

Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes  Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



## Virginia Department of Planning and Budget Economic Impact Analysis

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### 18 VAC 30-21 – Regulations Governing the Practice of Audiology and Speech-Language Pathology

Department of Health Professions

Town Hall Action/Stage: 4684/7723

November 11, 2016

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#### Summary of the Proposed Amendments to Regulation

The Board of Audiology and Speech-Language Pathology (Board) proposes to amend its regulation to clarify that school speech-language pathologists are included in general provisions for inactive licensure of Board licensees and to remove an obsolete section that dealt separately with inactive licensure for school speech-language pathologists. The Board also proposes to add an additional professional organization whose certification will be accepted by the Board as proof of demonstrated competency for the purposes of reinstatement of audiologists' lapsed licenses.

#### Result of Analysis

Benefits outweigh costs for all proposed changes.

#### Estimated Economic Impact

Current regulation contains a section on inactive licensure for school speech language pathologists who were dually licensed by the Board and the Department of Education. This section became obsolete in 2014 when the General Assembly mandated that school speech-language pathologists be solely licensed by the Board. In response to this General Assembly action, the Board now proposes to add speech-language pathologists to the section governing inactive licensure for all Board licensees and remove the obsolete language that dealt solely with

school speech language pathologists. These changes will not change any substantive requirements for inactive licensure. Accordingly, no entity is likely to incur costs on account of these proposed changes. All interested parties will benefit from the additional clarity these proposed changes bring to the regulation.

Currently, the Board allows a licensee who has allowed his license to lapse for longer than one year to reinstate that license with proof of either current American Speech-Language-Hearing Association (ASHA) certification or documentation of having completed at least 10 continuing education (CE) hours for each year his license was lapsed in Virginia (not to exceed 30 CE hours). The Board now proposes to add current certification by the American Board of Audiology or any other accrediting body recognized by the Board to the list of documentation that would demonstrate continuing competency for the purposes of reinstating lapsed licenses. This change will benefit licensees as it gives them a greater number of options to prove continuing competency to the Board's satisfaction. This may allow them to decrease their time or dollar costs to reinstate lapsed licenses. Because the Board will still be ensuring acceptable competency and licensees are not required to use the additional options allowed by the Board, no entity is likely to incur costs on account of this proposed change.

### **Businesses and Entities Affected**

These proposed regulatory changes will affect the 507 audiologists and 484 school speech-language pathologists licensed by the Board.

### **Localities Particularly Affected**

No locality is likely to be particularly affected by these proposed regulatory changes.

### **Projected Impact on Employment**

These proposed regulatory changes are unlikely to affect employment in the Commonwealth.

### **Effects on the Use and Value of Private Property**

These proposed regulatory changes are unlikely to affect the use or value of private property in the Commonwealth.

### **Real Estate Development Costs**

These proposed regulatory changes are unlikely to affect real estate development costs in the Commonwealth.

**Small Businesses:****Definition**

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

**Costs and Other Effects**

No small businesses will be adversely affected by these proposed regulatory changes.

**Alternative Method that Minimizes Adverse Impact**

No small businesses will be adversely affected by these proposed regulatory changes.

**Adverse Impacts:****Businesses:**

No businesses will be adversely affected by these proposed regulatory changes.

**Localities:**

Localities in the Commonwealth are unlikely to see any adverse impacts on account of these proposed regulatory changes.

**Other Entities:**

No other entities are likely to be adversely affected by these proposed changes.

**Legal Mandates**

**General:** The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order Number 17 (2014). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

**Adverse impacts:** Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.

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