

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

August 5, 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
Vacant, Audiologist**

The meeting was called to order by Stephen Harris at 8:39 a.m. in the conference room at the board office located at 37283 Swamp Road, Suite 3B, Prairieville, Louisiana. Jolie Jones, Executive Director, was excused at lunch due to a family emergency. Ayn Stehr, the board's legal counsel was present for a portion of the meeting.

PUBLIC COMMENTS:

No one was present to provide public comment.

AGENDA:

Motion was made by Daphne Washington, seconded by Tammy Crawford and unanimously carried, to adopt the agenda as amended to add "13. Presentation to Louisiana Tech University SLP Students" to Admin Review.

MINUTES:

Motion was made by Daphne Washington, seconded by Glenn Waguespack and unanimously carried, to approve the minutes of the meeting held June 2, 2017, as presented.

Motion was made by Theresa Rodgers, seconded by Deanna Hardy and unanimously carried, to approve the minutes of the meeting held June 3, 2017, as presented.

FINANCIALS:

1. Financial Statements for the period ended May 31, 2017

Board members were provided a copy of the Financial Statements prepared by Susan Sevario, CPA, for the period ended May 31, 2017.

2. Purchase of dual monitors

Motion was made by Daphne Washington, seconded by Glenn Waguespack and unanimously carried, to approve the purchase of dual monitors for board staff.

3. Purchase of desktop computer

Tabled until a later date.

EXECUTIVE SESSION:

Motion was made by Glenn Waguespack, seconded by Daphne Washington and unanimously carried, to go in to Executive Session at 8:45 a.m. for the following reasons:

to discuss the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least twenty-four hours before the meeting, and

for investigative proceedings regarding allegations of misconduct or any other matter now provided for or as may be provided for by the legislature.

Votes for going into Executive Session: Daphne Washington, yes; Tammy Crawford, yes; Deanna Hardy, yes; Theresa Rodgers, yes; Glenn Waguespack, yes

Motion was made by Theresa Rodgers, seconded by Daphne Washington and unanimously carried, to come out of Executive Session at 12:20 p.m. to take the following actions:

1. Review of Pending Complaints/Cases

a. Complaint #2013-05

The board reviewed proof of completion of continuing education hours that were previously approved by the board.

b. Complaint #2017-07

Motion was made by Theresa Rodgers, seconded by Daphne Washington and unanimously carried, to grant a thirty day extension to opposing counsel in this case.

c. Complaint #2017-08A

Motion was made by Daphne Washington, seconded by Glenn Waguespack and unanimously carried, to provide the requested complaint information to the individual, and to disclose information to law enforcement as necessary. Ayn Stehr will research whether the board needs to file a complaint.

d. Complaint #2017-08B

The investigator is still in the process of gathering additional information in this case.

e. Complaint #2017-09

The board offered a Consent Agreement and Order with a response deadline of August 15, 2017. No response has been received to date.

2. Receipt of New Complaints

a. #2017-10

Motion was made by Theresa Rodgers and seconded by Deanna Hardy to offer a Consent Agreement and Order to include falsifying information on an

application, unprofessional conduct, and dishonesty by failing to disclose on the renewal application that there was a pending charge of Driving Under the Influence (DUI). Violations consist of Principle of Ethics 701.E. IV., 701.E.IV.b., and 2662.A.2., 5., and 6. Stipulations will include: open book examination, report to employer, notification to ASHA, LSHA, SPALS, Department of Education, and reporting to the National Practitioner Data Bank (NPDB). Jolie Jones will contact the District Attorney's office to obtain the ordinance. The motion passed with Crawford, Hardy and Rodgers voting in favor, Waguespack voting against, and Washington recused.

3. Update on Querying the NPDB

Motion was made by Deanna Hardy and seconded by Theresa Rodgers and unanimously carried, to start querying the National Practitioner Data Bank (NPDB) for reinstatements and out-of-state applicants.

