

**STATE BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
BOARD MINUTES**

Friday, November 2, 2001, 2:00 p.m.
Omni Hotel Downtown Austin
700 San Jacinto Blvd., The Cellar
Austin, Texas 78701
(512) 834-6627

The following members were present on Friday, November 2, 2001, for the Board meeting:

Bertha Moore Campbell, M.A.	Matthew H. Lyon, M.A.
Deborah L. Carlson, Ph.D.	Lee Reeves, D.V.M.
Judith A. Chambers, M.Ed.	Cheryl L. Sancibrian, M.S.

The following members were not present:

Elsa Cardenas-Hagan, M.A.	R. Eric Reynolds, Au.D.
Harvey Komet, M.D.	

The following Department staff was in attendance:

Lanell Brown	Debbie Peterson
Debbie Carter	David Richards
Dorothy Cawthon	Jim Zukowski

CALL TO ORDER:

Ms. Sancibrian, the Board's Presiding Officer, called the meeting to order at 2:15 p.m. and welcomed guest Ms. Donise Pearson, president of the Texas Speech-Language-Hearing Association.

MINUTES:

Ms. Sancibrian asked that members review the minutes of the Board meeting held June 15, 2001. **Ms. Chambers moved to adopt the minutes as corrected, Mr. Lyon seconded, and the motion carried.**

DIVISION DIRECTOR'S REPORT:

Doctor Zukowski had another appointment so Ms. Sancibrian rearranged the agenda to accommodate him. Doctor Zukowski provided information on the CLEAR Conference that had been rescheduled from September 2001 to January 2002 due to the events of September 11, 2001; reconfiguration of the Division office space; the Business Practices Evaluation of the Texas Department of Health (TDH) as reported by Mr. Elton Bomer; and legislation passed during the 77th Legislative Session.

One bill passed by the legislature requires a study of the complaint procedures by the regulatory programs within the Health Professions Council. Doctor Zukowski stated that Debbie Peterson, Assistant Division Director, is the liaison for the regulatory programs created within TDH.

One recommendation of the Bomer report was to either move the independent licensing boards out of the Texas Department of Health or make them advisory to the Board of Health. Either option would require legislation. Ms. Sancibrian had attended the Council of Independent Licensing Board Chairs and stated the board chairs present agreed that making the independent boards advisory to the Board of Health was not an acceptable option. Board members asked if they could contact their legislators. Mr. Richards stated they could but not as Board representatives. He suggested they contact their associations. Ms. Sancibrian stated this information had been reported to the Texas Speech-Language-Hearing Association and the president of the association Ms. Donise Pearson was present today.

FEES/BUDGET:

Ms. Peterson presented the Salaries, Expenditures and Revenue thru June 2001. The amount expended for salaries is higher because the Board is now paying the full salary for a staff position that had previously been shared with another program. In addition, the amount of money allocated to the Division is about \$100,000 less than the previous year because the Texas Department of Health was unable to match the federal Title 5 funding for the midwifery program. Each program within the Division must share in the cost of operation for the midwifery program, however some programs receive third party reimbursement that may be used to offset the decrease in funding. The Board's projected revenue is \$398,541 and the approximate expenditures is \$348,000.

COMMITTEE REPORTS:

COMPLAINTS:

Ms. Chambers reported on the meeting held November 1, 2001. The Committee approved the report of the June 14, 2001, meeting; closed two complaints with no violation; issued one notice of violation letter; recommended the Board issue 13 reprimands; left seven complaints pending the investigative report; agreed to prepare a position statement concerning third party reimbursements; recommended that the Texas Speech-Language-Hearing Association and the Texas Academy of Audiology hold sessions at the annual convention relating to maintenance of accurate records; considered amendments to Board Rules, §§741.41, 741.162, and 741.192 and to the Texas Occupations Code to include administrative penalties and emergency suspension. The Committee asked that an article appear in the next newsletter warning supervising licensees to abide by Board Rules in order to avoid disciplinary action, which could include revocation of supervision privileges or suspension of the license.

Ms. Chambers moved to issue reprimands and accept the conditions of the Letters of Agreement of case numbers 01-SA-0030, 01-SA-0034, 01-SA-0037, 02-SA-0001, 02-SA-0002 and 02-SA-0003, and the motion carried.

Ms. Chambers moved to issue reprimands and accept the conditions of the Letters of Agreement of case numbers 01-SA-0029, 01-SA-0036, 01-SA-0039, and 01-SA-0040, and the motion carried.

