

July 8, 2025
Board Room 3
9:00 a.m.

Agenda

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

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

Page 1

- Welcome and Introductions
- Emergency Egress
- Mission Statement

Ordering of Agenda – Dr. McNichol

Public Comment – Dr. McNichol

The Board will receive all public comments related to agenda items at this time. The Board will not receive comments 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 2-5

- April 8, 2025 Board meeting

Agency Director’s Report – Mr. Arne W. Owens

Legislative/Regulatory Report – Mr. Matt Novak/Ms. Erin Barrett

Pages 6-23

Regulatory Update

- Current Regulatory Actions (p. 6)
- Closure of Ch. 11 periodic review (pp 7-15)
- Section 131 exempt action (pp 16-18)
- Adoption of policy document regarding CE (pp 19-20)

Legislative Update

- Licensure of Speech-Language Pathology Assistants (pp 21-23)

Discussion Items – Dr. McNichol

Pages 24-27

- Revisions to SRP Worksheet and Instructions – **Ms. Kim Small**
- CMS Updates to SLP Definition – **Ms. Kelli Moss**
- Update on ASLP-IC Licensure Compact – **Ms. Moss**

Board Counsel’s Report – Mr. James Rutkowski

Chair’s Report – Dr. McNichol

Staff Reports – Ms. Moss/Ms. Claire Foley

Page 28

Executive Director’s Report – Ms. Moss

- Board of Health Professions
- Budget
- Outreach
- DHP Board member orientation
- Statistics

Deputy Executive Director’s Report – Ms. Foley

New Business – Dr. McNichol

Page 29

Officer Elections

Next Business Meeting – Dr. McNichol/Ms. Moss

Page 30

- December 9, 2025 – Full Board
 - 2025 Calendar
-
-

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 Virginia Board of Audiology & Speech-Language Pathology's April 8, 2025, meeting was called to order at 9:03 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Henrico, Virginia 23233.

Presiding Officer

Melissa A. McNichol, AuD, CCA-A

Members Present

Lisa G. Wallace-Davis, OD

Wayne Shaia, MD

Jennifer Radford Gay, MS, CCC-SLP

Member Attending Virtually

Laura H. Vencill, MS, CCC-SLP

Members Not Present

James Wells, RPh

Bethany Rose, AuD

Staff Present

Arne W. Owens, Agency Director

Kelli G. Moss, Executive Director

Claire C. Foley, Deputy Executive Director

Matt Novak, Policy & Economic Analyst DHP

Brent Saunders, Senior Assistant Attorney General, Board Counsel

Yetty Shobo, PhD, Director of Healthcare Workforce Data Center & Data Analytics Division

Barbara Hodgdon, Deputy Director, Healthcare Workforce Data Center DHP

Kelly Smith, Director of Communications

Laura L. Jackson, Board Administrator

Laura D. Paasch, Senior Licensing & Operations Specialist

Tamara Farmer, Senior Licensing Specialist

Public Present

Melanie-Joy H. Dorn, MA, CCC-SLP, RYT-200, Assistant Professor, George Washington University
Kim Small, Vice-President of VisualResearch Inc.

Establishment of Quorum

Four out of the seven board members present in the Richmond office, constituting a quorum for conducting business. Ms. Vencill was approved by the President of the Board to participate electronically due to a scheduling conflict that prevented travel to the Richmond office for the meeting.

Introductions

Dr. McNichol noted that since the Board's last meeting, a new board member has been appointed, a member was reappointed, and there have been changes to staff and board counsel.

Dr. McNichol introduced Dr. Wayne Shaia to the Board, who succeeds Dr. Kesser as the otolaryngologist Board member, and noted Dr. Bethany Rose was reappointed as an Audiologist Board member.

Dr. McNichol welcomed Claire Foley, who succeeded Ms. Moss as the Board's deputy executive director in September and noted that the Board's former counsel, Laura Booberg, accepted a position at DHP in the administrative proceedings division. She introduced Senior Assistant Attorney General, Brent Saunders, who was present as board counsel for this meeting.

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 to the draft minutes of the full board meeting held on July 9, 2024, and the November 26, 2024, telephone conference call. 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

Mr. Novak provided an update on pending regulations and reported on 2025 pending legislation, including bills to license speech-language pathology assistants starting in 2027, eliminate the Board of Health Professions, affect licensure by endorsement, and affect predetermination for licensing eligibility.

Discussion Items

Dr. Hodgdon provided a report on the 2024 Healthcare Workforce Data Center reports for Audiologists and Speech-Language Pathologists.

Ms. Small provided a report on the Sanctioning Reference Points review currently underway for Audiology & Speech-Language Pathology.

Ms. Moss provided an update on the ASLP-IC Licensure Compact, stating the Commission's annual meeting was held on September 28, 2024. Ms. Gay and Dr. Rose are the delegates for Virginia. There are no new meetings scheduled. The Commission must finalize its rules and fees for Board to move forward with proposed regulations. Board cannot issue a privilege until regulations are promulgated in Virginia. Board staff are collecting information needed to implement criminal background checks required for applicants upon enactment of the Compact.

Board Counsel's Report

Mr. Saunders 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. Moss stated that legislation passed by the 2025 General Assembly eliminates the Board of Health Professions and transfers certain powers and duties from the Board to the Department of Health Professions effective July 1, 2025. Information will be forthcoming to the Board of Health Professions members and the public.