4. Review of Applications

a. TA

Motion was made by Glenn Waguespack, seconded by Deanna Hardy and unanimously carried, to issue TA's Provisional Speech-Language Pathology license.

b. LH

Motion was made by Daphne Washington and seconded by Tammy Crawford to grant LH a conditional Speech-Language Pathology license. LH must complete the terms of the Consent Agreement and Order from the Texas Department of Licensing and Regulation and shall provide the board with a document stating that she has fulfilled the terms of the Consent Agreement and Order. LH cannot provide supervision as a Speech-Language Pathologist in Louisiana while under the Consent Agreement and Order. The motion passed with Washington, Crawford, and Hardy voting in favor, and Rodgers and Waguespack voting against the motion.

c. MP

Motion was made by Glenn Waguespack, seconded by Theresa Rodgers and unanimously carried, to issue MP's Speech-Language Pathology license.

d. JD

Motion was made by Theresa Rodgers, seconded by Tammy Crawford and unanimously carried, to allow JD to obtain her six weeks of supervision under her Speech-Language Pathology Assistant license. JD will then be required to reapply as a Speech-Language Pathologist. The scope of practice remains that of a Speech-Language Pathology Assistant while completing the necessary six weeks of supervision.

e. AW

Motion was made by Daphne Washington, seconded by Tammy Crawford and unanimously carried, to issue AW's Audiology with Hearing Aid Dispensing license.

f. MS

Motion was made by Tammy Crawford, seconded by Daphne Washington and unanimously carried, to issue renewal of MS's Audiology license.

g. AB

Motion was made by Theresa Rodgers, seconded by Daphne Washington and unanimously carried, to send a letter of concern addressing Rule 127.A. This was not discovered when the Supervision Agreement Form was submitted. By signing the Supervision Agreement Form, the speech-language pathologist misrepresented the professional experience total.

ST

Motion was made by Theresa Rodgers, seconded by Daphne Washington and unanimously carried, to send a letter of concern addressing Rule 127.A. This issue was not discovered when the Supervision Agreement Form was submitted. All Speech-Language Pathology supervisors must have a minimum of one-year of full-time professional speech-language pathology experience following the post-graduate professional employment experience. Full-time employment in a school system for the school year is considered to meet this requirement.

h. DS

Motion was made by Daphne Washington, seconded by Glenn Waguespack and unanimously carried, to issue DS' Speech-Language Pathology license.

i. MB

Motion was made by Daphne Washington, seconded by Deanna Hardy and unanimously carried, to issue MB's Provisional Speech-Language Pathology license based on master's equivalency.

Motion was made by Deanna Hardy, seconded by Daphne Washington and unanimously carried, to approve the following applications for **Full or Provisional Speech-Language Pathology and/or Audiology licenses**:

Terranova, Amy	7808	L-SLP	Kwon, Lydia	7809	L-SLP
Chatelain, Erica	7814	L-SLP	Maine, Sandra	7817	L-SLP
Gonzalez, Casey	7822	L-AUD H.A. Disp			
Potier, Nia	7829	L-AUD H.A. Disp			

Motion was made by Theresa Rodgers, seconded by Tammy Crawford and unanimously carried, to approve the following applications for **Speech-Language Pathology Assistant and Provisional Speech-Language Pathology Assistant** licenses:

Bertrand, Katy	7806	Provisional SLP Assistant
Bush, Andie	7810	SLP Assistant

Motion was made by Daphne Washington, seconded by Glenn Waguespack and unanimously carried, to **upgrade** the following licenses:

Maurin, Megan	7439	L-SLP	Mulkey, Hannah	7523	L-SLP
Poche, Bridget	7531	L-SLP	Josey, Brooklyn	7662	L-SLP
Roach, Victoria	7781	SLP Assistant			
Knight, Katelyn	7745	SLP Assistant			

Motion was made by Glenn Waguespack, seconded by Tammy Crawford and unanimously carried, to **reinstate** the following licenses:

Runnels, Lindsey	7264	L-SLP	Matherne, Renee	4771	L-SLP
Chevis, Mary	3339	L-AUD H.A. Disp			

Motion was made by Theresa Rodgers, seconded by Tammy Crawford and unanimously carried, to come out of Executive Session at 12:20 p.m.

