

### **Call to Order**

The July 8, 2025, meeting of the Virginia Board of Audiology & Speech-Language Pathology (Board) was called to order at 9:01 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 3, 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

James Wells, RPh

### **Members Not Present**

Laura H. Vencill, MS, CCC-SLP

Bethany Rose, AuD

### **Staff Present**

Arne W. Owens, Director, DHP

Kelli G. Moss, Executive Director

Claire C. Foley, Deputy Executive Director

Matt Novak, Agency Regulatory Coordinator, DHP

James E. Rutkowski, Senior Assistant Attorney General, Board Counsel

Laura L. Jackson, Board Administrator

Laura D. Paasch, Senior Licensing & Operations Specialist

### **Others Present**

Kim Small, Vice-President, VisualResearch Inc.

Sara Blöse, Senior Assistant Attorney General (observing board counsel)

Barbara Hodgdon, Deputy Director, Healthcare Workforce Data Center (HWDC), DHP

Cherese Lampkins, Summer Intern for HWDC

Kelly Smith, Director of Communications, DHP

## **Public Present**

Melanie-Joy H. Dorn, MA, CCC-SLP, Vice President of Government & Professional Affairs, Speech-Language Hearing Association of Virginia (SHAV)

## **Establishment of Quorum**

Five out of the seven board members were present, constituting a quorum for conducting business.

## **Introduction**

Dr. McNichol welcomed Senior Assistant Attorney General, Jim Rutkowski, who was serving 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**

Melanie-Joy H. Dorn, SLP, addressed the Board regarding a Petition for Rulemaking she submitted in June 2025, reporting that recent changes to the Centers for Medicare and Medicaid (CMS) definition of a licensed SLP now excludes provisionally licensed SLPs from qualification to bill Medicare Part B for services. She stated this is a time-sensitive issue impacting the hiring of new graduates and the revenue of current SLP providers and urged the Board to act quickly on her petition to consider issuing full licenses to applicants upon graduation from an approved SLP program. She stated the American Speech-Language Hearing Association (ASHA) is advocating for CMS's revised policy to be reversed.

## **Approval of Minutes**

Dr. McNichol opened the floor to any edits or corrections to the draft minutes of the full board meeting held on April 8, 2025. 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, including the dissolution of the Board of Health Professions as a policy board under DHP as a result of legislation passed during the 2025 General Assembly. As of July 1, 2025, any duties under the Board of Health Professions were transferred to the appropriate regulatory board or to his office. Mr. Owens reported DHP leadership is reviewing operations to improve efficiency measures as it develops its FY2027-2028 biennial budget.

## **Legislative/Regulatory Report**

Mr. Novak provided a report on legislative and regulatory activity, which includes one pending current regulatory action to implement the ASLP Interstate Compact. Proposed stage regulations

will be presented to the Board at a future meeting once the ASLP-IC supplies its member states with information needed to promulgate regulations.

#### Closure of Periodic Review of Chapter 11

Mr. Novak stated a periodic review was opened for 18 VAC 30-11, Public Participation Guidelines (PPG), almost two years ago and was never closed. These regulations only change when the Department of Planning and Budget has new regulations for agencies to adopt, and no updates have occurred since the Board last adopted its PPG.

A motion was made by Dr. Wallace-Davis to retain 18 VAC 30-11 without changes. The motion was seconded by Mr. Wells and carried unanimously.

#### Exempt Regulatory Action to Amend 18VAC30-21-131

Mr. Novak reported that the Board eliminated the list of approved educational programs in a previous regulatory action with a plan to place them in a policy document as part of the agency's regulatory reduction initiative. Necessary changes to Section -131 were overlooked during that action and the correction of a technical error under Virginia *Code* § 2.2-4006(A)(3), qualifies as an exempt regulatory action if the Board chooses to initiate it.

A motion was made by Dr. Wallace-Davis to initiate an exempt regulatory action to amend 18VAC30-21-131 of the regulations with the necessary changes. The motion was seconded by Dr. Shaia and carried unanimously.

#### New Policy Document - Continuing Education Providers

Mr. Novak stated that the board's regulatory reduction action effective February 13, 2025, deleted the list of board-approved continuing education providers that may be adopted within a policy document that may be amended with new education providers as they are approved by the board.

