

STATE BOARD OF EXAMINERS FOR SPEECH- LANGUAGE PATHOLOGY AND AUDIOLOGY

POLICY AND MANAGEMENT RESPONSIBILITIES

PURPOSE: The purpose of this document is to develop and implement policies that clearly define the respective responsibilities of the State Board of Examiners for Speech Language Pathology and Audiology (Board) and of the staff of the Department of State Health Services (DSHS).

REFERENCE: Texas Occupations Code, §401.152

RESPONSIBILITIES OF THE BOARD:

1. Ensure that an effective regulatory program for speech-language pathology and audiology is carried out using the facilities and staff of the DSHS. The program's primary purpose is to protect and promote the health, safety, and welfare of the citizens of Texas.
2. Be responsible to the public for the overall conduct of Board activities and exercise its responsibility to interpret its programs and policies to the public and defend its actions.
3. Establish policy to guide the routine operations of the regulatory program and to assist staff in efficiently carrying out the Board's objectives. The Board shall also provide specialized or technical information and advice specific to the fields of speech-language pathology and audiology to assist staff in efficiently carrying out the Board's objectives.
4. Adopt rules necessary to administer and enforce the Licensed Speech-Language Pathology and Audiology Act (the Act; Texas Occupations Code, Chapter 401), including rules that establish standards of ethical practice, guidelines for complaint investigations, and procedures for imposing disciplinary action.
5. Become familiar with the federal and state constitutional provisions, statutes, and regulations directly affecting the Board's program. The Board shall seek advice and recommendations from its general counsel as appropriate.
6. Provide services and make decisions in the discharge of its statutory authority without discrimination based on any person's race, creed, sex, religion, national origin, age, physical condition, or economic status.
7. Impose appropriate disciplinary action authorized by law, up to and including license revocation, against a licensee who is found to have violated the Act or the Board's rules issued under the Act.
8. Assume responsibility, as appropriate, for implementing legislative amendments to further the existing regulatory program or to provide for new or additional speech-language pathology and audiology regulations for the benefit of Texas citizens.

9. Hold at least two regular meetings each year as provided by the Texas Occupations Code, §401.108, and shall elect an assistant presiding officer annually, as required by the Act. Meetings shall be announced and conducted under the provisions of Texas law relating to open meetings.

10. Make all official decisions according to parliamentary procedure as set forth in Robert's Rules of Order, Revised. If a question arises concerning the interpretation of Robert's Rules of Order, Revised, the presiding officer shall make the decision in the matter.

11. With the assistance of department staff, ensure that records and minutes necessary to the orderly administration of the Act and in accordance with applicable law. The Board's records are public documents in the custody of the DSHS subject to the provisions of Texas law relating to open records.

12. With the assistance of its staff, shall coordinate and oversee the administration of the provisions of the Act.

B. RESPONSIBILITIES OF INDIVIDUAL BOARD MEMBERS:

13. Act in a fair, nonpartisan, nondiscriminatory, and unbiased manner in his or her role of protecting the public. The basis or foundation of all Board member decisions shall be in the interest of public protection.

14. Conduct him or herself in a manner that respects the integrity of the Board, its processes, and all participants, including Board members, staff, licensees, and the public.

15. Not participate in Board decisions in which he or she will realize direct or indirect financial benefit. Board members shall not participate in Board decisions in which their bias compromises their objectivity or where an appearance of bias jeopardizes the credibility of the Board's decision in the matter.

16. Not speak or act for the Board without proper authorization from the Board.

17. Not be involved in the day-to-day administration of the regulatory program unless requested by staff or unless authorized by statute or rule.

18. Understand the Board's purpose and have conviction as to the importance of the program.

19. Have the capacity to view the Board and the program objectively in relation to changing needs and to be receptive to changes necessary to meet those needs.

20. Understand the Board's policy on the difference in function between the Board and the staff and work in genuine accord with the policy.

21. Keep informed of developments in the field as appropriate to the work of the Board.

22. Attend and actively participate in Board meetings, committee meetings, and Board training programs, carrying out Board assignments promptly.

23. Become acquainted with the program operation and the staff and provide constructive feedback regarding the program operation and staff through appropriate channels.

C. RESPONSIBILITIES OF THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS):

24. Provide suitable office space, equipment, technology, infrastructure, and supplies that are appropriate and adequate to meet the program's needs and objectives, allow for efficient operation of the program, meet safety standards, and maintain permanent records.

