

December 12, 2023
Board Room 3
9:30 a.m.

Agenda

**Virginia Board of Audiology &
Speech-Language Pathology
Full Board Meeting**

Call to Order – Melissa A. McNichol, Au.D., CCA-A, Chair

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- Welcome
- Emergency Egress
- Mission Statement

Ordering of Agenda – Dr. McNichol

Public Comment – Dr. McNichol

The Board will receive all public comment related to agenda items at this time. The Board will not receive comment on any regulatory process for which a public comment period has closed or any pending or closed complaint or disciplinary matter.

Approval of Minutes – Dr. McNichol

Pages 2-6

- August 8, 2023 – Full Board (pages 2-5)
- August 8, 2023 – Summary Consideration (page 6)

Discussion Item – Dr. McNichol/Kelli Moss

- Ratification of Consent Order – Case No. 227692

New Business – Dr. McNichol

Next Meeting – Dr. McNichol

April 9, 2023

Meeting Adjournment – Dr. McNichol

This information is in **DRAFT** form and is subject to change.

MISSION STATEMENT

Our mission is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.

Call to Order

The August 8, 2023, Virginia Board of Audiology & Speech-Language Pathology meeting was called to order at 10:15 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 3, Henrico, Virginia 23233.

Presiding Officer

Melissa A. McNichol, Au.D., CCA-A

Members Present

Corliss V. Booker, Ph.D., APRN, FNP-BC, Citizen Member
Jennifer R. Gay, MS, CCC-SLP
Bradley W. Kesser, MD
Bethany Rose, Au.D.

Staff Present

Arne W. Owens, Agency Director
James L. Jenkins, Jr., Chief Deputy Director
Leslie L. Knachel, Executive Director
Kelli Moss, Deputy Executive Director
Erin Barrett, Director of Legislative and Regulatory Affairs
Matt Novak, Policy & Economic Analyst DHP
Laura Booberg, Assistant Attorney General, Board Counsel
Laura L. Jackson, Board Administrator
Laura D. Paasch, Senior Licensing Specialist
Barbara Hodgdon, Deputy Director, Healthcare Workforce Data Center DHP

Establishment of Quorum

With five board members present, a quorum was established.

Ordering of Agenda

Dr. McNichol opened the floor to any edits or corrections regarding the agenda. Hearing none, the agenda was accepted as presented.

Public Comment

There were no requests to provide public comment.

Approval of Minutes

Dr. McNichol opened the floor to any edits or corrections regarding the draft minutes of the Regulatory Committee meeting held on January 30, 2023, and the full board meeting held on March 14, 2023. With no additions or corrections, the minutes were approved as presented.

Agency Director's Report

Mr. Owens provided an update on the agency's activities.

Legislative/Regulatory Report

Ms. Barrett provided information on the following:

- 2023 Legislative update
- Regulatory Update
 - Current Regulatory Actions
 - Consideration of fast-track regulatory action 18VAC30-21-170 to allow agency subordinates to hear credentials cases.

Dr. Kesser made a motion to amend 18VAC30-21-70 as presented by fast-track action to allow agency subordinates to hear credentials cases. The motion was seconded by Dr. McNichol. The motion carried unanimously.

- Initiation of periodic review of public participation guidelines contained in 18VAC30-11.

Dr. Booker made a motion to initiate periodic review of 18VAC30-11 public participation guidelines. The motion was seconded by Dr. Kesser. The motion carried unanimously.

- Notice of Intended Regulatory Action to implement the ASLP Compact

Dr. Rose made a motion to adopt the Notice of Intended Regulatory Action to implement the ASLP Compact to include the following changes:

- Adding definitions consistent with the Compact;
- Setting fees for issuance and renewal of a compact privilege to practice in Virginia;
- Set requirements to obtain a privilege to practice in Virginia consistent with Compact requirements;
- Specify that renewal of a Compact privilege is based on adherence to Compact rules for continued competency;
- Set forth criminal background check requirement for initial licensure;
- Set forth requirements that privilege holders in Virginia must adhere to Virginia laws and regulations; and

- Amend disciplinary provisions to ensure Compact privilege holders follow the same practice rules as Virginia licensees.

The motion was seconded by Dr. Kesser. The motion carried unanimously.

- Guidance Document Review
 - 30-9, Continuing Education (CE) Audits and Sanctioning for Failure to Complete CE.

