



**Washington State
Board of Hearing and Speech
Meeting Minutes**

August 1, 2014

Board Members Present

James Deal, Chair; David Oplinger, Vice-Chair; Rick Giles; Courtenay Hendricks, Public Member; Hal Hunsaker; Cary Larson; Ann Plotnick; Henry Ou, MD; Alison Vega; Gail Rothwell

Board Members Absent

Trice Konschuh, Public Member

Staff Present

Janette Benham, Program Manager; Sandie Pearson, Program Representative; Trina Castle, Executive Director; Jack Bucknell, Assistant Attorney General (AAG); Karl Hoehn, Staff Attorney; Danielle Welliever, Policy Analyst

Others Present

Ron Anderson
Peter Gudmundssen
Melissa Johnson
Sandy Hubbard
Diane Fox
Anne Riley
Paul Sass
Tammy Clark
Lisa Thatcher
Tom Putaansuu

Brenda Halton
Susan Porter
Sheryl Arends
Lynn Byrne
Jim Crabbe, State Board for Community &
Technical Colleges
Kendra Hodgson, State Board for Community &
Technical Colleges
Glen Cosby, Spokane Falls Community College
Summer Kenesson, Bates Technical College

On August 1, 2014, the Board of Hearing and Speech met in Kent at the Department of Health, Creekside Two at CenterPoint, 20425 72nd Ave S., Suite 310, Kent, WA 98032. In accordance with the Open Public Meetings Act, the meeting agenda was emailed to the Hearing and Speech listserv and posted on the Hearing and Speech website.

OPEN SESSION – 9:00 a.m.

1. CALL TO ORDER – James Deal, Chair

9:00 a.m.

Mr. Deal called the meeting to order at 9:00 a.m.

1.1 Introductions

Board members, staff, and audience members introduced themselves. James Deal welcomed new board members Hal Hunsaker, SLP, Alison Vega, Audiologist, and Henry Ou, MD to the board.

1.2 Approval of the agenda

The agenda was approved as presented.

1.3 Approval of the May 2, 2014 Meeting Minutes

The May 2, 2014 meeting minutes were approved as presented.

2. PROGRAM MANAGER REPORT – Janette Benham, Program Manager

2.1 Licensing Statistics

Ms. Benham provided updated licensing statistics. The handout included licensing statistics for August 2013, May 2014, and August 2014. Statistics for August 2014 are as follows:

	Hearing Aid Specialist	Audiologist	SLP	SLPA (Certification)
Active Licenses	297	401	2276	205
Inactive License	41	37	32	0
Expired License	917	206	974	71
Revoked License	22	0	1	0
Suspended License	15	2	0	0

2.2 New board member orientation information and tentative orientation dates

Ms. Benham welcomed Mr. Hunsaker, Ms. Vega, and Dr. Ou to the board. The next New Board Member Orientation is scheduled for October 17, 2014 in Tumwater. The orientations are held quarterly and all board members are welcome to attend. Topics discussed at the orientation include the Open Public Meetings Act, rules, ethics, credentialing, case management, and discipline. Ms. Benham asked members to email her if they were interested in attending the October 17 orientation.

2.3 Discussion of 2015 board meeting locations

The board discussed meeting locations for meetings scheduled in 2015. Members discussed holding at least one of the meetings in Eastern or Central Washington. Rick Giles suggested the meeting be held at Spokane Falls Community College in Spokane. Ms. Rothwell suggested Central Washington University located in Ellensburg as it is centrally located between Eastern and Western Washington. Mr. Giles made a motion, and Ms. Plotnick seconded the motion, to hold the May 1, 2015 meeting in Spokane at Spokane Falls Community College. The board approved the motion. Updated meeting information will be posted to the Hearing and Speech webpage.

3. EXECUTIVE DIRECTOR REPORT – Trina Castle, Executive Director

3.1 Current Budget Report – Ms. Castle provided an updated report on the Hearing and Speech Program budget through June of 2014. She reported that the program’s overall budget was looking good with revenue continuing to exceed expenditures.

- 3.2 Licensing fees update** - The department is looking at possible fee reductions. Proposed fee reductions are as follows:

Fee Description	Current Fee	Proposed Fee
Audiologist Application / Licensure Fee	\$305.00	\$185.00
Audiologist Renewal Fee	\$110.00	\$65.00
Hearing Aid Specialist Application / Licensure Fee	\$305.00	\$185.00
Hearing Aid Specialist Renewal Fee	\$110.00	\$65.00
Speech Language Pathologist Application / License Fee	\$321.00*	\$185.00
Speech Language Pathologist Renewal Fee	\$126.00*	\$65.00
Speech Language Pathology Assistant Credential Application Fee	\$125.00	\$75.00
Speech Language Pathology Assistant Renewal Fee	\$70.00	\$40.00

*Includes a \$16 surcharge for the University of Washington HEAL-WA website.

