



Results of 2004 Professional Development Compliance Audit

Tim Anderson
 Administrative Assistant
 OBSPA

We are at the end of yet another license renewal. Most of you returned your renewal and received your renewed license in the mail without as much as a *peep* from this Board. However, some of you (66 to be precise) received a notification that your professional development report (PD) was being audited for evidence of compliance with OAR 335, Division 70 (the notorious 'PD rule'). This is a random, computer-generated audit.

Audit Stats	
Total Number of Auditees:	66
Percent of Auditee initial response in compliance:	75%
Percent of Auditees identified for discipline for noncompliance:	3%

(Continued to the right)



Inside This Issue

Results of 2004 PD Compliance Audit.....	1
Licensee's Responsibility to Respond	2
Recent Board Actions	2
SLPs Must Notify Clients of SLPA Services	2
The Health Integrity and Protection Data Bank.....	2
Cite the Actual Tester	3
FAQ on the Web!	3



Above:
 The Board reviews audited professional development documentation at the September meeting.

Common problems with noncompliant PD:

- Activities reported that took place before the audit period began (prior to January 31, 2002). This licensing and reporting cycle is set in statute so it won't be changing any time soon. Professional development must be earned between January 31 of even-numbered years through January 30th of the next even-numbered year.
- No evidence on certificate that program was ASHA approved (when activity was cited as falling under ASHA approved program).
- In-service activities reported under subsection 8 that are not directly related to the delivery of SLP or Audiology services. For example, an activity on blood borne pathogens or workplace safety does not fit the definition of professional development.
- A schedule submitted as a proof of attendance.

In summation, when you are reporting PD and you are dubious about whether you have sufficient documentation to support the subsection you reported it under, request and compile more! Generally, you would want to have verification from an objective third party (the presenter, your supervisor, etc) signed and dated that says you have attended. It's better to have a few extra papers cluttering your files than a disciplinary action against your license. ☺

Licensee's Responsibility to Respond to Board Communication

Brenda Felber
Executive Director
OBSPA

"Individuals shall cooperate fully with the Board in every matter related to these Professional and Ethical Standards." So states Oregon Administrative Rule 335-005-0020. Sound reasonable? Well, regardless of how you might reply, it's the law.

Surprisingly, licensees have been known to disregard notices sent by this Board. For example, certified letters sent to licensees by the Board are signed for but not replied to. Formal notices sent to licensees include deadlines and consequences if deadlines aren't met, and still the deadline passes with no reply from the licensee. When contacted, the licensees have responded with "Oh, I saw that but my life was in turmoil at the time." Or, "My husband is in charge of that and I guess he didn't understand."

Your license is your authorization to practice in Oregon: don't treat it lightly. Every licensee, including those on inactive status, has an ethical obligation to cooperate fully with the Board in every matter related to professional and ethical standards. This means that licensees must respond fully and truthfully in a timely manner to communications from the Board that ask for a response. To not do so will put your license to practice in jeopardy!

On a final note, the Board never sends junk mail. 📧



Recent Board Actions

Temporary rule 335-0095-0020 was adopted by the Board and became effective 10/13/04. Revised rule may be viewed on the website.

Bradley, Alana K., SLP License #10329

Board waived civil penalty (for failure to report professional development) and permitted licensee to return to intended inactive status.

Trincherro, Jennifer, SLP License #10827

Board waived civil penalty (for failure to report professional development) and permitted licensee to return to intended inactive status.

Note: The following licensees have entries in the HIPDB; see the article following this, entitled "The Health Integrity and Protection Database".

Bavarskas, Mary, SLP License # 11423

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0020(3). The licensee paid a fine and submitted required evidence of professional development by due date.

Bowman, Rick, Audiology License # 20590

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0020(3). The licensee paid a fine and submitted required evidence of professional development by due date.

Canfield, Stephanie, SLP License # 12425

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0060(2). The licensee paid a fine and submitted required evidence of professional development by due date.

Carr, Kersten, SLP License # 11931

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0020(3). The licensee paid a fine and submitted required evidence of professional development by due date.

Essex, Teresa, SLP License # 11802

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0020(3). The licensee paid a fine and submitted required evidence of professional development by due date.