Ms. Chambers moved to issue reprimands of case numbers 01-SA-0031, 01-SA-0032, and 01-SA-0038, and the motion carried.

Ms. Chambers moved to adopt the report and the motion carried.

SPEECH-LANGUAGE PATHOLOGY SCOPE OF PRACTICE:

Ms. Sancibrian reported on the meeting held November 2, 2001. The Committee approved the report of the June 14, 2001, meeting; recommended the Board approve the position statement for licensed supervisors of interns and accept as its position statement the American Speech-Language-Hearing Association position on dysphagia assessment and treatment; agreed that video conferencing was not an acceptable way to provide face-to-face supervision of an assistant or intern; agreed that further research was required before the Board could adopt a position on telemedicine; responded to questions relating to Early Childhood Intervention programs; and added possible amendments to the list being maintained to amend Board Rules to include requiring experience before supervising an intern or assistant, defining coursework required for an assistant's license, providing for the issuance of an intern license to students in doctoral programs if the student meets the coursework and practicum requirement, and adding screening tympanometry to hearing screening. The Committee shall reconsider the position statements and the frequently asked questions at its next scheduled meeting.

Ms. Sancibrian moved to include the position statement for licensed supervisors of interns on the Board's web page and to mail the document to the Texas Speech-Language-Hearing Association, the Educational Service Centers, and to interns and supervisors; and the motion carried.

Ms. Sancibrian moved to adopt the report and the motion carried.

AUDIOLOGY SCOPE OF PRACTICE COMMITTEE REPORT:

In the absence of the Presiding Officer, Doctor Carlson reported on the meeting held November 1, 2001. The Committee approved the report of the June 14, 2001, meeting as amended; recommended the Board deny the Petition for Adoption of a Rule to §741.85 because it was not necessary; agreed to inform the members of the Senate Committee on Nominations of the failed attempts to schedule a meeting with the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments; and agreed to reconsider the Board rule relating to the 30-day trial period associated with the purchase of a hearing instrument. The Committee shall reconsider the position statements and the frequently asked questions at its next scheduled meeting.

Doctor Carlson moved to adopt the report and the motion carried.

RULES COMMITTEE REPORT:

Doctor Reeves reported on the meeting held November 1, 2001. The Committee approved the report of the June 14, 2001, meeting; recommended the Board accept a comment to the proposed rule to §741.82; deny the Petition for Adoption of a Rule to §741.85; accept the position statement on continuing education; and agreed to add to the list being maintained of possible rule amendments as recommended by the Complaints, Speech-Language Pathology Scope of Practice, and the Audiology Scope of Practice Committees. The Committee shall reconsider the position statements and the frequently asked questions at its next scheduled meeting.

Doctor Reeves moved to amend proposed §741.82 by adding the phrase "as approved by the board" to the second sentence concerning the Au.D. program and the motion carried.

Doctor Reeves moved to deny the Petition for Adoption of a Rule to §741.85 and the motion carried.

Doctor Carlson informed the Board of the process she uses to evaluate college/university transcripts or events approved by the American Medical Association when the course or event is in a related area of study in order to meet the continuing education required for license renewal. Board Rules, §741.162(h), states the activity must further the knowledge of speech-language pathology or audiology or enhance service delivery. After discussion, **Doctor Reeves moved to accept the draft position statement relating to continuing education as a working draft and the motion carried.** The position statement shall be returned to the next scheduled meeting for further discussion.

Doctor Reeves moved to adopt the Rules Committee report and the motion carried.

POSITION STATEMENTS/FREQUENTLY ASKED QUESTIONS:

The Speech-Language Pathology Scope of Practice, Audiology Scope of Practice, and Rules Committees were assigned to review current policies, guidelines, and frequently asked questions. They agreed to rename the guidelines and most of the policies "position statements".

The only Board policies to remain as policies are those concerning Responsibilities of the Board, Board Members, Executive Secretary, Board Staff, and the Texas Department of Health; Program Accessibility; and Public Participation in Board Meetings. **Ms. Chambers moved to accept the policies as amended, Doctor Reeves seconded, and the motion carried.** Ms. Cawthon shall revise the policies and forward to Mr. Richards for his review before posting them on the Board's web page.

The Speech-Language Pathology Scope of Practice, Audiology Scope of Practice, and the Rules Committees shall reconsider the position statements and the frequently asked questions at its next scheduled meeting. It was agreed that the format used for the position statements will include the purpose and reference the Texas Occupations Code and the Board Rules affected.

