

# Licensure



## An Official Publication of the National Council of State Boards of Examiners for Speech-Language Pathology and Audiology

Spring 2022

### Special Points of Interest:

- 34th Annual Conference Recap, p: 2
- 35th Annual Conference, p: 3
- NCSB Board of Director Election Results, p: 4
- NCSB Solicits Nominations for Awards, p: 5
- NCSB Response to FDA RE: Over-the-Counter Hearing Aids, p: 6
- The Audiology and Speech-Language Pathology Interstate Licensing Compact (ASLP-IC), p: 8
- Spotlight on Licensure Boards, p: 10

### President's Corner

BY: Amy Goldman

Dear Members:

It is hard to believe the calendar has turned to 2022, and we are in yet another year of the pandemic! Given the circumstances, we were pleased to see so many of you in Williamsburg, Virginia. You can find the presenters' handouts at [NCSB Conference Schedule](#) and a review of 2021 conference highlights in this Newsletter. I want to thank all the presenters and attendees for a successful, albeit small, conference. Thanks to our faculty and organizers of the preconference, Glenn Waguespack, Theresa Rodgers and Nahale Kalfas. Thanks to Doreen Oyadamori whose prudent negotiations made sure the conference was a financial success in spite of the odds! My sincere thanks especially to Gregg Thornton who so helpfully mentored me in the planning and execution our annual event.

We surely hope to see more of you in Santa Fe, NM October 13-15, 2022. Under the leadership of President-Elect Tammy Brown, we are currently moving into high gear with planning and identifying speakers. Please let Tammy, or any of the members of the NCSB Board of Directors, know your ideas for topics and speakers.

Also in this issue of our Newsletter you will find information on some of the work our NCSB Board has been doing on the national "stage", so I encourage you to take the time to read through NCSB's comments to the FDA on OTC Hearing Aids as well as the update on the ASLP-IC. You don't have to wait for our Newsletter to keep up with NCSB news-follow us on Facebook at

<https://www.facebook.com/groups/201684259941209>

(Note you have to answer joining questions to be admitted!)

Did you know you can join NCSB as an individual member? Keep in touch with us even if you are rotating off your state board. Please join me in welcoming Tammy Brown and Nahale Kalfas who return to the NCSB Board of Directors. Tammy will serve as President-Elect and Program Chair, while

Nahale will continue as a member of the Board of Directors. We also welcome newly elected board member Nicole Jeffcoat. Our nominations committee led by then Past-President Kerri Phillips was overwhelmed by the interest expressed by many NCSB members in running for the Board of Directors. It is member engagement that contributes to the success of this organization!

Wishing you a healthy 2022 and looking forward to seeing you before you know it. Hope to see many of you at the next conference in Santa Fe.

Best,

Amy

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### 34th Annual NCSB Conference Williamsburg, Virginia

In Williamsburg, Virginia, from October 7-9, 2021, NCSB hosted its 34th annual conference. The conference opened on Thursday with Board Member Training and began with a statutory authority presentation by a board attorney. Following the statutory authority session in the morning, attendees participated in a mock compliance hearing, a mock disciplinary hearing, examined complaints, and discussed ethical decision-making utilizing board scenarios.

Much of the conference program October 8 and 9 was devoted to the impact of COVID on licensure boards, licensure compacts, and other topics that may come before a state regulatory board. Following the welcome, there was a presentation on the impact of COVID on licensure boards followed by an update on the Audiology and Speech-Language Pathology Compact. A panel discussion on interstate compacts provided attendees with further information on the current status and future direction of licensure compacts. Following was another panel discussion which addressed over-the-counter hearing aids, licensure portability, and remote programming of hearing aids, all topics that are pertinent to state licensure boards.

A discussion by two board administrators on the role of a regulatory board member delineated differences between serving on a licensure board and serving as a member of a professional association. There was also an update on both ASHA and AA certification, as well as statistics related to the Praxis exam. The afternoon session concluded with a discussion on the use and certification of audiology assistants, as well as a discussion regarding practice competency as recommended by the World Health Organization.

Much of the state information exchange focused on ASLP-IC experiences and encroachment issues related to licensure, topics which are shared by all state regulatory boards. The conference concluded with a discussion on clinical simulation and another on cultural humility and cultural competence.