Staff Reports

Ms. Moss provided updates regarding applications and licensing processes. She reported on outreach by board staff to professional organizations and SLP students at Old Dominion University and University of Virginia, licensing statistics and the revised board meeting calendar.

Ms. Foley provided an update on the open and closed discipline cases.

New Business

There was no new business to report.

Next Meeting

The next full board meeting is scheduled for Tuesday, July 8, 2025.

Adjournment

With no objection, Dr. McNichol adjourned the meeting at 10:19 a.m.

Kelli G. Moss
Executive Director

DRAFT

Board of Audiology and Speech-Language Pathology
Current Regulatory Actions
As of June 10, 2025

In the Governor's Office

None.

In the Secretary's Office

None.

In the Department of Planning and Budget

None.

In the Office of the Attorney General

None.

Recently effective or awaiting publication

VAC	Stage	Subject Matter	Published	Comment Period Ends	Notes
18VAC30-21	NOIRA	Implementation of the ASLP Compact	5/19/2025	6/18/2025	Implements the ASLP Compact. Proposed stage regulations will be presented to the Board at a future meeting.

Agenda Item: Closure of Periodic Review of Chapter 11

Included in your agenda package:

- 18VAC30-11

Staff Note: This periodic review was opened almost two years ago and forgotten about. Public participation guidelines are only changed when DPB has new regulations for agencies to adopt, and DPB has not updated those regulations since the Board last adopted these. The Board should retain this regulation without changes.

Action Needed:

- Motion to retain 18VAC30-11 as is.

Commonwealth of Virginia



PUBLIC PARTICIPATION GUIDELINES

VIRGINIA BOARD OF AUDIOLOGY AND SPEECH- LANGUAGE PATHOLOGY

Title of Regulations: 18 VAC 30-11-10 et seq.

**Statutory Authority: §§ 54.1-2400 and 2.2-4007
of the *Code of Virginia***

Revised Date: January 12, 2017

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TABLE OF CONTENTS

Part I Purpose and Definitions	3
18VAC30-11-10. Purpose.....	3
18VAC30-11-20. Definitions.....	3
Part II Notification of Interested Persons	4
18VAC30-11-30. Notification list.....	4
18VAC30-11-40. Information to be sent to persons on the notification list.....	5
Part III Public Participation Procedures	5
18VAC30-11-50. Public comment.....	5
18VAC30-11-60. Petition for rulemaking.	6
18VAC30-11-70. Appointment of regulatory advisory panel.	6
18VAC30-11-80. Appointment of negotiated rulemaking panel.....	7
18VAC30-11-90. Meetings.....	7
18VAC30-11-100. Public hearings on regulations.	7
18VAC30-11-110. Periodic review of regulations.	8

Part I

Purpose and Definitions

18VAC30-11-10. Purpose.

The purpose of this chapter is to promote public involvement in the development, amendment or repeal of the regulations of the Board of Audiology and Speech-Language Pathology. This chapter does not apply to regulations, guidelines, or other documents exempted or excluded from the provisions of the Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia).

18VAC30-11-20. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Administrative Process Act" means Chapter 40 (§2.2-4000 et seq.) of Title 2.2 of the Code of Virginia.

"Agency" means the Board of Audiology and Speech-Language Pathology, which is the unit of state government empowered by the agency's basic law to make regulations or decide cases. Actions specified in this chapter may be fulfilled by state employees as delegated by the agency.

"Basic law" means provisions in the Code of Virginia that delineate the basic authority and responsibilities of an agency.

"Commonwealth Calendar" means the electronic calendar for official government meetings open to the public as required by §2.2-3707 C of the Freedom of Information Act.

"Negotiated rulemaking panel" or "NRP" means an ad hoc advisory panel of interested parties established by an agency to consider issues that are controversial with the assistance of a facilitator or mediator, for the purpose of reaching a consensus in the development of a proposed regulatory action.

"Notification list" means a list used to notify persons pursuant to this chapter. Such a list may include an electronic list maintained through the Virginia Regulatory Town Hall or other list maintained by the agency.

"Open meeting" means any scheduled gathering of a unit of state government empowered by an agency's basic law to make regulations or decide cases, which is related to promulgating, amending or repealing a regulation.

"Person" means any individual, corporation, partnership, association, cooperative, limited liability company, trust, joint venture, government, political subdivision, or any other legal or commercial entity and any successor, representative, agent, agency, or instrumentality thereof.

"Public hearing" means a scheduled time at which members or staff of the agency will meet for the purpose of receiving public comment on a regulatory action.

"Regulation" means any statement of general application having the force of law, affecting the rights or conduct of any person, adopted by the agency in accordance with the authority conferred on it by applicable laws.

"Regulatory action" means the promulgation, amendment, or repeal of a regulation by the agency.

"Regulatory advisory panel" or "RAP" means a standing or ad hoc advisory panel of interested parties established by the agency for the purpose of assisting in regulatory actions.

"Town Hall" means the Virginia Regulatory Town Hall, the website operated by the Virginia Department of Planning and Budget at www.townhall.virginia.gov, which has online public comment forums and displays information about regulatory meetings and regulatory actions under consideration in Virginia and sends this information to registered public users.