LEGISLATIVE UPDATE FROM AYN STEHR:

Ayn Stehr discussed several updates from the 2017 Louisiana Legislative Session. Ms. Stehr also offered to prepare an updated document of the Practice Act, if desired.

COMPLIANCE HEARING:

Rebecca Jamison 1:00

Rebecca Jamison requested and appeared for a compliance hearing to appeal the Board's decision to deny the upgrade of her Provisional Speech-Language Pathology Assistant license. The Board had denied Ms. Jamison's request to upgrade her license based on the supervision documentation submitted.

Motion was made by Tammy Crawford, seconded by Daphne Washington and unanimously carried, to go in to Executive Session at 2:15 p.m. for the following reasons:

to discuss the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least twenty-four hours before the meeting, and

for investigative proceedings regarding allegations of misconduct or any other matter now provided for or as may be provided for by the legislature.

Votes for going into Executive Session: Daphne Washington, yes; Tammy Crawford, yes; Deanna Hardy, yes; Theresa Rodgers, yes; Glenn Waguespack, yes.

Motion was made by Daphne Washington, seconded by Tammy Crawford and unanimously carried, to come out of Executive Session at 2:30 p.m., deny Rebecca Jamison's upgrade request, and require supervision at the Provisional Speech-Language Pathology Assistant level through May 2018. Ms. Jamison will still be required to submit 103.50 hours of on-site, in-view supervision and/or clinical practicum hours in order to upgrade her license. Concerns were noted about the supervision documentation.

ADMINISTRATIVE REVIEW:

1. Executive Director Update

Jolie Jones provided the board with the following updates: LBESPA board member nomination process has begun; postcards announcing nominations process are being re-mailed due to a printing error; email announcing nominations process will be resent immediately to all licensees since board members reported not receiving the message, the Cash Management Report has been submitted; new auditor selected by state office with audit process to be initiated in near future; Tracy Jeanmarie is now full time with the Louisiana Board of Examiners in Dietetics and Nutrition.

2. LBESPA Processing

The Board reviewed various numbers for the period of June 1 through July 31. The summary is as follows: initial applications – 75, upgrade requests – 66, 108 applications approved, 1 application denied, 76 upgrades approved, board member requests for additional information – 5. Online renewals total 2,233 and an additional 499 were renewed in the board office. There have been 70 audits completed and one complaint was received.

3. Letter to Universities Regarding Scope of Practice

Board members agreed that a letter should be sent after the start of the fall semester to university communication disorders programs promoting the board's availability to present to students and faculty. The letter should include information regarding the revised Practice Act, audiology and speech-language pathology scopes of practice, updated information on telepractice, and the current rules promulgation process.

4. Medically Involved Practitioner

Jolie Jones discussed with board members concerns as to whether the Rules and Regulations sufficiently protect the consumer by addressing Speech-Language Pathologists and/or Audiologists who may have communication, swallowing or hearing disorders. Board members feel that the Rules adequately encompass this issue including Rule 701 E.1. k. Individuals whose professional services are adversely affected by substance abuse or other health-related conditions shall seek professional assistance and, where appropriate, withdraw from the affected areas of practice.

5. Discussion Regarding Social Media and Consumer Outreach

A proposal submitted by Jaci Russo was reviewed by board members. The board is interested in discussing an alternative scope of services at a lower rate with Ms. Russo.

Rates for various static and electronic billboard locations quoted by Lamar Advertising were also reviewed.

6. Supervising Family Members

This issue will be addressed on the next rules work day.

7. Opting Out of Hearing Aid Dispensing

An affidavit will be included on the Continuing Education Report Form during future renewal processes allowing audiologists to verify that they have not engaged in hearing aid dispensing during the renewal period and, therefore, continuing education hours in the area of dispensing will not be required to be submitted by Audiologists who choose to opt out of hearing aid dispensing. The board will consider drafting a regulation to clarify this during the next work day.

8. Reporting of Clinical Practicum Hours by Universities

Universities must provide an appropriate summary of the clock hours obtained through their university program and must not attempt to verify clock hours obtained at other universities as the Board must have primary source verification in order to process applications and upgrades. The Board determined that this should be reiterated to the clinic director at universities not abiding by this requirement.

