



THE OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

Ohio Board of Speech-Language Pathology and Audiology

NEWSLETTER Spring 2007

Message From
Davy Parsons, M.A.
Board Chairperson

During the past two months there has been significant progress on the amendments to our law. The working group which represented the state professional organizations, universities, and the Board, drafted the legislative language which amends to our law, Ohio Revised Code 4753. This language was then crafted into Senate Bill 143 and House Bill 180, which were assigned to the Senate Education Committee and the House Education Committee for consideration. The language of both Senate Bill 143 and House Bill 180 are being published in this Newsletter. If the House and Senate Committees pass the Bills, then the full House and Senate should vote on the measure. If the measure passes, the bill is sent to the Governor for his signature.

In summary the change to our law would permit the Board to issue Student Permits to certain second year Speech-Language Pathology graduate students enrolled in any of Ohio's programs. Oversight of the selection and supervision of these students would fall to the University programs that recommend the students for this permit.

The changes to the law is only the first step in the process. Upon passage of the law changes, rules (Ohio Administrative Code 4753) would be proposed that reflect the law's change and detail the implementation of the changes. All rule changes are open to review and comment by the public.

The Board welcomes any comments you may have on the current changes to our law under consideration. You may e-mail your comments to the Board's address at board@slpaud.state.oh.us

I want to personally thank Louis Staffilino from the Department of Education and the members of the task force that drafted these changes for their many hours of service to the consumers and their fellow speech-language pathologists in Ohio.

Task Force Members

Nada Allender, M.A., CCC-SLP
Barb Conrad, M.A., CCC-SLP
Nancy Creaghead, Ph.D., CCC-SLP
Jeanne Gokcen, Ph.D, CCC-SLP
Kathy Jillson, M.A., CCC-SLP
Susan Grogan-Johnson,, Ph.D., CCC-SLP
Ann Slone, M.A., CCC-SLP

REVISION OF O.R.C. 4753

On April 24 Senator Joy Padgett and Representative Arlene Setzer introduced legislation (S.B. 143 and H.B. 180 which are exactly the same) that would create student permits for certain second year graduate students enrolled in Ohio's Speech-Language Pathology programs. The text of the changes is as follows:

A BILL

To amend sections 4753.02, 4753.05, and 4753.11 and to enact sections 4753.073 and 4753.101 of the Revised Code to establish a limited student permit category for speech language pathology interns, and to declare an emergency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4753.02, 4753.05, and 4753.11 be amended and sections 4753.073 and 4753.101 of the Revised Code be enacted to read as follows:

Sec. 4753.02. No person shall practice, offer to practice, or aid and abet the practice of the profession of speech-language pathology or audiology, or use in connection with his the person's name, or otherwise assume, use, or advertise any title or description tending to convey the impression that he the person is a speech-language pathologist or audiologist unless the person is licensed or permitted under this chapter.

Sec. 4753.05. (A) The board of speech-language pathology and audiology may make reasonable rules necessary for the administration of this chapter. The board shall

adopt rules to ensure ethical standards of practice by speech-language pathologists and audiologists licensed or permitted pursuant to this chapter. All rules adopted under this chapter shall be adopted in accordance with Chapter 119. of the Revised Code.

(B) The board shall determine the nature and scope of examinations to be administered to applicants for licensure pursuant to this chapter in the practices of speech-language pathology and audiology, and shall evaluate the qualifications of all applicants. Written examinations may be supplemented by such practical and oral examinations as the board shall determine by rule. The board shall determine by rule the minimum examination score for licensure. Licensure shall be granted independently in speech-language pathology and audiology. The board shall maintain a current public record of all persons licensed, to be made available upon request.

(C) The board shall publish and make available, upon request, the licensure and permit standards prescribed by this chapter and rules adopted pursuant thereto.

(D) The board shall submit to the governor each year a report of all its official actions during the preceding year together with any recommendations and findings with regard to the improvement of the professions of audiology and speech-language pathology.

(E) The board shall investigate all alleged irregularities in the practices of speech-language pathology and audiology by persons licensed or permitted pursuant to this chapter and any violations of this chapter or rules adopted by the board. The board shall not investigate the practice of any person specifically exempted from licensure under this chapter by section 4753.12 of the Revised Code, as long as the person is practicing within the scope of the person's license or is carrying out responsibilities as described in division (G) or (H) of section 4753.12 of the Revised Code and does not claim to be a speech-language pathologist or audiologist.