Mr. Giles asked if the proposed fee reductions would be permanent. Ms. Castle explained that the fees need to be able to support the program. The department builds in a 10% contingency when determining fees and planning biennium budgets. If a profession has a lot of discipline cases that negatively affect the budget, for example, fees could be increased.

Program staff will provide an update regarding the proposed fee reductions at the next meeting.

- 4. REPORT ON SPRING LEADERSHIP FORUM** – James Deal provided information regarding the Spring Leadership Forum he attended on June 13, 2014. Mr. Deal reported that the Spring Leadership Forum was held in Tumwater. The forum included a presentation on telemedicine. Telemedicine is expanding as a result of technology. Currently 17 states have laws regulating telemedicine and 20 states have legislation pending. Other topics discussed at the forum included medical and recreational marijuana regulation, e-cigarettes, emergency care, and alternative to discipline legislation. Mr. Deal had a chance to provide an overview of the board’s recent activities and accomplishments.

5. ENGROSSED SUBSTITUTE HOUSE BILL (EHB) 2108 COMMITTEE MEETING REPORT AND DISCUSSION

5.1 Practical Examination Review Committee

Members: Ann Plotnick, Rick Giles, David Oplinger, Courtenay Hendricks

The committee met on June 24, 2014 to discuss options for a practical examination that meet the requirements of EHB 2108. The committee reported on the discussions that took place during the meeting. The committee discussed the different options available to the board regarding the exam. One option is for the board to develop the exam. Another option is to use the existing IHS exam.

Jack Bucknell, AAG explained to committee members during the meeting how the confidentiality of the exam information relates to the Open Public Meetings Act. Committee members signed a non-disclosure agreement prior to reviewing the IHS exam at the June 24, 2014 committee meeting. Committee members did not discuss

contents of the exam. After reviewing the exam committee members agreed that the exam needed to be updated. Ms. Benham explained that IHS is in the process of updating their exam; unfortunately IHS doesn't have an estimated date that the updated exam will be available.

At the June 24, 2014 committee meeting Ms. Benham also explained that another possible option regarding the exam is to use one that is currently being used in another state, such as the exam that is offered in Oregon or Texas. Committee members asked to review the Oregon and Texas exams prior to making their final recommendation to the board.

The committee also discussed the cost of exams and who would proctor the exams. The current cost of the IHS exam is \$100. Ms. Benham explained that a contract would need to be in place with IHS, similar to the current contract for the written exam. In addition, the committee discussed options for proctoring the exam. Exam locations were also discussed with school representatives in attendance.

The committee's recommendations to the full board included the following:

- Proctoring the exam – different individuals are available for proctoring the exam including board members, industry experts, and school instructors based on need and availability. Proctors need to be hearing aid specialists or audiologists with a minimum of five years of practice and have no outstanding complaints. Proctors that are hearing aid specialists also need to be national board certified or have an advanced certification.
- Exam locations – EHB 2108 requires the exam be administered at least four times per year. Exams should be administered at the schools.

A motion was made, seconded and the full board voted to accept the committee recommendations regarding proctoring the exam and the exam locations. Department staff will work with the school representatives on a contract for holding and administering the practical exam.

The specific practical exam has not yet been identified by the committee. The committee did not make a recommendation to the board regarding their selection of a practical examination. Ms. Benham explained that at the request of the committee, she has contacted both Oregon and Texas about reviewing their exam. Oregon is working with their legal staff on developing a non-disclosure statement prior to releasing the exam. The Texas legal department is reviewing the committee's request to determine whether the exam can be released to the committee for review. The committee is hoping it will be allowed to review the Oregon and Texas exams. Once the committee has completed reviewing the exams, they will provide recommendations to the board.

5.2 Nine-Month Certificate Program Review Committee

Members: Ann Plotnick, Rick Giles, David Oplinger, Courtenay Hendricks

The committee met on June 24, 2014 to discuss options for a nine-month certificate program that meet the requirements of EHB 2108. The committee reported on the discussions that took place during the meeting. The committee discussed school

programs from Spokane Falls Community College and Bates Technical College as well as other hearing aid specialist programs, such as the IHS Distance Learning Course. The committee considered whether it was necessary to require individuals to have specific two-year or four-year degrees to enroll in the nine-month certification programs. The committee agreed that any two-year or four-year degree from an accredited institution would be acceptable since the general education requirements would have been met. The committee also discussed the IHS course as an example of another hearing aid specialist program available. After discussion, the committee agreed that the IHS course does not meet the requirements of a nine-month certification program. The IHS curriculum the committee used as an example had previously been given to the board for review as a nine-month certificate program. The IHS curriculum is set up as a six-month program. The committee agreed that if IHS applied for board approval of the Distance Learning Course, the curriculum may have to be expanded to qualify as a nine-month certification program.

