

1-28

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on [1/21/2011] by the
Oregon Board of Examiners for Speech-Language Pathology & Audiology
Date prior to or same as filing date
335

Agency and Division Administrative Rules Chapter Number

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Rules Coordinator Address Telephone

to become effective [2/1/2011]. Rulemaking Notice was published in the [January 2011] Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Clarifies equivalent licensing requirements, delinquency fees, SLPA supervisor qualifications; changes renewal deadline; addresses written exceptions

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

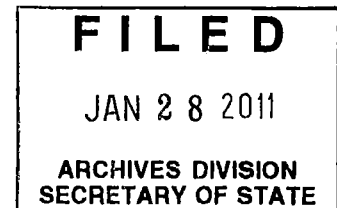
AMEND: 335-001-0009; 335-060-0005; 335-060-0010; 335-060-0030; 335-070-0020; 335-070-0055; 335-070-0085; 335-095-0030; 335-095-0040

REPEAL: 335-095-0055

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 681



Other Auth.:

Stats. Implemented: ORS 681

RULE SUMMARY

- Defines equivalent credentials for licensure
- Clarifies under what circumstances delinquent fees *will* or *may* be charged for rule infractions
- Makes permanent previous temporary rules regarding elimination of "Permit to Supervise SLPAs" and its associated fee
- Makes permanent previous temporary rules regarding qualifications and conditions for SLPA supervision
- Moves license renewal deadline to December 31st of odd-numbered years to create one-month period between renewal deadline and expiration date of previous license
- Changes professional development hours required for re-activation of recently expired licenses to conform to those of renewed licenses
- Conforms rule regarding filing written exceptions and argument to the Administrative Procedures Act
- Changes miscellaneous text for clarity

Sandy Leybold SANDY LEYBOLD 1/26/11
Authorized Signer Printed name Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005

SPA 1-2011

335-001-0009

Filing Exceptions and Argument to the Board

A party adversely affected by a proposed order may file written exceptions and argument with the Board. To be considered by the Board, any exceptions and argument submitted by a party must be received by the Board within 21 days of the mailing date of the proposed order.

Stat. Auth.: ORS 681.420(5)

Stats. Implemented: ORS 183.341

Hist.: SPA 1-2001, f. & cert. ef. 3-12-01

335-060-0005

Definitions

(1) An Inactive License or Certificate may be obtained by those otherwise qualified individuals who are not employed in the field of speech-language pathology or audiology, not residing in Oregon, or are retired from the profession.

(2) A Conditional License is a license certificate issued by the Board to applicants meeting the requirements as stated in ORS 681.260(2). The license provides for the licensee to work under supervision while completing the required nine months of supervised post-educational professional experience and/or until the licensee successfully passes the required examination.

(3) Equivalent credentials for licensure are defined as follows:

(a) For regular licenses in speech-language pathology, if completing a doctoral program in which a master's degree has not been conferred, an applicant must submit a transcript showing completion of course work equivalent to, or exceeding, a master's degree that meets the requirement of ORS 681.260. In addition to the transcript, the Board may require a letter from the academic department chair or program director documenting that the applicant has completed coursework equivalent to or exceeding a master's degree.

(b) For applicants for conditional licenses in speech-language pathology or initial licenses in audiology, when the applicant has completed all degree requirements, but the university is not scheduled to confer the degree for up to 90 days from the date of application, the Board will accept a letter from the university registrar, documenting that the applicant has completed all degree requirements, and has been approved to receive the degree. An official transcript showing the conferral of the degree must be submitted within 60 days of license issuance.

(c) For applicants who completed their professional training in speech pathology or audiology outside of the United States, the Board requires a determination letter from a credential evaluation service approved by the American Speech-Language Hearing Association to determine equivalency to a master's degree or doctoral degree issued by an accredited program.

