtime/Flex Elect/Lump Sum	54,620	67,286	67,655	75,927	5,000	18,295	366%	50,000	(45,000)
Staff Benefits	418,932	489,282	582,080	581,545	634,000	296,741	47%	589,631	44,369
TOTALS, PERSONNEL SVC	1,205,746	1,471,470	1,668,767	1,585,890	1,710,000	822,607	48%	1,648,204	61,796
OPERATING EXPENSE AND EQUIPMENT									
General Expense	67,144	74,273	59,288	54,010	65,000	20,791	32%	53,867	11,133
Printing	19,251	40,231	42,470	86,218	34,000	1,267	4%	44,341	(10,341)
Communication	7,482	3,518	3,158	1,725	13,000	901	7%	2,266	10,734
Postage	1,725	6,407	4,232	4,943	15,000	2,021	13%	6,591	8,409
Insurance	158	22	17	23	0	0	0%	23	(23)
Travel In State	9,148	11,088	15,381	15,534	27,000	9,205	34%	20,000	7,000
Training	0	175	2,845	0	11,000	0	0%	1,500	9,500
Facilities Operations	82,568	126,495	140,624	143,422	148,000	71,051	48%	148,766	(766)
Utilities			420	605	0	0	0%	605	(605)
C & P Services - Interdept.	70	82	83	0	24,000	0	0%	0	24,000
Attorney General	298,782	200,014	86,055	151,478	143,000	118,443	83%	264,602	(121,602)
Office Admin. Hearings	128,785	38,496	30,808	24,708	61,000	19,652	32%	70,803	(9,803)
C & P Services - External	79,957	64,415	73,311	103,164	132,000	42,559	32%	131,191	809
DCA Pro Rata	355,665	463,371	138,234	441,400	826,000	612,750	74%	797,000	29,000
DOI - Investigations	32,198	96,124	58,523	7,262	7,000	6,000	86%	7,000	0
Interagency Services	2,196	118	621	633	1,000	255	26%	255	745
IA w/ OPES	24,264	47,009	17,086	46,414	62,000	17,036	27%	61,923	77
Consolidated Data Center	14,553	20,198	23,753	23,517	29,000	0	0%	6,197	22,803
Information Technology	5,210	4,171	5,115	8,928	17,000	6,110	36%	15,248	1,752
Equipment	30,670	1,193	2,236	1,239	0	3,456	345600%	7,341	(7,341)
Other Items of Expense	2,553	1,746	2,076	462	0	610	0%	610	(610)
TOTALS, OE&E	1,117,103	1,194,721	706,337	1,115,687	1,615,000	932,108	58%	1,640,130	(25,129)
TOTAL EXPENSE	2,322,849	2,666,191	2,375,104	2,630,237	3,292,000	1,754,815	53%	3,255,333	36,667
SURPLUS/(DEFICIT):									1.11%

0376 - Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund
Analysis of Fund Condition
(Dollars in Thousands)
2025-26 Governor's Budget with FM 6 Projections

Prepared 2.10.2025

	Actuals 2023-24	CY 2024-25	BY 2025-26	BY +1 2026-27	BY +2 2027-28
BEGINNING BALANCE					
Prior Year Adjustment	\$ 1,634	\$ 1,927	\$ 1,910	\$ 2,233	\$ 2,502
Adjusted Beginning Balance	\$ -39	\$ -	\$ -	\$ -	\$ -
	<u>\$ 1,595</u>	<u>\$ 1,927</u>	<u>\$ 1,910</u>	<u>\$ 2,233</u>	<u>\$ 2,502</u>
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 34	\$ 35	\$ 36	\$ 36	\$ 36
4127400 - Renewal fees	\$ 2,370	\$ 2,424	\$ 2,613	\$ 2,613	\$ 2,613
4129200 - Other regulatory fees	\$ 59	\$ 55	\$ 37	\$ 37	\$ 37
4129400 - Other regulatory licenses and permits	\$ 730	\$ 766	\$ 899	\$ 899	\$ 899
4163000 - Income from surplus money investments	\$ 87	\$ 121	\$ 25	\$ 37	\$ 40
4171400 - Escheat of unclaimed checks and warrants	\$ 6	\$ 6	\$ -	\$ -	\$ -
Totals, Revenues	<u>\$ 3,286</u>	<u>\$ 3,407</u>	<u>\$ 3,610</u>	<u>\$ 3,622</u>	<u>\$ 3,625</u>
Totals, Transfers and Other Adjustments	\$ -	\$ -	\$ -	\$ -	\$ -
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	<u>\$ 3,286</u>	<u>\$ 3,407</u>	<u>\$ 3,610</u>	<u>\$ 3,622</u>	<u>\$ 3,625</u>
TOTAL RESOURCES	<u>\$ 4,881</u>	<u>\$ 5,334</u>	<u>\$ 5,520</u>	<u>\$ 5,855</u>	<u>\$ 6,127</u>
Expenditures:					
1111 Department of Consumer Affairs (State Operations)	\$ 2,648	\$ 3,246	\$ 3,117	\$ 3,211	\$ 3,307
9892 Supplemental Pension Payments (State Operations)	\$ 38	\$ 28	\$ 28	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 268	\$ 150	\$ 142	\$ 142	\$ 142
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	<u>\$ 2,954</u>	<u>\$ 3,424</u>	<u>\$ 3,287</u>	<u>\$ 3,353</u>	<u>\$ 3,449</u>
FUND BALANCE					
Reserve for economic uncertainties	\$ 1,927	\$ 1,910	\$ 2,233	\$ 2,502	\$ 2,679
Months in Reserve	6.8	7.0	8.0	8.7	9.1