Dr. Kesser made a motion to revise Guidance Document 30-9, Continuing Education Audits and Sanctioning for Failure to Complete CE as presented. The motion was seconded by Ms. Gay. The motion carried unanimously.

- 30-12, Guidance for Telepractice

Dr. Booker made a motion to revise Guidance Document 30-12, Guidance for Telepractice as presented. The motion was seconded by Dr. McNichol. The motion carried unanimously.

- Policy review for electronic participation policy amendment.

Dr. Kesser made a motion to revise the policy on meetings held with electronic participation as presented. The motion was seconded by Dr. Rose. The motion carried unanimously.

Discussion Items

2023 Audiology & Speech-Language Pathology Healthcare Workforce Data Center Report

Dr. Barbara Hodgdon reported on the 2023 Audiology & 2023 Speech-Language Pathology Healthcare Workforce Data Center reports.

Update on Licensure Compact Representatives

Ms. Knachel provided an update on Licensure Compact Commission meeting scheduled for Saturday, October 7, 2023. Dr. Rose and Ms. Gay may attend virtually.

Board Counsel's Report

Ms. Booberg had no information to report to the Board.

Chair's Report

Dr. McNichol had no information to report to the Board.

Board of Health Professions' Report

Ms. Knachel notified the Board that the BHP has not met this year because there were no studies assigned by the General Assembly and a general meeting could not meet due to lack of a quorum. A fall meeting is planned, but a date is yet to be determined.

Staff Reports

Ms. Knachel recognized Dr. Booker and Kyttra Burge for their eight years of service to the Board and the Commonwealth.

Ms. Knachel provided information on board statistics, outreach activities and the 2024 calendar.

Ms. Moss provided an update on open and closed discipline cases.

New Business

Elections

Dr. McNichol provided information from the bylaws regarding officer elections.

Dr. Kesser made a motion to nominate Dr. McNichol to serve as Chair of the Board. The motion was seconded by Dr. Booker. No other nominations were received. The motion carried unanimously for Dr. McNichol to serve a one-year term as Chair of the Board with an effective date of January 1, 2024.

Dr. McNichol made a motion to nominate Dr. Rose to serve as Vice-Chair of the Board. The motion was seconded by Dr. Kesser. No other nominations were received. The motion carried unanimously for Dr. Rose to serve a one-year term as Vice-Chair of the Board with an effective date of January 1, 2024.

Next Meeting

The next full board meeting is scheduled for Tuesday, December 12, 2023.

Adjournment

With no objection, Dr. McNichol adjourned the meeting at 11:25 a.m.

Chair of the Board

Leslie L. Knachel, MPH
Executive Director

**VIRGINIA BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY
POSSIBLE SUMMARY SUSPENSION CONSIDERATION
MEETING MINUTES
DEPARTMENT OF HEALTH PROFESSIONS
HENRICO, VA
AUGUST 8, 2023**

- CALL TO ORDER:** Pursuant to §54.1-2408.1(A) of the Code of Virginia, a meeting of the Virginia Board of Audiology and Speech-Language Pathology was called to order on August 8, 2023, at 9:58 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, Board Room 3, 9960 Mayland Drive, Henrico, Virginia 23233, to consider a possible summary suspension of a licensee.
- PRESIDING:** Melissa McNichol, Au.D., CCC-A, Chairperson
- BOARD MEMBERS PRESENT:** Corliss Booker, Ph.D., APRN, FNP-BC
Bradley Kesser, M.D.
Bethany Rose, Au.D.
- QUORUM:** With four members of the Board present, a quorum was established.
- STAFF PRESENT:** Leslie Knachel, Executive Director
Kelli Moss, Deputy Executive Director
Heather Pote, Senior Discipline Case Specialist
Anne Joseph, Adjudication Consultant
- OTHERS PRESENT:** Mandy Wilson, Assistant Attorney General
- BOARD COUNSEL:** Laura Booberg, Assistant Attorney General
- Edie Doherty, SLP
Case 227692:** Assistant Attorney General Mandy Wilson presented evidence that the continued practice as a speech-language pathologist by **Edie Doherty, SLP (2202-005804)** may present a substantial danger to the health and safety of the public.
- DECISION:** Dr. Kesser moved to summarily suspend the license of **Edie Doherty, SLP**, to practice speech-language pathology. The motion was seconded by Dr. Rose and carried unanimously.
- ADJOURNMENT:** The meeting was adjourned at 10:05 a.m.

Leslie Knachel, Executive Director