REPORTS BY BOARD'S DESIGNEES:

The Board agreed that each designee shall submit a brief report to the Board at its scheduled meetings. This report shall include the number of requests received from the Board office, the

nature of the requests, and the decisions made. It is not necessary that the decisions be ratified; however, the designee may request ratification or further discussion.

CONFERENCE:

In October, Doctor Carlson and Doctor Reeves attended the National Council of State Boards of Examiners for Speech-Language Pathology and Audiology Conference; Ethical Issues and Challenges in Practice and Regulation in the 21st Century. Both Doctor Carlson and Doctor Reeves stated the conference was very beneficial and would recommend other members and the executive secretary attend future meetings. They presented the Federation of Association of Regulatory Boards' Model Code of Conduct. Sessions held addressed board member training, ethical sensitivity, and telepractice.

NEWSLETTER:

Ms. Sancibrian assigned members to prepare articles for the Fall/Winter newsletter. She asked that the format of the newsletter include headings such as ethics, disciplinary actions issued, how to avoid disciplinary action, a table of contents, and FAQ's. The front page should include A Message from the Board's Presiding Officer.

Ms. Chambers agreed to prepare an article on the consequences for providing inappropriate supervision and failure to maintain accurate records of services provided.

Doctor Carlson agreed to prepare an article on the new rule concerning students enrolled in an Au.D. program and continuing education.

Ms. Sancibrian agreed to contact the Texas Speech-Language-Hearing Association independent study sponsor to prepare an article on independent study. Information on journal studies would also be beneficial. She also agreed to prepare articles addressing the questions received concerning the Early Childhood Intervention program and Relay Texas.

Any article concerning disciplinary action should be forwarded to David Richards for his review. Ms. Sancibrian shall approve the contents of the newsletter before publication.

It was suggested that a future issue include an article on reimbursement and billing for services when the licensee does not hold a valid license.

LEGAL COUNSEL REPORT:

Mr. Richards informed the Board of the Associateship Enforcement Policy. This Board is not an advisory board to the Board of Health and does not need to comply with the policy.

PRESIDING OFFICER'S REPORT:

Ms. Sancibrian reported on the Working Lunch with the Texas Board of Health and the Council of Independent Licensing Board Chairs she attended September 20, 2001; the Texas Speech-Language-Hearing Association Annual Convention to be held April 4-6, 2002 in Houston; and thanked Board staff and Mr. Richards for their assistance.

EXECUTIVE SECRETARY REPORT:

Ms. Cawthon update the members on travel procedures, the number of licensees, and the Web Server Statistics Report.

PUBLIC COMMENTS:

Mr. Richards offered a friendly reminder to be careful when responding to the public especially regarding complaints. Always ask the caller to put his/her question in writing and forward to the Board office.

COMMITTEE ASSIGNMENT:

Ms. Sancibrian appointed Ms. Campbell as presiding officer of the Speech-Language-Pathology Scope of Practice Committee.

NEXT MEETING DATE:

The next Committee meetings are scheduled for February 28, 2002, and the Board meeting is scheduled for March 1, 2002.

ADJOURNMENT:

Doctor Reeves moved to adjourn at 4:57 p.m., Ms. Campbell seconded, and the motion carried.

Cheryl L. Sancibrian, Presiding Officer

Lee Reeves, Secretary-Treasurer

Dorothy Cawthon, Executive Secretary

**STATE BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
COMPLAINTS COMMITTEE REPORT**

Thursday, November 1, 2001, 12:00 p.m.

Omni Hotel Downtown Austin
700 San Jacinto Blvd., The Cellar
Austin, Texas 78701
(512) 834-6627

CALL TO ORDER:

The meeting was called to order at 12:01 p.m. Committee members Bertha Moore Campbell, Deborah L. Carlson, and Judith A. Chambers were present. Department staff included Lanell Brown, Debbie Carter, Dorothy Cawthon, and David Richards.

REPORT:

The Committee reviewed the report of the meeting held June 14, 2001. **Ms. Campbell moved that the report be adopted as written and the motion carried.**

OPEN COMPLAINTS:

The Committee discussed the following complaints with action taken as stated. Complaints with the same type of violation are grouped together.