25. Provide administrative and human resources, communications and technology, investigative, clerical, financial, and legal services, structure, and support necessary to achieve the stated objectives of the regulatory program and operate an effective regulatory program.

26. Exercise general supervision over individuals employed in the administration of the Act.

27. Serve as the custodian of the records and files of the Board.

RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR:

28. Carry out all duties assigned in the Act and the Board's rules, and coordinate and execute the operations of the regulatory program.

29. Act in a fair, nonpartisan, nondiscriminatory, and unbiased manner in his/her role operating the regulatory program.

30. Attend all meetings of the Board as a non-voting participant.

31. Prepare and submit to each Board member, prior to each meeting, an agenda which includes items requested by members, items required by law, unfinished business, and other matters of Board business which have been approved for discussion by the presiding officer.

32. Forward drafts of the minutes and reports of each Board and committee meeting to each member for review and comments or corrections prior to Board and committee meetings.

33. Coordinate and implement the complaint review and investigation with appropriate department staff and present complaints to the Complaints Committee for review.

34. Delegate duties but shall not relinquish responsibility for outcomes.

E. RESPONSIBILITIES OF BOARD STAFF:

35. Conduct him or herself in a manner that respects the integrity of the Board, its processes, and all participants, including Board members, staff, licensees, and the public.

36. Be responsible to the Board, DSHS, and the public for the overall administration of the regulatory program's activities and shall exercise its responsibility to explain the Board's programs and policies to the public.

37. Enforce or carry out the Board's rules necessary to administer the Licensed Speech-Language Pathology and Audiology Act (the Act; Texas Occupations Code, Chapter 401), including rules that establish standards of ethical practice, guidelines for complaint investigations, and procedures for imposing disciplinary action.
38. Be knowledgeable of federal and state constitutional provisions, statutes, and regulations directly affecting the program's operation and shall seek advice and recommendations from the Board's general counsel as appropriate.
39. Provide services without discrimination based on any person's race, creed, sex, religion, national origin, age, physical condition, or economic status.
40. Act in a fair, nonpartisan, nondiscriminatory, and unbiased manner in his or her role in operating the regulatory program.
41. Not speak or act for the Board without proper authorization from the Board.
42. Handle all correspondence for the Board and obtain, assemble, or prepare reports and information that the Board may modify or authorize.
43. Research, prepare, and recommend to the Board rules, policies, plans, and procedures necessary to implement the purposes and objectives of the Act.
44. Assemble, review, approve, and maintain materials submitted by applicants for licensure. In some cases, Board staff shall request a review by a Board's designee and the designee will make the final decision regarding eligibility of those applicants and report the decision to the Board at its next meeting.
45. Prepare and maintain minutes of the Board's proceedings and distribute them to staff and Board members.
46. Prepare and provide information to the public regarding the speech-language pathology and audiology regulatory program.
47. Understand the Board's policy on the difference in function between the Board and the staff and work in genuine accord with the policy.

STATE BOARD OF EXAMINERS FOR SPEECH- LANGUAGE PATHOLOGY AND AUDIOLOGY

PROGRAM ACCESSIBILITY

PURPOSE:

The purpose of this document is to prepare and maintain a written plan that describes how a person who does not speak English may be provided reasonable access to the Board's programs.

REFERENCE:

Texas Occupations Code, §401.254(b)

Programs and services of the State Board of Examiners for Speech-Language Pathology and Audiology shall be in the English language. An individual may access the Board's programs and services, including Board meetings, in a language other than English if the individual provides an interpreter or translator at the individual's expense.

An individual wishing to access programs or services in a language other than English may contact the Board's executive director for general information and assistance.

STATE BOARD OF EXAMINERS FOR SPEECH- LANGUAGE PATHOLOGY AND AUDIOLOGY

PUBLIC PARTICIPATION IN BOARD MEETINGS

PURPOSE:

The purpose of this document is to develop and implement policies that provide the public with a reasonable opportunity to appear before the Board and to speak on any issue under the Board's jurisdiction.

REFERENCE:

Texas Occupations Code, §401.254(a)

The agenda for each Board meeting shall include an item entitled "Public Comment."

An individual who wishes to speak on an issue that falls under the Board's jurisdiction must provide the Board's presiding officer or Board's administrative staff with his or her name, address, and the name of the organization he or she represents, if applicable, at the start of the meeting.

At the beginning of each meeting, the presiding officer or committee chair shall establish and announce any limitations on speakers, including time limits and when speakers will be allowed to speak. The limitations, if any, may vary from meeting to meeting.