In conducting investigations under this division, the board may administer oaths, order the taking of depositions, issue subpoenas, and compel the attendance of witnesses and the production of books, accounts, papers, records, documents, and testimony. In any case of disobedience or neglect of any subpoena served on any person or the refusal of any witness to testify to any matter regarding which the witness may lawfully be interrogated, the court of common pleas of any county where such disobedience, neglect, or refusal occurs or any judge thereof, on application by the board, shall compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court, or a refusal to testify therein.

(F) The board shall conduct such hearings and keep such records and minutes as are necessary to carry out this chapter.

(G) The board shall adopt a seal by which it shall authenticate its proceedings. Copies of the proceedings, records, and acts signed by the chairperson or executive director and authenticated by such seal shall be prima-facie evidence thereof in all courts of this state.

Sec. 4753.073. (A)(1) The board of speech-language pathology and audiology shall issue under its seal a speech-language pathology student permit to any applicant who submits a plan that has been approved by the applicant's university graduate

program in speech-language pathology and that conforms to requirements determined by the board by rule and who meets all of the following requirements:

(a) Is enrolled in a graduate program at an educational institution located in this state that is accredited by the council on academic accreditation in audiology and speech-language pathology of the American speech-language-hearing association;

(b) Has completed at least one year of postgraduate training in speech-language pathology, or equivalent coursework as determined by the board, and any student clinical experience the board may require by rule;

(2) The speech-language pathology student permit authorizes the holder to practice speech-language pathology within limits determined by the board by rule, which shall include the following:

(a) The permit holder's caseload shall be limited in a manner to be determined by the board by rule.

(b) The permit holder's authorized scope of practice shall be limited in a manner to be determined by the board by rule. The rule shall consider the coursework and clinical experience that has been completed by the permit holder and the recommendation of the applicant's university graduate program in speech-language pathology.

(c) The permit holder shall practice only when under the supervision of a speech-language pathologist who is licensed by the board and acting under the approval and direction of the applicant's university graduate program in speech-language pathology. The board shall determine by rule the manner of supervision.

(3) A permit issued under this section shall expire two years after the date of issuance. Student permits may be renewed in a manner to be determined by the board by rule.

(4) Each permit holder shall display the permit or an official duplicate in a conspicuous place where the permit holder practices speech-language pathology. Sec. 4753.101. The board of speech-language pathology and audiology, in accordance with Chapter 119. of the Revised Code, may establish rules to govern any disciplinary action to be taken against a student issued a permit under section 4753.073 of the Revised Code. The rules established by the board are not subject to the adjudication procedure requirements of sections 119.06 to 119.13 of the Revised Code.

Sec. 4753.11. (A) For all types of licenses and permits, the board of speech-language pathology and audiology shall charge a nonrefundable licensure or permit fee, to be determined by board rule, which shall be paid at the time the application is filed with the board.

(B) On or before the thirty-first day of January of every other year, the board shall charge a biennial licensure renewal fee which shall be determined by board rule and used to defray costs of the board.

(C) The board may, by rule, provide for the waiver of all or part of such fees when the license is issued less than one hundred days before the date on which it will expire.

(D) After the last day of the month designated by the board for renewal, the board shall charge a late fee to be determined by board rule in addition to the biennial licensure renewal fee.

(E) No municipal corporation shall levy an occupational or similar excise tax on any person licensed under this chapter.

(F) All fees collected under this section and section 4753.09 of the Revised Code shall be paid into the state treasury to the credit of the occupational licensing and regulatory fund.

Section 2. That existing sections 4753.02, 4753.05, and 4753.11 of the Revised Code are hereby repealed.

Section 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for the necessity lies in the fact that the state of Ohio is experiencing a serious shortage of licensed speech-language pathologists. Therefore, this act shall go into immediate effect.

Please note that many details in defining and implementing the changes in the law (Ohio Revised Code 4753) come from amending the Board's Rules (Administrative Code 4753). Upon passage of the changes in O.R.C. 4753, Rules would be drafted that reflect the changes in the law and detail its implementation and execution. These Proposed Rule changes will be published by the Board in order to receive Public comment and review prior to final approval. This may occur in early July, if the House and Senate quickly approve the changes.

E-mail your comments on this to: board@slpau.state.oh.us.