

Report on the

Board of Examiners for Speech-Language Pathology and Audiology

Montgomery, Alabama



Department of Examiners of Public Accounts

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Rachel Laurie Riddle, Chief Examiner



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August 19, 2020

Representative Howard Sanderford
Chairman, Sunset Committee
Alabama State House
Montgomery, AL 36130

Dear Representative Sanderford,

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Alabama Board of Examiners for Speech-Language Pathology and Audiology in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Alabama Board of Examiners for Speech-Language Pathology and Audiology, in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

A handwritten signature in cursive script that reads "Rachel Laurie Riddle".

Rachel Laurie Riddle
Chief Examiner

Examiner
Charles Bass

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PROFILE

Purpose/Authority

The Alabama Board of Examiners for Speech-Language Pathology and Audiology was created by Act No. 90, Acts of Alabama 1975, to regulate the practice of speech-language pathology and audiology in Alabama. The Board licenses qualified applicants as speech-language pathologists and audiologists and registers persons as speech-language pathology assistants and audiology assistants. The Board sponsors continuing education programs for its licensees. The Board also receives, investigates, and responds to complaints against licensees. The Board operates under the authority of the *Code of Alabama 1975*, Section 34-28A-1 through 34-28A-44.

The Board has not introduced any legislation since the last Sunset Review.

<u>Characteristics</u>	
Members and Selection	<p>Seven members appointed by the Governor from a list of three names per vacancy submitted by the Speech and Hearing Association of Alabama (SHAA).</p> <ul style="list-style-type: none">• Three speech-language pathologists• Three audiologists• One consumer or allied professional member <p><i>Code of Alabama 1975</i>, Section 34-28A-40(b) & (f)</p>
Term	<p>Three year staggered terms, with no person being eligible to serve more than two full consecutive terms.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-40(c)</p>
Qualifications	<p>All six professional speech-language pathologist and audiologist Board members must possess active and valid licenses. Those who serve must be engaged in rendering services to the public, or teaching, or research, or any combination of service to the public, teaching, or research, in speech-language pathology or audiology, or both for at least five years immediately preceding their appointment, and shall be residents of the State of Alabama.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-40(b)</p>

Consumer Representation	<p>One required by statute. One consumer member is currently serving.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-40(b)</p>
Racial Representation	<p>No statutory requirement. No minority members currently serving.</p>
Geographical Representation	<p>One Board member from each United States Congressional District is required.</p> <p>One member from each district is serving.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-40(b)</p>
Other Representation	<p>The membership of the Board shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-40(b)</p>
Compensation	<p>Members of the Board do not receive compensation for their services but may be reimbursed for necessary expenses in the same manner as state employees.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-41</p>
Attended Board Member Training	Executive Secretary
<u>Operations</u>	
Administrator	<p>Wanda Rawlinson, Executive Secretary Appointed by the Board Salary set by the Board - \$65,695.20 annually</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-44(a)</p>
Location	<p>400 South Union Street, Suite 435 Montgomery, AL 36130-4760 Office hours: Monday – Friday: 7:30 a.m. – 4:30 p.m.</p>
Employees	Two employees.
Legal Counsel	Yvonne Saxon, Assistant Attorney General, is an employee of the Attorney General’s Office.

Subpoena Power	Yes, witnesses and records <i>Code of Alabama 1975</i> , Section 34-28A-43(c)
Internet Presence	http://www.abespa.alabama.gov The website contains the following information: <ul style="list-style-type: none"> • Home Page • Rules & Regulations • For Consumers • Forms • Identify Your U.S. Congressional District • Licensee Requests • Continuing Education • Licensee Verification • Newsletter • FAQs • Board Meeting Dates • Links • Complaint Summary
<u>Financial</u>	
Source of Funds	Licensing fees, administrative fees, administrative fines/penalties.
State Treasury	Yes, Special Revenue Fund 0356.
Required Distributions	None
Unused Funds	All funds remaining unexpended and unobligated at the end of the fiscal year are retained by the Board. <i>Code of Alabama 1975</i> , Section 34-28A-44

Licensee Information

Licensees	<p>As of January 13, 2020</p> <p><u>Active Licensees:</u></p> <table><tr><td>Speech-Language Pathologists</td><td>1,994</td></tr><tr><td>Audiologists</td><td>296</td></tr><tr><td>Speech-Language Pathologists/Audiologists</td><td><u>1</u></td></tr><tr><td>Total</td><td>2,291</td></tr></table> <p><u>Inactive Licensees:</u></p> <table><tr><td>Speech-Language Pathologists</td><td>56</td></tr><tr><td>Audiologists</td><td><u>10</u></td></tr><tr><td>Total</td><td>66</td></tr></table> <p><i>Source:</i> Executive Secretary</p>	Speech-Language Pathologists	1,994	Audiologists	296	Speech-Language Pathologists/Audiologists	<u>1</u>	Total	2,291	Speech-Language Pathologists	56	Audiologists	<u>10</u>	Total	66
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Qualifications	<p>All Applicants:</p> <ul style="list-style-type: none">• Be of good moral character.• Pass an examination in speech-language pathology or audiology approved by the board.• Be a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States <p>Speech-Language Pathologist:</p> <ul style="list-style-type: none">• Possess at least a master's degree in speech-language pathology• Successful completion of supervised clinic practicum experiences from an educational institution, or its cooperating programs• Successful completion of postgraduate professional experience <p>Audiologist:</p> <ul style="list-style-type: none">• Doctoral degree in audiology (if prior to 2007 a master's degree)• Evidence of the successful completion of supervised clinic practicum experiences from an educational institution, or its cooperating programs <p><i>Code of Alabama 1975, Section 34-28A-21</i></p>														