The committee recommended the board allow individuals with any two-year or four-year degree, from an accredited institution, be considered for enrollment into a nine-month certification program. The committee also recommended the board develop a process and forms for schools and other hearing aid specialist programs use to apply for board approval of their nine-month certification programs. In addition, the committee suggested that these recommendations and the definitions of hearing aid specialist programs be incorporated in rulemaking.

A motion was made, seconded and the board voted to accept the committee recommendations regarding the educational requirements for enrollment into a nine-month certification program.

5.3 Engrossed House Bill 2108 Report Committee

Board members: Trice Kenschuh, Cary Larson, Gail Rothwell, Rick Giles, Alison Vega

Community and Technical College members: Glen Cosby, Summer Kenesson, Jim Crabbe, Kendra Hodgson

Department of Health members: Janette Benham, Trina Castle, Andy Fernando, Danielle Welliever, Karl Hoehn, Diane Young

The committee met on June 24, 2014 and on July 1, 2014 to discuss the objectives of the report required by EHB 2108. The committee considered and discussed all of the report requirements, including:

- The opportunity to provide a work-based learning permit for applicants that either have a two-year or four-year degree in a field of study approved by the board from an accredited institution of higher education, or are currently enrolled in a two-year or four-year degree program in a field of study approved by the board in an accredited institution of higher education with no more than one full-time academic year remaining in his or her course of study;

- The criteria for providing a designation of a board-approved licensed hearing aid specialist or board-approved licensed audiologist to act as the applicant’s supervisor;
- The recommended duration of an interim work-based learning permit or apprenticeship;
- Recommendations for a work-based learning permit or apprenticeship and opportunities to offer a program through a partnership with a private business and/or through a partnership with accredited institutions of higher education and a sponsoring private business;
- Recommendations for the learning pathways or academic components that should be required in any work-based learning program, including the specific training elements that must be completed, including, but not limited to, audiometric testing, counseling regarding hearing examinations, hearing instrument selection, ear mold impressions, hearing instrument fitting and follow-up care, and business practices including, ethics, regulations, and sanitation and infection control; and
- Recommendations for the direct supervision of a work-based learning permit or apprenticeship, including the number of persons a hearing aid specialist or audiologist may supervise, and other considerations.

Ms. Benham presented the draft version of the report to the full board. Board members reviewed, discussed, and made minor changes to the draft report. Ms. Larson made a motion to accept the draft report with the requested changes. Ms. Rothwell seconded the motion. The board voted to accept the draft report with the requested changes.

The draft report will be sent to the Director, then to the Secretary’s office for review. The final version of the report is due to the legislature by December 1, 2014.

6. RULEMAKING DISCUSSION AND WORKSHOP TO IMPLEMENT PROVISIONS OF EHB 2108

The board discussed rulemaking to implement provisions of EHB 2108. The board moved, seconded, and voted in favor of referring rulemaking to the Rules Committee to draft rule language. The committee will set meeting dates for rulemaking discussions and will share those dates with the board during Item 12 – Committee Reports.

- ## **7. PRESENTATION – WASHINGTON HEALTH PROFESSIONAL SERVICES –** John Furman, Washington Health Professional Services (WHPS) Executive Director, presented information on the Department of Health’s chemically impaired professional services program. The program provides service to approximately 78 professions. Most participants are referred to the program because of a complaint. Others are referred when there is a “hit” on their criminal background check. The program is confidential and includes a diagnostic assessment, treatment, support/self-help groups, and drug screen testing. If participants are unable to attend in-person peer support group meetings, the program has contracted with an on-line peer support

group. Random drug testing (12 to 18 times per year) is a requirement of the program. Program participants enter an abstinence-based contract for one to five years. Participants are responsible to pay for their enrollment in the program, including the random drug tests, and peer support group. There are three case managers with an average caseload of 170.

