

Advisory Council Meeting Minutes

SPEECH-LANGUAGE PATHOLOGIST AND AUDIOLOGIST ADVISORY COUNCIL

January 24, 2017

2:30PM – 4:30PM

The Wellstone Center, Fireside Room
179 Robie Street East, St. Paul, MN 55107

IN ATTENDANCE:

Present Members: Mark DeRuiter, Jenne Tunnell, George Pfaff, Nyagatare Valens, Sarah Monahan, Leigh Ann Ahmad

MDH Staff Members: Anne Kukowski, Catherine Lloyd, Gloria Rudolph, Kevin Reinke, Morgan Foster

Absent Members: Jerry Meinders, Heidi Hueffmeier, Josephine Helmbrecht, Analise Ludwig, Dr. Geoffrey Service

Guests: Cami Lawless

AGENDA:

1. **Convene and Introductions.** Done by those in attendance.
2. **Announcements**
 - a. **Secretary of State Website update** – Foster presented updates to the Secretary of State website. The SOS website now includes data about Advisory Council membership. Minnesota Department of Health will work through the SOS site to correct any errors on the site.
 - b. **HPSP–Changes in data available to MDH** – Lloyd informed the Council that the Attorney General’s office reviewed data sharing practices between Health Professionals Services Program and the Health Licensing Boards (HLB). The Attorney General’s Office concluded that data sharing should be limited. Health Occupations Program (HOP) plans to attend a meeting to discuss whether the new data sharing practices will affect the Investigations and Enforcement practices.
 - c. **Expense Form Update** – Foster informed the council that MDH has updated the Advisory Council expense form.
 - d. **Invoicing Civil Penalties** – Lloyd informed the council that MDH has a new policy that civil penalties will be accounts receivable, and invoiced. In the past, investigators were required to follow up and monitor payments. The new policy provides greater separation from investigative staff and standardizes the collection of payments.
 - e. **Retention Schedule and Disciplinary Actions** – Lloyd informed the council that MDH is required to keep and maintain a retention schedule. The new MDH standard is to retain public disciplinary actions for seven years. MDH has some discretion to keep a disciplinary action

SLPA ADVISORY COUNCIL MEETING MINUTES

posted beyond the seven-year retention schedule due to the nature or severity of the violation.

3. **Review and Approval of Minutes (October 25, 2016 meeting)** – approved as written.
4. **Additions/Adoptions of Agenda** – approved as written, with addition of CRC Affirmations.
5. **Staff Updates**
 - a. **Credentialing Report** – Rudolph presented SLP/AUD credentialing statistics as of December 31, 2016.*
 - b. **HID Exam Report** – Rudolph presented Hearing Instrument Dispenser Practical Exam results from December 2, 2016.*
 - c. **Investigation and Enforcement Reports** – Lloyd presented SLP/AUD Investigation and Enforcement reports through second quarter of fiscal year 2017.*
 - d. **Budget Reports** - Kukowski presented the budget reports for the second quarter of fiscal Year 2017 for both the Audiology Program and the Speech Language Pathology Program. As expected, the Audiology Program budget continues to run a deficit. The Health Occupations Program continues to seek ways to increase fees to cover the programs.
6. **Old Business**
 - a. **2017 Legislative Session**
 - i. **Criminal Background Checks (Report)** - Lloyd gave a brief overview to the council on the 2017 report* that is now available. The report makes recommendations on the implementation of criminal background checks against practitioners licensed by MDH and the HLBs prior to January 1, 2018.
 - ii. **SLP Assistants** - Lloyd informed the council that a representative from the Speech-Language Pathology Professional Association met with MDH staff to discuss the regulation of SLP Assistants. The representative provided a copy of their proposed legislation to MDH staff. MDH agreed to assist in providing technical assistance.
 - iii. **Minnesota Department of Education (MDE) Licensing Issues** - Rudolph followed up on the discussion of MDE exploring practices of dual licensure between MDH and MDE. Rudolph reported that Speech-Language Pathologists licensed by MDE have concerns regarding their Teacher's Union benefits if MDE-issued licensure transferred to MDH.
 - iv. **Other – Governors Budget** – Kukowski informed the council the department is considering a fee increase proposal. This results from evaluation of increases in operational costs, implementation of background checks, technology increases, growth in practitioners and the rising cost of administering the Hearing Instrument Dispenser exam.
 - b. **Assistive Listening Devices** – Lloyd followed up on the discussion of scope of practice in rural areas relating to teachers fitting Assistive Listening Devices to students. In rural settings, some audiologists are training teachers to assist with programming ALD's. HOP met with an

Audiologist to gather information about rural surroundings and needs of teachers, Special Education, and Audiologists.

- c. **Online Audiometry** – Lloyd continued the discussion on researching a replacement to our current method of examination for the audiometry portion of the Hearing Instrument Dispenser exam. Benefits of online audiometry include consistency and eliminating bias. On the other hand, it might be costly to implement. Council members offered to look into several different types of virtual audiometry, meet with department staff and make a recommendation.
- d. **Tinnitus Evaluation and Treatment** – Lloyd asked members to discuss tinnitus management as it relates to dispensing hearing instruments and audiology.

7. New Business

- a. **Doctoral Externship License** – MDH responded to an inquiry regarding a Doctoral Externship (DE) licensure.
- b. **FDA New Guidance Medical Evaluation Requirements** – Reinke advised the council that MDH will follow FDA guidance, beginning December 2016, and not enforce the requirement that persons aged 18 years old or older either have a medical examination or waive such evaluation prior to obtaining air-conduction hearing aids. Reinke also presented on a FDA public workshop titled “Streamlining Good Manufacturing Practices for Hearing Aids” which occurred on April 21, 2016 and advised council on how to access the workshop transcript and webcast.
- c. **HID Brochure** – MDH presented new language to the HID Brochure with the FDA update regarding evaluations. The council members also made suggestions to reflect technology updates.
- d. **Scope of Practice – Writing Therapy Orders** – MDH received an inquiry regarding scope of practice on writing therapy orders and asked the council for feedback. The members discussed the process from evaluation to writing treatment plans.
- e. **Affirmations** – Reinke presented an updated form for affirmations to the council, and reviewed the responsibility of the council to participate in Competency Reviews if called upon.

Adjourn – Meeting adjourned at 4:30pm.

Next Meeting:
April 25, 2017

*Detailed reports are available upon request.

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SLPA ADVISORY COUNCIL MEETING MINUTES

2017 Report of the Minnesota Legislature, *Plan for Criminal Background Checks of Health Care Professionals who are not yet Subject to Minn. Stat. § 214.075.*

<https://www.leg.state.mn.us/docs/2017/mandated/170001.pdf>