



BOARD MEETING MINUTES

Teleconference Meeting

August 12-13, 2021

For the sake of clarity, the meeting minutes are organized in numerical order to reflect their original order on the agenda; however, issues were taken out of order during the meeting.

Audiology Practice Committee

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

Dr. Marcia Raggio, Board Chair, called the Audiology Practice Committee (Committee) meeting to order at 9:01 a.m. Dr. Raggio called roll; two members of the Committee were present and thus a quorum was not established.

Committee Members Present

Marcia Raggio, AuD, Board Chair
Karen Chang, Public Board Member

Staff Present

Paul Sanchez, Executive Officer
Cherise Burns, Assistant Executive Officer
Lisa Snelling, Licensing Coordinator
Tenisha Ashford, Enforcement Coordinator
Heather Olivares, Legislation/Regulation Analyst
Maria Liranzo, Legislation/Regulation/Budget Analyst
Michael Kanotz, DCA Legal Counsel
Karen Halbo, DCA Regulations Counsel
Mike Sanchez, DCA Web Cast
Sarah Irani, DCA Web Cast

Guests Present

Jody Winzelberg, AuD
Joanne Slater, AuD
Carolyn Bower, AuD
Michele Linares

2. Public Comment for Items not on the Agenda

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

3. Discussion and Possible Action Regarding Audiology Licensing Requirements Related to Supervised Clinical/Professional Experience (As Stated in Business and Professions Code Sections 2532.2 and 2532.25 and Title 16, California Code of Regulations (CCR) section 1399.152.2)

Dr. Marcia Raggio opened the discussion on the audiology licensing requirements related to supervised clinical/professional experience. Dr. Raggio commented on the concerns with the current statute and a legislative proposal to address those concerns. Dr. Raggio further commented on the regulatory changes to accompany the statutory changes and suggested, for example, to count clinical rotation prior to the official RPE year up to approximately 40% of the total hours.

Dr. Jody Winzelberg, Clinical Training Coordinator with the Department of Audiology at San Jose State University, expressed her agreement with Dr. Raggio's suggestion and shared what the clinical rotations are like for her program.

Dr. Raggio inquired about the type of hours counted at San Jose State University. Dr. Winzelberg replied that the on-campus clinical hours with direct patient care are counted and supervised. Dr. Winzelberg commented on supervised simulations hours and non-supervised lab hours.

Dr. Raggio inquired about rotations during the first year at San Jose State University. Dr. Winzelberg replied that the external rotations do not start in the first year but clinical rotations at the campus clinic starts in the spring of the first year.

Dr. Raggio inquired about any limitations the Board should consider on the number of hours that should be counted toward the official RPE year. Dr. Winzelberg replied that she doesn't understand why there are limitations if the hours are fully supervised and would be happy to have further discussion on the topic. Dr. Raggio commented on concerns raised in prior discussion that true clinical learning occurs after a student has acquired all the didactics.

Dr. Raggio inquired about counting audiology simulation hours. Dr. Winzelberg replied that it can either be a simulation or lab depending if the simulation is on an actual audiologic procedure and suggested a limitation to simulation hours.

Dr. Raggio inquired about the type of task that should be included in the hours. Dr. Winzelberg replied that tasks that a student does related to direct patient care, that an audiologist would do, should be counted as shift hours when the student is placed in an external rotation.

Dr. Raggio inquired about the out-of-state programs or students with federal visas. Dr. Winzelberg replied with information on a situation of a student with a federal visa and a concept that program coordinators were considering. Cherise Burns provided information with what other states are doing and the impact it has on applicants meeting California licensing requirements. Dr. Winzelberg stated that her program is new and haven't come

across this issue but would be happy to reach out to her faculty for information.

Dr. Marcia Raggio inquired about students holding an RPE license for early clinical hours. Ms. Burns commented on consumer protection and the level of supervision during clinical hours. Dr. Jody Winzelberg, Clinical Training Coordinator with the Department of Audiology at San Jose State University, replied that she wouldn't want students in their early clinical hours to be licensed until their RPE year because they are fully-supervised by the program on campus during the early clinical hours.

Dr. Raggio inquired about a prior discussion on removing the RPE requirements. Ms. Burns provided information and the outcome. Dr. Winzelberg commented on the benefits of a temporary RPE license during the externship and consumer protection.

Dr. Raggio provided a summary of the discussion and issues to explore further. Karen Chang inquired if the Board has contact information of program directors/coordinators and suggested if the questions asked today can be sent to them as a survey. Cherise Burns replied that Board staff can complete this task.

Dr. Winzelberg expressed her agreement on a survey to be sent to program directors/coordinators.

4. Discussion and Possible Action Regarding Continuing Professional Development Requirements for Audiologists (As Stated in Title 16, CCR sections 1399.160 through 1399.160.13)

Dr. Raggio opened the discussion on continuing professional development (CPD) requirements for audiologists. Dr. Raggio stated the Committee is reviewing the previously approved regulatory language on self-study, in particular the definition of self-study and the percentage of hours to include in the CPD requirements. Paul Sanchez noted that the Hearing Aid Dispensers Committee promulgated changes to their regulation to allow for 50 percent to be self-study.

Ms. Burns read the current proposed regulatory language on the definition of self-study. Dr. Raggio commented on her preference for in-person courses. Ms. Chang shared her experience with self-study. Mr. Sanchez commented on the previous Board's position regarding 50 percent self-study hours. Dr. Raggio commented on the preferences of the Audiology community and expressed concerns if all the hours were self-study.

Dr. Joanne Slater, Director of Continuing Education (CE) Administration with AudiologyOnline, commented on the level of participation at a virtual compare to in-person events. Dr. Slater further commented on the availability of "live" events and the benefit of online or other self-study materials for different types of learners.

Ms. Burns shared her experience as a CE Auditor for a previous board and suggested changes to the proposed language to include participant/instructor interaction and a definition to synchronous and asynchronous.

Dr. Marcia Raggio inquired if the 50 percent self-study hours was approved by the Board. Paul Sanchez and Cherise Burns replied to confirm that it was. Dr. Raggio noted the decision the Committee needs to make is on the definition of self-study. Karen Chang commented on the proposed language being acceptable. Mr. Sanchez inquired about the meaning of face-to-face. Ms. Burns suggested to use the term pre-recorded to help clarify the definition.

Dr. Carolyn Bower, President of the California Academy of Audiology (CAA), commented on CAA's conference being only in-person. Dr. Raggio inquired about CAA's position on the delivery method of self-study. Dr. Bower replied that CAA can provide training in both virtual and in-person format. Dr. Raggio inquired if CAA board members expressed any personal preference on the delivery method of self-study. Dr. Bower replied that there was a wide variety of personal preference on the delivery method of self-study.

Dr. Joanne Slater, Director of Continuing Education (CE) Administration with AudiologyOnline, suggested that the Board align their definition to what is publicly used such as synchronous and asynchronous. Dr. Slater commented on the benefits of increasing the hours of self-study and suggested the Board to look at other healing arts boards' CE requirements.

Michele Linares, Chair of the California Speech Language Hearing Association, commented on different learning style and expressed concerns in making decisions based on individuals who wait until the last minute to complete all of their CE hours.

Ms. Chang inquired about the meeting material Attachment B on California CE/CPD Requirements. Ms. Burns clarified that "none" under the self-study limitations column means there are no limitations to self-study and all hours can be self-study.

Ms. Chang proposed to change the language to synchronous and asynchronous. Dr. Raggio expressed her agreement with the proposed changes.