"Virginia Register" means the Virginia Register of Regulations, the publication that provides official legal notice of new, amended and repealed regulations of state agencies, which is published under the provisions of Article 6 (§2.2-4031 et seq.) of the Administrative Process Act.

Part II

Notification of Interested Persons

18VAC30-11-30. Notification list.

A. The agency shall maintain a list of persons who have requested to be notified of regulatory actions being pursued by the agency.

B. Any person may request to be placed on a notification list by registering as a public user on the Town Hall or by making a request to the agency. Any person who requests to be placed on a notification list shall elect to be notified either by electronic means or through a postal carrier.

C. The agency may maintain additional lists for persons who have requested to be informed of specific regulatory issues, proposals, or actions.

D. When electronic mail is returned as undeliverable on multiple occasions at least 24 hours apart, that person may be deleted from the list. A single undeliverable message is insufficient cause to delete the person from the list.

E. When mail delivered by a postal carrier is returned as undeliverable on multiple occasions, that person may be deleted from the list.

F. The agency may periodically request those persons on the notification list to indicate their desire to either continue to be notified electronically, receive documents through a postal carrier, or be deleted from the list.

18VAC30-11-40. Information to be sent to persons on the notification list.

A. To persons electing to receive electronic notification or notification through a postal carrier as described in 18VAC30-11-30, the agency shall send the following information:

1. A notice of intended regulatory action (NOIRA).
2. A notice of the comment period on a proposed, a repropoed, or a fast-track regulation and hyperlinks to, or instructions on how to obtain, a copy of the regulation and any supporting documents.
3. A notice soliciting comment on a final regulation when the regulatory process has been extended pursuant to §2.2-4007.06 or 2.2-4013 C of the Code of Virginia.

B. The failure of any person to receive any notice or copies of any documents shall not affect the validity of any regulation or regulatory action.

Part III Public Participation Procedures

18VAC30-11-50. Public comment.

A. In considering any nonemergency, nonexempt regulatory action, the agency shall afford interested persons an opportunity to (i) submit data, views, and arguments, either orally or in writing, to the agency; and (ii) be accompanied by and represented by counsel or other representative. Such opportunity to comment shall include an online public comment forum on the Town Hall.

1. To any requesting person, the agency shall provide copies of the statement of basis, purpose, substance, and issues; the economic impact analysis of the proposed or fast-track regulatory action; and the agency's response to public comments received.
2. The agency may begin crafting a regulatory action prior to or during any opportunities it provides to the public to submit comments.

B. The agency shall accept public comments in writing after the publication of a regulatory action in the Virginia Register as follows:

1. For a minimum of 30 calendar days following the publication of the notice of intended regulatory action (NOIRA).
2. For a minimum of 60 calendar days following the publication of a proposed regulation.
3. For a minimum of 30 calendar days following the publication of a repropoed regulation.

4. For a minimum of 30 calendar days following the publication of a final adopted regulation.
5. For a minimum of 30 calendar days following the publication of a fast-track regulation.
6. For a minimum of 21 calendar days following the publication of a notice of periodic review.
7. Not later than 21 calendar days following the publication of a petition for rulemaking.

C. The agency may determine if any of the comment periods listed in subsection B of this section shall be extended.

D. If the Governor finds that one or more changes with substantial impact have been made to a proposed regulation, he may require the agency to provide an additional 30 calendar days to solicit additional public comment on the changes in accordance with § 2.2-4013 C of the Code of Virginia.

E. The agency shall send a draft of the agency's summary description of public comment to all public commenters on the proposed regulation at least five days before final adoption of the regulation pursuant to § 2.2-4012 E of the Code of Virginia.

18VAC30-11-60. Petition for rulemaking.

A. As provided in §2.2-4007 of the Code of Virginia, any person may petition the agency to consider a regulatory action.

B. A petition shall include but is not limited to the following information:

1. The petitioner's name and contact information;
2. The substance and purpose of the rulemaking that is requested, including reference to any applicable Virginia Administrative Code sections; and
3. Reference to the legal authority of the agency to take the action requested.

C. The agency shall receive, consider and respond to a petition pursuant to §2.2-4007 and shall have the sole authority to dispose of the petition.

D. The petition shall be posted on the Town Hall and published in the Virginia Register.

E. Nothing in this chapter shall prohibit the agency from receiving information or from proceeding on its own motion for rulemaking.

18VAC30-11-70. Appointment of regulatory advisory panel.

A. The agency may appoint a regulatory advisory panel (RAP) to provide professional specialization or technical assistance when the agency determines that such expertise is necessary to address a specific regulatory issue or action or when individuals indicate an interest in working with the agency on a specific regulatory issue or action.

B. Any person may request the appointment of a RAP and request to participate in its activities. The agency shall determine when a RAP shall be appointed and the composition of the RAP.

C. A RAP may be dissolved by the agency if:

1. The proposed text of the regulation is posted on the Town Hall, published in the Virginia Register, or such other time as the agency determines is appropriate; or
2. The agency determines that the regulatory action is either exempt or excluded from the requirements of the Administrative Process Act.

18VAC30-11-80. Appointment of negotiated rulemaking panel.

