



TELECONFERENCE BOARD MEETING NOTICE AND AGENDA

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

Monday, November 22, 2021 beginning 9:00 a.m.

NOTE: Pursuant to the provisions of Government Code section 11133, neither Board member locations nor a public meeting location are provided. Public participation may be through teleconferencing as provided below. If you have trouble getting on the WebEx event to listen or participate, please call 916-287-7915.

Important Notice to the Public:

The Board will hold this public meeting via WebEx Events. 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:

Monday, November 22, 2021 WebEx Link:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m971a93aef206fe745f1d39e4ab6c75d4>

Due to potential technical difficulties, please consider submitting written comments by 5:00 pm, November 17, 2021, to speechandhearing@dca.ca.gov for consideration.

Action may be taken on any agenda item.

Board Members

Marcia Raggio, Dispensing Audiologist, Board Chair
Holly Kaiser, Speech-Language Pathologist, Vice Chair
Tod Borges, Hearing Aid Dispenser
Karen Chang, Public Member
Gilda Dominguez, Speech-Language Pathologist
Debbie Snow, Public Member
VACANT, Dispensing Audiologist
VACANT, Hearing Aid Dispenser
VACANT, Otolaryngologist, Public Member

Monday, November 22, 2021

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. Discussion and Possible Action on the Board's 2022 Sunset Review Report
4. Election of Board Officers
5. Future Agenda Items and Potential Dates for Board Meetings in 2022

CLOSED SESSION

6. 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.

OPEN SESSION

7. 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, Assistant 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.

WEBEX FEATURES FOR PARTICIPANTS

Note: The following features and functions reflect only those relative to participant end user interface and functionality. For programs who desire to moderate/co-moderate their own meetings, SOLID can provide training and materials to reflect features and functions associated with these roles.

Joining a Webex Event

Navigate to the WebEx event using the link provided by the DCA entity via an internet browser. Webex will, in some instances, auto-populate name fields upon sign-in. As a result, some individuals may be automatically logged into the meeting with a Webex generated name (examples below).



Note: It is important for individuals to update the name fields when logging in to correctly reflect their identity to assist the moderator in identifying meeting participants. While we do not require the public to identify themselves, this is particularly important for staff, members, and presenters.

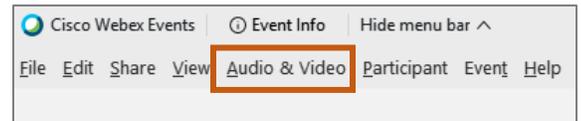
The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again. Click on “Join Now” (do not click “Join by browser”).

Audio

You can select to use either your computer speaker/microphone, a headset, or your phone for audio.

To utilize your phone:

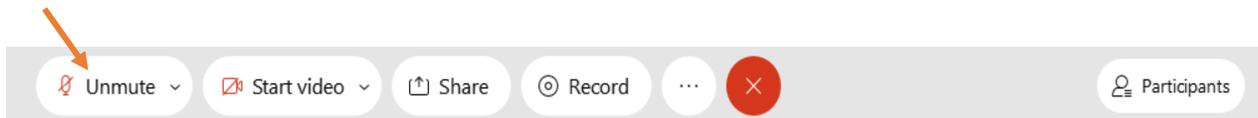
- Click on “Audio & Video” from the menu bar
- Select “Switch Audio”
- Select the “Call In” option and follow the directions



Note: If you connected your audio through your phone, your mute and unmute button should be controlled from your computer or tablet. If you are having trouble unmuting yourself, you may be muted through your phone.

Microphone Indicators

Click on the microphone icon to mute and unmute yourself. You can also mute and unmute yourself using microphone icon next to your name from the participant panel.

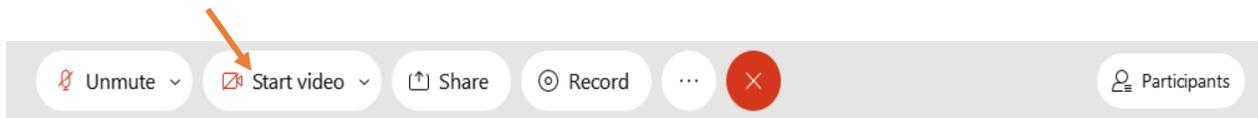


The green microphone indicates your microphone is open and meeting participants can hear you. If your microphone is red, you are muted.



Camera Indicators

Click on the video icon to turn your camera on and off.

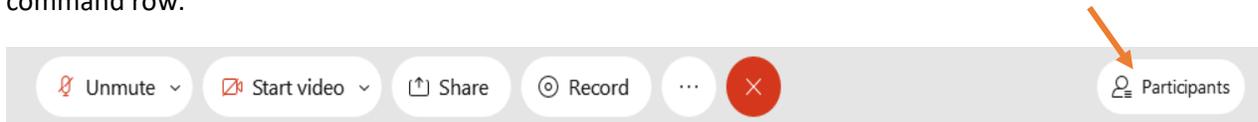


The green camera indicates your camera is on and meeting participants can see you. If your camera is red, your camera is off, and you cannot be seen.



Meeting Participants

To see who is in the meeting, you can access the participant list by clicking on the participant icon on the command row.

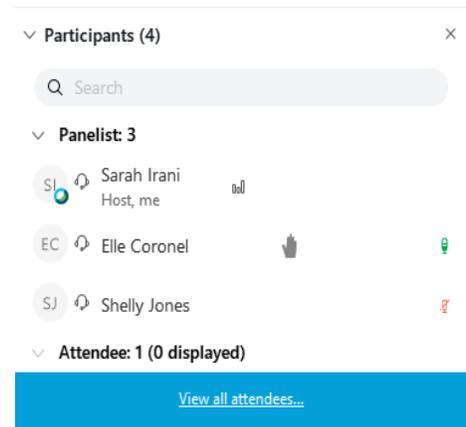


By clicking on this icon, it should display the participant list on the right side of your screen.

This is an example of a participant list that will display on the right side of your screen.

Icons will appear next to individual names to indicate if they are muted, speaking or background noise, or have their hand raised.

This is helpful to distinguish who is speaking or who is trying to contribute to the conversation. In addition, it is helpful if you state your name before speaking.

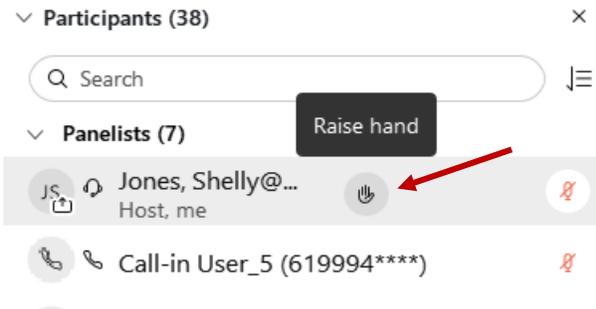


The panelist list has a “sort” feature, which can be located to the right of the search field in the participant panel. Clicking on the sort icon allows the list of panelists to be sorted by either name or raised hands. This feature can be particularly useful for programs who utilize the hand raise feature for discussion.



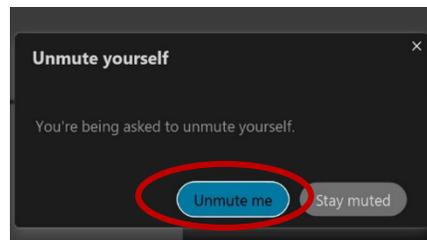
Hand Raise Feature

The hand raise feature is now located next to each participant's name in Webex, both for panelists and attendees. Participants can click the hand icon next to their name to raise and lower their hand.



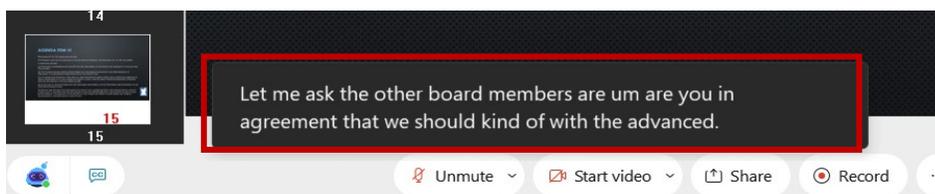
Unmuting Microphones

When the moderator unmutes a participant's microphone, Webex will prompt the participant to unmute themselves. The participant must click the displayed "Unmute me" button to unmute their microphone.

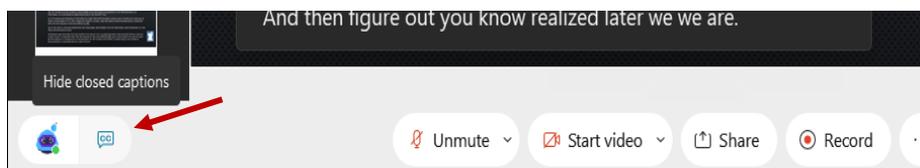


Closed Captioning

Webex provides real-time closed captioning that are displayed in a dialog box within the Webex screen. Participants can click on the dialog box and drag it to any location on the Webex screen.

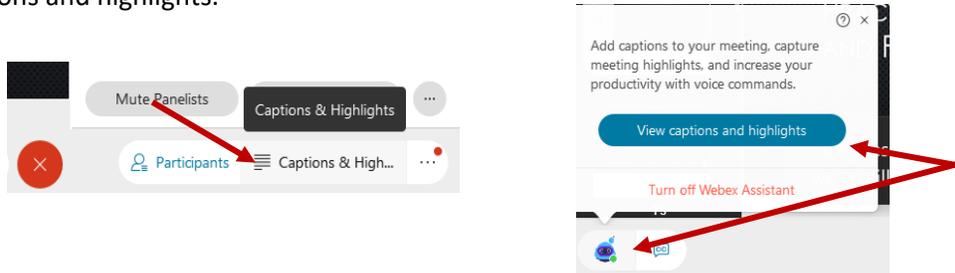


The closed captioning can be hidden from view by clicking on the closed captioning icon. You can repeat this action to unhide the dialog box.



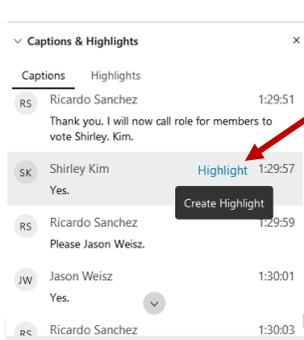
Closed captioning can be viewed in a transcript style that displays the captions by speaker. You can enable and disable this feature through either the participant panel or the Webex Assistant.

- To access this feature via that participant panel, click on the 3 dots at the bottom of the participant panel and select Captions and Highlights
- To use the Webex Assistant, hover over the robot icon on your screen and select either View or Hide captions and highlights.



“Highlighting” is a feature of Webex closed captioning that provides a valuable tool for program staff by allowing quick and easy access to important information, such as motions, votes, action items, or any other caption that contains pertinent information that the program may need to revisit or reference.

To highlight a caption, hover over the caption and click Highlight.



You can also undo a highlight by hovering over a previously highlighted caption and clicking Unhighlight.

SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS BOARD

BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM

As of December 1, 2021

Section 1 – Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board (Board). Describe the occupations/profession that are licensed and/or regulated by the Board (Practice Acts vs. Title Acts).

Function of the Board

The Board serves to protect the public by licensing and regulating Speech-Language Pathologists, Audiologists, and Hearing Aid Dispensers; three separate and distinct professions with their own scopes of practice and professional settings. The Board sets entry-level licensing standards, which includes examination requirements that measure the licensees' professional knowledge and clinical abilities that are consistent with the demands of the current delivery systems.

Speech-language pathologists provide services in the areas of speech, language, voice, cognition, fluency, and swallowing disorders to individuals across the lifespan. They see individuals who may have language problems with verbal expression, auditory comprehension, reading comprehension, and/or written expression. These difficulties could be the result of a stroke, brain injury, or other neurogenic causes. Speech-language pathologists perform instrumental procedures within their scope of practice (e.g., Motion fluoroscopic evaluation of swallowing by cine or video recording, Flexible Fiberoptic Endoscopic Evaluation of Swallowing by cine or videorecording, laryngoscopy with stroboscopy). Speech-language pathologists coordinate care with Otolaryngologists and other Physicians for these assessments. Speech-language pathologists also provide aural rehabilitation for individuals who are deaf or hard of hearing and provide therapy in the augmentative and alternative communication domain for individuals with diagnoses such as autism spectrum disorder and progressive neurological disorders. Speech-language pathologists work independently and collaboratively on interdisciplinary teams with other school or health care professionals in a range of settings including schools, medical, community-based facilities, and in private practice.

Audiologists provide services for individuals with hearing loss and balance (vestibular) disorders across the lifespan. Audiologists work in a number of professional settings, including hospitals that provide newborn hearing screenings, pediatric clinics, university and hospital audiology clinics, private practice, military facilities, academic institutions, and industrial, research, and forensic settings. More recently, there are an increasing number of audiologists who participate in intraoperative neuromonitoring in the state's leading hospitals. Dispensing audiologists are licensed to fit hearing aids for populations that range from infants to the elderly.

Hearing Aid Dispensers provide services to individuals with hearing loss, including fitting, selection, and adaptation of hearing aids and hearing tests for the purposes of fitting and selling hearing aids.

To ensure ongoing consumer protection, the Board enforces standards of professional conduct by investigating applicant backgrounds, investigating complaints against licensed and unlicensed practitioners, and taking disciplinary action whenever appropriate.

The Board's licensing population is over 35,000 individuals and entities. According to the Bureau of Labor Statistics, US Department of Labor, Occupational Outlook Handbook, 2020-21 Edition; from 2020-2030, the Speech-Language Pathologist and Audiologist professions are expected to grow by 29 percent and 16 percent, respectively in the United States. There is no similar data available at this time from the Bureau of Labor Statistics on Hearing Aid Dispensers.

The growth rates for California have been higher than the U.S. rate in the past and are expected to continue to increase. California's demand for Speech-Language Pathologists, Audiologists, and Hearing Aid Dispensers will continue to grow in the coming years due to an aging population who will experience hearing loss, as well as those who will suffer strokes and other debilitating illnesses. In addition, there is a growing need for speech- language pathology services in California schools. This consumer demand will make the role of the Board even more critical to ensure the safety and efficacy of these professions.

It is imperative that the Board balance its education, outreach, and enforcement efforts to ensure that the Board policies are current and consistent with the acceptable standard of care in each discipline.

The Board believes the level of education and experience required to secure a license assures the public that these licensees are well trained and able to deliver the appropriate level of service. At the same time, the potential for harm to consumers in these professions is significant as testing and evaluation involves the use of sound, air pressure, electricity and other physical stimuli in the ear and to the head. Speech- language pathology patients are at risk of aspiration of material into their lungs when undergoing evaluations that require the introduction of materials into the throat. Audiologists insert a variety of instruments into the ear canal, and there is a risk of physical harm such as punctures of the skin in the ear, ear canal, ear drum and allergic reactions by electrodes or electrode paste. Likewise, hearing aid consumers can suffer damage to their ears if dispensers are not qualified or trained properly to perform otoscopy or take ear impressions for hearing aids.

The Board is responsible for regulating the following license types and categories:

- Speech-Language Pathologist [Business and Professions Code Section 2530.2(d)-(g)] – licensed to provide assessment and therapy for individuals who have speech, language, swallowing, and voice disorders.
- Audiologist [BPC Section 2530.2(j)-(k)] – licensed to identify hearing, auditory system, and balance disorders, and provide rehabilitative services, including hearing aids and other assistive listening devices.
- Dispensing Audiologists [BPC Section 2530.2(l)] – licensed to perform the duties of an Audiologist as described above and authorized to sell hearing aids.
- Speech-Language Pathology Assistant (SLPA) [BPC Sections 2530.2(i), 2538-2538.7] – registered paraprofessionals who complete formal education and training and serve under the direction of a licensed speech-language pathologist.
- Required Professional Experience Temporary License [BPC Sections 2532.2(d), 2532.25, & 2532.7] – speech-language pathology and audiology applicants completing required

professional experience to qualify for full licensure, practicing under the supervision of a licensed practitioner.

- Speech-Language Pathology Aide [BPC Section 2530.2(h)] – support personnel approved to work directly under the supervision of a speech-language pathologist. No requirement for formal education and training, but on-the-job training must be provided.
- Audiology Aide [BPC Section 2530.2(m)] – support personnel approved to work under the supervision of a licensed audiologist. No requirement for formal education and training, but on-the-job training must be provided.
- Speech-Language Pathology or Audiology Temporary License [BPC Section 2532.3] – speech- language pathologist or audiologist, licensed in another state, who qualifies for a six-month license while seeking permanent licensure.
- Hearing Aid Dispenser [BPC Section 2538.11] – licensed to fit and sell hearing aids, take ear mold impressions, post fitting procedures, and directly observe the ear and test hearing in connection with the fitting and selling hearing aids.
- Hearing Aid Dispenser Temporary License [BPC Section 2538.27] – hearing aid dispenser, licensed in another state, who qualifies for a 12-month temporary license while seeking permanent licensure.
- Hearing Aid Dispenser Trainee License [BPC Section 2538.28] – allows a hearing aid dispenser trainee applicant to work under the supervision of a licensed hearing aid dispenser for up to 18 months.
- Branch License [BPC Section 2538.34] – licenses issued to hearing aid dispensers authorizing the dispenser to work at additional branch locations.

The Board is also responsible for the approval of the following:

- SLPA Training Program [BPC Section 2538.1] – Board-approved training/educational programs.
- Continuing Professional Development (CPD) Providers [BPC Section 2532.6] – entities that offer CPD courses required for license renewal of speech-language pathology and audiology licensees.
- Continuing Education Courses (CE) [BPC Section 2538.18] – CE courses offered to Hearing Aid Dispensers required for license renewal.

History of the Hearing Aid Dispensers Examining Committee

In 1970, legislation was passed (Chapter 1514, Statutes of 1970) that added Section 651.4 to Division 2 of the BPC to establish the Hearing Aid Dispensers Examining Committee (HADEC), under the jurisdiction of the Medical Board of California (MBC). The intent of the HADEC was to prepare, grade, and conduct examinations of applicants for a hearing aid dispenser's license. The MBC was responsible for the HADEC's enforcement program including any disciplinary actions.

In 1988, legislation was passed (SB 225, Chapter 1162, Statutes of 1988), which transferred authority from the MBC to the HADEC, to administer the enforcement program. The legislation also allowed

hearing aid dispensers to use fictitious names for fitting and selling hearing aids but prohibited licensees from owning or having interest in a hearing aid dispensing business if their license had been suspended or revoked.

In 1996, SB 1592 (Chapter 441, Statutes of 1996) provided HADEC the authority to adopt, amend or repeal regulations related to the practice of fitting or selling hearing aid devices.

During the 1997-98 legislative session, the HADEC and the Speech-Language Pathology and Audiology Board (SLPAB) were reviewed by the Joint Legislative Sunset Review Committee (Joint Committee). The Joint Committee raised the issue of merging the two programs but voted against the idea. Two bills were introduced in 1998 (SB 1982 and AB 2658) which would have extended the regulation of hearing aid dispensers. One proposal merged the HADEC with the SLPAB, while the other extended the sunset date of the Committee. Both bills failed and the HADEC was sunset.

In 1999, the Department of Consumer Affairs (DCA) assumed responsibility for regulating hearing aid dispensing.

In 2000, legislation was chaptered creating the Hearing Aid Dispensers Bureau within DCA and converted the former Commission to an Advisory Committee made up of professional members to provide input and recommendations regarding policy and regulatory issues to the DCA Director.

History of the Speech-Language Pathology and Audiology Board (SLPAB)

The SLPAB (formerly a Committee) was created in 1973 and enacted in 1974 under the jurisdiction of the MBC (Chapter 5.3, Statutes of 1974, BPC Section 2530 et seq.). As recently as 2010, the Board regulated the speech-language pathology and audiology, which are two separate professions, each with individual scopes of practice, entry-level requirements, and descriptive titles.

On July 1, 1999, the SLPAB was sunset and became a program under DCA due to the failure of Senate Bill 1982 (merger bill referenced above). Subsequently, Assembly Bill 124, introduced in the 1998-99 legislative session, passed and restored the SLPAB as a Board effective January 1, 2000.

Merger of the Hearing Aid Dispensers Bureau and the Speech-Language Pathology and Audiology Board

On October 11, 2009, Governor Schwarzenegger signed Assembly Bill 1535 which merged the Hearing Aid Dispensers Bureau into the Speech-Language Pathology and Audiology Board to create the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) (BPC Section 2531), effective January 1, 2010.

1. Describe the make-up and functions of each of the Board's committees (cf., Section 12, Attachment B).

To balance the professional expertise and public input on the Board, the governance structure of the Board consists of two speech-language pathologists; two audiologists, one of whom must be a dispensing audiologist; two hearing aid dispensers; and three public members, one of which who must be a licensed, Board certified physician and surgeon in otolaryngology. All of these members (except two public members) are appointed by the Governor. One public member is appointed by the Senate Rules Committee and one by the Speaker of the Assembly.

The Board has one statutorily mandated committee, the Hearing Aid Dispensing Committee (BPC Section 2531.05). This committee must include both licensed Audiologist board members, both of the licensed Hearing Aid Dispenser board members, one public member, and the licensed

Otolaryngologist board member. The committee is tasked with reviewing and researching the practice of fitting or selling hearing aids and advises the board about this practice based on that review and research.

The Board has two additional standing committees that address issues and changes in the respective practices of speech-language pathology and audiology. The members of these committees are appointed by the Board Chair. The make-up of these committees is at the Board Chair's discretion.

The Board has recently identified and established three ad hoc committees consisting of two members for the purpose of working with staff to research and gather information on Board issues. When the Board requires additional information from the public, it invites interested parties to either a Board or committee meeting to provide the needed input and information. In light of the Board's limited resources, these informal meetings are a cost-efficient means of gathering information for discussion by the full Board which enhances the process of the Board's public meetings and addresses the needs of the profession and consumers in California.

The Board's current committees and their membership are provided below:

Board Committee Membership and Structure		
Audiology Practice Committee (Standing)		
Description: Addresses changes in practice patterns and recommends position statements and/or scope of practice amendments for consideration.		
Member Name	Position	Member Type
Marcia Raggio	Chair	DAU
Karen Chang	Member	Public
VACANT	Member	DAU
VACANT	Member	ORL/Public
Hearing Aid Dispensing Committee (Standing)		
Description: Provides policy and regulatory guidance with respect to HAD practices and recommends scope of practice amendments for consideration.		
Member Name	Position	Member Type
Tod Borges	Chair	HAD
Karen Chang	Member	Public
Marcia Raggio	Member	DAU
VACANT	Member	DAU
VACANT	Member	HAD
VACANT	Member	ORL/Public
Speech-Language Pathology Practice Committee (Standing)		
Description: Addresses changes in practice patterns and recommends position statements and/or scope of practice amendments for consideration.		
Member Name	Position	Member Type
Holly Kaiser	Chair	SLP
Gilda Dominguez	Member	SLP
Debbie Snow	Member	Public

Board Committee Membership and Structure		
Enforcement Committee (Ad Hoc)		
Description: 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.		
Member Name	Position	Member Type
Debbie Snow	Chair	Public
Holly Kaiser	Member	SLP
Legislative Committee (Ad Hoc)		
Description: Review and recommend to the Board proposed positions on legislation impacting the Board, its licensees, and the Board's Practice Act		
Member Name	Position	Member Type
Karen Chang	Chair	Public
Marcia Raggio	Member	DAU
Sunset Review Committee (Ad Hoc)		
Description: Develop for the Board's review, the Board's Sunset Review Report to the California Legislature		
Member Name	Position	Member Type
Marcia Raggio	Chair	DAU
Holly Kaiser	Member	SLP
DAU: Dispensing Audiologist HAD: Hearing Aid Dispenser		
SLP: Speech-Language Pathologist		

Below are the Board Member attendance lists from 2016 through November 2021. For a detailed list of Board membership, please refer to the table after the Board Member attendance lists.

Table 1a. Attendance			
Tod Borges			
Date Appointed:	December 4, 2019		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 20-21, 2020	Sacramento	Yes
Board Meeting	November 20, 2020	Teleconference	Yes
Board Meeting	February 5, 2021	Teleconference	Yes
Board Meeting	May 13-14, 2021	Teleconference	Yes
Board Meeting	August 12-13, 2021	Teleconference	Yes
Board Meeting	October 7-8, 2021	Teleconference	Yes
Board Meeting	November 22, 2021	Teleconference	Yes

Table 1a. Attendance			
Karen Chang			
Date Appointed:	December 6, 2017		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	December 28, 2017	Telephonic	Yes
Board Meeting	February 8-9, 2018	Sacramento	Yes
Hearing Aid Dispensers Committee	February 8, 2018	Sacramento	Yes
Board Meeting	May 31 – June 1, 2018	Sacramento	Yes
Board Meeting	August 9-10, 2018	San Diego	Yes
Board Meeting	November 29-30, 2018	Sacramento	No
Board Meeting	February 8, 2019	Telephonic	Yes
Board Meeting	April 11-12, 2019	Walnut	Yes
Board Meeting	July 18-19, 2019	Sacramento	Yes
Board Meeting	October 10-11, 2019	Long Beach	Yes
Audiology Practice Committee	October 10, 2019	Long Beach	Yes
Hearing Aid Dispensers Committee	October 10, 2019	Long Beach	Yes
Board Meeting	February 20-21, 2020	Sacramento	Yes
Audiology Practice Committee	February 20, 2020	Sacramento	Yes
Board Meeting	June 30, 2020	Teleconference	Yes
Audiology Practice Committee	September 23, 2020	Teleconference	Yes
Board Meeting	November 20, 2020	Teleconference	Yes
Board Meeting	February 5, 2021	Teleconference	Yes
Board Meeting	May 13-14, 2021	Teleconference	Yes
Board Meeting	August 12-13, 2021	Teleconference	Yes
Audiology Practice Committee	August 12-13, 2021	Teleconference	Yes
Board Meeting	October 7-8, 2021	Teleconference	Yes
Board Meeting	November 22, 2021	Teleconference	Yes

Table 1a. Attendance			
Christy Cooper			
Date Appointed:	August 10, 2018		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	November 29-30, 2018	Sacramento	Yes

Table 1a. Attendance			
Christy Cooper			
Date Appointed:	August 10, 2018		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 8, 2019	Telephonic	No
Board Meeting	April 11-12, 2019	Walnut	Yes
Board Meeting	July 18-19, 2019	Sacramento	Yes
Board Meeting	October 10-11, 2019	Long Beach	Yes
Audiology Practice Committee	October 10, 2019	Long Beach	Yes
Hearing Aid Dispensers Committee	October 10, 2019	Long Beach	Yes
Board Meeting	February 20-21, 2020	Sacramento	No
Audiology Practice Committee	February 20, 2020	Sacramento	No
Board Meeting	June 30, 2020	Teleconference	Yes
Audiology Practice Committee	September 23, 2020	Teleconference	No
Board Meeting	November 20, 2020	Teleconference	No

Table 1a. Attendance			
Rodney Diaz			
Date Appointed	April 5, 2010; Date Re-Appointed: January 6, 2016		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	No
Board Meeting	May 12-13, 2016	Sacramento	No
Audiology Practice Committee	May 12, 2016	Sacramento	No
Board Meeting	August 11-12, 2016	Los Angeles	No
Audiology Practice Committee	August 11, 2016	Los Angeles	No
Board Meeting	November 3-4, 2016	Sacramento	No
Board Meeting	November 17, 2016	Telephonic	No
Board Meeting	December 16, 2016	Telephonic	Yes
Board Meeting	February 9-10, 2017	San Diego	No
Audiology Practice Committee	February 9, 2017	San Diego	No
Board Meeting	March 30, 2017	Telephonic	Yes
Board Meeting	May 11-12, 2017	San Francisco	Yes
Board Meeting	August 10-11, 2017	Sacramento	No
Board Meeting	October 26-27, 2017	Carson	No

Table 1a. Attendance			
Rodney Diaz			
Date Appointed	April 5, 2010; Date Re-Appointed: January 6, 2016		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	December 28, 2017	Telephonic	Yes
Board Meeting	February 8-9, 2018	Sacramento	Yes
Hearing Aid Dispensers Committee	February 8, 2018	Sacramento	Yes
Board Meeting	May 31 – June 1, 2018	Sacramento	No
Board Meeting	August 9-10, 2018	San Diego	Yes
Board Meeting	November 29-30, 2018	Sacramento	Yes
Board Meeting	February 8, 2019	Telephonic	Yes
Board Meeting	April 11-12, 2019	Walnut	Yes
Board Meeting	July 18-19, 2019	Sacramento	No
Board Meeting	October 10-11, 2019	Long Beach	Yes
Audiology Practice Committee	October 10, 2019	Long Beach	Yes
Hearing Aid Dispensers Committee	October 10, 2019	Long Beach	Yes
Board Meeting	February 20-21, 2020	Sacramento	Yes
Audiology Practice Committee	February 20, 2020	Sacramento	Yes
Board Meeting	June 30, 2020	Teleconference	No
Audiology Practice Committee	September 23, 2020	Teleconference	Yes
Board Meeting	November 20, 2020	Teleconference	Yes

Table 1a. Attendance			
Gilda Dominguez			
Date Appointed:	April 22, 2021		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	May 13-14, 2021	Teleconference	Yes
Board Meeting	August 12-13, 2021	Teleconference	Yes
Speech-Language Pathology Committee	August 12, 2021	Teleconference	Yes
Board Meeting	October 7-8, 2021	Teleconference	Yes
Board Meeting	November 22, 2021	Teleconference	Yes

Table 1a. Attendance			
Deane Manning			
Date Appointed:	March 19, 2010; Date Re-Appointed: March 5, 2015		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	No
Board Meeting	May 12-13, 2016	Sacramento	No
Board Meeting	August 11-12, 2016	Los Angeles	No
Board Meeting	November 3-4, 2016	Sacramento	Yes
Board Meeting	November 17, 2016	Telephonic	Yes
Board Meeting	December 16, 2016	Telephonic	Yes

Table 1a. Attendance			
Alison Grimes			
Date Appointed:	December 4, 2000; Date Re-Appointed: September 25, 2013		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	Yes
Board Meeting	May 12-13, 2016	Sacramento	Yes
Audiology Practice Committee	May 12, 2016	Sacramento	Yes
Board Meeting	August 11-12, 2016	Los Angeles	Yes
Audiology Practice Committee	August 11, 2016	Los Angeles	Yes
Board Meeting	November 3-4, 2016	Sacramento	Yes
Board Meeting	November 17, 2016	Telephonic	Yes
Board Meeting	December 16, 2016	Telephonic	Yes
Board Meeting	February 9-10, 2017	San Diego	Yes
Audiology Practice Committee	February 9, 2017	San Diego	Yes
Board Meeting	March 30, 2017	Telephonic	Yes
Board Meeting	May 11-12, 2017	San Francisco	Yes
Board Meeting	August 10-11, 2017	Sacramento	Yes
Board Meeting	October 26-27, 2017	Carson	Yes
Board Meeting	December 28, 2017	Telephonic	Yes

Table 1a. Attendance			
Holly Kaiser			
Date Appointed:	May 14, 2020		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	June 30, 2020	Teleconference	Yes
Board Meeting	November 20, 2020	Teleconference	Yes
Board Meeting	February 5, 2021	Teleconference	Yes
Board Meeting	May 13-14, 2021	Teleconference	Yes
Board Meeting	August 12-13, 2021	Teleconference	Yes
Speech-Language Pathology Committee	August 12, 2021	Teleconference	Yes
Board Meeting	October 7-8, 2021	Teleconference	Yes
Board Meeting	November 22, 2021	Teleconference	Yes

Table 1a. Attendance			
Jaime Lee			
Date Appointed:	May 3, 2011; Date Re-Appointed: December 6, 2013		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	No
Board Meeting	May 12-13, 2016	Sacramento	No
Board Meeting	August 11-12, 2016	Los Angeles	Yes
Board Meeting	November 3-4, 2016	Sacramento	No
Board Meeting	November 17, 2016	Telephonic	No
Board Meeting	December 16, 2016	Telephonic	Yes
Board Meeting	February 9-10, 2017	San Diego	No
Board Meeting	March 30, 2017	Telephonic	Yes
Board Meeting	May 11-12, 2017	San Francisco	No
Board Meeting	August 10-11, 2017	Sacramento	No
Board Meeting	October 26-27, 2017	Carson	No

Table 1a. Attendance			
Margaret "Dee" Parker			
Date Appointed:	August 16, 2013; Date Re-Appointed: December 5, 2017		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	Yes
Board Meeting	May 12-13, 2016	Sacramento	Yes
Audiology Practice Committee	May 12, 2016	Sacramento	Yes
Board Meeting	August 11-12, 2016	Los Angeles	Yes
Audiology Practice Committee	August 11, 2016	Los Angeles	Yes
Board Meeting	November 3-4, 2016	Sacramento	Yes
Board Meeting	November 17, 2016	Telephonic	Yes
Board Meeting	December 16, 2016	Telephonic	Yes
Board Meeting	February 9-10, 2017	San Diego	Yes
Audiology Practice Committee	February 9, 2017	San Diego	Yes
Board Meeting	March 30, 2017	Telephonic	Yes
Board Meeting	May 11-12, 2017	San Francisco	Yes
Speech-Language Pathology Committee	May 11, 2017	San Francisco	Yes
Speech-Language Pathology Committee	August 1, 2017	Telephonic	Yes
Board Meeting	August 10-11, 2017	Sacramento	Yes
Speech-Language Pathology Committee	August 28, 2017	Telephonic	Yes
Speech-Language Pathology Committee	October 9, 2017	Telephonic	Yes
Board Meeting	October 26-27, 2017	Carson	Yes
Board Meeting	December 28, 2017	Telephonic	Yes
Board Meeting	February 8-9, 2018	Sacramento	Yes
Speech-Language Pathology Committee	February 8, 2018	Sacramento	Yes
Board Meeting	May 31 – June 1, 2018	Sacramento	Yes
Speech-Language Pathology Committee	May 31, 2018	Sacramento	Yes
Board Meeting	August 9-10, 2018	San Diego	Yes
Board Meeting	November 29-30, 2018	Sacramento	Yes

Table 1a. Attendance			
Margaret "Dee" Parker			
Date Appointed:	August 16, 2013; Date Re-Appointed: December 5, 2017		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 8, 2019	Telephonic	Yes
Board Meeting	April 11-12, 2019	Walnut	Yes
Board Meeting	July 18-19, 2019	Sacramento	Yes
Board Meeting	October 10-11, 2019	Long Beach	Yes
Board Meeting	February 20-21, 2020	Sacramento	Yes
Board Meeting	June 30, 2020	Teleconference	No
Board Meeting	November 20, 2020	Teleconference	Yes
Board Meeting	February 5, 2021	Teleconference	Yes

Table 1a. Attendance			
Marcia Raggio			
Date Appointed:	December 17, 2012; Date Re-Appointed: November 14, 2019		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	Yes
Board Meeting	May 12-13, 2016	Sacramento	Yes
Audiology Practice Committee	May 12, 2016	Sacramento	Yes
Board Meeting	August 11-12, 2016	Los Angeles	Yes
Audiology Practice Committee	August 11, 2016	Los Angeles	Yes
Board Meeting	November 3-4, 2016	Sacramento	Yes
Board Meeting	November 17, 2016	Telephonic	Yes
Board Meeting	December 16, 2016	Telephonic	No
Board Meeting	February 9-10, 2017	San Diego	Yes
Audiology Practice Committee	February 9, 2017	San Diego	Yes
Board Meeting	March 30, 2017	Telephonic	Yes
Board Meeting	May 11-12, 2017	San Francisco	Yes
Board Meeting	August 10-11, 2017	Sacramento	Yes
Board Meeting	October 26-27, 2017	Carson	Yes
Board Meeting	December 28, 2017	Telephonic	Yes
Board Meeting	February 8-9, 2018	Sacramento	Yes

Table 1a. Attendance			
Marcia Raggio			
Date Appointed:	December 17, 2012; Date Re-Appointed: November 14, 2019		
Meeting Type	Meeting Date	Meeting Location	Attended?
Hearing Aid Dispensers Committee	February 8, 2018	Sacramento	Yes
Board Meeting	May 31 – June 1, 2018	Sacramento	Yes
Board Meeting	August 9-10, 2018	San Diego	Yes
Board Meeting	November 29-30, 2018	Sacramento	Yes
Board Meeting	February 8, 2019	Telephonic	Yes
Board Meeting	April 11-12, 2019	Walnut	Yes
Board Meeting	July 18-19, 2019	Sacramento	Yes
Board Meeting	October 10-11, 2019	Long Beach	Yes
Audiology Practice Committee	October 10, 2019	Long Beach	Yes
Hearing Aid Dispensers Committee	October 10, 2019	Long Beach	Yes
Board Meeting	February 20-21, 2020	Sacramento	Yes
Audiology Practice Committee	February 20, 2020	Sacramento	Yes
Board Meeting	June 30, 2020	Teleconference	Yes
Audiology Practice Committee	September 23, 2020	Teleconference	Yes
Board Meeting	November 20, 2020	Teleconference	Yes
Board Meeting	February 5, 2021	Teleconference	Yes
Board Meeting	May 13-14, 2021	Teleconference	Yes
Board Meeting	August 12-13, 2021	Teleconference	Yes
Audiology Practice Committee	August 12, 2021	Teleconference	Yes
Board Meeting	October 7-8, 2021	Teleconference	Yes
Board Meeting	November 22, 2021	Teleconference	Yes

Table 1a. Attendance			
Amnon Shalev			
Date Appointed	December 15, 2012; Date Re-Appointed: January 6, 2016		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	No
Board Meeting	May 12-13, 2016	Sacramento	Yes
Board Meeting	August 11-12, 2016	Los Angeles	Yes

Table 1a. Attendance			
Amnon Shalev			
Date Appointed	December 15, 2012; Date Re-Appointed: January 6, 2016		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	November 3-4, 2016	Sacramento	Yes
Board Meeting	November 17, 2016	Telephonic	No
Board Meeting	December 16, 2016	Telephonic	Yes
Board Meeting	February 9-10, 2017	San Diego	Yes
Board Meeting	March 30, 2017	Telephonic	Yes
Board Meeting	May 11-12, 2017	San Francisco	Yes
Board Meeting	August 10-11, 2017	Sacramento	Yes
Board Meeting	October 26-27, 2017	Carson	Yes
Board Meeting	December 28, 2017	Telephonic	Yes
Board Meeting	February 8-9, 2018	Sacramento	Yes
Hearing Aid Dispensers Committee	February 8, 2018	Sacramento	Yes
Board Meeting	May 31 – June 1, 2018	Sacramento	Yes
Board Meeting	August 9-10, 2018	San Diego	Yes
Board Meeting	November 29-30, 2018	Sacramento	Yes
Board Meeting	February 8, 2019	Telephonic	Yes
Board Meeting	April 11-12, 2019	Walnut	Yes
Board Meeting	July 18-19, 2019	Sacramento	Yes
Board Meeting	October 10-11, 2019	Long Beach	Yes
Hearing Aid Dispensers Committee	October 10, 2019	Long Beach	Yes
Board Meeting	February 20-21, 2020	Sacramento	No
Board Meeting	June 30, 2020	Teleconference	Yes
Board Meeting	November 20, 2020	Teleconference	Yes

Table 1a. Attendance			
Deborah "Debbie" Snow			
Date Appointed:	November 30, 2013: Date Re-Appointed: December 6, 2017		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	Yes
Board Meeting	May 12-13, 2016	Sacramento	Yes
Board Meeting	August 11-12, 2016	Los Angeles	Yes
Board Meeting	November 3-4, 2016	Sacramento	Yes
Board Meeting	November 17, 2016	Telephonic	Yes
Board Meeting	December 16, 2016	Telephonic	Yes
Board Meeting	February 9-10, 2017	San Diego	Yes
Board Meeting	March 30, 2017	Telephonic	Yes
Board Meeting	May 11-12, 2017	San Francisco	Yes
Speech-Language Pathology Committee	May 11, 2017	San Francisco	Yes
Speech-Language Pathology Committee	August 1, 2017	Telephonic	No
Board Meeting	August 10-11, 2017	Sacramento	Yes
Speech-Language Pathology Committee	August 28, 2017	Telephonic	Yes
Speech-Language Pathology Committee	October 9, 2017	Telephonic	No
Board Meeting	October 26-27, 2017	Carson	Yes
Board Meeting	December 28, 2017	Telephonic	Yes
Board Meeting	February 8-9, 2018	Sacramento	Yes
Speech-Language Pathology Committee	February 8, 2018	Sacramento	Yes
Board Meeting	May 31 – June 1, 2018	Sacramento	Yes
Speech-Language Pathology Committee	May 31, 2018	Sacramento	Yes
Board Meeting	August 9-10, 2018	San Diego	Yes
Board Meeting	November 29-30, 2018	Sacramento	Yes
Board Meeting	February 8, 2019	Telephonic	Yes
Board Meeting	April 11-12, 2019	Walnut	Yes

Table 1a. Attendance			
Deborah "Debbie" Snow			
Date Appointed:	November 30, 2013; Date Re-Appointed: December 6, 2017		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	July 18-19, 2019	Sacramento	Yes
Board Meeting	October 10-11, 2019	Long Beach	Yes
Board Meeting	February 20-21, 2020	Sacramento	Yes
Board Meeting	June 30, 2020	Teleconference	Yes
Board Meeting	November 20, 2020	Teleconference	Yes
Board Meeting	February 5, 2021	Teleconference	Yes
Board Meeting	May 13-14, 2021	Teleconference	Yes
Board Meeting	August 12-13, 2021	Teleconference	Yes
Speech-Language Pathology Committee	August 12, 2021	Teleconference	Yes
Board Meeting	October 7-8, 2021	Teleconference	Yes
Board Meeting	November 22, 2021	Teleconference	Yes

Table 1a. Attendance			
Patti Solomon-Rice			
Date Appointed	September 5, 2012; Date Re-Appointed: January 6, 2016		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	February 4-5, 2016	San Diego	Yes
Board Meeting	May 12-13, 2016	Sacramento	Yes
Board Meeting	August 11-12, 2016	Los Angeles	Yes
Board Meeting	November 3-4, 2016	Sacramento	Yes
Board Meeting	November 17, 2016	Telephonic	Yes
Board Meeting	December 16, 2016	Telephonic	Yes
Board Meeting	February 9-10, 2017	San Diego	Yes
Board Meeting	March 30, 2017	Telephonic	Yes
Board Meeting	May 11-12, 2017	San Francisco	Yes
Speech-Language Pathology Committee	May 11, 2017	San Francisco	Yes
Speech-Language Pathology Committee	August 1, 2017	Telephonic	Yes

Table 1a. Attendance			
Patti Solomon-Rice			
Date Appointed	September 5, 2012; Date Re-Appointed: January 6, 2016		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	August 10-11, 2017	Sacramento	Yes
Speech-Language Pathology Committee	August 28, 2017	Telephonic	Yes
Speech-Language Pathology Committee	October 9, 2017	Telephonic	Yes
Board Meeting	October 26-27, 2017	Carson	Yes
Board Meeting	December 28, 2017	Telephonic	No
Board Meeting	February 8-9, 2018	Sacramento	Yes
Speech-Language Pathology Committee	February 8, 2018	Sacramento	Yes
Board Meeting	May 31 – June 1, 2018	Sacramento	Yes
Speech-Language Pathology Committee	May 31, 2018	Sacramento	Yes
Board Meeting	August 9-10, 2018	San Diego	Yes
Board Meeting	November 29-30, 2018	Sacramento	Yes
Board Meeting	February 8, 2019	Telephonic	Yes
Board Meeting	April 11-12, 2019	Walnut	No

Below is the Board Member roster as of November 2021. For a detailed list of attendance at Board and Committee meetings, please refer to the table above.

Table 1b. Board Member Roster					
Member Name	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)
Marcia Raggio (Chair)	12/17/12	11/14/19	1/1/23	Governor	Professional
Deborah "Debbie" Snow	11/30/13	12/6/17	11/30/21	Senate	Public
Karen Chang	12/6/17	N/A	11/30/21	Assembly	Public
Tod Borges	12/4/19	N/A	1/1/23	Governor	Professional
Holly Kaiser (Vice Chair)	5/14/20	N/A	1/1/24	Governor	Professional
Gilda Dominguez	5/10/21	N/A	1/1/25	Governor	Professional
Vacant, Audiologist				Governor	Professional
Vacant, Otolaryngologist				Governor	Public
Vacant, Hearing Aid Dispenser				Governor	Professional

2. In the past four years, was the Board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

The Board has not experienced a lack of a quorum within the past four years; however, in 2021 the Audiology Practice Committee and the Hearing Aid Dispenser Committee have experienced a lack of quorum due to three vacancies on the Board.

3. Describe any major changes to the Board since the last Sunset Review, including, but not limited to:

- Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)

In January of 2020, the Board hired a new Assistant Executive Officer. During the transition to a new Assistant Executive Officer, Board leadership focused on retaining institutional knowledge, transferring responsibilities, and understanding of the Board’s workload and process improvements underway.

In November of 2020, the Board adopted its Strategic Plan for 2021-2024. The plan was developed through the Board’s collaboration with its stakeholders and strongly emphasizes consumer protection around five goal areas with objectives focused on improving services to consumers and licensees, increasing outreach to stakeholders, and enhancing the Board’s enforcement program. Through interviews and surveys of its stakeholders, the Board identified challenges and opportunities in moving forward to build a foundation for the protection of, service to, and excellence in care of consumers with speech, language, and hearing impairments.

In April of 2021, the Board relocated its office to a new location at 1601 Response Road, Suite 260, in Sacramento, CA. The new location allows the Board to conduct HAD practical examinations within its suite, provides necessary file and storage space, and provides adequate space for social distancing during a public health crisis.

- All legislation sponsored by the Board and affecting the Board since the last sunset review.

Legislation Sponsored by or Affecting the Board				
Legislative Session	Bill Number	Code Sections	Amendment	Operative Date
2017-2018	AB 1706 (Assembly B&P Committee)	BPC 2531, 2531.75, 2533.1, 2533.4, 2534, 2538.10, 2538.28, 2538.29, 2538.30, 2538.34, 2538.35, and 2538.38	Extends the Board’s sunset date until January 1, 2022, requires HAD Trainees to pass required exams within 12 months, and makes other clarifying changes	January 1, 2018
2017-2018	AB 2138 (Chiu)	BPC 7.5, 480, 480.2, 481, 482, 488, 493, and 11345.2	Limits the Board’s ability to use prior convictions or acts when denying a license	July 1, 2020
2017-2018	SB 796 (Hill)	BPC 315	Requires DCA to review the Uniform Standards related to drug testing and determine if they should be updated	January 1, 2018

Legislation Sponsored by or Affecting the Board				
Legislative Session	Bill Number	Code Sections	Amendment	Operative Date
2019-2020	AB 74 (Ting)	Budget Act	Appropriated \$3 million to the CSU system to increase enrollment in graduate specialist programs in speech and language pathology	July 1, 2019
2019-2020	SB 1474 (Senate BP&ED Committee)	BPC 2531	Extends the Board's sunset date until January 1, 2023	January 1, 2021
2021-2022	AB 435 (Mullin)*	BPC 2538.35, 2538.38, 2539.4, and 2539.10	Requires HADs and DAUs to inform consumers if the hearing aid being purchased uses proprietary software	January 1, 2022
* Board Sponsored				

- All regulation changes approved by the Board since the last sunset review. Include the status of each regulatory change approved by the Board.

Regulation Changes Approved by the Board			
Regulation Section in Title 16	Regulation Title	Board Approval Date	Package Status
Sections 1399.131.1 and 1399.155.1	Uniform Standards	February 9-10, 2017	Additional text changes approved by Board August 13, 2021
Sections 1399.131 & 1399.155	Disciplinary Guidelines	February 9-10, 2017	Additional review needed
Sections 1399.112 and 1399.151.2	Fingerprints Requirement	May 11-12, 2017	Additional review needed
Section 1399.127	Hearing Aid Dispenser Advertising	August 10-11, 2017	Additional review needed
Sections 1399.129 and 1399.157.1	Notice to Consumer	August 10-11, 2017	Additional text changes approved at February 8-9, 2018 meeting.
Section 1399.120	Hearing Aid Dispenser Exam Process	October 26-27, 2017	Additional review needed
Section 1399.157, 1399.170.13, and 1399.170.14	Speech-Language Pathology and Audiology Fees	February 8-9, 2018	Additional text changes approved at July 18-19, 2019 and November 20, 2020 meetings. Noticed for public comment on August 7, 2020 and submitted to OAL on April 7, 2021. Approved by OAL on June 29, 2021.

Regulation Changes Approved by the Board			
Regulation Section in Title 16	Regulation Title	Board Approval Date	Package Status
Section 1399.152	Approved Institutions	February 8-9, 2018	Additional review needed
Sections 1399.170, 1399.170.4, 1399.170.10, 1399.170.11, and 1399.170.15	Speech-Language Pathology Assistant Regulations	May 31-June 1, 2018	Additional text changes approved at February 20-21, 2020 and August 12-13, 2021 meetings. Board staff is currently developing the regulatory package.
Sections 1399.153 and 1399.153.3	RPE Direct Supervision Requirements and Tele Supervision	August 9-10, 2018	Additional text changes approved at April 11-12, 2019, February 20-21, 2020, and May 13-14, 2021 meetings. The regulatory package is currently in the DCA Internal Review phase.
Section 1399.152.4	Dispensing Audiologist Exam Requirement	November 29-30, 2018	Additional review needed
Sections 1399.116, 1399.118, and 1399.119	HAD Trainee and Supervisor Requirements	November 29-30, 2018	Additional review needed
Sections 1399.132, 1399.133, 1399.134, 1399.156.1, 1399.156.2, 1399.156.3, and 1399.170.19	Criminal Conviction Substantial Relationship and Rehabilitation Criteria	April 11-12, 2019	Additional text changes approved at February 20-21, 2020 and June 30, 2020 meetings. Noticed for public comment on March 6, 2020 and submitted to OAL on November 18, 2020. Approved by OAL on May 7, 2021.

4. Describe any major studies conducted by the Board (cf. Section 12, Attachment C).

BPC Section 139 and DCA policy require that California state licensing Boards conduct regular occupational analyses (OA) of the professions as a fundamental part of each licensure program. In addition, BPC Section 139 and DCA policy also requires a review of any national examination program used by a California licensing Board as part of its licensure program.

2017 Occupational Analysis for Audiologists

The Board held two OA workshops in 2017 to complete the occupational analysis for audiology. The workshops consisted of Audiologists or subject matter experts with diverse backgrounds in the profession.

The Board utilizes the ETS Praxis audiology examination which is based on the American Speech-Language-Hearing Association’s (ASHA’s) OA. In preparing for the OA, the Board requested the assistance of licensees in providing to the Office of Professional Examination Services (OPES) the results of ASHA’s most recent national occupational analysis including:

- Process used to develop OA survey;

- Demographic items and their results;
- The rating scales employed in the OA survey;
- List of tasks and knowledge statements with their respective ratings;
- Information (group demographics) regarding the initial and final respondent samples;
- Method used to link test plan to occupational analysis;
- Process used to determine relative weights of the test plan.

Following completion of the OA, the list of task and knowledge statements is the most pertinent aspect. The additional information is utilized for the required review of the national examination program for audiology.

It is important for OPES to review the task and knowledge statements from the national occupational analysis. For examination publishers that consider this proprietary information, a model security agreement is available as a basis upon which to build a custom security agreement.

2020 Occupational Analysis for Hearing Aid Dispensers

The Board held two workshops in 2020 to complete the occupational analysis. The workshops consisted of Hearing Aid Dispensers, Dispensing Audiologists, or subject matter experts with diverse backgrounds.

The Board, in coordination with the Office of Professional Examination Services (OPES), develops the written examination and practical examination based on the results of the OA. In preparing for the OA, the Board requested the assistance of licensees to complete the OA telephone interviews and participate in workshops to implement the OA results.

The results of the OA include:

- Process used to develop OA survey;
- Demographic items and their results;
- The rating scales employed in the OA survey;
- List of tasks and knowledge statements with their respective ratings;
- Information (group demographics) regarding the initial and final respondent samples;
- Method used to link test plan to occupational analysis;
- Process used to determine relative weights of the test plan.

Following completion of the OA, the list of task and knowledge statements is the most pertinent aspect. The additional information is utilized for the required review and revision of the written examination and practical examination for hearing aid dispensing.

5. List the status of all national associations to which the Board belongs.

The Board is a member of the National Council of State Boards (NCSB) of Examiners in Speech-Language Pathology and Audiology, which is a national professional organization for state licensing Boards to network and discuss practice issues. Topics include licensing and examination changes, enforcement trends and consumer protection issues, expansion of scopes of practice, and general health care evolution.

- Does the Board's membership include voting privileges?

The Board is a voting member of the NCSB.

- List committees, workshops, working groups, task forces, etc., on which the Board participates.

N/A

- How many meetings did Board representative(s) attend? When and where?

Travel restrictions have limited the Board's ability to participate in the NCSB Annual Conferences.

- If the Board is using a national exam, how is the Board involved in its development, scoring, analysis, and administration?

The Board accepts two national examinations, the Praxis Examination for both speech-language pathology and audiology, both administered by the Educational Testing Service (ETS). While the Board is not directly involved with the development, scoring, and administration of the examination, the Board does conduct periodic audits through examination validation studies. These studies review the content and rigor of each examination to ensure that the scope of the examination and passing scores reflect the minimum standards of practice and entry-level requirements for licensure in California. The last audit conducted by the Board, with the facilitation of the Department's Office of Professional Examination Services (OPES), was completed in 2017 for the audiology examination, and 2016 for the speech-language pathology examination.

The American Speech-Language-Hearing Association commissions the Educational Testing Service (ETS) to conduct job analysis studies which are linked to the examination validation process. The Board reviews the ETS studies during its examination validation, and audit process, to determine whether the current professional expectations and job standards for speech-language pathology and audiology are congruent to those in California.

Section 2 – Performance Measures and Customer Satisfaction Surveys

6. Provide each quarterly and annual performance measure report for the Board as published on the DCA website

Please refer to Attachment E for Enforcement Performance Measures. Please refer to Attachment F for Licensing Performance Measures.

7. Provide results for each question in the Board’s customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.

While there was a limited number of responses received in our Customer Satisfaction Surveys (n=87), the Environmental Scan Survey of the Board’s effectiveness that included 900 responses from external stakeholders is a more comprehensive evaluation of customer satisfaction with the Board’s performance.

The external stakeholder breakdown for the Environmental Scan Survey was:

Environmental Scan Survey – External Stakeholder Breakdown		
Stakeholder Type	Number	% of Total
Speech-Language Pathologist Licensee	540	60 %
Speech-Language Pathology Assistant Licensee	156	17.33 %
Hearing Aid Dispenser Licensee	63	7.00 %
Audiology Licensee	62	6.89 %
Required Professional Experience Temporary license	47	5.22%
Other	15	1.67 %
Hearing Aid Trainee license	6	0.67%
Professional Association in the Speech-Language Pathology and Audiology and Hearing Aid Dispensers profession.	4	0.44%
Consumer/Member of the Public	3	0.33%
Speech-Language Pathology and Audiology Aide Licensee	2	0.22 %
School or College	2	0.22 %
TOTAL:	900	100%

The Environmental Scan Survey demonstrated that overall, stakeholders believed that the Board was either effective or very effective in carrying out its mission critical functions of enforcement, licensing, outreach and communication, laws and regulations, and program administration.

Environmental Scan Surveys – External Stakeholder Results				
Category	Very Effective	Effective	Poor	Very Poor
Licensing Effectiveness	14%	65%	17%	4%
Enforcement Effectiveness	13%	73%	10%	4%
Outreach and Communication Effectiveness	17%	52%	26%	5%
Laws and Regulations Effectiveness	14%	64%	17%	5%
Program Administration Effectiveness	15%	65%	15%	5%

With the limited number of responses received, the validity of the data received in our Customer Satisfaction Surveys is questionable and may not be useful in evaluating areas of improvement for the Board. The Board is reviewing ways to improve the participation rate in the Customer Satisfaction Surveys in the coming year.

The Customer Satisfaction Survey data is provided below.

Customer Satisfaction Surveys				
Category	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Enforcement				
How well did we explain the complaint process to you?				
Very Poor	0%	0%	*	*
Poor	25%	0%	*	*
Good	25%	0%	*	*
Very Good	50%	100%	*	*
How clearly was the outcome of your complaint explained to you?				
Very Poor	0%	0%	*	*
Poor	0%	0%	*	*
Good	25%	0%	*	*
Very Good	75%	100%	*	*
How well did we meet the timeframe provided to you?				
Very Poor	0%	0%	*	*
Poor	25%	0%	*	*
Good	0%	0%	*	*
Very Good	75%	100%	*	*
How courteous and helpful was staff?				
Very Poor	0%	0%	*	*
Poor	0%	0%	*	*
Good	25%	0%	*	*
Very Good	75%	100%	*	*
Overall, how well did we handle your complaint?				
Very Poor	0%	0%	*	*
Poor	33%	0%	*	*
Good	0%	0%	*	*
Very Good	67%	100%	*	*
If we were unable to assist you, were alternatives provided to you?				
Yes	100%	No Response	*	*
No	0%	No Response	*	*
Not Applicable	0%	No Response	*	*
Did you verify the provider's license prior to service?				
Yes	50%	100%	*	*
No	0%	0%	*	*
Not Applicable	50%	0%	*	*
Number of Responses	4	1	0	0

Customer Satisfaction Surveys				
Category	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
General Customer Satisfaction Survey				
Survey Response Source				
Current Licensee	44%	43%	41%	12%
Applicant for Licensure	49%	50%	53%	63%
Consumer	7%	7%	0%	25%
Examination Candidate	0%	0%	6%	0%
During the past 12 months, how many times have you had contact with the SLPAHAD Board?				
No Contact	9%	0%	12%	0%
1-3 Contacts	30%	14%	35%	25%
4-6 Contacts	37%	29%	18%	50%
7-10 Contacts	12%	7%	24%	0%
More Than 10 Contacts	12%	50%	12%	25%
Did you receive the service/assistance you needed as a result of your contact?				
Yes	55%	36%	19%	38%
No	45%	64%	81%	62%
Rate the Board's Accessibility				
Excellent	26%	14%	6%	13%
Good	19%	21%	13%	12%
Fair	19%	7%	6%	0%
Poor	36%	57%	75%	75%
Rate the Board's Timeliness				
Excellent	32%	8%	6%	13%
Good	24%	0%	13%	0%
Fair	10%	23%	19%	12%
Poor	34%	69%	63%	75%
Rate the Board's Courtesy/Helpfulness				
Excellent	40%	15%	6%	13%
Good	12%	8%	13%	12%
Fair	19%	31%	19%	25%
Poor	29%	46%	63%	50%
Rate the Board's Knowledge/Expertise				
Excellent	33%	8%	6%	13%
Good	31%	23%	25%	13%
Fair	17%	31%	13%	12%
Poor	19%	38%	56%	62%
Rate the Board's Successful Resolution of your issue				
Excellent	33%	15%	6%	13%
Good	17%	0%	6%	0%
Fair	14%	38%	25%	12%
Poor	36%	46%	63%	75%
Rate the Board - Overall Satisfaction				
Excellent	29%	8%	13%	13%
Good	17%	8%	0%	0%
Fair	21%	31%	13%	25%
Poor	33%	54%	75%	62%

Customer Satisfaction Surveys				
Category	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
How do you rate the Board's website - Website is easy to navigate				
Strongly Agree	19%	0%	13%	13%
Agree	59%	79%	69%	50%
Disagree	15%	21%	6%	0%
Strongly Disagree	7%	0%	13%	37%
How do you rate the Board's website - Information was easy to find				
Strongly Agree	22%	0%	6%	13%
Agree	39%	36%	44%	37%
Disagree	27%	57%	38%	13%
Strongly Disagree	12%	7%	13%	37%
How do you rate the Board's website - I regularly visit the Board's website				
Strongly Agree	32%	29%	19%	13%
Agree	39%	57%	19%	63%
Disagree	20%	0%	38%	12%
Strongly Disagree	10%	14%	25%	12%
Number of Responses	43	14	17	8
* No survey responses for the Fiscal Year				

Fiscal Issues

8. Is the Board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

The Board's fund is not continuously appropriated.

