

MINUTES OF THE MEETING OF  
THE BOARD OF AUDIOLOGY & SPEECH-LANGUAGE PATHOLOGY

May 9, 2018

**1. ROLL CALL**

The meeting of the Board of Audiology & Speech-Language Pathology was called to order by the Chair, Craig Foss, at 1:09 p.m. in the Licensure Unit Conference Room, First Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Public Meeting Law.

Foss announced that it was a public meeting and the Open Meetings Law was posted.

**The following members answered roll call:**

Rhonda Dick, Vice-Chair  
Craig Foss, Chair  
David Vann, member

**Members Absent:**

Katie Brennan, member  
Janna Green, Secretary

**Others Present:**

Ami Huff, Assistant Attorney General  
Claire Covert-ByBee, Program Manager, Licensure Unit  
Nancy Herdman, Health Licensing Coordinator, Licensure Unit  
Kathleen Krueger, Investigator

A quorum was present and the meeting convened.

**2. ADOPTION OF AGENDA**

**MOTION:** Dick moved, seconded by Vann, to adopt the agenda. A roll call vote was taken. Voting aye: Dick, Foss, Vann (3). Voting nay: None (0). Absent: Brennan, Green (2). Motion carried.

**3. APPROVAL OF MINUTES (11-1-17)**

**MOTION:** Dick moved, seconded by Vann, to approve the minutes of 11-1-17. A roll call vote was taken. Voting aye: Dick, Foss, Vann (3). Voting nay: None (0). Absent: Brennan, Green (2). Motion carried.

**4. CLOSED SESSION – (INVESTIGATIONS, APPLICATIONS, OTHER CONFIDENTIAL INFORMATION)**

**MOTION:** Vann moved, seconded by Dick, to enter into closed session at 1:11 p.m. for the purpose of hearing discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussion. A roll call vote was taken. Voting aye: Dick, Foss, Vann (3). Voting nay: None (0). Absent: Brennan, Green (2). Motion carried.

1:21 p.m. - Krueger departed meeting

**MOTION:** Vann moved, seconded by Dick, to return to open session at 1:22 p.m. A roll call vote was taken. Voting aye: Dick, Foss, Vann (3). Voting nay: None (0). Absent: Brennan, Green (2). Motion carried.

**5. RECOMMENDATIONS**

There were no recommendations

## **6. ELECTION OF OFFICERS**

**MOTION:** Dick moved, seconded by Vann, to retain the same slate of officers for 2018. A roll call vote was taken. Voting aye: Dick, Foss, Vann (3). Voting nay: None (0). Absent: Brennan, Green (2). Motion carried.

## **7. SELECTION OF INVESTIGATIVE CONSULTANT**

**MOTION:** Vann moved, seconded by Foss, to select Brennan and Dick as the investigative consultants. A roll call vote was taken. Voting aye: Dick, Foss, Vann (3). Voting nay: None (0). Absent: Brennan, Green (2). Motion carried.

## **8. OBTAIN OFFICER SIGNATURES**

Since the slate of officers did not change, there was no need to obtain signatures.

## **9. METHOD OF PUBLICATION**

Covert-ByBee explained how agendas are currently published and indicated that every year the Board needed to decide how they wanted to publish their agendas.

**MOTION:** Vann moved, seconded by Dick, to maintain the same method of publishing agendas. A roll call vote was taken. Voting aye: Dick, Foss, Vann (3). Voting nay: None (0). Absent: Brennan, Green (2). Motion carried.

## **10. LICENSEE ASSISTANCE PROGRAM**

The Board was provided with the Third Quarter Report (January 1, 2018 – March 31, 2018) for the Licensee Assistance Program. Covert-ByBee explained that this is a program where a licensee can obtain services for an alcohol/drug problem. She commented that a licensee in the program who is determined to be a danger to the public will be reported to the Department but otherwise their services under the LAP are confidential.

## **11. 2018 LEGISLATIVE REPORT**

Covert-ByBee had provided the Board with a spreadsheet of bills.

1:29 p.m. - 2 public persons entered the meeting

Covert-ByBee highlighted some of the bills that passed as follows:

LB 299 - The bill creates another lay of government to look at regulations and creates the option for an individual to petition a board to look at their convictions prior to making an application for a license.

LB 681 – Adopt the Physical Therapy Licensure Compact.

LB 894 – Adopt the EMS Personnel Licensure Interstate Compact.

LB 701 – Provides for telehealth practice for physicians and physician assistants. Covert-Bybee commented that the bill contained a definition of telehealth.

## **12. MEDICAID STATE PLAN AMENDMENT**

Two members of the Medicaid team were present. There was a waiver of the CMS requirements regarding speech-language pathologists in the schools saying they needed to be licensed identical to those in the community. The schools were concerned about funding. It was explained that those who are not licensed will still be funded but at a different level. The two major concerns heard were 1) the requirement was retroactive, and 2) there would be no funding for those who were not licensed. The Medicaid representatives explained that CMS changes are usually retroactive which they deal with all the time but understood how the public had

concerns. Since the two Board members absent today were speech-language pathologists, the Medicaid representatives indicated they would be willing to attend a future meeting to discuss this further.

1:41 p.m. - 2 public persons departed meeting

### **13. MILITARY SPOUSE APPLICATION PROCESSING**

Covert-Bybee reported there was a bill passed that allows military spouses to apply for a temporary license. She explained there were several requirements and it seemed more requirements needed to be met than for the regular license but it was up to the applicant as to which application process they wished to pursue. She asked the Board if they would be willing to allow the Department to determine whether a military spouse application needed to come before the Board.

**MOTION:** Dick moved, seconded by Foss, to approve the Department to decide which military spouse applications needed to come before the Board. A roll call vote was taken. Voting aye: Dick, Foss, Vann (3). Voting nay: None (0). Absent: Brennan, Green (2). Motion carried.

### **14. TELE-AUDIOLOGY**

Covert-Bybee provided the members with four documents she thought might be helpful. The American Speech-Language Hearing Association (ASHA) Telepractice Overview appeared to be the most relevant. Dick reported she had reviewed what some other states did and most were similar to ASHA. The Board drafted a possible opinion but wanted the other two members to review it before making a final opinion. Covert-Bybee will forward the draft opinion to the other members.

The draft opinion currently states:

“The Board of ASLP has reviewed and agreed with the current guidance documentation from ASHA regarding telepractice of Audiology and Speech-Language Pathology and has the opinion that telepractice of Audiology and Speech-Language Pathology is an acceptable method of service delivery. Appropriate use of telepractice as a method of service delivery is at the professional discretion of the audiologist/speech-language pathologist. Additionally, the audiologist/speech-language pathologist must use professional discretion to determine whether or not the facilitator at the patient site meets the skills and requirements to perform those duties. Care occurs where the patient is located and anyone providing care must be appropriately licensed in that jurisdiction.”

### **15. APPLICATION PROCESSING REPORT**

This was provided to the members prior to the meeting. Covert-ByBee commented there was an increase in numbers for speech-language pathology.

### **16. TOPICS FOR NEXT MEETING**

There were no specific topics for the next meeting. The members were reminded the next meeting is 11-7-18 at 1:00 p.m.

### **17. ADJOURNMENT**

Foss declared the meeting adjourned at 2:33 p.m.

Respectfully submitted,

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Jana Green, Secretary  
Board of Audiology & Speech-Language Pathology