A. The agency may appoint a negotiated rulemaking panel (NRP) if a regulatory action is expected to be controversial.

B. A NRP that has been appointed by the agency may be dissolved by the agency when:

1. There is no longer controversy associated with the development of the regulation;
2. The agency determines that the regulatory action is either exempt or excluded from the requirements of the Administrative Process Act; or
3. The agency determines that resolution of a controversy is unlikely.

18VAC30-11-90. Meetings.

Notice of any open meeting, including meetings of a RAP or NRP, shall be posted on the Virginia Regulatory Town Hall and Commonwealth Calendar at least seven working days prior to the date of the meeting. The exception to this requirement is any meeting held in accordance with §2.2-3707 D of the Code of Virginia allowing for contemporaneous notice to be provided to participants and the public.

18VAC30-11-100. Public hearings on regulations.

A. The agency shall indicate in its notice of intended regulatory action whether it plans to hold a public hearing following the publication of the proposed stage of the regulatory action.

B. The agency may conduct one or more public hearings during the comment period following the publication of a proposed regulatory action.

C. An agency is required to hold a public hearing following the publication of the proposed regulatory action when:

1. The agency's basic law requires the agency to hold a public hearing;
2. The Governor directs the agency to hold a public hearing; or
3. The agency receives requests for a public hearing from at least 25 persons during the public comment period following the publication of the notice of intended regulatory action.

D. Notice of any public hearing shall be posted on the Town Hall and Commonwealth Calendar at least seven working days prior to the date of the hearing. The agency shall also notify those persons who requested a hearing under subdivision C 3 of this section.

18VAC30-11-110. Periodic review of regulations.

- A. The agency shall conduct a periodic review of its regulations consistent with:
1. An executive order issued by the Governor pursuant to §2.2-4017 of the Administrative Process Act to receive comment on all existing regulations as to their effectiveness, efficiency, necessity, clarity, and cost of compliance; and
 2. The requirements in §2.2-4007.1 of the Administrative Process Act regarding regulatory flexibility for small businesses.
- B. A periodic review may be conducted separately or in conjunction with other regulatory actions.
- C. Notice of a periodic review shall be posted on the Town Hall and published in the Virginia Register.

Agenda Item: Consideration of Exempt Regulatory Clean-up Action

Included in your Agenda Package:

- Draft changes to 18VAC30-21-131

Staff Note: In a previous regulatory action, the Board eliminated the list of approved educational programs and planned to place them in a policy document as part of the agency's regulatory reduction initiative. Section 131 was missed in that action, and because this qualifies as the correction of a technical error under 2.2-4006(A)(3), this action can be exempt from executive branch review.

Action Needed:

- Motion to initiate an exempt regulatory action to amend 18VAC30-21-131

18VAC30-21-131. Performance of flexible endoscopic evaluation of swallowing.

A. For the purposes of this section, an endoscopic procedure shall mean a flexible endoscopic evaluation of swallowing limited to the use of flexible endoscopes to observe, collect data, and measure the parameters of swallowing for the purposes of functional assessment and therapy planning.

B. A speech-language pathologist who performs an endoscopic procedure shall meet the following qualifications:

1. Completion of a course or courses or an educational program offered by a provider approved ~~in 18VAC30-20-100~~ by the board that includes at least 12 hours on endoscopic procedures;
2. Successful performance of at least 25 flexible endoscopic procedures under the immediate and direct supervision of a board-certified otolaryngologist or another speech-language pathologist who has successfully performed at least 50 flexible endoscopic procedures beyond the 25 required for initial qualification and has been approved in writing by a board-certified otolaryngologist to provide that supervision; and
3. Current certification in basic life support.

C. The speech-language pathologist who qualifies to perform an endoscopic procedure pursuant to subsection B of this section shall maintain documentation of course completion and written verification from the supervising otolaryngologist or speech-language pathologist of successful completion of flexible endoscopic procedures.

D. An endoscopic procedure shall only be performed by a speech-language pathologist on referral from an otolaryngologist or other qualified physician.

E. A speech-language pathologist shall only perform an endoscopic procedure in a facility that has protocols in place for emergency medical backup. A flexible endoscopic evaluation of swallowing shall only be performed by a speech-language pathologist in either:

1. A licensed hospital or nursing home under the general supervision of a physician who is readily available in the event of an emergency, including physical presence in the facility or available by telephone; or
2. A physician's office at which the physician is on premises and available to provide onsite supervision.

F. The speech-language pathologist shall promptly report any observed abnormality or adverse reaction to the referring physician, an appropriate medical specialist, or both. The speech-language pathologist shall provide a report of an endoscopic procedure to the referring physician in a timely manner and, if requested, shall ensure access to a visual recording for viewing.

G. A speech-language pathologist is not authorized to possess or administer prescription drugs except as provided in § 54.1-3408 B of the Code of Virginia.

H. A speech-language pathologist who has been performing flexible endoscopic evaluations of swallowing prior to October 7, 2015, may continue to perform such evaluations provided he has written verification from a board-certified otolaryngologist that he has the appropriate training, knowledge, and skills to safely perform such evaluations.