01-SA-0020: The Committee considered this case first because the respondent's sister was present and the Committee did not wish to detain her while other cases were being considered. While it was suggested that the supervisory requirements found in Board Rules, §741.65 relating to Requirements for an Assistant in Speech-Language Pathology License was violated, the investigative report did not produce any evidence of a violation. **Ms. Campbell moved that the complaint be closed and the motion carried.**

01-SA-0030, 01-SA-0034, 01-SA-0037, 02-SA-0001, 02-SA-0002, and 02-SA-0003: The respondents in all but case 02-SA-0001 had responded on previous Renewal Forms that the required continuing education hours were earned. When the respondents were selected for the continuing education (CE) audit, they were unable to provide the required documentation. Board Rules, §741.162(l), (m), and (o) requires maintenance of continuing education hours for a period of at least three years, identifies appropriate proof of continuing education events, and requires the audit process. Each licensee signed a Letter of Agreement to earn an additional 20 hours of approved continuing education upon expiration and submit the CE log and proof of attendance for the next three renewal periods.

The respondent in case 02-SA-0001 was not selected for the CE audit, however, she did state on the Renewal Form that she had earned the required hours necessary for license renewal. The respondent submitted a statement a couple of months later stating she actually had not earned the hours.

Doctor Carlson moved to recommend the Board issue reprimands and accept the conditions of the Letters of Agreement in all six cases and the motion carried. The employers will be notified of the disciplinary actions.

In addition, the Committee considered a response received from a licensed intern who misunderstood the continuing education requirement for renewal. The respondent will be mailed a warning letter informing her that she is responsible for following Board Rules in order to avoid future violations.

01-SA-0031, 01-SA-0032, and 01-SA-0038: The violations in the cases were relating to supervision. In the first two cases, the respondents were an intern and supervisor. The supervisor failed to provide supervision as required by Board Rules, §741.41(a)(4) and (7) and §741.62(j)-(l). The intern practiced without appropriate supervision as required by §741.62. The respondent in the third case practiced without supervision after completion of the internship and during the interim of applying for the speech-language pathology license. This is a violation of Board Rules, §741.62(m).

Doctor Carlson moved to recommend the Board issue reprimands in all three cases and the motion carried. The employers will be notified of the disciplinary actions.

The Committee considered the disciplinary action against a supervisor for failure to follow Board Rules concerning supervision of interns and assistants and agreed that a more severe penalty should be initiated in the future. The Speech-Language Pathology Scope of Practice Committee will consider a Position Statement for Supervising Licensed Interns in Speech-Language Pathology on November 2, 2001. The Board had previously approved a similar statement concerning the supervision of assistants and the Committee asked that the Board office include the statement with each letter mailed to the supervisor of an assistant when approval is granted. Once the Board approves the position statement for interns, it will be made available on the Board's Internet site and be included in each approval letter mailed to a supervisor who submits the Intern Plan and Agreement of Supervision Form.

An article in the upcoming newsletter will advise supervisors to be aware of his or her supervisory responsibility and to pay close attention to the dates of supervision entered on Board forms. Board Rules, §741.41 (i) and (j) shall be referenced. Depending upon the type of license the assistant or intern holds, §§741.62, 741.65, 741.82, or 741.85 will also be referenced. Once this information has been made available to supervisors, the Committee will reconsider the disciplinary action to include prohibiting a supervisor from supervising an intern or assistant for a specific period of time.

01-SA-0029, 01-SA-0036, 01-SA-0039, and 01-SA-0040: The respondents in all of these cases practiced beyond the grace period with invalid licenses. The Texas Occupations Code, §401.301 requires a valid license to practice speech-language pathology or audiology and §401.352 requires that a license be renewed annually, defines the 60-day grace period, and provides for renewal of a license after expiration of the grace period upon payment of a penalty set by Board Rules. Previously the Board issued reprimands to licensees who practiced with invalid licenses.

After discussion, it was agreed that the respondents be issued reprimands and be required to earn an additional 20 hours of continuing education in order to renew the licenses upon expiration.

Ms. Campbell moved to recommend the Board issue reprimands and accept the conditions of the Letters of Agreement requiring additional continuing education hours in all four cases and the motion carried. Because Doctor Carlson was employed by the same facility as the respondent in case 01-SA-0029, she recused herself from discussion and vote in the motion for that case only. The employers of the respondents will be notified of the disciplinary actions.

From this time forward, Doctor Carlson moved to require acceptance of the conditions of the Letter of Agreement before a license is renewed for a licensee who continued to practice beyond the grace period and the motion carried.

