

BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY

Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by §92-7(b), Hawaii Revised Statutes (HRS).

Date: February 2, 2018

Time: 2:00 p.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: June Uyehara-Isono, Audiologist, Chairperson
Valery O'Brien, Public Member, Vice Chairperson
Gary Belcher, Public Member
Shannon Y. Ching, Audiologist
Lorna Hu, Speech Pathologist
James Kobashigawa ("EO")
Sandra Matsushima ("EO")
Susan A. Reyes, Secretary

Excused: Julie Yatogo, Speech Pathologist

Guests: Erin Firmin, Hawaii Speech-Language-Hearing Association

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Uyehara-Isono at 2:00 p.m.

Approval of August 4, 2017 Meeting Minutes: It was moved by Mr. Belcher, seconded by Ms. O'Brien and unanimously carried to approve the August 4, 2017 Meeting Minutes as circulated.

Applications: a. Licensure – Speech Pathologist

None.

b. Ratifications

Upon a motion by Mr. Belcher, seconded by Ms. O'Brien, it was voted on and unanimously carried to ratify the following:

Approved for License - Speech Pathologist

SP 1671	Attea Costanzo
SP 1672	Hannah E. Milne
SP 1673	Christopher Nightingale
SP 1674	Mary E. Angell-Tiedemann
SP 1675	Carol A. Hardt
SP 1676	Megan L. Dooley
SP 1677	Christina De Quero
SP 1678	Jaclyn M. Britton
SP 1679	Kathleen D. O'Mara
SP 1680	Megan M. Watson
SP 1681	Allison Waro
SP 1682	Mallory E. Register
SP 1683	Marthalou M. Nealis
SP 1684	Annie T. Bayles
SP 1685	Heather B. Mullaney
SP 1686	Valerie J. W. Hutchinson
SP 1687	Briana-Lyn Schell
SP 1688	Julie Savaria
SP 1689	Amanda-Nicole Pfeil
SP 1690	Becky L. Lammers
SP 1691	Catherine M. Smith
SP 1692	Lesley J. Parson
SP 1693	Sarah M. Pappas
SP 1694	Heather J. Bell
SP 1695	Amanda L. Kwiatkowski
SP 1696	Mary B. Feltz
SP 1697	Kaela Murata
SP 1698	Alyssa A. Kearney
SP 1699	Phyllis C. Gallo
SP 1700	Amanda K. Lewis
SP 1701	Lara Nakagawa
SP 1702	Jeremy D. Woody
SP 1703	Sarah L. Schneider
SP 1704	Rebecca A. Paxton
SP 1705	Emily A. Bennewitz
SP 1706	Danica M. Engesser
SP 1707	Deidre Hannah

Approved for License – Audiologist

AUD 180	Stuart Tomlin
AUD 181	Sally A. Pesco
AUD 182	Kristen M. Kumabe

Executive Officer's Report: a. December 2017 Renewals

EO Kobashigawa reported to the Board that there were 77.3% audiologists and 64.8% speech pathologists renewing their licenses.

Mr. Ching arrived at 2:06 p.m.

EO Matsushima stated that Mr. Ching noted an incorrect spelling of a name under:

Approved for License – Audiologist

AUD 182 Kristen M. Kumabe

Her first name is incorrect and should be Kristin.

b. DCCA Disciplinary Actions through December 2017

EO Kobashigawa distributed a copy of the DCCA Disciplinary Actions through December 2017 for the Board's review.

EO Kobashigawa reported that there were no disciplinary actions relating to speech pathologists or audiologists through December of 2017.

Old Business: None.

New Business: a. Hawaii Speech-Language-Hearing Association on Provisional Licensure in Hawaii Presentation – Erin Firmin

Ms. Erin Firmin of the Hawaii Speech-Language-Hearing Association introduced herself to the Board. They are looking at provisional licensure, which is a temporary license for a Clinical Fellow for speech language pathologist. It is for the period of time to complete the certificate of clinical competence ("CCC") during the clinical fellowship year. An applicant for a provisional license would hold a master's degree, have completed their practicum hours, and passed their PRAXIS. A holder of a provisional license would be authorized to practice speech language pathology under the mentorship of an ASHA certified speech language pathologist. One of the big reasons why the association is proposing this is to allow them to recruit and retain speech language pathologist in the State of Hawaii. There are shortages all across the State and without a

provisional license, organizations are unable to bill for clinical fellowship services, which is why medical providers choose not to hire recent graduates. It also decreases the opportunities for speech language pathologists who want to work in medical settings after graduation.

Some additional outcomes for provisional license would be that it would be a venue for consumers to seek censure of licensees if they commit malpractice or other unethical behavior. It also establishes an authority to intervene in case of provider misconduct.

Besides the idea of recruitment and retention for a speech language pathologist in the State of Hawaii, there is a national trend and ASHA has been urging them to move forward with this. All states and the District of Columbia license speech language pathologists. Forty-two of those states require and issue provisional licenses to clinical fellows. Two states are in the process as they have bills in the legislature right now. Three states register clinical fellows, but they do not license them. And three additional states do not require the clinical fellows to apply for licensure; they can apply as soon as they graduate for full licensure and a provisional license is not required.

S.B. 2263, was introduced by Senator Josh Green with supporters Senators Espero, Galuteria and Shimabukuro. If the bill passes, there would be a process established, in order to license them. ASHA is submitting a statement on behalf of the language that is in there. They were not supportive of the word "equivalent" when talking about degrees, but that's the current language that's in our current board statute, so that is why it is in the bill.

Mr. Belcher asked: How many clinical fellows are in training at any given time throughout the course of the year?

Ms. Firmin replied: It really depends, most of them you'll find in the school systems because, it's the only place that will hire them. Currently, in the place where she works, she supervises three clinical fellows.