Hadwick, Amanda, SLP License # 12413

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0020(3) and 335-070-0060(2). The licensee paid a fine and submitted required evidence of professional development by due date.

(continued on page 3)

("Recent Board Actions, continued from Pg. 2)

Jeanmard, Frances, SLP License #10946

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0030, 335-070-0040, and 335-060-0030(3)(a). The licensee paid a fine and submitted required evidence of professional development by due date.

Lanier, Janet, SLP License # 10767

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0020(3) and OAR 335-07-0060(2). The licensee paid a fine and submitted required evidence of professional development by due date.

Raile, Sara J, SLP License # 11348

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0020(3). The licensee paid a fine and submitted required evidence of professional development by due date.

Roediger, Kerry, SLP License # 12293

Notice of Proposed/Final Order of Civil Penalty and Right to Hearing for violation of OAR 335-070-0020(3) and 335-070-0060(2). The licensee paid a fine and submitted required evidence of professional development by due date.

Schnell, Gloria, Audiology License #20618

Notice of Proposed Disciplinary Action alleging that Licensee violated OAR 335-005-0010(2)making a false statement to the Board. Board and Licensee signed a consent order in which the Board enters an order of reprimand.

SLPs Must Notify Clients of SLPA Services

Tim Anderson
Administrative Assistant
OBSPA

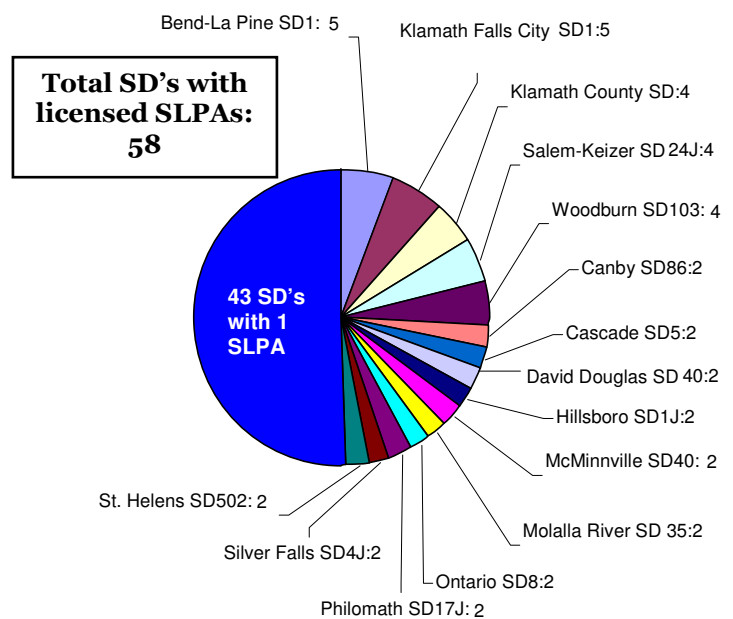
Make sure that if you are a SLP that has SLP Assistants seeing clients that you notify the clients beforehand that they will be seen by an assistant.

It's more than a courtesy; it's part of the statute:

ORS 681.370(2) states that "A speech-language pathologist who employs or otherwise uses the services of a speech-language pathology assistant shall ensure that persons who receive services from a speech-language pathology assistant receive prior notification that services are to be provided by a speech-language pathology assistant..."

Comparison of # of SLPAs by School District

Data from Survey of SLPA's 10/04



The Health Integrity and Protection Data Bank

Brenda Felber
Executive Director
OBSPA

In the April issue of this newsletter, readers were informed of the Board's disciplinary process. A new column and webpage entitled 'Recent Board Actions' was also introduced where formal Board actions (including disciplinary actions) are posted.

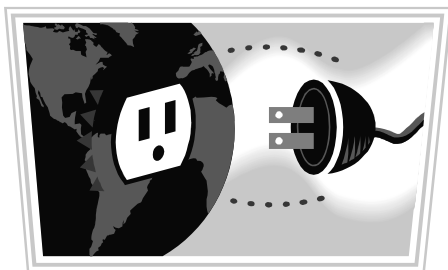
This article continues the discussion of the final step in the process – reporting to HIPDB.

