

PRESIDENT'S MESSAGE

By: Lisa Cabiale O'Connor, President-Elect

Change is in the Air

On January 20th we witnessed a change of historic proportions in the nation's leadership. While not nearly as dramatic or exciting, NCSB also made a transition to new leadership of the Council. In mid-January, Bob Oyler, the 2009 President of NCSB, submitted his resignation from the presidency and the Board of Directors due to personal and professional commitments. The Board accepted his resignation with great sadness, and, as the 2009 President-Elect, I have assumed the President's role in facilitating the business of the Council for this year.

Providing input to the Board

As President Obama assumed this nation's highest office, he sent a message of hope for change in America and inspired us all to volunteer so we could make things better. I send this same message to all of you and hope that you too will consider helping the elected Board of Directors move the Council forward. Let us know what NCSB can do for you. Take a moment and send your message to me via email (lisa_oconnor37@hotmail.com) or fax (415) 383-7682. Your input is important!

Strategic Planning

In October we met in Vienna VA for the annual NCSB conference. Following the conference the board engaged in a strategic planning session which helps the organization remain flexible and open to change, by positioning it to learn from its experiences. We examined the mission and vision of the organization, and established goals that will make the organization stronger and allow it to be better equipped to anticipate challenges and to develop successful strategies on policy issues. The conversation focused on: Where are we now? Where do we want to be? What do we do to get there? How do we make this happen? It was a very productive conversation, expertly facilitated by Fred Spahr, retired Executive Director of ASHA and a trained strategic planning facilitator. In March, the Board will again meet to review, discuss and approve the plan which will then be sent to the membership. At present, four primary goals have been identified for achievement in the next 3 years. They include:

- Increase communications with all State Boards regarding issues NCSB is addressing and actions they are or will be taking/recommending
- Increase membership in NCSB
- Be THE RESOURCE in regulatory and licensure issues
- Benchmark NCSB with other like organizations

The Board is energized and enthusiastic about pursuing these goals. The intent is to secure the Council's position as the "go to" organization for licensing and regulatory issues.

Honors of NCSB

Honors of NCSB will once again be a part of the conference programming for fall, 2009. This award is intended to recognize an individual for his or her exemplary contributions to NCSB, a member licensing board in their state, or an individual employed by a member organization that addresses regulatory issues/concerns for the professions. Look for more information regarding this award, and the call for nominations packet sometime in March.

Fall Conference

Be sure to mark your calendars for the NCSB fall conference in New Orleans in September. The conference program will address current licensing trends and the implications for licensure in each state. New Orleans is an exciting city with plenty of entertainment, good jazz and fabulous cuisine. Join us in the Big Easy from September 10 through the 12th. See you there!

INSIDE THIS ISSUE

Summary of 2008 NCSB Conference
Pre-Conference Board Member Training
State Information Exchange
AAA and ASHA Receptions
2009 NCSB Fall Conference in New Orleans
Royal Sonesta Hotel
Applications for Board Membership
Upcoming NCSB Elections
Poster Session at ASHA
Legislative Updates
Synopsis of Corporate Meeting Minutes
Data Bank News
NCSB Website
NCSB Listserv
Spotlight on Licensure Boards
Board of Directors

PROFESSIONAL LICENSURE 2008 IS FOCUS OF FALL NCSB CONFERENCE

The twenty-first annual NCSB conference was held in Vienna, Virginia, October 16-18, 2008. The meeting began with the pre-conference Board Member Training (see details elsewhere in this publication). The conference included sessions on generational differences, updates on the HIPDB, administrative issues, unlicensed practice, board publications, telepractice, creative discipline, and future visions for regulatory boards. Highlights of the conference included:

- Donna Mooney, R.N., Disciplinary Proceedings Manager with the North Carolina Board of Nursing, delivered the keynote address discussing “Generational Issues and the Disciplinary Process”. Ms. Mooney led a spirited discussion of challenges faced by licensure boards as they interact with licenses across the generations, including the traditionalists, the baby boomers, the generation x-er’s, and the millennium individuals. She provided a description of traits seen in individuals from each of these generations and related examples of how different forms of discipline may or may not be effective in each category.
- Shari Campbell, DPM, Policy Analyst from the Division of Practitioner Data Banks, presented information regarding “HIPDB Updates: What Licensure Boards Need to Know”. Dr. Campbell discussed the purpose and function of the data banks and provided statistics on the numbers of speech-language pathologists and audiologists reported to each of the data banks.
- A panel discussion entitled “Administrative Challenges: Who Does What to Whom?” was led by individuals involved in the administrative process. These included Annemarie DelMugnaio (CA), Jolie Jones (LA), and Gwen Wheatley (MD). They discussed topics that included the role of the board administrator in complaints and discipline and methods employed to report sanctions to the HIPDB.
- Attendees then broke into small groups to discuss the topics of board publications and communication, dealing with unlicensed practice, creative discipline and making the punishment fit the crime, and the regulation of telepractice.
- Saturday morning began with the popular State Information Exchange, facilitated by Doreen Oyadomari (AL). This forum allowed participants to network and share successes and challenges faced by their licensure boards. A summary of the State Information Exchange is included elsewhere in this newsletter.
- “Critical Shortages of Personnel: Implications for Licensure” was led by Annemarie DelMugnaio (CA) and Lisa O’Connor (CA). Issues such as encroachment and the licensing of international graduates were included as part of this panel discussion.
- Concluding the conference on Saturday was a session presented by David Hodgson, Registrar of CEO of CASLPO. Entitled “Regulatory Boards as Visionaries: The Canadian Experience”, the presentation looked at what boards can do in the future to maintain their status as regulators and to continue to provide optimal public protection.

Note: Responses to questions on the evaluation form indicated that attendees preferred sessions that provided for audience interaction. These factors, as well as suggested topics, will be considered in planning the 2009 conference.

PRE-CONFERENCE WORKSHOP PROVIDES BOARD MEMBER TRAINING

Attended by twenty individuals, the annual pre-conference workshop held on October 16, 2008, focused on all aspects of board service. Ayn Stehr, a board attorney with a background in administrative law, discussed statutory authority, including the rulemaking process and the disciplinary process. Following that presentation was a mock disciplinary hearing that delineated the entire process from the initial letter of complaint to the testimony of witnesses to the imposition of sanctions for each of the violations. Members of the audience served as the hearing panel and participated in the questioning of witnesses, in the examination of evidence, in deliberation of the testimony, and in the determination of appropriate sanctions.

A review of sample complaints was utilized to provide participants an opportunity to put into practice the information learned from the attorney presentation and from the disciplinary hearing. Ethical situations and dilemmas relating to the practice of speech-language pathology and audiology were employed to guide board members through the logical process of ethical decision-making and to provide them with an opportunity to receive and review complaints that might be brought before a regulatory board. Instruction was provided in drafting a consent order in response to some of the complaints, as well as suggestions for coding in reporting of sanctions to the national data bank.

Included as part of the training was a comprehensive reference manual containing information on the characteristics of licensure laws and regulations throughout the country. It also included samples of model legislation, samples of state licensing laws, and examples of licensure board exams. A section on emerging issues referenced telepractice regulations, while another included the reporting of sanctions to the national data bank. Plans are to offer the training as a pre-conference workshop at the 2009 conference in New Orleans. Look for details in the summer edition of *Licensure*.

STATE INFORMATION EXCHANGE—2008 NCSB CONFERENCE

Each year states are asked to report on successes and challenges experienced by their respective licensing boards during the past year. Following is a summary of licensure activities reported by states attending the Vienna, Virginia, conference.

Alabama—Board sent four representatives to NCSB this year. They have engaged in strategic planning modeled after the report from OK at the last meeting. Sunset review

has been completed, and the board is awaiting the final decision. Currently looking into criminal background checks and trying to determine if the policy should be retroactive or include new applicants only.

Arkansas—No report

California—Board was essentially dissolved for a period of time, but will resume its board status on January 1; will need to begin process of new appointments. Involved in conserving funds by decreasing newsletters and other publications. Continue to deal with encroachment from related professions. Now under consideration is a test of English for internationally trained applicants. Audiology aides require 100% supervision; now looking at expanding level of professional support for speech-language pathology aides.

Canada—Created an organization similar to NCSB. Continue to work on development of practice standards. Will meet with ASHA to discuss practice standards related to CAPD, autism, and vestibular testing.

Florida—Budget has been reduced by 10%. Working on ways to license businesses operating in FL. Want the licensee as well as the business to be licensed as a means of better protecting consumers by eliminating fraudulent businesses. May reduce licensing fees for individuals.

Kentucky—State in process of appropriating some of board's revenue. Changed statute for AuD entry, effective July 2008; currently working on rules. Adopted two-year licensing status; will audit 10% for continuing education compliance. Currently having issues with ENT and audiology assistant scope of practice.