8. **SURETY BOND DISCUSSION** – The board discussed all provisions of the surety bond requirement for audiologists and hearing aid specialists. Ms. Benham provided a brief background of the bond requirement, including the different groups of licensees who have requested exemption. Examples of groups who have requested exemptions include federal employees, school employees, educators, unemployed licensees, and licensees living out of state. Ms. Benham also reminded the board of their discussion from the May 2, 2014 meeting. The board acknowledged that legislation would be required to exempt any licensee from the bond requirement. Board members discussed other types of coverage, including malpractice insurance, and the Federal Torte Claims Act (FTCA), and how both relate to RCW 18.35.240 and RCW 18.35.250. RCW 18.35.250 references "other legal remedies" that are available to patients, which include malpractice insurance and the FTCA as examples. The board continued its discussion regarding whether to request legislation to remove the bond requirement. The board determined that since the board's mandate is to protect the public, removing the bond requirement may be considered removing a mechanism that may be used to protect the public. The board determined it does not want to move forward with requesting legislation to remove the bond requirement or to exempt certain groups of licensees. Ms. Rothwell asked about ways to educate hearing aid specialists and audiologists about the bond requirement and how to obtain a bond. Ms. Benham shared that information regarding the bond requirement could be added to the FAQ's on the Hearing and Speech website and notice sent to out on listserv.
9. **ASSISTANT ATTORNEY GENERAL REPORT – Jack Bucknell, AAG** – Jack Bucknell, AAG, provided an update on research he has conducted since the last meeting.
 - 9.1 Mr. Bucknell gave a 25 minute presentation and training on the Open Public Meetings Act (OPMA). The OPMA is designed to promote government transparency and accountability. The law applies to any multimember board, commission, council, committee, subcommittee, or other policy or rule-making body of a public agency. Mr. Bucknell explained how email conversations could be considered a meeting, and suggested board members avoid clicking on "reply all" when responding to emails regarding board business. He also explained that private meetings in small groups to discuss board issues are not allowed under the OPMA.
 - 9.2 Mr. Bucknell discussed ways for board members to communicate with the department regarding board business. He shared that the department will begin issuing members Citrix licensing. Citrix is a secure web-based application board members will be able to log into. Mr. Bucknell recommends that board members conduct all board related work using Citrix once it is issued.

10. **COMMITTEE ASSIGNMENTS** – Board members discussed committee composition for the August 1, 2014 – July 31, 2015 period. Committee assignments are as follows:

Rules Committee	Education/Exam Committee	Disciplinary Committee	Public Relations Committee
Gail Rothwell, SLP, Chair	Cary Larson, SLPA, Chair	David Oplinger, AuD	Jim Deal, Public Member, Chair
Trice Kenschuh, Public Member	Rick Giles, Hearing Aid Specialist	Jim Deal, Public Member	Courtenay Hendricks, Public Member
Ann Plotnick, Hearing Aid Specialist	David Oplinger, AuD	Gail Rothwell, SLP	Alison Vega, AuD
Rick Giles, Hearing Aid Specialist	Courtenay Hendricks, Public Member	Ann Plotnick, Hearing Aid Specialist	Henry Ou, MD
Cary Larson, SLPA	Hal Hunsaker, SLP		Hal Hunsaker, SLP
Alison Vega, AuD	Henry Ou, MD		

11. **COMMITTEE WORK**

11.1 Rules Committee

Members: Gail Rothwell, SLP, Chair; Cary Larson, SLPA; Trice Kenschuh, Public Member; Ann Plotnick, Hearing Aid Specialist; Rick Giles, Hearing Aid Specialist ; Alison Vega, Audiologist

- The committee discussed and set dates for rules workshops as referenced in Item 6.
- Committee members reviewed and discussed drafting rules to add continuing education requirements for speech-language pathology assistants.
- Committee members reviewed and discussed drafting rules to update examination scoring standards for the national audiology examination.

11.2 Education/Exam Committee

Members: Cary Larson, SLPA, Chair; Rick Giles, Hearing Aid Specialist; David Oplinger, Audiologist; Courtenay Hendricks, Public Member; Hal Hunsaker, SLP; Henry Ou, MD

- There were no additional agenda items referred for committee review.
- Committee members discussed developing a jurisprudence exam as a requirement of licensure for the hearing and speech professions.
- Committee members reviewed the curriculum for the University of Colorado’s Bachelor of Arts degree in Speech, Language, and Hearing Sciences and discussed approval of the program for the speech-language pathology assistant profession.
- Committee members reviewed the curriculum for Arizona State University’s Bachelor of Science degree in Speech and Hearing Sciences and discussed approval of the program for the speech-language pathology assistant profession.

11.3 Disciplinary Committee

Members: David Oplinger, Audiologist; Jim Deal, Public Member; Gail Rothwell, SLP; Ann Plotnick, Hearing Aid Specialist

- The committee did not have any new cases to review and did not meet at this time.