<p>Examinations</p>	<p>Applicants must pass the Praxis II national examination in speech-language pathology or audiology. The exam is prepared and graded by the Educational Testing Service (ETS). ETS administers the exams at accredited colleges and universities.</p> <p style="text-align: center;">Speech-Language Pathology</p> <table border="1" data-bbox="570 449 1369 688"> <thead> <tr> <th>Year</th> <th>Exams Given</th> <th>Passed</th> <th>Failed</th> <th>Pass %</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>100</td> <td>94</td> <td>6</td> <td>94%</td> </tr> <tr> <td>2017</td> <td>120</td> <td>115</td> <td>5</td> <td>96%</td> </tr> <tr> <td>2018</td> <td>98</td> <td>95</td> <td>3</td> <td>97%</td> </tr> <tr> <td>2019</td> <td>83</td> <td>81</td> <td>2</td> <td>98%</td> </tr> </tbody> </table> <p style="text-align: center;">Audiology</p> <table border="1" data-bbox="570 760 1369 999"> <thead> <tr> <th>Year</th> <th>Exams Given</th> <th>Passed</th> <th>Failed</th> <th>Pass %</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>11</td> <td>10</td> <td>1</td> <td>91%</td> </tr> <tr> <td>2017</td> <td>10</td> <td>10</td> <td>0</td> <td>100%</td> </tr> <tr> <td>2018</td> <td>16</td> <td>13</td> <td>3</td> <td>81%</td> </tr> <tr> <td>2019</td> <td>8</td> <td>8</td> <td>0</td> <td>100%</td> </tr> </tbody> </table> <p><i>Source:</i> Executive Secretary</p> <p>According to the Executive Secretary, exam results for Alabama Educational Institutions were not available.</p>	Year	Exams Given	Passed	Failed	Pass %	2016	100	94	6	94%	2017	120	115	5	96%	2018	98	95	3	97%	2019	83	81	2	98%	Year	Exams Given	Passed	Failed	Pass %	2016	11	10	1	91%	2017	10	10	0	100%	2018	16	13	3	81%	2019	8	8	0	100%
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<p>Reciprocity</p>	<p>The Board shall waive examination and grant licensure to any person currently certified as clinically competent by the American Speech and Hearing Association (ASHA) provided that ASHA requirements meet or exceed those of the State of Alabama, as determined by the Board.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-24</p>																																																		
<p>Renewals</p>	<p>Licenses expire on December 31 of each year. Licensees can renew their licenses through January 31 without incurring a late fee, however this is not a grace period, licensees must cease and desist practice until license is renewed.</p> <p>License fees for licenses renewed after January 31 are increased by twenty dollars (\$20) for each month or fraction of a month that the payment is delayed, up to a maximum of twice the renewal fee.</p>																																																		

	<p>Licensees may renew online through Alabama Interactive. The statistics for online renewals are as follows:</p> <p>Renewal Period 2016 – 48% Renewal Period 2017 – 60% Renewal Period 2018 – 57% Renewal Period 2019 – 59%</p> <p>A person who fails to renew his or her license within a period of two years after the date of expiration may not renew the license, and the license may not be restored, reissued, or reinstated thereafter, but the person may apply for and obtain a new license if he or she meets the requirements.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-25(c) & (d)</p> <p>Source: Executive Secretary</p>																
<p>Licensee Demographics</p>	<p>The Board maintains a licensee database in which the licensee’s district is recorded at the time of renewal.</p> <p>As of January 13, 2020</p> <table border="1" data-bbox="647 1035 1187 1377"> <thead> <tr> <th></th> <th>Number of Licensees*</th> </tr> </thead> <tbody> <tr> <td>District 1</td> <td>317</td> </tr> <tr> <td>District 2</td> <td>228</td> </tr> <tr> <td>District 3</td> <td>261</td> </tr> <tr> <td>District 4</td> <td>204</td> </tr> <tr> <td>District 5</td> <td>355</td> </tr> <tr> <td>District 6</td> <td>611</td> </tr> <tr> <td>District 7</td> <td>157</td> </tr> </tbody> </table> <p>Source: Executive Secretary</p> <p>*These numbers do not include new licensees or licensees who reside out of state.</p>		Number of Licensees*	District 1	317	District 2	228	District 3	261	District 4	204	District 5	355	District 6	611	District 7	157
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<p>Continuing Education</p>	<ul style="list-style-type: none"> • Speech-Language Pathologists/Audiologists - Twelve hours; Dual license holders must complete twenty-four hours. • Speech-Language Pathology/Audiology Assistants - Ten hours. <p>25% of all licensees are randomly selected for audit of continuing education hours when renewing their license. All assistants must submit continuing education hours when renewing their registration.</p> <p><i>Code of Alabama 1975</i>, Section 34-28A-25(b) <i>Administrative Rule</i>: 870-X-4-.08 and 870-X-2-.06</p> <p><i>Source</i>: Executive Secretary</p>
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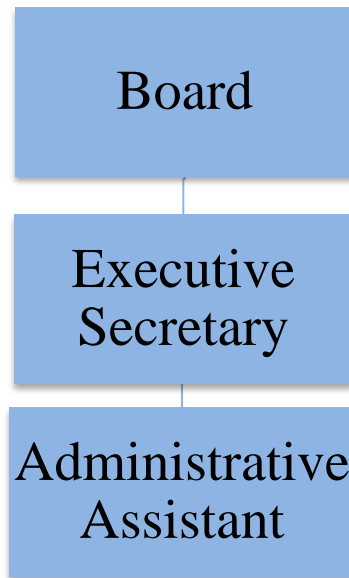
SIGNIFICANT ISSUES

There were no significant issues during the examination period.

STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES

All prior findings/significant issues have been resolved.

