



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

November 21, 2014

Board Members Present

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

Staff Present

Janette Benham, Program Manager; Sandie Pearson, Program Representative; Trina Castle, Executive Director; Heather Carter, Assistant Attorney General (AAG); Deborah Johnson, Policy Analyst

Others Present

Jeff Moore	Tammy Miller, Costco
Tom Putaansuu	Gary Buch
Brenda Haltom	Susan Porter
Nathan Keding	Kendra Hodgson, State Board for Community & Technical Colleges
Tana Johnson	
Paul Sass, Costco	

On November 21, 2014, the Board of Hearing and Speech met in Tumwater at the Department of Health, Town Center Two, 111 Israel Road SE, Room 158, Tumwater, WA 98501. 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.
 - 1.2 Approval of the second amended agenda**
The second amended agenda was approved as presented.
 - 1.3 Approval of the August 1, 2014 Meeting Minutes**
The minutes were corrected to reflect that Gail Rothwell attended the meeting. The August 1, 2014 meeting minutes were approved as corrected.

2. PROGRAM MANAGER REPORT – Janette Benham, Program Manager

2.1 Licensing Statistics

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

	Hearing Aid Specialist	Audiologist	SLP	SLPA (Certification)
Active Licenses	308	403	2364	204
Inactive License	44	40	27	0
Expired License	921	217	1013	80
Revoked License	22	0	1	0
Suspended License	15	2	0	0

Erika Brown, Credentialing Manager shared the following numbers for pending licensure:

	Hearing Aid Specialist	Audiologist	SLP	SLPA (Certification)
Pending Licensure	12	8	98	21

Ms. Benham asked if the board would like to have the numbers for pending licensure added to the licensing statistics presented at each meeting. Board members voted in favor of including the numbers for pending licensure.

Mr. Giles asked if the revoked and suspended statistics could be broken down to determine if they were audiologists or hearing instrument specialists. The numbers include audiologists who were certified with hearing aid specialists prior to the implementation of the audiologist profession. Ms. Benham will work with department staff to determine if this information is available and will update the board at the next meeting.

3. EXECUTIVE DIRECTOR REPORT – Trina Castle, Executive Director

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

3.2 Budget planning for the 2015 – 2017 biennium – Ms. Castle shared with the board that the budget for the 2015 – 2017 biennium is in the planning stage. She asked what the board would like include in the next budget. The board discussed sending board representatives to various conferences such as the International Hearing Society meeting, the American Academy of Audiology meeting, and the American Speech-Language-Hearing Association meeting. Members also discussed holding board meetings in various locations in the state and the cost of travel associated with that. Board members asked that these items be considered when the 2015-2017 budget is set.

3.3 Performance measures and disciplinary statistics – Ms. Castle presented updated performance measures and disciplinary statistics to the board. In 2014 there were 15 complaints received. Two were opened for investigation. Ms. Castle also shared that charts and statistics can be thrown off due to the low number of investigations.

3.4 Secure web access accounts for board members – Heather Carter, AAG, reported back to the board about information provided to her by Jack Bucknell, AAG. The department is currently working on the infrastructure for a secured server that will be used for board-related business. Early summer is the anticipated timeframe to begin issuing board members Citrix licensing. Citrix is a secure web-based application board members will use to log into the secured DOH network. Board members will also be assigned a DOH email address to use when conducting board business. Board members will receive training once the system is in place.

4. DESIGNATION OF BOARD REPRESENTATION FOR LEGISLATIVE UPDATE MEETINGS (MEET-ME-CALLS) – The board discussed designating a representative and an alternate to participate in the weekly legislative update meetings during the 2015 legislative session. Ms. Benham explained that the purpose of the calls is to go over bills that are introduced during the legislative session. The calls are on Tuesday mornings and last approximately 30 minutes each. The board voted and designated Gail Rothwell as the representative, Rick Giles as the alternate, and Courtenay Hendricks as the second alternate. If Gail is not able to participate in the call she will notify alternates.

5. ALTERNATIVE TO DISCIPLINE – Marlee O’Neill, Supervising Staff Attorney, provided information to the board regarding draft alternative to discipline legislation for the 2015 session. The Medical Quality Assurance Commission (MQAC) proposed similar legislation during the 2014 session. Ms. O’Neill shared that the department is working on proposed legislation that would allow an alternate route to discipline. The alternative could be utilized for disciplinary cases with minimal risk, such as deficient CE hours reported. The alternative to discipline would be offered as an option instead of formal discipline. The legislation defines when the alternative can and can’t be used. The board voted in favor of supporting the alternative to discipline proposed legislation.