**Note: Plans are underway for topics and speakers at the upcoming meeting in Santa Fe. If you have topics that are of interest to you, or if you have Board members with expertise in a particular area, please contact a member of the Board of Directors.**

## 35th Annual Conference Santa Fe, New Mexico



The NCSB Board of Directors will meet March 4 and 5 to develop the program for the next NCSB Conference to be held October 13-15, 2022. The program is still in the development stage; however, updates will be provided on the latest hot topics - licensure compacts and issues related to deregulation. Other issues related to the regulation of the professions will be included, and as always, the State Information Exchange will provide attendees with an opportunity to share successes and challenges. The site for the 2023 Fall Conference will also be selected at this meeting.

**REGISTRATION BROCHURES CONTAINING A FINALIZED PROGRAM AND HOTEL INFORMATION WILL BE SENT TO BOARDS THIS SUMMER.**

### **2022 CONFERENCE AT Drury Hotel in Santa Fe, New Mexico**

The 2022 NCSB Workshop and Conference will be held Thursday, October 13, 2022, through Saturday, October 15, 2022, at the Drury Plaza Hotel in Santa Fe.

### **NCSB Workshop & Conference, Oct. 13-15, 2022 Santa Fe, New Mexico**

#### *Conference Hotel*

Drury Plaza Hotel in Santa Fe  
828 Paseo de Peralta  
Santa Fe, New Mexico 87501  
Phone: 505-424-2175  
[www.druryhotels.com](http://www.druryhotels.com)

#### *Guest Room Group Rates*

Single/Double: \$109; Triple: \$119; Quad: \$129 per night, not including taxes.

Room Reservation Procedures: Reserve your room online at [www.druryhotels.com](http://www.druryhotels.com), select "Drury Plaza Hotel in Santa Fe-828 Paseo de Peralta, Santa Fe, New Mexico" and enter the group number of 2358321. Or, you may call 1-800-325-0720 and refer to the same group number.

### *Cutoff Date*

In order to receive the group rates, reservations must be made on or before Monday, September 12, 2022.

### *Parking*

On-site parking is valet only. Self-parking is not available on-site. The negotiated group rate is \$10 per day for meeting guests and \$10.00 per night per vehicle for overnight parking. (Advertised on-site parking non-group rates are \$25/night.)

### *Groome Transportation (formerly Sandia Shuttle) from Albuquerque Airport*

\$78+tax round trip or \$39+tax one-way. Reservations may be made by calling (505) 474-5696 or by visiting [www.groometransportation.com/santa-fe/](http://www.groometransportation.com/santa-fe/).

### *About the Hotel*

This renovated historic property offers unique accommodations like private terraces and premium suites. The hotel is LEED® Certified by the U.S. Green Building Council for energy-efficiency in the design and features on-property restaurant, Eloisa. The hotel is a short walk from downtown Santa Fe's many attractions, including the Georgia O'Keeffe Museum. Palace Avenue Arts designed the artwork for the interiors of the hotel by curating the most creative artists from a wide array of art markets. You will enjoy the variety of mediums displayed on all floors.

The hotel features beautiful rooms, free long distance for one hour every room every night and free wireless internet access in all rooms, in the lobby and in all meeting space. Also offered is a free HOT breakfast including pancakes, scrambled eggs, biscuits & gravy, sausage and more. There is Soda and Popcorn from 3:00 to 10:00 pm every night in the mezzanine lobby and a 5:30 KICKBACK each evening with a rotating menu of free hot food and cold beverages. There is a heated outdoor rooftop pool and whirlpool overlooking the Santa Fe skyline.

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## **NCSB Board of Director Election Results**

Elections for President-Elect and vacant Board of Directors positions were conducted by Kerri Phillips, NCSB Past President. Terms begin in January 2022, and those elected to serve include:

### **Tammy Brown - President-Elect**

Tammy is a licensed audiologist and Board President of the Ohio Speech and Hearing Professionals Board. Having served on the NCSB Board of Directors since 2021, she will serve a Program Chair for the upcoming conference. She is familiar with the mission of NCSB and has been a speaker at numerous conferences. She has also participated in board member training on more than one occasion. Tammy is currently a member of AAA, ASHA, and the Ohio Speech-Language-Hearing Association.