ORGANIZATION



PERSONNEL

Schedule of Employees By Merit System Classification/Sex/Race					
	#	B/F	W/F	Salary	Vehicle Assigned
Unclassified					
Executive Secretary	1		1	\$65,695.20	No
Classified					
Administrative Support Assistant II	1	1		\$34,761.60	No
Total	2	1	1		

B/F=black female, W/F=white female

Legal Counsel

Assistant Attorney General Yvonne Saxon, an employee of the Attorney General Office, provides legal services for the Board.

PERFORMANCE CHARACTERISTICS

Number of Active Licensees per Employee as of January 23, 2020 – 1,146

Number of Persons per Licensee in Alabama and Surrounding States

	Population (estimate)*	Speech-Language Pathologists (Active)**	Audiologists (Active)	Total Licensees	Persons Per Licensee
Alabama	4,903,185	1,995	296	2,291	2,140
Florida	21,477,737	8,636	2,321	10,957	1,960
Georgia	10,617,423	5,268	598	5,866	1,810
Mississippi	2,976,149	1,410	***	1,410	2,111
Tennessee	6,829,174	3,014	464	3,478	1,964
<p>*Source: U.S. Census, December 1, 2019 Population Estimates **Includes one dual licensee ***Not provided</p>					

Operating Disbursements per Active Licensee (FY 2019) - \$85.52

Fines/Penalties as a Percentage of Operating Receipts

There were no fines/penalties during the examination period.

Notification of Board decisions to Amend Administrative Rules

The Board complied with notification procedures prescribed in the Administrative Procedure Act, which includes publication of proposed rules in the Administrative Monthly, and public hearings on proposed rules. Notice is also included in the Board’s newsletters and website.

COMPLAINT HANDLING

The *Code of Alabama 1975*, Section 34-28A-26 and *Administrative Rule* 870-X-5 provides for the investigation of written complaints filed with the Board concerning alleged violations of the pathologists and audiologists’ licensing law and administrative rules adopted by the Board.

Initial Contact/Documentation	Any person can file a complaint: consumers, licensees, and Board members. The Board receives complaints by mail, email, fax, or hand delivered. Complaints submitted must be written, signed, and include a verifiable return address. The Board notifies the complainant that the complaint has been received by the Board.
Anonymous Complaints Accepted	No
Investigative Process / Probable Cause Determination	The complaint is reviewed by the Board’s Executive Secretary, Chair of the Credentials Review & Enforcement Committee and Legal Counsel to deem if investigation of the complaint is appropriate. Once deemed appropriate, the

	complaint is investigated, and the Credentials Review & Enforcement Committee presents its findings to the Board in a closed Executive Session of the Board. Board members will abstain from voting in connection with a complaint if there is any question of a conflict of interest. If the Board deems the facts are not sufficient for a violation of the Board's laws or rules & regulations, the file is closed, and all parties are notified. If the Board finds there is probable cause to take formal action on a complaint, the complaint can be resolved either through informal or formal proceedings.
Negotiated Settlements	Yes
Notification of Resolution to the Complainant	Once the Final Order has been issued or file closed due to lack of appropriateness for investigation, the complainant is notified of the resolution of the complaint and the action taken against the defendant.

Source: Executive Secretary

Schedule of Complaints Resolved October 1, 2015 through September 30, 2019						
Year/Number Received	Year/Number Resolved					Pending
	2016	2017	2018	2019	2020*	
2016/2	2	-	-	-	-	-
2017/2		2	-	-	-	-
2018/1			1	-	-	-
2019/5				5	-	-
2020/2*					-	2

*As of January 14, 2020

Average Time to Resolve Complaints – 58 business days

Disposition of Resolved Complaints

Number of Complaints	Resolution
4	No Violation
1	Forwarded to Another Agency
1	Fined
2	License Suspended
2	Dismissed

REGULATION IN CONJUNCTION WITH OTHER ENTITIES

Persons licensed by the Board of Hearing Instrument Dealers may test, fit, and sell hearing instruments without being licensed by the Board of Examiners of Speech-Language Pathology and Audiology.

Physicians and surgeons licensed by the Medical Licensure Commission, as well as those providing services under their direct supervision, may provide speech-language pathology and audiology services without being licensed by the Board.

The Alabama Department of Education certifies speech and hearing specialists to provide speech-language pathology and audiology services in schools. These persons are certified according to the requirements of the Department of Education and are exempt by law from licensure requirements of the Board. However, if a specialist seeks out licensure with the Board of Examiners for Speech-Language Pathology and Audiology in order to qualify for Medicaid reimbursements, they must meet the Board's licensure requirements and they must comply with the Board's laws and rules & regulations.

FINANCIAL INFORMATION

Source of Funds

Licensing fees, administrative fees, and administrative fines/penalties

Fund

Special Revenue Fund 0356 – Operating fund for the Board of Examiners for Speech-Language Pathology and Audiology. The fund is authorized by the *Code of Alabama 1975*, Section 34-28A-44(e). Year-end unexpended balances are retained by the Board.