11.4 Public Relations Committee

Members: Jim Deal, Chair; Courtenay Hendricks, Public Member; Henry Ou, MD; Hal Hunsaker, SLP; Alison Vega, Audiologist

- There were no additional agenda items referred for committee review.
- The committee reviewed the lists and labels request from the Washington State Academy of Audiology
- The committee reviewed the lists and labels request from Social Thinking
- The committee reviewed the lists and labels request from AbleNet, Inc
- The committee reviewed the lists and labels request from Veeva Systems

11.5 Practical Examination Review Committee

Members: Ann Plotnick, Hearing Aid Specialist; Rick Giles, Hearing Aid Specialist; David Oplinger, Audiologist; Courtenay Hendricks, Public Member

- There were no examinations presented for the committee to review. The committee did not meet at this time.

- 12. COMMITTEE REPORTS** – Committee members reported their discussions and presented recommendations for board action.

Rules Committee

- The committee reported that they discussed the need to draft rules regarding continuing education for SLPAs and continuing education in cultural competency. The committee discussed drafting rules to update examination scoring standards for the national audiology examination. The committee also discussed the need to draft rules to meet the requirements of EHB 2108. Committee members recommended that rules workshops be held outside of regular board meetings to allow attendees to focus on drafting the rules. The committee proposed the following dates for conducting rules workshops:
 - September 12, 2014
 - September 29, 2014
 - October 6, 2014
 - October 13, 2014

Rules workshops are proposed to be from 9:00 a.m. to 12:00 p.m. The board voted in favor of accepting the recommendations of the committee and the proposed dates and times for the rules workshops. Staff will locate meeting rooms for the rules workshops. Updated information regarding the workshops will be sent to listserv.

Education/Exam Committee

- Committee members recommended developing a jurisprudence exam as a requirement of licensure for hearing and speech professions. The board voted in favor of developing a jurisprudence exam as a requirement of licensure. The committee will begin working on the exam at the November meeting.
- Committee members reviewed and discussed the curriculum for the University of Colorado's Bachelor of Arts degree program in Speech, Language, and Hearing for the speech-language pathology assistant profession. The committee recommended

approval of the program. The board approved the program for speech-language pathology assistant certification.

- Committee members reviewed and discussed the curriculum for Arizona State University's Bachelor of Science degree program in Speech and Hearing Science for the speech-language pathology assistant profession. The committee recommended approval of the program. The board approved the program for speech-language pathology assistant certification.

Disciplinary Committee

- The committee did not have any new cases to review and did not meet at this time.

Public Relations Committee

- The committee reviewed, discussed and recommended the board approve a lists and labels request from the Washington State Academy of Audiology. The board voted to approve the lists and labels request for Washington State Academy of Audiology.
- The committee reviewed, discussed and recommended the board approve a lists and labels request from Social Thinking. The board voted to approve the lists and labels request for Social Thinking.
- The committee reviewed, discussed and recommended the board deny a lists and labels request from AbleNet, Inc. After review and discussion, the board voted to deny the lists and labels request from AbleNet because it does not represent a "professional association" or an "educational organization."
- The committee reviewed, discussed and recommended the board deny a lists and labels request from Veeva Systems. After review and discussion, the board voted to deny the lists and labels request from Veeva Systems because it does not represent a "professional association."

13. AGENDA ITEMS FOR FUTURE MEETINGS

The board discussed adding the following items to future meeting agendas:

- Final Draft of the Engrossed House Bill 2108 Report
- Rules Committee update and implementation of EHB 2108
- Update on practical exam and nine-month certification program
- Jurisprudence Exam Development

14. PUBLIC COMMENT PERIOD

Paul Sass, Costco, thanked the board for their work to meet the requirements of EHB 2108.

15. ADDITIONAL ITEMS

There were no additional items to present to the board at this time.

16. CONSENT AGENDA

16.1 A copy of the current issue of "The Sentinel News for DOH Employees" was provided in board member packets for review.

CLOSED SESSION – 1:42 p.m.

17. APPLICATION REVIEW – The board reviewed three applications for licensure and directed staff to respond on the board's behalf.

- 18. CONTINUING EDUCATION AUDIT REVIEWS** - The board reviewed five continuing education audits and directed staff to respond on the board's behalf.

OPEN SESSION – 2:57 p.m.

- 19. ADJOURNMENT – 2:59 p.m.**

Prepared By: Janette Benham, Program Manager

Date

Approved By: James Deal, Chair

Date