

# Board of Examiners for Speech-Language Pathology and Audiology

## Special Board Meeting

### Minutes

September 13, 2013

9:30 A.M.

**3700 N. Classen Blvd, Dept. of Corrections, Conference Room # 265-Second Floor**

*In conformity with the Oklahoma Open Meeting Act, advance notice of this special board meeting was originally transmitted to the Oklahoma Secretary of State on MONDAY, AUGUST 12, 2013 2:55 PM; and, public notice of this meeting together with the agenda, was posted in prominent public view on the front door of the Office Building at 3700 N. Classen Blvd., Oklahoma City, Okla. on September 10, 2013 at 10:00 A.M. The announcement of the Board meeting and agenda were also posted on the OBESPA website, <http://www.ok.gov/on> September 9, 2013 at 2:38P.M.*

#### **Determination of Quorum and Call to Order**

The meeting was called to order at 9:30 a.m. Ms. Hall called the roll. Board members in attendance were Tracy Grammer, M.S., Mary Hudson, Ph.D., Kristin Hopper, and Greg Krempl, M.D., ORL. Cheryl Giddens, Ph.D., absent.

Others in attendance: Jeanie Wall, Executive Secretary, Amy Hall, Administrative Assistant, Sandra Balzer, AAG, Griffin Brown, Dan Nelson, Vicky Robinson, M.S., Mona Ryan, MS, Rebecca Reynolds, M.S., Lucynda Olberding, M.A. and Kathy Wheat, Ph.D.

Dr. Cheryl Giddens arrived at 9:47 a.m.

**Discussion and Possible Action on Disciplinary Matters. The Board may conduct an evidentiary hearing, consider a proposed Consent Order, or consider other associated matters or motions. (The Board may convene an executive session for deliberations pursuant to 25 O.S. Section 307(B)(8)).**

13-02 Vicky L. Robinson, SLP #308

Ms. Hopper moved and Dr. Krempl seconded the motion to accept the consent order as written. Tracy Grammer, M.S., Mary Hudson, Ph.D., Kristin Hopper, and Greg Krempl, M.D., ORL all voted yes. Dr. Giddens was the investigator for the case so she recused herself from the vote. The motion passed.

**Agenda item 4 move to this time. 11:43 a.m.**

**Review and possible action on pending assistant applications. List Below**

Dr. Krempl moved and Dr. Hudson seconded the motion to approve licensure of Elizabeth Ramer, SLPA #65 and Amy Frizzell, SLPA #66 as speech-language pathology assistant. Tracy Grammer, M.S., Mary Hudson, Ph.D., Kristin Hopper, and Greg Krempl, M.D., ORL all voted yes. Dr. Giddens abstained from the vote. The motion passed.

Jean Thoreson was excluded from the list of licensure applicants due to lack of completion of documentation.

**Discussion and Possible Action on Petition for Declaratory Ruling on OAC 690:10-7-3(c) of Griffin Brown, Interim Compliance Officer, Bilingual Pediatric Therapies**

Griffin Brown, Interim Compliance Officer for Bilingual Pediatric Therapies, seeks a ruling regarding whether OAC 690:10-7-3(c)(1), governing the direct supervision of a speech-language pathology assistant ("SLPA"), allows the supervising speech-language pathologist ("SLP") to perform other tasks while directly supervising the SLPA. In particular, the Petitioner asks whether the rule prohibits the SLP from providing therapy services to one client while simultaneously supervising the SLPA providing services to another client.

In addition to the petitioner, the Board heard oral argument from Lucynda Olberding, MA, CCC-SLP, OBESPA Chair 2010-2011; Kathy Wheat, Ph.D, CCC-SLP, Program Director and Professor, Oklahoma City Community College Speech-Language Pathology Assistant Program; Mona Ryan, MS, CCC-SLP, Clinical Educator and Assistant Professor, University of Oklahoma Health

Sciences Center; Adjunct Professor, Oklahoma City Community College Speech-Language Pathology Assistant Program; and Rebecca Reynolds, MS, CCC-SLP, Clinical Coordinator, University of Central Oklahoma Speech and Hearing Clinic.

The summary of the oral arguments: The amount of supervision required to insure adequate services varies with the type of service being provided, and the skill level of the SLPA and the supervising SLP. The supervising SLP is responsible for exercising his or her professional judgment to determine the appropriate level of supervision needed to insure that the client receives adequate services. Other states allow supervising SLPs to perform other tasks while directly supervising an SLPA. Physical therapists and occupational therapists in Oklahoma are allowed to supervise assistants while also treating another patient at the same time.

On the other hand, if a SLPA is directly supervised for only ten percent of the time he or she is providing services, the client deserves to have the undivided attention of the supervising SLP during that time. The services provided by occupational and physical therapy assistants are not analogous to services provided by SLPAs. Further, the Oklahoma Health Care Authority makes decisions about reimbursement for services provided by SLPAs based on the level of supervision provided by the SLP. Board members should consider how supervision rules may affect the ability of providers to be reimbursed for services, and how reimbursement or the lack thereof affects the availability of speech-language pathology services.

#### Findings of Fact

Upon review of the Petition for Declaratory Ruling, and hearing oral argument, the Board finds:

1. Rule OAC 690:10-7-3(c)(1) defines direct supervision as in-view observation and guidance by a speech-language pathologist.
2. The amount of direct supervision required is a *minimum* of ten percent of the time the SLPA is performing an assigned activity.
3. SLPs in a supervisory role have the ability to triage the amount of supervision by acuity of the patient/client assigned to the SLPA, and may require more than ten percent of direct supervision.
4. In order to provide guidance while observing an SLPA performing an activity, the SLP should not be engaged in performing clinical services unrelated to the patient/client being treated by the SLPA.

Dr. Giddens moved and Ms. Hopper seconded the motion to approve the Conclusions of Law that Rule OAC 690:10-7-3(c)(1) is construed to mean that while directly supervising an SLPA, the SLP may not be performing any clinical services unrelated to the client being treated by the SLPA. Cheryl Giddens, Ph.D., Kristin Hopper, and Greg Krempl, M.D., ORL all voted yes. Mary Hudson, Ph.D. and Tracy Grammer, M.S. abstained from the vote. The motion passed.

This DECLARATORY RULING was issued the 13<sup>th</sup> day of September, 2013.

**Adjournment**  
**11:12 A.M.**

Board of Examiners for Speech-Language Pathology & Audiology

**ASSISTANTS FOR SPEECH PATHOLOGY AND AUDIOLOGY  
APPLICANTS FOR CONSIDERATION**

**September 13, 2013**

Name:	Supervisor:	Date:
Elizabeth Ramer, SLPA#65	Krista Henderson, SP#2623	09/13/2013
Amy Frizzell, SLPA#66	Krista Henderson, SP#2623	09/13/2013
<del>Jean Thoreson, SLPA#67</del>	<del>Don Hoyt, Jr., SP#3642</del>	<del>09/13/2013</del>