### **Nahale Kalfas - Board Member**

Re-elected to the Board of Directors, Nahale has served as general counsel for the North Carolina Board of Examiners for 14 years. She is also interim legal counsel for the Council of State

Governments and has been instrumental in the ASLP-IC development and passage in multiple states.

### **Nicole Jeffcoat - Board Member**

Newly elected to the NCSB Board of Directors, Nicole is a speech-language pathology member of the North Carolina Board. She works as a clinical supervisor for SLP in an acute care setting and acts as a clinical resource in the areas of dysphagia, FEES, PMSC, aphasia, TBI, and cognition.

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## **Membership in NCSB**

NCSB encourages interested individuals/board to join NCSB. Categories of membership are as follows:

1. *Full Membership* - Organizations eligible to apply for Full Membership are those boards, advisory councils, committees, or comparable bodies which conduct and maintain programs for the licensing of speech-language pathologists and audiologists in their respective states or provinces. The cost for Full Membership is \$450.
2. *Individual Membership* - This category is available to any individual who presently has served as a member, executive director, administrator, or attorney affiliated with a speech-language pathology and/or audiology board. Additionally, any SLP or AUD holding current licensure and with an interest in regulatory matters is entitled to apply for this affiliation. Individual members from states that are member boards in good standing shall receive discounted membership. The cost for Individual Membership is \$35.00 for individuals whose state is a member board and \$50.00 for individuals residing in states that do not hold membership in NCSB.
3. *Association Membership* - This category refers to organizations that either directly or indirectly provide services to individuals with communication disorders and whose members are impacted by licensing or certification of SLPs and AUDs. Individuals may also apply for this level of membership; however, membership is restricted to individuals who are members of an organization eligible to apply for Association Membership. The cost of Association Membership is \$350.

All levels of membership can be accessed at the website, [www.ncsb.info](http://www.ncsb.info).

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## **NCSB Solicits Nominations for Awards**

Each year at its Corporate Business meeting, NCSB recognizes individuals who have made outstanding contributions to the professions through involvement with licensure. Two awards have been established to honor individuals, and these include Honors of the Association and the Special Recognition Award. Briefly, *Honors of the Association* is intended to recognize an individual for his/her exemplary contributions to NCSB, to a licensing board in the state, or to an individual

employed by an organization or other entity that addresses regulatory concerns for the professions. The *Special Recognition Award* is given to individuals who have demonstrated exemplary commitment and contributions in the area of regulation at the state level. Criteria for these awards and detailed nomination procedures can be found at [www.ncsb.info](http://www.ncsb.info). NCSB encourages member boards to respond to the Call for Nominations for these two awards. Recipients will be recognized at the Business Meeting Friday, October 14, 2022.

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## Join NCSB on Facebook



Keep up to date on the latest news and information from NCSB. Join Facebook and have access to early announcements of conference locations, accommodations, and programs. Get “social” with NCSB. Membership in the Facebook group is open to anyone who is a past or present member of your state’s licensure board in speech-language pathology or audiology, state and national association leaders - or if you are interested in trending information and hot topics related to the regulation of the communication profession. Invite your friends to “like” and “follow” us. Connect with your colleagues about timely issues in the professions and share news about what is happening in your state.

Search under “NCSB” or go to <https://www.facebook.com/groups/201684259941209/?fref=ts>

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## NCSB Response to FDA RE: Over-the-Counter Hearing Aids

**As you are aware, the FDA has recently published guidelines relative to OTC hearing aids. State regulatory boards, professional associations, and other entities were encouraged to respond to those guidelines by the middle of January. NCSB did send a letter to the FDA (see context of letter below), and any response from the FDA will be published once it is received. Following is the text of the NCSB response:**

The National Council of State Boards of Examiners for Speech-Language Pathology and Audiology (NCSB) is a non-profit membership organization of boards that license and regulate the practice of speech-language pathology and audiology. Consumer protection is core to our mission.

### **Labeling Outside the Package and Condition for Sale**

NCSB requests the FDA expand its proposed outside the package warning to prohibit not only sale of the device to someone under the age of 18 but also sale for the use by anyone younger than 18. Similarly, at the time of sale, NCSB recommends affirmation the purchase is not for use by anyone younger than 18. Children with hearing loss provided with OTC devices are at risk for complications

due to untreated ear disease, inadequate/inappropriate amplification or the failure to identify other conditions that require specialized treatment.