Louisiana—Published four public service announcements about licensure in four major newspapers during Better Hearing and Speech month at a cost of \$2500; next year will run ad in other newspapers. Continue to sponsor CE activities and continue to provide presentations at universities and at state association meetings. Presented demonstration on supervision by web cam at last state meeting. Looking at development of webinar for presentation on licensure to university graduate students. Problems with assistants moving across state lines.

Maryland—Finalized telehealth regulations (modeled after ASHA guidelines), updated education and supervision for AuD students during each year of training. Issues with getting transcripts and other documentation in a timely manner for new graduates; trying to communicate with graduate training programs to resolve some of the problems.

Massachusetts—No report

Mississippi—Has achieved 80% of renewals online. Revoked largest number of licenses this past year, many for CE problems. Looking at online reduction for CE activities and also considering development of regulations for telepractice.

Missouri—Changes in law have been proposed; posted on web site. Most changes have been proposed by academic community. Also want to change law to dispense hearing aids with state license.

Montana—Talks with hearing aid board re: merging of boards, but the licensing board has decided not to proceed with this possibility. Currently must pay \$600-800 for hearing aid dealer license. Now using telesupervision for SLP aides. Graduate training program for SLP opening in Fall of 2009.

New Mexico—Statute changes to include audiologists as hearing aid dispensers.

Considering background checks. Also looking at implementation of on-line renewals.

North Carolina—No report

North Dakota—Board received its first complaint. Looking at whether to license 4th year AuD student. Also considering limiting number of on-line CE courses allowed to meet CE requirements.

Oregon—Working to require licensure in all job settings; will also license SLP assistants. Beginning to audit supervision. Audiologists no longer required to have HA dealer license. Important to educate graduate programs and students about different types of licensure.

Oklahoma—Implemented a late fee of \$37.50 each month for a year for those who do not renew on time. Investigating changing rules for supervision and scope of practice. Working toward paperless environment and updating website for online renewals, including adding adverse actions on web site. Investigating criminal background checks.

Pennsylvania—Using online renewal system; asked five questions related to plans for retirement, difficulty obtaining CE, and whether educational program was completed in PA. Trying to determine future direction of profession and need for qualified personnel to meet consumer needs.

Texas—Now require that two of the CE hours be obtained in ethics training. Change in audiology rules for AuD externs. Now post jurisprudence exam online. Ad hoc committee formed to look at telepractice guidelines. State representative has called for task force to look at requiring two hours of CE for implantable devices.

Wisconsin—Legislation proposed by state association for audiologists; need to upgrade scope of practice and related guidelines for the practice of audiology.

AAA AND ASHA HOST RECEPTIONS FOR NCSB ATTENDEES

Both the American Academy of Audiology (AAA) and the American Speech-Language Hearing Association (ASHA) welcomed attendees to the DC area by hosting functions during the conference.

On Thursday evening, October 16, AAA hosted a cocktail reception at a downtown DC restaurant. Plans were originally to have the reception at the AAA Capitol Hill office; however, renovations necessitated a change of venue for the party. While at the restaurant, NCSB attendees were greeted by the AAA Board of Directors and AAA staff.

The following evening, ASHA hosted a buffet dinner at its new office facility in Rockville, Maryland. During the dinner, Arlene Pietranton, ASHA Executive Director, welcomed NCSB attendees and provided a brief update on the new facility. ASHA staff members present conducted tours of the national office for those attending.

NCSB is grateful to both AAA and ASHA for their hospitality and for the networking opportunities afforded those attending the conference.

2009 FALL CONFERENCE

The 2009 NCSB conference will be held in New Orleans, *September 10-12, 2009*. Please mark your calendar and make sure your state board is represented at this important meeting. The conference is being held earlier this year to take advantage of better hotel room rates and to allow more time between the NCSB meeting and the ASHA convention which also takes place in New Orleans this year. We hope to see all 50 states represented at this conference.

The theme for this conference is *Current Licensure Trends and All that Jazz*. Based on input from the participants last October in Vienna Virginia, some licensure trends of interest for the September 2009 conference in New Orleans are:

- Use and regulation of telehealth and telepractice
- Licensure issues with internationally trained professionals
- Making sanctions more predictable in the disciplinary process
- Trends, barriers, and strategies in universal licensure
- Scope of practice issues and encroachment from other disciplines

PLEASE share your ideas. Suggest topics that you feel might be of interest to participants at the fall conference. You can send this input to me directly at: lisa_oconnor37@hotmail.com **Please put NCSB CONFERENCE on the subject line and give me your input. Hope to see you in New Orleans!**