9. Describe the Board's current reserve level, spending, and if a statutory reserve level exists.

During the past four budget years, the Board's reserve level has ranged from 12.1 months to its current level of 5.8 months. At the end of FY 2021-22, the Board is projected to have a balance \$1.8 million or 5.8 months of reserve, in its fund.

There is no reserve level mandated by statute for the Board; however, the DCA Budget Office has historically recommended that smaller programs maintain a contingency fund slightly above the standard three to six months of reserve, which is typically recommended for agencies with moderate to larger budgets. Maintaining an adequate reserve of at least six months provides for a reasonable contingency fund so that the Board has the fiscal resources to absorb any unforeseen costs, such as costly enforcement actions or other unexpected client service costs.

Currently, the Board in coordination with DCA's Organizational Improvement Office and Office of Information Services is undertaking a Business Modernization Project to move to new data systems that will provide access for licensees and applicants to apply for licensure online and complete online transactions. In 2020, the Board received budgetary authority to proceed with the project and an analyst position to address the increased workload during the development and transition to the system. The Board has now completed Stages 1 (Business Analysis) and 2 (Alternative Analysis) of the California Department of Technology's Project Approval Lifecycle (PAL). The Board has begun Stage 3 (Solution Development) of the process and will continue to complete the last two required PAL Stages in 2021. During the Fiscal Years 2021-22 and 2022-23, the Board will be expending significant funds to transition to a new system. In future years, this level of expenditure will decrease significantly to ongoing maintenance costs.

10. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the Board.

Due to the growing licensee population in most licensing categories, the Board's expenditures have steadily increased during the past four budget years. While the Board maintained a healthy fund condition for the past four years, the Board did have a structural imbalance within its budget and implemented a regulatory fee increase to prevent the structural imbalance from having a detrimental impact on the Board's Fund. The Board was able to finalize the regulatory fee increase with the Office of Administrative Law for Audiologists, Speech-Language Pathologists, Speech-Language Pathology Assistants, and Speech-Language Pathology or Audiology Aides on June 29, 2021, with an implementation date of November 1, 2021 for the specified fee increases. The most recent projections do not project fund insolvency in the near future. The Board is working with DCA's Budget Office to closely monitor its revenue and expenditures.

Table 2. Fund Condition						
(Dollars in Thousands)	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22*	FY 2022/23*
Beginning Balance	1,997	2,219	2,357	1,853	1,516	1,312
Revenues and Transfers	2,202	2,179	1,936	2,471	2,498	2,498
Total Revenue	\$4,199	\$4,398	\$4,293	\$4,324	\$4,014	\$3,823
Budget Authority	2,005	2,326	2,369	2,422	3,523	3,523
Expenditures	1,980	2,041	2,440	2,514	2,702	3,429
Loans to General Fund	N/A	N/A	N/A	N/A	N/A	N/A
Accrued Interest, Loans to General Fund	N/A	N/A	N/A	N/A	N/A	N/A
Loans Repaid From General Fund	N/A	N/A	N/A	N/A	N/A	N/A
Fund Balance	\$2,219	\$2,357	\$1,853	\$1,810	\$1,312	\$381
Months in Reserve	13.0	11.6	8.8	5.8	4.6	1.3

* Projected
** Board expenditures only. Does not include disbursements to other state agencies.

11. Describe the history of general fund loans. When were the loans made? When have payments been made to the Board? Has interest been paid? What is the remaining balance?

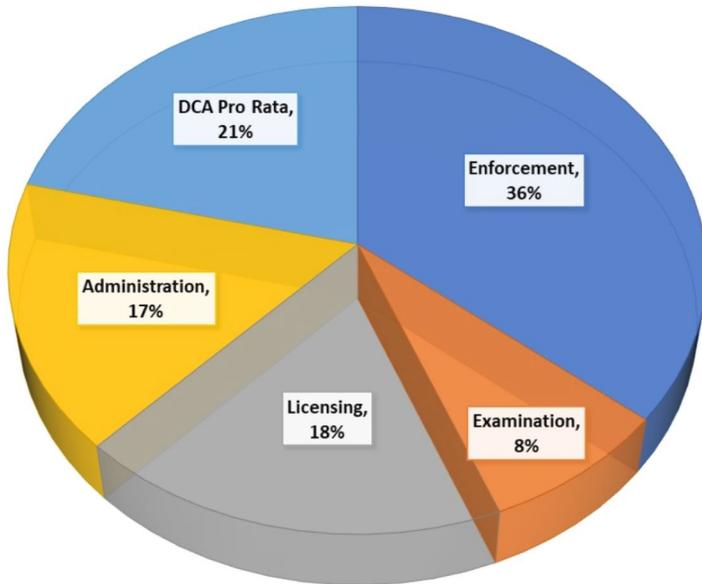
As reported in the Board's last Sunset Report, the Board loaned the general fund \$1.150 million in FY 2011-12, which was paid back in full in fiscal year 2015-16. The table below shows when repayments were received, and the amount of interest earned by the Board. The Board has not loaned any additional funds to the general fund outside of the above specified fiscal year.

General Fund Loans		
Fiscal Year	Loan Repayment	Interest Earned
2013-2014	\$300,000	\$3,064
2014-2015	\$400,000	\$5,625
2015-2016	\$450,000	\$8,084
Total:	\$1,500,000	\$16,773

12. Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to provide a breakdown of the expenditures by the Board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

The Board operates on an annual budget of \$2.45 million, with approximately 36 percent of its budget devoted to enforcement, 21 percent to DCA pro rata, 18 percent to licensing, 17 percent to administration, and 8 percent to examinations (see following chart).

FY 2020/21 EXPENDITURES BY PROGRAM COMPONENT



The Board’s enforcement budget includes expenditures for services from other agencies that contribute to the investigative and disciplinary processes, such as the Office of the Attorney General, the Office of Administrative Hearings, and the Department of Consumer Affairs’ Division of Investigation. In addition, the Department of Consumer Affairs is paid pro rata to provide support in areas that include human resources, accounting, information technology, and other administrative services.

Table 3. Expenditures by Program Component

(list dollars in thousands)

	FY 2017/18		FY 2018/19		FY 2019/20		FY 2020/21	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	\$310	\$298	\$294	\$198	\$391	\$265	\$381	\$497
Examination	\$122	\$100	\$116	\$42	\$155	\$32	\$150	\$49
Licensing	\$294	\$103	\$278	\$44	\$371	\$70	\$360	\$88
Administration *	\$186	\$31	\$309	\$33	\$381	\$53	\$344	\$61
DCA Pro Rata	\$0	\$453	\$0	\$673	\$0	\$661	\$0	\$520
Diversion (if applicable)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTALS	\$912	\$985	\$997	\$990	\$1,298	\$1,081	\$1,235	\$1,215

*Administration includes costs for executive staff, Board, administrative support, and fiscal services.

13. Describe the amount the Board has contributed to the BreEZe program. What are the anticipated BreEZe costs the Board has received from DCA?

The Board stopped paying into the DCA BreEZe pro rata in FY 2017-18 as it was determined that the Board would pursue a different business modernization process and platform. Until that point, The Board did contribute to DCA BreEZe pro rata costs as shown in the table below.

DCA BreEZe Pro Rata Costs									
(in dollars)									
Fiscal Year	2010/11 Actual	2011/12 Actual	2012/13 Actual	2013/14 Actual	2014/15 Actual	2015/16 Actual	2016/17 Actual	2017/18 Actual	2018/19 Actual
Board	8,508	33,233	25,820	57,740	29,959	29,271	68,266	50,606	-
Total Costs	1,489,579	5,349,979	6,753,287	12,940,851	16,657,910	27,468,154	23,496,351	20,293,095	16,567,752
Redirected Resources	1,489,579	3,198,486	4,818,002	5,806,881	7,405,427	7,430,456	2,080,000	2,080,000	-
Total BreEZe BCP	-	2,151,493	1,935,285	7,133,970	9,252,483	20,037,698	21,416,351	18,213,095	16,567,752

14. Describe license renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by the Board.

Speech-Language Pathologists, Speech-Language Pathology Assistants, Audiologists (non-dispensing), and Continuing Professional Development Providers' licenses all renew biennially, expiring on the last day of the licensees' birth month. All Hearing Aid Dispensers' and Dispensing Audiologists' licenses renew annually.

The fees established for the hearing aid dispensers are set in statute and are currently at the maximum level.

In 2015, DCA Budget Office recommended a fee increase to address a structural imbalance within the Board's budget. The Board subsequently approved a proposal to increase licensing fees for specified license types through a regulatory fee increase. The Board was able to finalize the regulatory fee increase with the Office of Administrative Law for Audiologists, Speech-Language Pathologists, Speech-Language Pathology Assistants, and Speech-Language Pathology or Audiology Aides on June 29, 2021, with an implementation date of November 1, 2021 for the specified fee increases. With this regulatory fee increase, most license types are at their statutory maximum level.

Table 4. Fee Schedule and Revenue								(list revenue dollars in thousands)
Fee	Current Fee Amount	Statutory Limit	FY 2017/18 Revenue	FY 2018/19 Revenue	FY 2019/20 Revenue	FY 2020/21 Revenue	% of Total Revenue	
Other Regulatory Fee								
License Certification Letter (7700)	\$10	\$25	9	7	8	9	0.41%	
Duplicate License (7700)	\$25	\$25	11	11	11	9	0.41%	
Citation & Fine (7700)	Various	\$5,000	8	10	12	8	0.36%	
License Certification Letter (6700)	\$15	\$15	1	1	1	2	0.09%	
Duplicate License (6700)	\$25	\$25	26	11	5	1	0.05%	
Citation & Fine (6700)	Various	\$2,500	10	0	15	8	0.36%	
Licenses & Permits								
CPD Provider App	\$200	\$200	4	5	2	3	0.14%	
SLP App	\$60	\$150	97	96	103	126	5.71%	
SLPA App	\$50	\$150	29	31	31	28	1.27%	
AU App	\$60	\$150	5	4	5	7	0.32%	
Aide Registration	\$10	\$30	1	1	1	1	0.05%	
HAD App	\$75	\$75	17	8	12	13	0.59%	
HAD Initial License	\$280	\$280	57	66	38	21	0.95%	
DAU License	\$280	\$280	2	0	1	3	0.14%	
Written Exam*	\$225	\$225	100	80	57	46	2.08%	
Practical Exam*	\$500	\$500	124	102	71	72	3.26%	
HAD Temporary License	\$100	\$100	1	0	1	1	0.05%	
Branch License	\$25	\$25	5	6	6	7	0.32%	
HAD Trainee License	\$100	\$100	17	17	12	10	0.45%	

Table 4. Fee Schedule and Revenue								(list revenue dollars in thousands)
Fee	Current Fee Amount	Statutory Limit	FY 2017/18 Revenue	FY 2018/19 Revenue	FY 2019/20 Revenue	FY 2020/21 Revenue	% of Total Revenue	
CE Provider	\$50	\$50	25	15	28	27	1.22%	
Over/Short Fees	Not Applicable	Not Applicable	1	1	1	2	0.09%	
Refunds	Not Applicable	Not Applicable	2	2	1	4	0.18%	
Renewal Fees								
Biennial SLP	\$110	\$150	833	856	899	955	43.25%	
Biennial AU	\$110	\$150	26	23	27	26	1.18%	
Biennial CPD	\$200	\$200	15	13	14	12	0.54%	
Biennial SLPA	\$75	\$150	103	112	118	134	6.07%	
HAD Trainee*	\$100	\$100	16	18	16	13	0.59%	
Annual HAD	\$280	\$280	285	287	299	304	13.77%	
Annual Branch	\$25	\$25	14	17	16	16	0.72%	
Annual DAU	\$280	\$280	299	332	328	298	13.50%	
Delinquent Fees								
SLP Delinquent Renewal	\$25	\$25	14	15	18	18	0.82%	
AU Delinquent Renewal	\$25	\$25	0	0	1	1	0.05%	
SLPA Delinquent Renewal	\$25	\$25	3	3	3	5	0.23%	
HAD Delinquent Renewal	\$25	\$25	3	3	3	3	0.14%	
DAU Delinquent Renewal	\$25	\$25	1	1	1	1	0.05%	
Branch Delinquent Renewal	\$25	\$25	1	1	1	2	0.09%	
Income from Surplus Money Investments	Not Applicable	Not Applicable	31	59	48	9	0.41%	
Revenue Cancelled Warrants	Not Applicable	Not Applicable	1	4	2	3	0.14%	
Dishonored Check Fee	\$25	Cost to DCA	1	1	1	0	0.00%	
*HAD Examination Fees are established by resolution of the Board. The fees listed in this table have been in effect since February 1, 2011.								
Legend								
AU = Audiologist		HAD = Hearing Aid Dispenser		7700 = AU/CPD/DAU/SLP/SLPA				
CPD = Continuing Professional Development		SLP = Speech-Language Pathologist		6700 = HAD/ HAD Trainee/				
DAU = Dispensing Audiologist		SLPA = Speech-Language Pathology Assistant		HAD Temporary				

15. Describe Budget Change Proposals (BCPs) submitted by the Board in the past four fiscal years.

The Board submitted two (2) BCPs from 2016-17 to 2020-21, both of which were approved. The 2016-17 BCP was for additional staff to address increased licensing workload and reduce licensing application cycle times. The 2018-19 BCP was for additional staff to address regulation and administration workload that was not able to be met with the staffing at the time.

Table 5. Budget Change Proposals (BCPs)

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved
1110-027-BCP-BR-2016-GB	16/17	Additional licensing staff due to increased workload	1.0 Staff Services Analyst	1.0 Staff Services Analyst	\$82,000	\$82,000	\$8,000	\$8,000
1111-008-BCP-2018-GB	18/19	Additional administrative staff needed to support licensing and regulation workload	1.0 Associate Governmental Program Analyst 2.0 Office Technicians	1.0 Associate Governmental Program Analyst 1.0 Office Technicians	\$249,000	\$183,000	\$24,000	\$16,000

Staffing Issues

16. Describe any Board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

The Board is significantly understaffed, as the office is funded for only 12.6 positions yet is responsible for the oversight of over 35,000 licensees. This responsibility includes all aspects of licensing, examinations, enforcement, development of regulations, continuing education provider approval and licensee continuing education audits. With such a small number of staff, the loss of even one member can have a deleterious impact on the Board’s ability to handle current workload demands. Currently, the Board is only able to handle its current workload demands by utilizing significant overtime.

17. Describe the Board’s staff development efforts and how much is spent annually on staff development (cf., Section 12, Attachment D).

All staff is encouraged to take courses related to their job, broaden their knowledge base, and better prepare for advancement opportunities. Cross-training is encouraged for further development and allows our small Board to function at a higher level. In addition to the training available, staff is given the opportunity to work on special assignments and projects.

During the past four years, the Board has spent approximately \$1,700 annually on staff training. Almost all training courses attended by staff are provided by DCA’s SOLID training office and are included in pro rata costs, but some external trainings are taken by staff, such as the regulations training provided by the Office of Administrative Law. Some examples of classes staff have taken include: Enforcement Academy, Regulations Training, Managing Time and Workload, Best Practices for Working from Home, Creating Accessible Documents using Microsoft Word.

**Section 4 –
Licensing Program**

18. What are the Board’s performance targets/expectations for its licensing¹ program? Is the Board meeting those expectations? If not, what is the Board doing to improve performance?

In 2016/17, the Department of Consumer Affairs starting annually publishing Board application processing targets and timeframes in their Open Data Portal. The Board’s data is provided below.

Licensing Processing Timeframes (complete applications)					
License Type	Target Processing Timeframe	2017/18	2018/19	2019/20	2020/21
Aide	30	14	22	28	29
Audiologist	30	18	24	19	35*
Audiologist Temporary	30	N/A	N/A	3	9
Hearing Aid Dispensers (License Application)	21	2	7	3	9
Hearing Aid Dispenser Temporary	21	11	18	27	46
Hearing Aid Dispenser Trainee	21	12	17	28	28
Required Professional Experience Temporary	30	18	31	18	19
Speech-Language Pathologist	30	17	12	23	27*
Speech-Language Pathology Assistant	30	20	20	23	49*
* These are combined incomplete and complete application processing timeframes.					
Source: Department of Consumer Affairs Open Data Portal					

With the exception of Required Professional Experience licenses in 2018-19, and the Hearing Aid Dispenser Temporary and Trainee licenses in 2019-20 and 2020-21 the Board has met its performance targets over the past five years.

The Board is working with program directors to raise awareness of the importance of submitting completed applications. As part of the Board’s Business Modernization Project the Board is also working with DCA’s Organizational Improvement Office to streamline our applications and the processing of these applications. The Board will also submit additional Budget Change Proposals as its Fund Condition permits to increase staff’s ability to complete the application workload within the expected timeframes.

19. Describe any increase or decrease in the Board’s average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the Board to address them? What are the performance barriers and what improvement plans are in place? What has the Board done and

¹ The term “license” in this document includes a license certificate or registration.

what is the Board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

Overall, the Board is seeing increases in the application processing timeframes due to a couple of factors. There has been an increased application workload since the Board's last Sunset Review (from 3,157 applications received in 2015-16 to an average of 3,694 applications received annually over the last four fiscal years). This impacts the Board's ability to manage the seasonal peaks in application submission. Another issue that affects processing timeframes, is the large amount of incomplete applications submitted to the Board where applicants are trying get their applications in as early as possible to try and beat the seasonal peak in applications received and thus application timeframes in the Summer and Fall.

These three factors work to compound and increase the overall workload. Overall, there has been an average of 43 percent of incomplete applications from 2017-18 to 2020-21. The high level of incomplete applications creates additional workload for staff, including additional communications with applicants regarding the deficiencies in their application, additional documentation processing once documents are received, and additional review before final processing of each application. This incomplete workload takes staff longer to process applications even though the total number of applications may not have increased dramatically in 2020-21 due to COVID-19 delaying applicants' ability to complete their educational or fieldwork/professional experience requirements.

Applications Received From Annual Application Performance Measures				
License Type	2017/18	2018/19	2019/20	2020/21
Aide	33	32	45	28
Complete	20	17	21	14
Incomplete	13	15	24	14
Audiologist	92	83	93	90
Complete	75	69	17	65
Incomplete	17	14	76	25
Audiologist Temporary	0	0	3	1
Complete	0	0	1	1
Incomplete	0	0	2	0
Hearing Aid Dispensers (Examination Application)	278	231	185	152
Complete	278	231	185	152
Incomplete	0	0	0	0
Hearing Aid Dispensers (License Application)	151	137	115	72
Complete	151	137	115	72
Incomplete	0	0	0	0
Hearing Aid Dispenser Temporary	12	14	11	11
Complete	4	9	8	11
Incomplete	8	5	3	0
Hearing Aid Dispenser Trainee	156	148	114	93
Complete	123	126	99	89
Incomplete	33	22	15	4
Required Professional Experience Temporary	1,098	967	1,062	1,041
Complete	430	503	511	399
Incomplete	668	464	551	642

Applications Received From Annual Application Performance Measures				
License Type	2017/18	2018/19	2019/20	2020/21
Speech-Language Pathologist	1,482	1,429	1,445	1,601
<i>Complete</i>	984	1,067	376	1,089
<i>Incomplete</i>	498	362	1,069	512
Speech-Language Pathology Assistant	563	597	612	498
<i>Complete</i>	165	239	301	204
<i>Incomplete</i>	398	358	311	294
Total Applications Received	3,865	3,638	3,685	3,587
Complete	2,230	2,398	1,634	2,096
Complete Percentage of Total	58%	66%	44%	58%
Incomplete	1,635	1,240	2,051	1,491
Incomplete Percentage of Total	42%	34%	56%	42%
NOTE: This data is based on when the application was approved, not based on when the application was received.				
Source: <u>Department of Consumer Affairs Open Data Portal</u>				

As stated in the answer to question 18, the Board is working with program directors to raise awareness of the importance of submitting completed applications. As part of the Board's Business Modernization Project the Board is also working with DCA's Organizational Improvement Office to streamline our applications and the processing of these applications. The Board will also submit additional Budget Change Proposals as its Fund Condition permits to increase staff's ability to complete the application workload within the expected timeframes.

20. How many licenses or registrations has the Board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the Board determined were substantially related.

License or Registration Denials Based on Criminal History:

- FY 2017/18: 3
- FY 2018/19: 5
- FY 2019/20: 3
- FY 2020/21: 2

Criminal Acts For Each Denial:

- FY 2017/18:
 - Applicant 1 denied based on conviction(s) of: Dishonest and/or fraudulent Acts.
 - Applicant 2 denied based on conviction(s) of: DUI convictions (2); pending probation violation.
 - Applicant 3 denied based on conviction(s) of: DUI convictions (2); Healthcare Fraud; Grand Theft.
- FY 2018/19:
 - Applicant 1 denied based on conviction(s) of: 2 felonies: Possession of Control Substance and Transport/Sell Narcotics/Control Substances.
 - Applicant 2 denied based on conviction(s) of: DUI convictions (2).
 - Applicant 3 denied based on conviction(s) of: Disorderly Conduct: Intoxication Drugs/Alcohol; DUI reduced to reckless driving; DUI.

- Applicant 4 denied based on conviction(s) of: DUI reduced to reckless driving; Disorderly Conduct: Public Intoxication Drugs/Alcohol; DUI with hit and run and property damage.
- Applicant 5 denied based on conviction(s) of: DUI; DUI reduced to reckless driving.
- FY 2019/20:
 - Applicant 1 denied based on conviction(s) of: Aggravated Assault Class 1 (AZ).
 - Applicant 2 denied based on conviction(s) of: DUI convictions (2).
 - Applicant 3 denied based on conviction(s) of: DUI; Disturbing the Peace.
- FY 2020/21:
 - Applicant 1 denied based on conviction(s) of: Felony convictions (2): Marijuana Violation/Conspiracy and Marijuana possession for sale.
 - Applicant 2 denied based on conviction(s) of: DUI convictions (2).

Table 6. Licensee Population					
License Type	License Status	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Aide	Active	142	130	120	94
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	N/A	N/A	N/A	N/A
	Delinquent*****	74	115	155	195
	Other	120	131	144	158
Audiologist	Active *	1,667	1,710	1,740	1,747
	Out of State *	171	188	200	206****
	Out of Country *	5	5	5	6****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive *	127	131	129	129
	Delinquent *	284	294	315	316
	Other *	907	948	986	1,067
Audiologist Temporary	Active	0	1	2	0
	Out of State	0	1	2	****
	Out of Country	0	0	0	****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	N/A	N/A	N/A	N/A
	Delinquent	0	3	5	8
	Other**	2	2	2	2
Continuing Professional Development Provider	Active	175	177	163	157
	Out of State	28	29	24	24****
	Out of Country	1	1	1	1****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	0	0	0	0
	Delinquent	2	1	2	3
	Other	194	208	225	244

Table 6. Licensee Population

License Type	License Status	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Hearing Aid Dispenser	Active	1,107	1,166	1,174	1,154
	Out of State	56	56	57	53****
	Out of Country	0	0	0	0****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	37	35	0	32
	Delinquent	155	173	500	213
	Other	1,715	1,795	1,945	1,909
Hearing Aid Dispenser Trainee	Active	154	152	134	151
	Out of State	6	1	2	3****
	Out of Country	0	0	0	0****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	1	1	1	1
	Delinquent	49	57	92	94
	Other**	941	1,076	1,169	1,245
Hearing Aid Dispenser Temporary License	Active	18	15	20	29
	Out of State	5	7	8	21****
	Out of Country	0	0	0	0****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	N/A	N/A	N/A	N/A
	Delinquent	10	16	19	18
	Other**	99	113	117	120
Hearing Aid Dispenser Branch License	Active	813	907	896	828
	Out of State	N/A	N/A	N/A	N/A
	Out of Country	N/A	N/A	N/A	N/A
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	N/A	N/A	N/A	N/A
	Delinquent	503	448	500	610
	Other	1,352	1,674	1,944	2,150
Required Professional Experience	Active	886	915	1,058	1,147
	Out of State	122	116	129	147****
	Out of Country	0	0	5	2****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	N/A	N/A	N/A	N/A
	Delinquent	507	472	492	519
	Other**	1,894	2,876	3,773	4,688
Speech-Language Pathologist	Active	16,449	17,310	18,160	19,167
	Out of State	2,326	2,487	2,748	3,410****
	Out of Country	38	34	38	44****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	991	1,043	1,038	1,001
	Delinquent	2,528	2,879	3,090	3,064
	Other	6,774	7,073	7,440	8,063

Table 6. Licensee Population

License Type	License Status	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Speech-Language Pathologist Assistant	Active	3,344	3,651	3,966	4,146
	Out of State	87	71	78	111****
	Out of Country	0	0	0	0****
	Retired <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	253	267	296	309
	Delinquent	763	882	953	1,069
	Other***	811	984	1,213	1,419

Note: Other = Cancelled

* The Board's database cannot extract these data items for Dispensing Audiologists only, therefore Audiologist data represents both Audiologists and Dispensing Audiologists for these data items

** Temporary or Trainee license types are cancelled upon issuance of a permanent license

*** Speech-Language Pathology Assistant licenses are cancelled upon issuance of a Speech-Language Pathologist license but cancelled licenses also includes those that have stopped renewing and no retired status exists

**** Data as of October 2021

***** The Board's database requires all licenses to have an expiration date, therefore Aides whose supervisors fail to respond to the Board's request for an update on the Aides status every two years become delinquent in the system.

Table 7a. Licensing Data by Type

	Application Type	Received	Approved/ Issued	Closed	Pending Applications			Cycle Times			
					Total (Close of FY)	Complete (Within Board control*)	Incomplete (Outside Board control*)	Complete Apps	Incomplete Apps	combined, IF unable to separate out	
FY 2017/18	(Exam)										
	HAD Written	504	504	393***	**	**	**	9	N/A		
	HAD Practical	365	365	365***	**	**	**	**	**	**	
	(License)										
	Aide	45	41	1	3	**	**	14	36		
	AU	106	77	1	11	**	**	18	12		
	AUT	6	5	0	1	**	**	**	**	**	
	DAU	24	24	**	**	**	**	**	**	**	
	CPD	23	21	1	0	**	**	**	**	**	
	HAD	238	174	4	60	**	**	2	N/A		
	HTL	16	14	2	0	**	**	11	41		
	HT	174	164	4	6	**	**	12	60		
	HAD Branch	315	341	**	**	**	**	**	**	**	
	RPE	1,050	1,013	3	38	**	**	18	50		
	SLP	1,479	1,436	19	66	**	**	17	48		
	SLPA	599	546	2	24	**	**	20	46		
	(Renewal)										
	AU	269	233	**	**	**	**	**	**	**	
	DAU	1,089	899	**	**	**	**	**	**	**	
	CPD	72	67	**	**	**	**	**	**	**	
HAD	1,044	1,008	**	**	**	**	**	**	**		
HT	164	157	**	**	**	**	**	**	**		
HAD Branch	579	545	**	**	**	**	**	**	**		
SLP	7,548	7,314	**	**	**	**	**	**	**		
SLPA	1,375	1,323	**	**	**	**	**	**	**		
FY 2018/19	(Exam)										
	HAD Written	379	379	184***	**	**	**	5	N/A		
	HAD Practical	204	204	204***	**	**	**	**	**	**	

Table 7a. Licensing Data by Type

	Application Type	Received	Approved/ Issued	Closed	Pending Applications			Cycle Times		
					Total (Close of FY)	Complete (Within Board control*)	Incomplete (Outside Board control*)	Complete Apps	Incomplete Apps	combined, IF unable to separate out
FY 2018/19	(License)									
	Aide	40	28	2	11	**	**	22	66	
	AU	98	100	0	14	**	**	24	73	
	AUT	3	3	0	0	**	**	**	**	**
	DAU	52	52	**	**	**	**	**	**	**
	CPD	16	14	0	2	**	**	**	**	**
	HAD	137	126	2	55	**	**	7	N/A	
	HTL	14	19	0	1	**	**	18	43	
	HT	148	148	2	5	**	**	17	84	
	HAD Branch	254	360	**	**	**	**	**	**	**
	RPE	991	946	8	51	**	**	31	72	
	SLP	1,454	1462	18	93	**	**	12	54	
	SLPA	599	575	2	41	**	**	20	52	
	(Renewal)									
	AU	215	170	**	**	**	**	**	**	**
	DAU	1,092	714	**	**	**	**	**	**	**
	CPD	68	72	**	**	**	**	**	**	**
	HAD	1,048	1,023	**	**	**	**	**	**	**
	HT	183	179	**	**	**	**	**	**	**
	HAD Branch	570	584	**	**	**	**	**	**	**
	SLP	7,765	7,843	**	**	**	**	**	**	**
	SLPA	1,516	1,525	**	**	**	**	**	**	**
FY 2019/20	(Exam)									
	HAD Written	267	267	215***	**	**	**	5	N/A	
	HAD Practical	157	157	157***	**	**	**	**	**	**
	(License)									
	Aide	50	44	1	6	**	**	28	68	
	AU	86	88	0	19	**	**	19	346	
	AUT	5	3	0	2	**	**	3	39	
	DAU	35	31	**	4	**	**	**	**	**
	CPD	3	2	1	0	**	**	**	**	**
	HAD	182	116	2	47	**	**	3	N/A	
	HTL	13	10	2	0	**	**	27	89	
	HT	119	114	0	1	**	**	28	72	
	HAD Branch	247	312	**	**	**	**	**	**	**
	RPE	1,006	934	1	66	**	**	18	81	
	SLP	1,434	1,438	14	187	**	**	23	351	
	SLPA	597	602	2	26	**	**	23	64	
	(Renewal)									
	AU	279	241	**	**	**	**	**	**	**
	DAU	1,155	1,005	**	**	**	**	**	**	**
	CPD	74	73	**	**	**	**	**	**	**
	HAD	1,081	1,087	**	**	**	**	**	**	**
	HT	160	160	**	**	**	**	**	**	**
HAD Branch	663	639	**	**	**	**	**	**	**	
SLP	8,445	8,317	**	**	**	**	**	**	**	
SLPA	1,613	1,585	**	**	**	**	**	**	**	

Table 7a. Licensing Data by Type

	Application Type	Received	Approved/ Issued	Closed	Pending Applications			Cycle Times			
					Total (Close of FY)	Complete (Within Board control*)	Incomplete (Outside Board control*)	Complete Apps	Incomplete Apps	combined, IF unable to separate out	
FY 2020/21	(Exam)										
	HAD Written	227	227	170***	**	**	**	10	N/A		
	HAD Practical	142	142	142***	**	**	**	**	**	**	
	(License)										
	Aide	36	34	0	2	**	**	29	77		
	AU	121	91	0	70	**	**	**	**	35	
	AUT	1	1	0	0	**	**	9	N/A		
	DAU	31	24	0	7	**	**	**	**	**	
	CPD	15	14	0	1	**	**	**	**	**	
	HAD	151	128	4	19	**	**	9	N/A		
	HTL	12	11	0	1	**	**	46	N/A		
	HT	95	93	3	0	**	**	28	123		
	HAD Branch	251	249	**	**	**	**	**	**	**	
	RPE	1,055	1,039	9	36	**	**	19	32		
	SLP	1,977	1,621	6	25	**	**	**	**	27	
	SLPA	553	535	6	18	**	**	**	**	49	
	(Renewal)										
	AU	232	238	**	**	**	**	**	**	**	
	DAU	1,083	1,083	**	**	**	**	**	**	**	
	CPD	59	60	**	**	**	**	**	**	**	
	HAD	1,095	1,080	**	**	**	**	**	**	**	
	HT	151	144	**	**	**	**	**	**	**	
	HAD Branch	636	622	**	**	**	**	**	**	**	
	SLP	8,668	8,659	**	**	**	**	**	**	**	
	SLPA	1,790	1,774	**	**	**	**	**	**	**	

* Optional. List if tracked by the Board.

** Data unavailable

*** Number of applicants who took the identified examination

NOTE: Approved/Issued and Closed can include applications from the prior fiscal year

Legend

AU = Audiologist

AUT = Audiologist Temporary

CPD = Continuing Professional Development

DAU = Dispensing Audiologist

HAD = Hearing Aid Dispenser

HT = Hearing Aid Dispenser Trainee

HTL = Hearing Aid Dispenser Temporary

SLP = Speech-Language Pathologist

SLPA = Speech-Language Pathology Assistant

Table 7b. License Denial

	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
License Applications Denied (no hearing requested)	5	1	5	2
SOIs Filed	2	5	1	2
Average Days to File SOI (from request for hearing to SOI filed)	*	*	*	*
SOIs Declined	0	0	0	0
SOIs Withdrawn	0	4	1	0
SOIs Dismissed (license granted)	0	0	0	0
License Issued with Probation/ Probationary License Issued	4	4	5	1
Average Days to Complete (from SOI filing to outcome)	0	492	225	0

* This data is not available

21. How does the Board verify information provided by the applicant?

The Board requires primary source documentation for all educational transcripts, clinical experience records, license verifications from other states, national examination scores, and professional certifications. In addition, applicants for licensure as a speech-language pathologist or audiologist must complete an externship or required professional experience (RPE). This experience is completed under a temporary license which enables the individual to work under limited supervision. The externship is recorded on the Board's RPE Verification form which is completed by an approved licensed supervisor. The RPE supervisor is responsible for certifying the completion of the requisite hours of experience, as well as determining whether the RPE temporary licensee is competent to practice independently.

- a. What process does the Board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the Board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?

Applicants are required to declare, under penalty of perjury, whether they have ever been denied a professional license or had license privileges suspended, revoked or disciplined or if they have ever voluntarily surrendered a professional license in California or any other state. If an applicant reports such an act, the Board requires the applicant to provide a written explanation, documentation relating to the conviction or disciplinary action, and rehabilitative efforts or changes made to prevent future occurrences.

The Board has not denied any licenses over the past four years based on the applicant's failure to disclose criminal history information on the application.

- b. Does the Board fingerprint all applicants?

Prior to licensure, all applicants are required to submit fingerprints to the Department of Justice and to the Federal Bureau of Investigation.

- c. Have all current licensees been fingerprinted? If not, explain.

All current licensees have been fingerprinted.

- d. Is there a national databank relating to disciplinary actions? Does the Board check the national databank prior to issuing a license? Renewing a license?

The National Practitioner Data Bank (NPDB) is the national databank for reporting discipline on healthcare professionals. Information contained in the databank is provided by state regulatory agencies and other entities that are required to report disciplinary information. The Board reports disciplinary actions taken against its licensees to NPDB. However, not all entities consistently comply with the reporting requirement. Therefore, the information may be either non-existent or out of date. The Board or the applicant is required to pay a fee for each query prior to receiving a response. Currently, the Board does not query the NPDB prior to issuing or renewing a license because of the fiscal impact.

The Board verifies an out-of-state applicant's licensure status through other state regulatory Boards. This verification process also provides any disciplinary history, if it exists. For verification of in-state licensure status the Board can check for prior disciplinary actions through the Commission on Teacher Credentialing (CTC), and the Consumer Affairs System (CAS). At each renewal, all licensees and registrants are required to report to the Board any conviction or disciplinary action taken against their license or registration during the last renewal cycle. The Board also receives subsequent conviction information on its licensees from DOJ via email notification. Once notified of the conviction or disciplinary action, the Board requests all relevant documentation to determine if any action by the Board is necessary.

e. Does the Board require primary source documentation?

The Board requires primary source documentation for all educational transcripts, clinical experience records, license verifications from other states, national examination scores, and professional certifications. These documents must be submitted to the Board by the originating source.

22. Describe the Board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

Hearing Aid Dispensers

Pursuant to Business & Professions Code Section 2538.27, applicants applying for a license in California and who possess a valid license in another state (or states) for two or more years may apply for a temporary license. To attain full licensure as a hearing aid dispenser in California, temporary license applicants are required to pass the written and practical examinations. The temporary license is valid for up to 12 months and allows applicants to immediately begin practice in California while preparing for the written and practical examinations.

Currently, there are no legal provisions for granting a license or temporary license to an individual who has practiced as a hearing aid dispenser in another country.

Speech-Language Pathologist/Audiologist

Business & Professions (B&P) Code Section 2532.3 allows an individual who holds an unrestricted license in another state or territory of the United States to obtain a temporary license for a period of six months. The temporary license authorizes the out-of-state applicant to begin work almost immediately while all other required documents and supporting information are being transmitted to the Board for review. Once all licensing information has been submitted, reviewed, and approved, the individual is eligible for a permanent license. The statute authorizes the Board to renew the temporary license one time if an extenuating circumstance exists, surrounding the individual's ability to complete the license application.

Another form of reciprocity for out-of-state applicants is equivalence through national certification. BPC Section 2532.8 was written to expedite licensure and provide reciprocity to applicants who hold a national Certificate of Clinical Competence (CCC) in speech-language pathology or audiology, issued by the American Speech-Language-Hearing Association (ASHA). This law deems that a person has met the educational and experience requirements identified in BPC Section 2532.2 if the individual holds the national certificate.

In January 2010, BPC Section 2532.25 was added which changed audiology licensure qualifications requiring that an audiology applicant possess a clinical doctoral degree (AuD) in audiology. BPC Section 2532.8 does not reference Section 2532.25 and therefore does not apply

to audiology applicants who graduate after 2008. Therefore, BPC Section 2532.8 should be amended to deem applicants who hold the CCC in audiology to have met the educational and experience set forth in Section 2532.25.

The American Academy of Audiology, which has over 14,000 members, issues the American Board of Audiology (ABA) certification which has requirements that are similar to the CCC in audiology requirements. Including ABA certification in Section 2532.8 would provide greater reciprocity for audiologists who have obtained ABA certification.

Out-of-Country Applicants

BPC Section 2532.2 and California Code of Regulations Code Section 1399.152.1 includes an equivalency pathway for foreign-trained applicants. The regulations require that in lieu of a master's degree from an accredited university, an applicant may submit evidence of completion of at least 30 semester units acceptable toward a master's degree while registered in a degree program in speech-language pathology or audiology. The foreign-trained applicant must have their educational transcripts evaluated by an approved transcript evaluation service. The service provides the Board with a report of the courses taken and the academic units and clinical hours earned. The report also provides a conversion of the foreign grading scale and credit system into the U.S. grading scale, and an equivalency of the degree conferred at the international institution to that which would be earned in the U.S.

Once the Board receives an application and the transcript evaluation report, the transcripts and the evaluation report are sent to a Board-appointed expert reviewer to determine that equivalent educational and experience qualifications are met. The applicant must also take and pass the required national examination and complete the required professional experience in order to be eligible for a permanent license.

23. Describe the Board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

The Board is unaware of any military education, training, and experience that would satisfy the requirements for licensure as a speech-language pathologists or audiologists. Hearing Aid Dispensers do not have minimum educational requirements for licensure.

- a. Does the Board identify or track applicants who are veterans? If not, when does the Board expect to be compliant with BPC § 114.5?

The Board identifies and tracks applicants for licensure who are honorably discharged veterans.

- b. How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the Board?

To date the Board has not received an application in which military education, training or experience was submitted toward the licensing requirements.

- c. What regulatory changes has the Board made to bring it into conformance with BPC § 35?

There does not appear to be a need for the Board to propose any regulatory changes. If an applicant had military education and experience, the Board would conduct an expedited review

to determine whether or not it was substantially equivalent to current licensing requirements. This would be done on a case by case basis, depending on the specific characteristics of the individual's education, training, and experience.

- d. How many licensees has the Board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on Board revenues?

Since 2017-18, the Board has waived the renewal requirements and fees for one (1) licensee called to active duty as a member of the United States Armed Forces or California National Guard. Since 2017-18, the impact to the Board's revenue was minimal.

- e. How many applications has the Board expedited pursuant to BPC § 115.5?

Limitations within the Board's data system do not allow the Board to separately track BPC Section 115.5 eligible applicants (military spouses) versus active duty military or honorably discharged veterans without creating a separate tracking mechanism. Therefore, the Board does not have military spouse specific data for the 2017-18, 2018-19, 2019-20 fiscal years; however in each of those fiscal years the Board received and expedited a combined total of 33, 19, and 20 applications from active duty military, honorably discharged veteran, or military spouses. In fiscal year 2020-21, the Board began tracking each category separately and received 10 military spouse applications, two (2) of which didn't qualify for expediting due to the lack of holding a license in another state. Applicants have encountered delays due to fingerprinting issues or when the applicant had discipline against their license in the other state, both of these issues are outside of the Board's control. The Board will continue to track and expedite military spouse applications.

24. Does the Board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

The Board submits No Longer Interested (NLI) notifications to the DOJ when a license status is canceled, deceased, revoked or surrendered, and when an application is deemed abandoned. The NLI process was suspended in 2016, as DOJ moved to an automated process for NLI notification submission. Since that time, DCA Office of Information Services (OIS) worked to onboard all DCA Boards and Bureaus into the new automated system, starting with BreEZe and then moving to CAS. The automated process for CAS Boards was started towards the end of the calendar year in 2020 and has been fully implemented as of January 2021. Since the launch of the CAS NLI automated implementation, staff has worked with DCA OIS to ensure data is verified and submitted to DOJ.

Examinations

25. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?

Hearing Aid Dispensers

Written and practical examinations are developed, maintained and evaluated with facilitation by Office of Professional Examination Services (OPES) and in collaboration with licensed and practicing, hearing aid dispensers and dispensing audiologists.

The hearing aid dispenser's written examination is administered by the exam contractor PSI and assesses an applicant's knowledge and abilities as follows:

- Evaluating and interpreting audiometric test results
- Assessing client history and hearing ability (through audiometric testing)
- Selecting and evaluation of hearing aids
- Fitting a hearing aid and providing the instructions on care and use
- Troubleshooting and evaluating hearing aids.

The Board provides an English-only version of the written examination for administration under our computer-based testing contract.

The practical examination is required by law to be administered a minimum of two times per year. Typically, the Board administers the examination four times per year to accommodate applicants interested in entering the field. The practical examination requires actual demonstration of the knowledge and techniques for using instruments and equipment necessary for the fitting and selling of hearing aids.

OPES facilitates ongoing examination development workshops where subject matter experts (licensed hearing aid dispensers and dispensing audiologists) review and update both the written and practical examinations. Approximately every five years, an occupational analysis is conducted by OPES, on behalf of the Board. The most recent study was completed in 2020.

Speech-Language Pathologists/Audiologists

The Board does not administer a state licensing examination for speech-language pathologists or audiologists. Rather a national examination, the Praxis Series Test in Speech-Language Pathology, and the Praxis Series Test in Audiology, are administered by the Educational Testing Service (ETS), are reviewed and validated by the DCA's OPES (see validation information under question #5 regarding the use of a national examination).

OPES has worked with both ETS and American Speech-Language-Hearing Association (ASHA) regarding ongoing examination development and modification. ASHA representatives have stated that they are continually working with ETS to update the national examinations' content to reflect the evolving practices of speech-language pathology and audiology.

ETS only provides an English version of the Praxis exam. However, ETS does offer examinees needing Primary Language Not English (PLNE) accommodations. If English is not the examinee's primary language, they may be eligible for extended testing times.

PLNE accommodations are available on all test dates and at all established test centers. Examinees' who meet ETS requirements will be allowed 50 percent additional testing time.

Examinees are required to register for PLNE accommodations by completing the following:

- Complete the Certification of Documentation Form. An embossed school seal must be affixed over the signature on the certification of documentation form or the signature must be notarized. ETS has the right to request further verification, if needed, of the professional's credentials and expertise relevant to the certification of documentation form;
- Complete the Eligibility Form for Examinees Whose Primary Language Is Not English;
- Complete the Test Authorization Voucher Request Form;
- Mail the completed Test Authorization Voucher Request Form, the Certification of Documentation Form and the Eligibility Form with payment to the appropriate address.

Once the accommodation request is approved, ETS contacts the examinee with a voucher number that is used to register for a test appointment.

26. What are pass rates for first time vs. retakes in the past 4 fiscal years? (Refer to Table 8: Examination Data) Are pass rates collected for examinations offered in a language other than English?

Examinations are not offered in a language other than English. The pass rates for the examinations required for licensure are provided in Table 8 and for the Board's Hearing Aid Dispensers Written and Practical examinations are based on overall passage rates as first time pass rates were not available through our data system.

Table 8. Examination Data			
California Examination (include multiple language) if any:			
License Type		HA/DAU	HA/DAU
Exam Title		Hearing Aid Dispensers Written	Hearing Aid Dispensers Practical
FY 2017/18	Number of Candidates	393	365
	# of 1 st Time Candidates	*	*
	Pass %	52%**	57%**
FY 2018/19	Number of Candidates	184	204
	# of 1 st Time Candidates	*	*
	Pass %	70%**	82%**
FY 2019/20	Number of Candidates	215	157
	# of 1 st time Candidates	*	*
	Pass %	71%**	78%**
FY 2020/21	Number of Candidates	170	142
	# of 1 st time Candidates	*	*
	Pass %	70%**	60%**
Date of Last OA		2020	2020
Name of OA Developer		OPES/Board	OPES/Board
Target OA Date		Unknown	Unknown
National Examination (include multiple language) if any:			
License Type		AU	SLP
Exam Title		Audiology Praxis	Speech Language Pathology Praxis
FY 2017/18	Number of Candidates	86	918
	# of 1 st Time Candidates	84	896
	Pass %	98%	98%
FY 2018/19	Number of Candidates	78	887
	# of 1 st Time Candidates	77	866
	Pass %	99%	98%
FY 2019/20	Number of Candidates	63	763
	# of 1 st time Candidates	61	746
	Pass %	97%	98%
FY 2020/21	Number of Candidates	68	818
	# of 1 st time Candidates	67	803
	Pass %	99%	98%
Date of Last OA		2017	2016

Table 8. Examination Data		
California Examination (include multiple language) if any:		
Name of OA Developer	ETS/OPES	ETS/OPES
Target OA Date	Unknown	Unknown
* Data unavailable		
** Pass rate based on overall pass rate		

27. Is the Board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

Hearing Aid Dispensers

The Hearing Aid Dispenser’s written examination is administered as a computer-based test. The Board currently contracts with the examination administrator, PSI. PSI handles the registration, scheduling, candidate handbook, eligibility notification, exam administration, and scoring examinations for the Board. There are 18 test centers located throughout the state and computer-based tests are administered six days per week, with the exception of specified holidays.

Speech-Language Pathology & Audiology

The ETS does offer the Praxis Series Test for speech-language pathology and audiology as a computer-based test. The Praxis Series Test for speech-language pathology and audiology are administered through an international network of testing centers.

28. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

The Board is looking closely at its hearing aid dispensing examination administration regulatory requirements (California Code of Regulations Section 1399.120) that are restrictive to Board staff in managing applications in a more timely manner.

The Board is also recommending in Section 12 of this report, that reciprocity for audiologists licensed in other states with national certifications be recognized in the same way that speech-language pathologists with similar national certification are deemed to have met the Board’s requirements for licensure.

School approvals

29. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the Board work with BPPE in the school approval process?

California Code of Regulations Section 1399.152 defines Board approved institutions. The Board has the authority to approve the professional training programs awarding graduate or doctorate degrees in speech-language pathology or audiology; however, it does not exercise such authority as the Board does not have the expertise or staff resources to serve as an accrediting body for professional training programs. Instead, the Board recognizes the accreditation of two professional accrediting organizations, the Council of Academic Accreditation, which is a subsidiary of American Speech-Language- Hearing Association and accredits both speech-language pathology and audiology programs, and the relatively new accrediting body, the Accreditation Commission for Audiology Education (ACAE) which accredits professional doctoral programs in audiology.

The Board independently reviews speech-language pathology assistant training programs. These programs are Associate of Arts or Science programs. Individuals with an undergraduate degree in Communication Disorders and Sciences may qualify for speech-language pathology assistant registration; however, the undergraduate program does not require independent review and approval by the Board. California Code of Regulations Sections 1399.170.4-1399.170.10 provide for the institutional and program requirements that must be met in order for the program to be awarded Board approval. The Board utilizes the services of subject matter experts to review applications and supporting documentation for speech-language pathology assistant programs and make recommendations to Board staff regarding program approval.

The BPPE does not approve the professional training programs for speech-language pathologists or audiologists.

30. How many schools are approved by the Board? How often are approved schools reviewed? Can the Board remove its approval of a school?

The Board has approved seven speech-language pathology assistant programs which are offered at community colleges and can be found throughout the State. These programs must be accredited by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges. The speech-language pathology assistant programs may be reviewed or audited at any time; however, the Board only conducts subsequent site reviews for an approved school if there are concerns raised regarding the administration of the speech-language pathology assistant program. If a program fails to comply with the requirements for approval as set forth in California Code of Regulations sections 1399.170.4 - 1399.170.10, the Board can remove its approval of a speech-language pathology assistant program.

31. What are the Board's legal requirements regarding approval of international schools?

There are no legal requirements for the Board to approve international schools.

Continuing Education/Competency Requirements

32. Describe the Board's continuing education/competency requirements, if any. Describe any changes made by the Board since the last review.

Speech-Language Pathologists, Audiologists, Dispensing Audiologists, & Speech- Language Pathology Assistants

Licensed speech-language pathologists and non-dispensing audiologists are required to complete 24 hours of CPD/CE from a Board-approved provider during their preceding two-year license renewal cycle. The term "Board-approved providers" refers to entities directly approved by the Board and entities explicitly recognized in statute because of their comprehensive educational review program for the respective professions. Dispensing audiologists are required to obtain 12 hours for each renewal with at least 50 percent of the CPD/CE in hearing aid related course work and the other 50 percent in courses directly relevant to the practice of audiology. Additionally, speech-language pathologists and audiologists that supervise required professional experience temporary license holders and speech-language pathology assistants must initially obtain six (6) hours of CPD related to supervision prior to commencing supervision and also must obtain three (3) hours of CPD related to supervision every four (4) years for required professional development supervisors and every two (2) years for speech-language pathology assistant supervisors.

Speech-language pathology assistants are also required to complete CPD/CE every two years; however, the 12 hours required of speech-language pathology assistants do not have to be

obtained by Board- approved providers. Instead, the speech-language pathology assistant supervisor serves as a professional development coordinator for the speech-language pathology assistant and assists the paraprofessional in developing a plan to complete the required hours through attendance at state or regional conferences, workshops or formal in-service presentations.

CPD/CE requirements allow for a specified number of self-study courses, related coursework which may include more general medical or educational course offerings, and indirect client care courses which cover legal or ethical issues, managed care issues, consultation, etc.

Hearing Aid Dispensers

Hearing aid dispensers are required to complete at least 12 hours of CE annually. At a minimum, nine (9) hours of CE must be related to direct patient care in the practice of dispensing and fitting hearing aids, while the remaining three hours may be in courses related to the discipline of hearing aid dispensing, ethics, office management, or managed care issues.

CE providers must have their courses approved by the Board. Board staff reviews the content of each course, along with the instructor’s qualifications, and issues approval. If Board staff is unfamiliar with the subject area, an outside expert may be consulted.

In 2016, the Board promulgated a regulatory amendment that increased the CE requirement for hearing aid dispensers from nine (9) to 12 hours annually and eliminated the 12-month grace period which allowed licensees an additional year to make-up deficiencies in CE.

Table 8a. Continuing Education			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited
Speech-Language Pathologists	2 Years	24	5%
Speech-Language Pathology Assistant	2 Years	12	5%
Audiologist	2 Years	24	5%
Dispensing Audiologist	1 Year	12	
Hearing Aid Dispenser	1 Year	12	3%

- a. How does the Board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department’s cloud?

Certification of completion of the required CPD/CE is documented on the license renewal form, which includes a statement of compliance that must be signed by the licensee. Subsequent random audits are performed by the Board wherein actual course completion documents are requested of the licensees to verify the statements of compliance.

The Board has not had the opportunity to work with DCA regarding receiving primary source verification of CE completion through the DCA Cloud.

- b. Does the Board conduct CE audits of licensees? Describe the Board’s policy on CE audits.

The Board’s goal is to conduct random audit of five percent of its licensees annually in order to ensure compliance with CE requirements for license renewal. Due to staffing and resource issues, the Board last conducted a CE audit of all licensees in 2018. The next planned audit was scheduled to be completed in 2020; however, due to COVID-19 pandemic and DCA

Waivers of all CE requirements for licensees, the Board did not pursue the CE audit in 2020 and plans to resume CE audits in 2022.

Licensees, as a condition of renewal, must certify that they have met the CE requirements specified in regulation for their license type. During a CE audit, the Board notifies licensees of their selection and request course completion documents for the renewal cycle being audited. The course completion documents are reviewed by Board staff to determine compliance with the CE requirements in terms of total number of hours obtained, approved provider status, and whether the course content is applicable to the profession.

California Code of Regulations Section 1399.140 requires hearing aid dispensers and dispensing audiologists to maintain records of course completion for a period of at least two years from the renewal period in which the courses were completed, and Section 1399.160.12 requires speech-language pathologists and non-dispensing audiologists to maintain records of course completion for a period of at least two years from the date of license renewal for which the course was completed.

c. What are consequences for failing a CE audit?

Certification of completion of the required CPD/CE is documented on the license renewal form, which includes a statement of compliance that must be signed by the licensee. Failure by the licensee to produce the requested documentation can result in the Board issuing a citation and fine against the licensee.

d. How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?

Due to staffing and resource issues, the Board was only able to complete one (1) audit in the last four fiscal years. In 2018, the Board conducted an audit of five percent of its licensees.

The 2018 audit results showed a compliance rate of about 79 percent. 17 percent failed the initial audit, and two (2) percent were issued a citation and fine for not coming into compliance.

e. What is the Board's course approval policy?

Board staff reviews and approves CE courses in accordance with regulatory requirements, if there is uncertainty regarding course content, a subject matter expert may be utilized to provide guidance.

f. Who approves CE providers? Who approves CE courses? If the Board approves them, what is the Board application review process?

Board staff reviews and approves applications for both CPD providers and CE courses. Board staff review applications for compliance with the respective regulations for CPD provider applications and CE course content requirements. Subject matter experts may be utilized if the course content is unfamiliar to staff or requires expert review by a licensed professional in order to determine the practice relevance of the course.

- g. How many applications for CE providers and CE courses were received? How many were approved?

The CE course and CPD provider application data is provided below for the last four years

CE Courses and CPD Providers Applications					
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21	Total
CE Course Applications Received	500	396	388	260	1,544
CE Course Applications Approved	491	*	375	222	1,088*
CPD Provider Applications Received	23	16	3	15	57
CPD Provider Applications Approved	20	15	5	13	53
* Approved CE Courses data unavailable for 2018/19					

- h. Does the Board audit CE providers? If so, describe the Board's policy and process.

The Board's goal is to conduct random audits of five percent of its providers. Due to staff shortages over the past four years, the Board has been unable to conduct an audit of CPD providers since its last Sunset Review.

During a CPD provider review, a letter is sent to the provider notifying them of the audit and requesting the following information to be submitted to the Board within 30 days:

- Course syllabi;
- Information regarding the time and location of the course offering;
- Course advertisements;
- Course instructor resumes or curriculum vitas;
- Attendance rosters including names and license numbers of the attendees;
- Records of course completion.

Staff reviews the provider documentation and consults with the Board's Executive Officer if a compliance issue is noted. The Board may revoke a provider approval for failing to comply with the continuing professional development program requirements (California Code of Regulations Section 1399.160.8).

- i. Describe the Board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.

The Board is not moving toward performance based assessments of its licensees.

Section 5 – Enforcement Program

33. What are the Board’s performance targets/expectations for its enforcement program? Is the Board meeting those expectations? If not, what is the Board doing to improve performance?

DCA established standard performance measures (PM) for each Board and Bureau and set an overall goal of 12-18 months to complete consumer complaints. Each Board or Bureau was responsible for determining its performance target for each PM to achieve the 12-18 month goal.

The DCA Performance Measures and Targets are defined below. The Board’s Enforcement Performance data is provided in Attachment E - Enforcement Performance Measures.

Performance Measure (PM)	Definition	Performance Target
PM 1 - Volume	Number of complaints/convictions received.	*
PM 2 - Intake	Average number of days from complaint receipt, to the date the complaint was assigned to an investigator.	10 Days
PM 3 - Intake & Investigation	Average number of days from complaint receipt to closure of the investigation process for cases not transmitted to the AG. (Includes intake and investigation).	90 Days
PM 4 - Formal Discipline	Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline. (Includes intake, investigation, and transmittal outcome).	540 Days
PM 5 - Costs	Average costs of intake and investigation for complaints not resulting in formal discipline.	**
PM 6 - Customer Satisfaction	Customer satisfaction with the service received during the enforcement process.	***
PM 7 – Probation-Initial Contact	Average number of days from monitor assignment, to the date the monitor first makes contact with the probationer.	7 Days
PM 8 - Probation Violation	Average number of days from time a violation is reported against a probationer to the time the monitor responds.	10 Days
* Complaint volume is counted and not considered a performance measure		
** Data not collected		
*** The DCA-wide average for all participating programs has been between 80-85% since 2015.		

According to the Board’s Enforcement Performance Measure data, the Board consistently meets the targets for complaint intake and probation initial contact and violations but does not meet the performance targets for complaint investigation or formal discipline timeframes. While the Board has not been able to meet the performance targets for complaint investigation, the majority of investigations are closed within the performance target of 90 days, but due to the complexity of some complaints, additional investigative time is necessary.

The Board has worked to reduce the amount of time for PM 4 by ensuring regular and consistent follow-up with the Office of the Attorney General on cases referred for discipline, by proactively engaging in early settlement negotiations when deemed appropriate, and by limiting the amount of time given to a respondent during settlement negotiations. However, there are several time factors that are outside of the Board’s control with regard to PM 4, including the case processing done by the Office of the Attorney General and the Office of Administrative Hearings.

34. Explain trends in enforcement data and the Board’s efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the Board done and what is the Board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

Since the Board’s last Sunset Review, due to the significant increase in the Board’s licensee population, the Board has seen a corresponding growth in its enforcement workload until the COVID-19 pandemic, during which the Board saw a marked decrease in complaints and licensee arrest/convictions. Over the past five years, the Board has seen an average increase of 66 percent in complaints and subsequent arrests/convictions received. During that same timeframe, the Board’s enforcement analysts have been able to maintain a high investigation closure rate (averaging approximately 239 per year) and have been able to reduce their investigation timeframes by 45 percent. This was achievable due to lower levels of staff attrition within the enforcement unit and improved investigations training for enforcement analysts.