Schedule of Fees

FEE	STATUTORY AUTHORITY	RULE	AMOUNT AUTHORIZED	AMOUNT COLLECTED
Application Fee	34-28A-27(b)	870-X-2-.02(3)	Set by the Board	\$ 200.00
License Fee ¹	34-28A-27(b)	870-X-2-.02(4)	Set by the Board	\$ 75.00
Renewal Fee	34-28A-27(b)	870-X-4-.02(1)	Set by the Board	\$ 100.00
Late Renewal Fee	34-28A-25(c)	870-X-4-.03(1)	After January 31, \$20.00 per month; maximum of twice the renewal fee	\$ 20.00 per month
Assistant Registration Fee	34-28A-27(c)	870-X-2-.06(j)	½ the application fee	\$ 100.00
Assistant Renewal Fee	34-28A-27(c)	870-X-2-.06(j)	½ the annual license renewal fee	\$ 50.00
Inactive Status	34-28A-25(e)	870-X-4-.05(1)	½ of the annual renewal fee	\$ 50.00
Administrative Fines ²	34-28A-42(g)	870-X-4-.06(8)	Not to exceed \$1000.00 per violation	≤ \$1,000.00 per Violation
Replacement License	34-28A-27(d)	870-X-4-.07	\$15.00	\$ 15.00
Roster of Licensees	34-28A-44(e) Cost Recovery		Cost Recovery	\$ 15.00
Labels or CD of Licensees	34-28A-44(e) Cost Recovery		Cost Recovery	\$ 50.00
Bad Checks Fee	8-8-15	870-X-4-.02(2)	Not to exceed \$30.00	\$ 30.00

¹Initial license fees are decreased \$10.00 per month after August 31 through December 31.

Administrative Rule 870-X-2-.02

²Fines not to exceed \$500.00 for registered assistants. *Administrative Rule* 870-X-4-.06(8)

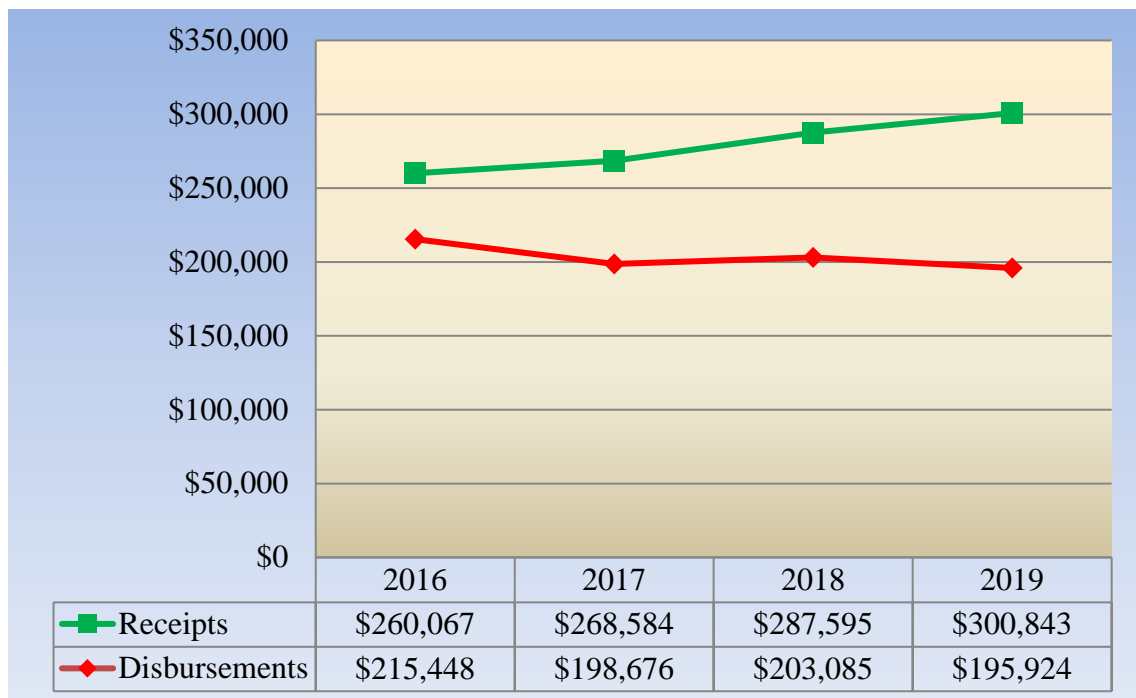
Schedule of Receipts, Disbursements and Balances

October 1, 2015 through September 30, 2019

	<u>2018 - 2019</u>	<u>2017 - 2018</u>	<u>2016 - 2017</u>	<u>2015 - 2016</u>
<u>Receipts</u>				
License Fees	\$ 300,843.00	\$ 287,595.00	\$ 268,584.00	\$ 260,066.99
<u>Disbursements</u>				
Personnel Cost	98,345.00	92,331.20	87,991.60	83,741.60
Employee Benefits	43,392.72	41,575.27	38,674.58	37,755.81
Travel, In-State	18,892.69	17,758.35	17,492.18	14,851.65
Travel, Out-of-State	-	3,751.65	1,622.85	1,649.18
Repairs and Maintenance	601.40	496.40	496.40	576.40
Rentals & Leases	20,099.52	20,099.52	20,005.65	20,099.52
Utilities & Communication	5,638.10	10,966.06	5,172.45	8,070.96
Professional Services	5,354.65	11,664.38	22,832.22	41,804.63
Supplies, Materials, and Operating Expenses	3,490.60	4,442.52	4,387.84	6,823.63
Grants & Benefits*	29,100.00	29,500.00	31,500.00	29,500.00
Other Equipment Purchases	109.00	-	-	74.28
Total	<u>225,023.68</u>	<u>232,585.35</u>	<u>230,175.77</u>	<u>244,947.66</u>
Excess of Receipts over Disbursements	75,819.32	55,009.65	38,408.23	15,119.33
Cash Balance at Beginning of Year	<u>426,840.03</u>	<u>371,830.38</u>	<u>333,422.15</u>	<u>318,302.82</u>
Cash Balance at End of Year	502,659.35	426,840.03	371,830.38	333,422.15
Reserved for Unpaid Obligations	<u>(16,640.00)</u>	<u>(14,658.18)</u>	<u>(10,971.00)</u>	<u>(12,910.00)</u>
Unreserved Cash Balances at End of Year	<u>\$ 486,019.35</u>	<u>\$ 412,181.85</u>	<u>\$ 360,859.38</u>	<u>\$ 320,512.15</u>

*Payments to various entities to offset the costs of continuing education.