ROYAL SONESTA HOTEL SITE OF 2009 NCSB CONFERENCE

The Royal Sonesta Hotel, located at 300 Bourbon Street in the heart of the New Orleans French Quarter, will serve as the convention site for the 2009 conference. The hotel has been rated “Four Diamonds” by AAA and has been named “Best Balcony” by the Travel Channel. In addition to being in the center of the French Quarter, the hotel has convenient access to riverfront attractions, the convention center, Jackson Square, the River Walk, Mardi Gras World, and many more places of interest. The Louis Armstrong International Airport is approximately 17 miles from the hotel. Shuttle service, as well as taxi service, is available from the airport to downtown hotels. Visit the Royal Sonesta web site at www.royalsonesta-neworleans.com for a virtual tour and for additional information.

*A conference rate of \$129 per night for single/double accommodations has been negotiated with the hotel. These rates will be honored two days before and two days after the conference. Cut-off date for making reservations is Wednesday, August 19, 2009. Call (504) 586-0300 to make reservations, preferably twenty-one days in advance of the conference. Watch for additional hotel information in the summer edition of *Licensure*. Note: The Louisiana Board of Examiners for Speech-Language Pathology and Audiology (LBESPA) will sponsor a special event at the conference—look for details.*

APPLICATIONS FOR BOARD MEMBERSHIP & INDIVIDUAL MEMBERSHIP

The mission of the National Council of State Boards of Examiners for Speech-Language Pathology and Audiology (NCSB) is to facilitate the role of licensure boards through communication and education. In keeping with the mission and the need for state boards to have a forum for networking, NCSB encourages all state licensing boards involved in the regulation of speech-language pathology and audiology to apply for membership in the Council. The application is for membership from January 1-2009-December 31, 2009, and the application fee for state boards is \$350.00. NCSB has membership for individuals who are or who have been a member or an executive officer of a unit responsible for licensing and/or certifying the practices of speech-language pathology and audiology. Dues for individual membership are \$25.00 per year.

Applications for membership should be mailed to:

National Council of State Boards

P.O. Box 326

Wellsburg, WV 26070

For further information contact Ken Gist at (304) 737-2395.

UPCOMING NCSB ELECTIONS

After March 1, a call for nominations for NCSB officers will be sent to all member boards. According to the bylaws, the President-Elect is selected from the current Board of Directors. Directors eligible to be nominated for President-Elect include:

Doreen Oyadomari

Glenn Waguespack

Theresa Rodgers

Annemarie DelMugnaio

Larry Molt

Alma Peters

Karen Stein

In addition to the President-Elect, NCSB is soliciting nominations for three positions on the Board of Directors. Those eligible for these positions include either persons from member state boards or persons hold individual membership in NCSB. Please participate in the election process by completing the nomination form that will be sent to your state licensing board.

NCSB PRESENTS POSTER SESSION AT ASHA

A poster session entitled "Professional Licensure and All That Jazz" was presented at the ASHA Convention in Chicago last November. The poster session utilized maps to depict characteristics of state licensure, including the areas of hearing aid dispensing, support personnel, exemption-free licensure, and continuing education. Handouts containing statistics for each of the areas, as well as web site addresses for all licensing boards, were distributed to those viewing the poster session. The session provided an opportunity for NCSB to network with those from other states and also provided some visibility for the association. The poster has been submitted to the AAA call for papers for inclusion at their April meeting if accepted.

LEGISLATIVE UPDATES

Michigan has become the 48th state to pass speech-language pathology licensure legislation. The comprehensive universal licensure bill that requires licensure for SLPs in all practice settings, was passed on December 19, 2008, following many years of lobbying by the Michigan Speech-Language-Hearing Association. Only two states—South Dakota and Colorado—do not currently regulate the profession of speech-language pathology. Audiology is regulated in all fifty states and the District of Columbia (DC also regulates SLP). NCSB congratulates Michigan on their success and wishes them well as they develop rules and regulations to govern and regulate the practice of speech-language pathology in Michigan.

Oregon is proposing legislation that would require professional regulatory boards to submit annual reports to the Legislative Assembly and Governor regarding complaints received by the boards. The boards must report the number and nature of complaints, resolution of each complaint with penalties imposed, and the number of unresolved complaints and the reason for the unresolved complaints. The legislation would impact at least 29 professional regulatory boards. (From FARB Forum 2009, Tampa, Florida)

SYNOPSIS OF MINUTES: ANNUAL CORPORATE MEETING

October 17, 2008

Following is a summary of the minutes from the annual corporate meeting in Vienna, Virginia. The minutes will be circulated in their entirety and voted upon at the next corporate meeting to be held in conjunction with the NCSB Conference in New Orleans.