The Board has begun reviewing its current training of enforcement staff and has initiated additional cross training measures to further improve the Board’s investigation timeframes. The Board is also looking into additional training measures for the Board’s enforcement Subject Matter Experts (SMEs) to ensure consistency with the expert reports and preparedness for witness testimony during administrative hearings.

Table 9a. Enforcement Statistics (NEW)				
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
COMPLAINTS				
Intake				
Received	329	158	164	91
Closed without Referral for Investigation	10	5	17	2
Referred to INV	319	153	147	89
Pending (close of FY)	0	1	1	3
Conviction / Arrest				
CONV Received	128	124	103	45
CONV Closed Without Referral for Investigation	1	0	0	3
CONV Referred to INV	127	124	103	42
CONV Pending (close of FY)	1	0	0	3
Source of Complaint ²				
Public	71	76	96	59
Licensee/Professional Groups	32	17	12	5
Governmental Agencies	17	48	30	24
Internal	161	117	103	40
Other	0	1	0	0
Anonymous	82	15	19	8
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	2	1	1	1
Average Time to Closure (from receipt of complaint / conviction to closure at intake)				
Average Time at Intake (from receipt of complaint / conviction to closure for referral for investigation)				

² Source of complaint refers to complaints and convictions received. The summation of intake and convictions should match the total of source of complaint.

Table 9a. Enforcement Statistics (NEW)				
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
INVESTIGATION				
Desk Investigations				
Opened	446	273	260	131
Closed	388	188	189	193
Average days to close (from assignment to investigation closure)	102	148	222	380
Pending (close of FY)	126	198	260	198
Non-Sworn Investigation				
Opened	0	0	0	0
Closed	0	0	0	0
Average days to close (from assignment to investigation closure)	0	0	0	0
Pending (close of FY)	0	0	0	0
Sworn Investigation				
Opened	17	13	9	0
Closed	19	12	10	8
Average days to close (from assignment to investigation closure)	462	752	770	839
Pending (close of FY)	19	20	19	11
All investigations ³				
Opened	446	273	260	131
Closed	407	200	199	201
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)	120	184	250	398
Average days for investigation closures (from start investigation to investigation closure)				
Average days for investigation when referring for prosecution (from start investigation to referral prosecution)				
Average days from receipt of complaint to investigation closure				
Pending (close of FY)	145	218	279	209
CITATION AND FINE				
Citations Issued	26	16	11	6
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	82	155	336	429
Amount of Fines Assessed	\$15,975	\$13,950	\$19,800	\$3,700
Amount of Fines Reduced, Withdrawn, Dismissed	\$2,000	\$1,500	\$2,850	\$200
Amount Collected	\$6,825	\$14,650	\$15,000	\$8,700
CRIMINAL ACTION				
Referred for Criminal Prosecution	0	0	0	0
ACCUSATION				
Accusations Filed	5	4	8	8
Accusations Declined	2	1	1	0
Accusations Withdrawn	2	2	0	1
Accusations Dismissed	0	0	0	0
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	1197	563	669	932

³ The summation of desk, non-sworn, and sworn investigations should match the total of all investigations.

Table 9a. Enforcement Statistics (NEW)				
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
INTERIM ACTION				
ISO & TRO Issued	1	0	0	0
PC 23 Orders Issued	0	0	0	0
Other Suspension/Restriction Orders Issued	0	0	0	0
Referred for Diversion	0	0	0	0
Petition to Compel Examination Ordered	0	0	0	0
DISCIPLINE				
AG Cases Initiated (cases referred to the AG in that year)	18	13	13	8
AG Cases Pending Pre-Accusation (close of FY)	22	21	23	21
AG Cases Pending Post-Accusation (close of FY)				
DISCIPLINARY OUTCOMES				
Revocation	3	1	3	2
Surrender	3	1	3	3
Suspension only	0	0	0	0
Probation with Suspension	0	1	0	0
Probation only	4	4	5	1
Public Reprimand / Public Reprimand / Public Letter of Reprimand	1	0	0	0
Other	0	0	0	0
DISCIPLINARY ACTIONS				
Proposed Decision	1	0	0	3
Default Decision				
Stipulations	5	3	3	1
Average Days to Complete After Accusation (from Accusation filed to closure of the case)	780	730	824	932
Average Days from Closure of Investigation to Imposing Formal Discipline				
Average Days to Impose Discipline (from complaint receipt to final outcome)				
PROBATION				
Probations Completed	1	1	3	5
Probationers Pending (close of FY)	32	35	25	18
Probationers Tolled	10	8	5	5
Petitions to Revoke Probation / Accusation and Petition to Revoke Probation Filed	2	0	1	1
SUBSEQUENT DISCIPLINE⁴				
Probations Revoked	0	0	0	0
Probationers License Surrendered	3	1	3	3
Additional Probation Only	0	1	0	0
Suspension Only Added	0	0	0	0
Other Conditions Added Only	0	0	0	0
Other Probation Outcome	0	0	0	0
SUBSTANCE ABUSING LICENSEES				
Probationers Subject to Drug Testing	10	9	9	6
Drug Tests Ordered	317	296	286	217
Positive Drug Tests	12	14	25	7

⁴ Do not include these numbers in the Disciplinary Actions section above.

Table 9a. Enforcement Statistics (NEW)				
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
PETITIONS				
Petition for Termination or Modification Granted	0	0	0	0
Petition for Termination or Modification Denied	0	0	0	0
Petition for Reinstatement Granted	0	0	1	0
Petition for Reinstatement Denied	0	0	1	0
DIVERSION				
New Participants	N/A	N/A	N/A	N/A
Successful Completions	N/A	N/A	N/A	N/A
Participants (close of FY)	N/A	N/A	N/A	N/A
Terminations	N/A	N/A	N/A	N/A
Terminations for Public Threat	N/A	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A	N/A

Table 10. Enforcement Aging						
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21	Cases Closed	Average %
Investigations (Average %)						
Closed Within:						
90 Days	311	85	89	47	532	52.83%
91 - 180 Days	32	44	25	20	121	12.02%
181 - 1 Year	28	45	31	40	144	14.30%
1 - 2 Years	17	19	42	57	135	13.41%
2 - 3 Years	9	6	7	33	55	5.46%
Over 3 Years	10	1	5	4	20	1.99%
Total Investigation Cases Closed	407	200	199	201	1,007	100.00%
Attorney General Cases (Average %)						
Closed Within:						
0 - 1 Year	0	0	1	0	1	6.25%
1 - 2 Years	3	2	0	1	6	37.50%
2 - 3 Years	2	0	1	2	5	31.25%
3 - 4 Years	1	1	1	1	4	25.00%
Over 4 Years						
Total Attorney General Cases Closed	6	3	3	4	16	100%

35. What do overall statistics show as to increases or decreases in disciplinary action since last review?

Since the Board's last Sunset Review, there has been little change in the volume of disciplinary actions the Board has taken.

36. How are cases prioritized? What is the Board's compliant prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.

The Board prioritizes cases as urgent, high, or routine in accordance with DCA's Complaint Prioritization and Referral Guidelines. Each case is reviewed and expedited according to the

alleged violations. The Board takes immediate action to involve the Division of Investigations and/or the Office of the Attorney General when a complaint alleges any activity in which the probability of public harm is imminent.

37. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the Board actions taken against a licensee. Are there problems with the Board receiving the required reports? If so, what could be done to correct the problems?

The Board is included in the Business & Professions Code Section 800 series which, among other reporting requirements, requires professional liability insurers to notify the Board of situations involving professional negligence or incompetence by licensed speech-language pathologists and audiologists, including any relevant settlement reports, arbitration awards, and judgments against the licensee. Business & Professions Code Section 803 requires the courts to report any acts of negligence, errors or omissions in practice by a licensee where death or personal injury resulted in a judgment for an amount exceeding \$30,000.

While there is no specific statutory requirement for reporting, other state licensing Boards, governmental agencies, rehabilitation facilities, etc., send disciplinary reports, audit findings, and personnel action reports to the Board for review.

There are no other laws in the Board's specific practice act(s) which require other professionals to report misconduct by a licensee; however, professionals are encouraged to report any acts of unprofessional conduct and/or matters that pose a risk to the public. The Board typically receives very few reports and is not aware of any problems with receiving the required reports.

- a. What is the dollar threshold for settlement reports received by the Board?

The dollar threshold for settlement reports received by the Board is \$30,000.

- b. What is the average dollar amount of settlements reported to the Board?

Since the Board's last Sunset Review, the Board has not received any settlement reports.

38. Describe settlements the Board, and Office of the Attorney General on behalf of the Board, enter into with licensees.

The Board refers cases to the Office of the Attorney General for disciplinary action and considers many factors when settling cases. Settlements are based on the Board's Disciplinary Guidelines and recommendations by the Office of the Attorney General. The Board considers the seriousness of the violations pled in the accusation, consumer harm, rehabilitation factors, and licensee complaint history when considering a settlement. In addition, the Board considers the costs and length of an administrative hearing versus the benefit of reaching a settlement and the likely outcome.

- a. What is the number of cases, pre-accusation, that the Board settled for the past four years, compared to the number that resulted in a hearing?

The Board has only entered into a settlement agreement with one applicant since the Board's last Sunset Review.

- b. What is the number of cases, post-accusation, that the Board settled for the past four years, compared to the number that resulted in a hearing?

See table provided in (c).

- c. What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?

Cases Stipulated Vs. Resulted in Hearing					
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21	Total
Cases Stipulated (Post-Accusation)	5	3	3	1	12
Cases Resulting in Hearing Decisions	1	0	0	3	4
* Default Decisions are included as they represent another potential method through which a disciplinary action can be taken.					

- 39. Does the Board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the Board’s policy on statute of limitations?

The Board does not operate with a specific statute of limitations, however, the Office of the Attorney General has communicated the following statute of limitations criteria they follow which is used by many other healing arts Boards (including Medical Board, Board of Psychology, etc.):

Accusations shall be filed within three years after the Board discovers the act or omission alleged as the grounds for disciplinary action, or within seven years after the act or omission alleged as the grounds for disciplinary action occurs, whichever occurs first. Exceptions in which there is no statute of limitations: accusations filed against a licensee alleging procurement of a license by fraud or misrepresentation; certain circumstances alleging unprofessional conduct based on incompetence; gross negligence; repeated negligent acts of the licensee. An accusation filed against a licensee on or after January 1, 2002 alleging sexual misconduct shall be filed within three years after the Board discovers the act or omission alleged as the ground for disciplinary action, or within 10 years after the act occurs, whichever occurs first. Additionally, if an alleged act or omission involves a minor, the seven-year limitation period from when the alleged act occurred, and the 10-year limitation period from when the alleged act occurred shall be tolled until the minor reaches the age of majority.

- 40. Describe the Board’s efforts to address unlicensed activity and the underground economy.

All allegations of unlicensed activity are handled with at least high priority. Many of the Board’s unlicensed activity cases involve previously licensed practitioners who allow their license to become delinquent by failing to renew timely, or support personnel who fail to file the appropriate licensing paperwork timely in order to practice under supervision. These cases typically result in the issuance of a citation and fine to the unlicensed individual, and depending upon the circumstance, to the responsible supervisor for aiding and abetting unlicensed practice.

Cite and Fine

- 41. Discuss the extent to which the Board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the Board increased its maximum fines to the \$5,000 statutory limit?

The Board is authorized by Business & Professions Code section 125.9 to issue citations which may contain an order of abatement and an order to pay an administrative fine. The Board issues citations for minor violations of the laws and regulations governing the practices of speech-language pathology, audiology, and hearing aid dispensing which do not warrant formal discipline.

In 2006, regulatory language in California Code of Regulations Section 1399.159 was amended to increase the maximum allowable fine from \$2,500 to \$5,000 in certain, exceptional circumstances which would warrant maximum penalties. The Board has discussed making similar regulatory changes to hearing aid dispenser regulation California Code of Regulations Section 1399.136, as a future agenda item, but no action has been taken to date.

42. How is cite and fine used? What types of violations are the basis for citation and fine?

Citations and fines are issued for minor infractions of the laws and regulation, e.g. advertising violations, failure to renew a license prior to the expiration, failure to keep updated records with the Board, failure to appropriately register support personnel or trainees prior to employing the personnel to provide services, continuing education compliance issues, etc.

43. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

The Board scheduled and conducted seven informal conferences/office mediations since the Board’s last Sunset Review. Three licensees requested a formal hearing to dispute their citations. The Board does not have an established Disciplinary Review Committee.

Citation Appeals (Informal and Formal)					
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21	Total
Informal Conference/Office Mediation	0	0	4	3	7
Formal Appeals	0	0	2	1	3

44. What are the 5 most common violations for which citations are issued?

The five most common violations for which citations are issued are:

- Unlicensed Practice
- False/Misleading Advertising
- Failure to Cooperate (with the Board’s request for information pursuant to a complaint)
- Aiding and Abetting Unlicensed Practice
- Failure to Maintain Appropriate Records

45. What is average fine pre- and post- appeal?

The average pre-appeal and post-appeal fines are provided below.

Average Citation Amounts					
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21	Total
Average Citation Amount at Issuance	\$579.00	\$871.88	\$1,800.00	\$616.67	\$966.67
Average Citation Amount After Appeal	\$540.62	\$778.13	\$1,540.90	\$583.33	\$860.75

46. Describe the Board's use of Franchise Tax Board intercepts to collect outstanding fines.

When a fine is not paid within the required time, the licensee or non-licensee's information is forwarded to DCA for referral to Franchise Tax Board for collection through its Offset Program.

Cost Recovery and Restitution

47. Describe the Board's efforts to obtain cost recovery. Discuss any changes from the last review.

In cases that proceed to an administrative hearing, the Board would seek full cost recovery for all investigation and prosecution costs, including costs to prepare for the hearing. However, the administrative law judge may reduce or dismiss cost recovery in a proposed decision. Business & Professions Code section 125.3 indicates, in part, that the administrative law judge may direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case. Cost recovery is a standard term and condition specified in the Board's disciplinary guidelines for all proposed decisions and stipulations. Cost recovery amounts may be negotiated when entering into a stipulated settlement if such agreement encourages the respondent to settle the case with appropriate discipline and avoids further costs and delays associated with the administrative hearing process.

There have been no changes in this policy since the last review.

48. How many and how much is ordered by the Board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

There is no specific amount of cost recovery ordered for revocations, surrenders, and probationers. Each disciplinary case has its own amount of cost recovery ordered depending on the investigation and prosecution costs incurred. Probationers may request a payment plan to reimburse the Board and final payments are generally due within six months prior to the termination of probation. In some instances where the cost recovery amount is lower, it may be negotiated that cost recovery be paid in full within the first or second year of probation.

Cases of revocations and surrenders are typically uncollectable as the former licensee has no motivation to pay the ordered cost, either because the individual relocates to another state or changes professions. In revocation cases where cost recovery is ordered but not collected, the Board will transmit the case to the Franchise Tax Board for collection (see Table 11).

49. Are there cases for which the Board does not seek cost recovery? Why?

The Board cannot order cost recovery for cases that are categorized as "Default Decisions." Default Decisions are cases where an accusation has been filed and the respondent fails to file a Notice of Defense or fails to appear at the scheduled administrative hearing. Additionally, the Board does not have authority to seek cost recovery in cases where it has denied a license or registration and a Statement of Issues has been filed, since cost recovery is applicable to licensees and not license applicants.

50. Describe the Board's use of Franchise Tax Board intercepts to collect cost recovery.

Failure to pay cost recovery is generally a violation of probation, so it is not common for a licensee to fail to pay cost recovery. Generally, the Board uses Franchise Tax Board to collect monies due if not collected within the agreed upon timeframe.

51. Describe the Board’s efforts to obtain restitution for individual consumers, any formal or informal Board restitution policy, and the types of restitution that the Board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the Board may seek restitution from the licensee to a harmed consumer.

The Board seeks monetary restitution for consumers in cases regarding hearing aid returns and refunds, pursuant to the provisions of the Song-Beverly Consumer Warranty Act (SBCWA). If initial attempts at restitution by the Board are unsuccessful, the Board will order the hearing aid dispenser to pay restitution in full to the consumer by means of an administrative order, stipulated settlement or in less egregious cases, through citation and fine. Payment to the consumer must be made within a specified period of time, typically not more than 30 days, and is tracked by the Board to ensure the consumer is made whole. Additionally, the Board can order restitution in cases involving Medi-Cal fraud, insurance fraud or in cases where a patient or client paid for services that were never provided.

Table 11. Cost Recovery⁵				
(list dollars in thousands)				
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Total Enforcement Expenditures	\$608	\$492	\$656	\$878
Potential Cases for Recovery *	10	7	11	6
Cases Recovery Ordered	5	1	5	1
Amount of Cost Recovery Ordered	\$32	\$4	\$50	\$14
Amount Collected	\$43	\$11	\$18	\$13
* “Potential Cases for Recovery” are those cases in which disciplinary action has been taken based on violation of the license practice act.				

Table 12. Restitution				
(list dollars in thousands)				
	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Amount Ordered	\$0	\$1	\$0	\$0
Amount Collected	\$0	\$1	\$0	\$1

⁵ Cost recovery may include information from prior fiscal years.

Section 6 – Public Information Policies

52. How does the Board use the internet to keep the public informed of Board activities? Does the Board post Board meeting materials online? When are they posted? How long do they remain on the Board's website? When are draft meeting minutes posted online? When does the Board post final meeting minutes? How long do meeting minutes remain available online?

The Board's website features, among other items; license verification, consumer complaint information, licensing application forms, checklists, and licensing processing timeframes, the Board's laws and regulations, publications, and customer satisfaction surveys. The Board Activity page includes the Board's history; biographies and photos of our Board members; a listing of our committees, committee functions and members; and opportunities for public participation. During the strategic planning session in November 2020, the Board members reviewed the mission and vision statement, and key values of the Board. The website has been updated to reflect these attributes.

All Board and committee meeting agendas, materials, and minutes are posted online. Agendas are posted at least 10 days in advance of the meeting in accordance with the Bagley-Keene Open Meeting Act (Government Code section 11120-11132), and meeting materials are posted as early as possible, but the Board does not have the resources or ability to post content to its own website. Draft meeting minutes from the previous meeting are included as an agenda item for approval in subsequent meetings. Once edits to the minutes are completed, the approved meeting minutes are posted on the website. Due to AB 434 (Baker, Chapter 780, Statutes of 2017), the Board may need to limit accessibility to historical meeting minutes or materials to ensure our website meets current Americans with Disability Act accessibility requirements; however, all materials would still be available to the public upon request.

53. Does the Board webcast its meetings? What is the Board's plan to webcast future Board and committee meetings? How long to webcast meetings remain available online?

The Board webcasts both Board and committee meetings when DCA's webcasting services are available, these services are limited to the number of DCA webcasters available for any given day. The links to view these meetings are on the Board Activity page on the website. The Board plans to continue webcasting its meetings when webcasting services are available, and links will remain active to the extent that AB 434 requirements and DCA hosting policies allow it.

54. Does the Board establish an annual meeting calendar, and post it on the Board's web site?

The Board has an established meeting calendar that lists important dates during the calendar year. The calendar is updated throughout the year to reflect any change to the information. The website includes calendars for the current and upcoming calendar year.

55. Is the Board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the Board post accusations and disciplinary actions consistent with DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?

The Board's regulations (California Code of Regulations Sections 1399.180 - 1399.187) governing the disclosure of information are consistent with DCA's Recommended Standards for Consumer

Complaint Disclosure as well as the Department's Web Site Posting of Accusations and Disciplinary Actions.

56. What information does the Board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

California Code of Regulations Sections 1399.182 through 1399.187 provides, upon request, information disclosed includes the identity and date of all undergraduate and graduate degrees awarded, summaries of any disciplinary actions taken at a health care facility that result in the termination or revocation of staff privileges for medical or disciplinary cause or reason, the date, nature, and disposition of complaints on file which have been investigated and referred to the Office of the Attorney General for legal action, civil actions against a licensee in the amount of \$30,000 or more as recovery of damages for death or personal injury caused by professional negligence. The public may access a licensee's record through the Board's website. The following information is provided on the Board's website: the licensee's name, license number, license status, issue date of license, expiration date of license, address of record, citations issued, and pending and final disciplinary actions.

Also, subject to limitations set forth in the Information Practices Act, the Public Records Act, and the California Constitution regarding personal privacy, information contained in the licensee's file may be disclosed to the public upon request.

57. What methods are used by the Board to provide consumer outreach and education?

California's travel restrictions have limited much of the outreach that can be conducted by Board staff. However, the Executive Officer has provided virtual presentations to consumers and licensees regarding Board requirements, actions, and issues relevant to specified groups. Most recently, Board staff participated in a consumer advocate group meeting to discuss the issue of locked hearing aids. In addition, the Board's Executive Officer and Board Members have participated in interviews for professional publications to raise awareness of the function and role of the Board and trends within the professions. The Board has also developed presentations to share with university training programs regarding licensing requirements. Lastly, the Board has developed presentations regarding legislative, regulatory, and policy updates for professional associations where the presentation can be uploaded and shared with attendees.

The most convenient and cost-effective platform for the Board to educate consumers, applicants, and licensees is through its website. The Board has worked hard to ensure that its website is easy to navigate and up to date. The Board has also encouraged the public, licensees, and associations to join the Board's various listservs to receive regular notifications regarding Board Meetings and agendas, disciplinary actions taken by the Board, and legislation and regulation changes that impact consumers and Board licensees.

58. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the Board regulate online practice? Does the Board have any plans to regulate internet business practices or believe there is a need to do so?

The Board has received and investigated a limited number of cases regarding unlicensed activity occurring through online practice.

Telehealth

Treatment for both speech and hearing disorders may be effectively delivered via telehealth which includes some form of online interaction between the patient and the provider. In an effort to provide guidance to its licensees, the Board provides practice guidance on its website.

Online Business Practices

The remote acquisition of hearing aids has become a common business transaction as more companies market devices to consumers via the Internet with claims of one-size fits all or the ability to remotely adapt the hearing aid to fit the purchaser's needs.

BPC Section 2538.23 governs the sale of hearing aids by catalog or direct mail. While this section does not specifically include the term "Internet" sales, the intent of the section is to regulate similar business transactions.

Regulation of hearing aid devices fall under the Federal Drug Administration (FDA), and FDA provisions do not specifically restrict the sale of hearing aids via the Internet. Further, federal rule provides that no state may establish any requirement which is different from, or in addition to, the federal provisions unless the state is granted an exemption from the federal government to enforce more restrictive regulations. There is no record of a federal exemption being granted for Section 2538.23; however, for well over a decade California has been effectively regulating the sale of hearing aids acquired by mail order.

California law requires examination of the consumer's ear canal by a licensed physician, audiologist, or a hearing aid dispenser, and medical referral under certain conditions. Eliminating these requirements places the consumer at risk if underlying medical conditions are undetected and result in hearing loss which may require medical or surgical procedure. The Board believes it is vitally important to continue to regulate the remote acquisition of hearing aids and require an examination of a consumer's ear canal and medical clearance.

On May 30, 2012, the Board sent an exemption request to the FDA. To date, the Board has not received a response from the FDA. However, the exemption request may not be addressed due to the October 20, 2021 FDA notice for proposed regulations for the sale of over-the-counter hearing aids.

Section 8 – Workforce Development and Job Creation

59. What actions has the Board taken in terms of workforce development?

The Board's Executive Officer meets routinely with training programs, academic groups, and students to ensure that accurate information is conveyed about the Board's licensure process and requirements.

In relation to the shortage of Audiologists in California, in 2016 the Board actively supported AB 2317 (Mullin, Chapter 267, Statutes of 2016), which authorized the California State University (CSU) system to award the Doctor of Audiology (AuD) degree. The changes that resulted from AB 2317 authorized CSU campuses to develop AuD programs. This will significantly increase the number of AuD graduates applying for licensure in California, and consequently ease the shortage of audiologists. Multiple CSU's have now developed Doctor of Audiology (AuD) programs and some of these programs will have their initial student cohorts graduating as soon as 2023.

Additionally, the Board continues to recommend the revision of BPC Section 2532.8 to include audiologists with a valid Certificate of Clinical Competence in Audiology issued by the American Speech-Language-Hearing Association's Council for Clinical Certification or a valid American Board of Audiology certificate issued by the American Academy of Audiology (see Section 11 and 12). Amending this statutory reference and adding the American Board of Audiology Certificate will streamline licensure of audiologists who hold these certifications and enhance access to audiology services for California consumers.

In relation to the need for additional speech-language pathologists in the states K-12 public schools, the Board supported AB 1075 (Holden, 2019) which would have appropriated \$750,000 to the CSU system for competitive grants to campus speech-language pathologist programs with the goal of expanding their enrollment capacity. The Legislature addressed this issue through the 2019 Budget Act which appropriated \$3 million to the CSU system to increase enrollment in speech-language pathologist programs. The Board continues to support the expansion of speech-language pathology programs in California.

Internally, to positively contribute to workforce development in the state, the Board continues to streamline licensure processes in an effort to license or register qualified applicants to enter California's workforce in speech-language pathology, audiology, and hearing aid dispensing. The Board also monitors licensing timeframes weekly and addresses process and workload issues to ensure the most efficient licensure process.

60. Describe any assessment the Board has conducted on the impact of licensing delays.

Since the Board's last Sunset Review, there has not been any additional assessments of the impact of licensing delays. The Board understands the growing demand for speech-language pathologists and audiologists in California and will continue to focus on reduced licensing delays through continuous improvements.

61. Describe the Board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

The Executive Officer and Board members have developed presentations to share with university training programs regarding licensing requirements. In addition to making presentations directly to

the universities, the Executive Officer and a Board member attend meetings of the California Council of Academic Programs in Communication Sciences and Disorders, a group composed of the state's university chairs and directors of Communication Science and Disorders Programs.

62. Describe any barriers to licensure and/or employment the Board believes exist.

As discussed in this report, there are an insufficient number of audiology doctoral programs and an insufficient enrollment capacity in speech-language pathology masters programs to meet the needs of California consumers of speech and hearing services. This is a barrier to increasing the licensing populations that would meet the demand for speech-language pathology and audiology services in the state. The Board will continue to collaborate with stakeholders to address the growing speech and hearing services needs of the state.

63. Provide any workforce development data collected by the Board, such as:

a. Workforce shortages

Neither the Board nor DCA have formally collected data regarding workforce shortages since the Board's last Sunset.

b. Successful training programs.

Neither the Board nor DCA have collected data regarding successful training programs since the Board's last Sunset.

64. What is the status of the Board's implementation of the Uniform Standards for Substance Abusing Licensees?

To implement the Uniform Standards for Substance Abusing Licensees, the Board approved revised regulatory text in 2016 that incorporated the standards into the Board's Disciplinary Guidelines. Since 2016, the Board has received legal guidance to separate the Uniform Standards from its Disciplinary Guidelines, and most recently adopted revised text at its August 2021 Board meeting. Board staff is working with DCA regulations counsel to finalize the necessary regulatory documents in order to file the proposed rulemaking file with the Office of Administrative Law.

65. What is the status of the Board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?

The Board implemented the CPEI regulations prior to the Board's last Sunset Review.

66. Describe how the Board is participating in development of BreEZe and any other secondary IT issues affecting the Board.

a. Is the Board utilizing BreEZe? What Release was the Board included in? What is the status of the Board's change requests?

The Board is not utilizing BreEZe and was originally part of Release 3.

b. If the Board is not utilizing BreEZe, what is the Board's plan for future IT needs? What discussions has the Board had with DCA about IT needs and options? What is the Board's understanding of Release 3 Boards? Is the Board currently using a bridge or workaround system?

Since the Board's last Sunset Review, the Board has worked in coordination with DCA's Organizational Improvement Office and Office of Information Services to progress through the Business Modernization Project efforts and Project Approval Lifecycle (PAL) stages. The Board is required, as are all IT projects, to complete the Department of Technology's PAL process to gain approval to execute any project.

The new systems that the Board adopts will provide access for licensees and applicants to apply for licensure online and complete online transactions. In 2020, the Board received budgetary authority to proceed with the project and an analyst position to address the increased workload during the development and transition to the system. The Board has now completed Stages 1 (Business Analysis) and 2 (Alternative Analysis) of the California Department of Technology's PAL. The Board has begun Stage 3 (Solution Development) of the process and will continue to complete the last two required PAL Stages in 2021.

Project Approval Lifecycle (Stages 1 – 4) - The PAL is broken into four stages:

Stage 1: Establishing the Business Case

Stage 2: Alternatives Analysis, Organizational Readiness, Cost-Benefit/Effectiveness Analysis

Stage 3: Procurement Preparation

Stage 4: Project Readiness and Approval

After the project is approved, the Board and DCA OIS proceeds to Project Implementation, which includes creating and following project plans and schedules to implement the chosen platform. The overall strategy outlined above will focus on three main success points:

1. Meeting the specific business needs of the Board
2. Cost effectiveness
3. Organizational readiness

Section 10 – Board Actions and Responses to COVID-19

67. In response to COVID-19, has the Board implemented teleworking policies for employees and staff?

The COVID-19 pandemic presented the Board with operational challenges and opportunities. In late February 2020, Board management began working closely with staff to mobilize Board operations. The Board was successful in creating a platform and structure for staff to rotationally telework due to the planning and coordination of our management team and the marshaling of DCA's Office of Information Services expertise and resources. The Board's office remained staffed and productive throughout the pandemic utilizing staggered teleworking schedules and enhanced safety and sanitation protocols within the office.

a. How have those measures impacted Board operations? If so, how?

At the beginning of the COVID-19 pandemic, the paper-based application and complaint processes and older computer equipment presented unique teleworking difficulties. These difficulties included coordination efforts amongst staff and delayed updates to applicants and consumers when paper applications or complaint materials were not immediately available to staff. In 2021, the Board utilized funds available to it to outfit all staff members with laptops and Microsoft Teams in an effort to ameliorate some of these issues.

68. In response to COVID-19, has the Board utilized any existing state of emergency statutes?

The Board does not have any existing state of emergency statutes to utilize.

a. If so, which ones, and why?

69. Pursuant to the Governor's Executive Orders N-40-20 and N-75-20, has the Board worked on any waiver requests with the Department?

The Board immediately began working with the Department to utilize the Governor's Executive Orders to ensure continuity of consumer services during the COVID-19 pandemic. The Board submitted a total of five (5) waiver requests and also utilized the Department's CE waivers for healing arts professionals and License Reactivation waivers for speech-language pathologists.

a. Of the above requests, how many were approved?

Three (3) of the Board's waiver requests were approved, a summary of each is provided below.

- **Modification of the Direct Monitoring Requirements for Required Professional Experience (RPE) Licenses and the Direct Supervision Requirements for Speech-Language Pathology Assistant (SLPA) Licenses (DCA-21-192)** – Originally approved May 6, 2020 and extended on July 1, August 27, October 22, and December 15 of 2020, and February 26, April 30, July 1, and August 31 of 2021. This waived the in-person supervision requirements for Required Professional Experience (RPEs) and Speech-Language Pathology Assistants (SLPAs) through October 31, 2021.

- **Modification of the Limitations on Renewing of Hearing Aid Dispenser (HAD) Temporary Licenses and HAD Trainee Licenses (DCA-21-188)** – Originally approved May 29, 2020 and extended on September 17, and December 15 of 2020, and February 26, April 30, July 1, and August 31 of 2021. This waived the statutory limitations on renewing Hearing Aid Dispenser (HAD) Temporary Licenses and the limitation on the number of times a HAD Trainee license can be renewed. Specifically, this waiver removes the limitation that HAD Temporary Licenses cannot be renewed in Business and Professions Code (BPC) section 2538.27(b) and removes the limitation that HAD Trainee Licenses cannot be renewed more than twice in BPC section 2538.28(c). DCA-20-16 authorizes the Board to extend the expiration date of HAD Temporary Licenses and HAD Trainee Licenses by six (6) months for eligible licensees. This waiver only applies to HAD Temporary Licenses that expire between March 31, 2020 through October 31, 2021 and HAD Trainee Licenses that have been renewed twice and expire between October 31, 2020 through October 31, 2021.
- **Modification of Limitations and Requirements for Extension of RPE Licenses (DCA-21-171)** – Originally approved July 17, 2020 and extended on September 17, and December 15 of 2020, and on February 26, April 30, July 1, and August 31 of 2021. This waived the limitation that an RPE License cannot be reissued for more than 12 months in Title 16 California Code of Regulations (CCR) section 1399.153.10(a) and waives the associated fee. The waiver also removes the limitation that a Speech-Language Pathology or Audiology RPE License cannot be reissued or extended due to the licensee's inability to take and pass the licensing examinations in 16 CCR section 1399.153.10(a). The waiver authorizes the Board to extend an already reissued RPE License for an additional six (6) months without paying the \$35 application fee and to approve an RPE License reissuance for the purposes of taking and passing the respective licensing examinations in Speech-Language Pathology and Audiology. The 6-month extension and fee waiver allowed by this waiver for an already reissued RPE License only applies to RPEs who have a reissued RPE License that would expire between March 31, 2020 and October 31, 2021. The allowance for RPE Licenses to be reissued due to the RPE License holder's inability to take and pass the licensing examinations applies to all RPE License holders who have not already had their RPE License reissued before October 31, 2021.

b. How many are pending?

No Board-requested waivers are still pending.

c. How many were denied?

Two (2) of the Board's waiver request were denied, a summary of each is provided below.

- **Modification of the 12-Month Fulltime Professional Experience Requirement for Licensure as an Audiologist** – This waiver would have waived the requirement that Audiology applicants submit evidence of no less than 12 months of supervised professional full-time experience for licensure (as stated in Business and Professions Code Section 2532.25). This waiver was denied on May 12, 2020 as the Department did not believe that waiving pre-licensure requirements, such as experience or competency exams, at this time is in the best interests of consumer protection.
- **Modification of Board Continuing Education Requirements to Remove Self-Study Restrictions** – This waiver would have waived the limitations on self-study continuing education (CE) and continuing professional development (CPD) for the purposes of renewal in Title 16 California Code of Regulations (CCR) sections 1399.140 and 1399.160. This would allow licensees to accrue all CE and CPD through self-study during

the COVID-19 pandemic. This waiver was denied on December 30, 2020 as the Department had provided waivers of CE requirements for licensees of the Board and believed it would be unreasonable to allow licensees to complete all CE requirements via self-study as this would weaken consumer protections by not requiring some training be provided by a type of classroom or lecture type training that is verified.

d. What was the reason for the outcome of each request?

See section (c) for DCA's reasons for the denial of two (2) of the Board's waiver requests.

70. In response to COVID-19, has the Board taken any other steps or implemented any other policies regarding licensees or consumers?

Despite COVID-19 limitations and challenges, the Board was able to conduct hearing aid dispenser practical examinations. After having to cancel most of its 2020 practical examinations due to COVID-19, examinations resumed in October 2020 with robust safety and sanitation precautions. Board staff used larger examination rooms and utilized sanitation measures as required by State health and safety guidelines.

To the extent practicable, the Board utilized electronic submission of documents and signatures to facilitate the licensure process during the COVID-19 pandemic.

Additionally, to increase communication to current Board licensees, the Board created a COVID-19 Update and Frequently Asked Questions webpage and utilized existing email addresses in our database to create listservs to disseminate COVID-19 waiver information, and COVID-19 health and safety requirements to its licensees.

71. Has the Board recognized any necessary statutory revisions, updates or changes to address COVID-19 or any future State of Emergency Declarations?

Due to COVID-19 and any future State of Emergencies, the Board believes it is necessary to require all licensees to provide the Board with a current email address in order to communicate urgent information in a quick, efficient, and cost-effective manner.

Section 11 – Board Action and Response to Prior Sunset Issues

Include the following:

1. Background information concerning the issue as it pertains to the Board.
2. Short discussion of recommendations made by the Committees during prior sunset review.
3. What action the Board took in response to the recommendation or findings made under prior sunset review.
4. Any recommendations the Board has for dealing with the issue, if appropriate.

BUDGET ISSUES

ISSUE #1: *What is the status of the long term fund condition?*

Staff Recommendation: *The Board should advise the Committee of its long-term expectations for its fund, especially in light of proposed licensing fee increases. If such increases are not adopted, does the Board project insolvency before the next sunset review? DCA revenue projections show falling revenue and increasing expenditures, yet the Board does not predict insolvency?*

Board Response: Since 2012, the Board’s revenue has exceeded its expenditures. This is reflected in the fund balance which shows each of the past three years increasing from \$1.2 million to \$1.8 million. With the increased licensing population, the Board’s revenue is expected to continue to increase steadily. Based on these factors, the Board’s fund condition is relatively healthy and will continue to be solvent through the next sunset reporting period.

While the status of the Board’s fund condition is relatively healthy based on its current expenditure authority, staffing levels have not kept up with the increasing licensing population. To maintain acceptable service levels to consumers, applicants, and licensees; the Board will need to increase its staffing and resources. The increase in staff will require a fee increase to prevent a fiscal structural imbalance and ensure solvency in the coming years.

At its June 2015 meeting, the Board approved a fee increase to support additional staffing and prevent the need for drastic spending cuts that could impact enforcement, licensing, and examinations. The last increase in renewal fees for speech-language pathologists and audiologists was in 2001. The fee increase will allow for much needed growth in resources and staff so that the Board can continue making strides in enforcement and licensing. The Board anticipates completion of the fee increase regulations in early 2018.

UPDATE:

The Board does not predict insolvency in its fund in the future because the Board successfully promulgated regulations to increase the licensing and renewal fees for audiologists, speech-language pathologists, speech-language pathology assistants, and license verification fees for those licensees. These regulations were approved on June 29, 2021, became effective July 1, 2021, and will be implemented November 1, 2021

The Board works closely with the DCA Budget Office to monitor the Board’s expenditures and long term fund condition.

LICENSING ISSUES

ISSUE #2: *Does the Board need more staff in order to meet its performance goals?*

Staff Recommendation: *The Board should advise the Committee whether it feels that current levels of staff are sufficient to adequately provide oversight to its licensee population. Additionally, now that staff is fully trained and focused on their normal job duties, without additional staff, will the Board begin to face continued backlogs in licensing and enforcement?*

Board Response: The Board is funded for 9.6 staff positions and is responsible for all aspects of licensing, examinations, enforcement, regulations, continuing education (CE) approval, and CE audits as part of the oversight of over 23,000 licensees. The Board's staffing level has not kept up with the growth of its licensing population and the growing demand for licensure and enforcement in the three professions regulated by the Board. The Board has utilized temporary personnel and borrowed staff from DCA to eliminate backlogs and Board staff works overtime to provide timely management of services. The Board's workload has grown in all areas including the administration of the Hearing Aid Dispensers Practical Examination. It takes considerable resources in terms of staff preparation and time and can involve pulling staff from other essential and time-sensitive activities.

In FY 2015-16, at the request of the Board's Executive Officer, CPS HR Consulting conducted an independent analysis of the Board's workload and staffing. The report identified that the Board was understaffed in the areas of administration and licensing and included a comparison of the Board staffing levels with other small to medium sized DCA Boards. The Board was successful in attaining one additional licensing position through a budget change proposal in 2015-16, but was denied additional positions in 2016-17. The Board deftly does more with a staff that is frankly inadequate, given the disparate needs of regulating three separate professions and practices.

Without additional staff the Board will face delays in licensing thus creating a backlog and reducing the number of examinations offered to hearing aid dispenser (HAD) applicants. The Board will submit a request in 2017 through the budget process to increase staff to address workload needs and prevent future backlogs in licensing and enforcement.

UPDATE:

While the Board's staff has increased by three positions (31 percent increase) since the Board's last Sunset Review, the growth in staffing levels has not been able to keep pace with the exponential growth in the Board's initial application workload (36 percent increase) and licensee population (52 percent increase). For this reason, the Board continues to utilize temporary help, borrowed staff from DCA, and staff work substantial overtime to meet the workload demands on the Board.

ISSUE #3: *Is the current training and examination for Hearing Aid Dispensers limiting access to the profession?*

Staff Recommendation: *The Board should advise the Committees of whether it feels that access is being limited to the hearing care profession, particularly hearing aid dispensers and dispensing audiologists, by the low pass rate of the licensing examination and the absence of a training manual. Does the Board feel that the examination continues to be an accurate assessment of the skills and knowledge necessary to practice in this field? What evaluations has the Board pursued of this issue and of the examination itself? When does the Board anticipate completing its handbook?*

Board Response: The Board strives to ensure that licensing standards are met that protect consumers while permitting reasonable access into the professions. To support its strategic goal, the Board increased access to HAD profession by increasing the number of practical examinations held annually (based on demand). The Board held two examinations in 2013-14, six in 2014-15, and eight in 2016-17, greatly increasing the capacity of the examination for those who wish to enter the HAD profession.

In order to apply for the HAD examinations, there are no formal training or education requirements in statute. The only requirement is that the applicant must be 18 years of age and possess a high school diploma or GED. An applicant may work as a trainee under supervision, but that is not required as a condition for taking the HAD examination. In comparison, candidates for Speech-Language Pathology or Audiology examinations must possess either a Masters or a Doctoral degree in their required field of study, specified hours of clinical practice, and a year of required professional experience under supervision of a licensed professional. Based on the diversity of examination candidates, the results of the examination can vary. According to the Office of Professional Examination Services, the pass rates for the Board's written and practical examinations are comparable to pass rates for other examinations requiring no formal education or training requirements.

To ensure the examinations are an accurate assessment of the knowledge and skills necessary to practice safely and competently, the Board conducts ongoing evaluation of both the written and practical examinations with the help of licensed subject matter experts and DCA's Office of Professional Examination Services (OPES). Statistical analyses are conducted by OPES after each examination to ensure the test questions are functioning within expected parameters. The next occupational analysis, a comprehensive study of hearing aid dispenser practice, is scheduled during the 2018/2019 fiscal year.

Based on its evaluations, the Board recently redesigned the hearing aid dispensing practical examination, which launched in February 2017. Improvements were made streamlining the testing process that included eliminating information already tested in the written examination and clarifying instructions to candidates during the examination.

Written guides are currently available for both the written and practical examinations on the Board's website. These guides identify specific areas which are tested on the examinations. The Board will continue to develop and update the examination guides it currently makes available to applicants. In the coming year, the Board will revisit the proposed training manual issue and explore other solutions including the implementation of national training guidelines and hearing aid dispenser trainee/apprenticeships in California.

UPDATE:

The Board ensures that examinations are an accurate assessment of the knowledge and skills necessary to practice safely and competently, the Board conducts ongoing evaluation of both the written and practical examinations with the help of licensed subject matter experts and OPES. Statistical analyses are conducted by OPES after each examination to ensure the test questions are functioning within expected parameters. The occupational analysis, a comprehensive study of hearing aid dispenser practice, was completed in June of 2020 and implemented after the report was completed.

The Board redesigned the hearing aid dispensing practical examination in February 2017. In 2017, improvements were made to streamline the testing process including eliminating information already tested in the written examination and clarifying instructions to candidates during the examination.

Written guides are available for both the written and practical examinations on the Board's website. These guides identify specific areas which are tested on the examinations. The Board continues to develop and update the examination guides it currently makes available to applicants.

Therefore, the Board believes these issues are no longer a concern due to the improvements made to the examinations and the associated written guides.

ISSUE #4: *Is the Board pursuing English literacy testing for foreign trained Speech-Language Pathologists?*

Staff Recommendation: *The Board should advise the Committees of how it currently evaluates foreign-trained applicants for speech language and whether it would require additional staff to change the current standards used in licensing. The Board should also consult with counsel and report to the Committees on whether there is precedent for this type of evaluation and potential litigation concerns. In addition, the Board should provide any evidence of insufficient care or services arising from a lack of English proficiency provided by licensees who have not been examined for such.*

Board Response: The Board is not proposing changes in how it assesses or evaluates foreign-trained applicants. Based on its current statutory authority, the Board evaluates equivalencies in education and experience of foreign-trained applicants. The Board is asking for statutory authority to determine English proficiency as a requirement for licensure for foreign-trained applicants.

The American Speech-Language-Hearing Association (ASHA), consisting of 185,000+ members, is the national organization that certifies speech-language pathologists to practice in the United States. ASHA follows strict guidelines for certifying applicants who are trained in non-English speaking countries.

The 2014 ASHA Certification Standards for Speech-Language Pathologists states all applicants must meet Standard V: Skills Outcomes Standard V-A: The applicant must have demonstrated skills in oral and written or other forms of communication sufficient for entry into professional practice.

Implementation: Individuals are eligible to apply for certification once they have completed all graduate-level academic course work and clinical practicum and been judged by the graduate program as having acquired all of the knowledge and skills mandated by the current standards.

The applicant must have demonstrated communication skills sufficient to achieve effective clinical and professional interaction with clients/patients and relevant others. For oral communication, the applicant must have demonstrated speech and language skills in English, which, at a minimum, are consistent with ASHA's current position statement on students and professionals who speak English with accents and nonstandard dialects. In addition, the applicant must have demonstrated the ability to write and comprehend technical reports, diagnostic and treatment reports, treatment plans, and professional correspondence in English (bold added).

It is the Board's intention to be consistent with our national organization's requirements for minimal English proficiency. To assure this is the case, the Board is seeking a statutory amendment to grant authority to require a demonstration of English proficiency similar to the Physical Therapy Board (Business and Professions Code 2653 (b) *Demonstrate proficiency in English by achieving a score specified by the board on the Test of English as a Foreign Language administered by the Educational Testing Services or such other examination as may be specified by the board by regulation.* Then the Board would be able to promulgate regulations to set the minimum requirements on the Test of English as a Foreign Language (TOEFL). Completing the TOEFL would not require additional staff, as the applicant would be required to provide TOEFL results as part of the application process.

The issue of concern is consumer protection. Speech therapy for children with an articulation disorder involves teaching the sound, modeling the production of the sound, and providing corrective feedback to the child. These tasks would be very challenging for a speech-language pathologist who cannot produce those sounds correctly and cannot discriminate whether the sounds are accurately produced, because the sounds are not in their primary language and they do not have minimal English proficiency. Likewise, if a child has difficulties producing grammar or producing sentences with accurate word ordering, a speech-language pathologist who is unfamiliar with native English grammar would not have learned to produce these grammatical forms and order words in sentences accurately if they were not present in the therapist's native language. As a result of these potential therapeutic difficulties, the Board has received reports from employers and school district personnel of insufficient care and services being provided by current licensees who are not being examined for English proficiency in schools, clinics, and hospitals throughout California because we have no current statute or regulations to require minimal English proficiency.

The Board consulted with DCA counsel regarding precedent and potential litigation concerns. This proposal is similar to what has existed in the Physical Therapy Practice Act since 2014. To our knowledge there has been no litigation as a result of the statutory change. Proposed regulations would still require approval from the Office of Administrative Law.

UPDATE:

The Board determined that its review of foreign educated and trained applicants is sufficient to ensure applicants meet the minimal qualifications for licensure. Also, the Board considers this issue to no longer be a concern due to the lack of consumer complaints regarding insufficient care.

ISSUE #5: Is it necessary to eliminate the Speech-Language Pathology Aide designation?

Staff Recommendation: *The Board should further explain to the Committees how it proposes to eliminate the pathology aide designation while protecting continuity of care. Does the Board have a plan to provide support or cross-training for current speech-language pathology aides that would lose their jobs?*

Board Response: Today, in California, there are over 17,000 licensed speech-language pathologists and only 42 speech-language pathology (SLP) aides. It is apparent that the vast majority of SLPs currently work without the use of aides. Any SLP assistance needed to ensure continuity of care is provided by another category of support help, the SLPA (Speech-Language Pathology Assistants) who work in today's SLP settings. Historically SLPs have either worked independently or utilized SLPAs in their practices.

AB 205 (Machado), Chapter 1058, Statutes of 1998, established SLPAs as a new licensure category, and required persons seeking licensure as a SLPA to complete an associate of arts program in speech-language pathology. However, AB 205 also included a "grandfather" provision, permitting SLP aides who had at least a year of experience to apply for licensure as an assistant without completing the associate of arts degree, until January 1, 2001. SB 50 (Machado), Chapter 173, Statutes of 2001 extended the grandfather provision for Aides with qualifying experience to apply for SLPA licensure. The intent was to phase out the SLP Aide designation, but this was not removed from statute. In 2001, there were 136 SP Aides. During the past 20 years, the Board has never had more than 200 Aides. In contrast, the SLPA licensing category has grown from 2,343 at the end of 14-15 to 3,611 on 12/31/2017; which amounts 54% growth in just 18 months.

The Board surveyed the employers of the currently registered SLPAs. Of those surveyed, about half were still employed. Those that were no longer employed simply didn't take the steps to unregister their aide with the Board. Of those surveyed, none of the employers stated that the aides would lose employment if the aide designation were eliminated because they would still serve a purpose. Employers commented that the aide designation is no longer necessary and imposes a burden on their employees, fingerprinting, application, etc.

There is confusion among the employers/supervisors with the SLP Aide limitations. Surveyed employers commented that SLPAs are much more useful to their practice and that the aide designation creates confusion in the SLP field and can lead to unlicensed SLP practice by aides. In recent enforcement investigations, the Board found that the lack of clarity in supervision requirements seemed to encourage supervisors to work SLP aides beyond their limitations, and in some cases were found to be aiding and abetting unlicensed activity.

UPDATE:

In the Board's 2016 Sunset Review report, the Board was requesting to eliminate the Speech-Language Pathology Aide designation but the Committee did not pursue this issue as there was no clear path to help Speech-Language Pathology Aides to transition to become Speech-Language Pathology Assistants. Since the Committee did not pursue the elimination of the Speech-Language Pathology Aide designation, the Board will consider ways to improve the consumer protections related to the Aide registration, including seeking renewal and continuing education requirements.

WORKFORCE ISSUES

ISSUE #6: How is the Board addressing the shortage within the Audiology profession?

Staff Recommendation: *The Board should provide the Committees with evidence of shortages in the audiology field and collaborate with the committee to amend statute to address concerns with reciprocity. If the Board has received information on workforce shortages in California from outside sources, it should share these with the committee.*

Board Response: The number of audiology licensees in California, as of 2016, is approximately 1,600. With the population of California being over 39 million, and the percentage of Californians aged 65 years and older being approximately 12.5 percent or nearly 5 million, the number of audiologists falls clearly short of the number needed to meet California's hearing and balance needs in the older population. In addition, according to the American Speech-Language-Hearing Association (ASHA), the incidence of hearing loss in the US has doubled in the last 30 years (ASHA, 2015).

Currently, 30 million Americans aged 12 and older have permanent, bilateral hearing loss. About 2 percent of adults aged 45 to 54 years have disabling hearing loss. The rate increases to 8.5 percent for adults aged 55 to 64 years. Nearly 25 percent of those aged 65 to 74 years and 50 percent of those who are 75 years and older have disabling hearing loss (National Institutes of Health, 2014).

Since California represents approximately 12 percent of the US population, it would appear that nearly 4 million Californians could have permanent, bilateral hearing loss. In addition, the population of people over 65 is expected to double by 2030. Even without this perspective, data suggests that each audiologist must provide services for 2,500 adult patients in the state.

CSU Chancellor Timothy White noted in a letter to the California Academy of Audiology dated April 10, 2015:

Still operating today, the joint San Diego program has graduated 61 audiologists since the 2007-08 academic year, the period during which the last remaining CSU audiology master's program closed its doors because the doctorate had become the entry-degree for practice. Thirty-seven students were enrolled in the three-year joint San Diego program in fall 2014, and 13 students graduated from the program during 2013-14 academic year. In 2012-13, California graduated six audiologists, only one percent of the 577 audiology degrees nationallyⁱ. As shown in the table below, the degree production in California's only public Au.D. program falls desperately below the projected need for audiologists in our state. From 2010 to 2020, for example, the number of audiology jobs is expected to grow 30 percent, with an average of 50 jobs open annuallyⁱⁱ.

ⁱ American Speech-Language Hearing Association, retrieved from <http://www.asha.org/aud/Know-the-Facts/>.

ⁱⁱ State of California Employment Development Department "Occupation Profile Audiologist," retrieved from <http://www.labormarketinfo.edd.ca.gov/cgi/databrowsing/occExplorerQSDetails.asp?searchCriteria=audiolog&careerID=&menuChoice=&geogArea=0601000000&soccode=291181&search=Explore+Occupation>.

The state licensing board issued 74 audiology licenses in 2015-2016, but due to imported audiologists returning to their home states, as well as retirements, the net gain was only one licensee. The past year was not an aberration. Currently, 64 percent of licensed California audiologists are age 55 or older, and are at or nearing the age of retirement. Between 85-90 percent of licensing applicants are now coming from other states.

With an inadequate in-state pipeline, most of the new audiologists are coming here to practice from out of state, and there are large numbers of open audiologist positions for all types of professional settings (**Audiology Online**, <http://www.audiologyonline.com/2017>).

The National Institute of Aging has estimated that by 2020, the need for audiologists to serve the older population will increase by 50 percent. US Department of Labor projects audiologist employment to grow at a rate of 29 percent from 2014 to 2024, four times the average rate for all occupations. Hearing loss increases as people age, so the aging population is likely to increase demand for audiologists.

The Veteran's Administration noted in 2012 that visits to VA audiology clinics has increased to over 1.6 million (36 percent) since 2009. Due to the shortage of audiologists, veterans are waiting up to a year to be seen for diagnostic evaluations and hearing aid fittings. Children's hospitals have also been affected with fewer hospitals and audiologists able to treat patients in a timely and convenient manner. Due to the limited number of audiologists available, hearing loss patients are often required to travel for many hours to receive needed services.

To address the growing need for audiologists in the state, Governor Brown recently signed AB 2317 (Mullin), which authorizes the CSU system to award the Doctor of Audiology degree. The changes that resulted from AB 2317 opened the possibility of CSU campuses offering the Doctor of Audiology (AuD) degree. This will significantly increase the number of AuD graduates applying for licensure in California, and consequently ease the shortage of audiologists. The Board is confident that with the passage of AB 2317, as new Audiology programs at some of the CSU campuses come on-line, this shortage will be addressed and ameliorated.

Although the Board does not have full reciprocity with other states, it recognizes national certification for the purpose of meeting licensure requirements for speech-language pathology or audiology. Business and Professions Code Section 2532.8 deems that a person has met the educational and experience requirements identified in Business and Professions Code Section 2532.2 if the individual holds the national Certificate of Clinical Competence (CCC) in speech-language pathology or audiology, issued by the ASHA. Unfortunately this law no longer applies to current audiology applicants.

In January 2010, Business & Professions Code Section 2532.25 was added to statutes requiring that an audiology applicant possess a clinical doctoral degree (AuD) in audiology to qualify for licensure. In January 2012, ASHA began requiring a doctoral degree in audiology in order to obtain a CCC in Audiology. Business & Professions Code Section 2532.8 was never updated to apply to current licensing requirements for audiologists as required in Business & Professions Code Section 2532.25.

Business & Professions 2532.8 should be amended to deem applicants who hold the national Certificate of Clinical Competence (CCC) in speech-language pathology or audiology, issued by the American Speech-Language-Hearing Association (ASHA) to apply equivalence to the current requirements for audiology applicants referenced found in Business & Professions Code Section 2532.25.

In addition, the American Academy of Audiology (AAA), which has over 12,000 members, issues the American Board of Audiology certification which has requirements that are similar to the ASHA audiology certification requirements. Including AAA's American Board of Audiology certification in Section 2532.8 would provide for greater reciprocity for audiologists who have obtained AAA certification.

The Board recommends the following changes to Business and Professions Code 2532.8:

2532.8. Persons deemed to meet requirements

(a) The board shall deem a person who holds a valid Certificate of Clinical Competence in Speech-Language Pathology or audiology issued by the American Speech-Language-Hearing Association's Council for Clinical Certification to have met the educational and experience requirements set forth for speech-language pathologists ~~or audiologists~~ in Section 2532.2.

(b) The board shall deem a person who holds either a valid Certificate of Clinical Competence in Audiology issued by the American Speech-Language-Hearing Association's Council for Clinical Certification or a valid American Board of Audiology certificate issued by the American Academy of Audiology to have met the educational and experience requirements set forth for audiologists in sections 2532.2 and 2532.25.

(bc) If an applicant qualifying for licensure under this section has obtained any equivalent qualifications in violation of the laws and regulations governing the practices of speech-language pathology or audiology or has not met the requirements for licensure, he or she shall correct the deficiency to qualify for licensure. If the deficiency is not cured within one year from the date of the deficiency notice, the application for licensure is deemed abandoned.

UPDATE:

Since the Board's last Sunset Review, the multiple CSU's have developed Doctor of Audiology (AuD) programs. Some of these programs will have their initial classes of students graduating in the coming years.

Additionally, during the Board's last Sunset Review, the Board recommended the Committee consider revising BPC Section 2532.8 to include audiologists with a valid Certificate of Clinical Competence in Audiology issued by the American Speech-Language-Hearing Association's Council for Clinical Certification or a valid American Board of Audiology certificate issued by the American Academy of Audiology. In January 2010, BPC Section 2532.25 was added to statutes requiring that an audiology applicant possess a clinical doctoral degree (AuD) in audiology to qualify for licensure. In January 2012, ASHA began requiring a doctoral degree in audiology in order to obtain a CCC in Audiology. Since that time, BPC Section 2532.8 was never updated to apply to current licensing requirements for audiologists as required in BPC Section 2532.25. Amending this statutory reference and adding the American Board of Audiology Certificate will streamline licensure of audiologists who hold these certifications and enhance access to audiology services for California consumers.

ISSUE #7: How is the Board addressing the shortage within the Speech-Language Pathology profession?

Staff Recommendation: *The Board should provide the Committees with evidence of shortages in the speech-language pathology field beyond anecdotal evidence and collaborate with the appropriate policy committees to discuss increasing access to speech-language pathology Master's programs at CSU and UC. If the Board has received information on workforce shortages in California from outside sources, it should share these with the committee.*

Board Response: According to US News and World Report (2015), speech-language pathology was ranked 20th in health care jobs and 28th overall of the best jobs of 2015, and the profession should see significant growth over the next decade. The California Employment Development Department reported that there were

11,000 speech-language pathologists employed in 2014 with a growth outlook of 17.3% between 2014-2024. An additional 2,800 openings will be needed due to net replacements per the table below:

Speech Language Pathologists Estimated Employment and Projected Growth					
Geographic Area (Estimated Year Projected Year)	Estimated Employment	Projected Employment	Numeric Change	Percent Change	Additional Openings Due to Net Replacements
California (2014-2024)	11,000	12,900	1,900	17.3	2,800

A master’s degree in speech-language pathology is the entry-level degree required to be licensed as a speech-language pathologist in California. The supply of newly trained master’s level speech-language pathologists graduating from the 18 master’s level programs in California cannot keep up with the demand, resulting from growth in the field as well as speech-language pathologists who are retiring or leaving the field.