Operating Receipts vs. Operating Disbursements (Chart)

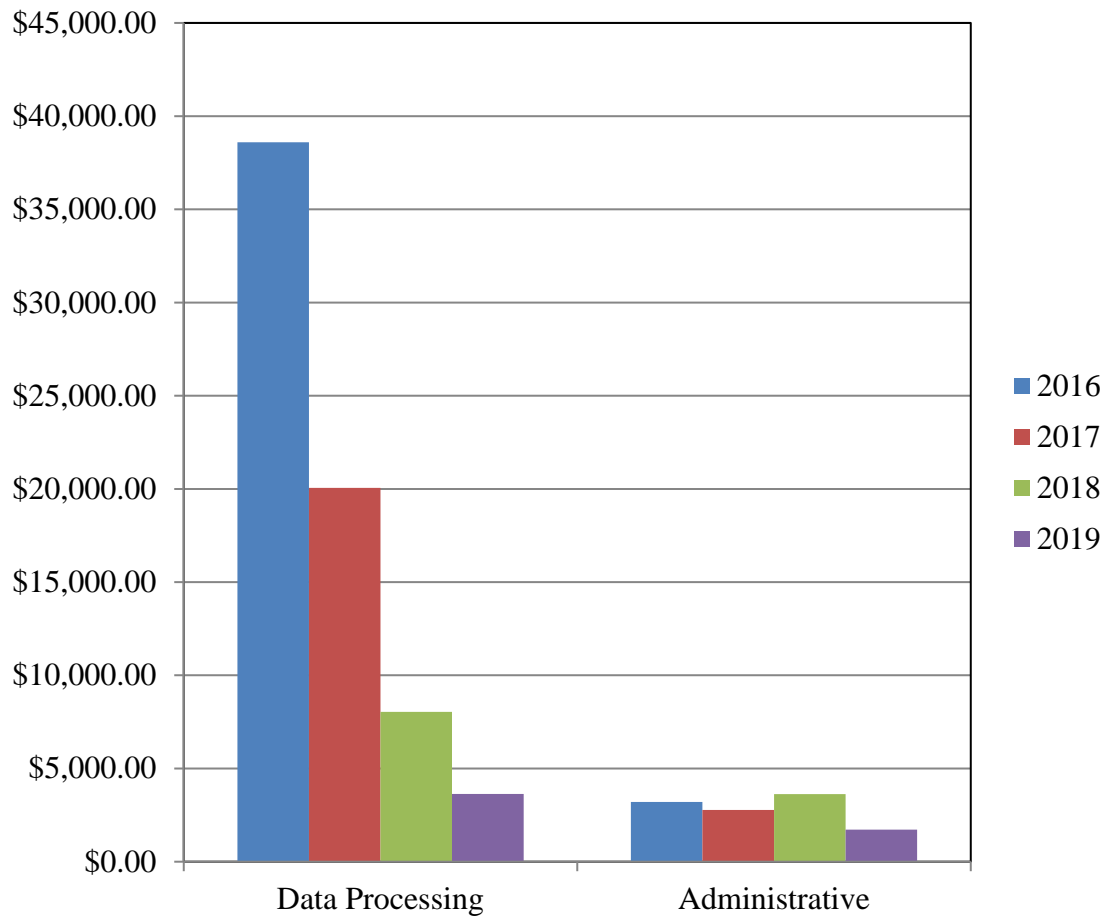


Disbursements do not include Grants and Benefits.

SUMMARY SCHEDULE OF PROFESSIONAL SERVICE DISBURSEMENTS*				
As of September 30th,				
Type of Service	FY 2016	FY 2017	FY 2018	FY 2019
Administrative	\$ 3,204.73	\$ 2,772.41	\$ 3,630.20	\$ 1,717.00
Data Processing	38,599.90	20,059.81	8,034.18	3,637.65
Total	\$ 41,804.63	\$ 22,832.22	\$ 11,664.38	\$ 5,354.65

*Detailed information is presented in the appendix

Professional Service Disbursement Chart



QUESTIONNAIRES

Board Member Questionnaire

A letter was sent to all seven members of the Alabama Board of Examiners for Speech-Language Pathology and Audiology requesting participation in our survey. Three participated in our survey. The percentages, where shown, are based on the number who responded to the question.

1. What are the most significant issues currently facing the Alabama Board of Examiners and how is the Board addressing these issues?

Board Member #1 - “- Interstate compact acceptance” “- SLPA duties and supervision.”

Board Member #2 - “Decision to join Interstate Compact - and when.”

Board Member #3 - “The most significant issues facing ABESPA are telepractice and workforce mobility. The board is addressing these issues by providing thoughtful and timely updates to the ABESPA rules and regulations. What makes the board’s position unique is the ability of its professionals to anticipate real-world challenges associated with the rule changes and to create regulations that are realistic and fair. The board is also responsible for ensuring that licensees meet continuing education requirements. ABESPA tackles this challenge by auditing licensees and confirming the validity and relevance of the courses reported. Ensuring the quality of continuing education is vital for consumer protection.”

2. What changes, if any, to the Alabama Board of Examiners for Speech-Language Pathology and Audiology’s law are needed?

Board Member #1 - “-military spouse licensing”

Board Member #2 - “None”

Board Member #3 - “The changing regulatory needs are mentioned above.”

3. Is the Alabama Board of Examiners for Speech-Language Pathology and Audiology adequately funded?

Yes	2	67%
No Opinion	1	33%

4. Is the Alabama Board of Examiners for Speech-Language Pathology and Audiology adequately staffed?

Yes	3	100%
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Speech-Language Pathologist Licensee Questionnaire

A letter was sent to one hundred licensees requesting their participation in our survey. Twenty-one participated in the survey. The percentages, where shown, are based on the number who responded to the question.