When the Board issues a public document it must also, by federal law, report the action to the Federal Health Integrity and Protection Data Bank (HIPDB). HIPDB is a national

(Continued on page 4)

database tracking system for discipline actions by various licensing and private health care entities. It was created by the US Office of Inspector General in 1996 by direction of the HIPAA (Health Insurance Portability and Accountability Act) to defend the public from fraud and abuse in the Health care industry.

Oregon law, ORS 676.160, 170, 175 dictates what the Board may disclose to the public and therefore what will also be reported to the HIPDB. Under Oregon law, notices of intent to discipline, final orders, consent orders or stipulated



agreements, and emergency suspension orders are considered public documents. (Complaints are considered confidential.)

Recently, licensees signed a consent order and paid a fine (civil penalty) for not completing the required amount of professional development. Some were surprised to find that they were then reported as they felt that by complying with the terms of the consent order, e.g. paying the fine and completing the hours required, that they had resolved the problem. But a consent order is considered a public document and so they were reported to HIPDB. (Incidentally, the Board has been identifying licensees with public documents available upon request on the Agency website for several years now.)

After the entry is made to HIPDB, the licensee receives a database-generated notice that they have a report on the system. The notice gives them instructions on how to make a comment on the data bank record about the discipline report on their license.

More information on HIPDB may be found at www.npdb-hipdb.com

Cite the Actual Tester

From an audiologist to the referring provider

Nancy Dunn, MS, CCC-Aud
Board Vice-Chair, Audiologist Member
OBSPA

The Board has been reviewing patient files that were submitted for investigation of complaints made by consumers. The Board found that, in all documentation including chart notes and letters to providers, audiologists need to clearly identify, by name and title, who actually performed audiological tests. The following italicized text sample is a correct method for doing so in accordance with the revised OAR 335-005-0025(13):

Mr. Doe was *tested by Mary Jones, licensed hearing instrument specialist*. The test results show...



FAQ on the Web!

Brenda Felber
Executive Director
OBSPA

The Board is posting their response to questions on the FAQ page of the website. The following is an example of what you might find there. You will want to visit the Agency website occasionally for answers to similar questions. Tim Anderson, office staff, updates the website regularly.

Q: Would you clarify the scope of "carryover and practice activities" that can be performed by the educational assistant as opposed to the clinical activities that require a certified Speech-Language Pathology Assistant (SLPA)?

A: Carry-over and practice activities are ones that can be done with a parent, teacher or educational assistant (even a peer speech buddy) and are defined as activities that can be practiced until perfect or in a variety of settings after the skill has been taught by a qualified person. For example, a speech-language pathologist (SLP) teaches a child to produce the correct sound, such as the /r/ in words. The carry-over activity could be listening to the child read and reminding the child to use the sound correctly whenever it occurs or showing the child flash cards and having them repeat the words over and over again or in a game setting. No teaching or refining of the skill is needed at this point. Those activities (teaching and refining the skill) are the ones that must be reserved for the qualified person, i.e. the SLP or certified SLPA.



Left: Board Chair Jo Burk answers a question at the 2004 OSHA Conference.

**OREGON BOARD OF EXAMINERS
FOR SPEECH-LANGUAGE PATHOLOGY AND
AUDIOLOGY**



Board Chair

Jo Burk, SLP

Board Vice-Chair

Nancy Dunn, AUD

Professional Members

Lezlie Pearce-Hopper, SLP
Gloria Schnell, AUD
Dr. James Thomas, MD

Public Members

Carolyn Dowd
Raye Ann Gaskins

Executive Director

Brenda Felber

**Office Assistant,
Editor**

Tim Anderson

“News for Oregon Licensees” is a publication of the Oregon Board of Examiners for Speech-Language Pathology and Audiology, published annually or as needed. The Board welcomes your suggestions for articles as well as news items. Neither the Board, its members, nor its staff are responsible for factual statements or opinions published in this newsletter. The Board reserves the right to refuse or edit all articles submitted.

Contact the Board office for further information on how to submit a suggestion or article.

Phone (503) 731-4050

FAX (503) 731-4207

Email: speechaud.board@state.or.us

Website: www.bspa.state.or.us