There is a shortage of qualified SLPs in the state of California particularly in public school settings. For example, the California Commission on Teacher Credentialing (CTC) reports that each year a minimum of 475+ individuals working in the California public schools are granted SLPSC VTWs (speech-language pathology service credential variable term waivers). These waivers are granted to individuals with teaching credentials or bachelor’s degrees in speech-language pathology to work as SLPs in the public schools. These individuals do not have the entry-level master’s degree in speech-language pathology. They have not completed the required academic and clinical training at the graduate level nor have they passed the Praxis exam in speech-language pathology as is required to be a licensed speech-language pathologist. This occurs because of the shortage of SLPs, not because school districts are interested in hiring underqualified individuals. In addition, the CA CTC reports a high percentage of school districts have speech-language pathology openings that go unfilled. There is clearly a critical need to graduate more SLPs who are fully qualified to work in school and other settings in California.

The Board will continue working toward the goal of increasing access to speech-language pathology Master’s programs by collaborating with the appropriate policy committees in the legislature.

UPDATE:

The Board supported AB 1075 (Holden, 2019) which would have appropriated \$750,000 to the California State University (CSU) system for competitive grants to campus speech-language pathologist programs with the goal of expanding their enrollment capacity. The Legislature addressed this issue through the 2019 Budget Act which appropriated \$3 million to the CSU system to increase enrollment in speech-language pathologist programs.

The data requested by the Committee on speech-language pathologist workforce shortages was provided during the Board’s last Sunset Review and the Board does not have any additional updates to provide on this data.

TECHNOLOGY ISSUES

ISSUE #8: *What is the status of BReEze implementation by the Board?*

Staff Recommendation: *How will the Board pursue technology solutions to fill the role of BreEze in the future?*

Board Response: The Board is working with DCA on the following strategy to determine the appropriate direction and solutions to replace the current legacy system and fill the role of BreEze in the future:

Step #1: Business Analysis - In order to ensure that any resulting technological platform meets the specific business needs of the Board, those business needs must be known and documented. Appropriately documented business needs ultimately inform technical design specifications that make certain a technical platform reflects the business, the single biggest factor for success in an IT effort.

The Board will conduct pre-planning and business process analysis in order to create three sets of artifacts:

1. Business Process Diagrams
2. Elaborate these processes with Use Case narratives
3. Business Needs Document

The Board is currently looking at timeframes to begin the analysis, taking special consideration to make sure Board resources are available to the process while still able to maintain its core mission.

Step #2: Project Approval Lifecycle (Stage Gates 1 – 4) - The Board is required, as are all IT projects, to complete the Department of Technology's Project Approval Lifecycle (PAL) to gain approval to execute any project. The PAL is broken into four stages:

Stage 1 – Establishing the Business Case

Stage 2 – Alternatives Analysis, Organizational Readiness, Cost-Benefit/Effectiveness Analysis

Stage 3 – Procurement Preparation

Stage 4 – Project Readiness and Approval

Step #3: Project Implementation - Create and follow project plans and schedules to implement the chosen platform. The overall strategy outlined above will focus on three main success points:

4. Meeting the specific business needs of the Board.
5. Cost Effectiveness
6. Organizational Readiness

UPDATE:

Since the Board's last Sunset Review, the Board has worked in coordination with DCA's Organizational Improvement Office and Office of Information Services to progress through the Business Modernization Project efforts and PAL stages. The new systems that the Board adopts will provide access for licensees and applicants to apply for licensure online and complete online transactions. In 2020, the Board received budgetary authority to proceed with the project and an analyst position to address the increased workload during the development and transition to the system. The Board has now completed Stages 1 (Business Analysis) and 2 (Alternative Analysis) of the California Department of Technology's PAL. The Board has begun Stage 3 (Solution Development) of the process and will continue to complete the last two required PAL Stages in 2021.

ADMINISTRATIVE ISSUES

ISSUE #9: *How severe is the issue of "locked" hearing aids?*

Staff Recommendation: *The Board should advise the Committees on what steps are necessary to protect consumers from harm under existing hearing aid "locking" procedures and if there is concern about this practice may limit access to hearing care for patients.*

Board Response: The locking of hearing aids creates a potential consumer protection issue since these locked aids limit or restrict where hearing aid users can seek hearing aid programming and care. Unfortunately, as hearing aid users age, their hearing often diminishes requiring annual reprogramming of their hearing aids to increase the gain or loudness to match the change in hearing. These individuals are then forced to return to the original dispensing facility or a sister facility that dispenses that particular hearing aid. If the individual no longer lives in the area or if the dispensing location has closed its business, the hearing aid user has no choice but to purchase other hearing aids. Consumers are harmed when they, often unknowingly, purchase hearing aids that cannot be serviced or managed in a wide geographic location. Essentially this renders the hearing aid unmanageable, unless the consumer can return to the office where it was originally purchased.

The Board recommends amending the Business and Professions Code 2538 and 2539 to require hearing aid dispensers and dispensing audiologists that sell hearing aids with locked software provide consumers a written disclosure that informs the consumer of limitations regarding adjustments to their hearing aid and other related services caused by the locked software.

UPDATE:

Since the Board's last Sunset Review, the Board sponsored legislation (AB 435 (Chapter 266, Statutes of 2021, Mullin)) to require hearing aid dispensers and dispensing audiologists that sell hearing aids with locked software provide consumers a written disclosure that informs the consumer of limitations regarding adjustments to their hearing aid and other related services caused by the locked software. This bill was passed by the legislature on August 30, 2021 and signed by Governor Gavin Newsom on September 23, 2021. This bill becomes effective on January 1, 2022.

TECHNICAL CLEANUP

ISSUE #10: *Is there a need for technical cleanup?*

Staff Recommendation: *The Board should recommend cleanup amendments for BPC § § 2530-2539.14 to the Committees.*

Board Response: The Board is recommending the following cleanup amendments to the Business and Professions Code Section 2530-2539.14:

(Rename the chapter to include Hearing Aid Dispensers)

CHAPTER 5.3

Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers

Article 4

Denial, Suspension, ~~and~~ Revocation, and Probation

2532.8. Persons deemed to meet requirements

(a) The board shall deem a person who holds a valid certificate of clinical competence in speech-language pathology or audiology issued by the American Speech-Language-Hearing Association's Council for Clinical Certification to have met the educational and experience requirements set forth for speech-language pathologists in Section 2532.2 or audiologists in Section 2532.25.

(b)...

2533. Grounds for action

The board may refuse to issue, or issue subject to terms and conditions, a license on the grounds specified in Section 480, or may suspend, revoke, or impose terms and conditions upon the license of any licensee for any of the following:

(a) Conviction of a crime substantially related to the qualifications, functions, and duties of a speech-language pathologist or audiologist or hearing aid dispenser, as the case may be. The record of the conviction shall be conclusive evidence thereof.

(b) Securing a license by fraud or deceit.

(c)(1) The use or administering to himself or herself of any controlled substance.

(2) The use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages, to the extent or in a manner as to be dangerous or injurious to the licensee, to any other person, or to the public, or to the extent that the use impairs the ability of the licensee to practice speech-language pathology or audiology safely.

(3) More than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section.

(4) Any combination of paragraph (1), (2), or (3).

The record of the conviction shall be conclusive evidence of unprofessional conduct.

(d) Advertising in violation of Section 17500. Advertising an academic degree that was not validly awarded or earned under the laws of this state or the applicable jurisdiction in which it was issued is deemed to constitute a violation of Section 17500.

(e) Committing a dishonest or fraudulent act that is substantially related to the qualifications, functions, or duties of a licensee.

(f) Incompetence, gross negligence, or repeated negligent acts.

(g) Other acts that have endangered or are likely to endanger the health, welfare, and safety of the public.

(h) Use by a hearing aid dispenser of the term "doctor" or "physician" or "clinic" or "audiologist," or any derivation thereof, except as authorized by law.

- (i) The use, or causing the use, of any advertising or promotional literature in a manner that has the capacity or tendency to mislead or deceive purchasers or prospective purchasers.
- (j) Any cause that would be grounds for denial of an application for a license.
- (k) Violation of Section 1689.6 or 1793.02 of the Civil Code.
- (l) Violation of a term or condition of a probationary order of a license issued by the board pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.
- (m) Violation of a term or condition of a conditional license issued by the board pursuant to this section.
- (n) Disciplinary action taken by any public agency in any state or territory for any act substantially related to the practice of speech-language pathology, audiology, or hearing aid dispensing.
- o) Aiding or abetting any person to engage in the unlicensed practice of speech-language pathology, audiology, or hearing aid dispensing.
- p) Violation or attempting to violate, directly or indirectly, any of the provisions of this chapter.

2533.1. What constitutes conviction

A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, and duties of a speech-language pathologist, ~~or~~ audiologist, or hearing aid dispenser is deemed to be a conviction within the meaning of this article. The board may order a licensee be disciplined or denied a license as provided in Section 2533 when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence irrespective of a subsequent order under Section 1203.4, 1203.4a, or 1203.41 of the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

2533.4. Injunction against violations

Whenever any person other than a licensed speech-language pathologist, ~~or~~ audiologist, or hearing aid dispenser has engaged in any act or practice which constitutes an offense against this chapter, a superior court of any county, on application of the board, may issue an injunction or other appropriate order restraining that conduct. Proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure. The board may commence action in the superior court under this section on its own motion.

2533.5. Prosecution of violations; Hearings

- (a) The board may prosecute any and all persons for any violation of this article.
- (b) The board shall hear and decide all matters, including, but not limited to, any contested case or any petition for reinstatement or modification of probation, or may assign any of those matters to an administrative law judge in accordance with the Administrative Procedure Act. Except as otherwise provided in this chapter, all hearings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

2533.6. Petitions

- (a) A person whose license has been revoked or suspended, or who has been placed on probation, may petition the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board for reinstatement or modification of penalty, including modification or termination of probation, after a period of not less than the following minimum period of time has elapsed from the effective date of the decision ordering that disciplinary action:
 - (1) At least three years for reinstatement of a license revoked for unprofessional conduct, except that the board may, for good cause shown, specify in a revocation order that a petition for reinstatement may be filed after two years.
 - (2) At least two years for early termination or one year for modification of a condition of probation of three years or more.

(3) At least one year for reinstatement of a license revoked for mental or physical illness, or for modification of a condition, or termination of probation of less than three years.

(b) The petition shall state any facts as may be required by the board.

(c) The petition may be heard by the board, with the matter presided over by an administrative law judge. After a hearing on the petition, the administrative law judge shall provide a decision as determined by the board which shall be acted upon in accordance with the Administrative Procedures Act.

(d) The board or the administrative law judge hearing the petition may consider all activities of the petitioner since the disciplinary action was taken, the offense for which the petitioner was disciplined, the petitioner's activities during the time the license was in good standing, and the petitioner's rehabilitative efforts, general reputation for truth, and professional ability. The hearing may be continued, as the board or the administrative law judge finds necessary.

(e) The administrative law judge when hearing a petition for reinstating a license, or modifying a penalty, may recommend the imposition of any terms and conditions deemed necessary.

(f) The board may deny, without a hearing or argument, any petition for reinstatement filed pursuant to this section for any of the following:

(1) The petitioner is under sentence for any criminal offense, including any period during which the petitioner is on court-imposed probation or parole.

(2) There is an accusation or petition to revoke probation pending against the petitioner

(3) The petition is within a period of two years from the effective date of the prior decision following a hearing under this section.

(g) The board may deny, without a hearing or argument, any petition for termination or modification of probation filed pursuant to this section for any of the following

(1) The petitioner has failed to comply with the terms and conditions of the disciplinary order.

(2) The board is conducting an investigation of the petitioner while he or she is on probation.

(3) The petitioner has a subsequent arrest that is substantially related to the qualifications, functions, or duties of the licensee or registrant and this arrest occurred while on probation.

(4) The petitioner's probation with the board is currently tolled.

(h) Nothing in this section shall be deemed to alter Sections 822 and 823.

[Move 2538.19 from Article 8 Hearing Aid Dispensers to Article 4 Denial, Suspension, Revocation, and Probation to become 2533.5]

~~2538.19. Prosecution of violations; Hearings~~

~~(a) The board may prosecute any and all persons for any violation of this article.~~

~~(b) The board shall hear and decide all matters, including, but not limited to, any contested case or any petition for reinstatement or modification of probation, or may assign any of those matters to an administrative law judge in accordance with the Administrative Procedure Act. Except as otherwise provided in this chapter, all hearings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.~~

2538.28. Temporary Trainee license where applicant supervised and trained; Term; Renewability

(a) An applicant who has fulfilled the requirements of Section 2538.24, and has made application therefor, and who proves to the satisfaction of the board that he or she will be supervised and trained by a hearing aid dispenser who is approved by the board may have a temporary trainee license issued to him or her. The temporary trainee license shall entitle the temporary trainee licensee to fit or sell hearing aids as set forth in regulations of the board. The supervising dispenser shall be responsible for any acts or omissions committed by a temporary licensee trainee under his or her supervision that may constitute a violation of this chapter.

(b) The board shall adopt regulations setting forth criteria for its refusal to approve a hearing aid dispenser to supervise a temporary trainee licensee, including procedures to appeal that decision.

(c) A temporary trainee license issued pursuant to this section is effective and valid for six months from date of issue. The board may renew the temporary trainee license for an additional period of six months. Except as provided in subdivision (d), the board shall not issue more than two renewals of a temporary trainee license to any applicant. Notwithstanding subdivision (d), if a temporary trainee licensee who is entitled to renew a temporary trainee license does not renew the temporary trainee license and applies for a new temporary trainee license at a later time, the new temporary trainee license shall only be issued and renewed subject to the limitations set forth in this subdivision.

(d) A new temporary trainee license may be issued pursuant to this section if a temporary trainee license issued pursuant to subdivision (c) has lapsed for a minimum of three years from the expiration or cancellation date of the previous temporary trainee license. The ~~bureau~~ board may issue only one new temporary trainee license under this subdivision.

2538.29. Examination required of temporary trainee licensee

A temporary or trainee licensee under Section 2538.27 or Section 2538.28 shall take the license examination within the first 120 months after the temporary or trainee license is issued. Failure to take the written license examination within that time shall result in expiration of the temporary or trainee license. ~~The trainee license and it~~ shall not be renewed unless the temporary trainee licensee has first taken the licensure examination. The board, however, may in its discretion renew the temporary trainee license if the licensee failed to take the necessary written examination due to illness or other hardship.

2538.30. Limitations on temporary or trainee licensee

(a) A temporary or trainee licensee shall not be the sole proprietor of, manage, or independently operate a business which engages in the fitting or sale of hearing aids.

(b) A temporary or trainee licensee shall not advertise or otherwise represent that he or she holds a license as a hearing aid dispenser.

2538.34. Retail business address; Registration; Duplicate license

(a) Every licensee who engages in the practice of fitting or selling hearing aids shall have and maintain an established retail business address to engage in that fitting or selling, routinely open for service to customers or clients. The address of the licensee's place of business shall be registered with the ~~bureau~~ board as provided in Section 2538.33.

(b)...

2538.38. Record retention; Inspections

A licensee shall, upon the consummation of a sale of a hearing aid, keep and maintain records in his or her office or place of business at all times and each record shall be kept and maintained for a seven-year period. All records related to the sale and fitting of hearing aids shall be open to inspection by the ~~bureau~~ board or its authorized representatives upon reasonable notice. The records kept shall include:

(a)...

UPDATE:
Since only some of the recommended clean-up language was enacted during the Board's last Sunset Review, the Board will be recommending the remaining changes be enacted and will be included in the Board's Section 12 - New Issues under (e) Technical Statutory Clean-up Issues.

**CONTINUED REGULATION OF THE PROFESSION BY THE
CURRENT SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID
DISPENSERS BOARD**

ISSUE #11: *Should the licensing and regulation of speech-language pathologists, audiologists, and hearing aid dispensers be continued and be regulated by the current Board membership?*

Staff Recommendation: *The Board should be continued with a 4-year extension of its sunset date so that the Legislature may once again review whether the issues and recommendations in this Background Paper have been addressed.*

Board Response: The Board agrees with the staff recommendation that the licensing and regulation of speech-language pathologists, audiologists, and hearing aid dispensers continue to be regulated by the current Board membership.

UPDATE:

In order to continue protecting the consumers of speech and hearing services in California, the Board strongly urges the Legislature to continue the regulation of the practices of speech-language pathology, audiology, and hearing aid dispensing by the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board under its current membership.

This is the opportunity for the Board to inform the Committees of solutions to issues identified by the Board and by the Committees. Provide a short discussion of each of the outstanding issues, and the Board's recommendation for action that could be taken by the Board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

1. Issues that were raised under prior Sunset Review that have not been addressed.

- a. **Elimination of Speech-Language Pathology Aide Designation**

Background

The Speech-Language Pathology Aide and Audiology Aide is defined in Business and Professions Codes 2530.2 (h) and (m) and the requirement to register an Aide is in BPC Section 2530.6. The requirements for Aides are in the following regulations:

- Section 1399.154 defines a speech-language pathology aide as a person who assists or facilitates a speech-language pathologist and is registered by the supervisor with the Board, which is approved by the Board.
- Section 1399.154.1 describes the process for speech-language pathology registration of a speech-language pathology aide.
- Section 1399.154.2 states a speech-language pathologist must be physically present when the aide is assisting with patients unless there is an alternative plan of supervision.
- Section 1399.154.3 states the maximum number of aides that can be supervised by a speech-language pathologist.
- Section 1399.154.4 states the supervising speech-language pathologist will instruct the aide in necessary skills, the aide must demonstrate their competences, and the supervising speech-language pathologist must instruct the aide in limitations imposed by the duties.
- Sections 1399.154.5 – 1399.154-7 state regulations for notice of termination, noncompliance with this article, and that aide experience is not applicable to the qualifications for licensure regarding supervised clinical experience and required professional experience.

Alternatively, speech-language pathology assistant regulations are as follows:

- Section 1399.170 defines a speech-language pathology assistant in great detail, including accountability of the speech-language pathology assistant, the type of supervision required, and who services can be provided to.
- Section 1399.170.1 describes the responsibilities, duties, and functions of the speech- language pathology assistant.
- Section 1399.170.2 describes the types of supervision required for duties performed by the speech-language pathology assistant.
- Section 1399.170.3 describes the activities, duties and functions outside of the scope of practice of an speech-language pathology assistant.
- Section 1399.170.4 describes the application for approval of speech-language pathology assistant training programs.

- Section 1399.170.5 describes the approval requirements for speech-language pathology assistant programs.
- Section 1399.170.6 describes the requirements of the sponsoring institution.
- Section 1399.170.7 describes the administration and organization of the speech-language pathology assistant program.
- Section 1399.170.8 describes the required field work experience to be a speech-language pathology assistant.
- Section 1399.170.9 describes site visit compliance for remaining a speech-language pathology assistant program.
- Section 1399.170.10 describes the required speech-language pathology assistant curriculum.
- Section 1399.170.11 describes the qualifications for registration as a speech-language pathology assistant.
- Section 1399.170.12 was deleted.
- Section 1399.170.13 describes the application and fees to be a speech-language pathology assistant.
- Section 1399.170.14 describes requirements for renewal of speech-language pathology assistant licensure.
- Section 1399.170.15 describes requirements for speech-language pathologist supervision of speech-language pathology assistants.
- Sections 1399.170.16 – 1399.170.18 describe the maximum number of support personnel supervised by a speech-language pathologist, regulations addressing when a speech-language pathology assistant has more than one speech-language pathology supervisor, and regulations addressing a notice of termination by a speech-language pathology supervisor.
- Section 1399.170.19 describes the actions that can result in discipline against a speech-language pathology assistant including denial of licensure or probation, suspension or termination of speech-language pathology assistant licensure.

The Board issued the following number of Speech-Language Pathology Aide and Audiology Aide registrations since its last Sunset Review:

Aide Registrations Issued					
	2016/17	2017/18	2018/19	2019/20	2020/21
Speech-Language Pathology Aide	19	12	10	26	11
Audiology Aide	21	21	22	19	17
Total	40	33	32	45	28

The population of Aide registrations is small and declining since the Board's last Sunset Review.

Aide Registration Population					
	2016/17	2017/18	2018/19	2019/20	2020/21
Aide	130	142	130	120	94

In the Board's 2016 Sunset Review report, the Board was requesting to eliminate the Speech-Language Pathology Aide designation but the Committee did not pursue this issue as there was no clear path to help Speech-Language Pathology Aides to transition to

become Speech-Language Pathology Assistants. Since the Committee did not pursue the elimination of the Speech-Language Pathology Aide designation, the Board now has to consider ways to improve the consumer protections related to the Aide registration, including seeking renewal and continuing education requirements.

Effect on Consumers

As can be seen by the above speech-language pathology aide regulations, there are no renewal or continuing education requirements to ensure consumer protection. For these reasons, if the Aide registration is to continue to be offered for both Speech-Language Pathology and Audiology, then the requirements for the Aide registration should be reexamined and strengthened.

Recommendation

Enact statutory amendments to create renewal and continuing education requirements for Aide registrations to ensure some minimal level of consumer protection compared to the protections of Speech-Language Pathology Assistants.

Proposed Text

Amend Business and Professions Code section 2530.2

As used in this chapter, unless the context otherwise requires:

(a) "Board" means the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.

(b) "Person" means any individual, partnership, corporation, limited liability company, or other organization or combination thereof, except that only individuals can be licensed under this chapter.

(c) A "speech-language pathologist" is a person who practices speech-language pathology.

(d) The practice of speech-language pathology means all of the following:

(1) The application of principles, methods, instrumental procedures, and noninstrumental procedures for measurement, testing, screening, evaluation, identification, prediction, and counseling related to the development and disorders of speech, voice, language, or swallowing.

(2) The application of principles and methods for preventing, planning, directing, conducting, and supervising programs for habilitating, rehabilitating, ameliorating, managing, or modifying disorders of speech, voice, language, or swallowing in individuals or groups of individuals.

(3) Conducting hearing screenings.

(4) Performing suctioning in connection with the scope of practice described in paragraphs (1) and (2), after compliance with a medical facility's training protocols on suctioning procedures.

(e) (1) Instrumental procedures referred to in subdivision (d) are the use of rigid and flexible endoscopes to observe the pharyngeal and laryngeal areas of the throat in order to observe, collect data, and measure the parameters of communication and swallowing as well as to guide communication and swallowing assessment and therapy.

(2) Nothing in this subdivision shall be construed as a diagnosis. Any observation of an abnormality shall be referred to a physician and surgeon.

(f) A licensed speech-language pathologist shall not perform a flexible fiber optic nasendoscopic procedure unless he or she has received written verification from an

otolaryngologist certified by the American Board of Otolaryngology that the speech-language pathologist has performed a minimum of 25 flexible fiber optic nasendoscopic procedures and is competent to perform these procedures. The speech-language pathologist shall have this written verification on file and readily available for inspection upon request by the board. A speech-language pathologist shall pass a flexible fiber optic nasendoscopic instrument only under the direct authorization of an otolaryngologist certified by the American Board of Otolaryngology and the supervision of a physician and surgeon.

(g) A licensed speech-language pathologist shall only perform flexible endoscopic procedures described in subdivision (e) in a setting that requires the facility to have protocols for emergency medical backup procedures, including a physician and surgeon or other appropriate medical professionals being readily available.

(h) "Speech-language pathology aide" means any person meeting the minimum requirements established by the board, who works directly under the supervision of a speech-language pathologist.

(i) (1) "Speech-language pathology assistant" means a person who meets the academic and supervised training requirements set forth by the board and who is approved by the board to assist in the provision of speech-language pathology under the direction and supervision of a speech-language pathologist who shall be responsible for the extent, kind, and quality of the services provided by the speech-language pathology assistant.

(2) The supervising speech-language pathologist employed or contracted for by a public school may hold a valid and current license issued by the board, a valid, current, and professional clear clinical or rehabilitative services credential in language, speech, and hearing issued by the Commission on Teacher Credentialing, or other credential authorizing service in language, speech, and hearing issued by the Commission on Teacher Credentialing that is not issued on the basis of an emergency permit or waiver of requirements. For purposes of this paragraph, a "clear" credential is a credential that is not issued pursuant to a waiver or emergency permit and is as otherwise defined by the Commission on Teacher Credentialing. Nothing in this section referring to credentialed supervising speech-language pathologists expands existing exemptions from licensing pursuant to Section 2530.5.

(j) An "audiologist" is one who practices audiology.

(k) "The practice of audiology" means the application of principles, methods, and procedures of measurement, testing, appraisal, prediction, consultation, counseling, and instruction related to auditory, vestibular, and related functions and the modification of communicative disorders involving speech, language, auditory behavior, or other aberrant behavior resulting from auditory dysfunction; and the planning, directing, conducting, supervising, or participating in programs of identification of auditory disorders, hearing conservation, cerumen removal, aural habilitation, and rehabilitation, including hearing aid recommendation and evaluation procedures, including, but not limited to, specifying amplification requirements and evaluation of the results thereof, auditory training, and speech reading, and the selling of hearing aids.

(l) A "dispensing audiologist" is a person who is authorized to sell hearing aids pursuant to his or her audiology license.

(m) "Audiology aide" means any person meeting the minimum requirements established by the board, who works directly under the supervision of an audiologist. ~~An audiology aide may not perform any function that constitutes the practice of audiology unless he or she is under the supervision of an audiologist.~~ The board may by regulation exempt certain functions performed by an industrial audiology aide from supervision provided that his or her employer has established a set of procedures or protocols that the aide shall follow in performing these functions.

(n) "Medical board" means the Medical Board of California.

(o) A "hearing screening" performed by a speech-language pathologist means a binary puretone screening at a preset intensity level for the purpose of determining if the screened individuals are in need of further medical or audiological evaluation.

(p) "Cerumen removal" means the nonroutine removal of cerumen within the cartilaginous ear canal necessary for access in performance of audiological procedures that shall occur under physician and surgeon supervision. Cerumen removal, as provided by this section, shall only be performed by a licensed audiologist. Physician and surgeon supervision shall not be construed to require the physical presence of the physician, but shall include all of the following:

(1) Collaboration on the development of written standardized protocols. The protocols shall include a requirement that the supervised audiologist immediately refer to an appropriate physician any trauma, including skin tears, bleeding, or other pathology of the ear discovered in the process of cerumen removal as defined in this subdivision.

(2) Approval by the supervising physician of the written standardized protocol.

(3) The supervising physician shall be within the general vicinity, as provided by the physician-audiologist protocol, of the supervised audiologist and available by telephone contact at the time of cerumen removal.

(4) A licensed physician and surgeon may not simultaneously supervise more than two audiologists for purposes of cerumen removal.

Amend Business and Professions Code section 2530.6

(a) Speech-language pathologists and audiologists supervising speech-language pathology or audiology aides shall register with the board the name of each aide working under their supervision.

(b) The number of aides who may be supervised by a licensee shall be determined by the board.

(c) The supervising audiologist or speech-language pathologist shall be responsible for the extent, kind, and quality of services performed by the aide, consistent with the board's designated standards and requirements.

(d) *Speech-language pathology and audiology aide registrations shall expire every two years and be subject to the renewal requirements in Article 6 of this chapter.*

(1) *Speech-language pathology and audiology aides shall, at the time of renewal, certify under penalty of perjury, that during the preceding renewal period they completed the required continuing professional development specified in subdivision e.*

(2) *At the time of renewal, the Speech-language pathologist or audiologist supervising the speech-language pathology or audiology aide shall update the board on the duties the aide performs while assisting the supervisor in the practice of speech-language pathology or audiology, and the training program and assessment methods the supervisor is utilizing to ensure the aide's continued competency.*

(e) *Minimum continuing professional development requirements for the speech-language pathology and audiology aide shall not exceed 6 hours in a two-year period.*

(1) *The speech-language pathology aide or audiology aide's supervisor shall act as a professional development advisor. The speech-language pathology aide or audiology aide's supervisor is responsible for ensuring completion of the required continuing professional development during each renewal period.*

(2) *The speech-language pathology aide or audiology aide's continuing professional development may be satisfied with successful completion of state or regional conferences, workshops, formal in-service presentations, independent study programs, or any*

Amend Business and Professions Code section 2534.2

The amount of the fees prescribed by this chapter is that established by the following schedule:

- (a) (1) The application fee and renewal fee for speech-language pathologists and nondispensing audiologists shall be established by the board in an amount that does not exceed one hundred fifty dollars (\$150) but is sufficient to support the functions of the board that relate to the functions authorized by this chapter, excluding Article 9 (commencing with Section 2539.1).
- (2) The application fee and renewal fee for dispensing audiologists shall be established by the board in an amount that does not exceed two hundred eighty dollars (\$280) but is sufficient to support the functions of the board that relate to the functions authorized by this chapter.
- (b) The delinquency fee shall be twenty-five dollars (\$25).
- (c) The reexamination fee shall be established by the board in an amount that does not exceed seventy-five dollars (\$75).
- (d) The ~~fee for~~ registration [fee and renewal fee](#) of an aide shall be established by the board in an amount that does not exceed thirty dollars (\$30).
- (e) A fee to be set by the board of not more than one hundred dollars (\$100) shall be charged for each application for approval as a speech-language pathology assistant.
- (f) A fee of one hundred fifty dollars (\$150) shall be charged for the issuance of and for the renewal of each approval as a speech-language pathology assistant, unless a lower fee is established by the board.
- (g) The duplicate wall certificate fee is twenty-five dollars (\$25).
- (h) The duplicate renewal receipt fee is twenty-five dollars (\$25).
- (i) The application fee and renewal fee for a temporary license is thirty dollars (\$30).
- (j) The fee for issuance of a license status and history certification letter shall be established by the board in an amount not to exceed twenty-five dollars (\$25).

2. New issues that are identified by the Board in this report.

a. Audiology Licensing Requirements

Background

BPC Section 2532.25(b)(2) establishes a licensing requirement for the submission of evidence of no less than 12 months of satisfactorily completed supervised professional full-time Required Professional Experience (RPE) or its part-time equivalent obtained under the supervision of a licensed audiologist. This experience must be completed under the direction of a board-approved audiology doctoral program and the RPE must follow completion of the didactic and clinical rotation requirements of the audiology doctoral program.

For current audiology training programs, this statutory requirement creates hardships for both the audiology doctoral students and the programs. This requirement creates a barrier to licensure for foreign students on a visa who cannot accrue 12 months of experience after the clinical experience under the current terms of their visa, and students who complete their doctoral education in other states that do not require 12 months of experience. This

issue became even more pronounced during the COVID-19 pandemic, where many audiology students accrued the equivalence of 12 months of experience in hours but did not meet the 12 calendar months of experience required for licensure, thus causing delays in licensure for some applicants.

The California State University (CSU) system and private audiology programs typically require that their students earn approximately 1850 clinical and professional experience hours due to the typical nationwide adoption of this hourly requirement, clearly exceeding the current requirement of 300 clinical clock hours in Title 16, California Code of Regulations (CCR) section 1399.152.2(c). Currently, due to the BPC Section 2532.2(b) requirement, all programs require a 12-month RPE during the 3rd or 4th year of the doctoral program, even if the 1850 clinical clock hour requirement has already been met prior to the completion of the 12 month RPE experience. This situation, along with requiring that all RPE hours be achieved following the completion of the didactic and clinical aspects of the program, cause a significant financial and temporal hardship for students who complete their professional hour requirement at 10.5 months, or for those who have difficulty achieving 1850 hours in a 12 month period (due to the CSU Executive Order requiring the completion of the program in 11 semesters or visa limitations for foreign students).

The current requirement of 300 clinical clock hours in 16 CCR section 1399.152.2(c) was developed when the minimum educational requirement for audiology licensure was a master's degree. Now the minimum educational requirement for audiology licensure is a doctoral degree with significantly more hours and quality of clinical and professional experiences. Although the Board has authority to promulgate updated regulations, the current statutory requirement in BPC Section 2532.25(b)(2) creates a timeframe constraint for applicants that cannot be overridden through the promulgation of regulations.

Effect on Consumers

As discussed in the Board's 2016 sunset report, California has experienced shortages in the audiology profession. Experts indicate that California will need approximately 750 more audiologists to meet the needs of California's hearing-impaired residents by 2030. Changing audiology licensing requirements to reflect current educational and professional experience standards would maintain consumer protection while streamlining the licensing requirements for audiology students and potentially getting applicants licensed and into the workforce sooner.

Board Actions

The Board's Audiology Practice Committee met on September 23, 2020 and received information that students earn between 600 and 800 clinical clock hours before the RPE rotations begin. The Audiology Practice Committee discussed amending Business and Professions Code section 2532.25 to allow supervised clinical rotations or experiences held throughout the educational program to count toward the 12 months of full-time experience.

The Board adopted the proposed text at the November 20, 2020 meeting and pursued including the language in a Business and Professions omnibus bill during the 2021 legislative session. It was decided that the language did not fit the parameters for an omnibus bill and the Board decided to include this issue as part of the sunset review process.

Recommendations

Modify the 12-month professional experience requirement in BPC Section 2532.25(b)(2) to allow students to accumulate time spent in clinical experiences or rotations that occur pre-RPE as part of the 12-month professional experience requirement.

Proposed Text

Amend Business and Professions Code Section 2532.25

(a) An applicant seeking licensure as an audiologist shall possess a doctorate in audiology earned from an educational institution approved by the board. The board may, in its discretion, accept qualifications it deems to be equivalent to a doctoral degree in audiology. The board shall not, however, accept as equivalent qualifications graduation from a master's program that the applicant was enrolled in on or after January 1, 2008.

(b) In addition to meeting the qualifications specified in subdivision (a), an applicant seeking licensure as an audiologist shall do all of the following:

(1) Submit evidence of the satisfactory completion of supervised clinical practice with individuals representative of a wide spectrum of ages and audiological disorders. The board shall establish by regulation the required number of clock hours of supervised clinical practice necessary for the applicant. The clinical practice shall be under the direction of an educational institution approved by the board.

(2) Submit evidence of no less than 12 months of satisfactorily completed supervised professional full-time experience or its part-time equivalent obtained under the supervision of a licensed audiologist or an audiologist having qualifications deemed equivalent by the board. This experience shall be completed under the direction of a board-approved audiology doctoral program and may be obtained by participation in supervised clinical rotations or experiences that are held throughout the duration of the program and during the Required Professional Experience. Acceptable types of the clinical rotations or experiences shall be defined by the board through regulation. ~~The required professional experience shall follow completion of the didactic and clinical rotation requirements of the audiology doctoral program.~~

(3) Pass an examination or examinations approved by the board. The board shall determine the subject matter and scope of the examination or examinations and may waive an 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 an examination may be reexamined at a subsequent examination upon payment of the reexamination fee required by this chapter.

(c) This section shall apply to applicants who graduate from an approved educational institution on and after January 1, 2008.

b. Hearing Aid Dispensing Committee Membership and Issues with Quorum

Background

BPC Section 2531.05 establishes the Hearing Aid Dispensing Committee consisting of two Audiologists, two Hearing Aid Dispensers, one public member, and one Otolaryngologist. The Board has been without a quorum for the Hearing Aid Dispensing Committee since January 1, 2021.

The size of the Hearing Aid Dispensing Committee is unusually large, consisting of six of the Board's nine total members. The Board's other committees for the practices of speech-language pathology and audiology consist of three and four members, respectively. Additionally, BPC Section 2531.05 is very specific with the membership of the Hearing Aid Dispensing Committee, requiring both of the licensed Audiologist board members, both of the licensed Hearing Aid Dispenser board members, one public member, and the licensed Otolaryngologist board member to serve on the Hearing Aid Dispensing Committee. The lack of quorum is a result of the difficulty the Board has experienced filling one Hearing Aid Dispenser position, one Audiologist position, and the Otolaryngologist position.

Effect on Consumers

Consumers may be harmed if the Board is unable to address issues related to the hearing aid dispensing profession due to a lack of quorum on the Hearing Aid Dispensing Committee. This lack of quorum forces the entire Board to discuss issues that could be handled by the Hearing Aid Dispensing Committee, limiting the Board's time to address other important consumer protection issues.

Board Actions

The Board has been aware of the lack of quorum for the Hearing Aid Dispensing Committee and has inquired to DCA's Office of Board and Bureau Relations when the Board's vacant positions will be filled.

Recommendations

The Board recommends amending BPC Section 2531.05 to change the membership of the Hearing Aid Dispensing Committee from 6 members to 4 members by eliminating one licensed Audiologist and the Otolaryngologist. This change in membership structure will help the Hearing Aid Dispensing Committee obtain a quorum.

Proposed Text

Amend Business and Professions Code section 2531.05

2531.05. Creation of Hearing Aid Dispensing Committee; Members; Duties

- (a) The Hearing Aid Dispensing Committee is hereby created within the jurisdiction of the board.
- (b) The committee shall be comprised of the following board members:
 - (1) ~~The two~~ One licensed audiologists.
 - (2) The two licensed hearing aid dispensers.
 - (3) ~~One public member of the board.~~
 - (4) The one public member of the board who is a licensed physician and surgeon and who is board certified in otolaryngology. If this position becomes vacant, the position may be filled with an alternative public member of the board.
- (c) The committee shall review and research the practice of fitting or selling hearing aids and shall advise the board about this practice based on that review and research.

c. Persons Deemed to Meet Requirements – Outdated Audiology Reference

Background

Business and Professions Code (BPC) section 2532.8 (a) states that “The board shall deem a person who holds a valid certificate of clinical competence in speech-language pathology or audiology issued by the American Speech-Language-Hearing Association’s Council for Clinical Certification to have met the educational and experience requirements set forth for speech-language pathologists or audiologists in Section 2532.2.” However, when the requirements for licensure as an audiologist were updated in 2009 to require a doctoral degree and were placed in a separate Section of the BPC (2532.25), BPC section 2532.8 was not updated to include reference to this new code. The Board therefore does not have the authority to accept the Certificate of Clinical Competence in Audiology as fulfilling licensure requirements if the audiologist graduated from an accredited degree program after December 31, 2007, and thus audiologists with a Certificate of Clinical Competence in Audiology who are often licensed in other states have to provide verification of all licensure requirements. This not only places an additional burden on applicants to obtain educational, professional experience, and licensure documentation, it also creates additional workload for Board Staff. Updating this reference would streamline the licensure process for Audiologist applicants who maintain their Certificate of Clinical Competence in Audiology.

BPC 2532.8 should be amended to deem applicants who hold the national Certificate of Clinical Competence in speech-language pathology (CCC) or audiology (CCC-A), issued by the American Speech-Language-Hearing Association (ASHA) to apply equivalence to the current requirements for audiology applicants referenced found in BPC Section 2532.25.

In addition, the American Academy of Audiology (AAA), which has over 14,000 members, issues the American Board of Audiology certification (ABAC) which has requirements that are similar to the ASHA audiology certification requirements. Both ASHA and AAA certifications have specified education and experience standards for obtaining the initial certification and require ongoing maintenance of the certification which includes continuing professional development hours and a minimum number of hours of ethics training during each certification cycle. Including the ABAC in Section 2532.8 would provide for greater reciprocity for audiologists who have obtained AAA certification.

As of September of 2021, the nationwide number of audiologists with CCC-A certification was 13,727 and the nationwide number of audiologists with ABAC certification was 1,292.

Effect on Consumers

Due to current workforce shortages in the field of audiology, the lack of the deemed equivalent options further exacerbates the lack of access to audiological services for California consumers.

Board Actions

None

Recommendations

The Board recommends amending BPC Section 2532.8 to include reference to 2532.25 to streamline licensure of audiologists who hold a Certificate of Clinical Competence in Audiology and enhance access to audiology services for California consumers.

Proposed Text

Amend Business and Professions Code Section 2532.8

(a) The board shall deem a person who holds a valid Certificate of Clinical Competence in Speech-Language Pathology ~~or audiology~~ issued by the American Speech-Language-Hearing Association's Council for Clinical Certification to have met the educational and experience requirements set forth for speech-language pathologists ~~or audiologists~~ in Section 2532.2.

(b) The board shall deem a person who holds either a valid Certificate of Clinical Competence in Audiology issued by the American Speech-Language-Hearing Association's Council for Clinical Certification or a valid American Board of Audiology certificate issued by the American Academy of Audiology to have met the educational and experience requirements set forth for audiologists in sections 2532.2 and 2532.25.

~~(b)~~ (c) If an applicant qualifying for licensure under this section has obtained any equivalent qualifications in violation of the laws and regulations governing the practices of speech-language pathology or audiology or has not met the requirements for licensure, he or she shall correct the deficiency to qualify for licensure. If the deficiency is not cured within one year from the date of the deficiency notice, the application for licensure is deemed abandoned.

d. Statutory Authority to Collect and Use Electronic Stakeholder Contact Information

Background

As part of the Board's Strategic Plan for 2021-2024, the Board adopted a goal to develop, through the sunset review process, the statutory authority to collect and use stakeholder contact information to enhance the Board's ability to communicate with stakeholders. The Board requests applicants to provide an email address on the application form; however, there is no statutory authority to require applicants to do so. Furthermore, the Board does not have statutory authority to require licensees who may have provided their email address during the application process to notify the Board of any changes to their email address.

In today's world email has become an essential method of communication. It allows organizations, such as the Board, to communicate information in a quick, efficient, and inexpensive manner. Additionally, the COVID-19 pandemic has exacerbated the need for statutory authority to require licensees to provide the Board with a current email address. With the fluid situation during the pandemic, it was important that the Board provide stakeholders with current information regarding the physical closure of the Board's office as well as waivers to the rules and regulations that were in place during the pandemic.

Effect on Consumers

Consumers benefit from a well-informed workforce. Allowing the Board to quickly and efficiently communicate new information to licensees will ensure licensees are informed of new laws and regulations that will impact their industry. Additionally, should the world endure another pandemic, the Board would be able to quickly disseminate information to help protect the health and welfare of consumers.

Board Actions

The Board has long maintained multiple listservs to disseminate information to stakeholders regarding Board meeting agendas, legislation and regulation changes, and the Board's disciplinary actions. However, these listservs are voluntary and require any interested stakeholders to take action to choose to join the listserv in order to receive the information.

Additionally, during the COVID-19 pandemic, Board staff used existing databases to pull any available email addresses that were voluntarily provided during the application process to start a listserv geared specifically toward licensees. The Board recognizes that a listserv specifically for licensee-related issues is necessary to help increase stakeholder communication. As part of the Board's Strategic Plan for 2021-2024, the Board adopted a goal to develop, through the sunset review process, the statutory authority to collect and use stakeholder contact information to enhance the Board's ability to communicate with stakeholders.

Recommendations

The Board recommends adding statutory authority to require licensees in the field of speech-language pathology, audiology, or hearing aid dispensing to provide the Board with a current email address within 60 days of obtaining licensure and notify the Board of any changes within 30 days. Since the Board has a separate practice act for speech-language pathology/audiology and hearing aid dispensing, this legislative proposal would require two new Business and Professions code sections.

Proposed Text

Add Business and Professions Code section 2535.1

[2535.1 Filing of email address](#)

[Every licensee shall file a current e-mail address with the Board within 60 days of obtaining a license or at the time of license renewal and shall notify the Board in writing of any and all changes of the e-mail address no later than thirty \(30\) calendar days after the change has occurred. E-mail addresses are confidential information and shall not be made available to the public. This provision does not require a licensee to obtain an e-mail address, it only requires that person report an existing e-mail address to the Board.](#)

Add Business and Professions Code section 2538.58

[2538.58 Filing of email address](#)

Every licensee shall file a current e-mail address with the Board within 60 days of obtaining a license or at the time of license renewal and shall notify the Board in writing of any and all changes of the e-mail address no later than thirty (30) calendar days after the change has occurred. E-mail addresses are confidential information and shall not be made available to the public. This provision does not require a licensee to obtain an e-mail address, it only requires that person report an existing e-mail address to the Board.

e. Elimination of Nonoperative Grandfather Clause for Speech-Language Pathology Aides

Background

Assembly Bill (AB) 205 (Machado, Chapter 1058, Statutes of 1998) created a new license type of Speech-Language Pathology Assistant to work under the supervision of a Speech-Language Pathologist. Prior to the Speech-Language Pathology Assistant license, a Speech-Language Pathologist could have a Speech-Language Pathology Aide working under their direct supervision.

In order to allow individuals working as a Speech-Language Pathology Aide to obtain licensure as a Speech-Language Pathology Assistant, AB 205 (Machado, Chapter 1058, Statutes of 1998) included a grandfather clause authorizing Speech-Language Pathology Aides who have worked at least 12 months to apply for licensure as a Speech-Language Pathology Assistant. SB 50 (Machado, Chapter 173, Statutes of 2001) extended the deadline, from January 1, 2001 to June 1, 2003, for a Speech-Language Pathology Aide to apply for licensure as a Speech-Language Pathology Assistant based on work experience, if they have worked as a Speech-Language Pathology Aide within the past five years.

Since the extended deadline of June 1, 2003 for a Speech-Language Pathology Aide to apply for licensure as a Speech-Language Pathology Assistant has passed, this statute is no longer needed. A statutory change would provide clarity that any future applicant for a Speech-Language Pathology Assistant license must meet the full qualifications and prior experience as a Speech-Language Pathology Aide would no longer be applicable.

Effect on Consumers

None, changing this section simply provides clarity to applicants that working as a Speech-Language Pathology Aide for 12 months does not make the person eligible for licensure as a Speech-Language Pathology Assistant.

Recommendations

The Board recommends amending BPC Section 2538.3 to remove a nonoperative statute that allowed speech-language pathology aides with a minimum of one year of full-time experience to apply as a speech-language pathology assistant.

Proposed Text

Amend Business and Professions Code section 2538.3

§ 2538.3. Course of study; ~~Aides~~

(a) A person applying for approval as a speech-language pathology assistant shall have graduated from a speech-language pathology assistant associate of arts degree program, or equivalent course of study, approved by the board. A person who has successfully graduated from a board-approved bachelor's degree program in speech-language pathology or communication disorders shall be deemed to have satisfied an equivalent course of study.

~~(b) On or before June 1, 2003, a person who has in the last five years performed the functions of a speech-language pathology aide on a full-time basis for a minimum of one year, or on a part-time basis equivalent to a minimum of one year of full-time work, may make application for registration as a speech-language pathology assistant based upon the board's recognition of that aide's job training and experience and the performance of functions and tasks similar to the speech-language pathology assistant category. For purposes of this subdivision, "full time" means a minimum of 30 hours per week.~~

f. Technical Statutory Clean-up Issues

Recommendations

The Board recommends the following amendments to the Board's Practice Act:

(Rename the chapter to include Hearing Aid Dispensers)

CHAPTER 5.3

Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers

Article 4

Denial, Suspension, **and** Revocation, and Probation

Amend Business and Professions Code section 2530.5

(a) Nothing in this chapter shall be construed as restricting hearing testing conducted by licensed physicians and surgeons or by persons conducting hearing tests under the direct supervision of a physician and surgeon.

(b) Nothing in this chapter shall be construed to prevent a licensed hearing aid dispenser from engaging in testing of hearing and other practices and procedures used solely for the fitting and selling of hearing aids nor does this chapter restrict persons practicing their licensed profession and operating within the scope of their licensed profession or employed by someone operating within the scope of their licensed professions, including persons fitting and selling hearing aids who are properly licensed or registered under the laws of the State of California.

(c) Nothing in this chapter shall be construed as restricting or preventing the practice of speech-language pathology or audiology by personnel holding the appropriate credential from the Commission on Teacher Credentialing as long as the practice is conducted within the confines of or under the jurisdiction of a public preschool, elementary, or secondary school by which they are employed and those persons do not either offer to render or render speech-language pathology or audiology services to the public for compensation

over and above the salary they receive from the public preschool, elementary, or secondary school by which they are employed for the performance of their official duties.

(d) Nothing in this chapter shall be construed as restricting the activities and services of a student or speech-language pathology intern in speech-language pathology pursuing a course of study leading to a degree in speech-language pathology at an accredited or approved college or university or an approved clinical training facility, provided that these activities and services constitute a part of his or her supervised course of study and that those persons are designated by the title as “speech-language pathology intern,” “speech-language pathology trainee,” or other title clearly indicating the training status appropriate to his or her level of training.

(e) Nothing in this chapter shall be construed as restricting the activities and services of a student or audiology intern in audiology pursuing a course of study leading to a degree in audiology at an accredited or approved college or university or an approved clinical training facility, provided that these activities and services constitute a part of his or her supervised course of study and that those persons are designated by the title as “audiology intern,” “audiology trainee,” or other title clearly indicating the training status appropriate to his or her level of training.

(f) Nothing in this chapter shall be construed as restricting the practice of an applicant who is obtaining the required professional experience specified in subdivision (c) of Section 2532.2 [or subdivision \(b\) of Section 2532.25](#) and who has been issued a temporary license pursuant to Section 2532.7. The number of applicants who may be supervised by a licensed speech-language pathologist or a speech-language pathologist having qualifications deemed equivalent by the board shall be determined by the board. The supervising speech-language pathologist shall register with the board the name of each applicant working under his or her supervision, and shall submit to the board a description of the proposed professional responsibilities of the applicant working under his or her supervision. The number of applicants who may be supervised by a licensed audiologist or an audiologist having qualifications deemed equivalent by the board shall be determined by the board. The supervising audiologist shall register with the board the name of each applicant working under his or her supervision, and shall submit to the board a description of the proposed professional responsibilities of the applicant working under his or her supervision.

(g) Nothing in this chapter shall be construed as restricting hearing screening services in public or private elementary or secondary schools so long as these screening services are provided by persons registered as qualified school audiometrists pursuant to Sections 1685 and 1686 of the Health and Safety Code or hearing screening services supported by the State Department of Health Care Services so long as these screening services are provided by appropriately trained or qualified personnel.

(h) Persons employed as speech-language pathologists or audiologists by a federal agency shall be exempt from this chapter.

(i) Nothing in this chapter shall be construed as restricting consultation or the instructional or supervisory activities of a faculty member of an approved or accredited college or university for the first 60 days following appointment after the effective date of this subdivision.

Amend Business and Professions Code section 2533

The board may refuse to issue, or issue subject to terms and conditions, a license on the grounds specified in Section 480, or may suspend, revoke, or impose terms and conditions upon the license of any licensee for any of the following:

(a) Conviction of a crime substantially related to the qualifications, functions, and duties of a speech-language pathologist or audiologist or hearing aid dispenser, as the case may be. The record of the conviction shall be conclusive evidence thereof.

(b) Securing a license by fraud or deceit.

(c)(1) The use or administering to himself or herself of any controlled substance.

(2) The use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages, to the extent or in a manner as to be dangerous or injurious to the licensee, to any other person, or to the public, or to the extent that the use impairs the ability of the licensee to practice speech-language pathology or audiology safely.

(3) More than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section.

(4) Any combination of paragraph (1), (2), or (3).

The record of the conviction shall be conclusive evidence of unprofessional conduct.

(d) Advertising in violation of Section 17500. Advertising an academic degree that was not validly awarded or earned under the laws of this state or the applicable jurisdiction in which it was issued is deemed to constitute a violation of Section 17500.

(e) Committing a dishonest or fraudulent act that is substantially related to the qualifications, functions, or duties of a licensee.

(f) Incompetence, gross negligence, or repeated negligent acts.

(g) Other acts that have endangered or are likely to endanger the health, welfare, and safety of the public.

(h) Use by a hearing aid dispenser of the term "doctor" or "physician" or "clinic" or "audiologist," or any derivation thereof, except as authorized by law.

(i) The use, or causing the use, of any advertising or promotional literature in a manner that has the capacity or tendency to mislead or deceive purchasers or prospective purchasers.

(j) Any cause that would be grounds for denial of an application for a license.

(k) Violation of Section 1689.6 or 1793.02 of the Civil Code.

(l) Violation of a term or condition of a probationary order of a license issued by the board pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(m) Violation of a term or condition of a conditional license issued by the board pursuant to this section.

[\(n\) Disciplinary action taken by any public agency in any state or territory for any act substantially related to the practice of speech-language pathology, audiology, or hearing aid dispensing.](#)

[o\) Aiding or abetting any person to engage in the unlicensed practice of speech-language pathology, audiology, or hearing aid dispensing.](#)

[p\) Violation or attempting to violate, directly or indirectly, any of the provisions of this chapter.](#)

Amend Business and Professions Code section 2533.1

A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, and duties of a speech-language pathologist, ~~or~~ audiologist, or hearing aid dispenser is deemed to be a conviction within the meaning of this article. The board may order a licensee be disciplined or denied a license as provided in Section 2533 when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence irrespective of a subsequent order under Section 1203.4, 1203.4a, or 1203.41 of the Penal Code allowing the person to withdraw his

or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

Amend Business and Professions Code section 2533.4

Whenever any person other than a licensed speech-language pathologist, ~~or~~ audiologist, or hearing aid dispenser has engaged in any act or practice which constitutes an offense against this chapter, a superior court of any county, on application of the board, may issue an injunction or other appropriate order restraining that conduct. Proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure. The board may commence action in the superior court under this section on its own motion.

Amend Business and Professions Code section 2533.6

(a) A person whose license has been revoked or suspended, or who has been placed on probation, may petition the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board for reinstatement or modification of penalty, including modification or termination of probation, after a period of not less than the following minimum period of time has elapsed from the effective date of the decision ordering that disciplinary action:

(1) At least three years for reinstatement of a license revoked for unprofessional conduct, except that the board may, for good cause shown, specify in a revocation order that a petition for reinstatement may be filed after two years.

(2) At least two years for early termination or one year for modification of a condition of probation of three years or more.

(3) At least one year for reinstatement of a license revoked for mental or physical illness, or for modification of a condition, or termination of probation of less than three years.

(b) The petition shall state any facts as may be required by the board.

(c) The petition may be heard by the board, with the matter presided over by an administrative law judge. After a hearing on the petition, the administrative law judge shall provide a decision as determined by the board which shall be acted upon in accordance with the Administrative Procedures Act.

(d) The board or the administrative law judge hearing the petition may consider all activities of the petitioner since the disciplinary action was taken, the offense for which the petitioner was disciplined, the petitioner's activities during the time the license was in good standing, and the petitioner's rehabilitative efforts, general reputation for truth, and professional ability. The hearing may be continued, as the board or the administrative law judge finds necessary.

(e) The administrative law judge when hearing a petition for reinstating a license, or modifying a penalty, may recommend the imposition of any terms and conditions deemed necessary.

(f) The board may deny, without a hearing or argument, any petition for reinstatement filed pursuant to this section for any of the following:

(1) The petitioner is under sentence for any criminal offense, including any period during which the petitioner is on court-imposed probation or parole.

(2) There is an accusation or petition to revoke probation pending against the petitioner

(3) The petition is within a period of two years from the effective date of the prior decision following a hearing under this section.

(g) The board may deny, without a hearing or argument, any petition for termination or modification of probation filed pursuant to this section for any of the following

- (1) The petitioner has failed to comply with the terms and conditions of the disciplinary order.
- (2) The board is conducting an investigation of the petitioner while he or she is on probation.
- (3) The petitioner has a subsequent arrest that is substantially related to the qualifications, functions, or duties of the licensee or registrant and this arrest occurred while on probation.
- (4) The petitioner's probation with the board is currently tolled.
- (h) Nothing in this section shall be deemed to alter Sections 822 and 823.

Amend Business and Professions Code section 2539.1

- (a) (1) On and after January 1, 2010, in addition to satisfying the licensure and examination requirements described in Sections 2532, ~~and 2532.2,~~ and 2532.25 no licensed audiologist shall sell hearing aids unless he or she completes an application for a dispensing audiology license, pays all applicable fees, and passes an examination, approved by the board, relating to selling hearing aids.
- (2) The board shall issue a dispensing audiology license to a licensed audiologist who meets the requirements of paragraph (1).
- (b) (1) On and after January 1, 2010, a licensed audiologist with an unexpired license to sell hearing aids pursuant to Article 8 (commencing with Section 2538.10) may continue to sell hearing aids pursuant to that license until that license expires pursuant to Section 2538.53, and upon that expiration the licensee shall be deemed to have satisfied the requirements described in subdivision (a) and may continue to sell hearing aids pursuant to his or her audiology license subject to the provisions of this chapter. Upon the expiration of the audiologist's license to sell hearing aids, the board shall issue him or her a dispensing audiology license pursuant to paragraph (2) of subdivision (a). This paragraph shall not prevent an audiologist who also has a hearing aid dispenser's license from maintaining dual or separate licenses if he or she chooses to do so.
- (2) A licensed audiologist whose license to sell hearing aids, issued pursuant to Article 8 (commencing with Section 2538.10), is suspended, surrendered, or revoked shall not be authorized to sell hearing aids pursuant to this subdivision and he or she shall be subject to the requirements described in subdivision (a) as well as the other provisions of this chapter.
- (c) A licensed hearing aid dispenser who meets the qualifications for licensure as an audiologist shall be deemed to have satisfied the requirements of paragraph (1) of subdivision (a) for the purposes of obtaining a dispensing audiology license.
- (d) For purposes of subdivision (a), the board shall provide the hearing aid dispenser's examination provided by the former Hearing Aid Dispensers Bureau until such time as the next examination validation and occupational analysis is completed by the Department of Consumer Affairs pursuant to Section 139 and a determination is made that a different examination is to be administered.

3. New issues not previously discussed in this report.

a. Enforcement of Unprofessional Conduct

Background

BPC Section 650 prohibits licensees from offering or receiving consideration in exchange for patient referrals. BPC Section 2533 is the principal jurisdictional statute for the Board's enforcement actions. Currently, BPC Section 2533 does not have a specific provision incorporating BPC Section 650 as a ground for unprofessional conduct. As a result, the

Board does not provide clear ground for disciplining licensees for violations of BPC Section 650. Amending BPC Section 2533 would aid the Board in enforcing these types of violations.

Effect on Consumers

This statutory change would provide consumer protection by ensuring the Board has full authority to enforce violations of BPC Section 650, which prohibits licensees from offering or receiving consideration in exchange for patient referrals.

Board Actions

None.

Recommendations

The Board recommends amending BPC Section 2533 to provide the Board with explicit authority to enforce any violations of BPC Section 650, which prohibits licensees from offering or receiving consideration in exchange for patient referrals.

Proposed Text

Amend Business and Professions Code Section 2533

The board may refuse to issue, or issue subject to terms and conditions, a license on the grounds specified in Section 480, or may suspend, revoke, or impose terms and conditions upon the license of any licensee for any of the following:

(a) Conviction of a crime substantially related to the qualifications, functions, and duties of a speech-language pathologist or audiologist or hearing aid dispenser, as the case may be. The record of the conviction shall be conclusive evidence thereof.

(b) Securing a license by fraud or deceit.

(c) (1) The use or administering to himself or herself of any controlled substance.

(2) The use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages, to the extent or in a manner as to be dangerous or injurious to the licensee, to any other person, or to the public, or to the extent that the use impairs the ability of the licensee to practice speech-language pathology or audiology safely.

(3) More than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section.

(4) Any combination of paragraph (1), (2), or (3).

The record of the conviction shall be conclusive evidence of unprofessional conduct.

(d) Engaging in any act in violation of Section 650.

~~(d)~~ (e) Advertising in violation of Section 17500. Advertising an academic degree that was not validly awarded or earned under the laws of this state or the applicable jurisdiction in which it was issued is deemed to constitute a violation of Section 17500.

