



## **BOARD MEETING MINUTES**

**May 23, 2014**

**Department of Consumer Affairs**

2005 Evergreen Street  
Sacramento, CA 95815

### **Board Members Present**

Alison Grimes, Chair, Dispensing Audiologist  
Patti Solomon-Rice, Vice Chair, Speech-Language Pathologist  
Deane Manning, Hearing Aid Dispenser  
Dee Parker, Speech-Language Pathologist  
Marcia Raggio, Dispensing Audiologist  
Debbie Snow, Public Member

### **Board Members Absent**

Rodney Diaz, M.D.  
Jaime Lee, Public Member  
Amnon Shalev, Hearing Aid Dispenser

### **Staff Present**

Breanne Humphreys, Interim Executive Officer  
Sabina Knight, Legal Counsel

### **Guests Present**

Ileana Butu, DCA Legal Affairs  
Bryce Docherty, KP Public Affairs  
Laura Gutierrez, DCA Human Resources  
Vanessa Kajina, KP Public Affairs  
Jeffrey Sears, DCA Human Resources

## **I. Call to Order**

Chairperson Alison Grimes called the meeting to order at 9:02 a.m.; eight board members were present and thus a quorum was established.

## **II. Introductions**

Those present introduced themselves. Prior to going into closed session, Jeffrey Sears, DCA Personnel Officer reviewed the process of interviewing candidates for the Board's Executive Officer position.

## **CLOSED SESSION**

The Board met in closed session pursuant to Government Code Section 11126(a)(1) to interview candidates for the Executive Officer vacancy.

## **RETURN TO OPEN SESSION**

### **III. Report on Action Taken in Closed Session**

Chairperson Grimes announced that the Board interviewed and selected a candidate for the Executive Officer. The Board will make an official offer to the selected candidate in the afternoon.

### **IV. Approval of the February 7, 2014 Board Meeting Minutes**

**Dean Manning motioned and Dee Parker seconded approval of the February 7, 2014 Meeting Minutes as amended. The motion carried 6-0.**

### **V. Executive Officer's Report**

Breanne Humphreys reported that at the close of this fiscal year we are projected to end with a thirteen percent surplus of \$249,736, much of this amount is a result of salary savings due to the Executive Officer and Special Investigator vacancies. The Governor's loan repayment is still on target with the Board scheduled to receive the first payment of \$300,000 due by June 30, 2014. The second payment of \$400,000 is due during fiscal year 2014-15 and the final payment of \$450,000 is due during fiscal year 2015-16. Chairperson Grimes asked Ms. Humphreys to look into whether the repayments of the loan include added interest. Ms. Humphreys added that she is working with DCA Budgets to modify the expenditure projection report for fiscal year 2014-15 to more accurately reflect the Board's allocations and expenditures.

The Board hired Kellie Flores as a seasonal clerk to assist the Board with clerical support and is going to cross train her on some of the administrative assistant's duties and clearing the filing backlog.

Board staff has completed entering all of the Board's disciplinary actions into the National Practitioner's Database. In addition, all of the Board's disciplinary decision and orders have been uploaded to the Board's website. When a consumer uses the license verification feature on the Board's website, if a licensee has been disciplined, the accusation and disciplinary order documents are available for viewing.

The Continuing Education Audit continues. Staffing shortages have slowed the completion of the audit. The Board anticipates the audit will be complete by summer's end.

All Board members' travel claims must now be approved by Chairperson Grimes using the CalATERS, the state's automated travel expense reimbursement system.

## **VI. Legislative Update**

### **A. Senate Committee on Business, Professions and Economic Development Committee has agreed to carry the change to the Business and Professions Code 655.2 in their omnibus bill.**

The Board voted at the last Board meeting to submit the original language that was adopted in October to the SBP&EDC for inclusion in their omnibus bill. Currently under B & P Code 655.2 a physician and/or audiologist are prohibited from employing a hearing aid dispenser, unless they too are licensed to dispense hearing aids. The intent of the statute was to avoid collusion between referring parties and the selling parties.

There is no provision for the alternate employment arrangement for a hearing aid dispenser. Current law allows for a hearing aid dispenser to employ a physician and/or audiologist who are not licensed dispensers. Legislation was needed to make the employment arrangement bi-directional.

### **B. SB 1326 Roth – Warranty Provisions for Hearing Aids**

Hearing Healthcare Providers have sponsored a bill that will assist the Board in enforcing the warranty provision of hearing aids. The Board directed Ms. Humphreys to send a letter of support for this bill.

Mr. Bryce Docherty, KP Public Affairs and lobbyist for Hearing Healthcare Providers (HHP) of California, commented on SB 1326 and provided background and status information.