Dr. Raggio inquired for further comments regarding the percentage of self-study hours. Mr. Sanchez expressed his gratitude for the comments from the public and commented on the considerations the Board has taken while ensuring consumer protection.

Dr. Raggio provided a summary of the discussion and noted the changes to the previously approved regulatory language to include publicly used terms.

The meeting adjourned at 10:30 a.m.

Speech-Language Pathology Practice Committee

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

Holly Kaiser, Board Vice Chair, called the Speech-Language Pathology Practice Committee (Committee) meeting to order at 10:40 a.m. Ms. Kaiser called roll; three members of the Committee were present and thus a quorum was established.

Committee Members Present

Holly Kaiser, SLP, Board Vice Chair
Gilda Dominguez, SLP, Board Member
Debbie Snow, Public Board Member

Staff Present

Paul Sanchez, Executive Officer
Cherise Burns, Assistant Executive Officer
Lisa Snelling, Licensing Coordinator
Tenisha Ashford, Enforcement Coordinator
Heather Olivares, Legislation/Regulation Analyst
Maria Liranzo, Legislation/Regulation/Budget Analyst
Michael Kanotz, DCA Legal Counsel
Karen Halbo, DCA Regulations Counsel
Mike Sanchez, DCA Web Cast
Sarah Irani, DCA Web Cast

Guests Present

Michele Linares

2. Public Comment for Items not on the Agenda

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

3. Discussion and Possible Action Regarding Continuing Professional Development Requirements for Speech-Language Pathologists and Speech-Language Pathology Assistants (As Stated in Title 16, CCR sections 1399.160 through 1399.160.13 and Title 16, CCR section 1399.170.14)

Holly Kaiser opened the discussion on the continuing professional development (CPD) requirements for Speech-Language Pathologists (SLP) and Speech-Language Pathology Assistants (SLPA). Ms. Kaiser stated the Committee is reviewing the previously approved regulatory language on self-study, in particular the definition of self-study and the percentage of self-study hours. Ms. Kaiser commented on the advancements in online self-study and comments received from individuals who expressed concerns of the current and proposed self-study hours.

Gilda Dominguez commented on the need for further discussion on the inclusion of the

terms “synchronous” and “asynchronous” in the proposed regulatory language.

Ms. Kaiser inquired about the number or percentage of self-study hours. Ms. Dominguez commented on the need to take into consideration concerns raised such as the availability of courses, monetary barriers, and the convenience of self-study.

Debbie Snow expressed her agreement with the remarks provided and commented on the need for further discussion on the definition of self-study and the flexibility of self-study and online learning.

Michele Linares, Chair of the California Speech Language Hearing Association, commented on the need to allow for continuing education to be accessible by different means and suggested removing all restrictions to self-study hours.

Holly Kaiser inquired about the rulemaking process timeline if changes are made. Paul Sanchez provided a summary of the timeline if the current proposed language moves forward and a timeline if major changes are made. Cherise Burns provided additional information of the process if there are deviations in the language.

Ms. Kaiser commented on the definition of self-study and considerations to remove limitations on the number of hours.

Gilda Dominguez expressed her appreciation for the meeting material Attachment B on California CE/CPD Requirements and commented on what the other healing arts boards are doing. Ms. Dominguez further commented on the inclusion of the terms “real-time” and “interactive” in the definition of synchronous.

Ms. Kaiser provided a summary of the discussion and noted the changes to the definition of self-study to include the terms synchronous and asynchronous and increasing the number of self-study hours.

4. Discussion and Possible Action Regarding Maximum Number of Support Personnel of Speech-Language Pathologists (As Stated in Title 16, CCR section 1399.170.16)

Ms. Kaiser opened the discussion on the maximum number of support personnel of SLPs. Ms. Kaiser stated the Committee is reviewing whether regulations should be changed to allow part-time equivalence in the limitation. Ms. Kaiser commented on the need and benefits of the SLPAs.

Ms. Dominguez shared comments and concerns raised regarding the number of support personnel with no part-time equivalence and the barrier it creates to employment at a phone meeting held on June 16, 2021 with leaders from the California Speech Language Hearing Association (CSHA).

Ms. Snow inquired if there is a difference in the level of supervision needed for consumer protection. Ms. Kaiser commented on current regulations for supervision requirements

and noted that SLPs are responsible for their caseload and the SLPAs that work on their caseload. Ms. Dominguez commented on the caseload being managed by the SLP and not by their support personnel.

Ms. Kaiser inquired about different settings and the number of support personnel. Ms. Dominguez commented on the challenges found in acute hospital settings.

Michele Linares, Chair of the California Speech Language Hearing Association, commented on the challenges in private practice to employ career SLPAs and the lack of part-time equivalence with a shortage of SLPs. Ms. Linares expressed concerns about the restrictions in the number of support personnel that isn't found in other healing arts boards.

Holly Kaiser inquired if the level of supervision required for SLPAs with a certain level of experience should be different. Ms. Linares commented on the differences in experience between career SLPAs and new SLPAs. Ms. Linares further commented on the role work setting play in the level of experience.

Ms. Kaiser inquired about enforcement if changes are made to the number of support personnel with consideration to the level of experience and work settings. Cherise Burns replied that enforcing the number of support personnel is generally a cap or a cap and its equivalent for part-time. Ms. Burns further commented on the implementation and enforcement of the level of experience and noted that the Board will be discussing this item at its full-board meeting when it considers the proposed SLPA regulations. Paul Sanchez noted the discussion is on removing barriers to the number of support personnel and cautioned about creating an enforcement workload with different intricacies involving the hours or working settings.

Ms. Kaiser commented on being open to include language on part-time with a maximum limitation. Ms. Dominguez expressed her agreement to consider full-time equivalent (FTE). Ms. Dominguez requested data regarding the guidance and limitations for the supervision of support personnel from other healing arts boards to be available at the next discussion. Mr. Sanchez and Ms. Kaiser inquired about clarification on the number of support personnel. Ms. Dominguez replied that she would be open to discuss an increase to the total number of support personnel.

Debbie Snow commented on the need to increase the number of support personnel and further discussion on reducing SLPAs working out of their scope of practice. Mr. Sanchez commented on concerns being more about the flexibility in support personnel than the actual number. Ms. Burns commented on changes to the regulatory language to not specify the type of support personnel in the total number of support personnel. Ms. Dominguez expressed agreement to include FTE in the regulatory language and remove the language specifying the support personnel. Ms. Kaiser expressed her agreement to include language on FTE and remove language that specify the type of support personnel. Ms. Dominguez stated that increasing the number of support personnel may be hard to manage, especially if there are concerns of people working out

of scope of practice.

Ms. Kaiser provided a summary of the discussion and recommended to the Board to add language on FTE and remove the statement: “not more than two support personnel can be SLPAs.”

Paul Sanchez inquired about the suggestion to add language on the number of hours for FTE. Holly Kaiser replied that she suggested to define FTE be part-time and not any smaller increments. Cherise Burns expressed her agreement with Ms. Kaiser that it would be easier to implement and enforce if it is written out in those terms.

Michele Linares, Chair of the California Speech Language Hearing Association, commented on the language to align with current employment practices and the number of support personnel to other healing arts boards. Ms. Linares further commented on the concerns of the SLPA’s employment being contingent on someone else. Ms. Kaiser expressed her agreement with her remarks on considering employment practices and looking at what other healing arts boards are doing when defining FTE. Mr. Sanchez noted the discussion is on removing barriers and commented on the definitions needed for the regulatory language.