NCSB recommends the FDA consider using the following clarifying warning statement:

**WARNING! This device shall not be sold to or purchased for use by anyone younger than 18 years old.**

### **Labeling Inside the Package**

NCSB recommends inside packaging include information about preventing damage to hearing. Information should provide consumers with warning signs the amplified sound from their OTC aid might be too loud and damage their hearing, e.g. the consumer is having difficulty talking or hearing others talk over the sound, the sound makes the consumer's ears hurt or ring, or other sounds seem muffled after the consumer leaves an area where there is loud sound. NCSB recommends inside product labeling include information about conditions that contribute to or cause hearing loss, e.g. ear wax, other ear growths, ear infections, or perforation of the eardrum. Additionally, NCSB recommends inside product labeling include information advising a consumer to seek help from a hearing care professional if they have any of the FDA's listed warning signs or are concerned about their hearing after use of the device.

NCSB recommends the following important notice be included as part of inside labeling:

**IMPORTANT NOTICE: Be careful when using this device. Do not use your hearing device more than 12 hours a day. Do not use if the device exceeds your comfort level due to loudness or physical fit of the device. If set to the maximum output level and worn for longer than recommended, you may damage your hearing.**

### **Output Limits**

The FDA is proposing 115 dB as maximum acoustic output for an OTC hearing aid and 120 dB SPL for one that implements input-controlled compression and user-adjustable device volume control. NCSB believes the proposed output limits, even with user-adjustable volume control, are potentially unsafe and can further impair hearing. NCSB recommends a maximum acoustic output limit of 110 dB, particularly for those with hearing loss levels in the mild to moderate hearing loss range. Limits of 120 dB are not consistent with formula fitting ranges for consumers with mild to moderate hearing loss. In fact, these higher dB levels are utilized in fitting for severe to profound hearing loss ranges. According to the CDC, exposure at 120 dB can cause pain and ear injury, and exposure to noise at levels between 105-110 dB can cause hearing loss in less than 5 minutes.

[https://www.cdc.gov/nceh/hearing\\_loss/what\\_noises\\_cause\\_hearing\\_loss.html](https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html)

NCSB recommends user-adjustable device volume control with maximum acoustic output limit of 110 dB output be required as a design feature for OTC hearing aids to minimize harmful high output levels.

NCSB recommends output levels include examples of the type of noise a consumer would be experiencing, e.g. noise at 110 dB would be equivalent to the maximum volume level for personal listening devices, a very loud radio or television, and loud entertainment venues. NCSB

recommends the information indicate that as loudness increases, the amount of time you can hear the sound before damage occurs decreases.

### **Clarification of mild to moderate hearing loss**

NCSB recommends the FDA clarify "mild to moderate" hearing loss. NCSB believes the best way to determine hearing loss is through audiometric data. The FDA is proposing scenarios that suggest mild to moderate hearing loss. As noted (p. 58159) these may also be experienced by persons with normal hearing in poor acoustic and difficult listening situations. It is exactly this population who could be potentially over-exposed to the decibel levels in the proposed regulations. Consumers need to be aware that there are different types, degrees, and configurations of hearing loss that can have significant implications for them and their success with any device. Specialized evaluation may be needed in order to benefit from appropriate amplification. Clarification of what constitutes "mild to moderate" hearing loss will help consumers make an informed decision on whether to purchase an OTC hearing aid or seek professional help.

*Submitted via regulations.gov on January 16, 2022. Thanks to Gregg Thornton, Tammy Brown, and Glenn Waguespack drafting and reviewing these comments.*

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## **The Audiology and Speech-Language Pathology Interstate Licensing Compact (ASLP-IC)**

**Note: A designated group has been working to develop guidelines and procedures for the implementation of licensure compacts in audiology and speech-language pathology. The compact can be accessed in its entirety by logging on to the website for the Council of State Governments.**

UPDATE - To date ten (10) states have passed legislation for the implementation of the ASLP-IC. These states are Alabama, Kansas, Kentucky, Louisiana, Nebraska, North Carolina, Oklahoma, Utah, West Virginia, and Wyoming. ASLP-IC legislation is pending in Idaho, Illinois, Indiana, Iowa, Mississippi, Missouri, South Carolina, Tennessee, Vermont, and Washington. It is anticipated that additional states will introduce legislation during this year. Representatives (one SLP and one AUD) from each of the 10 states comprise the existing ASLP-IC Commission. Additional commissioners will be appointed as additional states pass legislation for the interstate compact.