~~(e)~~ (f) Committing a dishonest or fraudulent act that is substantially related to the qualifications, functions, or duties of a licensee.

~~(f)~~ (g) Incompetence, gross negligence, or repeated negligent acts.

~~(g)~~ (h) Other acts that have endangered or are likely to endanger the health, welfare, and safety of the public.

~~(h)~~ (i) Use by a hearing aid dispenser of the term “doctor” or “physician” or “clinic” or “audiologist,” or any derivation thereof, except as authorized by law.

~~(j)~~ (j) The use, or causing the use, of any advertising or promotional literature in a manner that has the capacity or tendency to mislead or deceive purchasers or prospective purchasers.

~~(k)~~ (k) Any cause that would be grounds for denial of an application for a license.

~~(l)~~ (l) Violation of Section 1689.6 or 1793.02 of the Civil Code.

~~(m)~~ (m) Violation of a term or condition of a probationary order of a license issued by the board pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

~~(n)~~ (n) Violation of a term or condition of a conditional license issued by the board pursuant to this section.

4. New issues raised by the Committees.

None

Section 13– Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the Board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any (cf., Section 1, Question 4).
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).
- E. Enforcement Performance Measures
- F. Licensing Performance Measures

Attachment A



**Speech-Language Pathology & Audiology
& Hearing Aid Dispensers Board**

Board Member Manual

August 2016

TABLE OF CONTENTS

Chapter 1: Introduction

General Rules of Conduct

Chapter 2: Board Meeting Procedures

Bagley-Keene Open Meeting Act

Frequency of Meetings

Board Member Attendance at Board Meetings

Quorum

Agenda Items

Notice of Meetings

Notice of Meetings to be Posted on the Internet

Record of Meetings

Recording of Meetings

Use of Electronic Devices During Meeting

Making a Motion at Meeting

Attachment A: Guide to the Bagley-Keene Open Meeting Act

Chapter 3: Travel and Salary Policy and Procedures

Travel Approval

Travel Arrangements

Out-of-State Travel

Travel Claims

Salary Per Diem

Chapter 4: Selection of Officers and Committees

Officers of the Board

Election of Officers

Officer Vacancies

Creation of Committees

Committee Appointments

Chapter 5: Board Administration and Staff

Board Administration

Board Staff

Executive Officer

Executive Officer Evaluation

Legal Counsel

Strategic Planning

Legislation

Chapter 6: Other Policies and Procedures

Board Member Orientation and Training

Board Member Disciplinary Actions

Removal of Board Members

Resignation of Board Members

Conflict of Interest

Contact with Candidates, Applicants and Licensees

Communication with Other Organizations and Individuals

Gifts from Candidates

Request for Records Access
Ex Parte Communications

Chapter 7: Complaint Enforcement Process

Introduction
Proposed Decision
Complaint Intake
Unlicensed Activity
Investigations
Expert Review
Cite and Fine
Formal Disciplinary Actions
Filing Formal Charges
Stipulation
Formal Administrative Hearing
Office of Administrative Hearings
Board Review of Stipulations and Proposed Decision.
Disqualification
Ex Parte Communications
Prosecution
Mail Ballot Procedure
Pleadings
Mail Ballot Definitions
Mail Ballot Votes

1. Introduction

Overview

In 1973, the Legislature established the Speech-Language Pathology and Audiology Board (SLPAB) to protect the public from the unauthorized and unqualified practice of speech-language pathology and audiology. The SLPAB licensed speech-language pathologists (SLPs) and audiologists. A speech-language pathologist assesses and treats speech or communication disorders in children and disabled adults. An audiologist is a licensed health care professional who identifies, assesses, and manages disorders of the auditory, balance, and other neural systems. Audiologists evaluate, recommend, fit, dispense, and verify/validate hearing aids for patients ranging in age from newborns to the elderly.

In 2001, the Legislature created the Hearing Aid Dispensers Bureau (HADB) within the Department of Consumer Affairs as the licensing and regulatory agency for hearing aid dispensers, defined in statute as individuals engaged in the fitting or selling of hearing aids to an individual with impaired hearing. The HADB was charged with the education and protection of consumers in the purchase of hearing aids by ensuring the competency of hearing aid dispensers.

In 2010 (AB 1535 - Jones, Chapter 309, Statutes of 2009) the SLPAB and HADB were merged to create a new entity, the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board). It also changed the governance structure of the Board to the following: two SLPs, two audiologists (one of whom must be a dispensing audiologist), and two hearing aid dispensers, all to be appointed by the Governor. The Governor also has the appointing authority for a public member seat to be occupied by a licensed physician and surgeon, certified in otolaryngology. Two other public member seats are to be appointed by the Senate Committee on Rules and the Speaker of the Assembly, respectively. Board Members may serve up to two, four-year terms. Board Members are paid \$100 for each day actually spent in the discharge of official duties and are reimbursed travel expenses.

The Board is one of the Boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA), part of the Business, Consumer Services and Housing Agency under the aegis of the Governor. DCA is responsible for consumer protection and representation through the regulation of licensed professions and the provision of consumer services. While the DCA provides administrative oversight and support services, the Board has policy autonomy and sets its own policies, procedures, and initiates its own regulations.

Protection of the public is the highest priority for the Board in exercising its licensing, regulatory and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount (Business and Professions Code (BPC) §2531.02

The purpose of this handbook is to provide guidance to Board Members regarding general processes and procedures involved with their position on the Board. It also serves as a useful source of information for new Board Members as part of the induction process.

General Rules of Conduct

The following rules of conduct detail expectations of Board Members. The Board is comprised of both public and professional members with the intention that, together, the Board can collectively protect the public and regulate the Speech-Language Pathology, Audiology and Hearing Aid Dispensing professions.

- Board Members' actions shall serve to uphold the principle that the Board's primary mission is to protect the public.
- Board Members shall recognize the equal role and responsibilities of all Board Members.
- Board Members shall adequately prepare for Board responsibilities.
- Board Members shall not speak or act for the Board without proper authorization.
- Board Members shall maintain the confidentiality of non-public documents and information.
- Board Members shall act fairly, be nonpartisan, impartial and unbiased in their role of protecting the public.
- Board Members shall treat all applicants and licensees in a fair and impartial manner.
- Board Members shall not use their positions on the Board for personal, familial or financial gain.

2. Board Meeting Procedures

All Healing Arts Boards under the DCA, including the Board must meet in accordance with the provisions set forth by the Bagley-Keene Open Meeting Act. The Board will use Robert's Rules of Order, to the extent that it does not conflict with state law (e.g., Bagley-Keene Open Meeting Act), as a guide when conducting the meetings.

Open Meetings

The Bagley-Keene Act of 1967, officially known as the Bagley-Keene Open Meeting Act, implements a provision of the California Constitution which declares that "the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny", and explicitly mandates open meetings for California State agencies, Board s, and commissions. The act facilitates accountability and transparency of government activities and protects the rights of citizens to participate in State government deliberations. Similarly, California's Brown Act of 1953 protects citizen rights with regard to open meetings at the county and local government level.

The Bagley-Keene act stipulates that the Board is to provide adequate notice of meetings to be held to the public as well as provide an opportunity for public comment. The meeting is to be conducted in an open session, except where closed session is specifically noted. See **Attachment A** for the *Guide to the Bagley-Keene Open Meeting Act*.

Frequency of Meetings

The Board is mandated to hold one meeting annually (Business and Professions Code section 2531.7) but generally meets four times annually to make policy decisions and review committee recommendations. Additional meetings may be called by the Chair or by written request of any two members of the board. The Board endeavors to hold meetings in different geographic locations throughout the state when possible as a convenience to the public and licensees.

Board Member Attendance at Board Meetings

Board members must attend each meeting of the Board. If a member is unable to attend he/she is asked to contact the Board Chair or the Executive Officer and ask to be excused from the meeting for a specific reason.

Quorum

Five Board Members constitute a quorum of the Board for the transaction of business. Either having members in attendance or by teleconference, with proper notice, can meet the requirement for a quorum. The concurrence of a majority of those members

of the Board present and voting at a meeting duly held at which a quorum is present shall be necessary to constitute an act or decision of the Board.

Agenda Items

(GC § 11125 et seq.)

Any Board Member may submit items for a Board Meeting agenda to the Board Chair with a copy to the Executive Officer three to four weeks to the meeting. Members may also recommend agenda items during the meeting under Future Agenda Items. A motion and vote may be taken but is not necessary. The Board Chair will confer with the Executive Officer and Legal Counsel regarding the future agenda items. It will be a standing item to review the status of future agenda items that have been recommend by Board Members that may not have made the current Board Meeting agenda.

Staff maintains a list of action items to research and bring back to a future Board Meeting. Staff may recommend the issue be referred to a Committee first to be vetted. Prior to items being placed on the agenda, staff conducts research to determine if an item is appropriate for Board discussion. This research starts with identifying how the item meets our mandate to protect the health and safety of California consumers. In addition, staff researches potential benefits to the State, identifies the current professional trends and what other states are doing. For items requiring legislative and/or regulatory changes, staff identifies potential concerns by anticipating who would be in support of or in opposition to the bill/rulemaking.

No item shall be added to the agenda subsequent to the provision of the meeting notice.

If the agenda contains matters that are appropriate for closed session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

Items not included on the agenda may not be discussed.

Notice of Meetings(Government Code Section 11120 et seq.)

The minutes are a summary, not a transcript, of each Board Meeting. They shall be prepared by Board staff and submitted for review by Board Members before the next Board Meeting. Board Minutes shall be approved at the next scheduled meeting of the Board. When approved, the minutes shall serve as the official record of the meeting.

Recording (Board Prolicy)

The meetings may be recorded if determined necessary for staff purposes. Recordings may be disposed of upon Board approval of the minutes.

Use of Electronic Devices During Meetings

Members should not text or email each other during an open meeting on any matter within the Board's jurisdiction.

Use of electronic devices, including laptops, during the meetings is solely limited to access the Board Meeting materials that are in electronic format.

Making a Motion at Meetings

When new business is to be introduced or a decision or action is to be proposed, a Board

Member should make a motion to introduce a new piece of business or to propose a decision or action. All motions must reflect the content of the meeting's agenda – the Board cannot act on business that is not listed on the agenda.

Upon making a motion, Board Members must speak slowly and clearly as the motion is being voice and/or video recorded. Members who opt to second a motion must remember to repeat the motion in question. Additionally, it is important to remember that once a motion has been made and seconded, it is inappropriate to make a second motion until the initial one has been resolved.

The basic process of a motion is as follows:

- An agenda item has been thoroughly discussed and reviewed. If it is a new piece of business, see step 2.
- The Board Chair opens a forum for a Member to make a motion to adopt or reject the discussed item.
- A Member makes a motion before the Board.
- Another Member seconds this motion.
- The Board Chair puts forth the motion to a vote.
- The Board Chair solicits additional comment from the Board and then the public.
- If it is a voice vote, those in favor of the motions say “aye” and those opposed say “no”. Members may also vote to “abstain”, meaning a non-vote or “recuse” meaning to disqualify from participation in a decision on grounds such as prejudice or personal involvement. Recusal is the proper response to a conflict of interest.
- The vote of each Board Member shall be recorded via roll call vote.
- Upon completion of the voting, the Chair will announce the result of the vote (e.g. “the ayes have it and the motion is adopted” or “the no’s have it and the motion fails”).

3. Travel & Salary Policies & Procedures

Travel Approval

(DCA Memorandum 96-01)

Board Members shall have Board Chair approval for travel except for regularly scheduled Board and Committee Meetings to which the Board Member is assigned.

Travel Arrangements (Board Policy)

Board staff will make travel arrangements for each Board Member as required.

Out-of-State Travel

(State Administrative Manual § 700 et seq.)

For out-of-state travel, Board Members will be reimbursed for actual lodging expenses, supported by vouchers, and will be reimbursed for meal and supplemental expenses. Out-of-state travel for all persons representing the state of California is controlled and must be approved by the Governor's Office.

Travel Claims

(State Administrative Manual § 700 et seq. and DCA Travel Guidelines)

Rules governing reimbursement of travel expenses for Board Members are the same as for management-level state staff. All expenses shall be claimed on the appropriate travel expense claim forms. Board Members will be provided with completed travel claim forms submitted on their behalf. The Executive Officer's Assistant maintains these forms and completes them as needed. It is advisable for Board Members to submit their travel expense forms immediately after returning from a trip and not later than two weeks following the trip.

In order for the expenses to be reimbursed, Board Members shall follow the procedures contained in DCA Departmental Memoranda which are periodically disseminated by the Director and are provided to Board Members.

Salary Per Diem ([BPC § 103](#))

Compensation in the form of salary per diem and reimbursement of travel and other related expenses for Board Members is regulated by BPC § 103.

In relevant part, this section provides for the payment of salary per diem for Board Members "for each day actually spent in the discharge of official duties," and provides that the Board Member "shall be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties."

For Board -specified work, Board Members will be compensated for time spent performing work authorized by the Board Chair. That work includes, but is not limited to, authorized attendance at other gatherings, events, meetings, hearings, or conferences, and committee work. That work does not include preparation time for Board or Committee Meetings. Board Members cannot claim salary per diem for time spent traveling to and from a Board or Committee Meeting.

4. Selection of Officers and Committees

Officers of the Board

The Board shall elect from its members a Chair, Vice-Chair, to hold office for one year or until their successors are duly elected and qualified.

Roles and Responsibilities of Board Officers

Chair

- **Board Business:** Conducts the Board's business in a professional manner and with appropriate transparency, adhering to the highest ethical standards. Shall use Roberts Rules of Order as a guide and shall use the Bagley-Keene Act during all Board Meetings.
- **Board Vote:** Conducts roll call vote.
- **Board Affairs:** Ensures that Board matters are handled properly, including preparation of pre-meeting materials, committee functioning and orientation of new Board Members.
- **Governance:** Ensures the prevalence of Board governance policies and practices, acting as a representative of the Board as a whole.
- **Board Meeting Agendas:** Develops agendas for meetings with the Executive Officer and Legal Counsel. Presides at Board Meetings.
- **Executive Officer:** Establishes search and selection committee for hiring an Executive Officer. The committee will work with the DCA on the search. Convenes Board discussions for evaluating Executive Officer each fiscal year.
- **Board Committees:** Seeks volunteers for committees and coordinates individual Board Member assignments. Makes sure each committee has a chairperson, and stays in touch with chairpersons to be sure that their work is carried out. Obtains debrief from each Board Committee chairperson and reports committee progress and actions to Board at the Board Meeting.
- **Yearly Elections:** Solicits nominees not less than 45 days prior to open elections at Board Meeting.
- **Community and Professional Representation:** Represents the Board in the community on behalf of the organization (as does the Executive Officer and Public Outreach Committee).

Vice Chair

- **Board Business:** Performs the duties and responsibilities of the Chair when the Chair is absent.
- **Board Budget:** Serves as the Board's budget liaison with staff and shall assist staff in the monitoring and reporting of the budget to the Board. Review budget change orders with staff.
- **Strategic Plan:** Serves as the Board's strategic planning liaison with staff and shall assist staff in the monitoring and reporting of the strategic plan to the Board.

- **Board Member On-Boarding:** Welcomes new members to the Board. Is available to answer questions, and understand role and responsibilities. May participate in on-Boarding meeting with staff and new members.

Election of Officers

The Board elects the officers at the last meeting of the fiscal year. Officers serve a term of one-year, beginning July 1 of the next fiscal year. All officers may be elected on one motion or ballot as a slate of officers unless more than one Board Member is running per office. An officer may be re-elected and serve for more than one term.

Officer Vacancies

If an office becomes vacant during the year, an election shall be held at the next meeting. If the office of the Chair becomes vacant, the Vice Chair shall assume the office of the Chair until the election for Chair is held. Elected officers shall then serve the remainder of the term.

Committees and Creation of Committees (BPC 2531.05 and Board Policy)

BPC 2531.05 creates and requires The Hearing Aid Dispensing Committee. The Committee shall consist of two licensed audiologists; two licensed hearing aid dispensers; one public member; and one public member who is a licensed physician and surgeon and who is board certified in otolaryngology. This Committee is tasked with reviewing, researching, and advising the full Board on the practice of fitting or selling hearing aids.

The Chair shall establish committees, whether standing or special, as necessary.

The following committees have been created by the Board, and consist of Board Members, that meet on a regular basis, for the purpose of discussing specific issues in depth, and providing feedback and any recommendations to the full Board:

- Audiology Practice Committee
- Speech-Language Pathology Practice Committee
- Sunset Review Committee

Committee Appointments

The composition of the committees and the appointment of the members shall be determined by the Board Chair in consultation with the Vice Chair and the Executive Officer. In determining the composition of each committee, the Chair shall solicit interest from the Board Members during a public meeting. The Chair shall strive to give each Board Member an opportunity to serve on at least one committee. Appointment of non-Board Members to a committee is subject to the approval of the Board.

5. Board Administration and Staff

Board Administration

Board Members should be concerned primarily with formulating decisions on Board policies rather than decisions concerning the means for carrying out a specific course of action. It is inappropriate for Board Members to become involved in the details of program delivery. Strategies for the day-to-day management of programs, operations and staff shall be the responsibility of the Executive Officer. Board Members should not interfere with day-to-day operations, which are under the authority of the Executive Officer.

Board Staff

The Board's essential functions are comprised of ensuring speech-language pathologists, audiologist, and hearing aid dispensers licensed in the State of California meet professional examination requirements and follow legal, legislative and regulatory mandates. The Board is also responsible for enforcement of State of California requirements and regulations as they pertain to the profession.

Appointment of Executive Officer

The Board shall employ an Executive Officer and other necessary assistance in the carrying out of the provisions of the Board's Practice Act.

The Executive Officer serves at the pleasure of the Board Members who provide direction to the Executive Officer in the areas of program administration, budget, strategic planning, and coordination of meetings. The Executive Officer's salary is based on pay scales set by Cal HR. The Executive Officer shall be entitled to traveling and other necessary expenses in the performance of his/her duties as approved by the Board.

Executive Officer Evaluation

Board Members shall evaluate the performance of the Executive Officer on an annual basis.

Legal Counsel

The Board's legal counsel provides "in-house" counsel.

Strategic Planning

The Board should update the strategic plan periodically every three to five years, with the option to use a facilitator to conduct the plan update. At the end of the fiscal year, an annual review conducted by the Board will evaluate the progress toward goal achievement as stated in the strategic plan and identify any areas that may require amending.

Legislation

In the event time constraints preclude Board action, the Board delegates to the Executive Officer and the Board Chair and Vice Chair the authority to take action on legislation that would affect the Board. The Board shall be notified of such action as soon as possible.

6. Other Policies and Procedures

Board Member Orientation and Training ([BPC § 453](#))

Newly appointed and re-appointed members shall complete a training and orientation program provided by DCA within one year of assuming office. This one-day class will discuss Board Member obligations and responsibilities.

Newly appointed and re-appointed Board Members shall complete provided by the Department of Consumer Affairs (complete within one (1) year of assuming office).

([GC § 11121.9](#), [GC § 12950.1](#))

All Board Members shall complete all required training and submit compliance documentation, including but not limited to, the documents specified below:

- [Board Member Orientation Training](#) provided by the DCA (complete within one (1) year of assuming office).
- [Ethics Orientation Training](#) (complete within first six (6) months of assuming office) and every two (2) years thereafter.
- [Conflict of Interest, Form 700](#) (submit annually) and within 30 days of assuming office.
- [Sexual Harassment Prevention Training](#) (complete within first six (6) months of assuming office) and every two (2) years thereafter.

Upon assuming office, members will also receive a copy of the Bagley-Keene Open Meeting Act, which lists public meeting laws that provide the guidelines for Board Meetings. The current version of this Act can also be found at the following:

Additional Board Member resources can be found at www.dcaBoardmembers.ca.gov. Business cards will be provided to each Board Member with the Board's name, address, telephone and fax number, and website address. A Board Member's business address, telephone and fax number, and email address may be listed on the card at the member's request.

Board Member Disciplinary Actions

The Board may censure a member if, after a hearing before the Board, the Board determines that the member has acted in an inappropriate manner. The Chair of the Board shall sit as chair of the hearing unless the censure involves the Chair's own actions, in which case the Vice Chair of the Board shall sit as chair. In accordance with the Public Meetings Act, the censure hearing shall be conducted in open session.

Removal of Board Members ([BPC §§ 106](#) and [106.5](#))

The Governor has the power to remove from office at any time any member of any Board appointed by him or her for continued neglect of duties required by law or for

incompetence or unprofessional or dishonorable conduct. The Governor may also remove from office a Board Member who directly or indirectly discloses examination questions to an applicant for examination for licensure.

Resignation of Board Members ([GC § 1750](#))

In the event that it becomes necessary for a Board Member to resign, a letter shall be sent to the appropriate appointing authority (Governor, Senate Rules Committee, or Speaker of the Assembly) with the effective date of the resignation. State law requires written notification. A copy of this letter shall also be sent to the director of DCA, the Board Chair, and the Executive Officer.

Conflict of Interest ([GC § 87100](#))

No Board Member may make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. Any Board Member who has a financial interest shall disqualify him or herself from making or attempting to use his or her official position to influence the decision. Any Board Member who feels he or she is entering into a situation where there is a potential for a conflict of interest should immediately consult the Executive Officer or the Board's legal counsel.

Contact with Candidates, Applicants and Licensees

Board Members should not intervene on behalf of a candidate or an applicant for licensure for any reason. Nor should they intervene on behalf of a licensee. All inquiries regarding licenses, applications and enforcement matters should be referred to the Executive Officer.

Communication with Other Organizations and Individuals

Any and all representations made on behalf of the Board or Board Policy must be made by the Executive Officer or Board Chair, unless approved otherwise. All correspondence shall be issued on the Board's standard letterhead and will be created and disseminated by the Executive Officer's Office.

Gifts from Candidates

Gifts of any kind to Board Members or the staff from candidates for licensure with the Board is not permitted.

Request for Records Access

Board Member may not access the file of a licensee or candidate without the Executive Officer's knowledge and approval of the conditions of access. Records or copies of records shall not be removed from the Board's Office.

Ex Parte Communications ([GC § 11430.10 et seq.](#))

The Government Code contains provisions prohibiting *ex parte* communications. An *ex parte* communication is a communication to the decision-maker made by one party to an enforcement action without participation by the other party. While there are specified exceptions to the general prohibition, the key provision is found in subdivision (a) of § 11430.10, which states:

“While the proceeding is pending, there shall be no communication, direct or indirect, regarding any issue in the proceeding to the presiding officer from an employee or representative of an agency that is a party or from an interested person outside the agency, without notice and an opportunity for all parties to participate in the communication.”

Board Members are prohibited from an *ex parte* communication with Board enforcement staff while a proceeding is pending. Occasionally an applicant who is being formally denied licensure, or a licensee against whom disciplinary action is being taken, will attempt to directly contact Board Members.

If the communication is written, the person should read only far enough to determine the nature of the communication. Once he or she realizes it is from a person against whom an action is pending, they should reseal the documents and send them to the Executive Officer.

If a Board Member receives a telephone call from an applicant or licensee against whom an action is pending, he or she should immediately tell the person they cannot speak to them about the matter. If the person insists on discussing the case, he or she should be told that the Board Member will be required to recuse him or herself from any participation in the matter. Therefore, continued discussion is of no benefit to the applicant or licensee.

If a Board Member believes that he or she has received an unlawful *ex parte* communication, he or she should contact the Board’s legal counsel.

7. Complaint and Disciplinary Process

The Board conducts disciplinary proceedings in accordance with the Administrative Procedure Act, [GC § 11370](#), and those sections that follow. The Board conducts investigations and hearings pursuant to [Government Code §§ 11180 through 11191](#). The Board also uses its [Uniform Standards Related to Substance Abuse and Disciplinary Guidelines](#) as a guide when determining appropriate levels of discipline.

Disciplinary Options

The Board has two options available to impose discipline against a licensee. In cases in which the violations do not warrant the revocation of a license, a citation and fine is issued. In cases in which the violations are egregious and warrant revocation of the license, the Board forwards the matter to the Attorney General's (AG) office to pursue formal disciplinary action. Each decision is made in consultation with the Executive Officer.

Citation and Fine

A citation and fine issued to the licensee is considered a disciplinary action and is subject to public disclosure. The fines range from \$100 to a maximum of \$2,500 for each investigation. In specified circumstances, a fine up to a maximum of \$5,000 may be issued. All citation and fines issued include an order of abatement in which the licensee must provide information or documentation that the violation has been corrected. The licensee is afforded the opportunity to appeal the issuance of the citation and fine.

Formal Disciplinary Actions

If after the completion of an investigation, evidence substantiates gross negligence, incompetence, or unprofessional conduct, the enforcement analyst, in consultation with the Enforcement Manager and Executive Officer, determines whether the case should be forwarded to the AG's Office for disciplinary action.

Attorney General Role

The Attorney General's Office is responsible for prosecuting the administrative case against licensees and registrants (respondents). A respondent might be suspended from practice or have her or his license revoked, or an applicant may be denied licensure or licensed with probation. A Deputy Attorney General (DAG) in the AG's Licensing Unit is assigned to these cases. The DAGs work with the Board's enforcement staff to determine whether the necessary evidence exists for a successful prosecution. The burden of proof in these matters is clear and convincing evidence. Based on the evidence, the DAG makes recommendations regarding prosecution. Although the Board generally takes the advice of counsel, the Board has the discretion to take other action.

Filing Formal Charges

Formal charges are almost always filed in cases in which the health and safety of the consumer has been compromised, and in which supporting evidence can be established. The Board's Executive Officer determines whether to file formal charges

for any violation of the Board's licensing laws. These formal charges are referred to as pleadings. In each pleading, the Executive Officer of the Board is the complainant.

Pleadings
A. Accusation: A written statement of charges against the holder of a license or privilege, to revoke, suspend or limit the license, specifying the statutes and rules allegedly violated and the acts or omissions comprising the alleged violations.

B. Statement of Issues: A written statement of the reasons for denial of an application for a license or privilege, specifying the statutes and rules allegedly violated and the acts or omissions comprising the alleged violations.

C. Petition for reinstatement or reduction of penalty: A person whose license was revoked, suspended or placed on probation can petition for that license to be reinstated, to have the penalty reduced, or for the probation to be terminated. Many boards have specific regulations relating to these petitions. Hearings on these petitions usually take place before the Board itself at a scheduled board meeting, with an Administrative Law Judge (ALJ) presiding. The Board usually goes into executive session after the hearing to deliberate and decide the outcome. The ALJ usually prepares the Decision, for signature of the Board Chair. Some boards prefer to have the ALJ, sitting alone, hear petitions and render a proposed decision to the board. This may also happen when the Board does not have a quorum at a board meeting.

Actions Preceding an Administrative Hearing

Once an Accusation or Statement of Issues has been filed and the respondent has been served, the respondent may file a notice of defense and request an administrative hearing. All hearings are held before an ALJ from the Office of Administrative Hearings (OAH).

During this process, several outcomes may occur. The respondent may fail to respond to the accusation and file a notice of defense. The respondent may wish to settle the manner prior to a formal hearing. The case may proceed to a formal hearing.

At any stage of this process, the Board may withdraw the Accusation or Statement of Issues for any reason or enter into a stipulated settlement with the respondent. If the respondent fails to respond within 15 days of receiving the accusation or statement of issues, a Default Decision is issued. Defaults result in the revocation or denial of a license.

Stipulation (Negotiated Settlement)

The licensee/applicant and agency may decide to settle at any time during the administrative process. Usually, settlements are entered into before an administrative hearing is held to avoid the expense of the hearing. The settlement is reduced to a written stipulation and order which sets forth the settlement terms and proposed disciplinary order. The written stipulation and order is forwarded to the Board for its consideration.

During the settlement process the DAG has been advised by the Executive Officer or through enforcement staff regarding acceptable terms. The DAG may advocate before the Board for approval of the settlement. The Board may accept the settlement and issue its decision and order based on the settlement. If the Board rejects the settlement, the case will return to disciplinary process. A new settlement may be submitted to the Board at a later time or the case may proceed to an administrative hearing before an ALJ.

Stipulations prior to an administrative hearing eliminate the six months to one-year delay that may result from attempting to schedule a mutually agreeable hearing date. The public is often better served because the resolution time is reduced and lengthy appeals are avoided, and the Board and respondent save time and money. Further, a licensee on probation is monitored closely by the Board.

Determining Settlement Terms

Stipulations are negotiated and drafted by the DAG, the respondent, and the respondent's legal counsel. Stipulation terms are given to the DAG representing the Board by the enforcement staff with approval of the Executive Officer, utilizing the Board's disciplinary guidelines. In negotiating a stipulation, the DAG works closely with the Board's Executive Officer to arrive at a stipulation that will be acceptable to the Board.

The following factors are considered when settlement terms are proposed.

- Nature and severity of the act(s), offense(s), or crime(s),
- Actual or potential harm to any consumer or client,
- Prior disciplinary record,
- Number and/or variety of current violations,
- Mitigation evidence,
- Rehabilitation evidence,
- In the case of a criminal conviction, compliance with terms of sentence and/or court-ordered probation,
- Overall criminal record,
- Time elapsed since the act(s) or offense(s) occurred,
- Whether the respondent cooperated with the Board's investigation, other law enforcement or regulatory agencies, and/or the injured parties, and
- Recognition by respondent of her or his wrongdoing and demonstration of corrective action to prevent recurrence.

The disciplinary guidelines were established in an effort to provide consistency in determining penalties. Enforcement staff considers the disciplinary guidelines when determining whether to seek revocation, suspension, and/or probation of a license. Board members use them when considering cases during hearings. The guidelines are updated when necessary and are distributed to DAGs and ALJs who work on cases with the Board.

Pre-hearing conferences are a more formal method for developing a stipulated agreement. These hearings involve the EO, the respondent, respondent's attorney, and an ALJ.

Office of Administrative Hearings (formal hearing)

The Office of Administrative Hearings (OAH) consists of two divisions located in six regional offices at major population centers throughout the State. The General Jurisdiction Division conducts hearings, mediations, and settlement conferences for more than 1,000 state, local, and county agencies. This is the division that conducts the hearings for the Board. The Special Education Division conducts special education due process hearings and mediations for school districts and parents of children with special education needs throughout the State.

The ALJ presides over the hearing; an attorney (DAG) represents the Board and presents the case; and the respondent or the respondent's representative/attorney presents its

case. Testimony and evidence is presented and there is a transcript of the proceedings. Upon the conclusion of the administrative hearing, the ALJ will consider all of the testimony and evidence and will prepare a Proposed Decision. Once the hearing is finished, the ALJ has 30 days to prepare the proposed decision and send it to the Board. The Proposed Decision is submitted to the Board for consideration. Board Review of Stipulations, Proposed Decisions, and Default Decisions.

The Board Members review and vote on each case where the matter is either settled prior to hearing or the ALJ issues a proposed decision. In all cases, the Board Member has the option to adopt, non-adopt, or hold for discussion (reject or modify the decision).

Board Review of Stipulations, Proposed Decisions, and Default Decisions

The Board Members review and vote on each case where the matter is either settled prior to hearing or the ALJ issues a proposed decision. In all cases, the Board Member has the option to adopt, non-adopt, or hold for discussion (reject or modify the decision).

Stipulations – Negotiated Settlements

- Adopt – If the decision of the Board is to adopt the terms proposed in the stipulation, the decision becomes effective within 30 days and the respondent is notified.
- Non-Adopt – If the Board decides to not adopt the stipulation, the respondent is notified and the matter resumes the process for a formal administrative hearing before an ALJ. A new settlement may be submitted to the Board at a later date.
- Hold for Discussion – A Board Member may be unable to decide due to concerns of the desire further clarification. (Note: A Board Member may seek procedural clarification from the Board’s legal counsel.) In this situation, the Board Member may choose to hold the case for discussion. If one Board Member votes to hold the case for discussion, the case is discussed in the next available meeting during a closed session.

Proposed Decisions – Decision from the ALJ following a formal hearing:

- Adopt – If the decision of the Board is to adopt the proposed decision, the decision becomes effective within 30 days and the respondent is notified.
- Reduce – The Board may reduce or mitigate the proposed penalty and adopt the rest of the proposed decision.
- Non-Adopt/Reject – If the Board decides to not adopt the proposed decision, the respondent is notified. Transcripts from the administrative hearing are requested. Board Members review the transcripts and evidence, and meet during a closed session to write their decision.
- Make technical or other minor changes – If the Board decides that there are technical changes or minor changes that do not affect the factual or legal base of the decision, they may make those changes and adopt the rest of the proposed decision.

The Board then has 100 days to take action to either adopt or non-adopt. If no action is taken within 100 days the proposed decision becomes effective by law.

Mail Ballot Procedure

Proposed Decisions, Proposed Stipulations, and Default Decisions are usually presented to the Board for its consideration by mail ballot. Mail ballot is done by electronic mail. Mail ballot packet materials are confidential and include the following:

- Memo from enforcement staff listing the cases for review and decision
- Ballot
- Legal documents (Proposed Decision, Proposed Stipulation or Default Decision, and Accusation or Statement of Issues)
- Memo from the assigned Deputy Attorney General (Proposed Stipulated Settlement cases only)

Deliberation and decision-making should be done independently and confidentially by each Board Member. Where the vote is done by mail, voting members may not communicate with each other, and may not contact the Deputy Attorney General, the respondent, anyone representing the respondent, any witnesses, the “complainant”, the ALJ, or anyone else associated with the case.

Additionally, Board Members should not discuss pending cases with agency staff, except as to questions of procedure or to ask whether additional information is available, and whether the agency may properly consider such information. If a Board Member has any procedural questions not specific to evidence, or any question specifically related to the cases, the questions should be directed to the Board’s DCA Legal Counsel.

Completed mail ballots are due at the Board office no later than the due date indicated in the mail ballot package. The due dates are established in accordance with the timelines indicated in Administrative Procedure Act. It may be your vote that is deciding vote in the outcome of a case. Therefore, it is critical that Board Members return their votes timely.

Mail ballot materials should be retained until notification by enforcement staff that the cases have been adopted. Once a decision is final, the mail ballot packet materials must be confidentially destroyed.

Mail Ballot Vote Definitions

A. Adopt/Accept: A vote to adopt the proposed action means that you agree with the action as written.

B. Non-Adopt/Reject: A vote to not adopt the proposed action means that you disagree with one or more portions of the proposed action and do not want it adopted as the Board’s decision. However, a majority vote to adopt will prevail over a minority vote to not adopt.

C. Hold for Discussion: A vote to hold for discussion may be made if you wish to have some part of the action changed in some way (increase penalty, reduce penalty, etc.) For example, you may believe an additional or a different term or condition of probation should be added, or that a period of suspension should be longer. At least TWO votes in this category must be received to stop the process until the Board can consider the case in closed session at the board meeting.

Disqualification

With some limited exception, a Board Member cannot decide a case if that Board Member investigated, prosecuted or advocated in the case or is subject to the authority of someone who investigated, prosecuted or advocated in the case. A Board Member may be disqualified for bias, prejudice, financial interest or other interest in the case.

Attachment B

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board and Standing Committees

December 1, 2021

Board Members

Name	Position	Profession
Marcia Raggio	Chair	DAU
Holly Kaiser	Vice Chair	SLP
Tod Borges	Member	HAD
Karen Chang	Member	Public
Gilda Dominguez	Member	SLP
Debbie Snow	Member	Public
VACANT	Member	DAU
VACANT	Member	HAD
VACANT	Member	ORL/Public

Standing Committees

Hearing Aid Dispensing Committee		
Name	Position	Profession
Tod Borges	Chair	HAD
Karen Chang	Member	Public
Marcia Raggio	Member	DAU
VACANT	Member	DAU
VACANT	Member	HAD
VACANT	Member	ORL/Public

Provides policy and regulatory guidance with respect to HAD practices and recommends scope of practice amendments for consideration.

Audiology Practice Committee		
Name	Position	Profession
Marci Raggio	Chair	DAU
Karen Chang	Member	Public
VACANT	Member	DAU
VACANT	Member	ORL/Public

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

SLP Practice Committee		
Name	Position	Profession
Holly Kaiser	Chair	SLP
Debbie Snow	Member	Public
Gilda Dominguez	Member	SLP

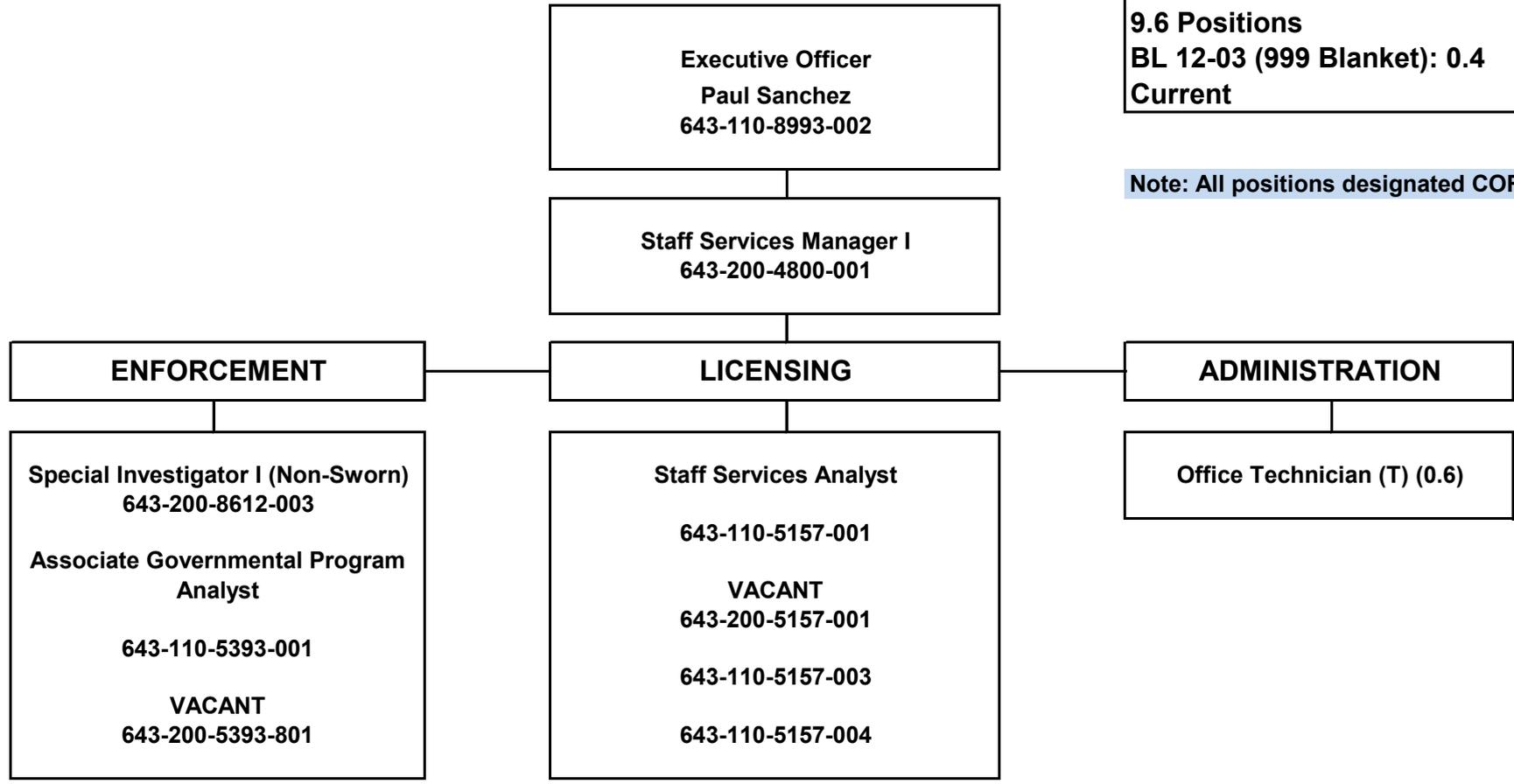
Addresses changes in practice patterns and recommends position statements and/or scope of practice amendments for consideration.

Attachment D

DEPARTMENT OF CONSUMER AFFAIRS
Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board
 Fiscal Year End 2017/18

FY 2018-19 Authorized Positions: 9.6
9.6 Positions
BL 12-03 (999 Blanket): 0.4
Current

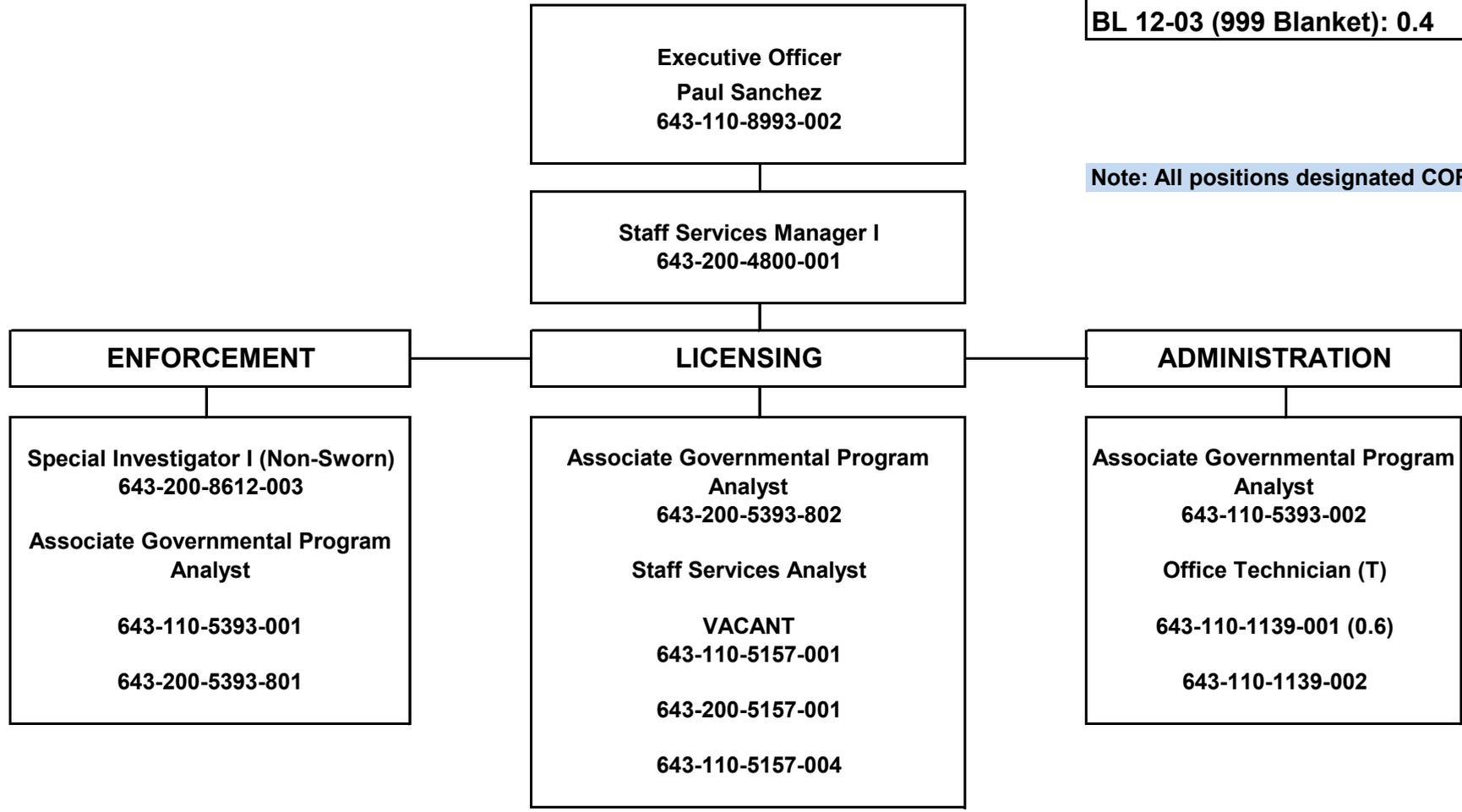
Note: All positions designated CORI



DEPARTMENT OF CONSUMER AFFAIRS
Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board
 Fiscal Year End 2018/19

FY 2019-20 Authorized Positions: 11.6
BL 12-03 (999 Blanket): 0.4

Note: All positions designated CORI



ENFORCEMENT

Special Investigator I (Non-Sworn)
643-200-8612-003
Associate Governmental Program Analyst
643-110-5393-001
643-200-5393-801

LICENSING

Associate Governmental Program Analyst
643-200-5393-802
Staff Services Analyst
VACANT
643-110-5157-001
643-200-5157-001
643-110-5157-004

ADMINISTRATION

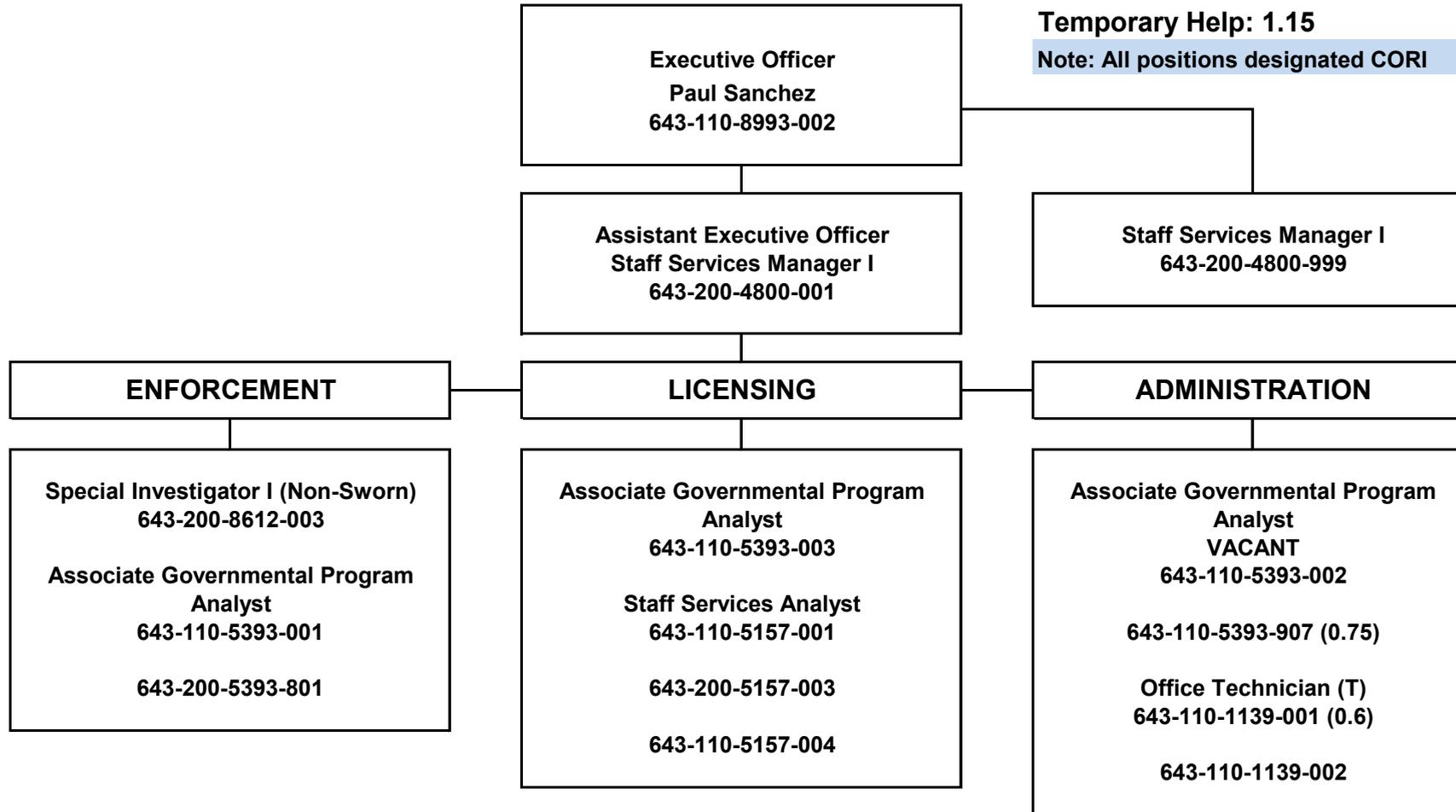
Associate Governmental Program Analyst
643-110-5393-002
Office Technician (T)
643-110-1139-001 (0.6)
643-110-1139-002

DEPARTMENT OF CONSUMER AFFAIRS
Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board
 Fiscal Year End 2019/20

FY 2019-20 Authorized Positions: 12.6

Temporary Help: 1.15

Note: All positions designated CORI



ENFORCEMENT

Special Investigator I (Non-Sworn)
 643-200-8612-003

Associate Governmental Program Analyst
 643-110-5393-001

643-200-5393-801

LICENSING

Associate Governmental Program Analyst
 643-110-5393-003

Staff Services Analyst
 643-110-5157-001

643-200-5157-003

643-110-5157-004

ADMINISTRATION

Associate Governmental Program Analyst
 VACANT
 643-110-5393-002

643-110-5393-907 (0.75)

Office Technician (T)
 643-110-1139-001 (0.6)

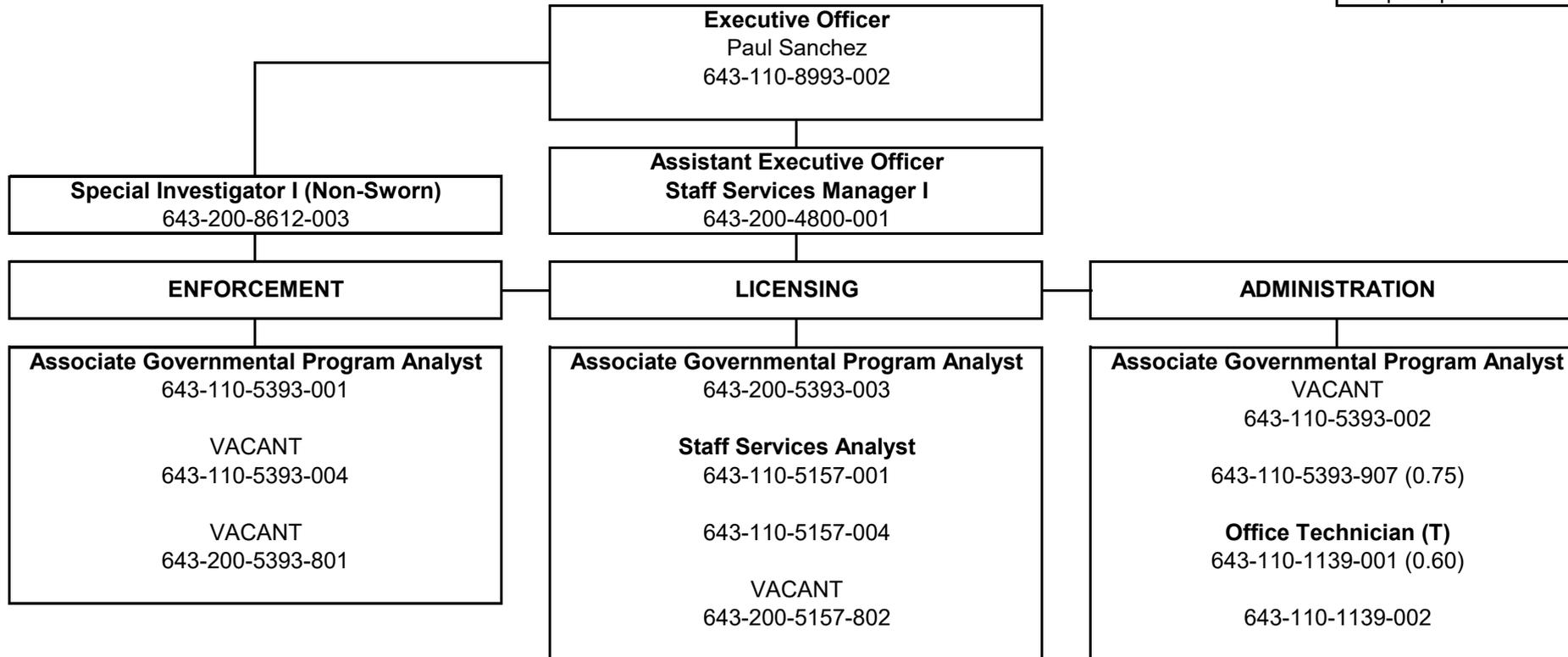
643-110-1139-002

DEPARTMENT OF CONSUMER AFFAIRS

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board

Fiscal Year End 2020-21

Current
FY 2021-22
Authorized Positions: 12.6
Temp Help: 1.15



Note: All positions designated CORI

Attachment E

Attachment E – Enforcement Performance Measures

Fiscal Year 2017-18

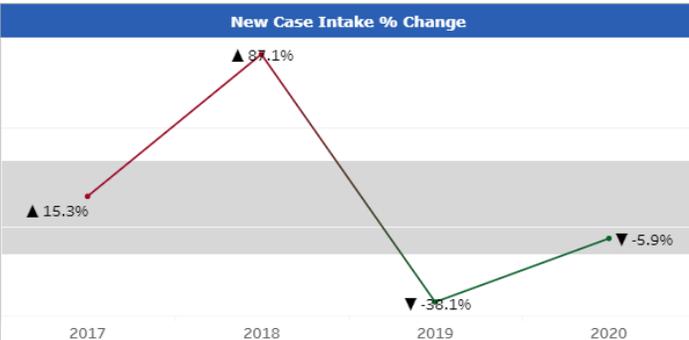
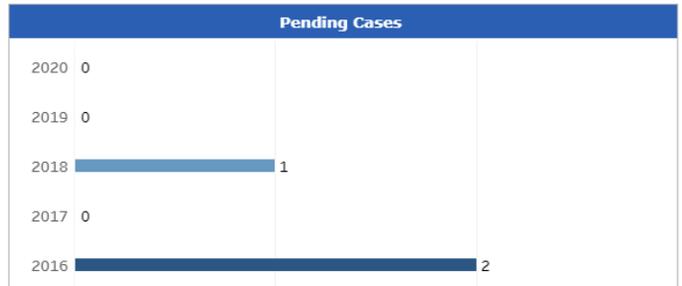
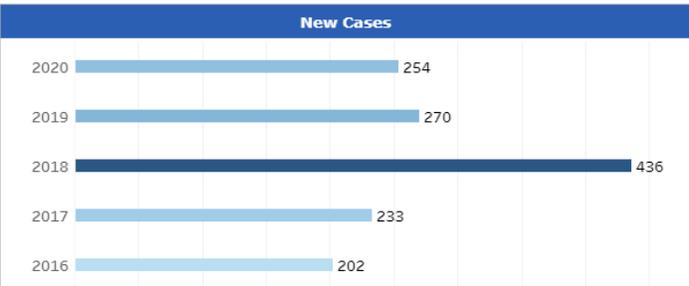
Annual Data

FY 17/18 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Enforcement Case Intake Summary

During FY 17/18 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers received 311 new Complaint Cases and 125 Conviction/Arrests Cases for a total of 436 new Enforcement Cases. Total case volume changed 87.1% from the previous fiscal year volume. New Complaint Cases received was 71.3% of total and new Conviction/Arrest Cases was 28.7% of all new cases received in FY 17/18. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 1 pending cases, a 0.0% change from the previous fiscal year.

FY 17/18 Speech-Language Pathology, Audiology And Hearing Aid Dispensers New Case Intake			
Selected Year	Prior Year	Variance	% Change
436	233	▲ 203	▲ 87.1%

FY 17/18 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Pending Cases			
Selected Year	Prior Year	Variance	% Change
1	0	▲ 1	0.0%



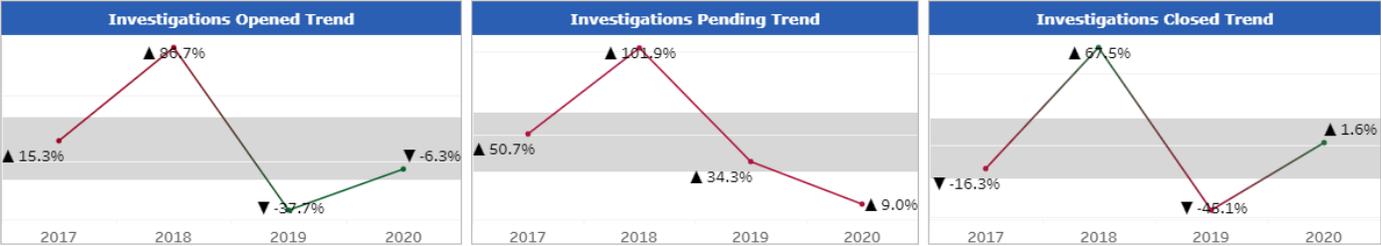
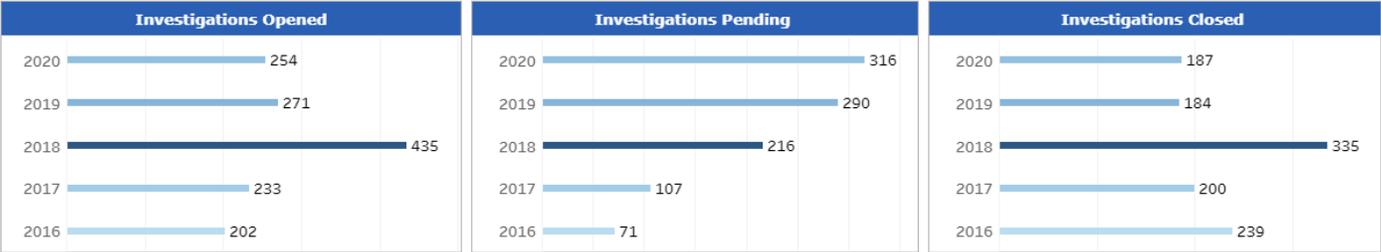
Attachment E – Enforcement Performance Measures

FY 17/18 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Investigation Cases

During FY 17/18 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers opened 435 new Investigation Cases and closed 335 Investigation Cases. Total new investigations opened changed 86.7% from the previous fiscal year volume. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 216 pending investigation cases, a 101.9% change from the previous fiscal year. During FY 17/18, 71.9% of all Investigation cases were closed within 0 - 90 days; 9.0% were closed within 91 - 180 days; 8.4% were closed within 181 - 365 days; 5.4% were closed within 1 - 2 years; 2.4% were closed within 2 - 3 years; and 3.0% were closed more than 3+ years after the case was first received.