The meeting adjourned at 11:49 a.m.

Board Meeting

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

Dr. Marcia Raggio, Board Chair, called the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) meeting to order at 12:01 p.m. Dr. Raggio called roll; six members of the Board were present and thus a quorum was established.

Board Members Present

Marcia Raggio, AuD, Board Chair
Holly Kaiser, SLP, Vice Board Chair
Tod Borges, HAD, Board Member
Karen Chang, Public Board Member
Gilda Dominguez, SLP, Board Member
Debbie Snow, Public Board Member

Staff Present

Paul Sanchez, Executive Officer
Cherise Burns, Assistant Executive Officer
Lisa Snelling, Licensing Coordinator
Tenisha Ashford, Enforcement Coordinator
Heather Olivares, Legislation/Regulation Analyst
Maria Liranzo, Legislation/Regulation/Budget Analyst
Michael Kanotz, DCA Legal Counsel

Karen Halbo, DCA Regulations Counsel
Brianna Miller, DCA Executive Office
Mike Sanchez, DCA Web Cast
Shelly Jones, DCA Web Cast
Cesar Victoria, DCA Web Cast

Guests Present

Melanie Gilbert, Au.D.
Michele Linares
David M. Lechuga, Ph. D
Nancy Brison-Moll, Ph.D.
Ann Tran-Lien, JD
Mario Espitia, DSW
James Hiramoto, Ph.D.
Douglas Beck, Au. D
Linda Pippert

2. Public Comment for Items not on the Agenda

Dr. Melanie Gilbert, Board Member for the California Academy of Audiology, expressed concerns regarding the California Department of Health Care Services list of providers for their pediatric hearing aid program and commented on the providers listed that are no longer licensed nor have the necessary training to serve the pediatric population.

3. Petition for Reduction of Penalty – Michael Trythall

A petition for reduction of penalty was heard with Administrative Law Judge Thomas Heller presiding. The people were represented by Deputy Attorney General Brian Lee. The petitioner, Michael Trythall, was represented by Robert Weinberg.

A written transcript of the proceeding was transcribed by a court reporter.

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

The Board met in closed session and subsequently adjourned for the day.

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

Dr. Marcia Raggio, Board Chair, called the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) meeting to order at 9:01 a.m. Dr. Raggio called roll; six members of the Board were present and thus a quorum was established.

6. Public Comment for Items not on the Agenda

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

7. Review and Possible Approval of the May 13-14, 2021, Board Teleconference Meeting Minutes

There was no Board discussion on the May 13-14 Board meeting minutes or comments from the public, outside agencies, or associations.

There was no Board discussion on the motion or comments from the public, outside agencies, or associations.

Holly Kaiser made a motion to approve the May 13-14 Board meeting minutes.

Debbie Snow seconded the motion.

The motion carried 6-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, Snow)

8. Board Chair's Report

Dr. Marcia Raggio discussed the 2021 Board and Committee Meeting Calendar and highlighted the Board's future meetings. Dr. Raggio inquired about the purpose of the November meeting. Cherise Burns replied that the November meeting will be for changes to the Sunset Review Report after the October meeting and can be cancelled if additional Board approval is not needed.

Dr. Raggio inquired if the November meeting will be teleconference or in-person. Ms. Burns replied that it is still unknown as the current waivers are still in effect and it is unknown if, or when, the Governor will decide to extend them.

Dr. Raggio informed Board members to notify Board staff if they cannot attend any of the future Board meetings.

Dr. Raggio reported on the discussions and possible actions from the Audiology Practice Committee meeting held on August 12, 2021.

Holly Kaiser reported on the discussions and possible actions from the Speech-Language Pathology Practice Committee meeting held on August 12, 2021.

Dr. Marcia Raggio inquired about the amount of supervision required depending on the activity of the Speech-Language Pathology Assistant (SLPA). Ms. Kaiser replied that this will be discussed as part of the Regulatory Report, Agenda Item 14. Ms. Burns confirmed that there will be a discussion on all the SLPA requirements.

Michele Linares, Chair of the California Speech Language Hearing Association,

commented on differentiating new and career SLPAs in the regulatory language.

9. Executive Officer's Report

a. Administration Update

Paul Sanchez provided an update on the Business Modernization Project and the office's COVID-19 pandemic response plan.

Paul Sanchez announced the hiring of Maria Liranzo to fill the vacancy for the Legislation and Regulation position. Mr. Sanchez also announced the Board has filled a vacancy for an Enforcement position.

There was no Board discussion or comments from the public, outside agencies, or associations.

b. Budget Report

Mr. Sanchez provided an overview of the budget report provided by the DCA Budget Office. Mr. Sanchez reported that the SFY 20/21 budget is expected to be spent and highlighted the surplus/deficit data.

There was no Board discussion or comments from the public, outside agencies, or associations.

c. Regulations Report

Mr. Sanchez provided an overview of the regulations report. Mr. Sanchez reported that the items listed are either in the initial review process or being noticed.

There was no Board discussion or comments from the public, outside agencies, or associations.

d. Licensing Report

Mr. Sanchez provided an overview of the licensing report. Mr. Sanchez reported the licensing processing time has increased due to an increase of applications.

Holly Kaiser inquired about the meaning of "SPT" on the licenses issued table. Cherise Burns replied that it is a temporary license for out-of-state licensees.

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

e. Practical Examination Report

Paul Sanchez provided an overview of the practical exam report. Mr. Sanchez

highlighted, in the report, the statistics of the April 2021 examination.

There was no Board discussion or comments from the public, outside agencies, or associations.

f. Enforcement Report

Mr. Sanchez provided an overview of the enforcement report. Mr. Sanchez reported a decrease in the number of complaints and investigations during SFY 20/21 which may be due to COVID. Mr. Sanchez highlighted that the data displayed by licensing type as requested by the Board and data on disciplinary actions adopted by the Board are also available in the report.

Mr. Sanchez noted that the California's Attorney General issued a consumer alert on hearing aids sold online or over the counter.

There was no Board discussion or comments from the public, outside agencies, or associations.

10. Overview of the Sunset Review Process and Timeline

Mr. Sanchez provided an overview of the Sunset Review timeline and process. Mr. Sanchez stated that the draft report will be presented to the Board at the October meeting and if there are any changes to the report after the October meeting, the November meeting will be held to finalize the report. Mr. Sanchez further stated that the report will be presented to the Legislature in Spring 2022.

Holly Kaiser inquired about the Sunset hearing. Mr. Sanchez replied that the Board Chair, Board Vice Chair or designated representative, and himself will need to attend the hearing to provide a brief presentation and answer any questions. Ms. Burns provided additional information on the Sunset Review process. Dr. Marcia Raggio shared her experience of the Sunset Review process.

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

11. DCA Update – DCA Board and Bureau Relations

Brianna Miller with the DCA Executive Office provided a Department update on Board vacancies, new and current statewide response to the COVID-19 pandemic, and required board member training.

Dr. Raggio inquired about the Governor's order on in-person meeting. Brianna Miller replied that the governor's order is effective through September 30, 2021 but it may change as the deadline approaches. Brianna Miller stated that the DCA will notify boards of any changes.

Dr. Raggio inquired about notifications for required training. Brianna Miller replied that she can verify if notifications are sent to Board members and can work with Board staff to help any Board members complete their training.