Agenda Item: Consideration of New Policy Document

Included in your agenda package:

- Draft policy document regarding approved continuing education providers

Staff Note: The board's regulatory reduction action, which became effective February 13, 2025, deleted the list of board-approved continuing education providers. They are now being placed into a policy document, which can be amended very easily should a new education provider be approved by the board.

Action Needed:

- Motion to approve new policy document regarding continuing education providers

Virginia Board of Audiology and Speech Language Pathology

Approved Continuing Education Providers

This document lists all accredited sponsors and organizations who have been recognized and approved by the board to provide continuing education as required in 18VAC30-21-100. Refer to the regulations for more information regarding continuing education requirements of licensees.

Approved continuing education providers:

1. The Speech-Language-Hearing Association of Virginia or a similar state speech-language-hearing association of another state;
2. The American Academy of Audiology;
3. The American Speech-Language-Hearing Association;
4. The Accreditation Council on Continuing Medical Education of the American Medical Association offering Category I continuing medical education;
5. Local, state, or federal government agencies;
6. Colleges and universities;
7. International Association of Continuing Education and Training; and
8. Health care organizations accredited by The Joint Commission or DNV CL Healthcare

VIRGINIA ACTS OF ASSEMBLY - 2025 RECONVENED SESSION

CHAPTER 649

An Act to amend the Code of Virginia by adding in Chapter 26 of Title 54.1 an article numbered 3, consisting of sections numbered 54.1-2620 through 54.1-2624, and to repeal § 54.1-2605 of the Code of Virginia, relating to speech-language pathology assistants; licensure, qualifications, scope of practice; revocation or suspension of license; continuing education.

[H 2040]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 26 of Title 54.1 an article numbered 3, consisting of sections numbered 54.1-2620 through 54.1-2624, as follows:

Article 3.

Licensure of Speech-Language Pathology Assistants.

§ 54.1-2620. License; application; qualifications of speech-language pathology assistants.

A. No person shall practice as a speech-language pathology assistant unless he possesses a current, active, and valid license from the Board. The licensee shall have the right to practice as a speech-language pathology assistant in the Commonwealth for the period of his license as set by the Board, under the supervision and direction of a licensed speech-language pathologist.

B. An application for such license shall be made to the Board in writing and shall be accompanied by satisfactory proof that the applicant (i) has completed a Board-approved eligibility pathway option, described in subsection C, and (ii) has completed a minimum of 100 hours of supervised clinical experience under the direct supervision of a licensed speech-language pathologist.

C. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete a Board-approved eligibility pathway that includes:

1. (i) Obtaining a two-year speech-language pathology assistant program degree from an accredited institution, (ii) completing the prerequisite courses required by subsection D, and (iii) completing the clinical field work required by subsection E;

2. (i) Obtaining a bachelor's degree in communication sciences and disorders from an accredited institution; (ii) completing (a) the online education modules offered by the American Speech-Language-Hearing Association or (b) a program equivalent to the online education modules offered by the American Speech-Language-Hearing Association; (iii) completing the prerequisite courses required by subsection D; and (iv) completing the clinical field work required by subsection E; or

3. (i) Obtaining a bachelor's or associate's degree from an accredited institution; (ii) completing a speech-language pathology assistant program with equivalent course work, or completing academic course work from an accredited institution of higher education in the following areas: (a) introductory or overview course in communication disorders, (b) phonetics, (c) speech sound disorders, (d) language development, (e) language disorders, and (f) anatomy and physiology of speech and hearing mechanisms; (iii) completing the prerequisite courses required by subsection D; and (iv) completing the clinical field work required by subsection E.

D. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete three one-hour prerequisite courses from an approved professional development provider, academic clinical practicum program, or via employee training, on each of the following topics: (i) ethics, (ii) universal safety precautions, and (iii) patient confidentiality.

E. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete a minimum of 100 hours of clinical field work, including (i) 80 hours of direct patient/client/student services under the supervision of a licensed speech-language pathologist and (ii) 20 hours of indirect patient/client/student services under the supervision of a licensed speech-language pathologist. Such hours may be completed via an academic practicum or on the job under the supervision of a licensed speech-language pathologist. Hours completed via an academic practicum or on the job shall be no more than five years old at the time of application for licensure. Observation, simulation, and graduate practicum hours shall not count toward such requirement.

F. The Board may grant a license to practice as a speech-language pathology assistant to an applicant licensed to practice in another jurisdiction if he (i) meets the requirements of subsection B; (ii) holds a current, unrestricted license to practice as a speech-language pathology assistant in another jurisdiction in the United States; (iii) has not committed any act that would constitute grounds for denial as set forth in § 54.1-2706; and (iv) meets other qualifications as determined in regulations promulgated by the Board.

G. The Board shall promulgate regulations (i) establishing the number of speech-language pathology assistants that may practice under the supervision of one licensed speech-language pathologist, not to exceed

three speech-language pathology assistants under the supervision of one licensed speech-language pathologist, and (ii) defining (a) "direct supervision" as the in-view observation and guidance by a licensed speech-language pathologist of a speech-language pathology assistant while such speech language pathology assistant performs an assigned activity and (b) "indirect supervision" as the monitoring or reviewing of the activities performed by a speech-language pathology assistant by a licensed speech-language pathologist, excluding observation and guidance provided during the provision of direct services to a student, patient, or client.

§ 54.1-2621. Scope of practice of speech-language pathology assistants.