Investigations Opened				Investigations Pending				Investigations Closed			
Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change
435	233	▲ 202	▲ 86.7%	216	107	109.0	▲ 101.9%	335	200	▲ 135	▲ 67.5%

Investigation Cases Closed by Cycle Time						
0 to 90 days	91 to 180 days	181 to 365 days	1 to 2 Years	2 to 3 Years	3 or More Years	
241	30	28	18	8	10	

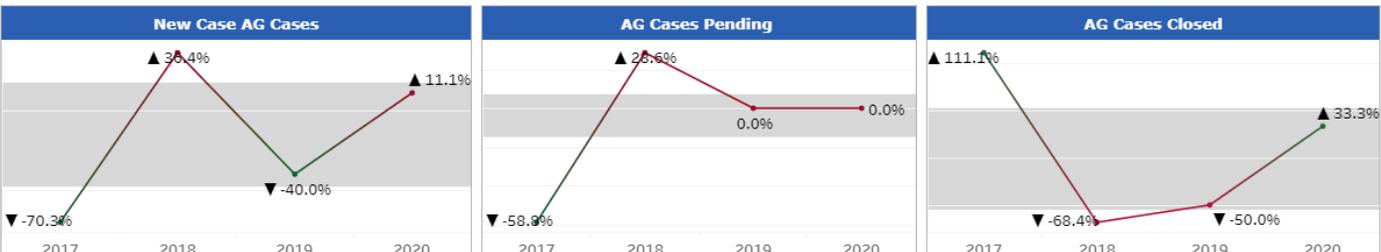
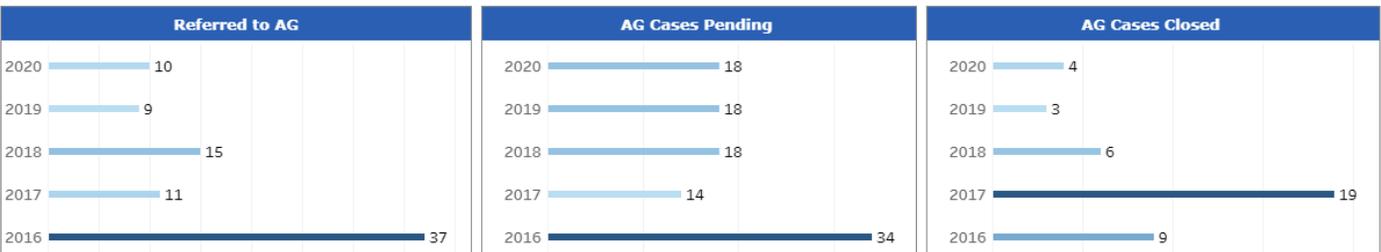


FY 17/18 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Attorney General Office Cases

During FY 17/18 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers referred 15 new cases to the Attorney General's Office (AGO) and closed 6 AGO Referred Cases. Total new cases referred to AGO changed 36.4% from the previous fiscal year volume. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 18 pending AGO referred cases, a 28.6% change from the previous fiscal year. During FY 17/18, 0.0% of AGO referred cases were closed within 1 Year or Less; 50.0% were closed within 1 - 2 Years; 33.3% were closed within 2 - 3 Years; and 16.7% were closed more than 3+ years after the case was first received.

Referred to AG				AG Cases Pending				AG Cases Closed			
Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change
15	11	▲ 4	▲ 36.4%	18	14	▲ 4	▲ 28.6%	6	19	▼ 13	▼ -68.4%

Speech-Language Pathology, Audiology And Hearing Aid Dispensers AG Cases Closed by Cycle Time				
< 1 Year	1 to 2 Years	2 to 3 Years	> 3 Years	
0	3	2	1	



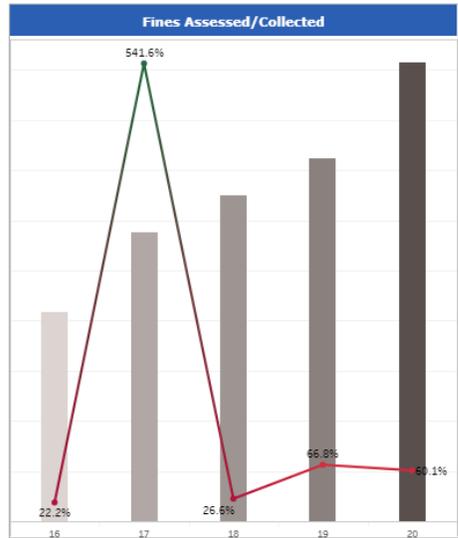
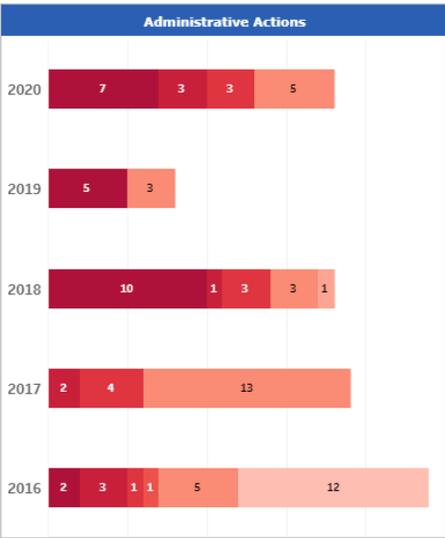
Attachment E – Enforcement Performance Measures

FY 17/18 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Administrative Actions

During FY 17/18 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers imposed formal administrative actions including citations and fines on 18 licenses. Total Administrative Actions changed -5.3% from the previous fiscal year. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers issued 21 citations, a 50.0% change from the previous fiscal year.

Speech-Language Pathology, Audiology And Hearing Aid Dispensers Administrative Actions								
Application Denied	Revoked License	Surrendered License	Probation with Susp..	Suspended License	Probation	Public Reprimand	Other Decisions	Total Admin Actions
10	1	3	0	0	3	1	0	18

Speech-Language Pathology, Audiology And Hearing Aid Dispensers Citations & Fines					
Selected Year Citations & Fines	Prior Year Citations & Fines	Variance Citations & Fines	Selected Year Fines Imposed	Prior Year Fines Imposed	Variance Fines Imposed
21	14	▲ 7	\$12,975	\$11,525	▲\$1,450



Attachment E – Enforcement Performance Measures

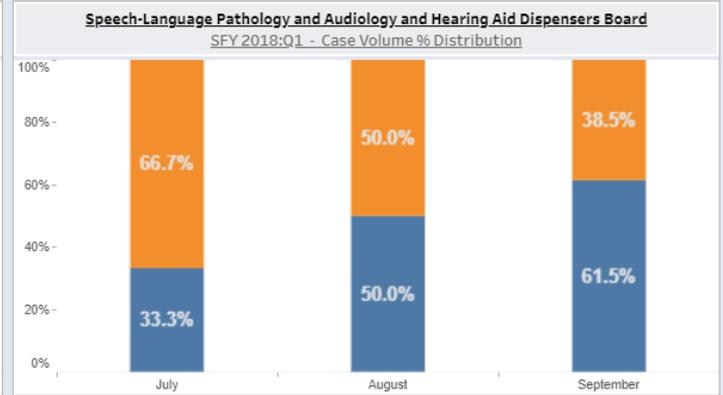
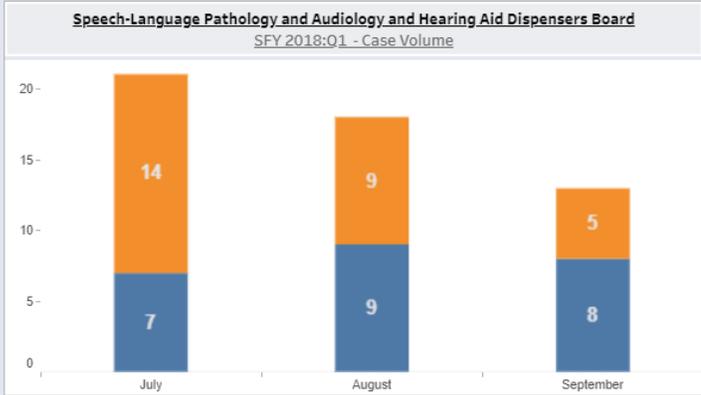
Quarter 1 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary
 Data last refreshed on 6/16/2021

Case Type
■ Conviction/Arrest Volume ■ Complaints Volume

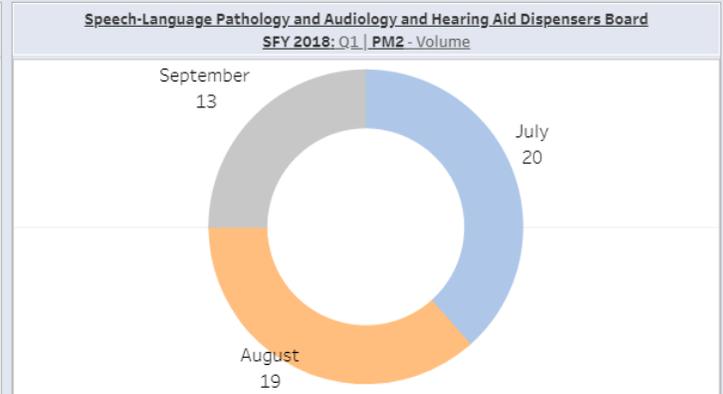
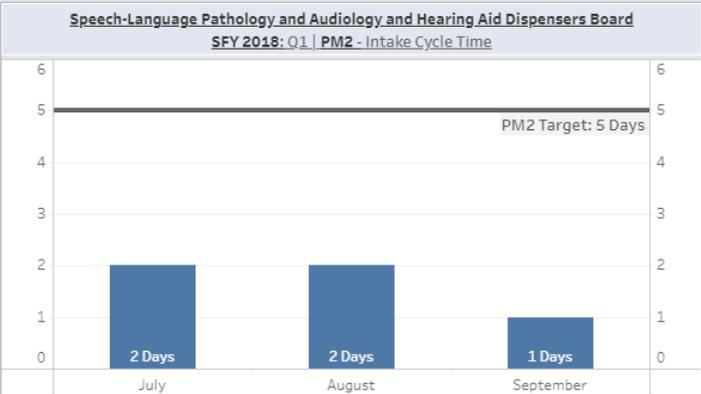
Complaints Volume	Conviction/Arrest Volume	Total Volume
24	28	52



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary
 Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
52	5 Days	2 Days	▼ -3 Days



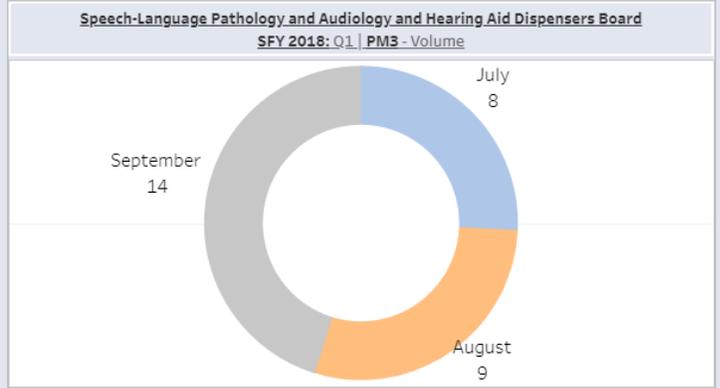
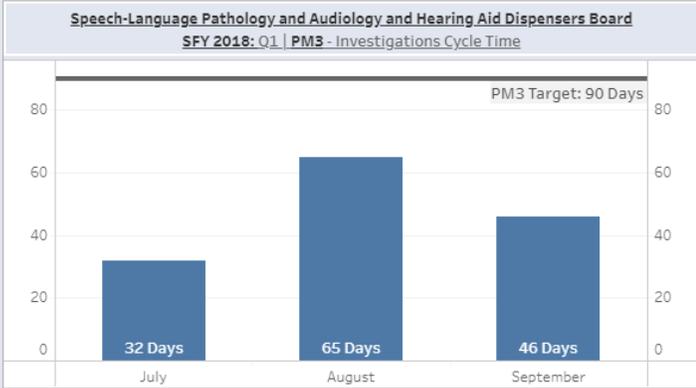
Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
31	90 Days	48 Days	▼ -42 Days

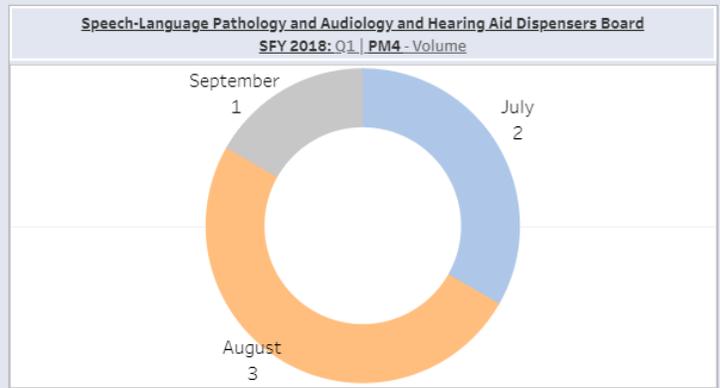
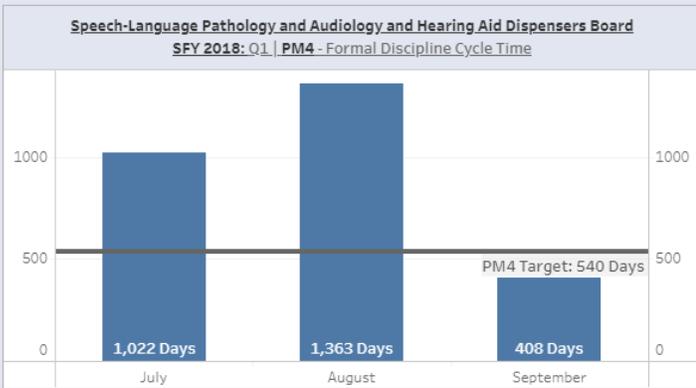


Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
6	540 Days	1,090 Days	▲ 550 Days



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

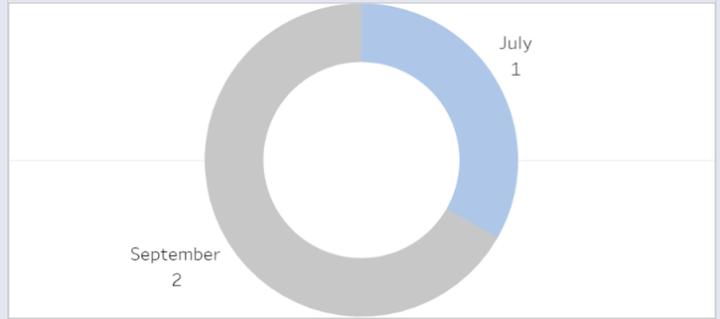
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
3	14 Days	1 Days	▼ -13 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q1 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q1 - PM7: Probation Cases



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

Data not available

Case Volume	Target	Actual	Variance
0	21 Days		

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q1 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q1 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Quarter 2 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

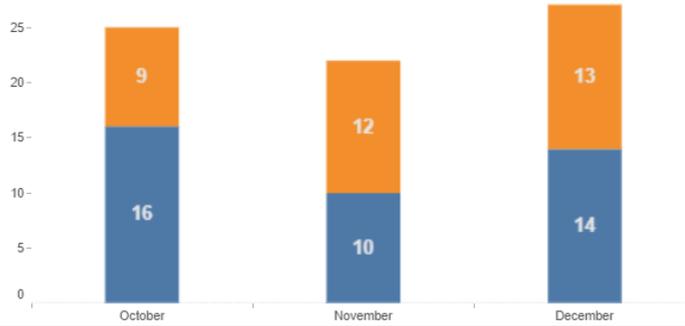
40

34

74

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2018:Q2 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2018:Q2 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

74

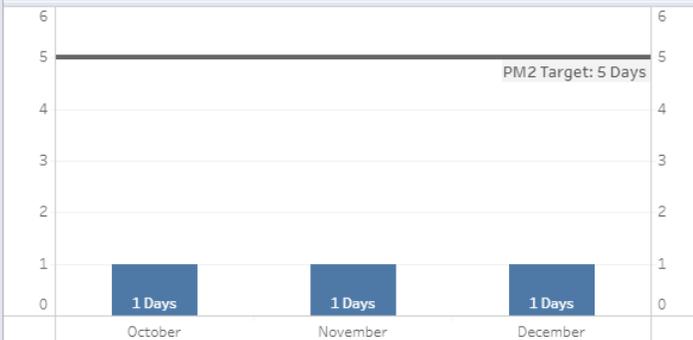
5 Days

1 Days

▼ -4 Days

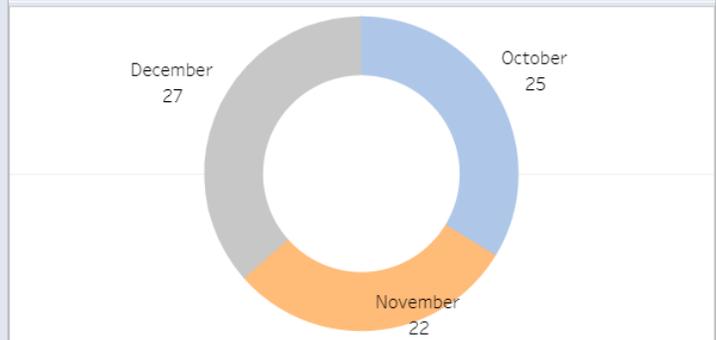
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2018: Q2 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2018: Q2 | PM2 - Volume

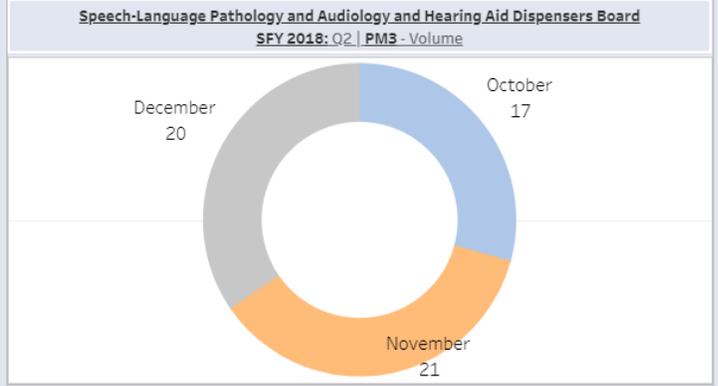
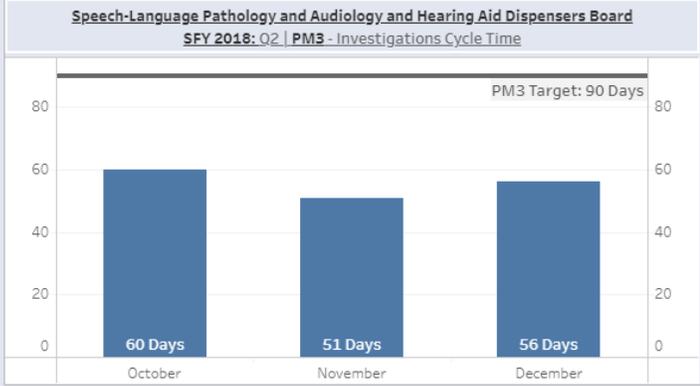


Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary
Data last refreshed on 6/16/2021

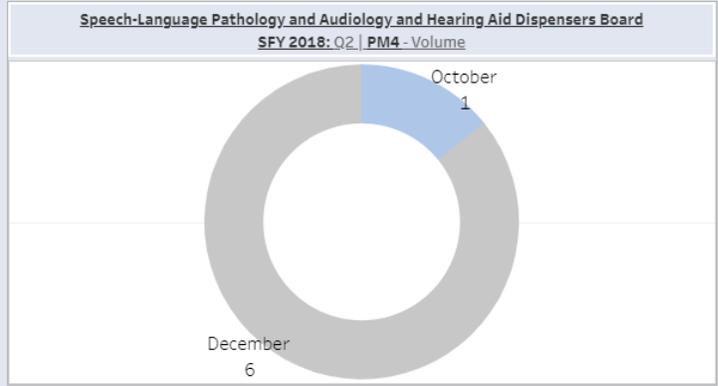
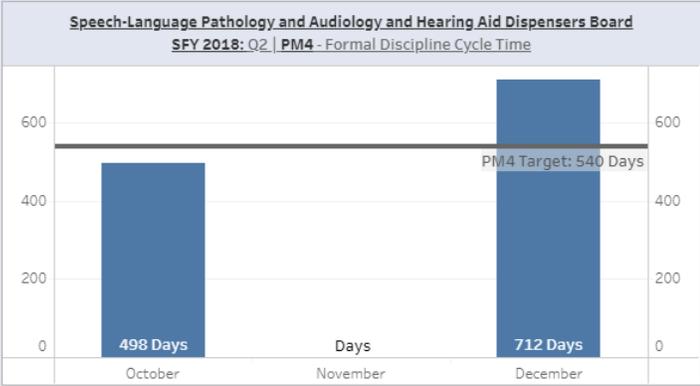
Case Volume	Target	Actual	Variance
58	90 Days	55 Days	▼ -35 Days



Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
7	540 Days	681 Days	▲ 141 Days



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

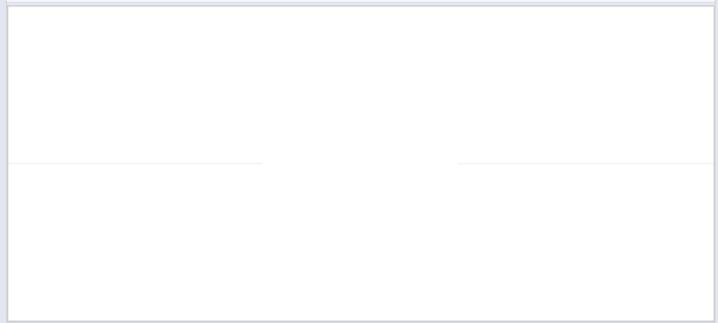
Data not available

Case Volume	Target	Actual	Variance
0	14 Days		

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q2 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q2 - PM7: Probation Cases

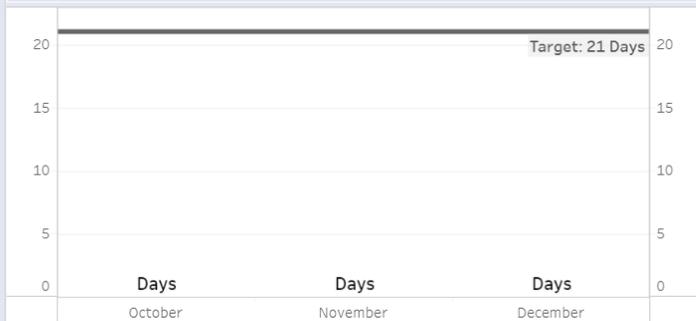


Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

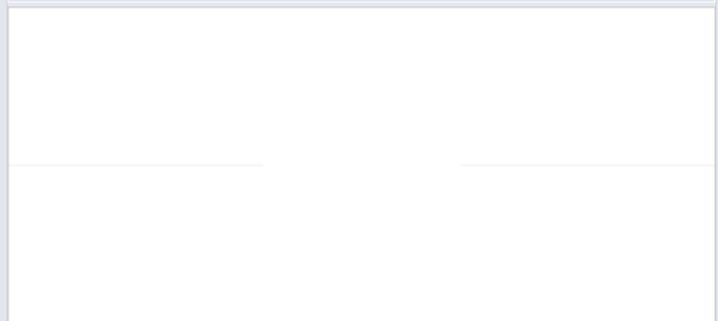
Data not available

Case Volume	Target	Actual	Variance
0	21 Days		

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q2 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q2 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Quarter 3 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

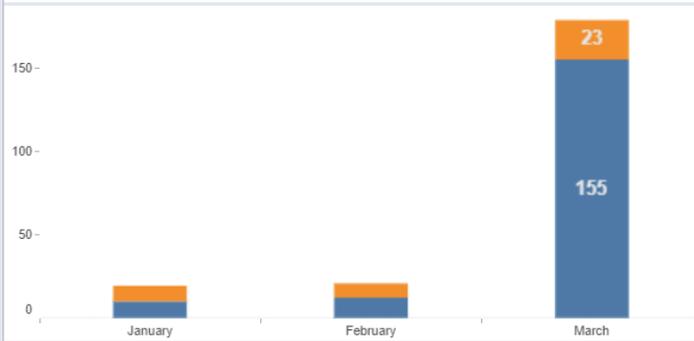
Total Volume

177

41

218

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018:Q3 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018:Q3 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

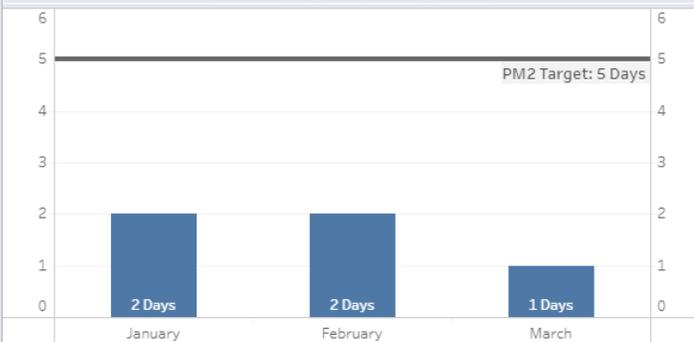
218

5 Days

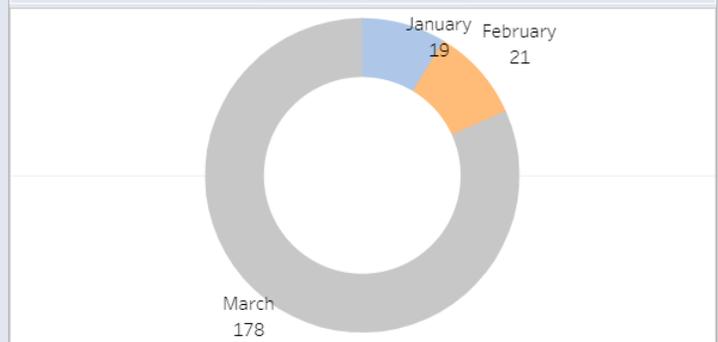
1 Days

▼ -4 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q3 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q3 | PM2 - Volume

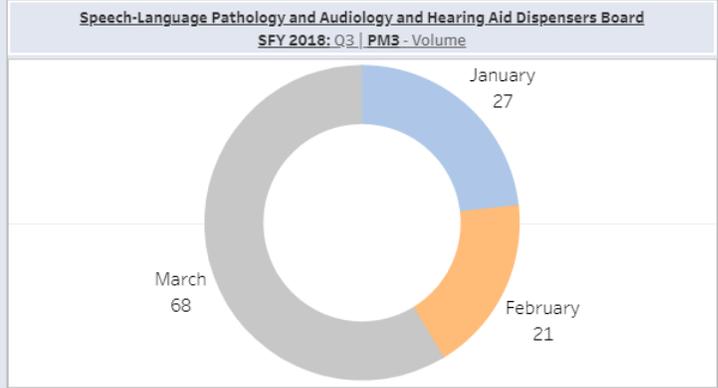
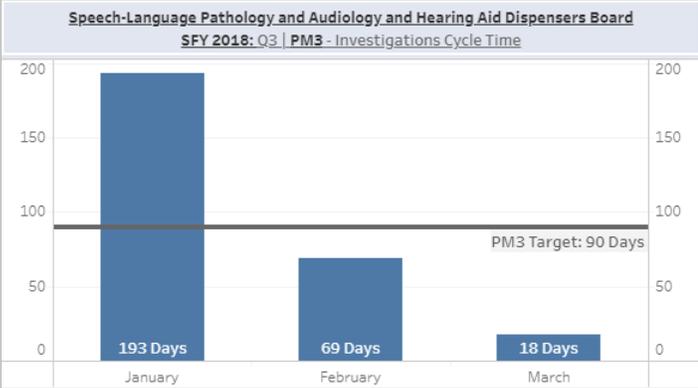


Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary
Data last refreshed on 6/16/2021

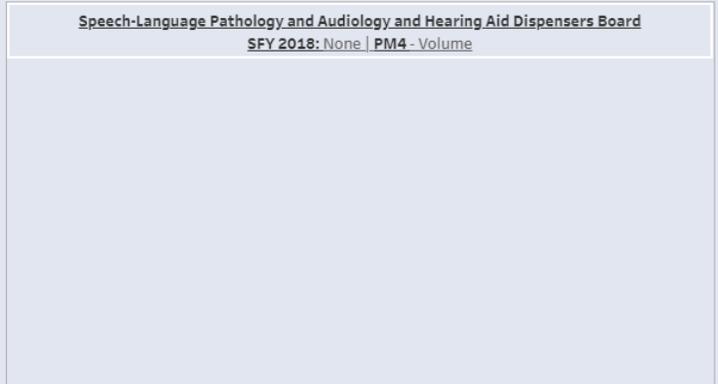
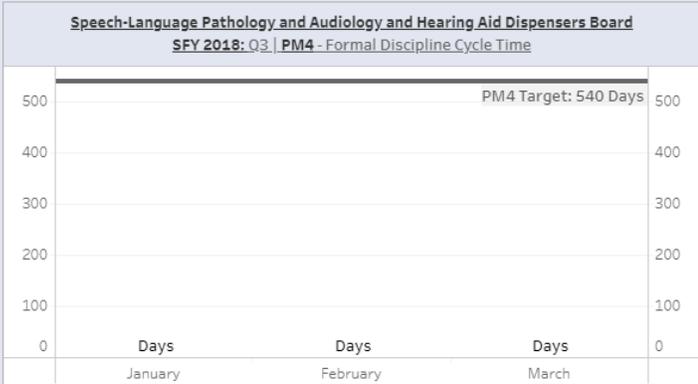
Case Volume	Target	Actual	Variance
116	90 Days	68 Days	▼ -22 Days



Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	540 Days		



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

Data not available

Case Volume	Target	Actual	Variance
0	14 Days		

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q3 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q3 - PM7: Probation Cases

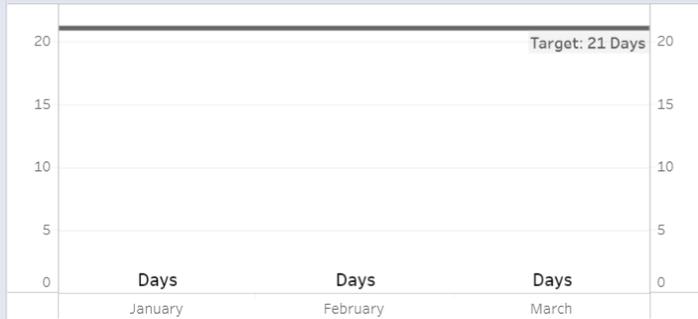


Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

Data not available

Case Volume	Target	Actual	Variance
0	21 Days		

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q3 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q3 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Quarter 4 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

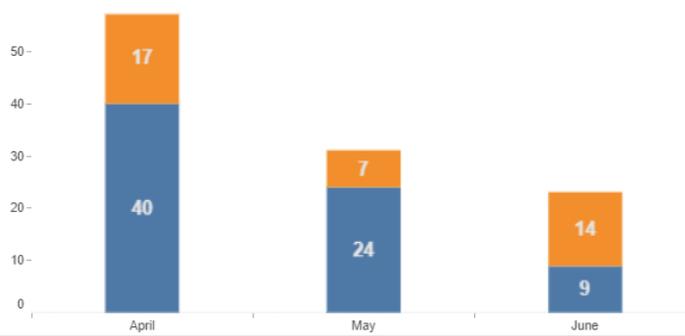
73

38

111

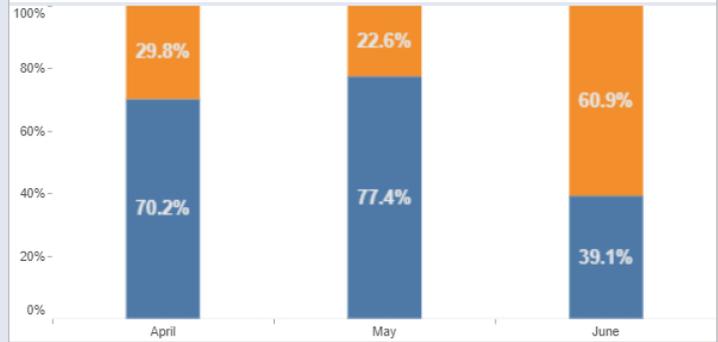
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2018:Q4 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2018:Q4 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

109

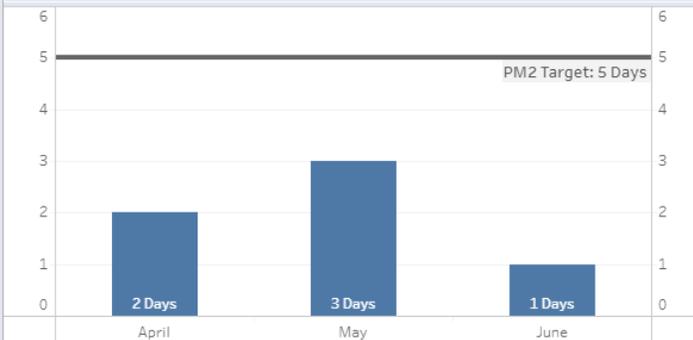
5 Days

2 Days

▼ -3 Days

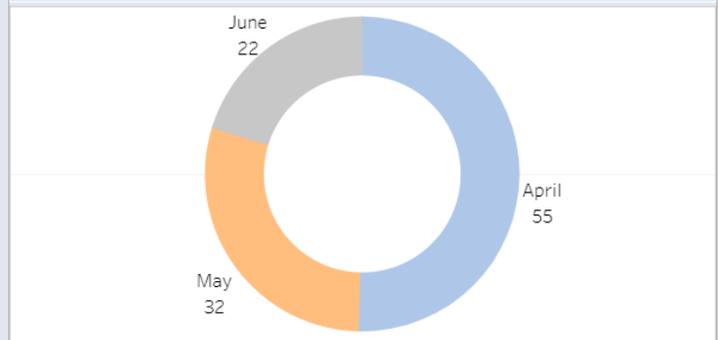
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2018: Q4 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2018: Q4 | PM2 - Volume



Attachment E – Enforcement Performance Measures

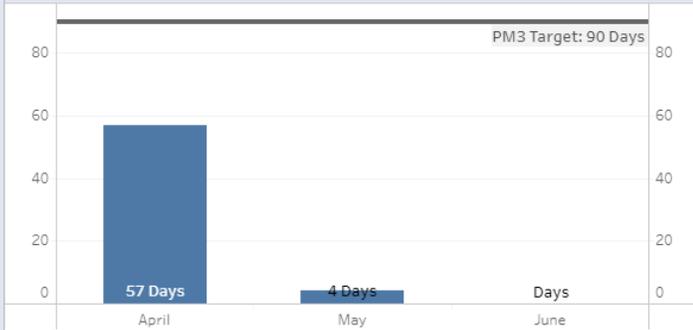
Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary

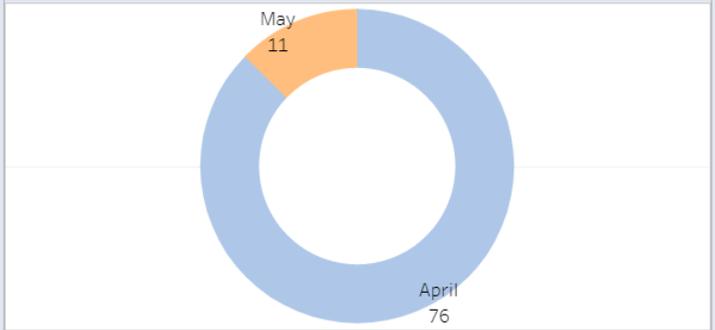
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
87	90 Days	50 Days	▼ -40 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q4 | PM3 - Investigations Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q4 | PM3 - Volume



Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary

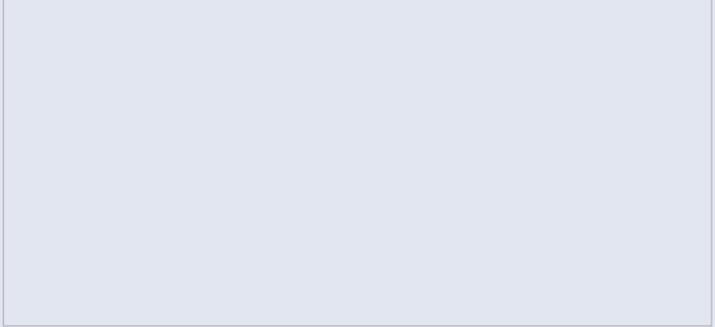
Data not available

Case Volume	Target	Actual	Variance
0	540 Days		

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q4 | PM4 - Formal Discipline Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: None | PM4 - Volume



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

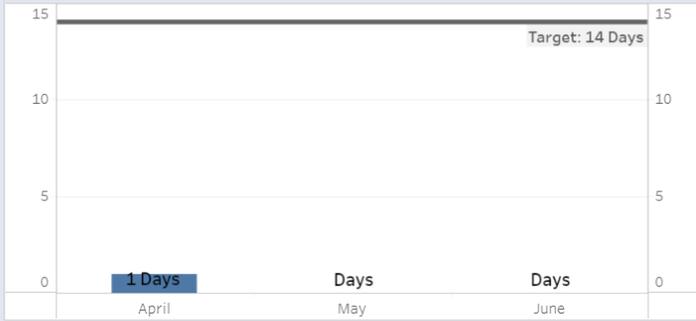
Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

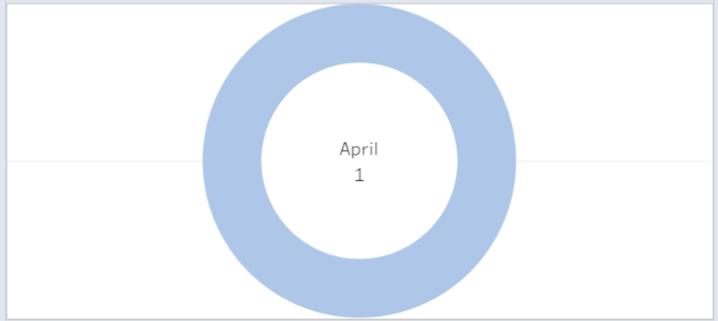
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	14 Days	1 Days	▼ -13 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q4 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q4 - PM7: Probation Cases

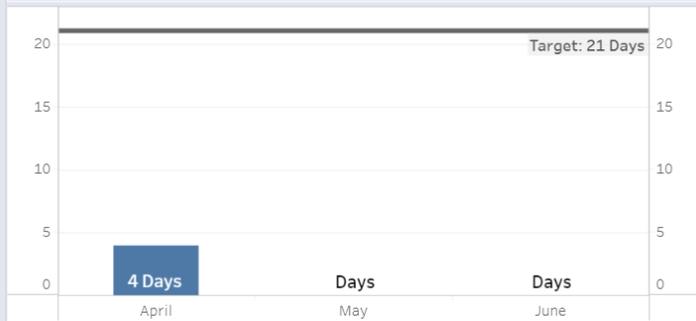


Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

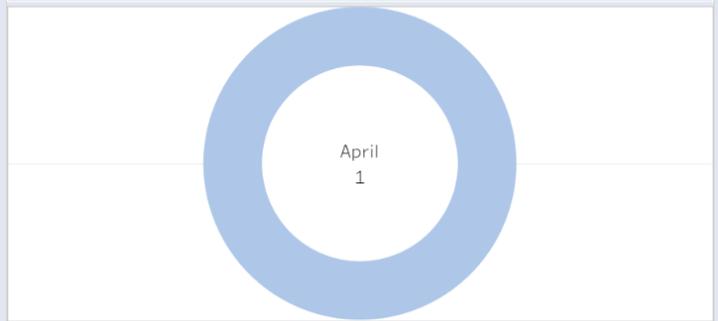
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	21 Days	4 Days	▼ -17 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q4 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2018: Q4 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Fiscal Year 2018-19

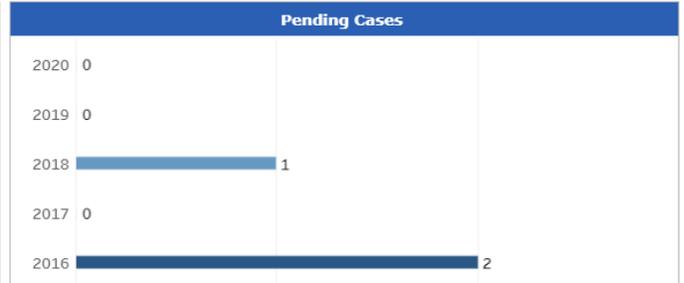
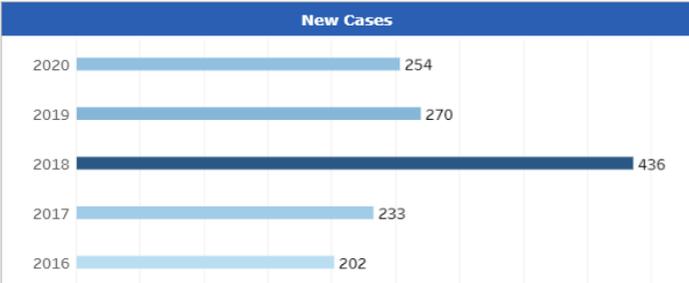
Annual Data

FY 18/19 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Enforcement Case Intake Summary

During FY 18/19 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers received 148 new Complaint Cases and 122 Conviction/Arrests Cases for a total of 270 new Enforcement Cases. Total case volume changed -38.1% from the previous fiscal year volume. New Complaint Cases received was 54.8% of total and new Conviction/Arrest Cases was 45.2% of all new cases received in FY 18/19. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 0 pending cases, a -100.0% change from the previous fiscal year.

FY 18/19 Speech-Language Pathology, Audiology And Hearing Aid Dispensers New Case Intake			
Selected Year	Prior Year	Variance	% Change
270	436	▼ -166	▼ -38.1%

FY 18/19 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Pending Cases			
Selected Year	Prior Year	Variance	% Change
0	1	▼ -1	▼ -100.0%



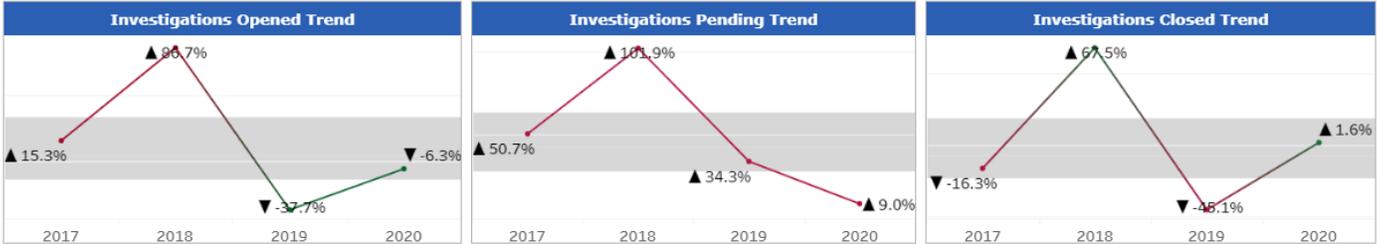
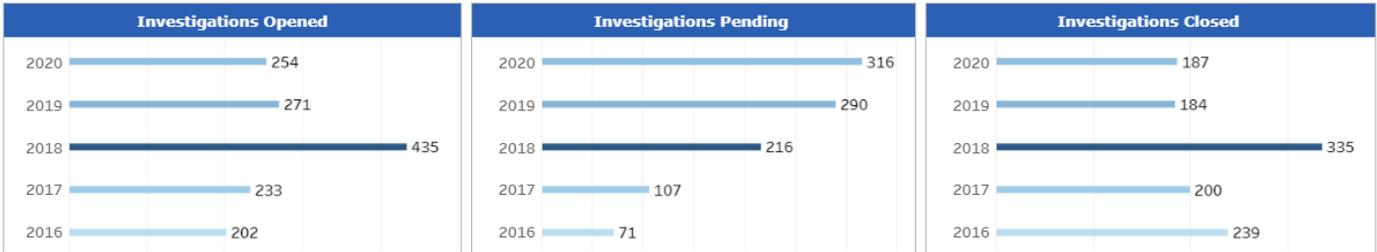
Attachment E – Enforcement Performance Measures

FY 18/19 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Investigation Cases

During FY 18/19 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers opened 271 new Investigation Cases and closed 184 Investigation Cases. Total new investigations opened changed -37.7% from the previous fiscal year volume. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 290 pending investigation cases, a 34.3% change from the previous fiscal year. During FY 18/19, 42.6% of all investigation cases were closed within 0 - 90 days; 22.9% were closed within 91 - 180 days; 21.8% were closed within 181 - 365 days; 9.0% were closed within 1 - 2 years; 3.2% were closed within 2 - 3 years; and 0.5% were closed more than 3+ years after the case was first received.

Investigations Opened				Investigations Pending				Investigations Closed			
Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change
271	435	▼-164	▼-37.7%	290	216	74.0	▲34.3%	184	335	▼-151	▼-45.1%

Investigation Cases Closed by Cycle Time						
0 to 90 days	91 to 180 days	181 to 365 days	1 to 2 Years	2 to 3 Years	3 or More Years	
80	43	41	17	6	1	

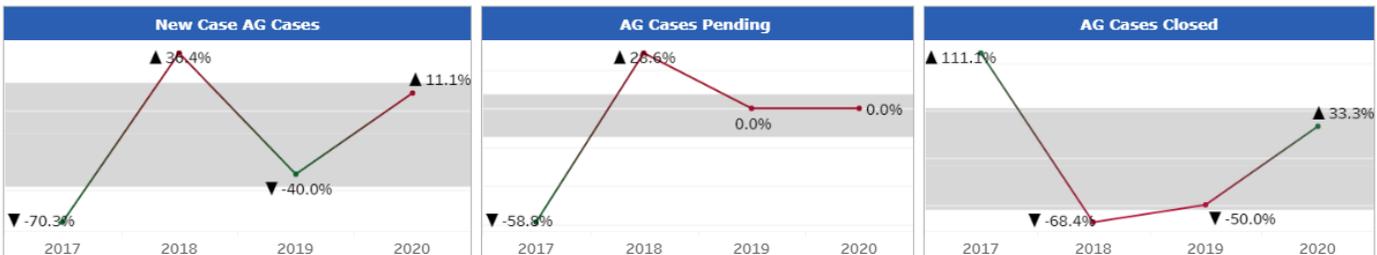
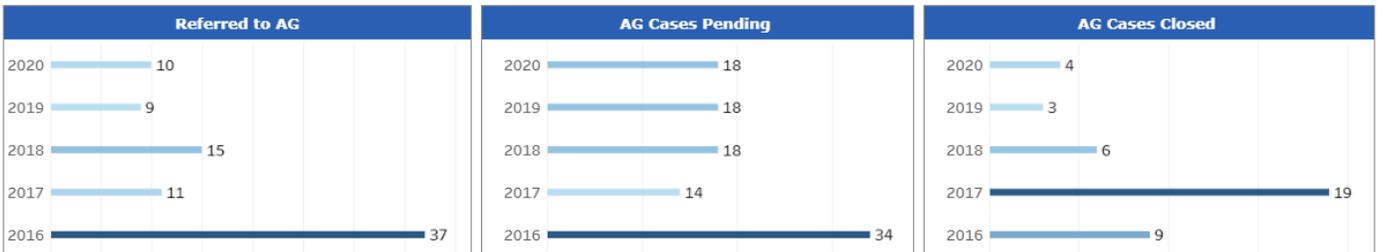


FY 18/19 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Attorney General Office Cases

During FY 18/19 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers referred 9 new cases to the Attorney General's Office (AGO) and closed 3 AGO Referred Cases. Total new cases referred to AGO changed -40.0% from the previous fiscal year volume. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 18 pending AGO referred cases, a 0.0% change from the previous fiscal year. During FY 18/19, 0.0% of AGO referred cases were closed within 1 Year or Less; 66.7% were closed within 1 - 2 Years; 33.3% were closed more than 3+ years after the case was first received.

Referred to AG				AG Cases Pending				AG Cases Closed			
Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change
9	15	▼-6	▼-40.0%	18	18	0	0.0%	3	6	▼-3	▼-50.0%

Speech-Language Pathology, Audiology And Hearing Aid Dispensers AG Cases Closed by Cycle Time				
< 1 Year	1 to 2 Years	2 to 3 Years	> 3 Years	
0	2	0	1	



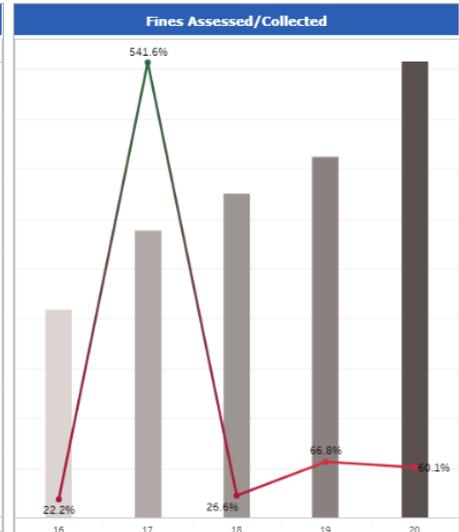
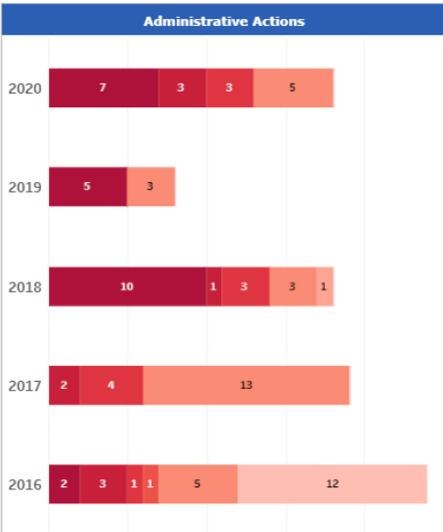
Attachment E – Enforcement Performance Measures

FY 18/19 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Administrative Actions

During FY 18/19 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers imposed formal administrative actions including citations and fines on 8 licenses. Total Administrative Actions changed -55.6% from the previous fiscal year. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers issued 16 citations, a -20.0% change from the previous fiscal year.

Speech-Language Pathology, Audiology And Hearing Aid Dispensers Administrative Actions								
Application Denied	Revoked License	Surrendered License	Probation with Susp..	Suspended License	Probation	Public Reprimand	Other Decisions	Total Admin Actions
5	0	0	0	0	3	0	0	8

Speech-Language Pathology, Audiology And Hearing Aid Dispensers Citations & Fines					
Selected Year Citations & Fines	Prior Year Citations & Fines	Variance Citations & Fines	Selected Year Fines Imposed	Prior Year Fines Imposed	Variance Fines Imposed
16	20	▼ -4	\$14,450	\$12,975	▲ \$1,475



Attachment E – Enforcement Performance Measures

Quarter 1 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

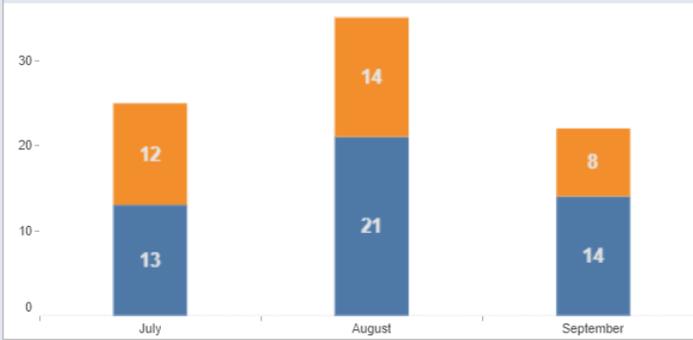
48

34

82

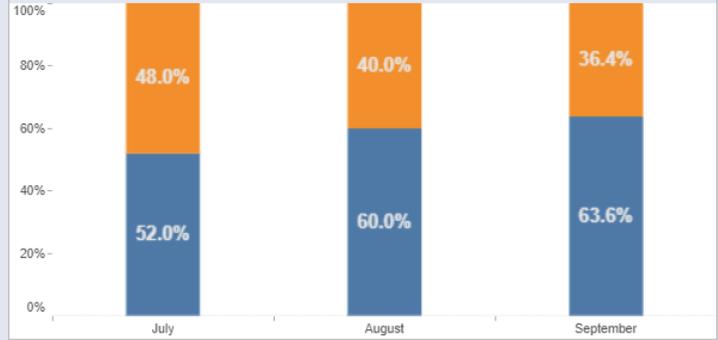
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019:Q1 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019:Q1 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

83

Target

10 Days

Actual

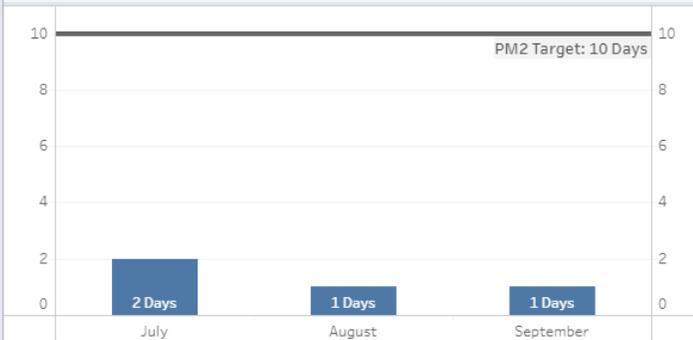
1 Days

Variance

▼ -9 Days

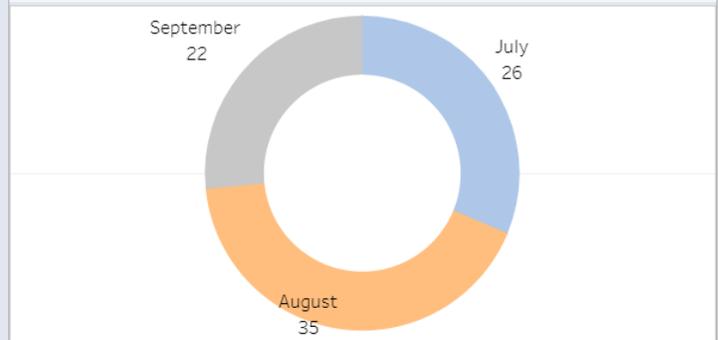
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019: Q1 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019: Q1 | PM2 - Volume



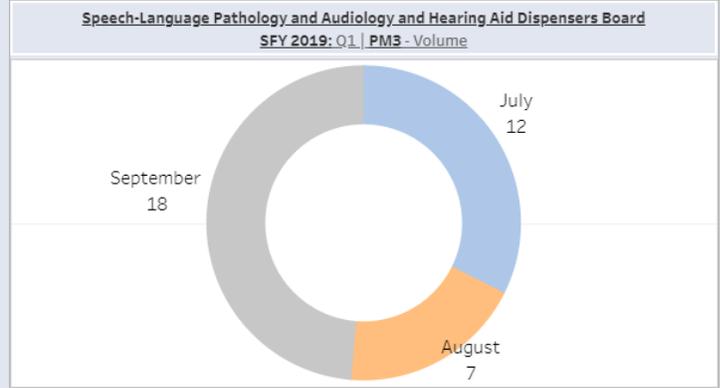
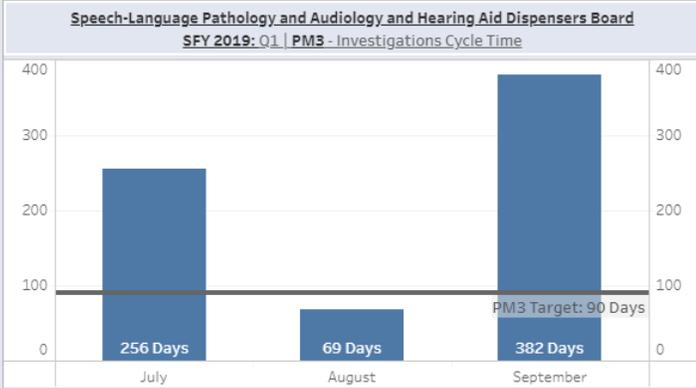
Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
37	90 Days	282 Days	▲ 192 Days

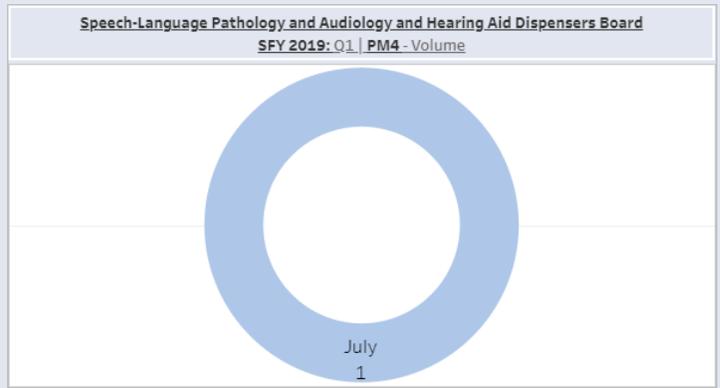
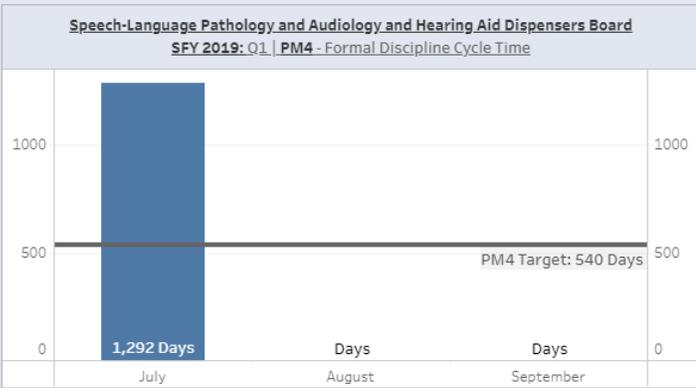


Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	540 Days	1,292 Days	▲ 752 Days



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

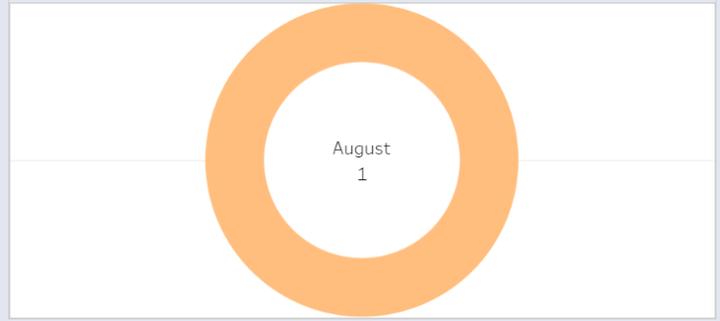
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	14 Days	1 Days	▼ -13 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2019: Q1 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2019: Q1 - PM7: Probation Cases

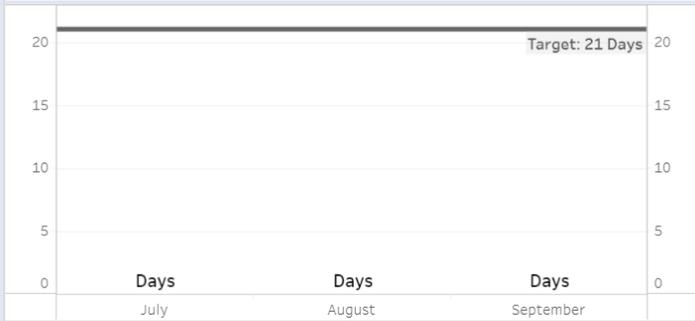


Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

Data not available

Case Volume	Target	Actual	Variance
0	21 Days		

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2019: Q1 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2019: Q1 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Quarter 2 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

