

North Dakota
State Board of Examiners
on
Audiology and Speech-Language Pathology

Meeting minutes

The North Dakota State Board of Examiners on Audiology and Speech-Language Pathology held a regular board meeting on Friday October 28th 2022.

Date: October 28th 2022

Time: 12:30pm

Location: Capitol Building
Red River Room
600 East Boulevard Ave
Bismarck, ND 58501

I. Call to Order

Dr. Robyn Zeltinger: President Presiding
Erin Holt: Licensing Secretary
Amber Fox: Treasurer
Dr. Krystal Mann
Courtney Olson
Dr. Marin Almer
Dave Schaibley-AAG
Brian Barrett-Board Management, APT

II. New Board member introduction-Dr. Krystal Mann

Board introduced Dr. Krystal Mann

III. Meeting Minute Review

A. July 22nd Meeting Minute Review

Robyn Zeltinger: Motion to approve meeting minutes
Amber Fox: 2nd the motion
Vote: All Aye

B. August 29th Meeting Minute Review

Robyn Zeltinger: Motion to approve meeting minutes
Amber Fox: 2nd the motion
Vote: All Aye

IV. Financials

A. Treasure Report

- 1. Analysis of Revenue and Expense**
- 2. Balance Sheet**
- 3. Profit and Loss**

Board discussed setting up a litigation fund. This would be documented in the financials as a sum money to be used for litigation only.

Amber Fox: Motion to set aside \$100,000 for a litigation fund (separate from current checking Account balance)

*Erin Holt: 2nd the Motion
Vote: All Aye*

*Robyn Zeltinger: Motion to approve treasurer report
Amber Fox: 2nd the motion
Vote: All Aye*

V. Applications-Licensure Secretary Report

A. Applications approved under Chair authority include:

Briana Burgan, Aud #2180
Jaime Parks, Aud #2182
Madelyn Reinarts, SLPLA #2184
Tashina Smith, SLP #2186
Summer Ratzlaff, SLP #2188
Hannah Campbell, SLP #2190
Danielle Swart, SLPLA #2192
Tyler Hodgson, SLP #2194
Meghan Partridge, SLP #2196
Amanda Lockard, SLP #2198
Nicole Leahy, SLP #2200
Paola Alvarez, SLP #2204
Marsha Stohler, SLP #2206
Kylie Stuhau, SLP #2208
Tiya Gallegos, SLP #2210
Hailey Elias, SLP #2212

Tessa Nelson, SLP #2214
Alexandrea Grada, SLP #2216
Yesenia Perez, SLP # 2218
Shelbi Polvado, SLP #2220
Rusty Pennington, SLP #2222
Ashley Matheson, SLP #2224
Melissa Headley, Aud #2226
Alli Harter, SLPLA #2228
Tamara Johnson, SLP #2230
Kayley Eslinger, SLP #2232
Gabrielle Hewitt, SLP #2234
Savannah Taylor, SLP #2236
Marjani Jones, SLP #2238
Ebony Carpenter, SLP #2240
Haleigh Caldwell, SLP #2242
Tessa Collins, SLP #2244
Kayla Reid, SLP #2246
Sarah Backman, SLP #2248
Michelle Kimmel, SLP #2250
Michelle Yahner, SLP #2252
Kali Jacobson, SLP #2254
Suzanne May, Aud #2256
ChuHsiu Cheng, SLP #2258
Laura Nyhus, SLP #2260
Laurel Wilson, SLP #2262
Helen Wooddy, SLP #2263
Tiffany Sorrell, SLP #2264

Robyn Zeltinger: Motion to ratify the licensee's listed above.

Amber Fox: 2nd the motion

Vote: All Aye

B. Applicant Review

1. Cristy Davis Re-Licensure

Amer Fox: Motion to approve should Ms. Davis provide documentation of 10 clock hours of CE that will be utilized for her 2022 licensure. Should Ms. Davis renew for 2023, a new set of continuing education credits will be required.

Erin Holt: 2nd the motion

Vote: All Aye

VI. Old Business

A. NCSB Conference Update

Robyn Zeltinger and Amber Fox advised that the topics below were discussed at the conference:

*Credentialing and licensing updates
Interstate compact
Best practices on efficiency and efficacy
FDA Ruling on OTC hearing aids.
Diversity on the Board*

Robyn Zeltinger advised that, because the conference is beneficial, it would be in the Board's best interest for a Board member to attend every year.

Amber Fox: Would like to see the Board formulate a plan on what it wants to achieve in the upcoming year (e.g., Rule changes). In addition, ND is the only state that does not require the CCC's. Other states require this and identify it as "Required Professional Experience. Another issue that needs to be explored is the 2 year SLPLA degree.

The Board discussed the above and agreed that this will be explored in future meetings centering on changing the Administrative Rules. The Board will put Administrative Rule change back on the agenda for future meetings.

B. Red Tape Reduction Working Group

1. Update from Amber Fox

Amber Fox advised that she submitted comments to the website and has not received feedback.

C. SLPLA Topics

1. Update from Amber Fox regarding Big Picture and documentation for supervisory changes.

Amber advised that she emailed some suggestions to Melissa at Big Picture but did not hear back. Amber will follow-up with Melissa regarding implementing a question such as "If you are an SLPLA do you have a supervisor"? Amber also wants to talk to Melissa about implementing a space where the SLPLA can list the name of the supervisor.