1. Do you think regulation of your profession by the Alabama Board of Examiners for Speech-Language Pathology and Audiology is necessary to protect the public welfare?

Yes	16	76%
No	2	10%
No Opinion	3	14%

2. Do you think any of the Alabama Board of Examiners for Speech-Language Pathology and Audiology's laws, rules, and policies are an unnecessary restriction on the practice of your profession?

Yes	4	19%
No	14	66%
Unknown	2	10%
No Opinion	1	5%

Respondent #7 - "I think 13 CEUs per year is too much, we are all maintaining our ASHA ccc's with 30 CEUs per 3 years, I think that's enough!"

Respondent #10 - "I think policies regarding supervising SLPAs are excessive. From what I understand, a SLPA cannot see patients without an SLP in the facility. Also, the SLP must "lay eyes" on the SLPA with the patient monthly (?), but not for any set amount of time or in a specified setting (such as during therapy vs. in the waiting room). This is both more strict and more vague then how COTAs and LPTAs are supervised."

Respondent #17 - "I am licensed in several states and Alabama is the only one that requires annual renewal. Switching to a biennial or triennial system would be much more in line with practice elsewhere."

3. Do you think any of the Alabama Board of Examiners for Speech-Language Pathology and Audiology Requirements are irrelevant to the competent practice of your profession?

Yes	3	14%
No	12	58%
Unknown	3	14%
No Opinion	3	14%

Speech-Language Pathologist Questionnaire

Respondent #10 - “Truthfully, I am really only knowledgeable of information related to professional development requirements and ethics regarding maintaining my license.”

4. **Are you adequately informed by the Alabama Board of Examiners for Speech-Language Pathology and Audiology of changes to and interpretations of the Board’s positions, policies, rules and laws?**

Yes	15	71%
No	3	14%
No Opinion	3	15%

Respondent #10 - “Somewhat. If you attend the SHAA convention, there is a section on ethics and changes in rules and laws. Therefore, the information is available if you choose to find it.”

Respondent #21 - “I have been sent mailings in the past, which I think could be more easily accessed online.”

5. **Has the Alabama Board of Examiners for Speech-Language Pathology and audiology performed your licensing and renewal in a timely manner?**

Yes	19	90%
No	2	10%

Respondent #11 - “It was timely yes, but I got no confirmation that they received my renewal via mail other than my updated card. No invoice or anything (to be reimbursed by my company!). Also, I’ve attempted to contact them on several occasions to let them know my name is incorrect on the board’s website. It has yet to be changed. It is IMPOSSIBLE to get ahold of them and they can be very rude over the phone when you do get ahold of them.”

Respondent #18 - “In previous years, there has been issue with my submissions and when I have called to get clarification, I was unable to get a clear answer of what was needed on my end. Communication has been difficult/poor at times.”

Respondent #21 - “Yes, however the office is very difficult to get in touch with by phone. During the winter holidays it is difficult to reach someone for answers in the office.”

6. **Do you consider mandatory continuing education necessary for competent practice?**

Yes	17	81%
No	4	19%

Respondent #7 - “Yes, but the 13 every year is too many! The 30 (every 3 years) for Asha is plenty !”

Speech-Language Pathologist Questionnaire

Respondent #10 - “I think to maintain our level of competence, and to maintain the same level of expertise as other professionals (PT, OT, teachers, nurses, etc.), we need to have professional development. I had a TN license at one point, and it was nice to need 24 hours over 2 years rather than 12 hours annually. That made professional development more flexible.”

Respondent #12 - “Yes, but ASHA does every three years. And the fee is significantly more than other states.”

Respondent #14 - I think no because we are already monitored by ASHA. Why do both?”

7. Has the Alabama Board of Examiners for Speech-Language Pathology and Audiology approved sufficient providers for continuing education to ensure your reasonable access to necessary continuing education hours?

Yes	17	81%
No	1	5%
Unknown	1	5%
No Opinion	2	9%

Respondent #10 - “I try to attend SHAA to make sure I am getting approved hours. I have never used the ABESPA (SHAA?) Continuing Education Lending Library, but it is an option. ABESPA accepted the professional development hours I received through my school, even though they weren't ABESPA or ASHA approved.”

Respondent #14 - “they have denied hours for me when audited because of the title. Even when I tried to prove the content of the class.”

Respondent #21 - “So far, the courses I've taken have been approved. I am careful to find out before enrolling, though.”

8. What do you think is the most significant issue(s) currently facing your profession in Alabama and what is the Alabama Board of Examiners for Speech-Language Pathology and Audiology doing to address the issue(s)?

Respondent #1 - “none”

Respondent #2 - “No opinion”

Respondent #3 - “shortage of SLPs in certain areas of AL They are allowing Speech Language Pathology Assistants to be licensed.”

Respondent #4 - “provision of professional development”

Respondent #5 - “N/A”

Respondent #6 - “UNSURE”

Respondent #7 - “Our salaries in the school systems! We are not being paid enough. Many of us have two graduate degrees (Education & Speech Pathology). I'm working on my Ed.S. Even with my ED.S degree I still will not be making the salary I made before we moved to AL! Yes, I was working in the schools previously too!”

Respondent #8 - “PDPM”

Speech-Language Pathologist Questionnaire

Respondent #9 - "I would say one significant issue is the shortage of professionals to serve the population need. This is especially true in the public schools. It would appear some university programs may have a graduate number cut-off for admission to their programs that results in some strong candidates leaving the state to get Masters Degrees. This proposes a risk that the candidates will seek employment in the states in which they receive their advanced degree rather than returning home to Alabama for employment. I'm not sure what or if this is an issue that ABESPA has been able to address with measurable success."

