

**Louisiana Board of Examiners for
Speech-Language Pathology and Audiology**

April 29, 2017

Attending:

**Stephen J. Harris, L-AUD/SLP, Chairperson
Daphne Washington, L-SLP, Vice Chairperson
Tammy Crawford, L-SLP, Secretary/Treasurer
Deanna Hardy, Public Board Member
Theresa H. Rodgers, L-SLP, Board Member
Glenn M. Waguespack, L-AUD/H.A. Dispensing, Board Member**

Absent:

Alexander B. G. Sevy, M.D., Medical Advisor

The meeting was called to order by Stephen Harris at 9:45 a.m. in the Lacassine room at the Renaissance Hotel located at 7000 Bluebonnet Boulevard, Baton Rouge, Louisiana. Jolie Jones, Executive Director and Ayn Stehr, the board's legal counsel, were present for the entirety of the meeting. Ryan Seidemann, Assistant Attorney General, was present for a portion of the meeting.

**Hearing in the Matter of Michelle Galbreath, L-SLP #4189 relative to LBESPA
Complaint #2016-05**

The hearing began at 9:45 a.m. Ryan Seidemann, Assistant Attorney General for the Louisiana Department of Justice, called Jolie Jones as a witness. Jolie Jones provided sworn testimony regarding the efforts that the board has taken to locate the licensee.

Upon conclusion of the hearing, the board deliberated and decided to take no action at this time because the licensee could not be located and has allowed her license to lapse.

Daphne Washington was recused for the hearing and deliberation of this matter.

PUBLIC COMMENTS:

No one was present to provide public comment.

AGENDA:

Motion was made by Daphne Washington, seconded by Glenn Waguespack and unanimously carried, to adopt the agenda as presented.

UPDATE ON 2017 LEGISLATIVE SESSION:

Ayn Stehr, the board's legal counsel, discussed proposed legislation from the 2017 Regular Session of the Louisiana Legislature which may potentially impact LBESPA.

Following review of House Bill 519, it was recommended that LBESPA be added to the list of exempt health care/professional boards included in the legislation. House Bill 519 proposes changes to current law relative to the issuance of licensure for ex-offenders (i.e., convicted individuals). At least twenty boards in addition to several entities such as the Louisiana Supreme Court, law enforcement agencies, Louisiana Department of

Insurance, health standards division of the Louisiana Department of Health, etc., are already exempt under current law.

Senate Bill 205 includes provisions requiring the board to be responsible for all costs, attorney's fees and damages if it does not prevail in a disciplinary matter. LBESPA is requesting to be exempt from this bill.

Senate Bill 75 proposes an independent tribunal utilizing an Administrative Law Judge to preside over adjudications. The legislation would also require each board to go through a sunset review consistent with the Louisiana Department of Health. It is unclear at this point if boards will be able to retain their summary suspension authority. Boards would still be allowed to utilize outside counsel, with contract rates consistent with what attorneys make through the Louisiana Civil Service Division. Senate Bill 75, if it becomes law, is scheduled to take effect January 1, 2018, and rules would need to be promulgated soon after.

If Senate Bill 75 becomes law, the board discussed the potential need for extended meetings with one day devoted to review of complaints prior to sending cases to an Administrative Law Judge. The Board may want to develop additional rules about investigation procedures. Costs of investigations may change because of the procedures. The Board may also want to consider video or audio recording of witnesses.

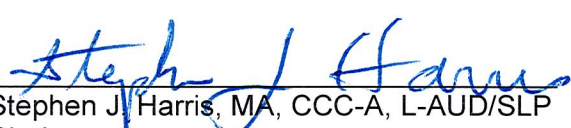
House Bill 338

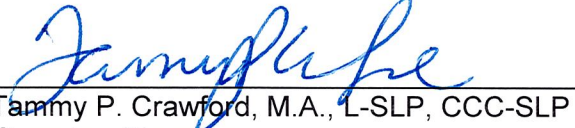
Steve Harris reported that he talked to Steve Madix of the Louisiana Academy of Audiology (LAA) and Dr. Madix indicated that LAA would like to add an amendment to include LAA in the process for LBESPA's board member nominations/elections. Representative Pope is hopeful that there are no amendments to the bill. Speech Pathologists & Audiologists in Louisiana Schools (SPALS) and Louisiana Academy of Audiology (LAA) are specialized organizations, but the Louisiana Speech-Language-Hearing Association (LSHA) is the state professional association for audiologists and speech-language pathologists in all work settings.

Board members also discussed having jurisdiction over unlicensed practice including individuals who have a lapsed license, and unlicensed individuals who are advertising services in this state. Injunctive relief is a method available to Boards; however, this does not provide adequate protection to the consumer in that injunctive relief is expensive, includes a temporary restraining order when served, and the subsequent scheduling of a court hearing which could cause delays in the requested action. The Board pays the attorney fees and court costs, but does not recoup the costs from the unlicensed individual.

Motion was made by Daphne Washington, seconded by Tammy Crawford and unanimously carried, to adjourn the meeting at 2:30 p.m.

MINUTES APPROVED BY:


Stephen J. Harris, MA, CCC-A, L-AUD/SLP
Chairperson


Tammy P. Crawford, M.A., L-SLP, CCC-SLP
Secretary/Treasurer