9. Continuing Education Submitted during the Renewal Period but after CE Reporting Period

Any hours completed after June 30 may only be utilized for renewal for the previous July 1 – June 30 period if an extension has been granted by the Board. This includes hours from the July 2017 ASHA Connect Conference in New Orleans; and if an extension for continuing education hours has been approved, under no circumstance may hours from one event (i.e., 2017 ASHA Connect) be utilized for more than one renewal period. In the absence of an

approved extension, these continuing education hours may only be utilized for June 2018 renewal.

10. Review of LBESPA Office Policy Manual

Board members will submit topics for revision, deletion and addition to the Board Chair prior to the next Rules workday.

11. Rules Workday

A list of proposed rules as well as prioritized topics was provided to the board. A work day is scheduled for August 26.

12. Diagnosis of Autism Spectrum Disorder by a Speech-Language Pathologist

Theresa Rodgers was asked to answer the question as to whether the board allowed diagnosis of autism by a speech-language pathologist. The Board does not prohibit the diagnosis of Autism Spectrum Disorder (ASD) by a licensed speech-language pathologist. It is essential to state that this can only occur if the speech-language pathologist has the proper education, training, experience, and competency.

Chapter 7 of the Code of Ethics in the Board's *Rules and Regulations*, Rule 701.E. 2. Principle of Ethics II., as well as Principle of Ethics II. a. and e. specifically apply.

LBESPA does not govern nor dictate practices established by the Louisiana Department of Education. However, it is worth noting that *Bulletin 1508-Pupil Appraisal Handbook* mandates that speech-language assessments be conducted by licensed speech-language pathologists. For children with the exceptionality of "Autism", the speech-language assessment must be "conducted by a speech/language pathologist trained and experienced in the evaluation of children with developmental disabilities" (p. 12). Additionally, *Bulletin 1508* (as well as the Individuals with Disabilities Education Act) requires a multidisciplinary team evaluation. Therefore, if a speech-language pathologist functioned as the sole evaluator for an autism diagnosis, while the evaluation may be suitable in a private practice setting for example, it would not be compliant with Louisiana *Bulletin 1508*.

LBESPA is a state agency with powers established by the Louisiana Legislature and is independent of the American Speech-Language-Hearing Association (ASHA). Nonetheless, useful information relative to the speech-language pathologist's diagnosis of ASD can be found on ASHA's Practice Portal.

CORRESPONDENCE:

1. Letter dated March 31, 2017 from ASHA Regarding Provider Compliance and Productivity

ASHA Continuing Education notified the board that a compliance review would occur in 2018 and LBESPA may need to evaluate cost-effectiveness of continuing to be an ASHA-approved CEU provider if it does not offer any events. A LBESPA member has been asked to present at an upcoming association meeting and ASHA CEU sponsorship may be considered for this training.

CONFERENCES:

National Council of State Boards of Examiners for Speech-Language Pathology and Audiology (NCSB)

1. NCSB Conference

The conference agenda was discussed and attendance by board members was finalized. Board Chair, Stephen Harris, has been asked to open the conference. It was noted that the NCSB election ballot has not yet been received.

Council on Licensure, Enforcement & Regulation (CLEAR)

1. Election for Board of Directors

The Board authorized the Chair to cast votes for President-Elect, Regular Member, and Associate Member by the September 6 deadline.

Louisiana Speech-Language-Hearing Association (LSHA)

1. Sponsorship Request for the 2018 LSHA Convention

This item was overlooked and will be considered at the Board's next meeting.

2. Correspondence from LSHA re: accounting of continuing education sponsorship funds used and request to apply remainder to a LSHA Working Lunch

Consistent with LBESPA policy, the Board is requesting detailed accounting of the speaker expenses for 2017.

Motion was made by Tammy Crawford, seconded by Deanna Hardy and unanimously carried, to deny LSHA's request to sponsor luncheon speakers in the northern and southern regions of the state since this workshop format is not consistent with LBESPA policy for continuing education sponsorship.

Motion was made by Daphne Washington, seconded by Tammy Crawford and unanimously carried, to adjourn the meeting at 4:35 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