Respondent #10 - "Where to start?? SLPs are NOT ELIGIBLE for National Board Certification, which can represent a \$10,000 raise. To have a license in Alabama, I believe that you must have ASHA certification--this is a NATIONAL certification more stringent than National Board Certification for teachers, requiring that you pass a test and complete a 9 month supervised fellowship year. Other states are accepting ASHA certification as equivalent to National Board Certification and giving SLPs that raise. I have approached SHAA and ABESPA members, and was told that there is no money for SLPs and to let it go. However, I feel that we are being discriminated against, as there isn't National Board Certification for SLPs, so we can't get the raise offered to our teacher peers. I understand that we can't be certified in other areas, as we aren't qualified to "teach" any other subject (math, history, etc.) besides speech and language. This is frustrating and discouraging! I do not know the number of SLPs who work in the school system that maintain a license as it is not required for public school practitioners. However, for those of us who do, we should definitely get the benefit of that raise, when we are just as educated and qualified as the SLPs who work in the medical profession and make twice the pay. It is no wonder there is a shortage of school SLPs for the difference in pay between the school system and medical professions. Also, the caseloads in the school system are ridiculous. I believe the law says that the maximum number of students on a speech caseload should not exceed 30 students. It would be interesting to see how many students the most school based SLPs have on caseload. I think most of us are well over that number, and nothing is done about it. Administration expects the students to make progress and paperwork to be completed correctly and in a timely manner, but we don't have the time to spend with the students or to complete testing and paperwork due to the sheer numbers on our caseloads."

Respondent #11 - "No opinion."

Respondent #12 - "Competitive salary in schools and other states."

Respondent #13 - "Telepractice requirements -- I am not up-to-date on UBESPA's actions in this area."

Respondent #14 - "It would be better if our CUE lined up with our ASHA CEUs. Then we would have 3 years to complete 30 hours and it would be worth our money to do better CE that were worth more hours."

Respondent #15 - "Funding"

Respondent #16 - "N/A"

Respondent #17 - "The most pressing issue at the state level is a push happening across the country including in Alabama for deregulation and elimination of licensing. The skills involved and the potential for harm to the populations serve

Speech-Language Pathologist Questionnaire

make such proposals very unwise and present a significant public health and safety risk. I assume the board is addressing this through any way they can.”

Respondent #18 - “After practicing in another state, I do not believe that allowing individuals to practice with an undergraduate degree should continue unless they are a true SLPA, even in the public-school system. Graduate school fully prepared me to be proficient in the profession and I believe we need to hold that requirement in our state as many other states do.”

Respondent #19 - “Education on Autism”

Respondent #20 - “Heavy caseloads and excessive paperwork. I do not know what is being done to improve these issues.”

Respondent #21 - “Slow, antiquated process of paper auditing, difficulty reaching the office by phone, newsletter mailings that would be better sent by email (and cheaper). Also, the time of year for renewals seems difficult due to holiday schedules.”

9. Do you think the Alabama Board of Examiners for Speech-Language Pathology and Audiology and its’ staff are satisfactorily performing their duties?

Yes	12	57%
No	3	14%
Unknown	1	5%
No Opinion	5	24%

Audiologist Licensee Questionnaire

A letter was sent to one hundred licensees requesting their participation in our survey. Sixteen participated in the survey. The percentages, where shown, are based on the number who responded to the question.

- 1. Do you think regulation of your profession by the Alabama Board of Examiners for Speech-Language Pathology and Audiology is necessary to protect the public welfare?**

Yes	15	94%
No	1	6%

Respondent #4 - “I believe all states should recognize each other's state licensees and if they are residing in the state they hold license in, the visiting state should allow said licensee to practice. i.e., I test hearing for the military on the weekends in various states. Each state requires me to acquire license in each state I test even if it is only for a weekend.”

- 2. Do you think any of the Alabama Board of Examiners for Speech-Language Pathology and Audiology’s laws, rules, and policies are an unnecessary restriction on the practice of your profession?**

Yes	3	19%
No	12	75%
No Opinion	1	6%

- 3. Do you think any of the Alabama Board of Examiners for Speech-Language Pathology and Audiology Requirements are irrelevant to the competent practice of your profession?**

Yes	2	13%
No	13	81%
Unknown	1	6%

Respondent #14 - “The CCCs are irrelevant to practice and obtain licensure”

- 4. Are you adequately informed by the Alabama Board of Examiners for Speech-Language Pathology and Audiology of changes to and interpretations of the Board’s positions, policies, rules and laws?**

Yes	11	68%
No	2	13%
No Opinion	3	19%

Respondent #12: “Have not received any notifications of changes; I am newly licensed”

5. Has the Alabama Board of Examiners for Speech-Language Pathology and audiology performed your licensing and renewal in a timely manner?

Yes	14	88%
No	2	12%

Respondent #10 - “They do, but the random audits are not performed in a timely manner due to the requirement of sending our paperwork in through mail. Since the board meets once a month, we should be able to electronically send in our paperwork in more efficient manners, such as email. Additionally, we should not be required to submit it during monthly meetings, as long as we submit the paperwork before the Dec. 31 deadline.”

Respondent #12 - “I’ve had to go back and forth with ABESPA multiple times when applying for licensure. Faxed items were "lost" or "never sent", which delayed my receipt of licensure.”

6. Do you consider mandatory continuing education necessary for competent practice?

Yes	16	100%
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Respondent #13 - “ABSOLUTELY!!!”

7. Has the Alabama Board of Examiners for Speech-Language Pathology and Audiology approved sufficient providers for continuing education to ensure your reasonable access to necessary continuing education hours?