01-SA-0012: At the meeting held June 14, 2001, the Committee agreed to issue a Notice of Violation letter to the respondent for a violation to the Board's Code of Ethics, §741.41(a)(1)(A)(v). Before the letter was prepared a supplemental Investigative Report was received. The Committee reviewed this additional information and agreed that the initial action was warranted. The **Notice of Violation** letter proposing a two-year probated suspension will be mailed. All the conditions initially proposed shall apply.

01-SA-0021: Ms. Cawthon updated the Committee on the status of this complaint. The respondent had been mailed a Notice of Violation letter and accepted the conditions of the **Agreed Order**. The Board approved the order at the June 15, 2001 meeting should the respondent agreed to the conditions.

01-SA-0022: This is the third complaint filed against this respondent since 1998 alleging violations relating to the fitting and dispensing of hearing instruments. The complainant's account was credited by the respondent's employer. The Committee agreed that no violation of the Act or Board Rules was substantiated and **closed** the complaint. The respondent will be notified that he is responsible for insuring that his clients receive a refund as required by Board Rules, §741.102(4)(B).

The Committee asked that the Board office prepare cover letters when mailing copies of the reprimands to the respondents' employers. If the employer is a school district, the letter should be addressed to the Special Education Director. If the employer is a hospital, the letter should be addressed to the individual responsible for risk management. If the employer is a university, the letter should be sent to the legal department and if private practice or other setting, to the owner of the business.

Several complaints relating to third party reimbursement have been filed with the Board over the past couple of years. The Committee agreed that a position statement informing licensees that they are responsible for all billings and refunds, specifically a refund upon the return of a hearing instrument, be developed. Board Rules, §741.41(g) and §741.102(4)(B) will be referenced. Doctor Carlson agreed to prepare the draft.

Other complaints have been filed with the Board relating to failure to maintain accurate records. The Committee shall recommend that the Texas Speech-Language-Hearing Association and the Texas Academy of Audiology hold sessions during their annual conventions on record keeping or perhaps have videos available for licensees' perusal.

01-SA-0023, 01-SA-0026, 01-SA-0027, 01-SA-0028, 01-SA-0033, 01-SA-0035, and 02-SA-0004: These complaints are **pending**, awaiting the receipt of the investigative reports.

CLOSED COMPLAINTS:

00-SA-0019: The respondent failed to submit a report following the two-month suspension. Legal counsel stated no further action was warranted at this time.

POSSIBLE AMENDMENTS TO ACT/RULES:

The Board is maintaining a list of possible additions, amendments, and repeals to the Texas Occupations Code to be considered during the Sunset Review process. A list of possible changes to the Board Rules is also being maintained for a year or more before submission to the Texas Register.

It was agreed that the Texas Occupations Code be amended to include administrative penalties and emergency suspension as a disciplinary tool.

The Committee will recommend the Board Rules list include the following:

§741.162(o)(3) - Remove the word "knowingly" because there is no element of intent.

§741.41 - Add a new (f) to state "Personal client records shall be made available to a client or the parent or guardian of a client upon request." to provide a service to consumers. Following subsections shall be renumbered accordingly.

§741.192(j) - Change the word "board" to "committee" for a more accurate definition.

§741.192(q)(3) - Editorial change to replace "continue or review" with "continue to review".

§741.192(r) - Editorial change to add "holder" between "registration" and "against".

ITEMS FOR NEXT MEETING:

Due to lack of time, the Committee was unable to review the draft Schedule of Sanctions Guidelines and asked that the item be placed on the agenda for the next scheduled meeting.

The Committee had previously agreed to develop an examination as a disciplinary tool but legal counsel stated he was unsure the Board had the authority to do so. He agreed to research the issue further.

Because both of the above items require lengthy discussions, the next Complaints Committee meeting will be scheduled for three to four hours.

Other items to be considered include:

Doctor Carlson will develop a draft position statement concerning third party reimbursement stressing that licensees are responsible for billings/refunds.

The Committee will conduct an annual complaints overview. Ms. Cawthon will provide copies of the information available on the Complaint Tracking System.

ADJOURNMENT:

Ms. Campbell moved to adjourn at 2:20 p.m. and the motion carried. This report will be presented to the full Board at the meeting scheduled for November 2, 2001.

Judith A. Chambers, M.Ed.
Committee Presiding Officer

**STATE BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
SPEECH-LANGUAGE PATHOLOGY SCOPE
OF PRACTICE COMMITTEE REPORT**

Friday, November 2, 2001, 12:00 p.m.

