

**TENNESSEE BOARD OF COMMUNICATION DISORDERS AND SCIENCES
MEETING MINUTES**

DATE: May 4, 2021
TIME: 10:00 A.M., CDT
LOCATION: Health Related Boards

BOARD MEMBERS

PRESENT: Debby Starr, Au.D, Audiologist, Chair
David Haynes, MD, Otolaryngologist
Alicia Barker, Audiologist
Robyn Lusby, Speech Pathologist, Audiologist
Carren Mills, Speech Pathologist
Richard Morton, Citizen Member
Ellen Pearson, Speech Pathologist

BOARD MEMBERS ABSENT:

Dr. David Haynes and Mrs. Robyn Lusby

STAFF MEMBERS

PRESENT:
Mrs. Diana Hunley, Regulatory Board Administrator Director II
Doris VanOvermeiren, Board Administrator 1
Ashley Fine, Assistant General Counsel

Ms. VanOvermeiren read the opening remarks into the record. She asked everyone to introduce themselves for the record. Ms. VanOvermeiren introduced the new Director Mrs. Diana Hunley. A roll call vote was conducted, and all Board members were present we have a quorum.

Ms. Debby Starr called the meeting to order at 9:50 a.m.

Review/Approve Board Meeting Minutes

Upon review of the board meeting on November 10, 2020.

Mr. Morton made a motion, seconded by Ellen Pearson. A roll call was held, and all voted in the affirmative. The motion carried.

Upon review of the board meeting on February 2, 2021.

Mrs. Carren Mills made a motion, seconded by Mr. Morton. A roll call was held, and all voted in the affirmative. The motion carried.

Investigative Report

Ms. Lori Leonard, Disciplinary Coordinator for all non-nursing Boards gave the following report:

Summary of Currently Monitored Practitioners

There is one (1) unlicensed person being monitored by board order, Two license's (2) under Probation and one (1) under Revocation. Ms. April Steagall for substance abuse remains under probation until evaluation is complete.

Board Statistical Complaint Report: Totals for 2021.

SLP's: Total complaints received in the office for Investigation and complaints for the year 2021, there were a total of zero (0) complaints and 5 open complaints pending investigation and or review.

Audiologist: For the year 2021 no new complaints and four (4) complaints currently open pending investigation and or review.

SLPA's: No new complaints in 2021, no complaints currently opened to be investigated and or review at this time.

OGC Report

Ms. Fine, with the Office of General Counsel ("OGC"), presented the OGC report. She read aloud the Conflict of Interest Policy and the Open Meetings Act. She then addressed disciplinary and rule activity.

Disciplinary Activity:

Mrs. Ashley Fine states there are 9 open cases and no contested or consent orders at this time.

Rule Activity:

Provisional Licensure Rules – Approved for Rulemaking Hearing

Telecommunications Rules – In Internal Review

Administrative Report:

Doris VanOvermeiren provided the following administrative report:

As of February 2, 2021, thru April 30, 2021, there are a total of 556 licensed Audiologists, 5619 for licensed Speech Language Pathologists and Speech Language Pathology Assistants. 135 registered

Audiologist as of February 2, 2021 thru April 30, 2021, there is five (5) newly licensed Audiologists. There were zero (0) retired licenses, three (3) expired license, and zero (0) reinstatements. There is a total of Fifty Seven (57) Audiologists renewals, forty two (42) are online renewals. There were eight (8) new ACE's /clinical externs,

Speech Language Pathologists There is forty-three (43) newly licensed Speech Language Pathologists, one (1) retired licenses, twenty-nine (29) expired licenses and three (3) reinstatements. Three hundred (366) Speech Pathologists renewed their licenses. Three hundred and five (305) of the renewals were online. There were Twenty eight (28) new Clinical Fellows

Speech Language Pathology Assistant There was one (4) newly registered Speech Language Pathology Assistant, zero (0) retirements, three (3) expired registrations, and zero (0) reinstatements. A total of three (13) Speech Language Pathology Assistants renewed during this time. Six (6) of the renewals were online.

The next meeting will be held on November 9, 2021.

Tentative meetings for 2021:

November 9, 2021

Financial Report:

Mr. Mathew Mc Spadden gave the financial report.

Financial report is for the mid-year July 1st thru December 31st, 2020.

As a reminder the fiscal year report runs from July 1st, 2020 thru June 30th. 2021.

Mr. McSpadden presented the revenue for the years 2019, 2020, 2021 to project an estimate for the end of the fiscal year June 30th, 2021. Below is the chart for the fiscal years.

Description	FY2021 Projected	FY2021 Actual	FY2020	FY2019
Payroll Expenditures, Salaries, employee, benefits	\$50,790.06	\$25,395.03	\$48,291.19	\$79,909.40
Total Other Expenditures, Supplies, printing, materials, communications, etc.	\$11,087.64	\$5,543.82	\$10,979.22	\$19,133.32
Total Direct Expenditures, Administration, Investigations, Legal etc.	\$61,877.70	\$30,938.85	\$59,270.41	\$99,042.72
Total Allocated Expenditures	\$61,318.69	\$30,659.35	\$81,644.32	\$49,338.99
Total Expenditures	\$123,196.39	\$61,598.20	\$140,914.73	\$148,381.71
Board Fee Revenue	\$228,735.73	\$114,367.87	\$213,037.35	\$185,670.00
Current Year Net	\$105,539.34	\$52,769.67	\$72,122.62	\$37,288.29
Total Technology Improvements, LARS, Visuals	\$5,910.02	\$2,955.01	\$29,941.31	\$6,163.33
Cumulative Carryover	\$628,718.78	\$529,089.46	\$479,274.80	\$437,093.50