A. A licensed speech-language pathology assistant shall only engage in those duties that adhere to the code of ethics of the Board and are planned, designed, and supervised by a licensed speech-language pathologist, including:

1. Assisting with speech, language, and hearing screenings without clinical interpretation of results;
2. Administering and scoring screenings for clinical interpretation by the supervising speech-language pathologist;
3. Assisting with, but not administering or interpreting the results of, client assessments, including setting up the testing environment, gathering and preparing materials, and taking notes;
4. Administering and scoring assessments and progress monitoring tools without clinical interpretation of results, if the licensed speech-language pathology assistant meets the examiner requirements for such tools and the supervising speech-language pathologist has verified that such examiner requirements have been met;
5. Performing routine activities for therapy sessions in accordance with a plan developed and directed by the speech-language pathologist who retains the professional responsibility for such client, including (i) implementing documented care plans or protocols, (ii) providing direct therapy services to address treatment goals, (iii) adjusting and documenting the amount and type of support or scaffolding provided to the client in treatment to facilitate progress, and (iv) developing and implementing activities and materials for teaching and practice of skills to address the goals of the client;
6. Providing treatment through a variety of service delivery models as directed by the supervising speech-language pathologist;
7. Utilizing telecommunications technology to provide services remotely to clients as directed by the supervising speech-language pathologist;
8. Documenting client performance and reporting such performance information to the supervising speech-language pathologist;
9. Providing caregiver coaching, including modeling and teaching communication strategies and providing feedback regarding caregiver-client interactions for facilitation and carryover of skills;
10. Sharing objective information regarding client performance without interpretation or recommendations as directed by the supervising speech-language pathologist;
11. Assisting with programming augmentative and alternative communication devices and assisting and training clients with using such devices;
12. Demonstrating strategies and assisting clients with skills included in the feeding and swallowing plan developed by the supervising speech-language pathologist;
13. Signing or initialing informal treatment notes and, upon request, co-signing formal documents with the supervising speech-language pathologist;
14. Assisting with clerical duties and site operations, including preparing materials, scheduling appointments and activities, preparing charts, records, or graphs, and performing checks and maintenance of equipment;
15. Assisting clients with transitioning to and from therapy sessions; and
16. Performing duties not otherwise restricted to the practice of speech-language pathology.

B. A speech-language pathologist assistant shall not engage in the practice of speech-language pathology, including the following:

1. Representing himself as a speech-language pathologist;
2. Performing diagnostic tests or evaluations;
3. Performing procedures that require a professional level of clinical judgment and technical skill;
4. Interpreting results and observations of feeding and swallowing evaluations or screenings performed by a speech-language pathologist;
5. Participating in formal conferences or meetings without the presence of the supervising speech-language pathologist;
6. Providing interpretative information to a client, the family of a client, or any other individual;
7. Writing, developing, or modifying a client's treatment plan;
8. Assisting in or providing services described in subsection A unless directed by the supervising speech-language pathologist;
9. Signing any formal documents in place of the supervising speech-language pathologist;
10. Selecting a client for service or discharging a client from service;

11. Making a decision regarding the need for additional services or making a referral for service;
12. Disclosing clinical or confidential information either orally or in writing to anyone other than the supervising speech-language pathologist, unless mandated by law or authorized by the supervising speech-language pathologist; or

13. Developing or determining the swallowing or feeding strategies or precautions for a client or providing feeding or swallowing treatment.

C. A licensed speech-language pathology assistant shall be supervised by a speech-language pathologist, who shall retain full legal and ethical responsibility for the client.

§ 54.1-2622. Continuing education.

The Board shall promulgate regulations requiring continuing education for any speech-language pathology assistant license renewal or reinstatement. The Board may grant exceptions or exemptions from these continuing education requirements.

§ 54.1-2623. Revocation or suspension; other sanctions.

The Board may refuse to issue a license to any applicant; suspend, for a stated period or indefinitely, or revoke any license; or censure or reprimand any licensee or place such person on probation for such time as it may designate for any of the following causes:

1. Obtaining a license through fraud, deceit, or misrepresentation;
2. Being convicted of any felony or being convicted of any crime involving moral turpitude;
3. Using alcohol or drugs to the extent that such use renders the person unsafe to practice as a speech-language pathologist assistant;
4. Any unprofessional conduct likely to defraud or to deceive the public or patients;
5. Practicing in an intentional or negligent manner that causes or is likely to cause injury to a patient or patients;
6. Assisting persons whom he knew or had reason to believe were unlicensed to practice as a speech-language pathologist or speech-language pathologist assistant;
7. Violating, assisting, or inducing others to violate any provision of this article or any Board regulation;
8. Conducting his practice in a manner contrary to the standards of ethics of a speech-language pathologist assistant;
9. Practicing or causing others to practice in a manner that is dangerous to the health and welfare of his patients or to the public;
10. Practicing outside the scope of the speech-language pathologist assistant's education, training, and experience; or
11. Receiving a revocation, suspension, or restriction of a license to practice as a speech-language pathologist assistant in another state, possession, or territory of the United States or foreign country.

§ 54.1-2624. Grounds for revocation or suspension.