Omni Hotel Downtown

700 San Jacinto Blvd. - The Cellar

Austin, Texas 78701

(512) 834-6627

CALL TO ORDER:

The meeting was called to order at 12:00 p. m. with Committee members Bertha Moore Campbell, Lee Reeves, and Cheryl L. Sancibrian present. Committee member Elsa Cardenas-Hagan was not present. Department staff included Lanell Brown, Debbie Carter, Dorothy Cawthon, and David Richards. Board member Judith A. Chambers attended the meeting as a guest.

REPORT:

The Committee reviewed the report of the meeting held June 14, 2001. **Doctor Reeves moved that the report be adopted as written and the motion carried.**

POSITION STATEMENTS/FREQUENTLY ASKED QUESTIONS:

The Committee was assigned to review all policies, guidelines, and frequently asked questions that relate to the practice of speech-language pathology. The policies and guidelines will be renamed position statements. This item will be placed on the agenda for the next scheduled meeting.

The Position Statement for Supervising Licensed Interns in Speech-Language Pathology was discussed. This statement was developed as an aid to licensed speech-language pathologists in determining appropriate levels of supervision to ensure best practices. **Ms. Campbell moved to recommend adoption of the document as revised and the motion carried.** It will be made available on the Board's Internet site, in the Board's newsletter, to the Texas Education Agency Regional Service Centers, and any other stakeholders. It was also agreed that this document be mailed to interns and supervisors with the letter stating the intern may practice under supervision of the approved speech-language pathologist is mailed. The Board previously approved a similar document concerning the supervision of assistants and asked that this document be mailed to the assistant and supervisor with the letter stating the assistant may practice under supervision of the approved speech-language pathologist. The Committee also asked that a statement indicating the Board shall initiate disciplinary action for non-compliance be added to both documents.

Ms. Campbell moved to recommend the Board accept the American Speech-Language-Hearing Association's (ASHA) Knowledge and Skills Needed by Speech-Language Pathologists Providing Services to Individuals with Swallowing and/or Feeding Disorders

as its position statement and the motion carried. This document shall reference the ASHA web site.

SCOPE OF PRACTICE ISSUES:

The Committee discussed telemedicine/video conferencing. Ms. Sancibrian stated that the American Speech-Language-Hearing Association is studying the issue but no decision has been made. The supervisor of an assistant asked if face-to-face supervision could be accomplished by utilizing synchronized audio/video technology. **Doctor Reeves moved that telemedicine is not an acceptable method to provide face-to-face supervision of assistants and that further research was required before the Board could adopt a position statement and the motion carried.** Ms. Sancibrian will respond to the licensee. This item will be placed on the agenda for the next scheduled meeting.

A licensee employed with an Early Childhood Intervention (ECI) program inquired about service coordination role for licensed assistants in speech-language pathology because ECI programs are implementing this differently. These services encompass aspects which assist family needs such as filling out forms; providing lists of resources such as daycare, preschool, pediatrician, and private speech-language pathologist; and access to resources such as free transportation. Service coordination is case management for family issues and not for speech-language pathology issues. After discussion, it was agreed that Ms. Sancibrian will respond that an assistant may participate in this activity.

Another licensee asked several questions concerning the Infant and Toddler Intervention Program Notice of Eligibility as determined by the ECI team. Ms. Sancibrian will prepare a response to be included with the frequently asked questions on the Board's web page.

A third licensee's question was concerning administration of intelligence testing such as the Slossen. Ms. Campbell will prepare a response to be included with the frequently asked questions on the Board's web page and for the next newsletter.

A licensee asked about the signature used on such documents as therapy notes. It was agreed that a licensee must sign his/her name as it appears on the license since this is a legal document.

IDEA:

Ms. Sancibrian attended the public meeting held in Lubbock by the Texas Education Agency and the U.S. Department of Education Office of Special Education Programs to gather information relating to implementation of the federal Individuals with Disabilities Education Act (IDEA) Part B. She stated no new information was presented and the next meeting will be held in San Antonio on December 19th.

POSSIBLE AMENDMENTS TO ACT/RULES:

The Board is maintaining a list of possible additions, amendments, and repeals to the Texas Occupations Code to be considered during the Sunset Review process. A list of possible changes to the Board Rules is also being maintained for a year or more before submission to the Texas Register.

The Committee will recommend the Board Rules list include the following:

§§741.41, 741.62, and 741.65 - Amend these sections to state the supervisor of an intern or assistant must have three years of experience and, if not, must submit a written request outlining his/her qualifications and reason for the request. The Board's designee will determine if acceptable.