## **VII. Practice Committee Reports**

### **A. Speech-Language Pathology Practice Committee Report**

Patti Solomon-Rice provided a summary of the California Commission on Teacher Credentialing (CTC) presentation provided by Terri Clark, Director of the Professional Services Division. The presentation included a background and the current requirements for obtaining the SLP variable term waiver and recommendations to strengthen the requirements for obtaining the waiver that would result in higher quality services and consumer protection for public school children. Ms. Clark plans to place the issue on the CTC's August agenda.

Ms. Solomon-Rice discussed the Board's continuing education audit that was conducted in the fall of 2013. The Board also sent out a survey to those who were audited. Of the 205 surveys that were sent out, the Board received 97 responses—almost 50 percent responded. In response to the Board's question of which type of CE format was most effective, the survey revealed the following:

- 29 percent preferred self-study
- 36 percent preferred annual conferences
- 20 percent preferred live webinars

- 15 percent preferred other types of CE – traditional workshops, training at schools

Ms. Solomon-Rice referenced a May 15, 2014 letter addressed to the Board from the American Speech-Language-Hearing Association's (ASHA) Director of Continuing Education.

ASHA CE providers have more a more vigorous approval requirements for self-study CE activities in comparison to live continuing education activities. These self-study CE courses are peer-reviewed as opposed to some of the live courses which are not peer-reviewed. Over the past several years, ASHA has seen an increase in the number of self-study courses from its approved providers. The committee recommends and would like the Board to discuss increasing the number of self-study hours for speech-language pathologists. The maximum number of self-study hours is currently six hours.

Ms. Solomon-Rice discussed the Occupational Analysis. Two more workshops are scheduled for June. Surveys have been sent out and so far 300 surveys have been returned. The results of the analysis will be presented at the August Board meeting.

**Dee Parker motioned and Chairperson Grimes seconded that the Board approve the Speech-Language Pathology Practice Committee report. The motion carried 6-0.**

#### **B. Hearing Aid Dispensers Committee Report**

Deane Manning discussed the committee's meeting. There was no quorum but topics discussed were proposed practice guidelines for hearing aid dispensing and whether bone-anchored devices require a license to dispense. Agenda items will be placed on the August Committee meeting's agenda.

**Chairperson Grimes motioned and Ms. Parker seconded that the Board approve the Hearing Aid Dispensers Committee report. The motion carried 6-0.**

#### **C. Audiology Practice Committee Report**

Chairperson Grimes discussed the committee's meeting. There was no quorum but topics discussed were proposed regulatory changes to audiology aide supervision standards and practice limitations; the shortage of MediCal/CCS providers; and the outreach letter to stakeholders involved with the services provided by Regional Centers to children who are deaf or hard of hearing.

**Marcia Raggio motioned and Chairperson Grimes seconded that the Board approve the Audiology Practice Committee report. The motion carried 6-0.**

#### **VIII. Licensing/Enforcement/Examination Statistical Data**

Ms. Humphreys reviewed the Board's statistical data. There has been significant growth in the Board's licensing population with speech-language pathology and speech-language pathology assistants. Ms. Humphreys reported that 70 percent of the complaints received by the Board involve hearing aid dispensers and are mostly related to the Song Beverly Act warranty

provisions. The enforcement unit is backlogged in investigating complaints going back to 2012. Staff is working on ways to work the backlogged cases. The special investigator has been vacant for 18 months. The Board may want to reclassify the position to an analyst to handle complaints. Part of the holdup in filling the special investigator position has been the need to clarify the benefit structure of the classification.

#### **IX. Public Comment on Items Not on the Agenda**

No public comments.

#### **X. Future 2014 Board Meetings/Agenda Items**

- A. August 20-21, 2014, Los Angeles (Wednesday and Thursday) Board Meeting
- B. November 13-14, 2014 San Diego Board Meeting. (There may be conflicts with Board members.) This meeting was tentatively changed to November 6-7, 2014.
- C. August Agenda Items
  - Speech-Language Pathology CE self-study on Board agenda
  - Audiology and Hearing Aid Committee's May agenda items moved to their August agenda
  - Audiology CE self-study on committee agenda
  - Speech-language pathology occupational analysis presentation on full board agenda
  - Speech-language pathology supervision audit on committee agenda
  - Speech-language pathology Praxis score change on committee agenda

#### **XIII. Adjournment**

**Ms. Parker motioned and Chairperson Grimes seconded to adjourn the meeting. The motion carried 6-0.**

The meeting was adjourned at 1:05 p.m.