The Board may revoke or suspend the license of any speech-language pathologist assistant for any of the causes set forth in § 54.1-2623, insofar as the action is applicable to practicing as a speech-language pathologist assistant.

2. That § 54.1-2605 of the Code of Virginia is repealed.

3. That the provisions of the first and second enactments of this act shall become effective on July 1, 2027.

4. That the Board of Audiology and Speech-Language Pathology's initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the Board of Audiology and Speech-Language Pathology shall provide an opportunity for public comment on the regulations prior to adoption of such regulations.

5. That the Board of Audiology and Speech-Language Pathology shall amend and promulgate regulations in accordance with this act by July 1, 2026.

Audiology & Speech-Language Pathology
Sanctioning Reference Points Worksheet
 July 8, 2025

	Points	Score
Case Type (score only one)		
a. Abuse/Inappropriate Relationship	25	_____
b. Inability to Safely Practice	15	_____
c. Fraud/Standard of Care/Unlicensed Activity	10	_____

Offense and Respondent Factors (score all that apply)		
a. Patient mistreatment	25	_____
b. Any patient injury	20	_____
c. Impaired or incapacitated on duty	15	_____
d. Past difficulties with drugs or alcohol	15	_____
e. License ever taken away	15	_____
f. Any patient involvement	10	_____
g. Concurrent action	10	_____
h. Any prior Board violations	10	_____
i. Previous violation similar to current offense	5	_____
j. Patient especially vulnerable	5	_____
k. Past difficulties with mental or physical	5	_____
l. Financial or material motivation	5	_____
m. Respondent failed to initiate corrective action	5	_____
Total Worksheet Score		<input style="width: 50px; height: 15px; border: 2px solid black;" type="text"/>

Recommendations for Sanctioning

<u>Score</u>	<u>Sanction Recommendation</u>	<u>Monetary Penalty Ranges</u>
0-40	No Sanction/ Reprimand/ Monetary/CE	Up to \$1000
41-80	Treatment/Monitoring	\$500 to \$2,500
81 or more	Loss of License/ Refer to Formal	\$2,500 or more

Respondent Name: _____

Date: _____

Audiology & Speech-Language Pathology Sanctioning Reference Points Worksheet Instructions

July 8, 2025

Step 1: Case Type (score only one)

Select the case type from the list and score accordingly.

When multiple cases have been combined into one “event” (one order) for disposition by the Board, only one case type can be selected. If a case (or set of cases) has more than one offense type, one case type is selected for scoring based on the offense group that receives the highest point value.

- a. Abuse/Inappropriate Relationship – 25 Points
 - Any sexual assault or mistreatment of a patient
 - Dual, sexual, or other boundary issues. This includes inappropriate touching and written or oral communications.
- b. Inability to Safely Practice – 15 Points
 - Impairment due to use of alcohol, illegal substances, or prescription drugs
 - Incapacitation due to mental, physical, or medical conditions
- c. Fraud/Standard of Care/Unlicensed Activity – 10 Points
 - Performing unwarranted/unjust services
 - Falsification/alteration of patient records
 - Fraudulent patient billing
 - Falsification of licensing/renewal documents
 - Diagnosis/treatment was improper, delayed, or unsatisfactory. Also includes failure to diagnose/treat, & other diagnosis/treatment issues
 - Practicing a profession or occupation without holding a valid license as required by statute or regulation as well as aiding and abetting the practice of unlicensed activity
 - Disclosing unauthorized client information without permission or necessity

Step 2: Offense and Respondent Factors (score all that apply)

Score all factors related to the circumstances of the case presented.

- a. Enter “25” if the case had an element of patient mistreatment. Examples include verbal abuse or physical assault.
- b. Enter “20” if a patient was injured and/or required subsequent treatment from a licensed healthcare practitioner. Patient injury is also indicated when first aid is administered or there is visually identifiable harm such as that resulting from assault. This factor is scored without regard to a respondent’s intent to harm (i.e., neglect or accidental injury).

- c. Enter "15" if the respondent was impaired or incapacitated while practicing. Score this factor only if the respondent was at work during the time of impairment or incapacitation. Impairment includes substance abuse (alcohol or drugs) while incapacitation includes mental or physical concerns.
- d. Enter "15" if the respondent has had any past difficulties with drugs or alcohol. Examples may include prior convictions for DUI/DWI or inpatient/outpatient treatment.
- e. Enter "15" if the respondent's license has been previously revoked, suspended, or summarily suspended by any state including Virginia.
- f. Enter "10" if the offense involves a patient. Patient involvement does not require direct contact with a patient (i.e., fraudulently billing multiple patients).
- g. Enter "10" if there was a concurrent criminal action, action the employer, by another state or by another entity due to the incident. Examples of other entities include ASHA, DSS/CPS/APS, HPMP, or Temporary Detention Orders (TDOs).
- h. Enter "10" if the respondent has any prior violations decided by the Virginia Board of Audiology & Speech-Language Pathology or the Virginia Department of Professional and Occupational Regulation as a Hearing Aide Specialist.
- i. Enter "5" if the respondent has any prior similar Virginia Board of Audiology & Speech-Language Pathology or Virginia Department of Professional and Occupational Regulation Hearing Aide Specialist violations. Similar violations would be those listed under the same case type heading in Step 1.
- j. Enter "5" if the patient is especially vulnerable. Patients in this category fulfill at least one of the following descriptions: under age 18, over age 65, or mentally/physically handicapped.
- k. Enter "5" if the respondent has had any past difficulties with mental or physical capabilities. Examples include inpatient/outpatient treatment, or bona fide mental health care for a condition affecting his/her abilities to function safely or properly.
- l. Enter "5" if there was financial or material motivation by the respondent.
- m. Enter "5" if the respondent failed to take corrective action prior to the time at which the SRP worksheet is being considered.