The Commission held its initial meeting virtually on January 12-13, 2022. Commissioners received a draft of proposed bylaws and rules, as well as a transition timeline and proposed committees. An Executive Committee was formed, and the following individuals were elected to serve:

- Chair - Larry Molt, Ph.D. CCC-A/SLP, Audiologist, Alabama Board of Examiners
- Vice-Chair - Claire Covert-ByBee, program manager for Nebraska Board of Examiners
- Secretary - Nicole Jeffcoate, M.S. CCC-SLP, North Carolina Board of Examiners
- Treasurer - Glenn Waguespack, M.S. CCC-A, Louisiana Board of Examiners
- Members-at-Large -
  - Vickie Pullins, M.A. CCC-SLP, W. Virginia Board of Examiners
  - Daphne Washington, M.A. CCC-SLP, Louisiana Board of Examiners
  - Tammy Brown, M.A. CCC-A, Ohio Board of Examiners



Committees for Finance, Rules, and Compliance were also proposed, and members were appointed to each of the committees.

It is anticipated that there will be a meeting of the Executive Committee in the Spring with the first annual meeting occurring in late summer. Once the committee tasks have been completed, the group will develop a budget and a fee schedule for participation in the compact. NCSB offers its thanks to Kerri Phillips who served as the liaison from NCSB to the Council of State Governments and who was instrumental in the development of language pertinent to the professions of Audiology and Speech-Language Pathology. The Executive Committee is grateful to the Council of State Governments for facilitating this inaugural meeting and to ASHA, AAA, and the ADA for their financial support. It is requested that state licensing boards publish information about the compact via their websites, and updates will be provided as they become available.

### **Summary of the Minutes of the Annual Corporate Business Meeting**

**Following is a summary of the minutes from the Annual Corporate Business meeting in Williamsburg October 8, 2021. A full text of the minutes will be available at the 2022 Corporate Meeting, and these will be voted on at that time.**

- Minutes from the 2019 Corporate Meeting approved
  - Gregg Thornton, NCSB President, thanked the Platinum Sponsors (Ohio Speech and Hearing Professionals Board and the North Carolina Board of Examiners for Speech-Language Pathologists and Audiologists), the Diamond Sponsors (West Virginia Board of Examiners for Speech-Language Pathology and Audiology), and the Gold Sponsors (American Academy of Audiology, SpeechPathology.com, and the Educational Testing Service. Thanks also went to the exhibitors (ASHA, AAA, and ETS) and to the entire faculty of presenters.
  - Amy Goldman, NCSB President-Elect, explained how the COVID-19 situation impacted the 2021 conference, and encouraged attendees to register for the 2022 conference in Santa Fe.
  - Reports were given by the secretary, treasurer, and editor.
  - Past President reported that the election slate contained more nominees than ever before. Ballots are being formatted and will be sent to member boards within the next few weeks.
  - Proposed bylaws revisions were adopted. These include:
    1. Article IV, Section 1 - Bylaws originally required in-person annual meeting; changes added to utilize virtual meeting format as needed
    2. Article V, Section 1 - Clarification added to stipulate that position of President-Elect must be filled by a sitting member of the Board of Directors.
    3. Article VIII, Section 4 - Charged secretary with keeping up-to-date member directory and providing that information within 90 days of the deadline for payment of dues.
  - NCSB Poster at ASHA Convention - Has been accepted for presentation on Thursday, November 18. Poster details the effect of the pandemic on state licensure regulation.
  - Dates of October 13-15 announced for 2022 conference in Santa Fe.
  - Ceremonial passing of gavel from Gregg Thornton to Amy Goldman.
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## Spotlight on Licensure Boards

Each edition of the newsletter provides a spotlight on a regulatory Board. The information may contain information about the members of the Board, how to file a complaint, and other pertinent information for audiologists and speech-language pathologists living in that state. State boards are encouraged to submit information about their Board, particularly if there is legislation in process or if there have been any recent changes to the law and/or the rules. This edition shines the spotlight on Ohio.