Stat. Auth.: ORS 681.340, 681.360, 681.420 & 681.460

Stats. Implemented: ORS 681.460

Hist.: SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2002(Temp), f. 11-8-02, cert. ef. 12-1-02 thru 5-1-03; SPA 1-2003, f. & cert. ef. 5-7-03; SPA 4-2006, f. & cert. ef. 11-3-06; SPA 1-2007, f. & cert. ef. 2-1-07

335-060-0010

Fees

In accordance with the provisions of ORS 681.340 and 681.360, the following fees, where applicable, are payable to the Board by check, money order, or electronic payment if available:

(1) All Applicants:

- (a) Application fee shall be \$200, non-refundable.
- (b) Delinquent fee shall be \$200.
- (c) A delinquent fee will be charged for each or all of the following, as applicable:
 - (i) Renewal applications postmarked or submitted electronically after December 31st of odd-numbered years;
 - (ii) Renewal applications postmarked by December 31st of odd numbered years which are incomplete or otherwise unable to be processed;
 - (iii) Conditional license renewals or conditional license upgrade applications postmarked less than 30 days prior to the expiration date of the conditional license;
 - (iv) Requests for special approval of professional development received 30 days or more after the activity is completed;
- (d) A delinquent fee may be charged for each or all of the following, as applicable:
 - (i) Failure to respond to audit by the prescribed deadline;
 - (ii) Audit responses postmarked by the deadline which are incomplete or otherwise unable to be processed.
 - (iii) Failure to complete all required hours of professional development prior to January 1st of even-numbered years;
- (e) The Board may provide for waiver of the license or certificate fee where the license or certificate is issued less than 45 days before the date on which it will expire.

(2) Speech-Language Pathologists and Audiologists:

- (a) Biennial license fee and renewal thereof shall be \$275.
- (b) Biennial inactive license fee and renewal thereof shall be \$50.
- (c) Conditional license fee and renewal thereof shall be \$125.

(3) Speech-Language Pathology Assistants:

- (a) Biennial certificate fee and renewal thereof shall be \$150.

(a) Biennial certificate fee and renewal thereof shall be \$150.

(b) Biennial inactive certificate fee and renewal thereof shall be \$20.

Stat. Auth.: ORS 681.340, 681.360, 681.420 & 681.460

Stats. Implemented: ORS 681.340(1), 681.360(2)(b) & 681.360(3)(b)

Hist.: SPA 2-1993(Temp), f. 12-8-93, cert. ef. 12-10-93; SPA 1-1994, f. & cert. ef. 6-10-94; SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2002(Temp), f. 11-8-02, cert. ef. 12-1-02 thru 5-1-03; SPA 1-2003, f. & cert. ef. 5-7-03; SPA 1-2005, f. & cert. ef. 9-13-05; SPA 3-2008, f. & cert. ef. 4-10-08; SPA 1-2009, f. 6-9-09, cert. ef. 7-1-09; SPA 1-2010(Temp), f. & cert. ef. 8-11-10 thru 2-4-11

335-060-0030

Biennial Licensure and Renewal

(1) All regular and inactive status speech-language pathologists, audiologists and speech-language pathology assistants shall renew their licenses on a biennial basis, by December 31st of each odd-numbered year.

(2) The Board shall provide the licensee a license renewal notice sent to the address on file with the Board, which will include the following:

(a) The expiration date of the license;

(b) The amount of the renewal fee due; and

(c) The number of professional development hours required for renewal.

(d) For Speech-Language Pathology Assistants, the license renewal notice will include the requirement for the Assistant to report their current supervising Speech-Language Pathologist.

(3) All applications for license renewal must be postmarked or submitted electronically by December 31st of each odd-numbered year, and each licensee must submit:

(a) The renewal application completed in full; and

(b) Payment of the non-refundable fee for license renewal.

(4) Licensees whose renewal forms are postmarked or submitted electronically after December 31st of each odd-numbered year will be charged a delinquency fee. The board may renew each expired regular or inactive status license upon payment of the biennial renewal fee and the delinquency fee.

(5) A license is not considered renewed until the licensee has complied in full with items 3 and 4 above and a new license certificate with a current expiration date has been issued by the Board.