1. Minutes from the 2007 corporate meeting were distributed and approved.
2. Ken Gist, Executive Secretary, reported that there are 28 state board members with a total of 57 conference attendees.
3. The treasurer's report was presented and approved, as was the budget for 2009.
4. **The election results were announced, and it was reported that Lisa O'Connor from California will assume the office of President-Elect. Newly elected board members are Annemarie DelMugnaio (CA), Theresa Rodgers (LA), and Larry Molt (AL).**
5. The newsletter will continue to be published twice a year. State boards are encouraged to submit information about regulatory issues in their states.
6. It was announced that NCSB would present a poster session at ASHA in Chicago on 11/20/08. The session is entitled "Professional Licensure and All That Jazz".
7. The state directory is being updated; attendees were requested to submit changes as necessary. The directory is distributed at no charge to member state boards.
8. **Doreen Oyadomari announced that the 22nd annual conference will be held in New Orleans at the Royal Sonesta Hotel September 10-12, 2009. Suggestions were requested for a 2010 conference site.**
9. Lisa O'Connor announced that strategic planning for the Board of Directors would take place following the conference and would be facilitated by Dr. Fred Spahr.
10. Karen Stein, outgoing NCSB President, presented the gavel to Bob Oyler, incoming NCSB President.

DATA BANK NEWS
(From January 2009 Issue of NPDB-HIPDB Newsletter)

Each month HRSA publishes a newsletter with information of interest to health care providers and other reporting entities. Following are questions in the January issue that may reflect some of the questions/concerns from Speech-Language Pathology and Audiology licensing boards.

Question 1—What is the deadline for reporting an indefinite clinical privilege adverse action?

Hospitals, other health care entities, and professional societies are required to report adverse clinical privilege actions that are in effect for more than 30 days. The report should be submitted within 30 days of the date the action was taken. A clinical privileges action for an indefinite period (when the reporter does not know how long the action will be in effect) becomes reportable on the 31st day the action is in effect and the action must be reported within 30 days. Missing the deadline does not excuse the reporter from filing a required report.

Question 2—If a state licensing board reports the suspension of the practitioner's license for 90 days, and the suspension is later reduced to 45 days, what type of report should the board submit for this new action?

The State licensure board should submit a Revision-to-Action Report to reflect the subsequent reduction in the number of suspension days.

Questions can be emailed to Dear Data Banks at help@npdb-hipdb.hrsa.gov. Urgent questions can be answered by the Customer Service Center at 800-767-6732.

Note: Another article of interest in the January 2009 newsletter references Reporting Code Improvements and discusses some examples of upcoming changes that become available in June 2009.

LOG ON TO THE NCSB WEBSITE

Please visit the NCSB website at www.ncsb.info for information regarding NCSB, its publications, and the upcoming conference. Send suggestions for items you would like to have included to member(s) of the Board of Directors.

NCSB LISTSERV

NCSB provides a listserv for state board members and for individual members. The listserv is an excellent way to keep up with the latest issues related to licensure in the professions and to share your views with other professionals across the country. Subscribe to the NCSB Listserv.

Go to: <http://groups.yahoo.com/group/ncsb2>

We look forward to your views and your input on critical licensure issues.

SPOTLIGHT ON LICENSURE BOARDS

Board Profile: California

Board Facts

- Passed legislation in 1974
- Board Composition—3 SLP, 3 AUD, 3 Public Members (includes ENT appointed by Governor), 2 non-professionals appointed by legislature—4 year appointments
- Meets quarterly
- License renewal every two years; 24 hours of continuing education required
- SLP Assistants, SLP Aides, audiology Aides—requires registration
- Pursuing legislation to require audiologists to hold the Doctoral degree for entry level practice in the state

Interview with Executive Director Annemarie DelMugnaio by NCSB Board member, Alma Peters

Question—As Executive Officer, what value did California see in joining NCSB and attending the annual meeting?

The exchange of information and best practices is most helpful. I also feel that we (California) can offer insights based on our experiences and administrative processes.

Question—Is there anything interesting/unusual going on with your Board?

Our Governor is proposing that we merge with the Hearing Aid Dispensers Bureau. With that proposal, there will likely be a move by the audiology profession to eliminate the requirement for dual licensure (that is, audiologists having the authority to dispense hearing aids without holding a separate dispenser's license). Also the board is in the process of amending its licensing standards for internationally trained applicants in an effort to appropriately evaluate academic and clinical preparation and oral language proficiency.

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