



Economic Impact Analysis Virginia Department of Planning and Budget

**18 VAC 30-20 –Regulations of the Board of Audiology and Speech-Language Pathology
Department of Health Professions
November 18, 2013**

Summary of the Proposed Amendments to Regulation

The Board of Audiology and Speech-Language Pathology (Board) proposes to repeal Chapter 20 and promulgate Chapter 21 to reorganize sections and provisions more logically and with more clarity. The regulations will still be called Regulations of the Board of Audiology and Speech-Language Pathology. Additionally, the Board proposes the following for the regulations: 1) a change in continuing competency requirements from 30 hours within two years to 10 hours annually, offered by an approved sponsor or provider; 2) less burdensome rules for re-entry into practice, 3) elimination of barriers to provisional licensure, and 4) additional clarity through more explicit rules for patient confidentiality, maintenance of records and violations of professional boundaries.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

Continuing competence requirements

Under Chapter 20, in order for licensees to renew their license, they must complete at least 30 hours of continuing learning activities within the two years immediately preceding renewal. At least 15 of those hours must be Type 1. Type 1 activities are continuing learning activities that are offered by an accredited sponsor or organization. The remaining hours may be Type 2, which are defined as “continuing learning activities that may or may not be approved by an accredited sponsor or organization but shall be activities considered by the learner to be beneficial to practice or to continuing learning.”

In Chapter 21 the Board proposes to eliminate Type 2 and instead require that licensees complete at least 10 contact hours of continuing learning activities in the year immediately preceding renewal. Continuing learning activities must be activities, programs or courses related to speech-language pathology or audiology, depending on the license held, and offered or approved by an accredited sponsor or organization. “Continuing learning hours in excess of the number required for renewal may be transferred or credited to the next renewal year for a total of not more than 10 hours.” So the number of required hours per year is reduced from 15 to 10; and also since hours can be carried over across years, licensees can arrange their schedules to account for outside events. This is clearly beneficial for licensees.

Reactivating an inactive license

Under Chapter 20, when a practitioner wishes to reactivate an inactive license, she must file a reinstatement application, pay the difference between the inactive and active renewal fees for the current year, and provide documentation of having completed continued competency hours equal to the requirement for the number of years, not to exceed four years, in which the license has been inactive. Under Chapter 21, the requirements are the same except for continued competency hours. The licensee must provide documentation of having completed continued competency hours equal to the requirement for the number of years, not to exceed three years or current American Speech-Language-Hearing Association certification. The proposed continuing education requirement is less burdensome while not reducing assurance of competency. Thus it should provide a net benefit.

Provisional licensure

Under Chapter 20, for an applicant for provisional licensure to qualify for initial licensure, she must have passed the qualifying examination within the past 3 years and currently be enrolled in a doctoral program. For Chapter 21, the Board proposes to still require that the applicant have passed the qualifying exam, but no longer require that it have been within the last three years. Also, the Board proposes to eliminate the requirement that the applicant be currently enrolled in a doctoral program. Eliminating these two requirements, while maintaining the other provisional licensure requirements, will enable some additional individuals who have demonstrated their competence via examination to qualify for provisional licensure. Thus, it should provide a net benefit.

Businesses and Entities Affected

The proposed amendments potentially affect the 3354 speech-language pathologists, 491 audiologists and 122 school speech pathologists licensed in the Commonwealth.

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The proposed less burdensome rules for re-entry into practice and provisional licensure may moderately add to the supply of working audiologists and speech-language pathologists.

Effects on the Use and Value of Private Property

The proposed reduction in required continuing competency hours per year from 15 to 10 will enable audiologists and speech-language pathologists to use more of their time as they choose. The proposed less burdensome rules for re-entry into practice and provisional licensure may moderately reduce costs for firms which employ them.

Small Businesses: Costs and Other Effects

The proposed less burdensome rules for re-entry into practice and provisional licensure may moderately reduce costs for small firms which employ them.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments do not adversely affect small businesses.

Real Estate Development Costs

The proposed amendments are unlikely to affect real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to

be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.