Step 3: Total Worksheet Score

Add all Case Type and Offense and Respondent Factor Scores for a Total Worksheet Score.

Step 4: Recommendations for Sanctioning

The Total Worksheet Score corresponds to the Sanctioning Reference Points recommendations at the bottom of the worksheet. To determine the appropriate recommended sanction, find the score range on the left that corresponds to the Total Worksheet Score that was calculated. That range then corresponds to a “Sanction Recommendation.” For instance, a Total Worksheet Score of 60 is recommended for “Treatment/Monitoring.”

“Monetary Penalty Ranges” in the last column correspond to the point ranges in the first column. However, for a sanction to be considered in agreement with the worksheet recommendation, it must only correspond with the Sanction Recommendation column (agreement or disagreement with the Monetary Penalty Ranges column is not used when tracking compliance with the SRP worksheets).

Step 5: Coversheet

Complete the coversheet, including the SRP sanction result, the imposed sanction, and the reason for departure if applicable.

Speech Pathology/Audiology Monthly Snapshot for May 2025

Speech Pathology/Audiology received more cases in May than closed. Speech Pathology/Audiology closed 0 patient care cases and 0 non-patient care cases for a total of 0 cases.

Cases Closed	
Patient Care	0
Non-Patient Care	0
Total	0

Speech Pathology/Audiology has received 0 patient care cases and 1 non-patient care case for a total of 1 case.

Cases Received	
Patient Care	0
Non-Patient Care	1
Total	1

As of May 31,2025, there were 6 patient care cases open and 4 non-patient care cases open for a total of 10 cases.

Cases Open	
Patient Care	6
Non-Patient Care	4
Total	10

There were 6,539 speech pathology/audiology licensees as of May 31,2025. The number of current licenses is broken down by profession in the following chart.

Current Licenses	
Audiologist	625
School Speech-Language Pathologist	373
Speech-Language Pathologist	5,541
Total for Speech Pathology/Audiology	6,539

There were 114 licenses issued for speech pathology/audiology for the month of May. The number of licenses issued is broken down by profession in the following chart.

Licenses Issued	
Audiologist	7
Provisional Audiologist	2
Provisional Speech-Language Pathologist	54
School Speech-Language Pathologist	2
Speech-Language Pathologist	49
Total for Speech Pathology/Audiology	114

**VIRGINIA BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY
BYLAWS**

ARTICLE I: GENERAL

The organizational year for the Board shall be from July 1st through June 30th. At the first board meeting of the organizational year, the Board shall elect from its members a Chair and Vice-Chair with an effective date of January 1st. The term of office shall be one year.

For purposes of these Bylaws, the Board schedules three full board meetings in each year with the right to change the date or cancel any board meeting, with the exception that a minimum of one meeting shall take place annually. Board members shall attend all board meetings in person, unless prevented by illness or similar unavoidable cause. A majority of the members of the Board shall constitute a quorum for the transaction of business. The current edition of Robert's Rules of Order, revised, shall apply unless overruled by these bylaws or when otherwise agreed.

Members shall attend all scheduled meetings of the Board and committee to which they serve. In the event of two consecutive unexcused absences at any meeting of the Board or its committees, the Chair shall make a recommendation to the Director of the Department of Health Professions for referral to the Secretary of Health and Human Resources and Secretary of the Commonwealth.

ARTICLE II: OFFICERS OF THE BOARD

1. The Chair presides at all meetings and formal administrative hearings in accordance with parliamentary rules and the Administrative Process Act, and requires adherence of it on the part of the board members. The Chair shall appoint all committees and committee chairpersons unless otherwise ordered by the Board.
2. The Vice-Chair shall act as Chair in the absence of the Chair.
3. In the absence of both the Chair and Vice-Chair, the Chair shall appoint another board member to preside at the meeting and/or formal administrative hearing.
4. The Executive Director shall be the custodian of all Board records and all papers of value. She/He shall preserve a correct list of all applicants and licensees. She/He shall manage the correspondence of the Board and shall perform all such other duties as naturally pertain to this position.

AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

2025 CALENDAR

April 8, 2025 (Tuesday)	BR_4_ 9:00 AM	BOARD MEETING
May 12, 2025 (Monday)	TR_1_ HR_1_ & _3_	INFORMAL CONFERENCE(S)
July 8, 2025 (Tuesday)	BR_3_ 9:00 AM	BOARD MEETING
July 8, 2025 (Tuesday)	BR_3_ 12:00 PM	FORMAL HEARING
October 7, 2025 (Tuesday)	BR_3_ HR_1_ & _3_	INFORMAL CONFERENCE(S)
December 9, 2025 (Tuesday)	BR_3_ 9:00 AM	BOARD MEETING

CALENDAR_ASLP_2025