Stat. Auth.: ORS 681.340, ORS 681.420 & ORS 681.460

Stats. Implemented: ORS 681.320(1)

Hist.: SPA 2-1993(Temp), f. 12-8-93, cert. ef. 12-10-93; SPA 1-1994, f. & cert. ef. 6-10-94; SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2002(Temp), f. 11-8-02, cert. ef. 12-1-02 thru 5-1-03; SPA 1-2003, f. & cert. ef. 5-7-03

Professional Development Hours Defined

(1) Professional development is defined as participation in courses, classes, workshops and other activities for the purpose of developing and updating professional skills directly related to the performance and practice of speech-language pathology and audiology:

(a) Activities accepted for professional development include but are not limited to:

- (A) Activities on the clinical practice of speech-language pathology and audiology;
- (B) teacher-oriented content that is not related to the profession but enhances ability to serve students;
- (C) Business and management activities to enhance practice management;
- (D) Courses involving professional ethics, diversity issues, reimbursement issues;
- (E) Foreign language study when the language is needed for direct clinical practice;
- (F) Supervising clinical fellows, practicum students, publishing articles, making presentations and teaching classes when they are not part of the licensee's regular job responsibilities.

(b) Activities not accepted include but are not limited to:

- (A) Attending meetings, including association, business, committee, board meetings;
- (B) Serving on committees and volunteer activities;
- (C) Work experiences when they are part of the licensee's regular job description including supervising clinical fellows, publishing articles, making presentations and teaching classes.

(2) Credit for professional development shall be calculated on an hourly basis. One professional development hour (PDH) is defined as sixty (60) minutes or one (1) clock hour of attendance/participation in an approved professional development activity unless otherwise stated. For example, one hour may be considered equivalent to .1 CEU; therefore 1.0 ASHA CEU = 10 PDHs.

(3) Licensees shall complete the required professional development hours within the period since the preceding license renewal. For licenses expiring on January 30, 2012, hours must be completed between January 31, 2010 and December 31, 2011. For licenses expiring after January 30, 2012, hours must be completed during the twenty-four months prior to December 31st of each odd-numbered year. Approved professional development hours completed in excess of the requirement shall not be carried over to the subsequent renewal period.

(4) At least fifty percent (50%) of the required professional development hours must be directly related to the clinical practice of speech pathology and audiology.

(5) Not more than fifty percent (50%) of the required professional development hours may be accrued in a single course or activity.

Stat. Auth.: ORS 681.420(5) & 681.460

Stats. Implemented: ORS 681.320(1)(a)

Hist.: SPA 2-1996, f. & cert. ef. 7-22-96; SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2003, f. & cert. ef. 5-7-03; SPA 4-2006, f. & cert. ef. 11-3-06; SPA 1-2007, f. & cert. ef. 2-1-07

335-070-0055

Active Licensees

Required professional development for renewal of an active license is:

- (1) Speech-Language Pathology and Audiology: Thirty (30) clock hours of documented and approved professional development;
- (2) Dual licenses: Thirty (30) clock hours of documented and approved professional development in audiology and thirty (30) clock hours of documented and approved professional development in speech-language pathology. A maximum of fifteen (15) hours may be applied to both licenses if the topic is applicable to both types of licenses. A CPR or universal health precaution class may be only counted once;
- (3) Speech-Language Pathology Assistants: Fifteen (15) clock hours of documented and approved professional development;
- (4) Licensees shall complete the required professional development hours within the period since the preceding license renewal. For licenses expiring on January 30, 2012, hours must be completed between January 31, 2010 and December 31, 2011. For licenses expiring after January 30, 2012, hours must be completed during the twenty-four months prior to December 31st of each odd-numbered year.

