

**BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY  
PUBLIC HEARING  
DEPARTMENT OF HEALTH PROFESSIONS  
DECEMBER 11, 2015**

**TIME AND PLACE:**

The Public Hearing was called to order at 8:32 a.m. The purpose of the hearing was to receive public comment on three proposed regulatory actions. The regulatory actions included the following:

- Repeal of Chapter 20 and promulgation of Chapter 21;
- Practice by Speech-Language Pathology Assistants; and
- Performance of Limited Cerumen Management.

**PRESIDING OFFICER:**

A. Tucker Gleason, Ph.D, CCC-A

**MEMBERS PRESENT:**

Laura Purcell Verdun, M.A., CCC-SLP

**STAFF PRESENT:**

Leslie Knachel, Executive Director  
Carol Stamey, Operations Manager  
Elaine Yeatts, Senior Policy Analyst

**OTHERS PRESENT:**

Darlene Robke, Speech Hearing Association of Virginia

**SPEAKERS:**

Cheris Frailey, M.A., CCC-SLP, American Speech-Language Hearing Association (ASHA)  
Deborah Berndtson, M.A., CCC-A, ASHA

**PUBLIC COMMENT:**

No public comment was presented on the Repeal of Chapter 20.

Ms. Frailey provided public comment on the regulatory action related to the "Practice of speech-language pathology assistants" and it is incorporated into the minutes as Attachment 1.

Ms. Berndtson provided public comment related to the regulatory action related to "Limited cerumen management" and it is incorporated into the minutes as Attachment 2.

**ADJOURNMENT:**

With no further comment received, the hearing adjourned at 9:06 a.m.

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A. Tucker Gleason, Ph.D., CCC-A  
Chair

\_\_\_\_\_  
Leslie L. Knachel, M.P.H  
Executive Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# TALKING POINTS: 18VA30-20-240 SUPERVISORY RESPONSIBILITIES; SUPERVISION OF UNLICENSED ASSISTANTS

Dec., 11, 2015

The following are ASHA membership concerns in regards to 18VAC30-20-240. Supervisory responsibilities; supervision of unlicensed assistants.

A growing number of states have legal requirements regarding Speech-Language Pathology Assistants. We applaud the board that they recognize and appreciate the needs for supervision and a clearly defined scope of practice. Licensing with a BA or AA is the norm within the states.

The following are ASHA membership concerns in regards to 18VAC30-20-240. Supervisory responsibilities; supervision of unlicensed assistants.

- ✓ ASHA recommends that the Virginia Board of Audiology and Speech-Language Pathology consider instituting a licensure program for Speech-Language Pathology Assistants (SLPAs) to ensure that they are appropriately educated, trained, regulated and supervised.
- ✓ Licensure regulators, such as the Centers for Medicare and Medicaid (CMS), would recognize SLPAs as qualified support personnel, like Certified Occupational Therapy Assistants (COTAs) and Physical Therapy Assistants (PTAs).
- ✓ Licensure provides consumers with assurance that the SLPA would meet the minimum requirements imposed by the state to offer services under supervision.
- ✓ Agencies, school districts and other entities would hire SLPAs who met the appropriate standards. Any SLPAs not performing the tasks as prescribed in the law would be subject to penalty.
- ✓ Establishing uniform requirements would also encourage training programs to locate in Virginia to help meet the demand for services.
- ✓ Requiring licensed speech-language pathologists (SLP) to supervise an assigned SLPA places a significant burden on the SLP to have a SLPA held accountable fully under the SLPs licensure who has no role in the hiring process. At minimum, SLPs should have a significant role in hiring and the assignment of the SLPA.
- ✓ Allowing a supervisor to determine training provides no uniformity in what the assistants will learn. Without provided guidance and standards for training there is no concern or accountability for quality or quantity of training.
- ✓ We ask that you reconsider establishing further guidelines for the supervising SLPs and reconsider establishing licensure requirements for SLPAs.



**TALKING POINTS: 18VA30-20-10 PERFORMANCE OF CERUMEN  
MANAGEMENT BY AUDIOLOGISTS**

Dec. 11, 2015

ASHA commends the board for the efforts to make cerumen management services safe for the consumer. However, limiting the scope of practice for audiologists eliminates key skills that are the cornerstone of the profession and puts patients at risk for receiving services from less qualified providers. There are only 2 states who have any limitations in cerumen management therefore the norm is that audiologists are permitted to perform cerumen management procedures within their scope of practice under code of ethics.

We offer comments in regards to 18VAC30-20-210. Performance of Cerumen Management by Audiologists.

- ✓ ASHA's scope of practice for Audiologists includes cerumen management, therefore, we ask that you remove the term "limited" cerumen management in the proposed rule.
- ✓ Include Master's level audiologists that were grandfathered during the initiation of the doctorate program as they may meet the qualifications to provide cerumen management.
- ✓ Audiologists are governed by their code of ethics and take responsibility for their services and training.
- ✓ Licensed Audiologists acting within their scope of practice, should be able to use their professional judgment to determine when an additional referral is appropriate and when procedures should or should not be performed.
- ✓ Many of the restrictions due to preexisting conditions should be eliminated as an audiologist is able to manage these conditions by selecting the appropriate instrumentation in the areas of a perforated tympanic membrane, foreign body in the ear, and cerumen impaction.
- ✓ In closing, we ask that you eliminate limitations and allow licensed audiologists to treat and make referrals for cerumen management, when appropriate, as defined in their scope of practice and governed by the code of ethics. ASHA's scope of practice and practice policy documents include cerumen management and we would be happy to provide this additional guidance to assist the board in its deliberations.



AMERICAN  
SPEECH-LANGUAGE-  
HEARING  
ASSOCIATION

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