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

12. Update on Speech and Hearing Related DCA Waivers related to the COVID-19 State of Emergency

Cherise Burns provided an update on the waivers approved by the DCA including the modification of continuing education requirements for all licensees, modification of reactivation requirements for speech-language pathologists, modification of the direct monitoring requirements for Required Professional Experience (RPE) licenses and the direct supervision requirements for Speech-Language Pathology Assistant (SLPA) licenses, modification of the limitations on renewing of Hearing Aid Dispenser (HAD) temporary licenses and HAD trainee licenses, and modification of limitations and requirements for extension of RPE licenses. Ms. Burns reported that Board staff is working with the DCA to extend the waivers if they are needed and will notify licensees of any changes.

Dr. Marcia Raggio commended Board staff on getting the waivers in place for the community.

Michele Linares, Chair of the California Speech Language Hearing Association, expressed her gratitude for the waivers and inquired about making the changes permanent. Ms. Burns replied that the Board couldn't waive its own regulations and that is why the executive orders were needed. Ms. Burns commented on what will happen when the waivers expire and how to introduce regulatory changes through the formal rulemaking process. Paul Sanchez commented on introducing regulatory changes and encouraged the public to bring their suggestions for discussion to the Board.

13. Discussion of Cognitive Screenings and Assessments and Audiologists' Scope of Practice

Dr. Raggio opened the discussion with a background on cognitive screenings and assessments as a scope of practice for audiologists. The Board invited a panelist made up of mental health professionals who are subject matter experts on cognitive screenings and assessments. Experts on cognitive screenings and assessments and audiology presented their findings to the Board:

Dr. David Lechuga provided a presentation on cognitive screening tools for healthcare professionals and covered the six purposes of neuropsychological evaluations, variables that may impact a screening, training and expertise of psychologists, screening measures and approaches, tools, and triage.

Dr. Nancy Brison-Moll stated that the cognitive screenings and assessments are dependent on the individual's scope of practice, competence to practice ethically, and training. Dr. Brison-Moll echoed what Dr. Lechuga stated regarding therapist or psychologist trained to do a basic mental status exam and are expected to perform it as part of their scope of practice. Dr. Brison-Moll further stated that many Marriage Family Therapist go on to complete additional training in order to add additional assessment tools to their scope of practice. Ann Tran-Lien concluded to note that the Attorney General's opinion clarifies the ability to perform psychological testing as part of a Marriage and Family Therapists' scope of practice.

Dr. Mario Espitia provided a presentation on screening and evaluating for cognitive decline and covered the use of Alert and Oriented x4, Mini-Cog, Mini-Mental State Exam (MMSE), and Montreal Cognitive Assessment (MoCA). Dr. Espitia also covered other important information to collect, knowing the early signs of Dementia, and assessing for mental health concerns using the geriatric depression scale.

Dr. James Hiramoto stated that the cognitive ability and intelligence test would not be something an audiologist would perform as part of their scope of practice as the intelligence test is not a screening tool. Dr. Hiramoto stressed the importance of repeatability of the test to document the decline in cognitive ability and communicating with family members to gather information on the patient's decline. Dr. Hiramoto suggested that monitoring the person's adaptive behavior as a screening process, such as assessing their reading skills or ability to complete a simple math problem, can raise red flags as an indicator for referral. Dr. Hiramoto concluded with comments on the screening tools previously and described them as being brief, quick to give, and repeatable.

Dr. Douglas Beck stated that the most common complaint audiologists receive from their patients is the inability to understand speech in noise. Dr. Beck further stated that audiologists already perform screenings through the use of speech-in-noise tests, which stress the auditory system. Dr. Beck noted that there are 37 million people in the United States with hearing loss and another 26 million with no hearing loss but have supra-threshold listening disorders and complain that they can't understand speech in noise. Dr. Beck stated that if an individual performs poorly on the speech-in-noise test, this could be an indicator to perform a cognitive test. He further stated that an individual should be referred to an appropriate professional, not treated, if the individual performs poorly on the cognitive test. Dr. Beck commented on professionals performing within their code of conduct/ethics and area of expertise, knowledge, and scope to practice. Dr. Beck noted that Dr. Arlene Pietranton, Executive Director of the American Speech-Language-Hearing Association (ASHA), stated that it's a holistic approach to patient-centered care for audiologists to perform cognitive screenings and it is part of ASHA's scope of practice for audiologists. Dr. Beck provided a brief history of the cochlear implant and how cognitive-related screenings are used in the implant

selection process. Dr. Beck concluded that cognitive assessment is within the scope of practice for an audiologist because it facilitates in getting patients to the right professional.

Dr. Marcia Raggio inquired about the licensure requirement to perform screenings. Dr. David Lechuga replied that it depends on the screening training and it is important that the individual understands the benefits and limitations of the screening before performing them on their patients. Dr. Beck stressed the importance of training prior to performing any screenings.

Dr. Marcia Raggio inquired about the number of audiologists performing cognitive screenings. Dr. Douglas Beck replied that there is no official number but estimated it to be at least 250 audiologists based on feedback from lecture attendance and published work.

Dr. Raggio inquired about the training of the audiologists performing cognitive screenings. Dr. Beck replied that he is not aware of anyone who would not seek the appropriate training to perform these screenings, as they are licensed audiologists who understand their scope of practice and responsibility to the State, their patients, and their national organization.

Dr. Raggio inquired about screening tools audiologists should avoid. Dr. David Lechuga replied that audiologists should avoid screenings such as the RBANS and other screenings that required advanced training or expertise. Dr. Lechuga stated that if an individual purchases a test from a test publisher, they must attest to have a background, expertise, and training in order to use the test.

Dr. Raggio inquired about approaching a patient on performing a cognitive screening. Dr. Beck replied that psychologists, social workers, or psychiatrists should communicate to their patient the relationship of the brain and sound when approaching them on performing a cognitive screening and stated that he doesn't think audiologists should tell a patient they failed a cognitive screening but instead refer them to another professional for further evaluation. Dr. Lechuga commented on requiring informed consent from the patient. Dr. Mario Espitia stated that he provides patients and their family an overview of the process and not diagnosis as it would have been provided to them by their physician prior to seeing him.

Karen Chang inquired about training for cognitive screenings. Dr. Beck replied that he is not familiar with all the training requirements but trainings for MoCA are provided online on various websites in order to obtain a certificate for use and noted that Cognivue was recently approved by the U.S. Food and Drug Administration and may have training for their product. Dr. Beck stated that he is not aware of the formal training for the MMSE or Mini-Cog, but stressed the importance of training before using any screenings on patients.

Holly Kaiser inquired about cognitive screening in clinical/doctoral programs. Dr. Beck replied that it is often covered but vary from program to program.

Dr. Raggio inquired about cognitive screening as part of Speech-Language Pathology (SLP) scope of practice. Ms. Kaiser replied that screenings for attention, memory, problem solving, and executive functioning has been a scope of practice for many years. Gilda Dominguez commented on cognitive screening being part of the scope of practice for SLP and noted that in her practice everyone is familiar with or are trained on using MoCA as a cognitive screening.

Dr. Marica Raggio expressed her gratitude for the panelist input and their expertise on the topic. Dr. Raggio stated that the language in the Audiologists' Scope of Practice, Business and Professions Code Section 2530.2(k), is silent on the inclusion of cognitive screenings. Therefore, the Board cannot not take a position on this issue.

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

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

Heather Olivares provided an update on Board regulations and noted the changes to the report which includes a visual timeline to show where a regulatory package is in the process. Dr. Raggio commended Board staff on the visual timeline in the report.