Amber inquired about the possibility of finding out how many licensee's have their CCC's ? Maybe see if Big Picture can somehow track this information? Brian will contact Big Picture and see if they can obtain the CCC's information. Maybe included this question on the renewal application?

VII. New Business

A. New Federal law and prescription hearing aids.

- 1. Request for a written determination that prescribing and ordering the use of hearing aids, including prescription hearing aids, is within an Audiologist's scope of practice**

Board discussed the above and reviewed several options including introducing a Bill in the Upcoming legislative session. Upon review, the Board concluded that it would be too difficult with such short notice. However, if Legislators work on an existing bill that effects Century code 43-37 already, the Board could see if a legislator will make an amendment to that bill. The Board would need to be ready for this situation. Basically, the Board would need to add a sentence that audiologists can fit prescription hearing aids

The Board reviewed the Century Code and Administrative Rules regarding audiology to see if the statute would prevent an Audiologist from prescribing hearing aids. Upon reviewing this with Assistant Attorney General Dave Schaibley, it was concluding that nothing in statute would prevent an audiologist from prescribing hearing aids.

The Board also reviewed the FDA Ruling which states: The FDA's intent is that the same professionals who recommend, select, fit and dispense restricted hearing aids before the effective date of these regulations will continue to do so.

When reading ND Century Code 43-37-02 (1) the definition of an audiologist, how can one not prescribe hearing aids? Dave Schaibley indicated that he does not believe there will be any negative impact by the FDA Ruling.

The Board decided that they will put together a response to all stakeholders regarding the FDA Ruling. This response will point at the current ND law and should be worded in a way that gives the assurance that the Board does not see a problem with audiologists prescribing hearing aids in ND.

Dave Schaibley advised that he will draft an email and send it to Dr. Krystal Mann and Dr. Marin Almer for review. Once Dr. Mann and Dr. Almer provide input, this draft will be forwarded to all Board members and a Special Meeting will be scheduled to discuss and decided on the next step.

B. 2022-2023 Budget review

The Board reviewed the Budget draft. After review, Dave Schaibley recommended that WSI (workman's comp) be explored and possibly added to the budget. The cost will be around \$100 a year. This covers wage loss and medical bills is you get hurt on the job. Dave indicated that he will forward the WSI information to the Board.

*Robyn Zeltinger: Motion to explore WSI for the Board
Amber Fox: 2nd the motion
Vote: All Aye*

*Robyn Zeltinger: Made motion to approve the budget
Amber Fox: 2nd the motion
Vote: All Aye*

C. CE request reviews

1. Lynn Haugen requests

a). CPI

Board reviewed this request and expressed concerns that there is no agenda and no way of knowing what this course is about. This course is encouraged for a wide array of professions. This could be considered work-place training more than continuing education. The Board questioned if this course advances the skill set required for an SLP? Also, there is no mention about outcomes.

Amber Fox: Made a motion to deny this request unless the licensee resubmits the request with additional information.

Erin Holt: 2nd the motion

Vote: All Aye

Robyn Zeltinger indicated that she would like to see the role of CE Coordinator separate from the Licensing Secretary. These tasks combined can be overwhelming. Robyn would like this on the agenda for the next regular Board meeting.

b). Essentials and Proficiency Scales

The Board discussed this CE request. Appears this was offered as an "in-service or a training day" in the workplace. Appears to be more workplace related than about advancing the skills of an SLP. There is no agenda, no learning outcomes. Board questioned proficiency scales. Concluded that there is not enough information.

Amber Fox: Made a motion to deny the essentials and proficiency scales as an appropriate CE
Robyn Zeltinger: 2nd the motion.

Vote: All Aye

D. CE Hours for an SLPLA

1. Question: If an SLPLA is enrolled in a Master's program, can they use course hours to renew the SLPLA license?

Board reviewed this question. Concluded that an SLPLA can use Master's level SLP courses for continuing education. 1 credit course is 15 clock hours of CE's

Robyn Zeltinger: Motion to allow SLPLA's to use graduate course work as CE's to renew an SLPLA license

Amber Fox: 2nd the motion

Vote: All Aye

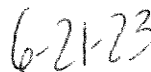
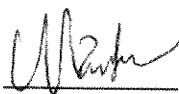
E. Term expiration for Erin and Amber: June 30th 2023

1. outreach for replacements

Erin Holt and Amber Fox's 2nd term is up in June of 2023

*Applications for the Board can be submitted on the Governor's website.
Erin has talked to somebody who is interested. This person does contract work in skilled
nursing. Also, discussed that a representative from the school district would be beneficial. Also,
the Board recognizes that geographic diversity is important*

VIII. Adjourn 2:58



Dr. Marin Almer-Recording Secretary

Date

Where noted, the discussion of some of the above topics may be held in executive session rather than during the portion of the meeting that is open to the public. If this is a regular meeting, additional topics may be discussed. If this is a special or emergency meeting, the governing body's discussion will be limited to the topics and executive sessions listed above. If so, include: (may require Executive Session per NDCC 44-04-19.1(2) due to possible need for attorney consultation)