§741.65(d) - Amend this section to state the coursework required to obtain an assistant's license will include at least three semester hours in language disorders and three semester hours in speech disorders.

§741.62 - Amend this section to allow a student in a doctoral program to be licensed as an intern, if the individual meets the coursework and practicum requirements.

§741.32 - Amend this section to include screening tympanometry.

Ms. Campbell moved to add these amendments to the list and the motion carried.

ITEMS FOR NEXT MEETING:

The Committee will consider telemedicine, frequently asked questions, and Board's position statements.

Ms. Campbell shall prepare a draft article for the newsletter and the web page concerning intelligence tests.

ADJOURNMENT:

Ms. Cardenas-Hagan moved to adjourn at 1:57 p.m. and the motion carried. The report will be presented to the full Board at the meeting scheduled for November 2, 2001.

Cheryl L. Sancibrian, M.S.
Committee Presiding Officer

STATE BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
AUDIOLOGY SCOPE OF PRACTICE
COMMITTEE REPORT

Thursday, November 1, 2001, 2:00 p.m.
Omni Hotel Downtown
700 San Jacinto Blvd. - The Cellar
Austin, Texas 78701
(512) 834-6627

CALL TO ORDER:

The meeting was called to order at 2:50 p.m. with Committee members Deborah L. Carlson, Matthew H. Lyon, and R. Eric Reynolds present. Committee member Harvey Komet was not present. Department staff included Lanell Brown, Debbie Carter, Dorothy Cawthon, and David Richards. Board members Bertha Moore Campbell and Lee Reeves attended the meeting as guests.

REPORT:

The Committee reviewed the report of the meeting held June 14, 2001. **Mr. Lyon moved that the report be adopted as amended and the motion carried.**

RULE AMENDMENTS:

The proposed amendment to 22 T.A.C., §741.82 concerning issuance of an intern license to a student in an accredited college or university Au.D. program was published in the Texas Register on October 5, 2001. The 30-day comment period ends November 5, 2001. No comments have been received in the Board office. This item will be placed on agenda for the next meeting.

Doctor William G. Beck, a licensed audiologist, submitted a Petition for Adoption of a Rule. On September 24, 2001, Ms. Cawthon notified Doctor Beck that an amendment to the Texas Occupations Code was required and this may only be accomplished through the legislative process. He was advised to contact his association or legislator.

Doctor Beck also proposed an amendment to §741.85 relating to Requirements for an Assistant in Audiology License concerning the organization that issues accreditation or candidacy status to colleges or universities. The Board does have authority to consider this petition but his recommendation would not make a difference in determining whether an applicant qualified for the license. In addition there are fewer than 7 individuals who hold this license. **Mr. Lyon moved to recommend the Board deny the petition and the motion carried.**

POSSIBLE AMENDMENTS TO ACT/RULES:

The Board is maintaining a list of possible additions, amendments, and repeals to the Texas Occupations Code to be considered during the Sunset Review process. A list of possible changes to the Board Rules is also being maintained for a year or more before submission to the Texas Register.

It was agreed that §741.102(4) concerning the 30-day trial period associated with a hearing instrument be reconsidered. An amendment to the Texas Occupations Code, §401.403 may also be necessary.

POSITION STATEMENTS/FREQUENTLY ASKED QUESTIONS:

The Committee was assigned to review all policies, guidelines, and frequently asked questions that relate to the practice of audiology and fitting and dispensing of hearing instruments. The policies and guidelines will be renamed position statements and be placed on the agenda for the next scheduled meeting. In addition Mr. Reynolds agreed to develop additional questions for the Board's Internet site for the Committee's review.

FITTING/DISPENSING OF HEARING INSTRUMENTS:

Mr. Lyon updated the Committee on the issues relating to the fitting and dispensing of hearing instruments as it relates to the authority granted by the Texas Occupations Code, Chapter 401 and 402. During the hearings conducted by the Senate Committee on Nominations, Senator Leticia Van De Putte, voiced concerns about differences in rules between this Board and the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments that may be confusing to consumers. Mr. Lyon invited Michael Shobe, President, State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments, to a meeting to discuss relevant issues but he declined. Mr. Lyon issued a second invitation dated October 19, 2001, and received no response. He will inform the members of the Senate Committee on Nominations of the attempts to schedule a meeting.

ITEMS FOR NEXT MEETING:

The Committee will consider comments to the proposed rule, §741.82, published in the Texas Register on October 5, 2001.