NOTES:

1. Assumes workload and revenue projections are realized in BY +1 and ongoing
2. Expenditure growth projected at 3% beginning BY +1.

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board

LICENSES ISSUED	FY	FY	FY	FY	FY	FY	FY	FY
	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25
								QTR 2
AIDE	33	32	44	22	44	52	60	27
AU	77	63	63	71	79	51	89	52
DAU	30	35	31	23	28	26	33	17
AUT	2	4	3	1	4	1	0	1
PDP	20	15	5	13	14	10	29	9
RPE	945	977	1,059	1,039	1,177	1,095	1,469	800
SLP	1,482	1,446	1,444	1,621	1,782	1,664	2,129	1,137
SPT	0	0	0	0	1	1	4	1
SLPA	558	602	615	505	649	640	914	320
HAD Permanent	137	135	95	55	108	83	145	80
HAD Trainee	169	156	116	93	124	142	173	90
HAD Licensed in Another State	20	17	12	11	22	7	13	5
HAD Branch	341	333	312	249	263	162	256	109
TSA (Military Temporary)	N/A	N/A	N/A	N/A	N/A	N/A	2	0
TSP (Military Temporary)	N/A	N/A	N/A	N/A	N/A	N/A	6	0
TOTAL LICENSES ISSUED	3,781	3,783	3,755	3,681	4,251	3,934	5,322	2,648

LICENSEE POPULATION	FY	FY	FY	FY	FY	FY	FY	FY
	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25
								QTR 2
AIDE	216	245	273	290	306	310	344	299
AU	720	831	837	830	869	840	869	888
DAU	1,246	1,334	1,384	1,375	1,416	1,453	1,487	1,506
<i>Both License Types</i>	<i>1,966</i>	<i>2,165</i>	<i>2,221</i>	<i>2,205</i>	<i>2,285</i>	<i>2,293</i>	<i>2,356</i>	<i>2,394</i>
AUT	2	4	7	8	8	7	7	7
PDP	177	178	165	160	152	141	160	156
RPE	1,232	1,364	1,595	1,626	1,740	1,871	2,304	1,813
SLP	19,161	21,374	22,527	23,309	24,894	25,929	27,403	28,140
SPT	0	0	0	0	1	1	5	4
SLPA	4,118	4,822	5,297	5,538	5,962	6,260	6,825	6,918
HAD Permanent	1,266	1,380	1,407	1,398	1,439	1,399	1,429	1,451
HAD Trainees	204	214	237	243	267	297	314	210
HAD Licensed in Another State	28	31	42	47	66	59	66	68
HAD Branch Office	1,297	1,347	1,401	1,411	1,429	1,267	1,297	1,282
TSA (Military Temporary)	N/A	N/A	N/A	N/A	N/A	N/A	2	2
TSP (Military Temporary)	N/A	N/A	N/A	N/A	N/A	N/A	4	1
TOTAL LICENSEES	29,451	32,879	34,899	35,945	38,243	39,834	42,516	42,745

* Data as of January 9, 2025

Legend:

AID = Speech-Language Pathology/Audiology Aide

HTL = Hearing Aid Dispenser Temporary (1-year)

AU = Audiologist
DAU = Dispensing Audiologist
AUT = Audiologist (6-month Temporary)
PDP = Continuing Education Provider
RPE = Required Professional Experience
SP = Speech-Language Pathologist
SPT = Speech-Language Pathologist (6-Month Temporary)
SPA = Speech-Language Pathology Assistant
HA = Hearing Aid Dispenser
HT = Hearing Aid Dispenser Trainee
BR = Hearing Aid Dispenser Branch
TIA = Military Spouse/Domestic Partner 1- Year Temporary AID
TAU = Military Spouse/Domestic Partner 1- Year Temporary AU
TRP = Military Spouse/Domestic Partner 1- Year Temporary RPE
TSP = Military Spouse/Domestic Partner 1- Year Temporary SP
TSA = Military Spouse/Domestic Partner 1- Year Temporary SPA
THA = Military Spouse/Domestic Partner 1- Year Temporary HAD
THT = Military Spouse/Domestic Partner 1- Year Temporary HT