Mr. McSpadden read the policy for the financial report that is required at the end of the fiscal year with the board. Mr. McSpadden presented the Cumulative Carryover balance from 2018 thru 2020. Mr. McSpadden speaks of the Fiscal Office's recommendation to reduce the application and renewal fees. Mr. McSpadden presents the presentation for the board to consider. Mrs. Fine discuss with the board the fee reductions that are in the rules for the next board meeting. The board members ask if recommendations can be made at this time. Mrs. Fine recommends the board to wait for the rule making at the August board meeting. Mrs. Fine suggest Mr. McSpadden attend the August 3rd board meeting with his presentation. He continues to explain the terms, conditions with possibilities that will drop the net

down and bring current balance to a better fee structure to follow the competition for the spend down with the cumulative carryover and gives a 2, 3, 4 and 6 year breakdown. The board ask the discussion for the possible 2 to 3 year spend down to be tabled until the August 3rd, 2021 board meeting.

Newly Licensed Clinical Fellows- SLP

Upon review, Ms. Carrie Mills made a motion, seconded by Mr. Richard Morton, to approve the newly licensed CF-SLP. A roll call vote was conducted, and all voted in favor of the motion. The motion carried

Newly Licensed/ Licensed Speech Pathologists

Upon review, Ms. Carrie Mills made a motion, seconded by Mr. Richard Morton, to approve the newly licensed Speech Pathologists. A roll call vote was conducted, and all voted in favor of the motion. The motion carried

Newly Licensed Audiologists

Upon review, Ms. Carrie Mills made a motion, seconded by Mr. Richard Morton, to approve the newly licensed Audiologists. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

Newly Licensed ACE-Audiologists Clinical Externs

Upon review, Ms. Carrie Mills made a motion, seconded by Mr. Richard Morton, to approve the newly licensed ACE Audiologists. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

Newly Registered Speech Language Pathologist Assistants

Upon review, Mr. Richard Morton made a motion seconded by Ms. Carrie Mills, to approve the newly registered Speech Language Pathology Assistants. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

Reinstatements

Speech Pathologist Reinstatements

Upon review, Ms. Carrie Mills made a motion, which was seconded by Mrs. Ellen Pearson. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

Licensed Hearing Instrument Specialist

Counsel explained to the Board that the statutes and rules of the Council for Licensing Hearing Instrument Specialists require the Board to ratify all licenses approved and ratified by the Council.

Newly Licensed Hearing Instrument Specialist

Upon review, Mr. Richard Morton made a motion, seconded by Mrs. Ellen Pearson, to approve all current Hearing Instrument Specialist licenses. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

Newly Licensed Apprentice Hearing Instrument Specialist

Upon review, Mr. Richard Morton made a motion, seconded by Ms. Carrie Mills, to approve all current Apprentice Hearing Instrument Specialist licenses. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

Rulemaking:

No action at this time.

Correspondence:

Correspondence from Bloomsburg University

The Board discussed the question presented by Bloomsburg University. After discussing its statutes and rules with Counsel, the Board took no action on this correspondence.

Correspondence from ETS Regarding Praxis Test

The Board discussed the correspondence from ETS regarding a new version of the Praxis Test. The correspondence stated that the old test will be retired on August 31, 2021 and requested the Board to determine whether to make this test available to applicants immediately or at another time certain prior to August 31, 2021. The Board voted to make the new test available as soon as possible after submission of its response to ETS.

Mr. Richard Morton made a motion seconded by Ms. Carrie Mills, A vote was conducted, and all voted in favor of the motion. The motion carried.

Correspondence from Humana Care-choices:

Board director Mrs. Hunley presents the board with the Humana Care-choice correspondence packet. Mrs. Hunley discusses the questions in the documents. The board chair Ms. Debbie Starr ask if the staff is requesting guidance from the board for the questions from Humana Care-choice. Mrs. Hunley states yes and refers to the rules that are located in the State of TN web site. Mrs. Hunley explains how the rules will answer the questions from Humana Care-choice.

Mr. Richard Morton made a motion to accept the referral for Humana Care-choice to the rules on the State of TN web site, seconded by Ms. Carrie Mills, A roll call was not required. A vote was conducted, and all voted in favor of the motion. The motion carried.

Criminal Background Check and Fresh Start Act

Ms. Fine addressed the Board on this issue. She explained to the Board that its rules and policies do not provide guidance to staff on how to handle misdemeanor convictions. Ms. Fine then explained the Fresh Start Act as well as the analysis that applies under that act to determine whether the conviction is “directly related to the profession.” Ms. Fine asked the Board to provide guidance to staff on whether it wants to require every applicant with a misdemeanor conviction to physically appear before it or whether the Board wants to grant staff the ability to determine this relationship in some instances, and if no relationship is found, to preliminarily approve applicants with misdemeanor convictions without requiring the applicants to physically appear before the Board.

Mr. Morton made a motion to allow staff to make a preliminary determination on applications where the applicant reports a previous misdemeanor conviction that is ten (10) years or older or that is for a minor traffic violation. Ms. Mills seconded the motion. All members present voted in favor of the motion, and the motion carried.

New Business

No new business at this time.

Adjournment

With no other Board business to conduct, Ms. Carrie Mills made a motion, seconded by Mr. Richard Morton, to adjourn the meeting. The motion carried; the meeting was adjourned at 11:15 a.m.

Ratified by the Board

August 3, 2021 by the Communication Disorder and Sciences Board