

December 21, 2021

Lourdes M. Castro Ramirez, Secretary
California Business, Consumer Services and Housing Agency
915 Capitol Mall, Suite 350-A
Sacramento, CA 95814

Dear Secretary Lourdes M. Castro Ramirez,

In accordance with the State Leadership Accountability Act (Leadership Accountability), the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board submits this report on the review of our internal control and monitoring systems for the biennial period ending December 31, 2021.

Should you have any questions please contact Cherise Burns, Assistant Executive Officer, at (916) 287-7915, Cherise.Burns@dca.ca.gov.

GOVERNANCE

Mission and Strategic Plan

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board's (Board) mission is to protect the people of California by promoting standards and enforcing the laws and regulations that ensure the qualifications and competence of providers of speech-language pathology, audiology, and hearing aid dispensing services.

The Board regulates the practices of speech-language pathology, audiology, and hearing aid dispensing in California by licensing those who meet minimum standards of competency. Among its functions, the Board promulgates laws and regulations; issues, renews, suspends, and revokes licenses; and imposes disciplinary sanctions, when necessary.

The Board has identified five strategic goals:

Goal 1: Licensing - The Board ensures licensing standards that protect consumers while permitting reasonable access into the professions.

- 1.1 Provide access to licensing applications and payments on an online platform to improve efficiency.
- 1.2 Complete and submit a Budget Change Proposal (BCP) to request additional licensing positions to meet the demand for licensing services and reduce processing times.
- 1.3 Develop an online system to account for continuing education hours.
- 1.4 Create an ad hoc telepractice committee to bring policy issues to the Board.

Goal 2: Enforcement - The health and safety of California's consumers is protected through the active enforcement of the laws and regulations governing the practices of speech-language pathology, audiology, and hearing aid dispensing.

- 2.1 Create consumer and licensee resources that detail the enforcement process to increase
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transparency and engender more trust in the system.

2.2 Develop an online complaint system to improve interactivity and responsiveness for complainants and licensees.

2.3 Complete and submit a BCP to request additional enforcement positions to reduce enforcement timeframes and increase consumer protection.

Goal 3: Outreach and Communications - Consumers and other stakeholders are educated and informed about the practices, and laws and regulations governing the professions of speech-language pathology, audiology, and hearing aid dispensing.

3.1 Educate stakeholders about why the regulatory process takes so long to set realistic expectations.

3.2 Communicate to stakeholders the status of regulations on the website to increase transparency.

3.3 Educate licensees about third party administrators to protect consumers and licensees.

Goal 4: Laws and Regulations - The health and safety of California consumers is protected by the laws and regulations governing the speech-language pathology, audiology and hearing aid dispensing professions.

4.1 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.

4.2 Develop regulations regarding the appropriate level of supervision for trainees, aides, and assistants to safeguard consumer protection and seek statutory changes if necessary.

4.3 Evaluate if there are areas that need to be better defined in laws/regulations regarding oversight and what the scope of practice is in all professions under the Board in order to protect consumers and educate licensees.

Goal 5: Program Administration - The Board is committed to efficiently and effectively utilize resources and personnel to meet our goals and objectives.

5.1 Utilize technology to develop methods to improve responsiveness to telephone inquiries from stakeholders/consumers to increase responsiveness to stakeholders and improve their access to the information they need.

5.2 Develop online tools that allow a user to check the status of transactions, including consumer complaints and license applications, to increase responsiveness to stakeholders and improve their access to the information they need.

5.3 Complete and submit a Budget Change Proposal (BCP) to request additional program administration positions to improve responsiveness to stakeholders and reduce processing timeframes in enforcement and licensing.

5.4 Implement training for staff, Board members, subject matter experts, and expert witnesses to maintain consistent communication and practices.

5.5 Move the Board to a new database and online application system to effectively utilize resources and personnel.

Control Environment

The Board establishes an effective control environment through the use of various accountability and reporting mechanisms and administrative controls. Examples of Board controls are as follows:

- The Board has a reporting structure that includes the Department of Consumer Affairs

- (DCA) and the Business, Consumer Services, and Housing Agency.
- The Board has established a Board member manual for issuance to new Board members.
 - The Board's executive officer reports at least quarterly to the Board on the performance and operations of Board units and staff. The Board's executive officer is held accountable through annual performance evaluations.
 - The Board's executive officer and assistant executive officer keep Board staff accountable for the performance of the Board's work through individual and unit level measures.
 - The Board's organizational structure consists of three separate units: administration, enforcement, and licensing and examinations. The Board is staffed by a Staff Services Manager I (SSM I) reporting directly to the executive officer and serving as the assistant executive officer. The Board has one Special Investigator reporting directly to the executive officer and serving as the Enforcement Unit coordinator. The remaining staff, report directly to the assistant executive officer. The clerical staff in the Administration Unit report to the lead Licensing Unit coordinator and the policy staff report directly to the assistant executive officer.
 - Office guidelines and employee expectations are read and agreed to by all staff joining the Board.
 - The Board follows established human resources protocols and best practices when recruiting, selecting, and hiring employees. Staff attend relevant training classes to their job positions and are encouraged to attend additional training that interests them.

Information and Communication

Internally, the Board has unit meetings at least monthly where the units examine their processes and make recommendations to enhance the programs workflow and the customer service that they deliver. At least on a quarterly basis, an all-staff meeting is held with management and feedback is solicited on the operations of the three programs: administration, enforcement, and licensing and examinations.