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board Enforcement Report

COMPLAINTS AND CONVICTIONS	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 Q2
Complaints Received	164	91	79	89	80	103
Convictions Received	103	45	48	60	67	36
Average Days to Intake	1	5	7	4	5	5
Closed	17	2	0	0	0	0
Pending	1	6	0	0	4	1

INVESTIGATIONS	Desk	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 Q2
Assigned		260	131	131	151	148	141
Closed		189	193	178	143	113	88
Average Days to Complete		222	380	598	289	185	176
Pending		260	198	132	130	149	195

INVESTIGATIONS	DOI	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 Q2
Assigned		9	0	1	0	8	6
Closed		10	8	6	1	8	2
Average Days to Complete		770	839	1,409	150	207	256
Pending		19	11	2	1	6	12

ALL TYPES OF INVESTIGATIONS	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 Q2
Closed w/o Discipline Referral	181	187	178	140	104	83
Cycle Time - No Discipline	251	368	491	285	147	255

CITATIONS/CEASE & DESIST	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 Q2
Citations Issued	11	6	7	6	4	8
Avg Days to Citation & Fine	336	429	1,138	439	211	388
Cease & Desist Letters Issued	0	2	0	1	0	0

ATTORNEY GENERAL CASES	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 Q2
Pending at the AG	23	21	10	3	10	10
Accusations Filed	8	8	5	1	4	2
Statement of Issue (SOI) Filed	1	2	0	0	0	0
Accusation Withdrawn, Dismissed, Declined	1	0	1	3	0	0
SOI Withdrawn, Dismissed, Declined	1	0	0	0	0	0
Average Days to Discipline	824	2,245	1,362	1,221	405	1059

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board Enforcement Report

ATTORNEY GENERAL FINAL OUTCOME	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 Q2
Probation Only	5	1	1	4	2	1
Surrender of License	3	3	2	0	0	0
License Denied (SOI)	1	0	1	0	0	0
Suspension & Probation	0	0	2	0	0	0
Revocation-No Stay of Order	3	2	4	1	0	2
Public Reprimand/Reproval	0	0	0	0	0	0

Note: All data provided prior to FY 2022-23 uses complaint open date as the start to any "Days to" data provided in this report.



MEMORANDUM

DATE	February 3, 2025
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item 10: Discussion and Possible Action to Revise the Legislative Proposal Adopted by the Board 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

Background

The Senate Committee on Business, Professions and Economic Development (BP&ED) intends to introduce a technical, non-substantive committee bill during the 2025 legislative year which will revise provisions of the Business and Professions Code.

The Board submitted a proposal for consideration on December 11, 2024 and met with staff from the Senate Committee on BP&ED on December 18, 2024. Their recommendation was to remove:

- BPC Sections 2531.3, 2532.2, and 2532.4, which would have replaced gendered pronouns with non-gendered pronouns, because it requires further substantive changes to make current the examination requirements for applicants of a speech-language pathology license or an audiology license; and
- BPC Section 2538.53, which would have replaced the words “temporary license holders” with the words “trainee licensees,” replace the cited statute “2538.27” with “2538.28,” and replace the word “temporary” with the word “trainee,” because it requires changes to BPC section 2538.57 which could be considered a substantive change.

Action Requested

Staff recommends the Board review the legislative proposal. The Board may wish to determine whether or not to approve the legislative proposal and direct Board staff to proceed with the process to submit the proposal.

Suggested Motion Language

Move to adopt the legislative proposal as noticed, direct staff to take all steps necessary to submit the proposal, and authorize the Interim Executive Officer, or their designee, to take all steps necessary to complete the process for the legislative proposal.

Attachment A: Revised 2025 Legislative Proposal

Attachment B: 2025 Legislative Proposal as adopted December 6, 2024

Revised 2025 Legislative Proposal

Business and Professions Code section 2532.3

(a) Upon approval of an application filed pursuant to Section 2532.1, and upon the payment of the fee prescribed by subdivision (i) of Section 2534.2, the board may issue a temporary license for a period of six months from the date of issuance to a speech-language pathologist or audiologist who holds an unrestricted license from another state or territory of the United States or who holds equivalent qualifications as determined by the board and has made application to the board for a license in this state.

(b) A temporary license shall terminate upon notice thereof by certified mail, return receipt requested, if it is issued by mistake or if the application for permanent licensure is denied.

(c) Upon written application, the board may reissue a temporary license to any person who has applied for a regular renewable license pursuant to Section 2532.1, and who, in the judgment of the board, has been excusably delayed in completing ~~his or her~~ their application or the minimum requirements for a regular license. The board may not reissue a temporary license more than twice to any one person.