Stat. Auth.: ORS 681

Stats. Implemented:

Hist.: SPA 4-2006, f. & cert. ef. 11-3-06; SPA 1-2007, f. & cert. ef. 2-1-07; SPA 1-2009, f. 6-9-09, cert. ef. 7-1-09

335-070-0085

Expired Status

Professional development requirements do not affect those licenses with expired status. However, if the individual whose license is in the expired status wishes to re-activate their license, the following professional development requirements must be met:

- (1) If the license has been expired for more than 24 months, the individual must:
 - (a) Submit proof of completion of 100% of the professional development hours currently required for an active license of their type within the twenty-four (24) month period immediately preceding the date on which the application is submitted; or
 - (b) Agree to submit proof of completion of one-third of the professional development hours required for an active license of their type within 12 months of the date they are issued the active license. These hours may be counted towards the professional development hours required at next license renewal.

(2) If the license has been expired for less than 24 months, the individual must submit proof of completion of 100% of the professional development hours currently required for an active license of their type within the twenty-four (24) month period immediately preceding the date on which the application is submitted. Any hours completed after December 31st of an odd-numbered year may not be counted towards the professional development requirement for the next renewal cycle.

Stat. Auth.: ORS 681.420(5) & 681.460

Stats. Implemented: ORS 681.320(1)(a)

Hist.: SPA 1-2001, f. & cert. ef. 3-12-01; SPA 1-2005, f. & cert. ef. 9-13-05; SPA 1-2009, f. 6-9-09, cert. ef. 7-1-09

335-095-0030

Certification of Speech-Language Pathology Assistants

Applicants must submit all of the following to be eligible for certification.

- (1) Official transcripts showing 45 quarter hours or 30 semester hours of speech-language pathology technical course work; and
- (2) Official transcripts showing 45 quarter hours or 30 semester hours of general education credit, and
- (3) Written evidence of 100 clock contact hours of clinical interaction.
 - (a) Clinical interaction must be face to face interaction with clients and supervised 100% of the time. Activities may include speech and hearing screenings and individual or small group and classroom sessions over a recommended 8-12-week period.
 - (b) Tasks such as clerical tasks, passive observations, materials preparation and meetings with the supervisor may not be included in the 100 hours.
 - (c) Clinical interaction documentation must show the date, clinical activity, amount of time and the supervisor's initials and signature. While the practicum student is in training, the supervisor for the clinical interaction must be licensed by Board, or hold the ASHA Certificate of Clinical Competency.
 - (d) The supervising speech-language pathologist and the applicant will complete the Board's Competency Checklist upon completion of 100 hours. If there is more than one clinical interaction supervisor, each supervisor must complete and sign a Board Competency Checklist.
 - (e) Applicants presenting transcripts showing practicum course(s) with the required number of clock contact hours of clinical interaction are not required to submit the completed Board Competency Checklist.

Stat. Auth.: ORS 681.360, 681.375, 681.420 & 681.460

Stat. Implemented: ORS 681.360 & 681.375

Hist.: SPA 1-2003, f. & cert. ef. 5-7-03; SPA 1-2004, f. & cert. ef. 2-6-04; SPA 2-2004, f. & cert. ef. 5-26-04; SPA 3-2006, f. & cert. ef. 5-8-06; SPA 3-2008, f. & cert. ef. 4-10-08; SPA 1-2009, f. 6-9-09, cert. ef. 7-1-09; SPA 1-2010(Temp), f. & cert. ef. 8-11-10 thru 2-4-11

335-095-0040

Qualifications for Supervising Speech-Language Pathology Assistants

(1) All supervision of services provided by a speech-language pathology assistant must be performed by a speech-language pathologist licensed by Board under ORS Chapter 681, or exempt from licensure under ORS 681.230(2).

(2) The supervising speech-language pathologist must have at least two years of professional speech-language pathology experience. The clinical post-graduate fellowship year may be counted as one year of professional experience.

(3) The supervising speech-language pathologist must agree to supervise according to Board requirements, as outlined in OAR 335-095-0050.

Stat. Auth.: ORS 681.360, 681.375, 681.420 & 681.460

Stat. Implemented: ORS 681.360 & 681.375

Hist.: SPA 1-2003, f. & cert. ef. 5-7-03; SPA 3-2008, f. & cert. ef. 4-10-08; SPA 1-2010(Temp), f. & cert. ef. 8-11-10 thru 2-4-11