The Committee will consider the frequently asked questions and the position statements.

ADJOURNMENT:

Mr. Lyon moved to adjourn at 4:05 p.m. and the motion carried. The report will be presented to the full Board at the meeting scheduled for November 2, 2001.

R. Eric Reynolds, Au.D.
Committee Presiding Officer

**STATE BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
RULES COMMITTEE REPORT**

Thursday, November 1, 2001, 3:30 p.m.

Omni Hotel Downtown
700 San Jacinto Blvd., The Cellar
San Antonio, Texas 78701
(512) 834-6627

CALL TO ORDER:

The meeting was called to order at 4:19 p.m. with Committee members Elsa Cardenas-Hagan, Matthew H. Lyon, and Lee Reeves present. Department staff included Lanell Brown, Debbie Carter, Dorothy Cawthon, and David Richards. Board members Bertha Moore Campbell, Deborah L. Carlson, Judith A. Chambers, R. Eric Reynolds and Cheryl L. Sancibrian attended the meeting as guests.

REPORT:

The Committee reviewed the report of the meeting held June 14, 2001. **Mr. Lyon moved that the report be adopted as written and the motion carried.**

COMMENTS TO PROPOSED RULES:

The Committee considered the proposed rule amendments to 22 T.A.C., §741.82 as published in the October 5, 2001 issue of the Texas Register. Doctor Reeves had concerns relating to the term "professionally recognized accredited". It was agreed that the Committee's comment to add "as approved by the Board" be considered when the Board addresses comments and adopts for final publication in the Texas Register at the next scheduled meeting.

PETITION FOR ADOPTION OF A RULE:

The Audiology Scope of Practice Committee recommended that the petition submitted by Doctor William G. Beck be denied. All but one of the concerns addressed in the petition requires legislative approval. The one amendment the Board could consider relates to the Assistant in Audiology license and the American Board of Audiology does not address assistants. Doctor Reynolds shall draft a letter to Doctor Beck for the Presiding Officer's signature.

POSSIBLE AMENDMENTS TO RULES:

The Board is maintaining a list of possible additions, amendments, and repeals to the Board Rules for a year or more before submission to the Texas Register. The amendments recommended by the Complaints, the Speech-Language Pathology Scope of Practice, and the Audiology Scope of Practice Committees will be added to the list.

In addition, the next time the Board considers an amendment to §741.181 relating to the Schedule of Fees, it will consider using a range of fees instead of a specific amount.

POSITION STATEMENTS/FREQUENTLY ASKED QUESTIONS:

The Committee was assigned to review all policies, guidelines and frequently asked questions except for those that relate to the practice of speech-language pathologists and audiologists. It was agreed that policies and guidelines relating to the application, renewal or practice of licenses be renamed position statements. This item will be placed on the agenda for the next scheduled meeting for further discussion.

The Committee considered the draft position statement on continuing education prepared by Doctor Carlson. **Ms. Cardenas-Hagan moved to recommend the Board accept the draft and the motion carried.**

ITEMS FOR NEXT MEETING:

The Committee will consider comments to the proposed rule, §741.82 published in the Texas Register on October 5, 2001.

The Committee will consider the frequently asked questions and the position statements.

ADJOURNMENT:

Ms. Cardenas-Hagan moved to adjourn at 5:45 p.m. and the motion carried. The report will be presented to the full Board at the meeting scheduled for November 2, 2001.

Lee Reeves, D.V.M.
Committee Presiding Officer

**STATE BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
BOARD PRESENTATION AND QUESTION AND ANSWER FORUM MINUTES
TEXAS ACADEMY OF AUDIOLOGY CONFERENCE**

Friday, November 2, 2001, 7:00 p.m.- 8:00 p.m.

Omni Hotel Downtown

700 San Jacinto Blvd. - Austin Room

Austin, Texas 78701

(512) 476-3700

Ms. Cheryl Sancibrian, the Board's presiding officer, welcomed participants and introduced Board members and office staff. Board members in attendance were Bertha Campbell, Deborah Carlson, and Matthew H. Lyon. Board staff in attendance was Lanell Brown, Debbie Carter, and Dorothy Cawthon.

Ms. Sancibrian's Power Point presentation included issues such as licensing requirements, continuing education, and supervision requirements. The panel then responded to questions from the audience.

The questions asked will be discussed at the next Board meeting to determine what, if any action is required.

Cheryl L. Sancibrian, Presiding Officer