- a. Update and Discussion of Implementation of Speech-Language Pathology and Audiology Fees (As Stated in 16 CCR sections 1399.157, 1399.170.13, and 1399.170.14)

Ms. Olivares provided an update on the regulatory proposal regarding the Speech-Language Pathology and Audiology Fees. Ms. Olivares reported that the regulatory package was approved by the Office of Administrative Law (OAL) on June 29, 2021 and Board staff is currently working with the DCA to implement the fee increase which includes changes to the Information Technology (IT) systems, forms, and renewal notices.

Dr. Raggio inquired about the completion of the fee increase implementation. Cherise Burns replied that a date is being determined with the DCA's IT and Accounting offices to ensure the renewal notices reflect the updated fees as those are sent out to licensees a few months in advance.

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

- b. Discussion and Possible Action Regarding Required Professional Experience Direct Supervision Requirements and Remote or Tele Supervision (As Stated in Title 16, California Code of Regulations (CCR), sections 1399.153 and 1399.153.3)

Ms. Olivares provided an update on the regulatory proposal regarding the Required Professional Experience Direct Supervision Requirements and Remote or Tele

Supervision. Ms. Olivares reported that the regulatory package is in the DCA pre-review process and stated that Board staff received and incorporated feedback from the DCA's Legal Office.

There was no Board discussion or comments from the public, outside agencies, or associations.

c. Discussion and Possible Action Regarding Speech-Language Pathology Assistants Requirements (As Stated in Title 16, CCR section 1399.170 through 1399.170.20.1)

Heather Olivares provided an update on the regulatory proposal regarding the Speech-Language Pathology Assistants (SLPA) Requirements. Ms. Olivares reported that the regulatory package is still being developed and stated that Board staff worked with the DCA's Legal Office on the regulatory language and have new language that requires the review and approval of the Board.

Ms. Olivares provided a brief background on the regulatory proposal and a summary of the changes made on the previously approved regulatory language. Dr. Marcia Raggio inquired about regulatory language on supervisory requirements depending on the SLPA's circumstances. Ms. Olivares replied that this is listed as a policy discussion item for further discussion in today's meeting. Ms. Olivares provided a summary of the recommended changes on the SLPA supervisor form.

Ms. Olivares opened the discussion on the first policy discussion item. Ms. Olivares inquired if there are any concerns with who serves as a SLPA program director.

Holly Kaiser suggested changes on the SLPA supervisor form under the supervisor information in Part B to reflect current practice language. Ms. Olivares noted to change "clear credential license number" to "clear credential document number".

Dr. Raggio inquired for clarification on the first policy discussion item. Ms. Olivares replied that this is regarding SLPA program directors at a California community college. Tod Borges inquired if there is a reciprocity issue with an out-of-state SLPA as a program director in California and commented on what the proposed regulation would have to say. Ms. Olivares replied that the Board either removes the regulatory language "qualifications deemed equivalent by the Board" or come up with regulatory language on what the equivalency would be. Ms. Kaiser commented on the importance of program directors being licensed for the state they are working in. Dr. Raggio expressed her agreement on programs directors being licensed in California.

Linda Pippert, a member from the public, commented on not being aware of any SLPA program directors at a California community college who are not licensed in California. Mr. Borges inquired about a program's process to hire out-of-state. Ms. Olivares and Paul Sanchez replied with information on the process of becoming licensed in California as an out-of-state licensee and an out-of-state licensee with ASHA's Certificate of Clinical

Competence. Ms. Pippert commented on what programs do if they hire out-of-state and noted that it is not a concern for her.

Dr. Raggio commented on the consensus to have SLPA program directors to be licensed in California. Gilda Dominguez expressed her agreement on having SLPA program directors to be licensed in California. Ms. Olivares noted the changes to remove from section 1399.170.4(b) the regulatory language “or qualifications deemed equivalent by the Board” and possibly remove section 1399.170(j). Dr. Raggio inquired if the language in section 1399.170.4(b) should say “California license”. Ms. Olivares replied that it is implied but it could be added for clarity and noted the changes in section 1399.170.4(b) from “current, active, and unrestricted license” to “current, active, and unrestricted California license”. Dr. Marcia Raggio inquired about removing in section 1399.170.4(b) the regulatory language “qualifications deemed equivalent by the Board”. Heather Olivares replied that the Board can also make changes to the SLPA supervisor qualifications but if the Board would like to keep the current proposed regulatory language then Board staff can remove section 1399.170(j). Dr. Raggio commented on keeping the proposed regulatory language with changes to specify California license. Ms. Olivares noted the changes to change the regulatory language in section 1399.170.4(b) from “current, active, and unrestricted license” to “current, active, and unrestricted California license”, remove from section 1399.170.4(b) the regulatory language “or qualifications deemed equivalent by the Board”, and remove section 1399.170(j).

Ms. Olivares opened the discussion on the second policy discussion. Ms. Olivares inquired if the Board could clarify the requirements for supervision during the first 90 days of work and SLPAs with multiple supervisors. Ms. Olivares provided an example of SLPAs working at multiple school sites with multiple supervisors and inquired how the 20 percent supervision would be handled. Dr. Raggio replied if it would make sense if the percentage were the same regardless of the number of supervisors. Holly Kaiser replied with comments on SLPs being directly responsible for the SLPA and expressed agreement with the 20 percent of the SLPA’s time being the same regardless of the number of supervisors. Dr. Raggio inquired if the stipulation would apply to both seasoned and new SLPAs. Gilda Dominguez inquired if the supervised time is for each SLP or a collaboration among all the SLPs. Ms. Kaiser replied that a SLP need direct contact with the SLPA instead of collaborating the time with one lead SLP. Tod Borges inquired for clarification about which individual’s time is being used to determine the 20 percent. Dr. Raggio replied that her understanding of the 20 percent is on the SLPA’s work time. Ms. Kaiser replied that it would be 20 percent of the SLPA’s work time, not the SLP. Ms. Dominguez inquired if each supervisor is to give 20 percent of their time or if it is a combined supervision of 20 percent per week. Ms. Kaiser replied with ASHA’s recommended guidelines on SLPAs supervision. Dr. Raggio suggested changing the regulatory language to make it clearer and reduce confusion. Mr. Borges suggested to specify the work schedule as the SLPAs. Ms. Dominguez expressed her agreement with changes to specify the work schedule as the SLPAs.

Dr. Raggio suggested 20 percent for each supervisor. Karen Chang expressed her agreement with 20 percent for each supervisor and commented on the benefits of

supervision to consumer safety. Mr. Borges provided examples of what 20 percent would look like under each supervisor compared to hours worked.

Linda Pippert, a member from the public, commented on the confusion of the regulatory language and commended the Board for their robust discussion.

Ms. Olivares commented on the challenges of defining by hours. Ms. Chang commented on the language as being hours worked. Dr. Raggio expressed her agreement on the language as being hours worked and commented on the concerns for SLPAs who get a new supervisor. Karen Chang commented on the concerns for SLPAs who get a new supervisor and how 20 percent supervision would look like for them.