### OHIO SPEECH & HEARING PROFESSIONALS BOARD

#### *Number of bd. Members*

9-3 audiologists, 2 speech-language pathologists, 2 hearing aid fitters, 2 public members. Board members are appointed by the Governor, who is presently Gov. Mike DeWine, and confirmed by the Senate. Board member terms are for 3 years, with the option to be reappointed for up to 3 consecutive terms.

*Number of staff members: 4*

#### *Names of board members*

- Tammy H. Brown, M.A., CCC-A, FAAA, Board Certified in Audiology, Board President
- Carrie L. Spangler, Au.D., CCC-A, Board Secretary
- Lisa Dodge Burton, Public Member
- Steven M. Griffin, M.A., CCC-SLP
- Nancy L. Mills, Au.D, CCC-A
- Barbara L. Prakup, Ph.D., CCC-SLP
- Michael R. Pratt, H.A.S. Matt Starner, H.A.S.
- Stephen M. White, Esq., Public Member

#### *Average number of complaints yearly*

We investigate approximately 60 complaints per year.

#### *How does the Ohio board "tell their story"*

The Board "tells their story" with an eNewsletter, website, social media outreach via Facebook, Annual Report issued to the Governor, presentations at 9 of the 11 graduate schools in Ohio, presentations and exhibitor booths at the state conferences sponsored by the 4 state professional associations, responding to inquiries from state legislators who contact the board for information and resources about the professions on behalf of their constituents, and responding to questions from legislators during our budget hearings.

#### *ASLP-IC*

The journey to passage in Ohio -Ohio's journey to passage of the ASLP-IC occurred in June 2021, after a bit of wait and see when the final ASLP-IC model bill was ready in 2019. Both the House and Senate unanimously passed legislation that was introduced by Reps. Andrea White and Phil Plummer. The bill had many co-sponsors and wide-spread support from various organizations, including national and state professional associations. The bill was introduced in April 2021 and passed through both chambers within a matter of two months, before the summer recess. Ohio became the 14th state to pass the ASLP-IC.

*And any other information you would like to share*

The Board has been a charter member of NCSB since 1977, when it was the Ohio Board of Speech-Language Pathology and Audiology. In 2018, a board consolidation occurred, and the former board and Hearing Aid Dealers and Fitters Board were both abolished to form the current Ohio Speech and Hearing Professionals Board. The transition has been smooth and the Board works as a team focused on our mission of consumer protection.

### NCSB Board of Directors

<p><b><u>President</u></b> Amy Goldman, MS, CCC-SLP Pennsylvania Term Ending: 2022</p>	<p><b><u>President-Elect</u></b> Tammy Brown, MA, CCC-A Ohio Term Ending: 2022</p>	<p><b><u>Past President</u></b> Gregg Thornton, Esq Columbus, OH Term Ending: 2022</p>
<p><b><u>Director</u></b> Larry Molt, PhD, CCC-SLP/AUD Auburn, AL Term Ending: 2022</p>	<p><b><u>Director</u></b> Vickie Pullins, MS, CCC-SLP West Virginia Term Ending: 2022</p>	<p><b><u>Director</u></b> Doreen Oyadomari, PhD, SLP, Alabama Term Ending: 2022</p>
<p><b><u>Director</u></b> Kerrilyn Phillips, SLP.D., CCC-SLP West Monroe, LA Term Ending: 2023</p>	<p><b><u>Director</u></b> Glenn Waguespack, MS, CCC-A Shreveport, LA Term Ending: 2023</p>	<p><b><u>Director</u></b> Nicole Jeffcoate, M.S. CCC-SLP Greensboro, NC Term Ending: 2024</p>
<p><b><u>Director</u></b> Nahale Freeland Kalfas, Esq. Durham, NC Term Ending: 2024</p>		<p><b><u>Administrator</u></b> Robert Ranieri Prime Management Services 3416 Primm Lane Birmingham, AL 35216 (W) 205-823-6106</p>

