

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 338****2017 Regular Session****Pope**

SPEECH/PATH/AUDIO: Provides relative to the Louisiana Board of Examiners for Speech-Language Pathology and Audiology

Synopsis of Senate Amendments

1. Changes the makeup of the board membership.
2. Requires the board to submit names of potential board members in lieu of the industry associations.
3. Clarifies which board members can vote on the removal of a board member.
4. Adds the failure to maintain the standards of practice to the list of reasons that a member of the board may be removed.

Digest of Bill as Finally Passed by Senate

Present law creates the La. Board of Examiners for Speech-Language Pathology and Audiology (board) within the La. Department of Health. Further provides that the board shall be made up of the following persons:

- (1) At least two practicing audiologists, one of whom shall be dispensing audiologist.
- (2) At least two practicing speech-language pathologists, one of whom shall be currently certified by the State Board of Elementary and Secondary Education (BESE) as a specialist of speech-language pathology and currently employed in a school setting.
- (3) A physician.
- (4) A member of the public.

Proposed law changes the membership of the board as follows:

- (1) At least three practicing audiologists, one of whom shall be a dispensing audiologist.
- (2) At least three practicing speech-language pathologists, one of whom shall be currently employed in a public school setting.
- (3) A member of the public.

Present law prohibits certain actions by the public member of the board.

Proposed law retains present law and adds that no public member shall have a financial interest in the practice or business of speech-language pathology or audiology or be a family member or spouse of a licensed speech-language pathologist or audiologist.

Present law requires the public member to be an individual or a family member or spouse of an individual who is deaf, hard of hearing, or speech impaired or a member of an advocacy group committed to the advancement of the well-being of the deaf, hard of hearing, or speech impaired.

Proposed law changes the qualification for the public member to an individual or family member or spouse of an individual with a communication disorder.

Present law requires the public member to be appointed to the board on or before August 15, 1995.

Proposed law repeals present law as the deadline has passed.

Present law requires appointments to the board to be made without regard to race, creed, sex, religion, or national origin of the appointee.

Proposed law requires appointments to the board to be made without regard to race or ethnicity, age, religion, national origin, sex, or disability of the appointee.

Present law requires the La. Speech-Language-Hearing Association to submit to the governor a list of at least three names for each respective professional service category of board member, except the physician member and the public member, selected by all licensed speech-language pathologists and audiologists in this state.

Proposed law changes the requirement that the association submit names to a requirement that the board submit a list of the names of interested and qualified individuals for each respective category of board member identified through notice to all licensed speech-language pathologists and audiologists in La.

Present law requires the La. State Medical Society to submit to the governor a list of at least three names of physicians from which the governor shall make the appointment of the physician member of the board.

Proposed law repeals present law.

Present law requires the La. Speech-Language-Hearing Association to submit to the governor a list of at least three names selected by all licensed speech-language pathologists and audiologists in this state from which the governor shall make his appointment to fill the public position.

Proposed law repeals present law.

Present law provides that there shall be a chair and a vice chair of the board, who shall be elected annually from among the members of the board.

Proposed law retains present law but requires the chair and vice chair to be licensees of the board.

Present law requires regular meetings of the board to be held at least once each year and authorizes special meetings to be held upon the call of the chair.

Proposed law increases the frequency of required meetings to at least one each quarter.

Proposed law prohibits a member of the board from being an officer or holding any leadership position in a state speech-language pathology or audiology professional association for the term of the member's appointment to the board.

Proposed law establishes the domicile of the board in the parish of East Baton Rouge.

Proposed law provides that a member of the board may be removed by the board upon an affirmative vote of a two-thirds majority of members upon one or more of the following grounds:

- (1) Refusal or inability for any reason of a member of the board to perform the duties required of a board member.
- (2) Failure to attend two consecutive meetings of the board without prior approval of the

board chair.

- (3) Misuse of a board member position to obtain or attempt to obtain any financial or material gain, or any advantage personally or for another, through such position.
- (4) A final adjudication that there has been a violation of the laws governing the practice of speech-language pathology or audiology by a board member.
- (5) Conviction of a crime other than a minor traffic offense.
- (6) Failure to maintain the standards of practice.

Proposed law requires La. licensure for in-state practitioners and telehealth registration for out-of-state practitioners using telehealth in the delivery of speech-language pathology or audiology services, regardless of where the services are rendered or delivered.

Proposed law authorizes the board to issue a license on a conditional basis. Conditions may include but are not limited to any of the following:

- (1) Additional requirements for continuing education.
- (2) Additional supervision requirements.
- (3) Limitations on practice.
- (4) Limitations on supervisory responsibility.
- (5) Monthly monitoring of conditions.

Present law authorizes the board to suspend a license or discipline a licensee for certain acts.

Proposed law retains present law and expands the board's authority to individuals registered with the board.

Present law authorizes the board to discipline a licensee who has engaged in abusive or fraudulent billing in connection with services provided.

Proposed law changes the prohibited act to negligent or fraudulent billing in connection with services provided.

Proposed law prohibits any individual from engaging in the practice of speech-language pathology or audiology unless currently licensed by or registered with the board. Further provides that the individual engaging in unlicensed practice shall be subject to a cease and desist order or disciplinary action by the board, as appropriate.

Proposed law authorizes the board to issue a consent agreement and order in a disciplinary action.

Present law requires a stenographic record of all disciplinary hearing proceedings before the board to be made and a transcript kept on file with the board.

Proposed law authorizes the record to be made in any form and requires the record itself to be kept on file.

(Amends R.S. 37:2654(A)(intro. para.), (1)(c), and (2), (B)-(D), and (F)-(H), 2662(A)(intro. para.), (2), (3), and (7)(c) and (B), 2663(A), (B), and (D), and 2664; Adds R.S. 37:2654(A)(1)(d) and (e) and (I)-(K), 2656.1, 2660.1, 2661.2, and 2662(C); Repeals R.S. 37:2655)