Dr. Marcia Raggio inquired about how common it is for SLPAs to have more than one supervisor. Holly Kaiser replied that she is not aware on how common it is for SLPAs to have more than one supervisor and noted that SLPAs have a specific SLP supervisor assigned to them. Dr. Raggio suggested that the 20 percent can be assigned to the lead SLP. Heather Olivares commented on the SLPA supervisor form and suggested adding language for the lead supervisor to determine the 20 percent supervision. Dr. Raggio inquired about changes to section 1399.170.2(d) to specify the work schedule is the SLPA's work schedule. Ms. Olivares noted the changes to section 1399.170.2(d) from "of the work schedule" to "of the SLPA's work schedule." Ms. Olivares suggested adding language regarding the lead supervisor being responsible of the SLPA's 20 percent supervision. Karen Halbo suggested language to say, "the lead supervisor is responsible for ensuring the SLPA meets the requirement in this subdivision". Paul Sanchez inquired about the location of the supervisor's responsibility on the SLPA supervisor form. Ms. Olivares replied that it is at the bottom of the first page on the form. Ms. Olivares noted that similar changes will be made to sections 1399.170.17 to add "the lead supervisor is responsible for ensuring the SLPA meets the requirement in section 1399.170.2(d)". Mr. Sanchez stated that the changes address all his enforcement concerns. Ms. Olivares noted that similar changes will be made to 1399.170.15(b)(4) to add "the lead supervisor is responsible for ensuring the SLPA meets the requirement in section 1399.170.2(d)". Dr. Raggio inquired about changes to specify the work schedule is the SLPA's work schedule. Ms. Olivares noted the changes to sections 1399.170.17 and 1399.170.15(b)(4) from "of the work schedule" to "of the SLPA's work schedule."

Ms. Olivares opened the discussion on the third policy discussion item. Ms. Olivares inquired about the timeframe a SLPA should receive a copy of the *Responsibility Statement for Supervisors of a SLPA*. Dr. Raggio inquired about the consequences of not providing a copy to a SLPA. Ms. Olivares replied that if the Board receives a complaint, the Board will have to investigate it through the enforcement process. Mr. Sanchez stated that Board staff is trying to determine if this is proposed regulatory language the Board would like to keep.

Linda Pippert, a member from the public, replied that it would matter to some people more than other and it may give SLPAs leverage to ask their supervisor for a copy of their SLPA supervisor form if the regulatory language is there. Ms. Olivares commented on the

remarks to keep the proposed regulatory language. Dr. Raggio commented on the consensus to keep the regulatory language. Gilda Dominguez expressed her agreement to keep the regulatory language.

Cherise Burns inquired about adding similar language to section 1399.170.18 regarding a copy of the *Termination of Supervision*. Dr. Raggio and Ms. Dominguez expressed their agreement with making similar changes to section 1399.170.18. Heather noted the changes to add to section 1399.170.18 to say, “the supervisor shall provide a copy of the form to the assistant within forty-five (45) business days.”

Heather Olivares opened the discussion on the final policy discussion item. Ms. Olivares inquired about the number of support personnel that a SLP can supervise. Cherise Burns provided data on the number of support personnel that other healing arts boards have and how it compares to the Board’s proposed language and suggested changes. Linda Pippert, a member from the public, stated that other healing arts boards allow for flexibility in staffing by not registering assistants to a particular supervisor.

Gilda Dominguez inquired about accommodating part-time SLPAs. Ms. Burns suggested a maximum number with a part-time equivalent statement and noted it wouldn’t change the SLPA supervision. Ms. Dominguez suggested the maximum number could be four and it can be two SLPAs and two SLP Aides. Ms. Burns inquired about the number of SLP Aides used in the community. Lisa Snelling stated that the Board rarely processes SLP Aide applications.

Holly Kaiser inquired about removing regulatory language in support personnel that specify “no more than two are SLPAs”. Ms. Burns replied that it can be stated this way as long as the sentence that defines support personnel remains.

Ms. Dominguez inquired about the maximum number of support personnel. Ms. Pippert replied that Aides are rarely used because they are not billable and require complete supervision. Ms. Pippert stated that the community would be delighted to have more than two SLPAs as many SLPAs only work part-time and adding regulatory language for full-time equivalent (FTE) would be appreciated as it will help serve many more clients in the community.

Dr. Marcia Raggio inquired about language for three FTE to mean a total of six people. Paul Sanchez replied that it can depending on how FTE is defined and commented on balancing consumer protection with the needs out there. Dr. Raggio inquired about stipulating only the maximum number of support personnel. Mr. Sanchez replied that FTE needs to be clearly defined.

Ms. Kaiser inquired about the number of hours for part-time. Dr. Raggio stated that part-time may need to be defined for the purpose of consumer protection. Ms. Olivares commented on making the language clear on what the number of hours per week that would be considered as part-time. Ms. Pippert replied that the number of hours for part-time and full-time are specified on the Required Professional Experience (RPE)

application. Ms. Burns stated that boards generally stay out of employment law in order to not restrict the number of hours someone can work but stated the Board can use the language available on the RPE application.

Dr. Raggio inquired about the need to limit the number of SLPAs. Ms. Burns replied that it was suggested to remove the language that limits the number of SLPAs and allow the SLP to choose their support personnel according to the language the Board approves.

Dr. Raggio inquired about the needed regulatory language. Cherise Burns replied to confirm that a definition for FTE will be required, a maximum number of FTE support personnel, and the definition of support personnel. Gilda Dominguez suggested a maximum of five support personnel and not to exceed three full-time. Holly Kaiser suggested up to six SLPAs and not to exceed three FTE. Cherise Burns suggested the regulatory language should say “three (3) FTE support personnel, not to exceed six support personnel” and remove “not more than two of which hold the title of speech-language pathology assistant.”

Dr. Marcia Raggio inquired about timing and adding language to say, “at any one time”. Ms. Burns replied with information on system limitations that are in place but acknowledged that it can be added because of what the Board has seen. Ms. Burns suggested the regulatory language should say, “three (3) FTE support personnel, not to exceed six support personnel, at any time”. Ms. Dominguez inquired if having six support personnel and RPEs is manageable. Ms. Burns replied with information on requests for additional individuals and what Board staff has seen. Ms. Burns read the proposed regulatory language for section 1399.170.16 to say, “a supervisor shall not supervise more than three (3) full-time equivalent support personnel, not to exceed six support personnel, at any time. Support personnel includes speech-language pathology assistants and speech-language pathology aides.” Dr. Raggio expressed her agreement with the amended text. Heather Olivares noted that similar changes will be made on the SLPA supervisor form under the Duties, and Responsibilities of Supervisor, item 13.

Ms. Kaiser inquired about regulatory language to exclude experienced SLPA from the supervisor requirement. Dr. Raggio commented on the difficulty of defining seasoned SLPA. Paul Sanchez cautioned that this could give the appearance of a different type of license.

Linda Pippert, a member from the public, commented on the confusion of 1339.170(d) and if this is the first 90 days of being a new SLPA, starting a new job, or with a new supervisor. Raggio replied that she interpreted it as 90 days from first employment. Paul Sanchez inquired if it should be the first 90 days of licensure. Dr. Raggio replied that it would be the first 90 days when the SLPA starts a job and starts doing the work. Dr. Raggio suggested the regulatory language could specify initial licensure which would exclude experienced/seasoned SLPA from the requirement. Karen Chang commented on her interpretation as being 90 days starting a new job. Ms. Kaiser stated that a SLPA will always have supervision beyond the 90 days as there are certain tasks that require direct supervision and expressed her agreement with the suggested changes.

Ms. Olivares suggested the regulatory language to say, “the supervisor shall provide immediate supervision of all duties performed by a speech-language pathology assistant at least twenty (20) percent per week of the SLPA’s work schedule during the first ninety (90) days of work following initial licensure.” Dr. Raggio inquired about the circumstances SLPAs would not be supervised. Ms. Olivares replied that all the requirements will still apply but there is higher level of supervision during the first 90 days. Ms. Kaiser expressed her agreement with the remarks on SLPAs supervisions and suggested changes.