Business and Professions Code section 2532.6

(a) The Legislature recognizes that the education and experience requirements of this chapter constitute only minimal requirements to assure the public of professional competence. The Legislature encourages all professionals licensed and registered by the board under this chapter to regularly engage in continuing professional development and learning that is related and relevant to the professions of speech-language pathology and audiology.

(b) The board shall not renew any license or registration pursuant to this chapter unless the applicant certifies to the board that ~~he or she has~~ they have completed in the preceding two years not less than the minimum number of continuing professional development hours established by the board pursuant to subdivision (c) for the professional practice authorized by ~~his or her~~ their license or registration.

(c) (1) The board shall prescribe the forms utilized for and the number of hours of required continuing professional development for persons licensed or registered under this chapter.

(2) The board shall have the right to audit the records of any applicant to verify the completion of the continuing professional development requirements.

(3) Applicants shall maintain records of completion of required continuing professional development coursework for a minimum of two years and shall make these records available to the board for auditing purposes upon request.

(d) The board shall establish exceptions from the continuing professional development requirements of this section for good cause as defined by the board.

(e) (1) The continuing professional development services shall be obtained from accredited institutions of higher learning, organizations approved as continuing education providers by either the American Speech-Language Hearing Association or the American Academy of Audiology, the California Medical Association's Institute for Medical Quality Continuing Medical Education Program, or other entities or organizations approved as continuing professional development providers by the board, in its discretion.

(2) No hours shall be credited for any course enrolled in by a licensee that has not first been approved and certified by the board, if the board has sufficient funding and staff resources to implement the approval and certification process.

(3) The continuing professional development services offered by these entities may, but are not required to, utilize pretesting and posttesting or other evaluation techniques to measure and demonstrate improved professional learning and competency.

(4) An accredited institution of higher learning, an organization approved as continuing education providers by either the American Speech-Language Hearing Association or the American Academy of Audiology, and the California Medical Association's Institute for Medical Quality Continuing Education Program shall be exempt from any application or registration fees that the board may charge for continuing education providers.

(5) Unless a course offered by entities listed in paragraph (4) meets the requirements established by the board, the course may not be credited towards the continuing professional development requirements for license renewal.

(6) The licensee shall be responsible for obtaining the required course completion documents for courses offered by entities specified in paragraph (1).

(f) The board, by regulation, shall fund the administration of this section through professional development services provider and licensing fees to be deposited in the ~~Speech-Language Pathology and Audiology Board~~ [Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board](#) Fund. The fees related to the administration of this section shall be sufficient to meet, but shall not exceed, the costs of administering the corresponding provisions of this section.

(g) The continuing professional development requirements adopted by the board shall comply with any guidelines for mandatory continuing education established by the Department of Consumer Affairs.

Business and Professions Code section 2532.7

(a) Upon approval of an application filed pursuant to Section 2532.1, and upon payment of the fee prescribed by Section 2534.2, the board may issue a required professional experience (RPE) temporary license for a period to be determined by the board to an applicant who is obtaining the required professional experience specified in subdivision (c) of Section 2532.2 or paragraph (2) of subdivision (b) of Section 2532.25.

(b) Effective July 1, 2003, no person shall obtain the required professional experience for licensure in either an exempt or nonexempt setting, as defined in Section 2530.5, unless ~~he or she is~~ they are licensed in accordance with this section or is completing the final clinical externship of a board-approved audiology doctoral training program in accordance with paragraph (2) of subdivision (b) of Section 2532.25 in another state.

(c) A person who obtains an RPE temporary license outside the State of California shall not be required to hold a temporary license issued pursuant to subdivision (a) if the person is completing the final clinical externship of an audiology doctoral training program in accordance with paragraph (2) of subdivision (b) of Section 2532.25.

(d) Any experience obtained in violation of this act shall not be approved by the board.

(e) An RPE temporary license shall terminate upon notice thereof by certified mail, return receipt requested, if it is issued by mistake or if the application for permanent licensure is denied.

(f) Upon written application, the board may reissue an RPE temporary license for a period to be determined by the board to an applicant who is obtaining the required professional experience specified in subdivision (c) of Section 2532.2 or paragraph (2) of subdivision (b) of Section 2532.25.

Business and Professions Code section 2536

A speech-language pathology corporation or an audiology corporation is a corporation which is authorized to render professional services, as defined in Section 13401 of the Corporations Code, so long as that corporation and its shareholders, officers, directors, and employees rendering professional services who are speech-language pathologists or audiologists are in compliance with the Moscone-Knox Professional Corporation Act, this article, and all other statutes and regulations now or hereafter enacted or adopted pertaining to the corporation and the conduct of its affairs.

With respect to a speech-language pathology corporation or an audiology corporation, the governmental agency referred to in the Moscone-Knox Professional Corporation Act is the ~~Speech-Language Pathology and Audiology Board~~ Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.

Education Code Section 44831.