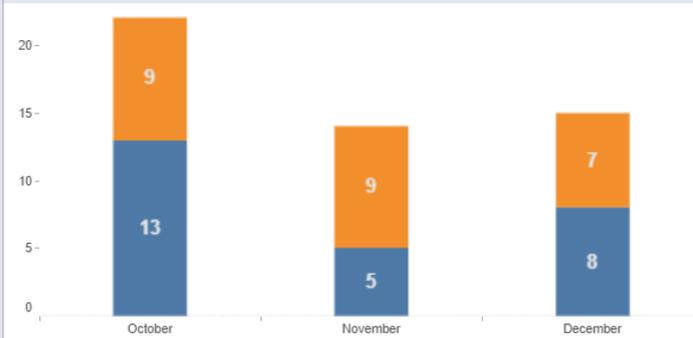
26

25

51

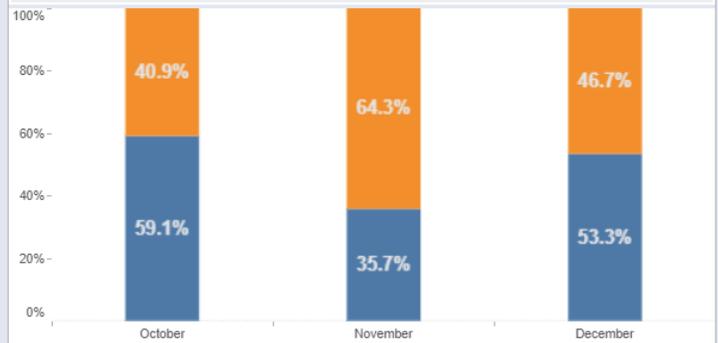
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019:Q2 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019:Q2 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

51

10 Days

1 Days

▼ -9 Days

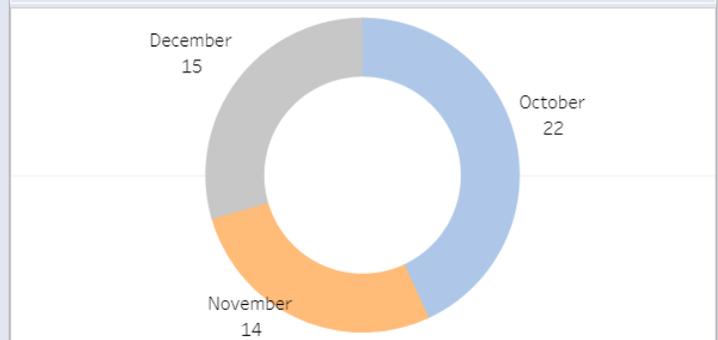
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019: Q2 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019: Q2 | PM2 - Volume

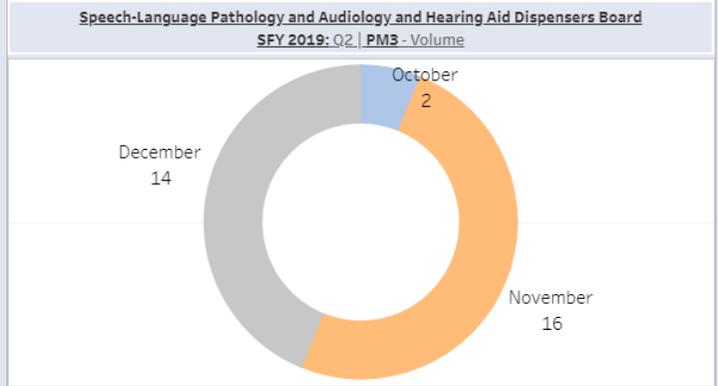
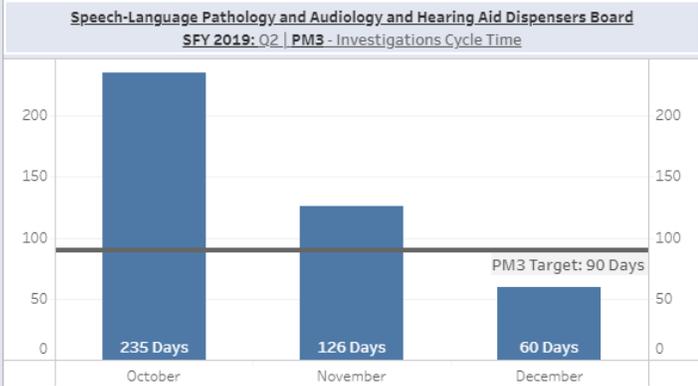


Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary
Data last refreshed on 6/16/2021

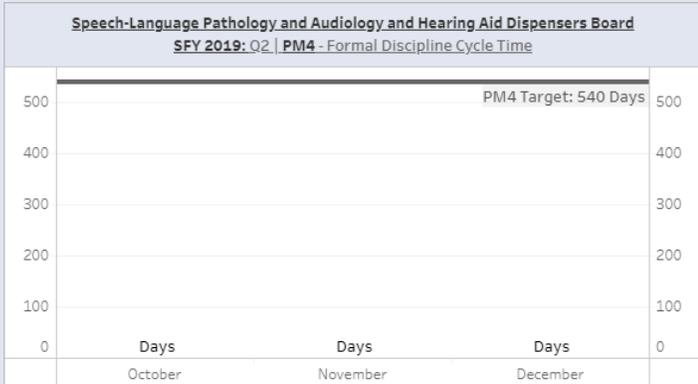
Case Volume	Target	Actual	Variance
32	90 Days	104 Days	▲ 14 Days



Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	540 Days		



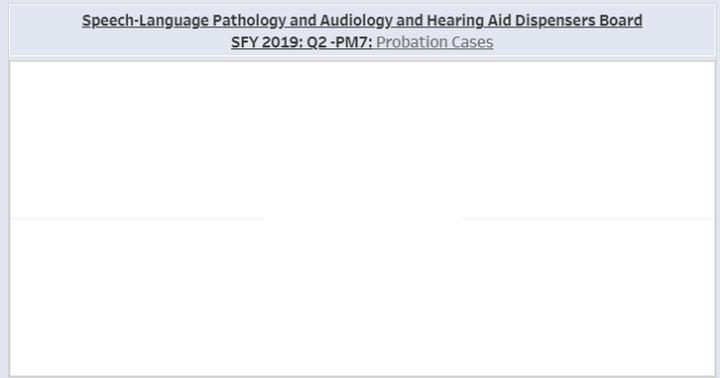
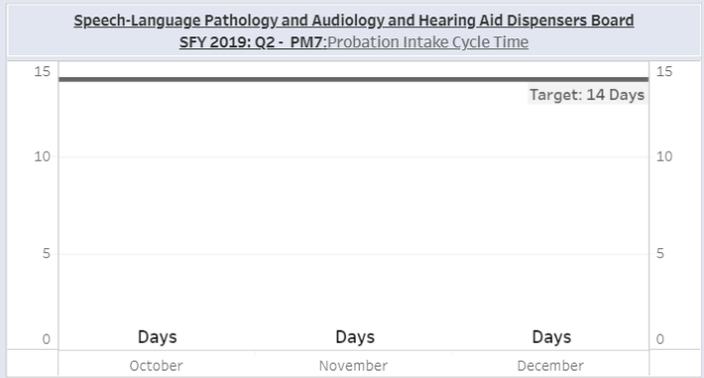
Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

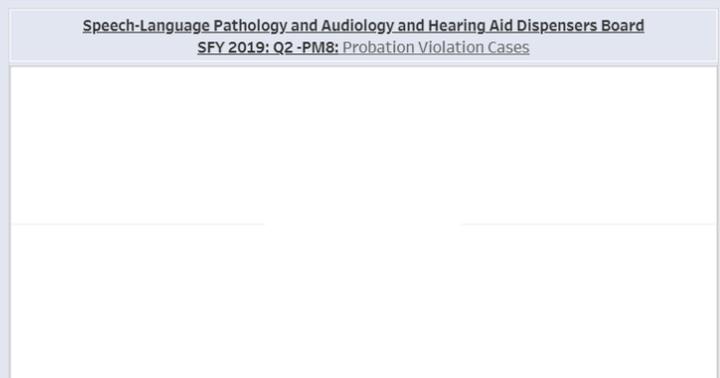
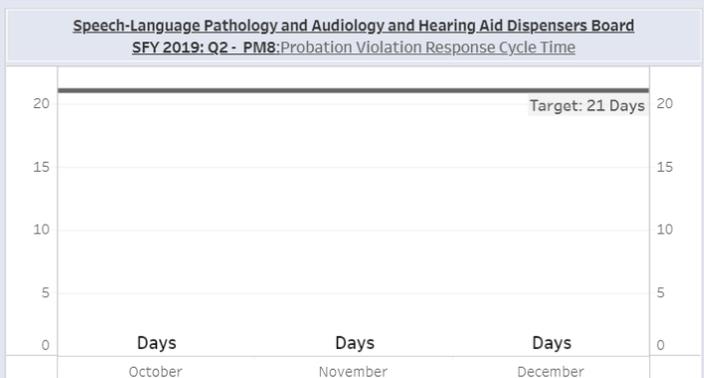
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	14 Days		



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	21 Days		



Attachment E – Enforcement Performance Measures

Quarter 3 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

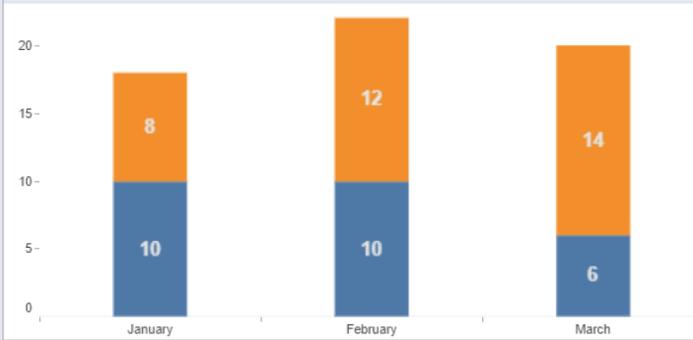
26

34

60

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019:Q3 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019:Q3 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

60

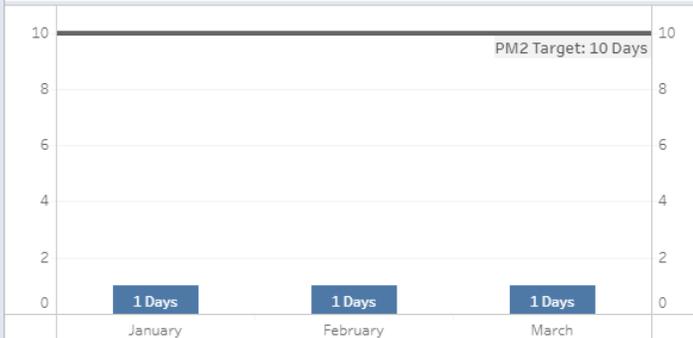
10 Days

1 Days

▼ -9 Days

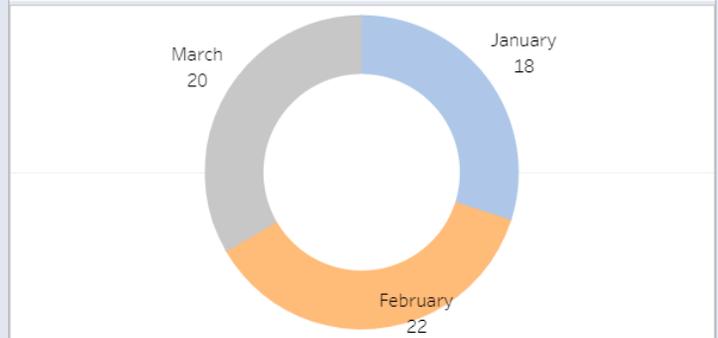
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019: Q3 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2019: Q3 | PM2 - Volume

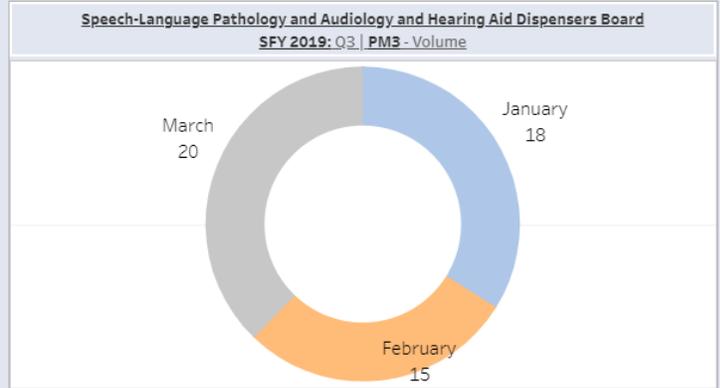
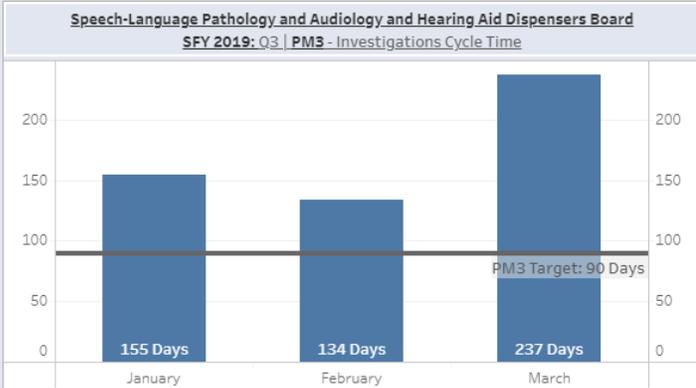


Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary
Data last refreshed on 6/16/2021

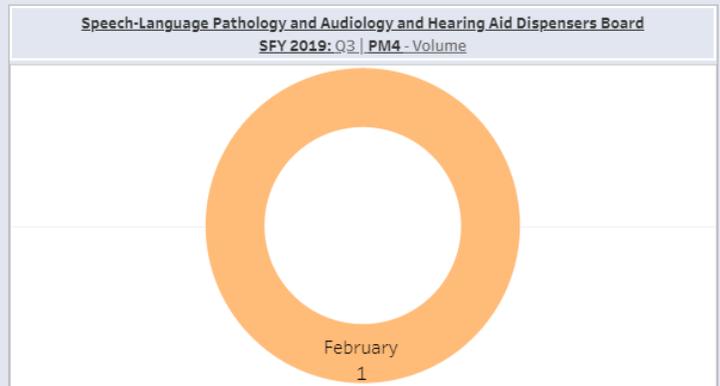
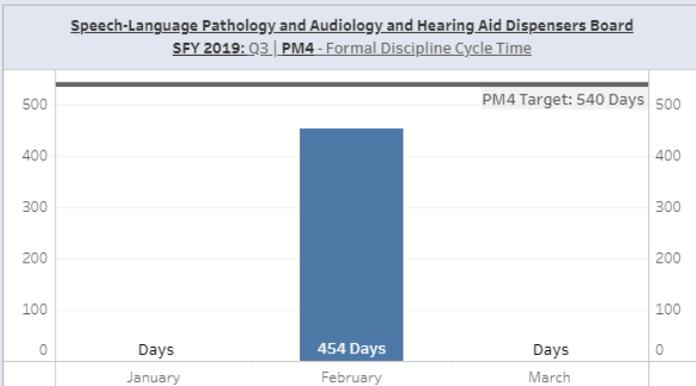
Case Volume	Target	Actual	Variance
53	90 Days	180 Days	▲ 90 Days



Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	540 Days	454 Days	▼ -86 Days



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

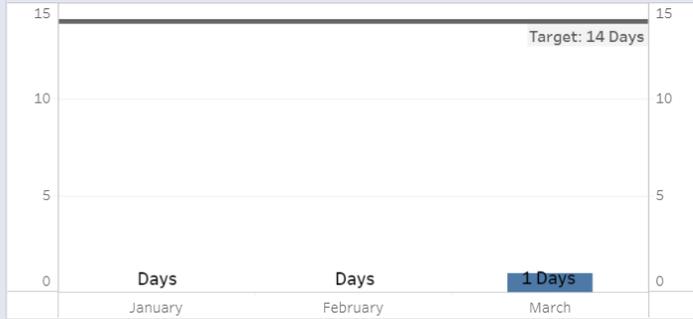
Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

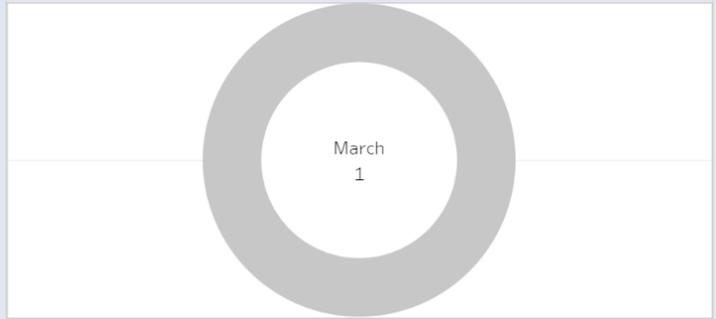
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	14 Days	1 Days	▼ -13 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2019: Q3 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2019: Q3 - PM7: Probation Cases



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

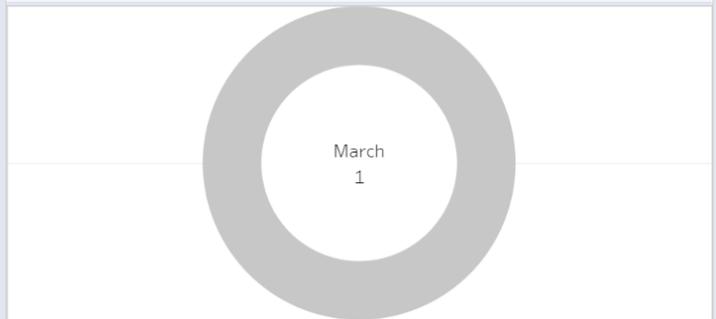
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	21 Days	1 Days	▼ -20 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2019: Q3 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2019: Q3 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Quarter 4 Data

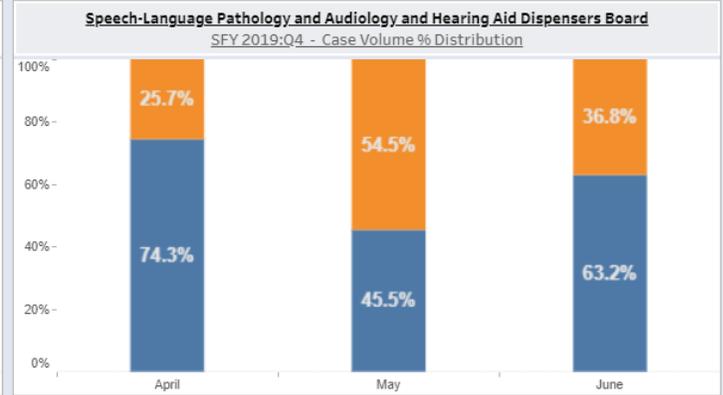
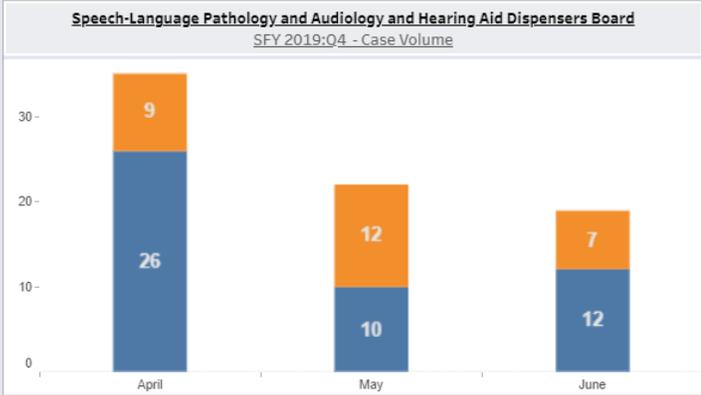
Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type
■ Conviction/Arrest Volume
■ Complaints Volume

Complaints Volume	Conviction/Arrest Volume	Total Volume
48	28	76

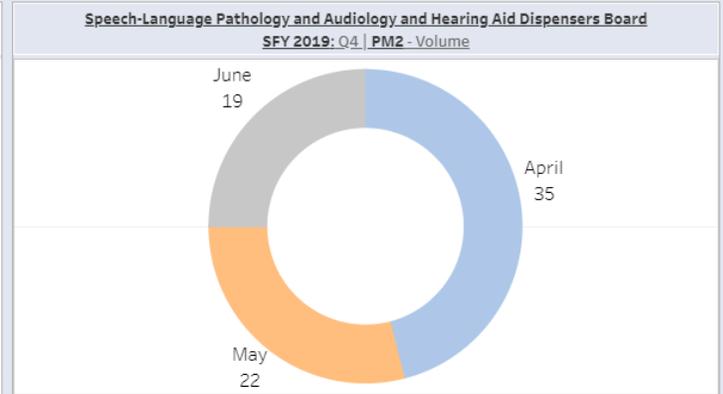
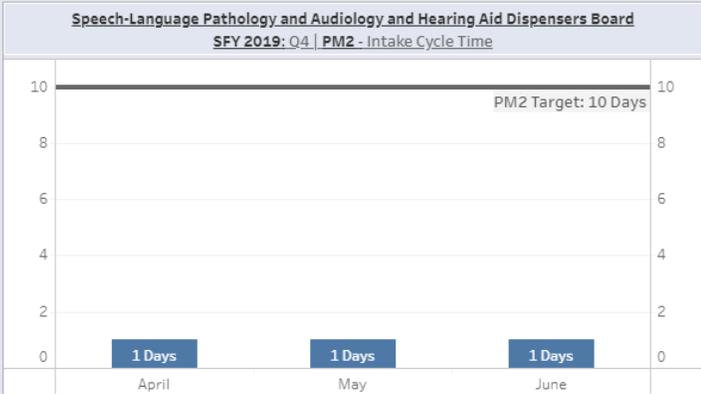


Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
76	10 Days	1 Days	▼ -9 Days



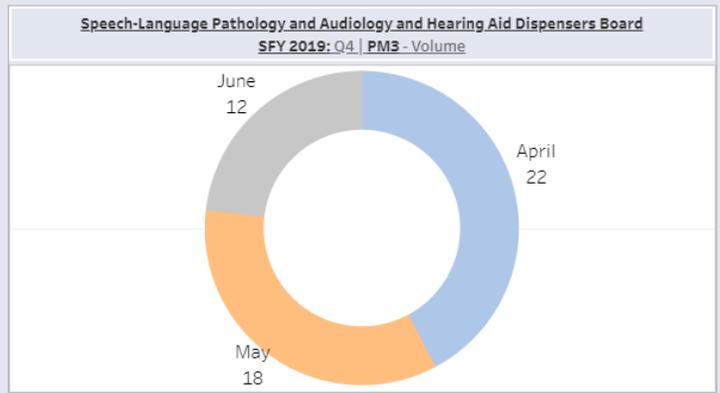
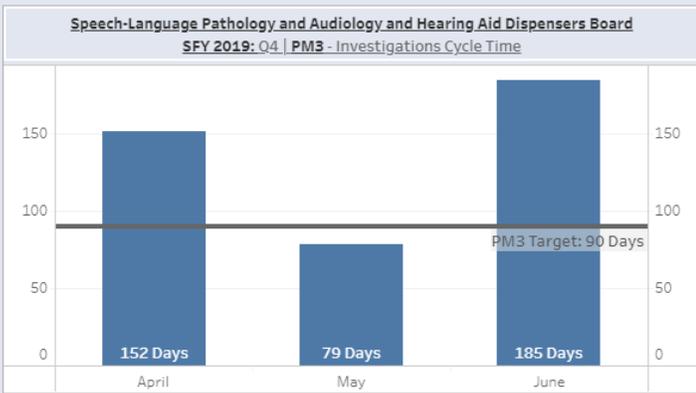
Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
52	90 Days	134 Days	▲ 44 Days

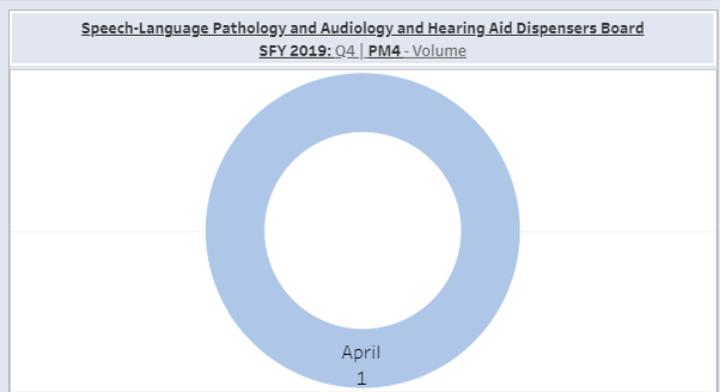
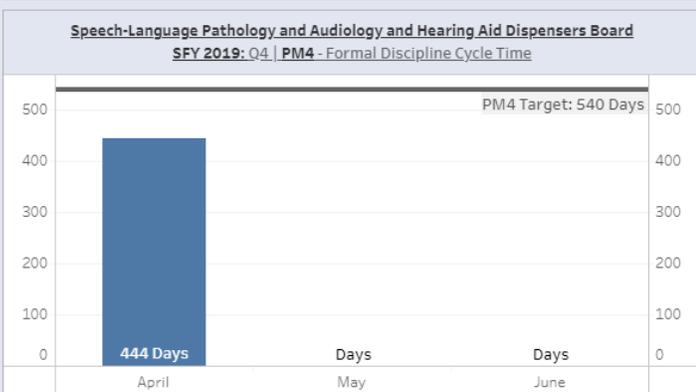


Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary

Data last refreshed on 6/16/2021

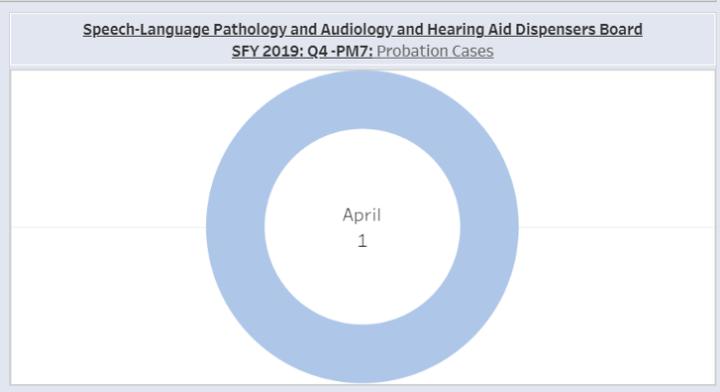
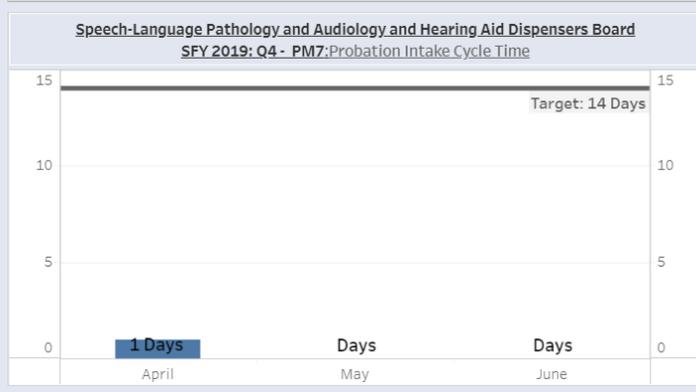
Case Volume	Target	Actual	Variance
1	540 Days	444 Days	▼ -96 Days



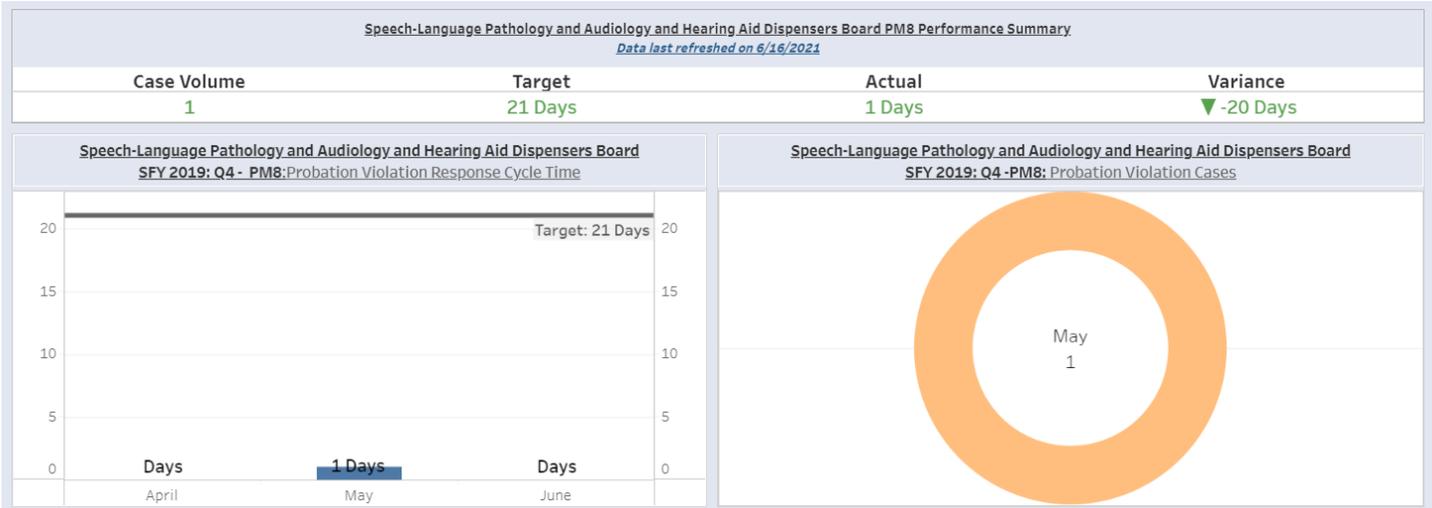
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	14 Days	1 Days	▼ -13 Days



Attachment E – Enforcement Performance Measures



Attachment E – Enforcement Performance Measures

Fiscal Year 2019-20

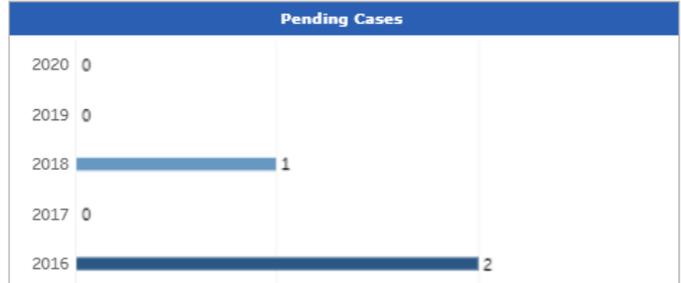
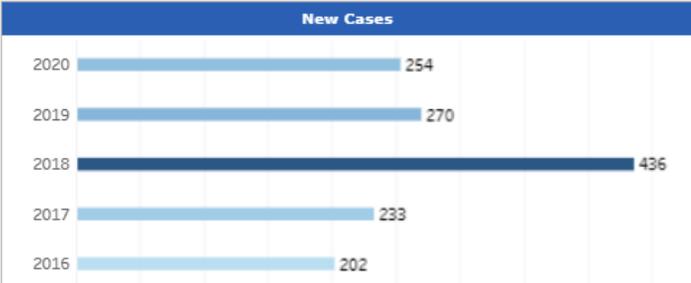
Annual Data

FY 19/20 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Enforcement Case Intake Summary

During FY 19/20 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers received 151 new Complaint Cases and 103 Conviction/Arrests Cases for a total of 254 new Enforcement Cases. Total case volume changed -5.9% from the previous fiscal year volume. New Complaint Cases received was 59.4% of total and new Conviction/Arrest Cases was 40.6% of all new cases received in FY 19/20. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 0 pending cases, a 0.0% change from the previous fiscal year.

FY 19/20 Speech-Language Pathology, Audiology And Hearing Aid Dispensers New Case Intake			
Selected Year	Prior Year	Variance	% Change
254	270	▼-16	▼-5.9%

FY 19/20 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Pending Cases			
Selected Year	Prior Year	Variance	% Change
0	0	0	0.0%



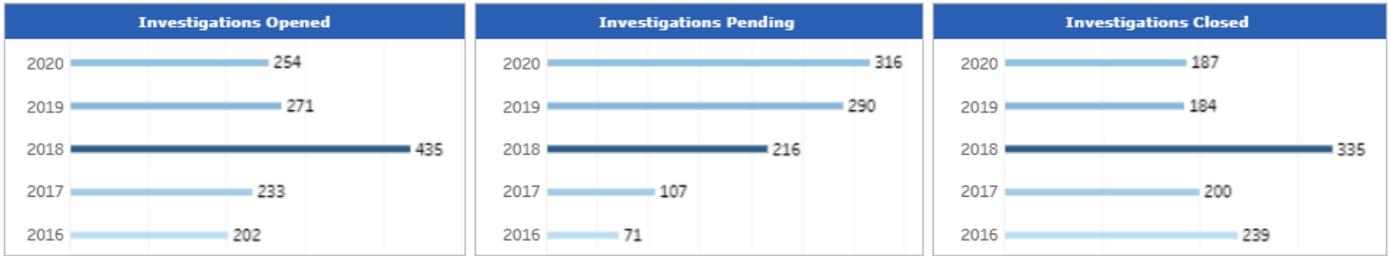
Attachment E – Enforcement Performance Measures

FY 19/20 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Investigation Cases

During FY 19/20 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers opened 254 new Investigation Cases and closed 187 Investigation Cases. Total new investigations opened changed -6.3% from the previous fiscal year volume. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 316 pending investigation cases, a 9.0% change from the previous fiscal year. During FY 19/20, 42.8% of all investigation cases were closed within 0 - 90 days; 12.8% were closed within 91 - 180 days; 16.0% were closed within 181 - 365 days; 21.9% were closed within 1 - 2 years; 3.7% were closed within 2 - 3 years; and 2.7% were closed more than 3+ years after the case was first received.

Investigations Opened				Investigations Pending				Investigations Closed			
Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change
254	271	▼17	▼6.3%	316	290	26.0	▲9.0%	187	184	▲3	▲1.6%

Investigation Cases Closed by Cycle Time					
0 to 90 days	91 to 180 days	181 to 365 days	1 to 2 Years	2 to 3 Years	3 or More Years
80	24	30	41	7	5

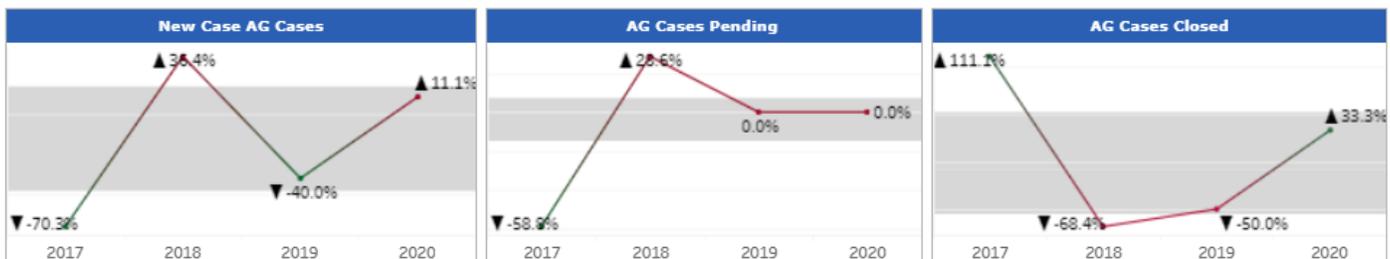
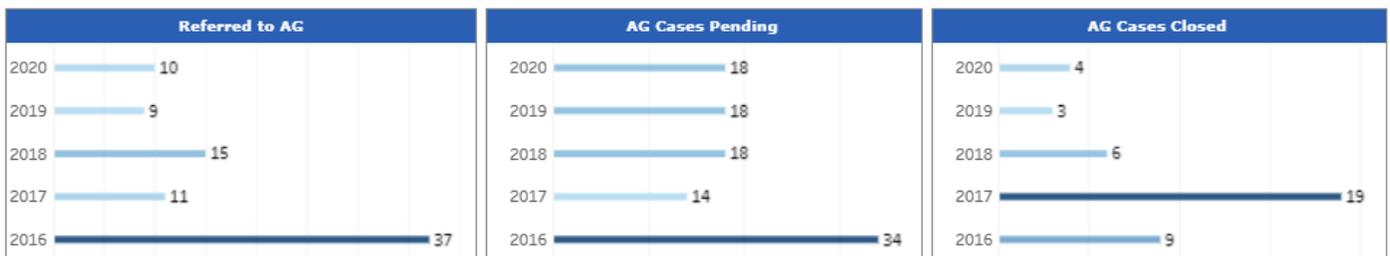


FY 19/20 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Attorney General Office Cases

During FY 19/20 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers referred 10 new cases to the Attorney General's Office (AGO) and closed 4 AGO Referred Cases. Total new cases referred to AGO changed 11.1% from the previous fiscal year volume. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers reported 18 pending AGO referred cases, a 0.0% change from the previous fiscal year. During FY 19/20, 25.0% of AGO referred cases were closed within 1 Year or Less; 25.0% were closed within 1 - 2 Years; 25.0% were closed within 2 - 3 Years; and 25.0% were closed more than 3+ years after the case was first received.

Referred to AG				AG Cases Pending				AG Cases Closed			
Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change	Selected Year	Prior Year	Variance	% Change
10	9	▲1	▲11.1%	18	18	0	0.0%	4	3	▲1	▲33.3%

Speech-Language Pathology, Audiology And Hearing Aid Dispensers AG Cases Closed by Cycle Time			
< 1 Year	1 to 2 Years	2 to 3 Years	> 3 Years
1	1	1	1



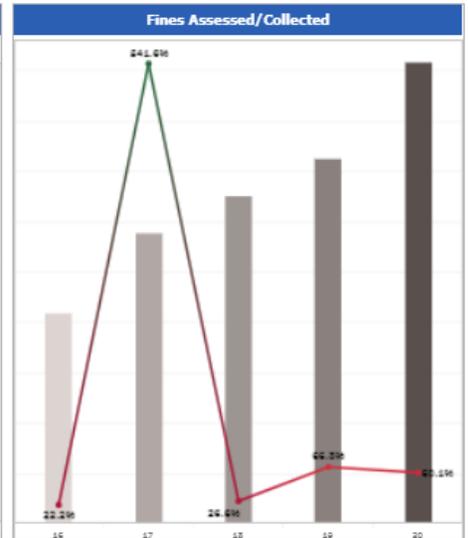
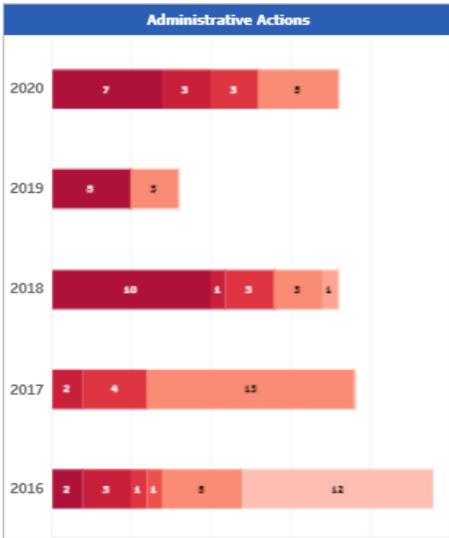
Attachment E – Enforcement Performance Measures

FY 19/20 Speech-Language Pathology, Audiology And Hearing Aid Dispensers Administrative Actions

During FY 19/20 the Speech-Language Pathology, Audiology And Hearing Aid Dispensers imposed formal administrative actions including citations and fines on 18 licenses. Total Administrative Actions changed 125.0% from the previous fiscal year. During the same period the Speech-Language Pathology, Audiology And Hearing Aid Dispensers issued 10 citations, a -37.5% change from the previous fiscal year.

Speech-Language Pathology, Audiology And Hearing Aid Dispensers Administrative Actions								
Application Denied	Revoked License	Surrendered License	Probation with Susp..	Suspended License	Probation	Public Reprimand	Other Decisions	Total Admin Actions
7	3	3	0	0	5	0	0	18

Speech-Language Pathology, Audiology And Hearing Aid Dispensers Citations & Fines					
Selected Year Citations & Fines	Prior Year Citations & Fines	Variance Citations & Fines	Selected Year Fines Imposed	Prior Year Fines Imposed	Variance Fines Imposed
10	16	▼-6	\$18,300	\$14,450	▲\$3,850



Attachment E – Enforcement Performance Measures

Quarter 1 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

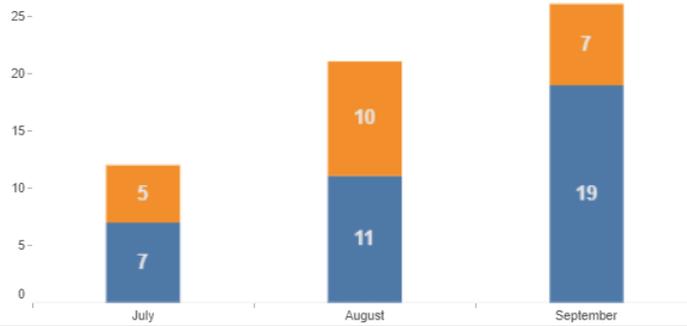
37

22

59

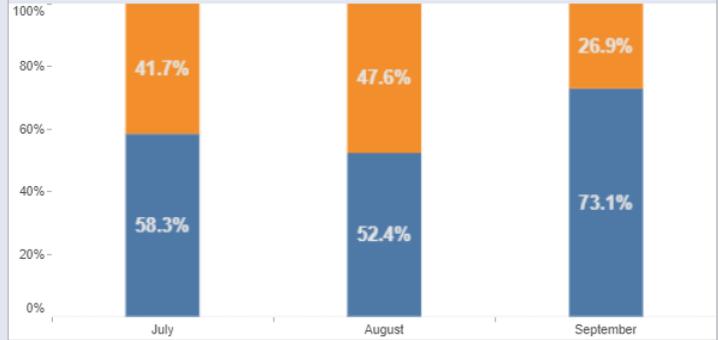
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020:Q1 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020:Q1 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

59

10 Days

1 Days

▼ -9 Days

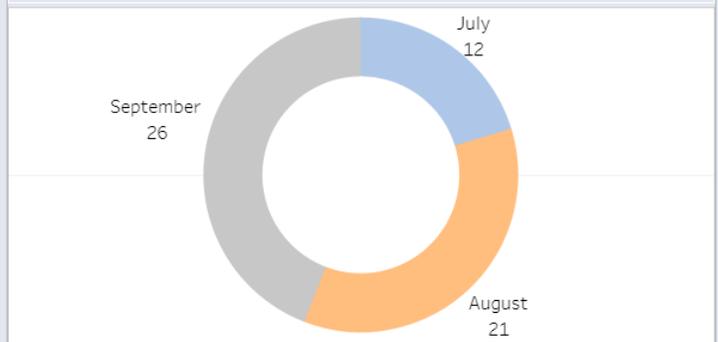
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020: Q1 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020: Q1 | PM2 - Volume



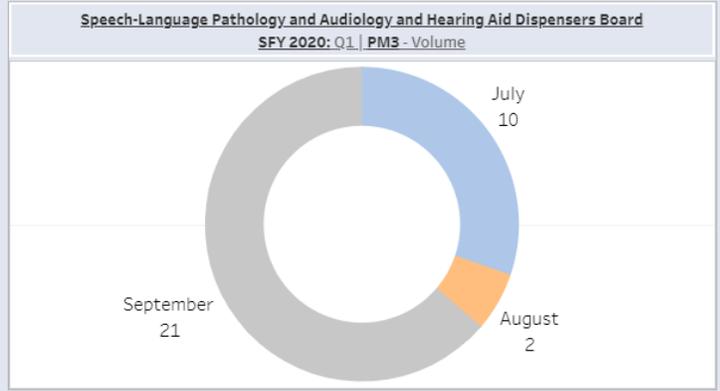
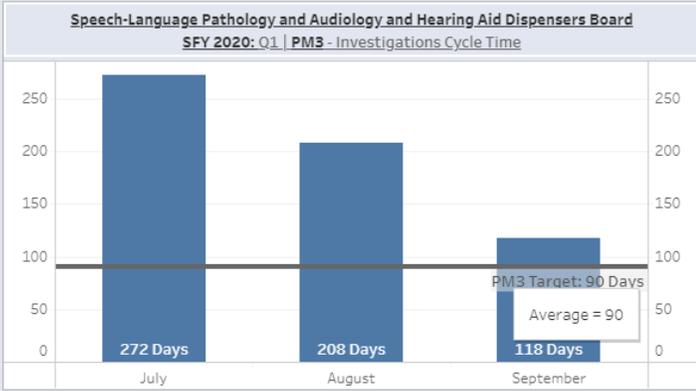
Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
33	90 Days	170 Days	▲ 80 Days

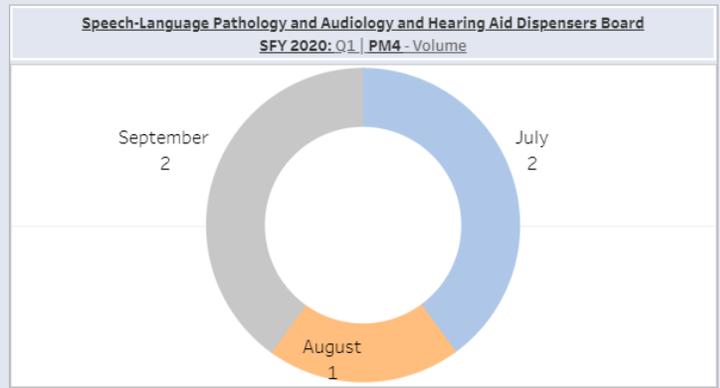
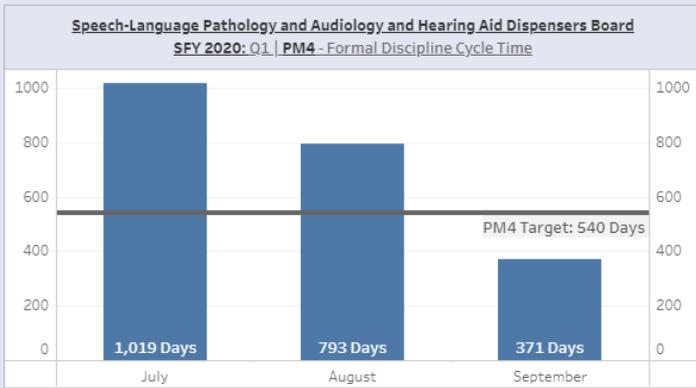


Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
5	540 Days	715 Days	▲ 175 Days



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

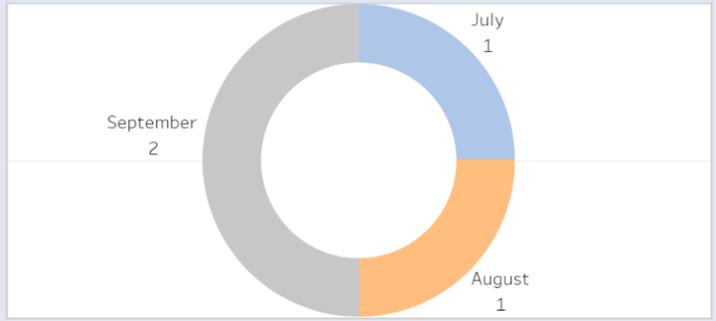
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
4	14 Days	1 Days	▼ -13 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2020: Q1 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2020: Q1 - PM7: Probation Cases

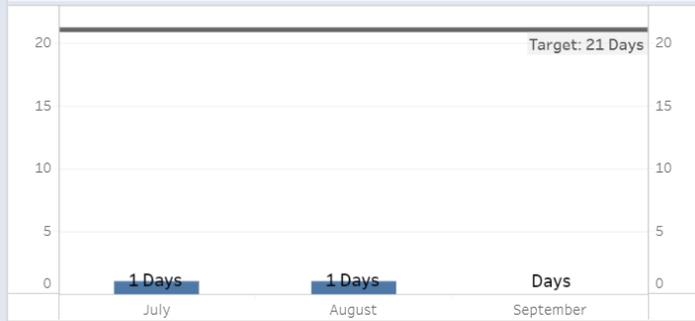


Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

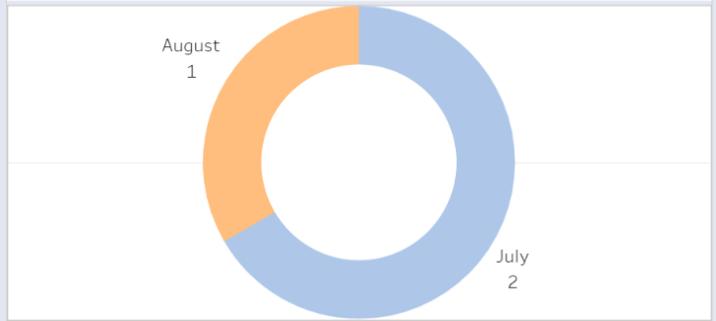
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
3	21 Days	1 Days	▼ -20 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2020: Q1 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2020: Q1 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Quarter 2 Data

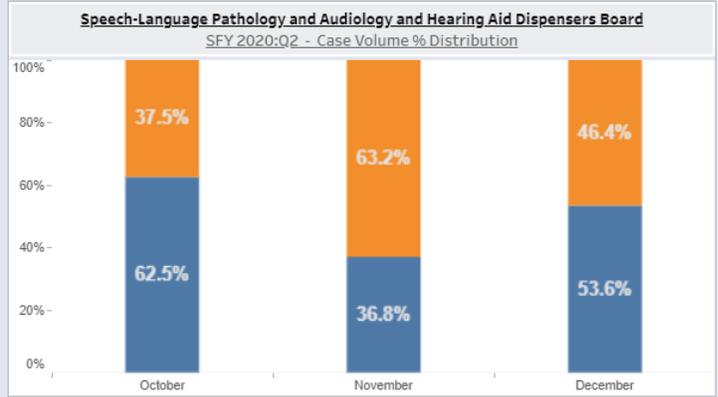
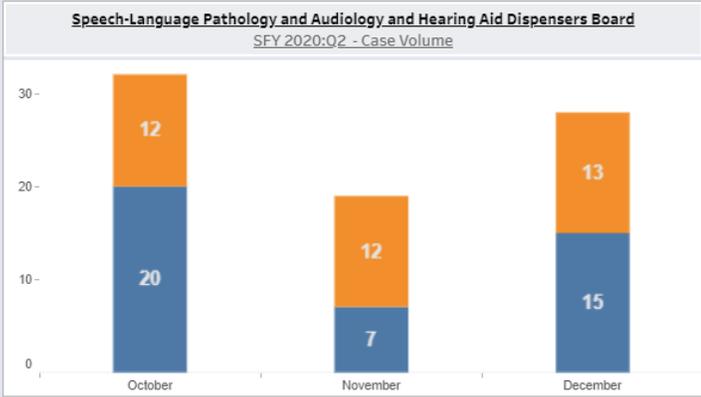
Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type
■ Conviction/Arrest Volume
■ Complaints Volume

Complaints Volume	Conviction/Arrest Volume	Total Volume
42	37	79

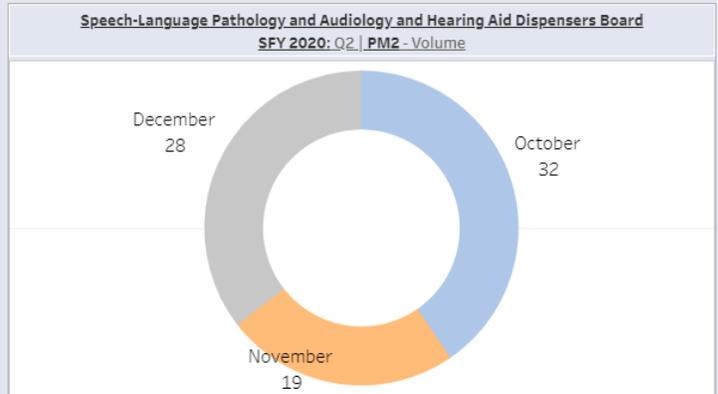
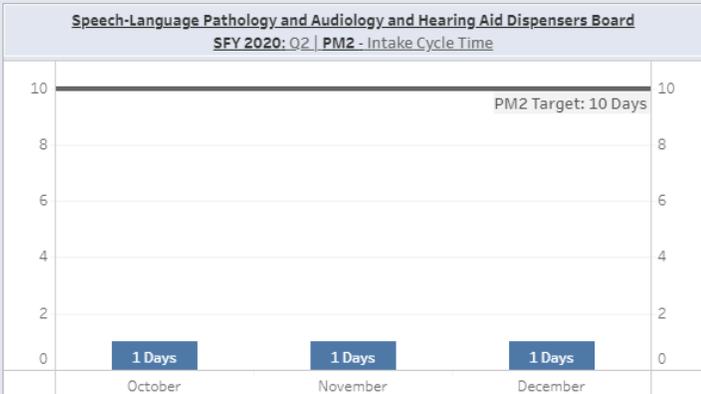


Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
79	10 Days	1 Days	▼ -9 Days



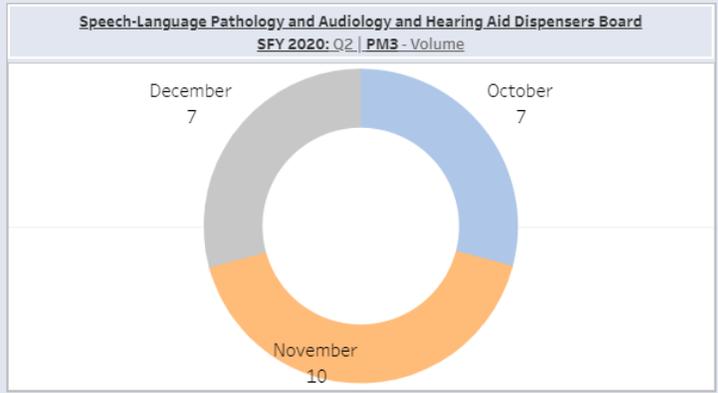
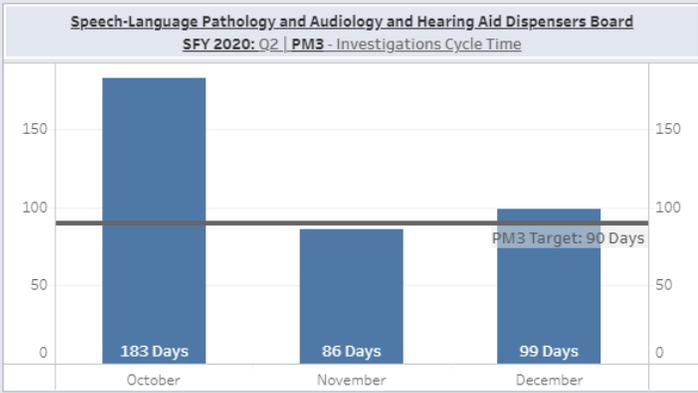
Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
24	90 Days	118 Days	▲ 28 Days

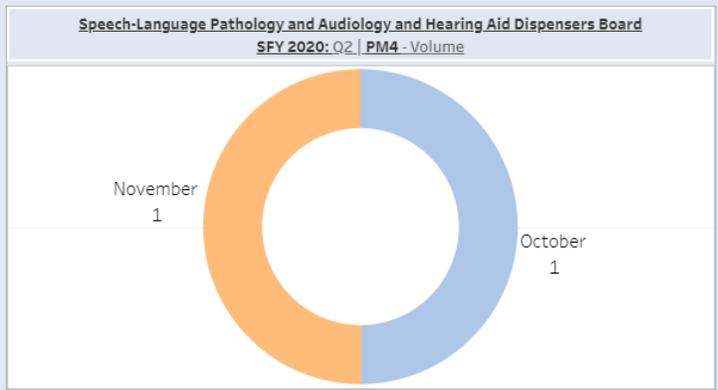
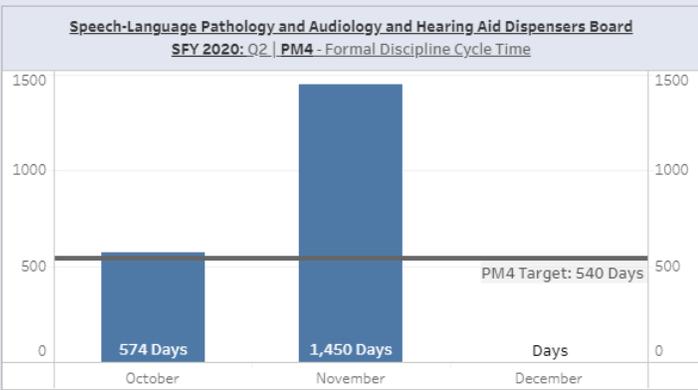


Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
2	540 Days	1,012 Days	▲ 472 Days



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

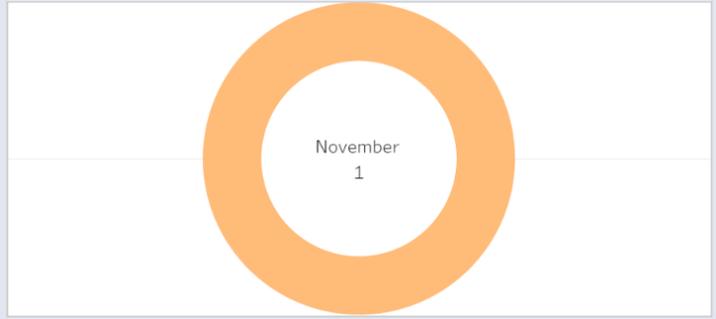
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	14 Days	1 Days	▼ -13 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2020: Q2 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2020: Q2 - PM7: Probation Cases

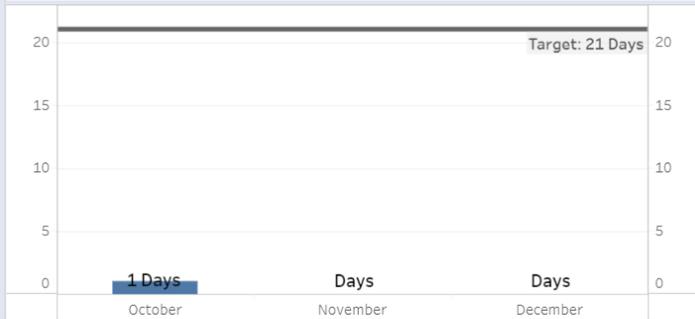


Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	21 Days	1 Days	▼ -20 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2020: Q2 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2020: Q2 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Quarter 3 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume

Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

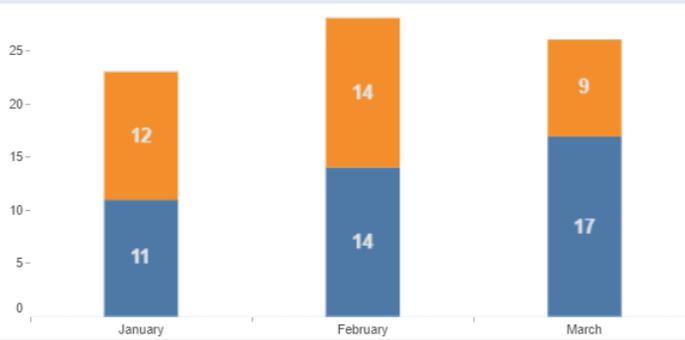
42

35

77

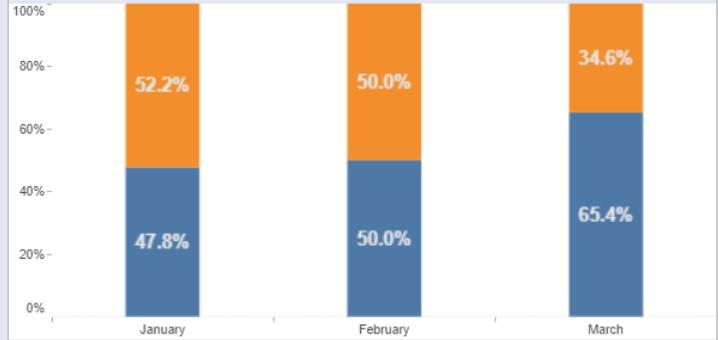
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020:Q3 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020:Q3 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