Michele Linares, Chair of the California Speech Language Hearing Association, commented on the issue that arises when supervisors leave their position and have SLPA assigned to them.

Linda Pippert, a member from the public, commended the Board on their effort to distinguish the first 90 days of supervision to be for new SLPAs.

Dr. Marcia Raggio inquired if the Board should make a motion. Paul Sanchez expressed his agreement for a motion and requested to go over all the changes. Heather Olivares read all the changes to the previously approved regulatory language, and noted the following:

Remove section 1399.170(j).

Amend section 1399.170.2(d) to say, “Notwithstanding subdivisions (a), (b), and (c), the supervisor shall provide immediate supervision of all duties performed by a speech-language pathology assistant at least twenty (20) percent per week of the SLPA’s work schedule during the first ninety (90) days of work following initial licensure. The lead supervisor is responsible for ensuring the SLPA meets the requirement in this subdivision.”

Amend section 1399.170.4(b) to say, “To be eligible for approval by the Board, the program director must hold a current, active, and unrestricted California license” and remove “or have qualifications deemed equivalent by the Board”

Amend section 1399.170.15(b)(4) to say, “Provide immediate supervision at least twenty (20) percent per week of the SLPA’s work schedule for the first ninety (90) days following initial licensure. The lead supervisor is responsible for ensuring the SLPA meets the requirement in this subdivision in section 1399.170.2(d).”

Amend section 1399.170.16 to say, “a supervisor shall not supervise more than three (3) full-time equivalent support personnel, not to exceed six support personnel, at any time. Support personnel includes speech-language pathology assistants and speech-language pathology aides.”

Amend section 1399.170.17 to say at the end, “The lead supervisor is responsible for ensuring the SLPA meets the requirement in section 1399.170(d).”

Amend section 1399.170.18 to say at the end, "The supervisor shall provide a copy of the form to the assistant within forty-five (45) business days."

Amend on page 1 of the supervisor SLPA form, part B item 2, to change from "clear credential license number" to "clear credential document number"; and

Amend on page 3 of the supervisor SLPA form, item 13, to say, "I will not supervise more than three (3) full-time equivalent support personnel, not to exceed six support personnel, at any time."

Holly Kaiser inquired about the language on page 3, item 11, of the SLPA supervisor form and stated that it should be consistent with the proposed changes. Heather Olivares replied that the language on the SLPA supervisor form can be changed to be similar to the proposed changes.

Paul Sanchez inquired about defining full-time equivalent (FTE). Ms. Olivares suggested to add the definition to the list of definitions in section 1399.170. Karen Halbo suggested to define the term for the purpose of clarity. Gilda Dominguez suggested that the full-time definition should match the RPE application. Mr. Sanchez inquired if the language should say part-time is up to 29 hours and full-time 30 or more hours. Ms. Halbo stated that the Board has discretion to define it in the language or in the list of definition. Dr. Marcia Raggio inquired for preferences on where to add the language. Ms. Olivares commented on her personal preference to add it to the list of definitions. Dr. Raggio expressed her agreement to add it to the list of definitions. Ms. Kaiser and Ms. Dominguez expressed their agreement to add it to the list of definitions.

Ms. Olivares suggested to add section 1399.170(j) to define FTE. Ms. Dominguez read the language on part-time and full-time from the RPE application. Ms. Olivares noted the suggested language to add section 1399.170(j) to say, "full-time equivalent means at least 30 hours per week. Part-time is 15-29 hours per week." Cherise Burns inquired about SLPA working less than 15 hours and commented on the unintended consequence of excluding SLPAs who work only 8 hours. Ms. Halbo replied with agreement that it may have an unintended consequence of excluding SLPAs who work less than 15 hours. Ms. Olivares suggested changes to the language for part-time to say, "29 hours per week or less." Ms. Burns expressed her agreement with the suggested definition. Mr. Sanchez inquired about defining only full-time. Ms. Burns and Ms. Olivares replied with suggestion to stay silent on defining part-time. Ms. Dominguez inquired about including per-diem in the FTE definition. Mr. Sanchez replied that the other definitions may not be necessary because the regulation language only refers to full-time. Ms. Burns commented on the categories being related to employment and not supervision.

Michele Linares, Chair of the California Speech Language Hearing Association, commented on the number of hours to define full-time and allowing flexibility for a SLPA to work 30 hours in a 40-hour position. Dr. Raggio replied with a suggestion to define full-time to mean at least 30 hours per week.

Mr. Sanchez commented and inquired on a limiting statement of up to 40 hours. Ms. Burns replied with comments on necessity of language that makes clear what is full-time. Lisa Snelling commented on the need for a definition that distinguishes full-time hours from part-time and how it will make answering questions and reviewing applications easier. Ms. Halbo inquired if there is a desire to have a range for full-time by including a maximum hour. Dr. Raggio inquired if SLPAs to work more than 40 hours.

Michele Linares commented on the many different types of positions employers offered and noted that there are some SLPAs who do work more than 40 hours. Paul Sanchez suggested to defined FTE as 30 to 40 hours per week and anything below is part-time. Heather Olivares read the proposed definition to be added as section 1399.170(j) to say, "for the purpose of this division, full-time equivalent means 30 to 40 hours per week." Cherise Burns inquired about the language and suggested the language should say at least 30 hours or a minimum of 30 hours or more. Ms. Olivares and Mr. Sanchez replied with comments on limiting people from working over 40 hours. Ms. Burns commented on the maximum hour limitation being related to employment law. Dr. Marcia Raggio expressed her agreement on Ms. Burns' remarks and inquired about the language. Ms. Olivares replied that section 1399.170(j) will be added to say, "for the purpose of this division, full-time equivalent means at least 30 hours per week."

Dr. Raggio inquired for additional comments from the Board or the public. No additional comments were provided.

There was no Board discussion on the motion or comments from the public, outside agencies, or associations.

Dr. Marcia Raggio moved to approve the regulatory language, and Responsibility Statement form to be incorporated by reference, with the discussed changes, and delegate authority to the Executive Officer to make any technical and non-substantive changes and move to start the formal rulemaking process.

Debbie Snow seconded the motion.

The motion carried 6-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, Snow)

- d. Discussion and Possible Action to Adopt Uniform Standards Related to Substance-Abusing Licensees as Title 16, CCR section 1399.131.1 and 1399.155.1

Ms. Olivares provided an update on the regulatory proposal regarding the Uniform Standards Related to Substance-Abusing Licensees. Ms. Olivares reported that the regulatory package is still being developed and stated that Board staff worked with the DCA's Legal Office on the regulatory language and have new language that requires the review and approval of the Board.

Ms. Olivares provided a brief background on the regulatory proposal. Ms. Olivares stated

that the Board has the opportunity to adopt the Uniform Standards as part of the Board's Disciplinary Guidelines, a separate document, or incorporate by reference DCA document. Mr. Olivares provided a summary of the meeting materials including examples from other healing arts boards and a draft regulatory language that incorporates by reference the DCA's Uniform Standards document.

Dr. Marcia Raggio inquired for Board staff recommendation. Ms. Olivares replied that the Board has discretion to address both Disciplinary Guidelines and Uniform Standards or just the Uniform Standards.