The governing board of a school district shall employ persons in public school service requiring certification qualifications as provided in this code, except that the governing board or a county office of education may contract with or employ an individual who holds a license issued by the ~~Speech-Language Pathology and Audiology Board~~ Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board and has earned a ~~masters~~master's degree in communication disorders to provide speech and language services if that individual meets the requirements of Section 44332.6 before employment or execution of the contract.

Welfare And Institutions Code Section 14132.55.

For the purposes of reimbursement under the Medi-Cal program, a speech pathologist or audiologist shall be licensed by the ~~Speech-Language Pathology and Audiology Examining Committee of the Medical Board of California~~ Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board or similarly licensed by a comparable agency in the state in which ~~he or she practices~~they practice. Licensed speech-language pathologists or licensed audiologists are authorized to utilize and shall be reimbursed for the services of those personnel in the process of completing requirements under the provisions of subdivision (c) of Section 2532.2 of the Business and Professions Code.

**2025 Legislative Proposal
As Adopted on December 6, 2024**

Business and Professions Code section 2531.3

The board shall examine every applicant for a speech-language pathology license or an audiology license at the time and place designated by the board in its discretion, but at least once in each year; and for that purpose may appoint qualified persons to give the whole or any portion of the examination, who shall be designated as commissioners on examination. A commissioner on examination need not be a member of the board, but shall be subject to the same rules and regulations and shall be entitled to the same fee as if ~~he or she~~ they were a member of the board.

The board shall perform all examination functions, including but not limited to, participation in uniform examination systems.

Business and Professions Code section 2532.2.

Except as required by Section 2532.25, to be eligible for licensure by the board as a speech-language pathologist or audiologist, the applicant shall possess all of the following qualifications:

(a) Possess at least a master's degree in speech-language pathology or audiology from an educational institution approved by the board or qualifications deemed equivalent by the board.

(b) (1) Submit evidence of the satisfactory completion of supervised clinical practice with individuals representative of a wide spectrum of ages and communication disorders. The board shall establish by regulation the required number of clock hours, not to exceed 375 clock hours, of supervised clinical practice necessary for the applicant.

(2) The clinical practice shall be under the direction of an educational institution approved by the board.

(c) Submit evidence of no less than 36 weeks of satisfactorily completed supervised professional full-time experience or 72 weeks of professional part-time experience obtained under the supervision of a licensed speech-language pathologist or audiologist or a speech-language pathologist or audiologist having qualifications deemed equivalent by the board. This experience shall be evaluated and approved by the board. The required professional experience shall follow completion of the requirements listed in subdivisions (a) and (b). Full time is defined as at least 36 weeks in a calendar year and a minimum of 30 hours per week. Part time is defined as a minimum of 72 weeks and a minimum of 15 hours per week.

(d) (1) Pass an examination or examinations approved by the board. The board shall determine the subject matter and scope of the examinations and may waive the examination upon evidence that the applicant has successfully completed an examination approved by the board. Written examinations may be supplemented by oral examinations as the board shall determine. An applicant who fails ~~his or her~~ their

examination may be reexamined at a subsequent examination upon payment of the reexamination fee required by this chapter.

(2) A speech-language pathologist or audiologist who holds a license from another state or territory of the United States or who holds equivalent qualifications as determined by the board and who has completed no less than one year of full-time continuous employment as a speech-language pathologist or audiologist within the past three years is exempt from the supervised professional experience in subdivision (c).

(e) As applied to licensure as an audiologist, this section shall apply to applicants who graduated from an approved educational institution on or before December 31, 2007.

Business and Professions Code section 2532.3

(a) Upon approval of an application filed pursuant to Section 2532.1, and upon the payment of the fee prescribed by subdivision (i) of Section 2534.2, the board may issue a temporary license for a period of six months from the date of issuance to a speech-language pathologist or audiologist who holds an unrestricted license from another state or territory of the United States or who holds equivalent qualifications as determined by the board and has made application to the board for a license in this state.

(b) A temporary license shall terminate upon notice thereof by certified mail, return receipt requested, if it is issued by mistake or if the application for permanent licensure is denied.

(c) Upon written application, the board may reissue a temporary license to any person who has applied for a regular renewable license pursuant to Section 2532.1, and who, in the judgment of the board, has been excusably delayed in completing ~~his or her~~ their application or the minimum requirements for a regular license. The board may not reissue a temporary license more than twice to any one person.

Business and Professions Code section 2532.4

(a) The board may direct applicants to be examined for knowledge in whatever theoretical or applied fields in speech-language pathology or audiology it deems appropriate. It may examine the applicant with regard to ~~his or her~~ their professional skills and ~~his or her~~ their judgment in the utilization of speech-language pathology or audiology techniques and methods.

(b) The examination may be written or oral or both. The examination shall be given at least once a year at the time and place and under such supervision as the board may determine. The board shall determine what shall constitute a passing grade.

(c) The board shall keep an accurate recording of any oral examination and keep the recordings as well as any written examination as part of its records for at least two years following the date of examination.