A motion was made by Dr. Shaia to approve a new policy document to document board-approved continuing education providers. The motion was seconded by Dr. Wallace-Davis and carried unanimously.

Mr. Novak provided information on the new statute § 54.1-2620 passed by the 2025 General Assembly to license speech-language pathology assistants (SLPAs). This statute has an enactment clause of July 1, 2027, which will provide ample time for the board to promulgate regulations for licensure of SLPAs.

#### **Discussion Items**

Ms. Small presented information regarding the proposed revisions to the Board's Sanctioning Reference Points worksheet and instructions. If adopted by the Board, these documents will be used to update the SRP Manual to aid the board in determining sanctions for discipline cases.

A motion was made by Dr. Wallace-Davis to adopt the SRP worksheet and instructions as presented. The motion was seconded by Dr. McNichol and carried unanimously.

Ms. Moss provided information regarding a recent change in the Centers for Medicare and Medicaid (CMS)'s definition of a qualified SLP for reimbursement of services that excludes provisional SLP licensees. She stated that financial reimbursement is beyond the board's purview and that ASHA and SHAV are advocating on behalf of SLPs. Because this is a matter of concern to its licensees and is related to the Petition for Rulemaking recently filed to change licensure requirements, board staff will keep the board informed of new developments.

Ms. Moss provided an update on the ASLP-International Compact. As of June 2025, 36 states and one territory have joined the compact. The Compact Connect data system is scheduled to launch in September 2025, and the ASLP-IC has adopted a \$50 fee per applicant, per year to purchase and maintain privileges. It has also amended its rules on criminal background checks, which will be required for privileges. This rule change reflects the difficulty some member boards are having with the Federal Bureau of Investigations issuing authorizations to conduct CBCs. Virginia may require a statutory change for the FBI to recognize the board's authority to request them. The Board cannot issue or accept privileges until regulations for the Compact are finalized. The annual business meeting is scheduled for September 20, 2025, and Ms. Gay and Dr. Rose are Virginia's delegates. Informational Compact Connect meetings will be held virtually on July 8, 2025, and July 11, 2025, to assist member boards with onboarding.

### **Board Counsel's Report**

Mr. Rutkowski informed the Board that Senior Assistant Attorney General Brent Saunders has now been assigned as counsel for this board but was unable to attend this meeting due to a scheduling conflict. Mr. Rutkowski introduced Sara Blose as the new assistant attorney general who will provide counsel to other regulatory boards under DHP, and stated she is attending board meetings and hearings with him as part of her onboarding process.

### **Chair's Report**

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

### **Staff Reports**

Ms. Moss stated she had nothing further to add to Mr. Owens' report regarding the dissolving of BHP and the biennial budget. She provided updates regarding board outreach activities with SHAV and the implementation of an automated email "bot" to assist with CE requirements for license renewal. Ms. Moss noted she is working with Ms. Kelly Smith, DHP's director of communications, to develop a board newsletter. She announced DHP's annual board member orientation is scheduled for October 3, 2025, and invited any board members who wish to attend to contact her for more information. She provided statistics regarding the most recent monthly and total numbers of licenses issued to date.

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

### **New Business**

Dr. McNichol provided information from the bylaws affirming that the election of officers was required at the first organizational meeting of each year, which begins July 1. She called for nominations for the office of Chair.

#### Chair

A motion was made by Mr. Wells to nominate Dr. Wallace-Davis to serve as Chair of the Board. The motion was seconded by Dr. Shaia.

A motion was made by Dr. McNichol to nominate Ms. Gay to serve as Chair of the Board. The motion was seconded by Mr. Wells.

A roll call vote was taken resulting in three votes to two in favor of Dr. Wallace-Davis serving a one-year term as Chair of the Board effective January 1, 2026.

#### Vice Chair

A motion was made by Dr. Wallace-Davis to nominate Ms. Gay to serve as Vice-Chair of the Board. The motion was seconded by Dr. Shaia.

No other nominations were received. The motion carried unanimously for Ms. Gay to serve a one-year term as Vice-Chair of the Board with an effective date of January 1, 2026.

### **Next Meeting**

Ms. Moss stated the next full board meeting is scheduled for Tuesday, December 9, 2025.

### **Adjournment**

With no objection, Dr. McNichol adjourned the meeting at 10:22 a.m.



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Kelli Moss  
Executive Director