6. RULES DISCUSSION, WORKSHOP, AND UPDATES ON IMPLEMENTATION OF ENGROSSED HOUSE BILL (EHB) 2108

6.1 Rules Discussion and Workshop – The board reviewed and discussed rules drafted at the September 12, September 29, October 6, and October 12, 2014 rules workshop to implement EHB 2108, establish CE for SLPAs, update examination standards, and add multicultural education as an acceptable CE category. The board made minor changes to the draft rules.

6.1.1 Sexual Misconduct Rules – WAC 246-828-625 – The board considered updating the current rule to establish clearer standards of conduct for credential holders. Board members voted to refer to the rules committee for further discussion.

6.1.2 Temporary Practice Permits for Military Spouses – The board discussed creating a rule to comply with RCW 18.340.020 to establish temporary practice permits for military spouses. Board members voted to refer to the rules committee for further discussion.

6.1.3 Housekeeping changes and general updates – The board discussed and considered updating rules to correct outdated language and make general

housekeeping changes. The board voted in favor of withdrawing the current CR101 and filing a new CR-101 to implement EHB 2108, update sexual misconduct rules (WAC 246-828-625), draft language regarding Temporary Practice Permits for Military Spouses, and make general updates to the chapter. Draft rules will be reviewed again at the February 6, 2015 board meeting.

6.2 UPDATES ON IMPLEMENTATION OF EHB 2108 – Ms. Benham provided updates on the following for board discussion and action if needed.

6.2.1 Report to the legislature required by EHB 2108 – Ms. Benham shared that the legislative required report was with the Office of Financial Management for final review and is on track to be submitted by the December 1, 2014 due date. A link to the report will be posted on the Hearing and Speech webpage.

6.2.2 Practical Exam options (Texas, Oregon, International Hearing Society) – Ms. Benham shared that Texas sent their exam fully redacted. Texas could not release their exam questions under their public disclosure law. Ms. Benham also provided an update on the Oregon exam. Oregon’s public disclosure laws are being reviewed to determine if they can share their exam with us. The International Hearing Society (IHS) exam was reviewed by committee members at the June committee meeting. Committee members felt the IHS exam needed to be updated. IHS is working to update the current exam and has reported that the new exam may be ready sometime in 2015, however it is unlikely it will be ready prior to July 1, 2015. Board members discussed that at this time the IHS exam appears to be the only option available. A motion was made and the board voted in favor of using the IHS exam. Mr. Giles abstained from the vote.

6.2.3 Contracts for administration of practical exam – The board discussed administering the exam and contracts that may need to be in place. Ms. Benham will begin working with IHS on getting a contract in place for the practical exam. Contracts may also be needed for items such as exam room rental and payment to non-board members for proctoring the exam, etc. Ms. Benham will research whether these types of contracts are needed and report back to the board.

6.2.4 Practical Exam Proctoring – The Practical Exam Committee recommended the following:

- Exam proctors may include board members, industry experts, and school instructors based on need and availability. Board members who act as an exam proctor will receive board pay for proctoring. The amount to pay non-board members who proctor the exam still needs to be determined by the board.
- Exam proctors need to be board certified Hearing Aid Specialists or Audiologists with a minimum of five years practice and no outstanding complaints.
- Exams should be administered at the schools.

6.2.5 Exam fees – Ms. Benham shared that IHS currently charges \$100 per applicant for the practical exam. Costs to administer the practical exam may include staff time, exam rooms, insurance, board or contract pay, etc. Since the details of administering the practical exam still need to be determined, an accurate cost estimate is not available. One recommendation is to obtain two years’ worth of data before setting a fee for the practical exam. Another recommendation is to charge each applicant taking the practical exam \$100 until more data is available. After discussion, board members determined that the exam fee should be a minimum of \$250 and a maximum of \$500 because of the costs involved in administration.

Tammy Miller from Costco suggested that purchasing medical simulators to replace live patients during the exam may be a way to possibly lower exam costs. The medical simulators have “ears” that are interchangeable to simulate many different scenarios. Ms. Miller shared that Costco stores utilize the simulators in their Hearing Centers and volunteered to bring one of the medical simulators to the next board meeting for the board to see. Board members asked that Ms. Benham look into purchasing ear simulators instead of using live patients. The board asked Ms. Miller to bring the simulators to the February meeting if possible.

7. REQUEST FOR APPROVAL TO SUPERVISE SPEECH-LANGUAGE PATHOLGY INTERIM PERMIT HOLDERS – WAC 246-828-045 (1) (b)

7.1 Request from Kelli Koehnen for board approval to supervise an interim permit holder – The board reviewed, discussed, and approved the request from Kelli Koehnen to supervise an interim permit holder.