Business and Professions Code section 2532.6

(a) The Legislature recognizes that the education and experience requirements of this chapter constitute only minimal requirements to assure the public of professional competence. The Legislature encourages all professionals licensed and registered by the board under this chapter to regularly engage in continuing professional development and learning that is related and relevant to the professions of speech-language pathology and audiology.

(b) The board shall not renew any license or registration pursuant to this chapter unless the applicant certifies to the board that ~~he or she has~~ they have completed in the preceding two years not less than the minimum number of continuing professional development hours established by the board pursuant to subdivision (c) for the professional practice authorized by ~~his or her~~ their license or registration.

(c) (1) The board shall prescribe the forms utilized for and the number of hours of required continuing professional development for persons licensed or registered under this chapter.

(2) The board shall have the right to audit the records of any applicant to verify the completion of the continuing professional development requirements.

(3) Applicants shall maintain records of completion of required continuing professional development coursework for a minimum of two years and shall make these records available to the board for auditing purposes upon request.

(d) The board shall establish exceptions from the continuing professional development requirements of this section for good cause as defined by the board.

(e) (1) The continuing professional development services shall be obtained from accredited institutions of higher learning, organizations approved as continuing education providers by either the American Speech-Language Hearing Association or the American Academy of Audiology, the California Medical Association's Institute for Medical Quality Continuing Medical Education Program, or other entities or organizations approved as continuing professional development providers by the board, in its discretion.

(2) No hours shall be credited for any course enrolled in by a licensee that has not first been approved and certified by the board, if the board has sufficient funding and staff resources to implement the approval and certification process.

(3) The continuing professional development services offered by these entities may, but are not required to, utilize pretesting and posttesting or other evaluation techniques to measure and demonstrate improved professional learning and competency.

(4) An accredited institution of higher learning, an organization approved as continuing education providers by either the American Speech-Language Hearing Association or the American Academy of Audiology, and the California Medical Association's Institute for Medical Quality Continuing Education Program shall be exempt from any application or registration fees that the board may charge for continuing education providers.

(5) Unless a course offered by entities listed in paragraph (4) meets the requirements established by the board, the course may not be credited towards the continuing professional development requirements for license renewal.

(6) The licensee shall be responsible for obtaining the required course completion documents for courses offered by entities specified in paragraph (1).

(f) The board, by regulation, shall fund the administration of this section through professional development services provider and licensing fees to be deposited in the ~~Speech-Language Pathology and Audiology Board~~ Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board Fund. The fees related to the administration of this section shall be sufficient to meet, but shall not exceed, the costs of administering the corresponding provisions of this section.

(g) The continuing professional development requirements adopted by the board shall comply with any guidelines for mandatory continuing education established by the Department of Consumer Affairs.

Business and Professions Code section 2532.7

(a) Upon approval of an application filed pursuant to Section 2532.1, and upon payment of the fee prescribed by Section 2534.2, the board may issue a required professional experience (RPE) temporary license for a period to be determined by the board to an applicant who is obtaining the required professional experience specified in subdivision (c) of Section 2532.2 or paragraph (2) of subdivision (b) of Section 2532.25.

(b) Effective July 1, 2003, no person shall obtain the required professional experience for licensure in either an exempt or nonexempt setting, as defined in Section 2530.5, unless ~~he or she is~~ they are licensed in accordance with this section or is completing the final clinical externship of a board-approved audiology doctoral training program in accordance with paragraph (2) of subdivision (b) of Section 2532.25 in another state.

(c) A person who obtains an RPE temporary license outside the State of California shall not be required to hold a temporary license issued pursuant to subdivision (a) if the

person is completing the final clinical externship of an audiology doctoral training program in accordance with paragraph (2) of subdivision (b) of Section 2532.25.

(d) Any experience obtained in violation of this act shall not be approved by the board.

(e) An RPE temporary license shall terminate upon notice thereof by certified mail, return receipt requested, if it is issued by mistake or if the application for permanent licensure is denied.

(f) Upon written application, the board may reissue an RPE temporary license for a period to be determined by the board to an applicant who is obtaining the required professional experience specified in subdivision (c) of Section 2532.2 or paragraph (2) of subdivision (b) of Section 2532.25.

Business and Professions Code section 2536

A speech-language pathology corporation or an audiology corporation is a corporation which is authorized to render professional services, as defined in Section 13401 of the Corporations Code, so long as that corporation and its shareholders, officers, directors, and employees rendering professional services who are speech-language pathologists or audiologists are in compliance with the Moscone-Knox Professional Corporation Act, this article, and all other statutes and regulations now or hereafter enacted or adopted pertaining to the corporation and the conduct of its affairs.

With respect to a speech-language pathology corporation or an audiology corporation, the governmental agency referred to in the Moscone-Knox Professional Corporation Act is the ~~Speech-Language Pathology and Audiology Board~~ [Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board](#).