77

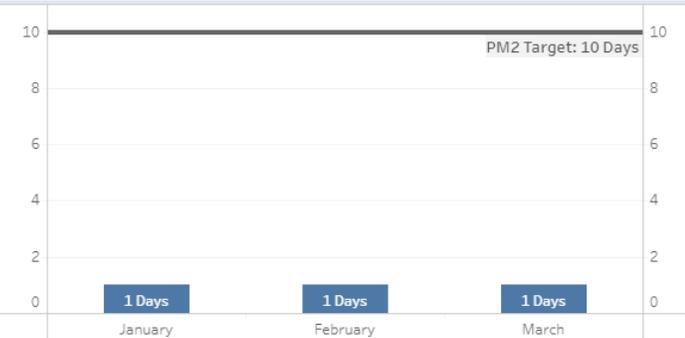
10 Days

1 Days

▼ -9 Days

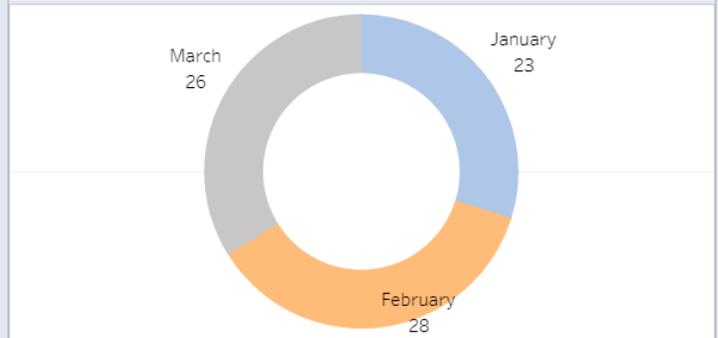
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020: Q3 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020: Q3 | PM2 - Volume

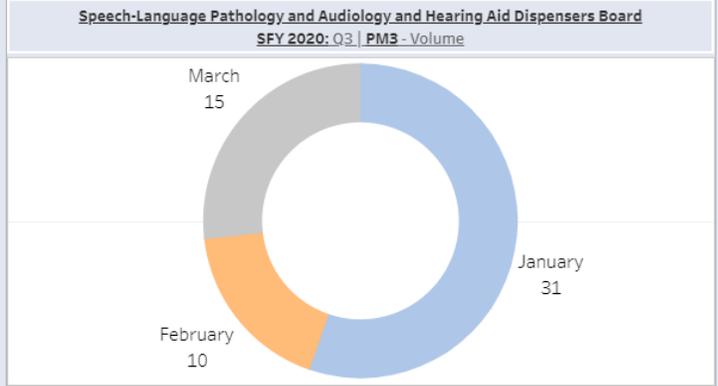
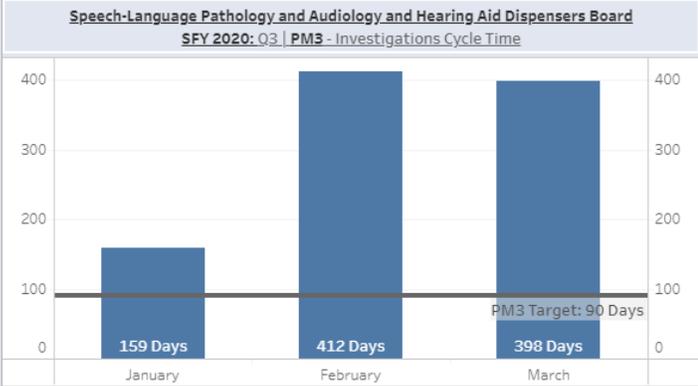


Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary
Data last refreshed on 6/16/2021

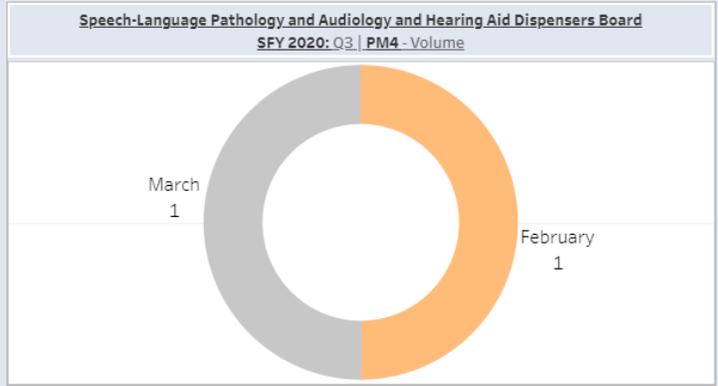
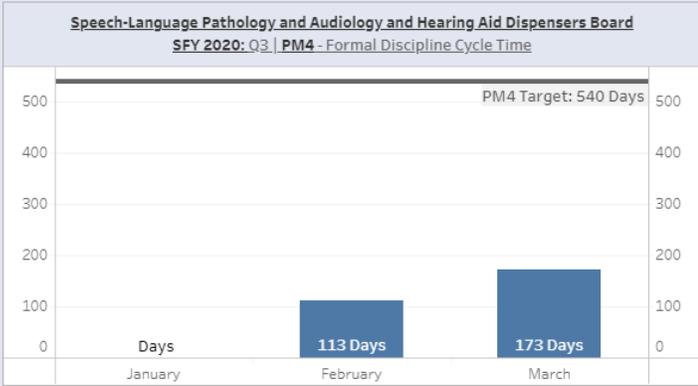
Case Volume	Target	Actual	Variance
56	90 Days	268 Days	▲ 178 Days



Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
2	540 Days	143 Days	▼ -397 Days



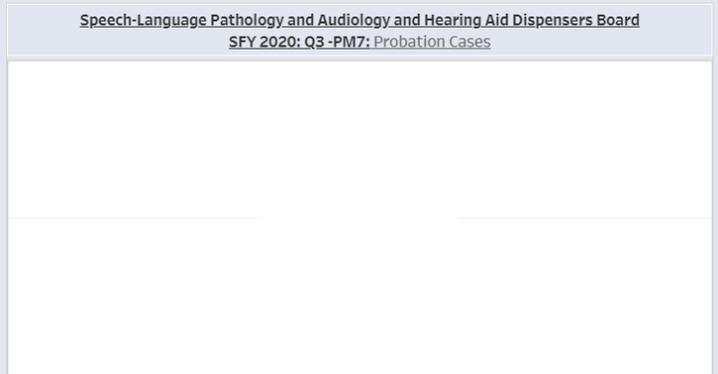
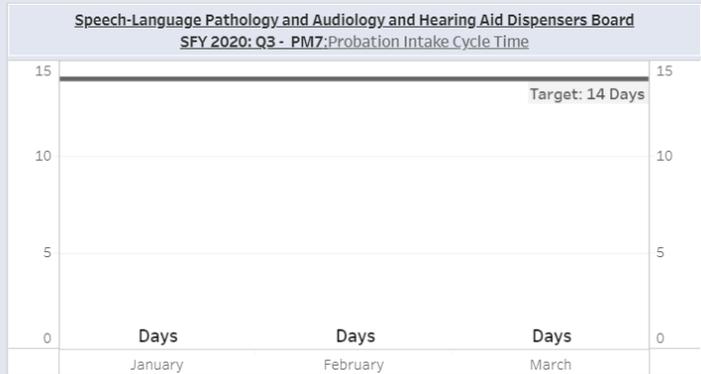
Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

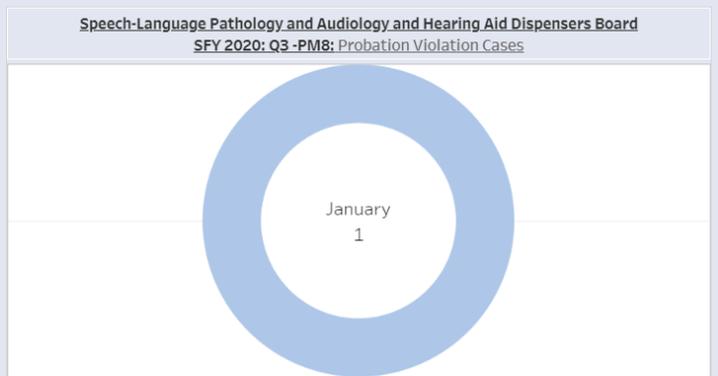
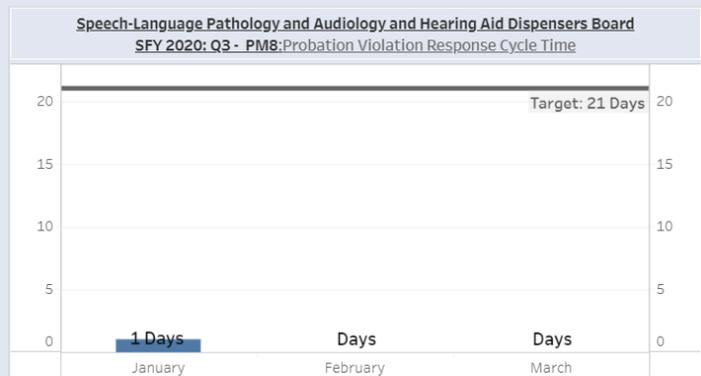
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	14 Days		



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	21 Days	1 Days	▼ -20 Days



Attachment E – Enforcement Performance Measures

Quarter 4 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

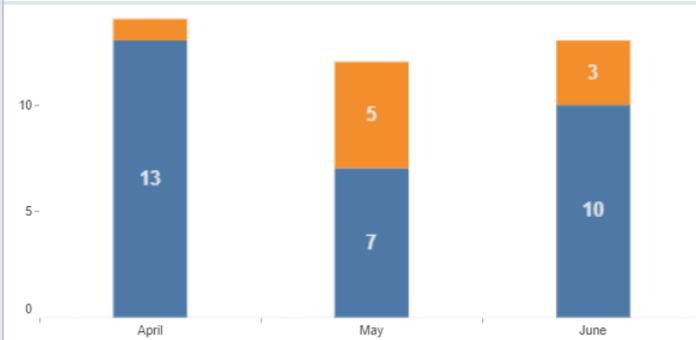
30

9

39

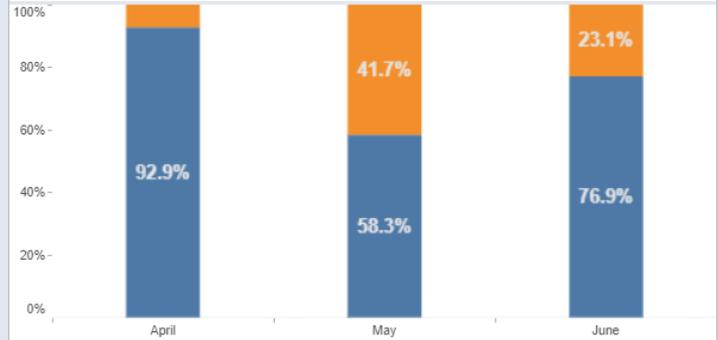
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020:Q4 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020:Q4 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

39

10 Days

1 Days

▼ -9 Days

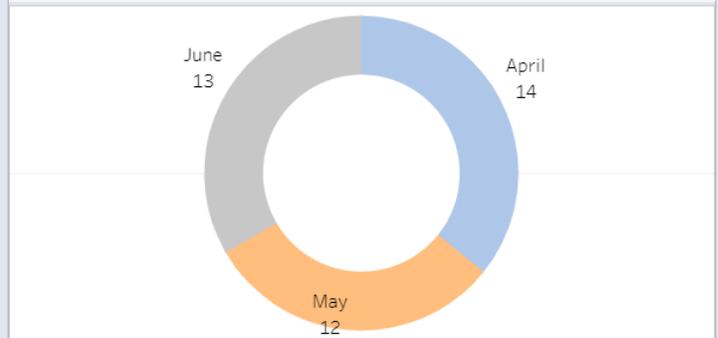
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020: Q4 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2020: Q4 | PM2 - Volume



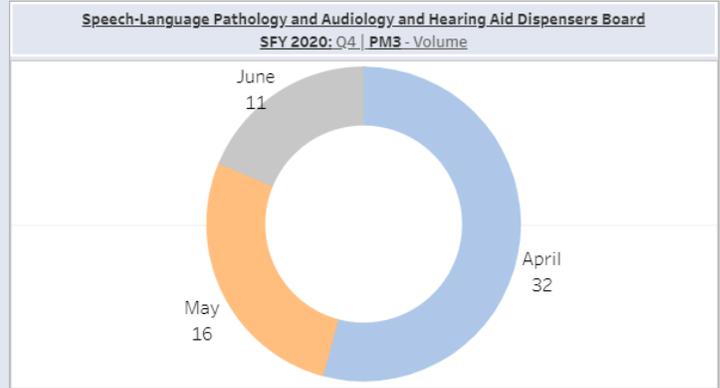
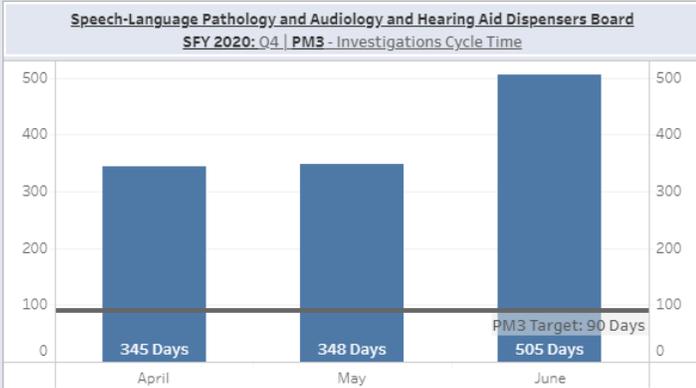
Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
59	90 Days	376 Days	▲ 286 Days

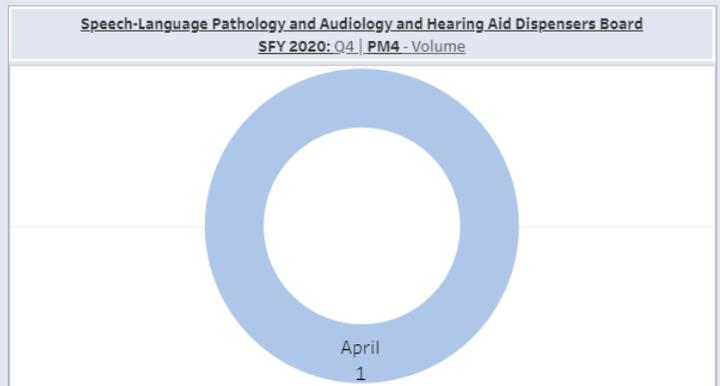
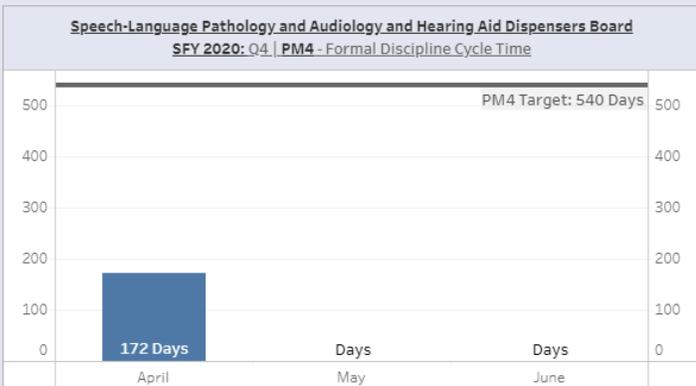


Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	540 Days	172 Days	▼ -368 Days



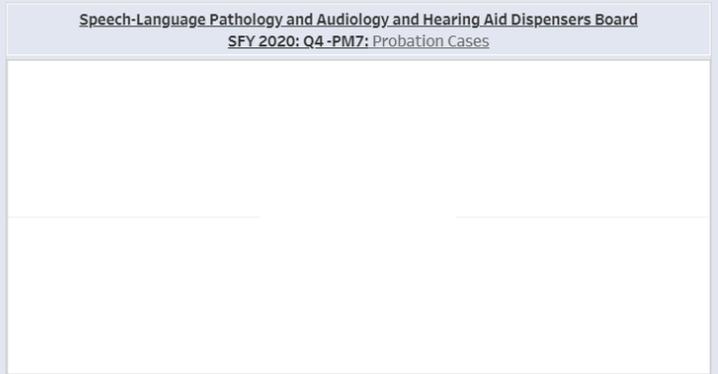
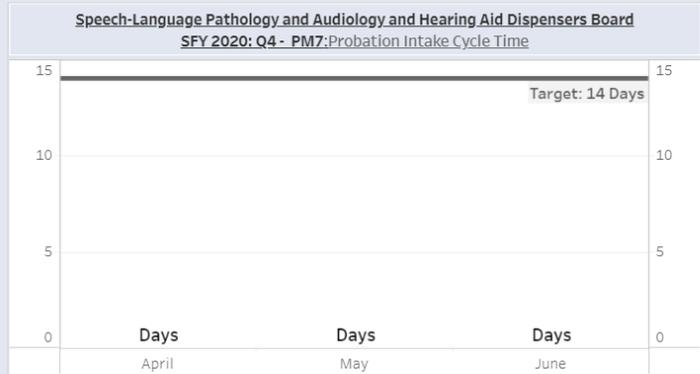
Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

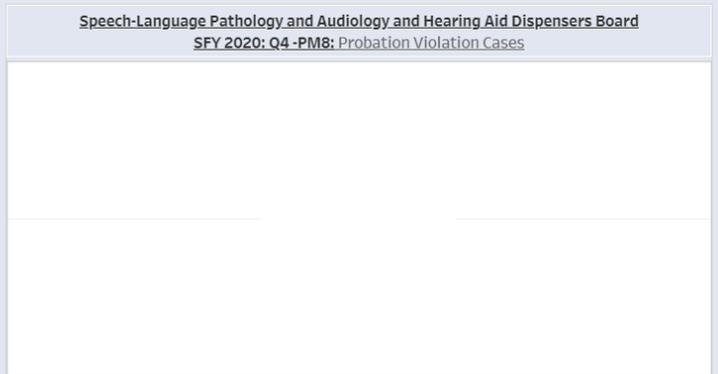
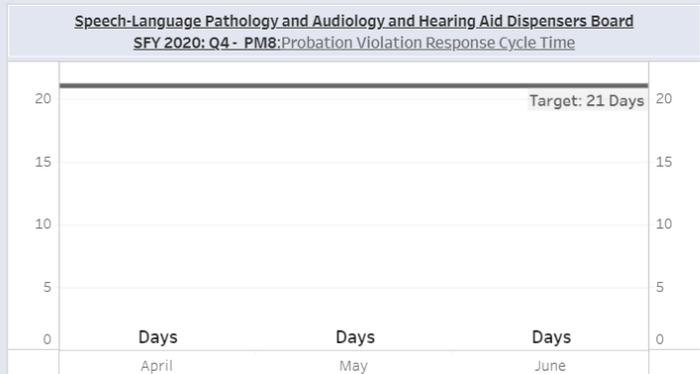
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	14 Days		



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	21 Days		



Attachment E – Enforcement Performance Measures

Fiscal Year 2020-21

Annual Data

This data is not available currently

Quarter 1 Data

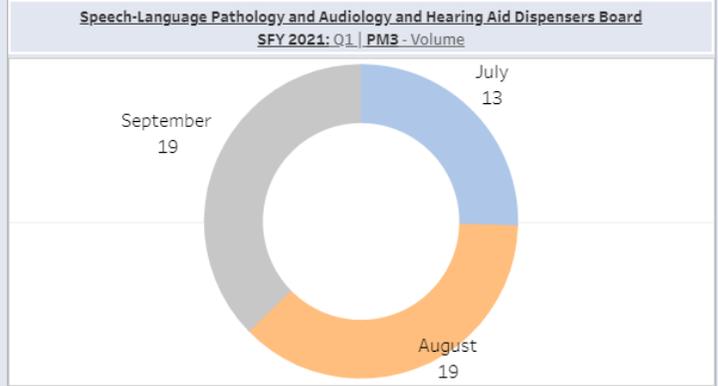
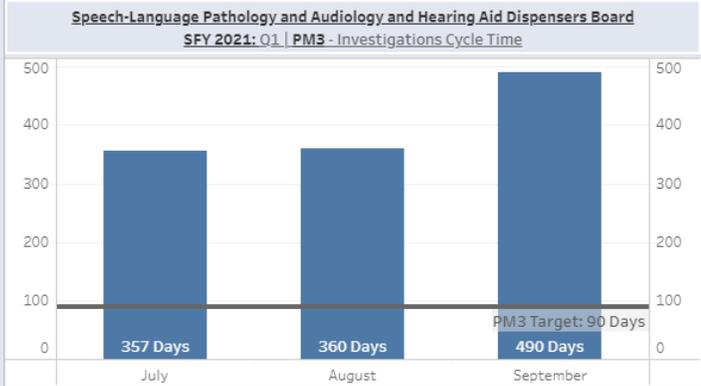


Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary
Data last refreshed on 6/16/2021

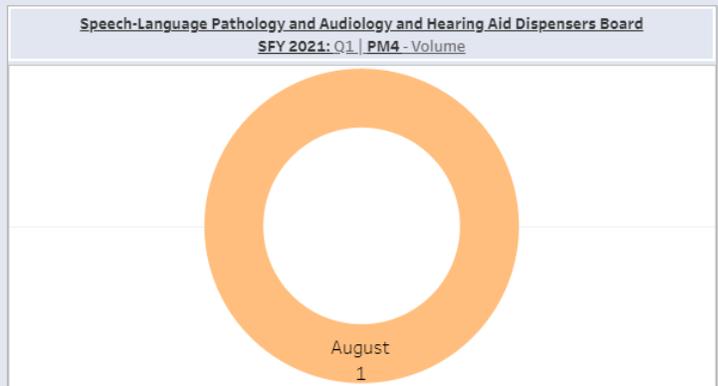
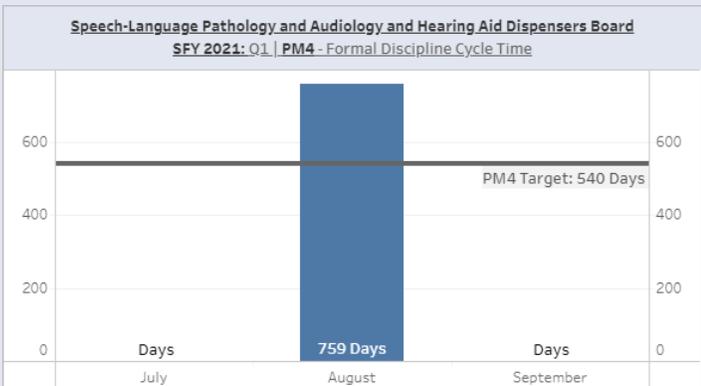
Case Volume	Target	Actual	Variance
51	90 Days	408 Days	▲ 318 Days



Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	540 Days	759 Days	▲ 219 Days



Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

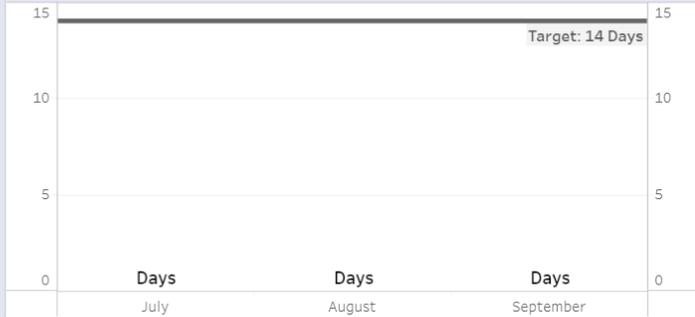
Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary

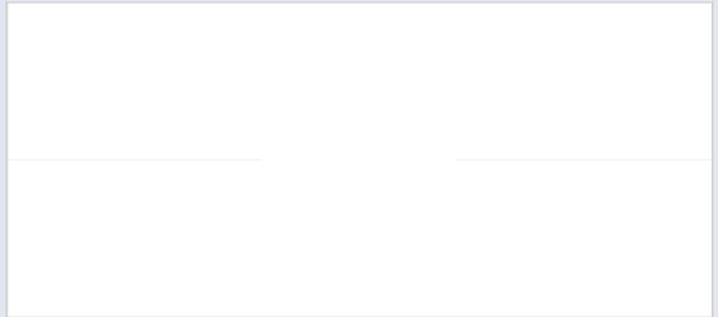
Data not available

Case Volume	Target	Actual	Variance
0	14 Days		

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2021: Q1 - PM7: Probation Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2021: Q1 - PM7: Probation Cases



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
2	21 Days	1 Days	▼ -20 Days

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2021: Q1 - PM8: Probation Violation Response Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board SFY 2021: Q1 - PM8: Probation Violation Cases



Attachment E – Enforcement Performance Measures

Quarter 2 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

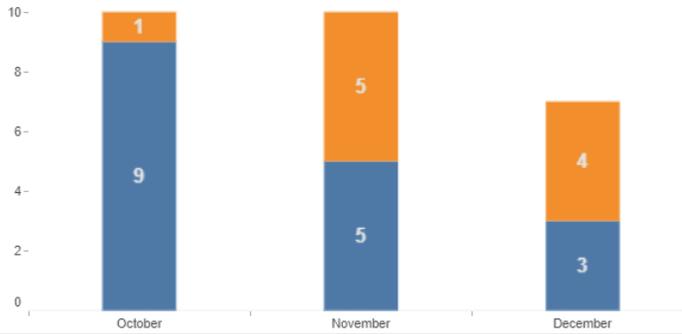
17

10

27

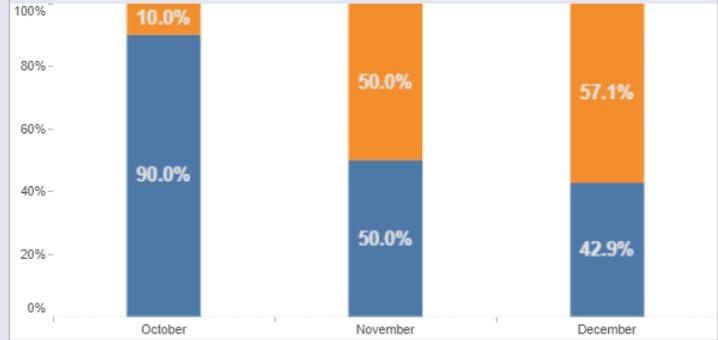
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2021:Q2 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2021:Q2 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

28

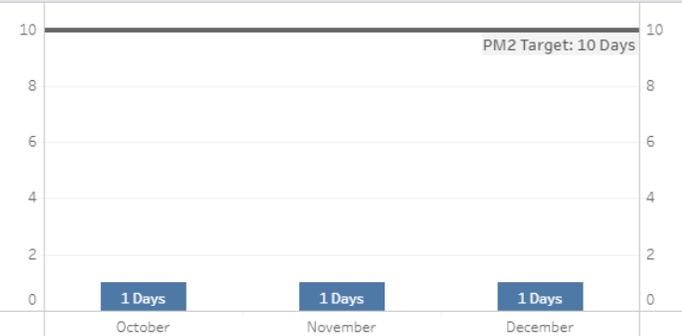
10 Days

1 Days

▼ -9 Days

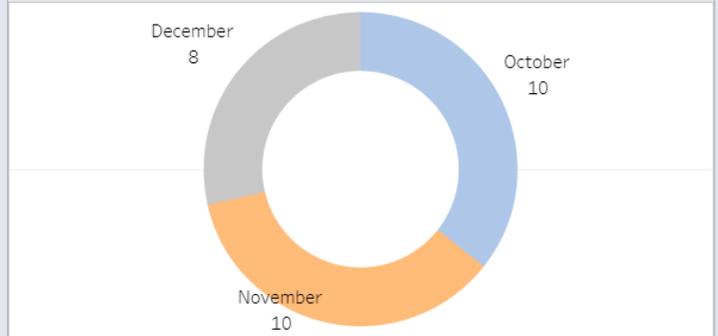
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2021: Q2 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2021: Q2 | PM2 - Volume

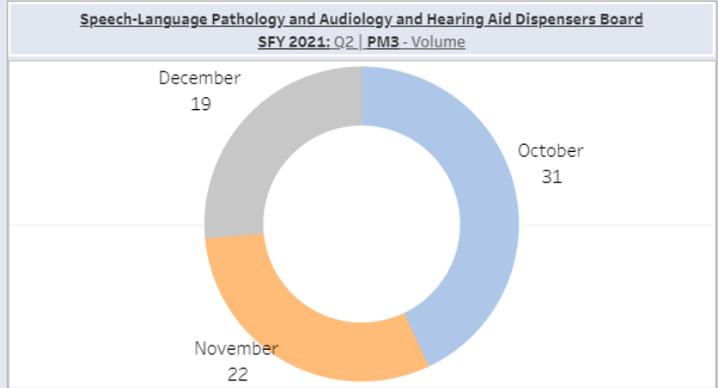
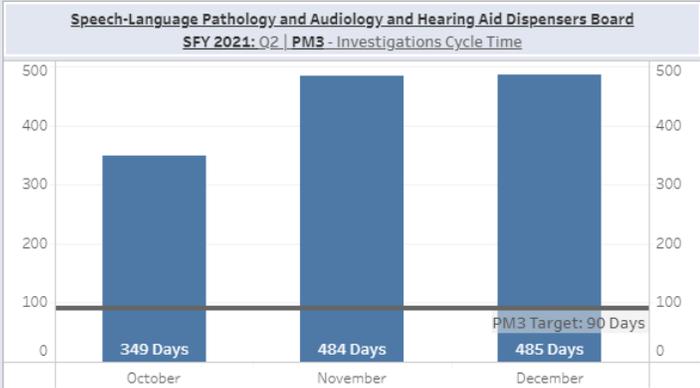


Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary
Data last refreshed on 6/16/2021

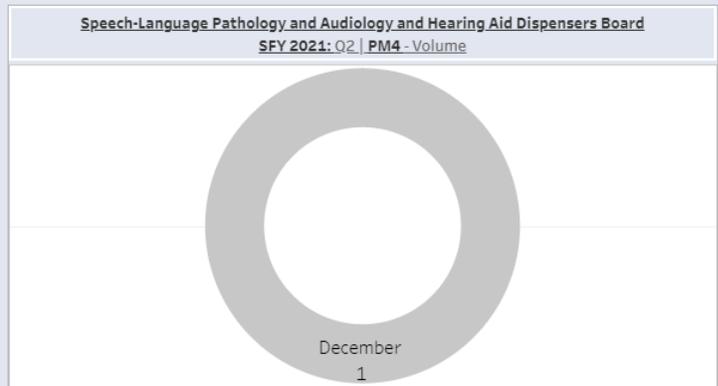
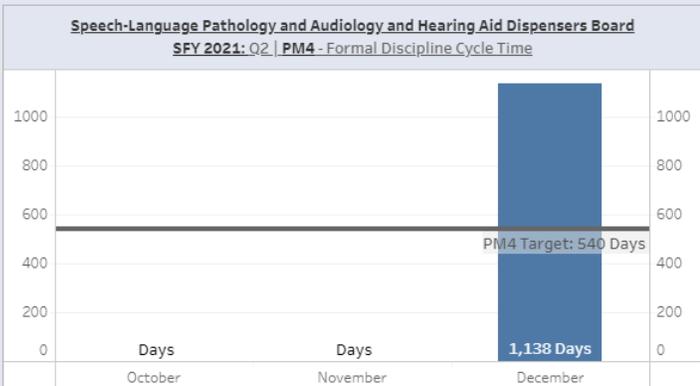
Case Volume	Target	Actual	Variance
72	90 Days	426 Days	▲ 336 Days



Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	540 Days	1,138 Days	▲ 598 Days



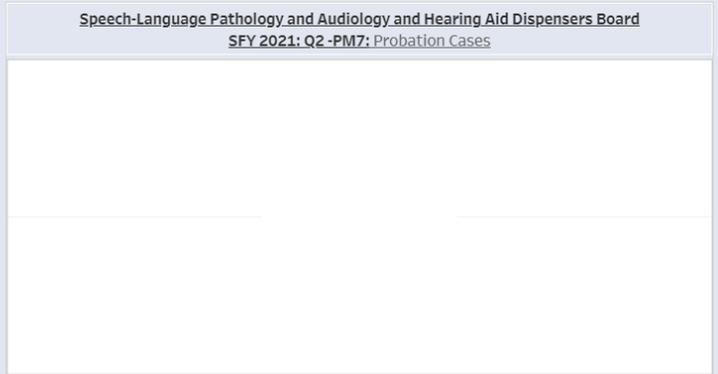
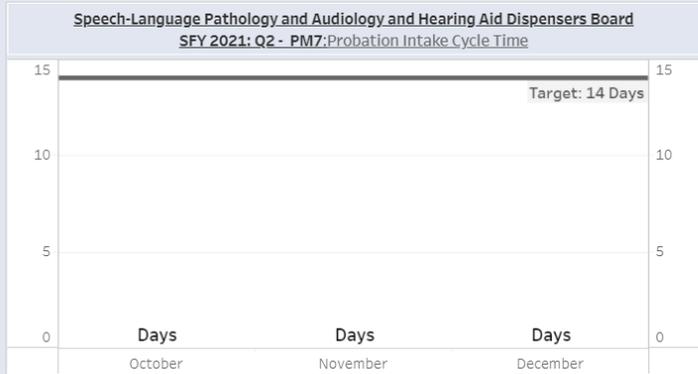
Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

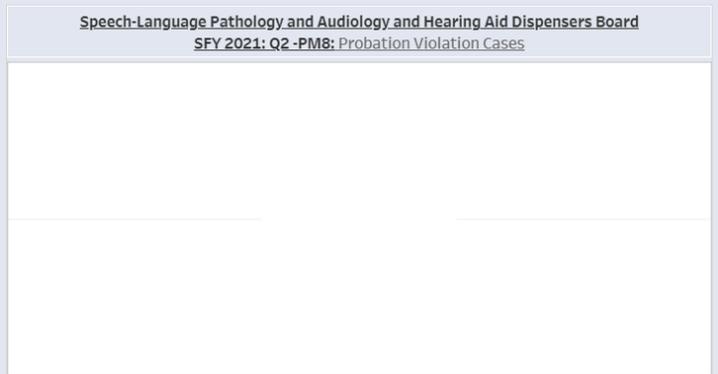
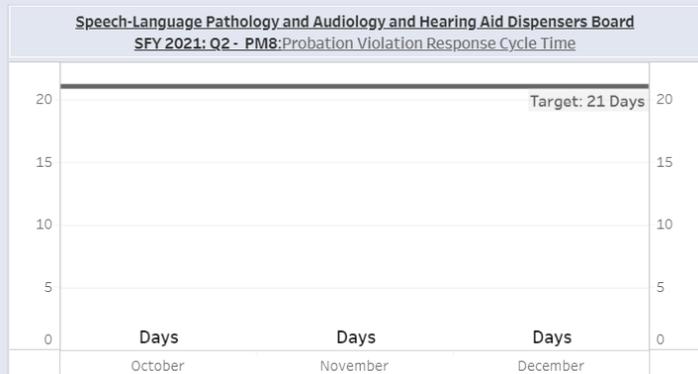
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	14 Days		



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary
Data not available

Case Volume	Target	Actual	Variance
0	21 Days		



Attachment E – Enforcement Performance Measures

Quarter 3 Data

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board New Cases Summary

Data last refreshed on 6/16/2021

Case Type

Conviction/Arrest Volume

Complaints Volume

Complaints Volume

Conviction/Arrest Volume

Total Volume

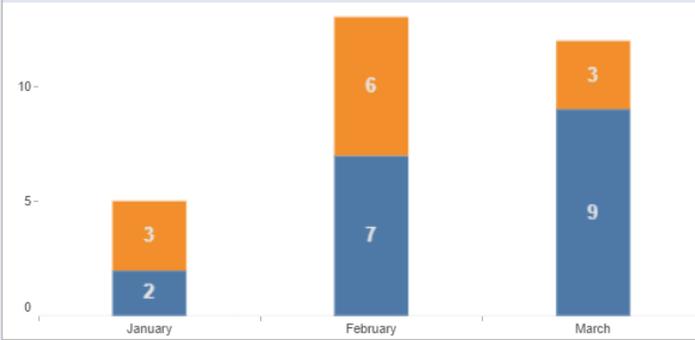
18

12

30

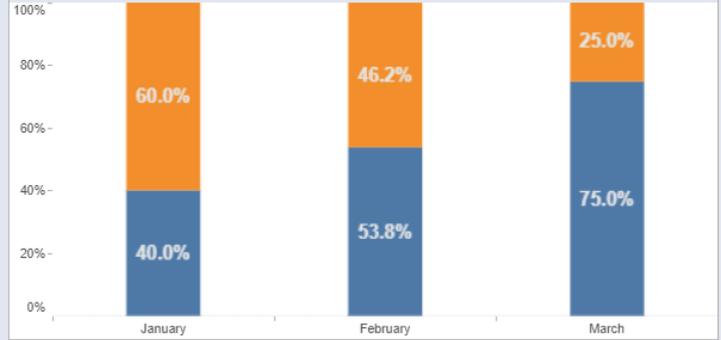
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2021:Q3 - Case Volume



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2021:Q3 - Case Volume % Distribution



Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM2 Performance Summary

Data last refreshed on 6/16/2021

Case Volume

Target

Actual

Variance

30

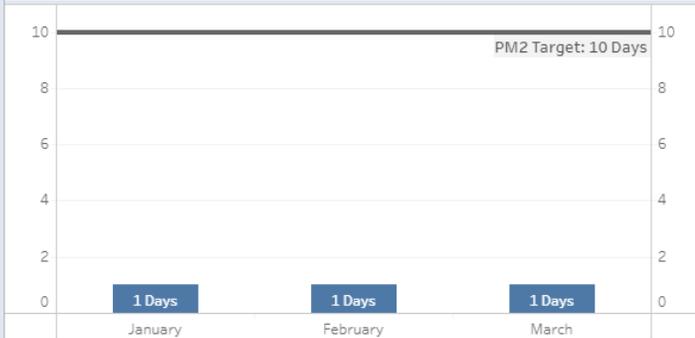
10 Days

1 Days

▼ -9 Days

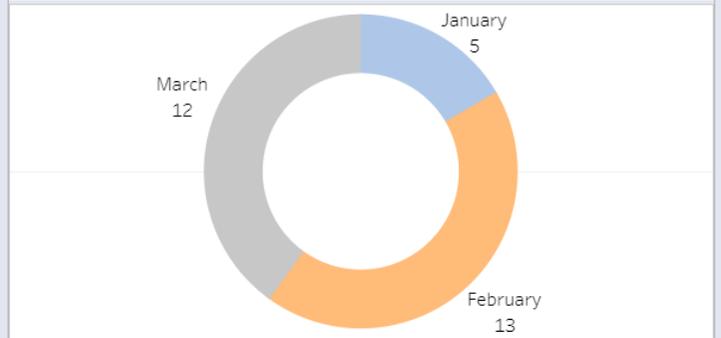
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2021: Q3 | PM2 - Intake Cycle Time



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

SFY 2021: Q3 | PM2 - Volume



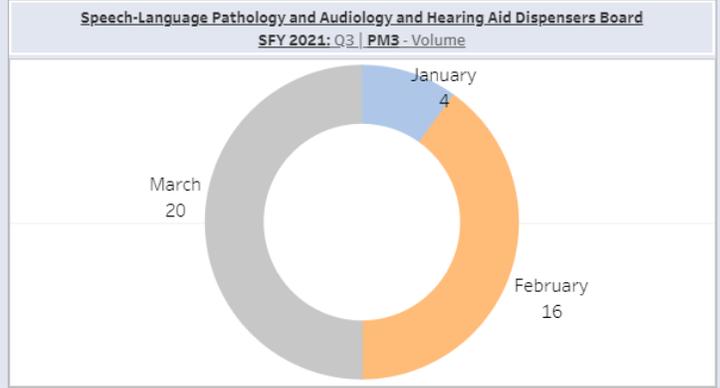
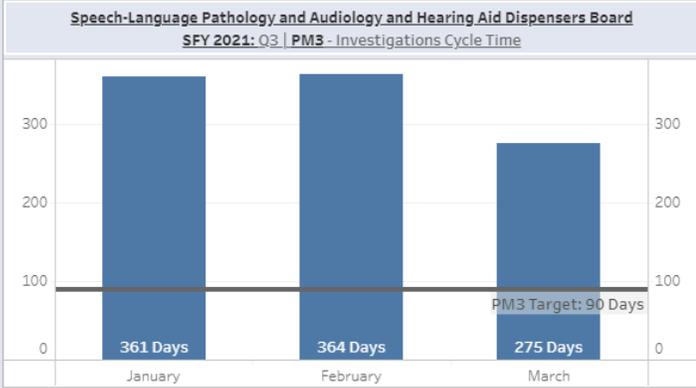
Attachment E – Enforcement Performance Measures

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM3 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
40	90 Days	319 Days	▲ 229 Days

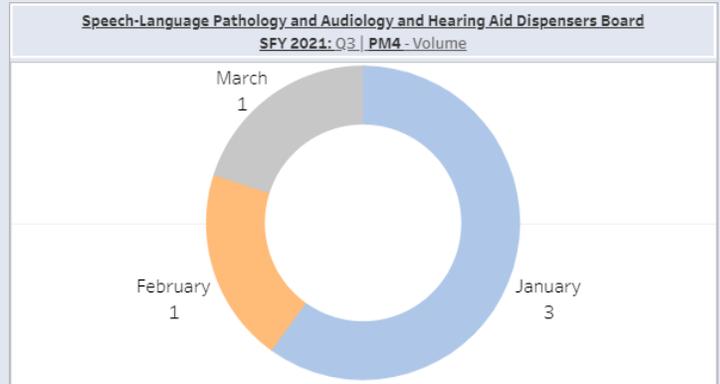
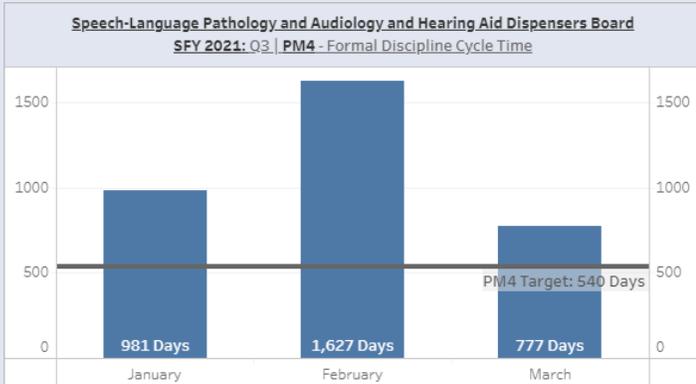


Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM4 Performance Summary

Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
5	540 Days	1,069 Days	▲ 529 Days



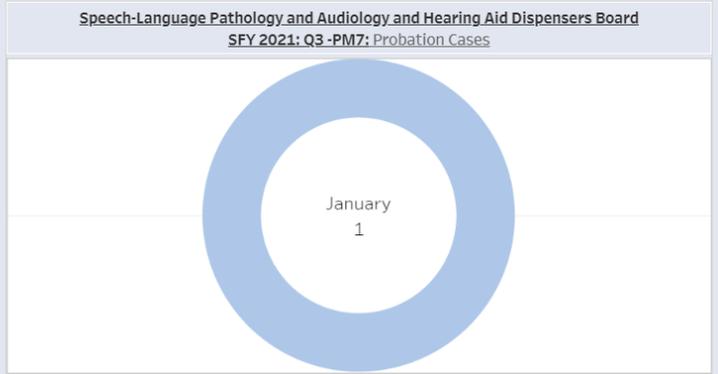
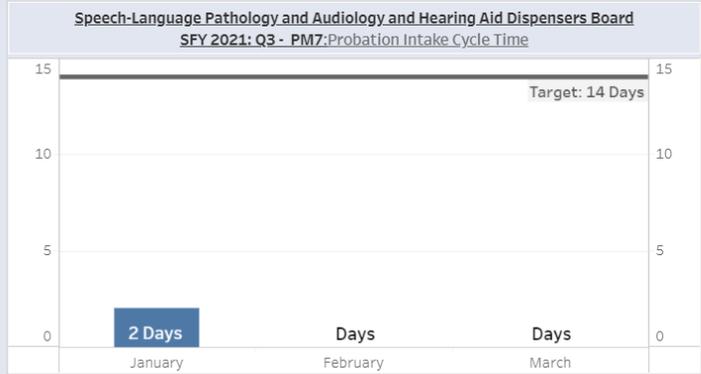
Attachment E – Enforcement Performance Measures

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

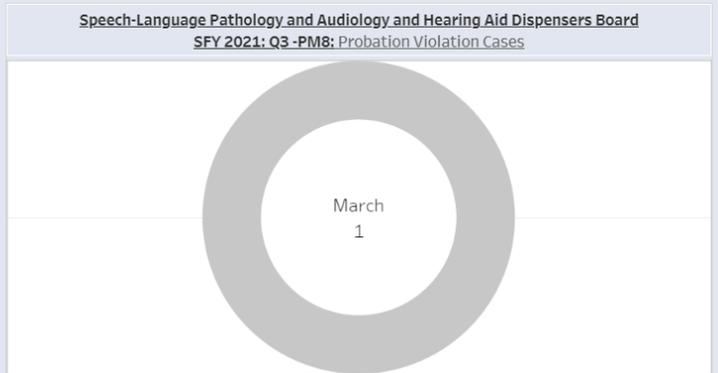
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM7 Performance Summary
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	14 Days	2 Days	▼ -12 Days



Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board PM8 Performance Summary
Data last refreshed on 6/16/2021

Case Volume	Target	Actual	Variance
1	21 Days	2 Days	▼ -19 Days



Quarter 4 Data

This data is not available currently.

Attachment F

Attachment F – Licensing Performance Measures

Fiscal Year 2017-18

Annual Data

■ Total Application Volume
 ■ Target Processing Time Complete Applications
 ■ Processing Time Complete Applications
 ■ Processing Time Incomplete Applications

Complete Applications – Applications were deemed complete at the time of initial review and did not require additional information/documentation from the applicant prior to approval.
Incomplete Applications – Applications were deemed incomplete at the time of initial review and required additional information/documentation from the applicant prior to approval.

Board/Bureau	License Type	Application Type	Total Application Volume	Target Processing Time Complete Applications	Processing Time Complete Applications	Processing Time Incomplete Applications
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	33	30	14 Day(s)	36 Day(s)
	Audiology	License Application	92	30	18 Day(s)	12 Day(s)
	Hearing Aid Dispenser	Exam Application	278	14	9 Day(s)	0 Day(s)
		License Application	151	21	2 Day(s)	0 Day(s)
	Hearing Aid Dispenser - Trainee	Temporary License Application	156	21	12 Day(s)	60 Day(s)
	Hearing Aid Dispenser – Licensed in Another..	Temporary License Application	12	21	11 Day(s)	41 Day(s)
	Required Professional Experience	Temporary License Application	1,098	30	18 Day(s)	50 Day(s)
	Speech-Language Pathology	License Application	1,482	30	17 Day(s)	48 Day(s)
Speech-Language Pathology Assistant	Registration Application	563	30	20 Day(s)	46 Day(s)	

Complete Applications – Applications were deemed complete at the time of initial review and did not require additional information/documentation from the applicant prior to approval.

DCA Entity	License Type	Application Type	Current Year Complete Applications	Target Processing Time	Actual Processing Time	Variance from Target
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	20	30 Day(s)	14 Day(s)	▼ -16
	Audiology	License Application	75	30 Day(s)	18 Day(s)	▼ -12
	Hearing Aid Dispenser	Exam Application	278	14 Day(s)	9 Day(s)	▼ -5
		License Application	151	21 Day(s)	2 Day(s)	▼ -19
	Hearing Aid Dispenser - Trainee	Temporary License Application	123	21 Day(s)	12 Day(s)	▼ -9
	Hearing Aid Dispenser – Licensed in Another..	Temporary License Application	4	21 Day(s)	11 Day(s)	▼ -10
	Required Professional Experience	Temporary License Application	430	30 Day(s)	18 Day(s)	▼ -12
	Speech-Language Pathology	License Application	984	30 Day(s)	17 Day(s)	▼ -13
Speech-Language Pathology Assistant	Registration Application	165	30 Day(s)	20 Day(s)	▼ -10	

Attachment F – Licensing Performance Measures

Incomplete Applications – Applications were deemed incomplete at the time of initial review and required additional information/documentation from the applicant prior to approval.

Board/Bureau	License Type	Application Type	Current Year Incomplete Applications	Incomplete Apps Processing Time
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	13	36 Day(s)
	Audiology	License Application	17	12 Day(s)
	Hearing Aid Dispenser - Trainee	Temporary License Application	33	60 Day(s)
	Hearing Aid Dispenser – Licensed in Another..	Temporary License Application	8	41 Day(s)
	Required Professional Experience	Temporary License Application	668	50 Day(s)
	Speech-Language Pathology	License Application	498	48 Day(s)
	Speech-Language Pathology Assistant	Registration Application	398	46 Day(s)

DCA Entity	License Type	Renewed Licenses	Prior Year Renewals	Year-Over-Year Change	Year-Over-Year % Change
Grand Total		11,546	10,860	▲ 686	▲ 6.32%
Speech-Language Pathology, Audiology And Hearing Aid Dispensers	Total	11,546	10,860	▲ 686	▲ 6.32%
	Audiologist	233	212	▲ 21	▲ 9.91%
	Branch	545	536	▲ 9	▲ 1.68%
	Dispensing Audiologist	899	891	▲ 8	▲ 0.90%
	Hearing Aid Dispenser	1,008	906	▲ 102	▲ 11.26%
	Hearing Aid Dispenser Trainee	157	169	▼ -12	▼ -7.10%
	Professional Development Provider	67	61	▲ 6	▲ 9.84%
	Speech-Language Pathologist	7,314	6,837	▲ 477	▲ 6.98%
	Speech-Language Pathology Assistant	1,323	1,248	▲ 75	▲ 6.01%

Attachment F – Licensing Performance Measures

Fiscal Year 2018-19

Annual Data

■ Total Application Volume
 ■ Target Processing Time Complete Applications
 ■ Processing Time Complete Applications
 ■ Processing Time Incomplete Applications

Complete Applications – Applications were deemed complete at the time of initial review and did not require additional information/documentation from the applicant prior to approval.
Incomplete Applications – Applications were deemed incomplete at the time of initial review and required additional information/documentation from the applicant prior to approval.

Board/Bureau	License Type	Application Type	Total Application Volume	Target Processing Time Complete Applications	Processing Time Complete Applications	Processing Time Incomplete Applications
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	32	30	22 Day(s)	66 Day(s)
	Audiology	License Application	83	30	24 Day(s)	73 Day(s)
	Hearing Aid Dispenser	Exam Application	231	14	5 Day(s)	0 Day(s)
		License Application	137	21	7 Day(s)	0 Day(s)
	Hearing Aid Dispenser - Trainee	Temporary License Application	148	21	17 Day(s)	84 Day(s)
	Hearing Aid Dispenser – Licensed in Another..	Temporary License Application	14	21	18 Day(s)	43 Day(s)
	Required Professional Experience	Temporary License Application	967	30	31 Day(s)	72 Day(s)
	Speech-Language Pathology	License Application	1,429	30	12 Day(s)	54 Day(s)
Speech-Language Pathology Assistant	Registration Application	597	30	20 Day(s)	52 Day(s)	

Complete Applications – Applications were deemed complete at the time of initial review and did not require additional information/documentation from the applicant prior to approval.

DCA Entity	License Type	Application Type	Current Year Complete Applications	Target Processing Time	Actual Processing Time	Variance from Target
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	17	30 Day(s)	22 Day(s)	▼ -8
	Audiology	License Application	69	30 Day(s)	24 Day(s)	▼ -6
	Hearing Aid Dispenser	Exam Application	231	14 Day(s)	5 Day(s)	▼ -9
		License Application	137	21 Day(s)	7 Day(s)	▼ -14
	Hearing Aid Dispenser - Trainee	Temporary License Application	126	21 Day(s)	17 Day(s)	▼ -4
	Hearing Aid Dispenser – Licensed in Another..	Temporary License Application	9	21 Day(s)	18 Day(s)	▼ -3
	Required Professional Experience	Temporary License Application	503	30 Day(s)	31 Day(s)	▲ 1
	Speech-Language Pathology	License Application	1,067	30 Day(s)	12 Day(s)	▼ -18
Speech-Language Pathology Assistant	Registration Application	239	30 Day(s)	20 Day(s)	▼ -10	

Attachment F – Licensing Performance Measures

Incomplete Applications – Applications were deemed incomplete at the time of initial review and required additional information/documentation from the applicant prior to approval.

Board/Bureau	License Type	Application Type	Current Year Incomplete Applications	Incomplete Apps Processing Time
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	15	66 Day(s)
	Audiology	License Application	14	73 Day(s)
	Hearing Aid Dispenser - Trainee	Temporary License Application	22	84 Day(s)
	Hearing Aid Dispenser – Licensed in Another..	Temporary License Application	5	43 Day(s)
	Required Professional Experience	Temporary License Application	464	72 Day(s)
	Speech-Language Pathology	License Application	362	54 Day(s)
	Speech-Language Pathology Assistant	Registration Application	358	52 Day(s)

DCA Entity	License Type	Renewed Licenses	Prior Year Renewals	Year-Over-Year Change	Year-Over-Year % Change
Grand Total		12,110	11,546	▲ 564	▲ 4.88%
Speech-Language Pathology, Audiology And Hearing Aid Dispensers	Total	12,110	11,546	▲ 564	▲ 4.88%
	Audiologist	170	233	▼ -63	▼ -27.04%
	Branch	584	545	▲ 39	▲ 7.16%
	Dispensing Audiologist	714	899	▼ -185	▼ -20.58%
	Hearing Aid Dispenser	1,023	1,008	▲ 15	▲ 1.49%
	Hearing Aid Dispenser Trainee	179	157	▲ 22	▲ 14.01%
	Professional Development Provider	72	67	▲ 5	▲ 7.46%
	Speech-Language Pathologist	7,843	7,314	▲ 529	▲ 7.23%
	Speech-Language Pathology Assistant	1,525	1,323	▲ 202	▲ 15.27%

Attachment F – Licensing Performance Measures

Fiscal Year 2019-20

Annual Data

■ Total Application Volume
 ■ Target Processing Time Complete Applications
 ■ Processing Time Complete Applications
 ■ Processing Time Incomplete Applications

Complete Applications – Applications were deemed complete at the time of initial review and did not require additional information/documentation from the applicant prior to approval.
Incomplete Applications – Applications were deemed incomplete at the time of initial review and required additional information/documentation from the applicant prior to approval.

Board/Bureau	License Type	Application Type	Total Application Volume	Target Processing Time Complete Applications	Processing Time Complete Applications	Processing Time Incomplete Applications
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	45	30	28 Day(s)	68 Day(s)
	Audiology	License Application	93	30	19 Day(s)	346 Day(s)
	Audiology Temporary	Temporary License Application	3	30	3 Day(s)	39 Day(s)
	Hearing Aid Dispenser	Exam Application	185	14	5 Day(s)	0 Day(s)
		License Application	115	21	3 Day(s)	0 Day(s)
	Hearing Aid Dispenser - Trainee	Temporary License Application	114	21	28 Day(s)	72 Day(s)
	Hearing Aid Dispenser – Licensed in Another..	Temporary License Application	11	21	27 Day(s)	89 Day(s)
	Required Professional Experience	Temporary License Application	1,062	30	18 Day(s)	81 Day(s)
	Speech-Language Pathology	License Application	1,445	30	23 Day(s)	351 Day(s)
Speech-Language Pathology Assistant	Registration Application	612	30	23 Day(s)	64 Day(s)	

Complete Applications – Applications were deemed complete at the time of initial review and did not require additional information/documentation from the applicant prior to approval.

DCA Entity	License Type	Application Type	Current Year Complete Applications	Target Processing Time	Actual Processing Time	Variance from Target
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	21	30 Day(s)	28 Day(s)	▼ -2
	Audiology	License Application	17	30 Day(s)	19 Day(s)	▼ -11
	Audiology Temporary	Temporary License Application	1	30 Day(s)	3 Day(s)	▼ -27
	Hearing Aid Dispenser	Exam Application	185	14 Day(s)	5 Day(s)	▼ -9
		License Application	115	21 Day(s)	3 Day(s)	▼ -18
	Hearing Aid Dispenser - Trainee	Temporary License Application	99	21 Day(s)	28 Day(s)	▲ 7
	Hearing Aid Dispenser – Licensed in Another..	Temporary License Application	8	21 Day(s)	27 Day(s)	▲ 6
	Required Professional Experience	Temporary License Application	511	30 Day(s)	18 Day(s)	▼ -12
	Speech-Language Pathology	License Application	376	30 Day(s)	23 Day(s)	▼ -7
Speech-Language Pathology Assistant	Registration Application	301	30 Day(s)	23 Day(s)	▼ -7	

Attachment F – Licensing Performance Measures

Incomplete Applications – Applications were deemed incomplete at the time of initial review and required additional information/documentation from the applicant prior to approval.

Board/Bureau	License Type	Application Type	Current Year Incomplete Applications	Incomplete Apps Processing Time
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	AIDE for Audiology or Speech-Language..	Registration Application	24	68 Day(s)
	Audiology	License Application	76	346 Day(s)
	Audiology Temporary	Temporary License Application	2	39 Day(s)
	Hearing Aid Dispenser - Trainee	Temporary License Application	15	72 Day(s)
	Hearing Aid Dispenser - Licensed in Another..	Temporary License Application	3	89 Day(s)
	Required Professional Experience	Temporary License Application	551	81 Day(s)
	Speech-Language Pathology	License Application	1,069	351 Day(s)
	Speech-Language Pathology Assistant	Registration Application	311	64 Day(s)

DCA Entity	License Type	Renewed Licenses	Prior Year Renewals	Year-Over-Year Change	Year-Over-Year % Change
Grand Total		13,107	12,110	▲ 997	▲ 8.23%
Speech-Language Pathology, Audiology And Hearing Aid Dispensers	Total	13,107	12,110	▲ 997	▲ 8.23%
	Audiologist	241	170	▲ 71	▲ 41.76%
	Branch	639	584	▲ 55	▲ 9.42%
	Dispensing Audiologist	1,005	714	▲ 291	▲ 40.76%
	Hearing Aid Dispenser	1,087	1,023	▲ 64	▲ 6.26%
	Hearing Aid Dispenser Trainee	160	179	▼ -19	▼ -10.61%
	Professional Development Provider	73	72	▲ 1	▲ 1.39%
	Speech-Language Pathologist	8,317	7,843	▲ 474	▲ 6.04%
	Speech-Language Pathology Assistant	1,585	1,525	▲ 60	▲ 3.93%

Attachment F – Licensing Performance Measures

Fiscal Year 2020-21

Annual Data

This data is not available currently.