Dr. Marica Raggio suggested that the Board should adopt the Uniform Standards as its own regulatory proposal and handle the Disciplinary Guidelines as another regulatory proposal. Karen Halbo with the DCA Legal Office suggested the Board to refer this to the Enforcement Committee and adopt the Uniform Standard as model orders. Ms. Halbo commented on the lack of clarity of the Uniform Standards if adopted without changes. Dr. Raggio inquired about the definition of model order. Ms. Halbo replied that, with model order, there are consequences that an Administrative Law Judge can add to a probation order. Tod Borges inquired about clarification on model order in regard to the Uniform Standards. Ms. Halbo replied with information on how the Uniform Standards would be implemented.

Holly Kaiser requested if someone could explain what other healing arts boards did using the examples provided in the meeting materials. Paul Sanchez commented on addressing this item in the Sunset Review and what process would look like to review and update the Disciplinary Guidelines. Ms. Olivares explained each example provided in the meeting material from the simplest to most complex regulatory action.

Dr. Raggio commented on accepting the proposed regulatory language. Gilda Dominguez inquired about the document title for the proposed language. Ms. Olivares replied with the title that will be used in the proposed language if the Board moves forward with the proposed language.

Dr. Raggio inquired about revisiting the Uniform Standards when the Board reviews the Disciplinary Guidelines. Mr. Sanchez replied that the plan is to bring the disciplinary guidelines to the Board at a future meeting.

Ms. Dominguez commented on supporting the proposed regulatory language with amendments to include the actual document title. Ms. Olivares, Cherise Burns, and Mr. Sanchez commented on the difficulty DCA Uniform Standards can pose to enforcement because it is not model order. Ms. Halbo stated that this will provide clarity to licensees of the standards, but it can pose some difficulty for enforcement. Ms. Burns and Mr. Sanchez commented on the different options the Board has and the current workload Board staff has.

Mr. Borges commented on adopting the Uniform Standards today and looking at Disciplinary Guidelines separately. Debbie Snow, Ms. Kaiser, Karen Chang, and Ms.

Dominguez expressed their agreement to adopt the Uniform Standards today and look at Disciplinary Guidelines separately.

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

There was no Board discussion on the motion or comments from the public, outside agencies, or associations.

Dr. Marcia Raggio moved to adopt the draft proposed regulatory language regarding Uniform Standards with changes to sections 1399.131.1 and 1399.151.1 to replace “stand-alone document” to read “Uniform Standards Regarding Substance-Abusing Healing Arts Licensees, March 2019”, and delegating to the Executive Officer authority to make non-substantive changes and move forward with the formal rulemaking process.

Holly Kaiser seconded the motion.

The motion carried 6-0. (Ayes: Raggio, Kaiser, Borges, Chang, Dominguez, Snow)

- e. Discussion and Possible Action Regarding Audiology Licensing Requirements Related to Supervised Clinical/Professional Experience (As Stated in Business and Professions Code Sections 2532.2 and 2532.25 and Title 16, CCR section 1399.152.2)

Heather Olivares provided an update on the regulatory proposal regarding the Audiology Licensing Requirements Related to Supervised Clinical/Professional Experience. Ms. Olivares reported that the regulatory package is still being developed.

Cherise Burns provided additional updates by reporting on the discussion that occurred at the Audiology Practice Committee meeting held on August 12, 2021. Dr. Marcia Raggio commented on the progress of this item.

Michele Linares, Chair of the California Speech Language Hearing Association, commented on the need to include businesses that are providers of training sites and externships in the discussion. Dr. Raggio replied with information on public participation in the regulatory process and noted the Board welcomes anyone to participate in Board meetings. Ms. Burns provided additional information on public participation in the regulatory process

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

- a. 2021 Legislative Calendar and Deadlines

Ms. Olivares provided an update on the legislative session calendar and upcoming legislative deadlines.

There was no Board discussion or comments from the public, outside agencies, or associations.

b. Board-Sponsored Legislation for the 2021 Legislative Session

i. AB 435 (Mullin) Hearing aids: locked programming software: notice

Ms. Olivares provided an overview of the bill's proposed requirements and where it is in the legislative process. Ms. Olivares reported this bill is expected to pass as it is currently on the Senate floor with no formal opposition.

There was no Board discussion or comments from the public, outside agencies, or associations.

c. Bills with Active Positions Taken by the Board

Heather Olivares provided an overview on the status of bill with active positions taken by the Board and recommended no changes to the Board's position or adopt any new position. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

i. AB 29 (Cooper) State bodies: meetings

Ms. Olivares reported the Board has an approved Oppose position on this bill and it is a two-year bill as it was held under submission by Assembly Appropriations Committee. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

ii. AB 107 (Salas) Licensure: veterans and military spouses

Ms. Olivares reported the Board has an approved Oppose Unless Amended position on this bill and it is scheduled for hearing on August 16, 2021 in the Senate Appropriations Committee. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

iii. AB 225 (Gray) Department of Consumer Affairs: boards: veterans: military spouses: licenses

Ms. Olivares reported the Board has an approved Oppose Unless Amended position on this bill and it is a two-year bill because it was not heard in the Senate Business,

Professions and Economic Development Committee. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

iv. AB 555 (Lackey) Special education: assistive technology devices

Ms. Olivares reported the Board has an approved Oppose Unless Amended position on this bill and it is a two-year bill because it was not heard in the Assembly Education Committee. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

v. AB 885 (Quirk) Bagley-Keene Open Meeting Act: teleconferencing

Heather Olivares reported the Board has an approved Support position on this bill and it is a two-year bill because it was not heard in the Assembly Governmental Organization Committee. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

vi. AB 1026 (Smith) Business licenses: veterans

Ms. Olivares reported the Board has an approved Support position on this bill and it is a two-year bill as it was held under submission by the Assembly Appropriations Committee. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

vii. AB 1361 (Rubio) Childcare and developmental services: preschool: expulsion and suspension: mental health services: reimbursement rates

Ms. Olivares reported the Board has an approved Oppose Unless Amended position on this bill and it is a two-year bill as it was held under submission by the Assembly Appropriations Committee. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

viii. SB 772 (Ochoa Bogh) Professions and vocations: citations: minor violations

Ms. Olivares reported the Board has an approved Oppose position on this bill and it is a two-year bill because it was not heard in the Senate Business, Professions and Economic Development Committee. Ms. Olivares provided an overview of the bill's proposed requirements.

There was no Board discussion or comments from the public, outside agencies, or associations.

d. Bills with Recommended Watch Status

Heather Olivares reported the following are new bills with recommended watch status:

- i. AB 457 (Santiago) Protection of Patient Choice in Telehealth Provider Act
- ii. AB 468 (Friedman) Emotional Support Dogs
- iii. AB 1221 (Flora) Consumer Warranties: Service Contracts: Cancellation: Disclosures
- iv. AB 1308 (Ting) Arrest and Conviction Record Relief

There was no Board discussion or comments from the public, outside agencies, or associations.

16. Legislative Items for Future Meeting

Dr. Marcia Raggio solicited legislative items for future meeting. Ms. Olivares stated that Board staff has no additional items.

There was no Board discussion or comments from the public, outside agencies, or associations.

17. Future Agenda Items

Dr. Raggio solicited future agenda items. Tod Borges requested a discussion on continuing education hours for the hearing aid dispensers. Paul Sanchez stated it could be added to a future agenda item and Board staff can work out the details in regard to the quorum.

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

18. The Board will Meet in Closed Session Pursuant to Government Code Section 11126(a)(1) to Conduct its Annual Evaluation of its Executive Officer

The Board met in closed session and subsequently adjourned for the day.