Business and Professions Code section 2538.53.

(a) A license issued under this article expires at midnight on its assigned renewal date.

(b) To renew an unexpired license, the licensee shall, on or before the date of expiration of the license, apply for renewal on a form provided by the board, accompanied by the prescribed renewal fee.

(c) [Trainee licensees](#) ~~Temporary license holders~~ shall renew their licenses in accordance with Section ~~2538.28~~ [2538.27](#), and apply for that renewal on a form provided by the board, accompanied by the prescribed renewal fee for temporary licenses.

(d) Each duplicate license issued for a branch office shall expire on the same date as the permanent license of the hearing aid dispenser to whom the duplicate license was issued. These duplicate licenses shall be renewed according to subdivision (b).

Education Code Section 44831.

The governing board of a school district shall employ persons in public school service requiring certification qualifications as provided in this code, except that the governing board or a county office of education may contract with or employ an individual who holds a license issued by the ~~Speech-Language Pathology and Audiology Board~~ [Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board](#) and has earned a ~~masters~~master's degree in communication disorders to provide speech and language services if that individual meets the requirements of Section 44332.6 before employment or execution of the contract.

Welfare And Institutions Code Section 14132.55.

For the purposes of reimbursement under the Medi-Cal program, a speech pathologist or audiologist shall be licensed by the ~~Speech-Language Pathology and Audiology Examining Committee of the Medical Board of California~~ [Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board](#) or similarly licensed by a comparable agency in the state in which ~~he or she practices~~they practice. Licensed speech-language pathologists or licensed audiologists are authorized to utilize and shall be reimbursed for the services of those personnel in the process of completing requirements under the provisions of subdivision (c) of Section 2532.2 of the Business and Professions Code.



MEMORANDUM

DATE	February 3, 2025
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item 11: Update on Adopted Regulations Regarding Advertising for Hearing Aid Dispensing as stated in Title 16, California Code of Regulations (CCR) section 1399.127

Background

This regulatory proposal was approved and filed with the Secretary of State by OAL on December 30, 2024, and will become effective on April 1, 2025. For more information, visit https://www.speechandhearing.ca.gov/board_activity/lawsregs/hadadvertising.shtml

This proposed regulatory change will clarify that anyone licensed to dispense hearing aids can advertise the fitting and selling of hearing aids in accordance with Business and Professions Code section 651 and CCR section 1399.127, information required in advertisements, prohibited advertisements, and national advertisements disseminated in California.

Action Requested

This item is for informational purposes only, no action is required

Attachment: Order of Adoption – Hearing Aid Dispensing Advertising

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

Hearing Aid Dispensing Advertising

ORDER OF ADOPTION

Amend Section 1399.127 of Article 5 of Division 13.3 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.127. Advertising.

(a) A person licensed to dispense hearing aid dispenser aids may advertise for the practice of fitting or selling hearing aids any goods or services authorized to be provided by such license in a manner authorized by Section 651 of the Code and this Section so long as such the advertising does not promote the unnecessary, inappropriate, or excessive use of such hearing aids goods or services.

(b) An advertisement violates for the practice of fitting or selling hearing aids is in violation of Section 651 of the Code when if it violates any provision of Article 8 of Chapter 5.3 of Division 2 of the Code.:

(1) ~~Is not exact, and any conditions or other variables to an advertised price are not disclosed.~~

(2) ~~Includes a statement of price comparison that is not based upon verifiable data.~~

(3) ~~Advertises a discount in a false or misleading manner, including but not limited to, failing to disclose the dates on which the sale or discount price will be in effect if the sale or discount price is a limited time offer.~~

~~When advertising a specific hearing aid model:~~

Correct:	50% off Acme Model 12
Regularly \$1000, Now \$500	
Incorrect:	50% off Acme hearing aid

~~When advertising a category of hearing aids (e.g. all models from one manufacturer, or all BTE models):~~

Correct:	50% off Manufacturer's Suggested Retail Price
All Acme Hearing Aids	

Incorrect:	Acme Hearing Aids – 50% Off
Correct:	50% off Manufacturer's Suggested Retail Price, All Hearing Aids Offer good January 1-7, 1998 (or Offer expires January 7, 1998)
Incorrect:	50% off Manufacturer's Suggested Retail Price, All Hearing Aids

~~(4) Utilizes a business name that is so broad as to connote comprehensive and diagnostic hearing services, unless the dispenser is also licensed as a physician or audiologist.~~

Correct:	Delta Hearing Aid Center
Incorrect:	Delta Hearing Center

~~(5) Advertises hearing tests without qualification as to the nature of the hearing testing that may be performed by a hearing aid dispenser.~~

Correct:	Test to determine if you could be helped by a hearing aid
Incorrect:	Hearing test

~~(6) Includes sending to a consumer preset appointment information or “rebate coupons” that resemble checks as part of a direct mail solicitation.~~

~~(7) Includes an educational degree but does not list the degree and field, or includes the title “Dr.” where the degree is a non-medical doctorate and the advertisement does not disclose that fact.~~

Correct:	John Doe, Ph.D. in Audiology	Jane Doe, M.A. in Audiology
	John Doe, Ph.D. (Audiology)	Jack Doe, B.A. (Audiology)
Incorrect:	Dr. John Doe	Jane Doe, M.A.
	Dr. John Doe (Audiology)	Jack Doe, B.A.