7.2 Request from Megan Hegney for board approval to supervise an interim permit holder – The board reviewed, discussed, and approved the request from Megan Hegney to supervise an interim permit holder.

8. BUSINESS PLAN – The board reviewed and discussed the Business Plan that outlines the goals and objectives of the board for 2015 – 2017. Ms. Rothwell suggested the Business Plan be brought back to the board when new members are appointed to the board. Ms. Benham shared that the Business Plan is a living document and the board can update it at any time. A consensus of the board requested the it be reviewed annually.

9. COMMITTEE WORK

9.1 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

- Committee members discussed drafting rule language to update the rules regarding sexual misconduct (WAC 246-828-625).
- Committee members discussed drafting rules for temporary practice permits for military spouses.

9.2 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

- Committee members began developing a jurisprudence exam as a requirement of licensure for hearing and speech professions.
- Committee members reviewed the curriculum of the University of Texas Bachelor of Arts degree in Communication Studies and discussed approval of the program for the speech-language pathology assistant profession.

9.3 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.

9.4 Public Relations Committee

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

The committee reviewed the following Lists and Labels requests

- 9.4.1** Lists and Labels request from Gentiva Health Services
- 9.4.2** Lists and Labels request from Infinity Rehab
- 9.4.3** Lists and Labels request from Education Resources
- 9.4.4** Lists and Labels request from Health Market Science, Inc

9.5 Practical Examination Review Committee

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

- The committee did not have any new information regarding the practical examination to review and did not meet at this time.

10. COMMITTEE REPORTS – Committee members reported on their discussions and presented recommendations for board action.

Rules Committee

- The committee reported that they reviewed, discussed, and recommended approval of updating the sexual misconduct rule (WAC 246-828-625).
- The committee reported that they discussed and recommended approval of drafting rule language for Temporary Practice Permits for Military Spouses to comply with RCW 18.340.020.

The board voted in favor of accepting the recommendations of the committee. Updated information regarding the rules will be sent to listserv subscribers.

Education/Exam Committee

- Committee members reported they began developing a jurisprudence exam by reviewing sample questions provided by staff. The committee recommended the jurisprudence exam consist of fifteen general questions and five profession-specific questions. Committee members also recommended staff continue to develop additional

sample questions for the committee to review at the February 2015 meeting. The board voted in favor of the committee's recommendations. Staff will continue working on sample questions for committee review.

- Committee members reviewed and discussed the curriculum for the University of Texas Bachelor of Arts degree in Communication Studies 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 Gentiva Health Services. The board voted to approve the lists and labels request from Gentiva Health Services.
- The committee reviewed, discussed, and recommended the board approve a lists and labels request from Infinity Rehab. The board voted to approve the lists and labels request from Infinity Rehab.
- The committee reviewed, discussed, and recommended the board approve a lists and labels request from Education Resources, Inc. The board voted to approve the lists and labels request from Education Resources, Inc.
- The committee reviewed, discussed and recommended the board deny a lists and labels request from Health Market Science, Inc. After review and discussion, the board voted to deny the lists and labels request from Health Market Science, Inc. because they do not meet the definition of a professional or educational organization.
- The committee requested that an agenda item regarding public service announcements be added to the February 2015 meeting agenda.

Practical Examination Review Committee

- The committee did not have any new information regarding the practical examination to review and did not meet at this time.

11. AGENDA ITEMS FOR FUTURE MEETINGS

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

- Rules revisions
- Updated statistics with historical data
- Jurisprudence Exam questions
- Public Service Announcements
- Update on rules hearing in May
- Overview of types of disciplinary orders

12. PUBLIC COMMENT PERIOD

Members of the public thanked the board for their work regarding EHB 2108.

13. ADDITIONAL ITEMS

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

14. CONSENT AGENDA

- 14.1 A copy of the current issue of “The Sentinel News for DOH Employees” was provided in board member packets for review.
- 14.2 A copy of a letter from International Hearing Society regarding an editorial that appeared in the Des Moines Register.

CLOSED SESSION – 1:54 p.m.

- 15. **APPLICATION REVIEW** – The board reviewed two applications for licensure and directed staff to respond on the board’s behalf.

OPEN SESSION – 2:10 p.m.

- 16. **ADJOURNMENT – 2:10 p.m.**

Prepared By: Janette Benham, Program Manager

Date

Approved By: James Deal, Chair

Date