Mr. Belcher asked: Is there language in there regarding what supervision entails? For example, in medical training, there are four levels of supervision and you are given graduated responsibilities in terms of how you move up the chain. But, it could be a longer process as well. What does supervision entail, looking over the shoulder, signing off on something at the end of the week?

Ms. Firmin replied: In order to apply for your ASHA ccc's, there are supervision requirements. It is approximately 12 weeks with a total of 12 hours, 6 direct and 6 indirect supervision services. They can start immediately, but will need to be supervised for certain things, which includes evaluation, treatment, working with the other providers and colleagues. In order to satisfy these requirement, they have to satisfy all of those supervision hours. It will be similar to a person who will be supervising a provisional licensee, because they could not apply for full licensure without getting that original recommendation in order to get their ccc's.

Chair Uyehara-Isono asked: So, right now the DOE is the only one that hires fellows?

Ms. Firmin replied: Most, yes.

Chair Uyehara-Isono said that a provisional license is good, but there should be a limited time allowed. She believes a year is reasonable, and only extending it for another year for illness, pregnancy and anything outside of the box. She asked if the Board will need to create another special license?

EO Kobashigawa said yes. In terms of license fees, it will be DCCA that will determine the amounts. This is something that the bill Board should testify to the legislature.

Mr. Ching asked: Is it too late to change the wording on this bill?

EO Matsushima replied: No, when a hearing is held, the Board can testify to their position.

EO Kobashigawa asked: To my understanding, currently someone in this situation is exempt from licensure, pursuant to the statute. Why is this something the Board should be considering because it is really not a licensing issue as it relates to the billing of clinical fellow services?

Chair Uyehara-Isono replied: It is, in a sense of hiring. So, what Ms. Firmin is saying, if a hospital or clinic who needs a speech pathologist and all there is are the people that meet the CFY year, they technically cannot hire them and bill medicare or bill any insurance agency, because they are not licensed. You cannot co-bill. For instance, if I have a student working for me who does not have a license, and he does whatever services, I cannot bill for someone else's services. Technically, medicare does not want to see licensed speech language pathologists billing for CFY's who are not licensed. Even though you are supervising them, the bill has to go under their names or else there could be fraud issues. If there is a provisional license then the licensee has the right to bill medicare or any insurance.

EO Kobashigawa asked: The part that he does not understand, and correct me if I am wrong, in a situation of a doctor's office who has a nurse, nurses performing the work, but the billing is done by the doctor.

Chair Uyehara-Isono replied: Doctors and physicians are exempt. Hospitals cannot hire them and cannot benefit from it.

EO Matsushima asked: Then the liability falls upon the supervisor and that they are in direct supervision and not just a general supervision, where once a week they would look at what they did and sign off.

Ms. Firmin replied: There is probably a variety of activities that they would want to oversee. But, another thing would be, if they are issued a provisional license, the Board can oversee unethical practices and there would be disciplinary actions taken. Currently there isn't any in the State of Hawaii.

Chair Uyehara-Isono asked: Under general circumstances in the DOE, do they have malpractice?

Ms. Firmin responded: As a DOE person, she has her own malpractice.

Chair Uyehara-Isono said that if you have it, then everyone at DOE should have it.

EO Kobashigawa asked: Can a resident at a hospital bill medicare?

Chair Uyehara-Isono replied: Residents can bill, because they have an M.D. Under a hospital umbrella, they code for everybody.

Ms. Matsushima asked: If this bill goes through, it will be effective this year. About how many people would a provisional license be applicable to?

Ms. Firmin responded: She honestly does not know how many CF's are employed with the state currently.

Chair Uyehara-Isono asked: How many people does the University of Hawaii graduate each year?

Ms. Firmin responded: About 20, or so. In the last graduating class, there were three that wanted to stay here and work in a medical setting, but they were not able to get a position; so they moved to the mainland and uprooted their families. It would help to retain speech pathologists in Hawaii.

EO Kobashigawa said that if the effective date is July 1, 2018, he is not sure if everything can be put into place, such as the application, renewals and fees.

He asked Ms. Firmin to call him if they will be requesting any changes to the bill before it goes to hearing. This way it can just be supported and not have to make changes after.

Ms. Firmin left the meeting at 2:35 p.m.

Legislation: a. S.B. 2258 Relating to Licensing/H.B. 1948 Relating to Licensing - Clarifies that the licensing requirements for hearing aid dealers and fitters shall not apply to audiologists licensed pursuant to Chapter 468E, Hawaii Revised Statutes

Chair Uyehara-Isono said that there are only two states that require a license.

It was moved by Dr. Ching, seconded by Mr. Belcher, and unanimously carried to support this bill.

b. S.B. 2263 Relating to Speech Pathology - Establishes a provisional license for Speech pathologists

It was moved by Mr. Belcher, seconded by Vice Chair O'Brien, and unanimously carried to support this bill with amendments to limit the license renewal, fees to be set by DCCA, and adding another year extension.

Announcements: EO Kobashigawa briefed the Board on the new travel claim procedures for Board members traveling from the other island to attend the Board meetings. They must submit their travel receipts so processing can be completed within ten days of travel date.

EO Kobashigawa also briefed the Board that applicants can now go to our website: <https://pvl.ehawaii.gov/pvlsearch/> and check on the status of their application.

Next Meeting Friday, May 4, 2018
Date: 2:00 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at 3:00 p.m.

Taken and recorded by:

/s/ Susan A. Reyes
Susan A. Reyes
Secretary

Reviewed and approved by:

/s/ James Kobashigawa
James Kobashigawa
Executive Officer

JK:sar

03/02/18

Minutes approved as is.

Minutes approved with changes; see minutes of _____.