~~(8) Includes abbreviations for job titles or job certifications as letters after a name where those letters do not represent an academic degree or credential.~~

~~(9) Refers to a dispenser's certification by a professional organization but either does not include the name of the certifying organization or, includes the name written in a manner not easily understood by consumers.~~

Correct:	John Doe, Hearing Aid Dispenser Lic. No. HA-xxxx
	NB-HIS, Certified by the National Board of Certification in Hearing Instrument Sciences
Incorrect:	John Doe, NB-HIS

(10) Includes the term “specialist” when referencing licensure without including the title “hearing aid dispenser.”

Correct:	Jane Doe, Hearing Aid Dispenser Lic. No. HA-xxxx
Jack Doe, Licensed Hearing Aid Dispenser	
John Doe, Hearing Instrument Specialist	
Hearing Aid Dispenser Lic. No. HA-xxxx	
Incorrect:	Jane Doe, Hearing Aid Specialist Lic. No. HA-xxxx
Jack Doe, Licensed Hearing Aid Specialist	

(c) Advertising for the practice of fitting or selling hearing aids by a person licensed to dispense hearing aids shall include the following information, unless the following information is provided on an internet website and that internet website address is included in the advertisement:

(1) The address of the principal place of business of the person licensed to dispense hearing aids, and the address and office hours at which the person licensed to dispense hearing aids shall be available for fitting or post-fitting adjustments, and servicing of the hearing aids sold.

(2) The name and license number of all persons licensed to dispense hearing aids at the location advertised, including the letters HA (Hearing Aid Dispenser), HTL (Temporary License), HT (Trainee), or AU (Dispensing Audiologist), as appropriate.

(d) In addition to advertisement prohibited under Section 651 of the Code, an advertisement for the practice of fitting or selling hearing aids shall not include:

(1) An educational degree that was not earned or does not specify the exact degree and field in which the degree was earned.

(2) Other than for a physician and surgeon licensed by the Medical Board of California or the Osteopathic Medical Board of California, the title "doctor" or any variation of this term without specifying the exact field in which the doctoral degree was earned.

(3) A job title that is not clearly identified by the full job title.

(4) A dispenser's certification by a professional organization that is not clearly identified by the full certification title and name of the certifying organization.

(5) An offer to perform a hearing test by a hearing aid dispenser that does not clearly state that the test is being performed in order to fit and sell a hearing aid.

(6) Any description of services required to be performed by a licensed audiologist unless there is a licensed audiologist at the advertised address to perform those services.

(7) Preset appointment information when the consumer has not requested such an appointment.

(8) The use of rebate coupons or rebate checks without informing the consumer of all material facts relating to the advertised price of the hearing aid. Material facts include standard price of the hearing aid, the terms and conditions of the rebate coupon or rebate check, and discounts or sales that are currently available on that hearing aid.

(e) An offer for hearing aids or services for the fitting of hearing aids as part of a research or field study does not violate this Section if no sale of hearing aids occurs in connection with the research or field study.

(f) Any advertisement shall fully disclose all charges associated with the purchase and fitting of hearing aids. An advertisement for price that uses a sale, discount, or price comparison shall be based on verifiable data that shall be provided to the Board upon request. An advertisement for price that uses a sale, discount, or price comparison must contain the following:

(1) The dollar amount of the non-discounted or compared price for the specific hearing aid or a method for consumers to ascertain the standard price;

(2) The dates on which the sale, discount, or price comparison will be in effect if the sale, discount, or price comparison is a limited time offer; and

(3) Any other terms, conditions, or restrictions imposed in order to qualify for the sale, discount, or price comparison.

(g) The person licensed to dispense hearing aids shall retain the data required in subsection (f) for one year after the advertisement is published or disseminated.

(eh) Any national advertisement run in California shall comply with California laws and regulations.

(1) The advertising described in subsection (h) is exempt from the requirements of subsection (c).

(2) A person licensed to dispense hearing aids is subject to discipline or enforcement action in accordance with Article 4 of Chapter 5.3 of Division 2 of the Code for sales resulting from a national advertisement that violates this Section.

Note: Authority cited: Sections 2531.06 and 2531.95, Business and Professions Code.
Reference: Sections 651, 651.3, and ~~2533~~2538.10, 2538.11 and 2538.20, Business and Professions Code.