Externally, the executive officer conducts outreach efforts with the three professional organizations associated with the Board's licensed occupations. The Board utilizes targeted email listservs to distribute relevant information on Board meeting agendas, changes within the Board's laws and regulations, enforcement actions taken by the Board, and urgent information for Board licensees including updates on COVID-19 related practice issues. The Board also updates its website regularly. The Board conducts its quarterly Board meetings in various locations across the state to encourage participation from stakeholders. These meetings are webcasted with live captioning for hearing-impaired stakeholders. During the COVID-19 pandemic, the Board also utilized online meeting platforms that provided for greater participation from a more diverse group of stakeholders.

MONITORING

The information included here discusses the entity-wide, continuous process to ensure internal control systems are working as intended. The role of the executive monitoring sponsor includes facilitating and verifying that the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board monitoring practices are implemented and functioning. The responsibilities as the executive monitoring sponsor(s) have been given to: Paul Sanchez, Executive Officer; and Cherise Burns, Assistant Executive Officer.

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Program assessment is routine and ongoing, providing almost continuous opportunity for program improvement as vulnerabilities are identified. As vulnerabilities are identified, appropriate staff is assigned to ameliorate the vulnerability. Examples of monitoring of internal controls include:

- Management conducts one-on-one and unit meetings with staff to identify programmatic problems to enable management to respond to vulnerabilities.
- Management performs ongoing reviews of completed staff work and quarterly reviews of performance measures in both licensing and enforcement. Monthly check-in meetings with policy staff in the administration unit also ensure adequate progress is being made on Board policy priorities.
- The Board conducts an annual evaluation of the executive officer's performance, which reflects on the program's overall performance.
- The Board periodically undergoes comprehensive review of operations by external entities, such as DCA, the Bureau of State Audits, and the State Legislature (Sunset Review).

RISK ASSESSMENT PROCESS

The following personnel were involved in the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board risk assessment process: executive management, middle management, and front line management.

The following methods were used to identify risks: brainstorming meetings, ongoing monitoring activities, and other/prior risk assessments.

The following criteria were used to rank risks: potential impact to mission/goals/objectives, and timing of potential event.

RISKS AND CONTROLS

Risk: Inadequate/Outdated Information Technology

The Board relies on antiquated legacy information technology systems incapable of providing the responsive and transparent level of service the public expects based on current technology. Basic transactions like the ability to submit an electronic payment and application are limited in the legacy systems. 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. The Board also allocated one staff as a subject-matter expert for the project.

Control: Business Modernization Project

The Board will continue to monitor the project timetable as it continues to complete the California Department of Technology's Project PAL Stage 3 and Stage 4 in an effort to begin project implementation efforts in the 2022 calendar year. The Board has ongoing meetings with the DCA Office of Information Services staff to monitor the progress of the project through the PAL approval process. The Board's assistant executive officer and one other dedicated staff work on monitoring this project.

Control: Monitoring Workload

The Board will continue to monitor workload and require staff to work overtime to keep up with the workload and maintain an acceptable level of progress in the project and overall customer service. The Board has received one approved position with limited term funding to backfill the position that was redirected to this project. This position ensures the Board has adequate resources dedicated to this project and to the Board's enforcement workload. The Board will continue to seek funding for the approved position for the duration of the project. The Board will be working on backfilling a position that will become vacant upon commencement of Stages 3 and 4 of the PAL process.

Risk: Insufficient Auditing and Reporting Resources

The Board is 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.

Currently, the Board is utilizing significant overtime to address business operations, but it is still unable to meet all its mission critical workload demands. Some of the mission critical workload that the Board is unable to meet due to significant understaffing includes the following:

- **Continuing Education Audits** - The Board is unable to meet its consumer protection mandate to ensure licensee continued competency through conducting random CE audits on an annual basis. Due to staffing and resource limitations, the Board has not consistently conducted CE audits of its licensees. In the last eight years, the Board has only been able to complete two CE audits of its licensees, the last of which was conducted in 2018.
- **Data Reporting and Analysis** - The Board's inadequate staffing and resource limitations inhibit the Board's ability to produce reports and/or data required by legislation, the Legislature, DCA, and other entities, to support decision making, performance evaluation, and transparency to the public. This includes difficulties providing timely and/or complete reports to stakeholders including the Legislature, the Business, Consumer Services and Housing Agency, and the DCA.

Control: Increase Staffing to Meet Auditing and Data Reporting Needs

The Board will request a BCP, as its fund condition permits, for additional permanent staff to address the CE audit and data reporting workload required of the Board. This BCP will include identifying CE audit and data reporting workload required throughout the fiscal year as well as monitoring new legislative proposals that could increase reporting workload and require additional staff resources.

Control: Monitor Auditing and Data Reporting Workload

The Board will monitor auditing and data reporting workload to ensure that any additional resources obtained towards this function are not diverted to other Board operations.

Control: Research Feasibility of Automating Continuing Education Audits

The Board will research the feasibility of automating the continuing education audit process through the Business Modernization Process, including researching ways to electronically collect and monitor completion of continuing education hours by its licensees.

CONCLUSION

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board strives to reduce the risks inherent in our work and accepts the responsibility to continuously improve by addressing newly recognized risks and revising risk mitigation strategies as appropriate. I certify our internal control and monitoring systems are adequate to identify and address current and potential risks facing the organization.

Paul Sanchez, Executive Officer

CC: California Legislature [Senate (2), Assembly (1)]
California State Auditor
California State Library
California State Controller
Director of California Department of Finance
Secretary of California Government Operations Agency