Yes	13	81%
No	1	6%
No Opinion	2	13%

Respondent #3 - “This is my first year as a provider in Alabama. I had no issues this year, but I am unsure if that is standard or not.”

Respondent #10 - “But to restrict the allotted CE hours for certain categories is unreasonable.”

8. What do you think is the most significant issue(s) currently facing your profession in Alabama and what is the Alabama Board of Examiners for Speech-Language Pathology and Audiology doing to address the issue(s)?

Respondent #1 - “The greatest issue I see is continuing education and keeping professionals to the highest level of care. ABESPA does a great job of supporting continuing education in several professional sub groups such as ALAA and SHAA.”

Respondent #2 - “Regulation of hearing instrument specialists, audiology assistants, and other people performing similar duties without a degree or sufficient training. Policies are in place, but it is not clear to me how they are being enforced”

Respondent #3 - “Lack of recognition of audiologists (and therefore, reimbursement) by major insurances, namely [REDACTED].”

Respondent #4 - “With telepractice increasing, states should recognize each other's license, it seems to be a money maker to require us to acquire license even if we never physically step in the state they are serving.”

Respondent #5 - “no opinion”

Respondent #6 - “ABESPA requires more hours of CEUs than our national organization, and does not offer or approve enough opportunities to obtain them for the working clinician.”

Respondent #7 - “Lack of qualified professionals is the most significant issue. I am not aware of any efforts to address this issue.”

Respondent #8 - “Unknown”

Respondent #9 - “1) Reimbursement for services is always an issue; 2) interstate compact/practice; 3) Related to EHDI, the reporting and follow-up/intervention systems span several state departments, making cohesive, timely and effective services difficult. As for what ABESPA is doing to address the issues, I am unaware of how they are addressing this issues, if at all.”

Respondent #10 - “I feel ABESPA is behind the time when it comes to efficiency of auditing renewal certifications. Also, they are behind the times when it comes to certifying new members. I feel they should research how other states are more effective in renewals and new certifications”

Respondent #11 - “nonprofessional providers offering services similar to audiology”

Respondent #12 - “Timeliness, ease of communication, lack of clear instructions online, and not accepting online submissions of materials”

Respondent #13 - “?”

Respondent #14 - “I feel the scope of audiologists should be updated to include services that we should be able to provide such as telehealth. Alabama is one of the few states that do not support this.”

Respondent #15 - “Telepractice.”

Respondent #16 - “[REDACTED] of Alabama does not recognize Audiologist and we cannot file claims in network with them. This has been a problem for several years and no one has done anything to resolve the issue.”

9. Do you think the Alabama Board of Examiners for Speech-Language Pathology and Audiology and its’ staff are satisfactorily performing their duties?

Yes	8	50%
No	1	6%
Unknown	3	19%
No Opinion	4	25%

Complainant Questionnaire

A letter was sent to seven complainants requesting their participation in our survey. Two participated in the survey. The percentages, where shown, are based on the number who responded to the question.

- 1. Was your complaint filed with the Alabama Board of Examiners for Speech-Language Pathology and Audiology by:**

E-Mail	2	100%
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- 2. Was receipt of your complaint acknowledged?**

Yes	2	100%
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- 3. If you answer ‘yes’ to question 2, approximately how long after you filed your complaint were you contacted by the Alabama Board of Examiners for Speech-Language Pathology and Audiology?**

Within 20 days	1	50%
Within 30 days	1	50%

- 4. Was the person who responded to your complaint knowledgeable and courteous?**

Yes	2	100%
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- 5. Did the Alabama Board of Examiners for Speech-Language Pathology and Audiology communicate the results of the investigation into your complaint to you?**

Yes	1	50%
No	1	50%

Respondent #1 - “I emailed the AL Board of Examiners today 1/22/20 for the results.”

- 6. Do you think the Alabama Board of Examiners for Speech-Language Pathology and Audiology did everything it could to resolve your complaint?**

Yes	1	50%
Unknown	1	50%

Complainant Questionnaire

7. Were you satisfied with your dealings with the Alabama Board of Examiners for Speech-language Pathology and Audiology?

Yes	1	50%
Unknown	1	50%

Respondent #1 - "I did not receive the results in this case."

APPENDICES

Applicable Statutes

Section 34-28A-1 Definitions.

For the purposes of this chapter, the following terms shall have the meanings respectively ascribed by this section:

(1) ASSOCIATION. The Speech and Hearing Association of Alabama.

(2) AUDIOLOGIST. An individual who practices audiology and who presents himself or herself to the public by any title or description of services incorporating the words audiologist, hearing clinician, hearing therapist, or any similar title or description of service.

(3) AUDIOLOGY. The application of principles, methods, and procedures or measurement, testing, evaluation, prediction, consultation, counseling, instruction, habilitation, or rehabilitation related to hearing and disorders of hearing for the purpose of evaluating, identifying, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals, or both, and may include, but is not limited to, consultation regarding noise control and hearing conservation, as well as evaluation of noise environments and calibration of measuring equipment used for such purposes. For the purpose of this subdivision the words "habilitation" and "rehabilitation" include, but are not limited to, hearing aid evaluation and application, preparation of ear impressions, auditory training, and speech reading.

(4) BOARD. The Alabama Board of Examiners for Speech-Language Pathology and Audiology established under Section 34-28A-40.

(5) PERSON. Any individual, organization, or corporate body. Only an individual may be licensed under this chapter.

(6) SPEECH-LANGUAGE PATHOLOGIST. Any person who examines, evaluates, remediates, uses preventive measures, or counsels persons suffering or suspected of suffering from disorders or conditions affecting speech or language. A person is deemed to be a speech-language pathologist when he or she practices speech pathology and/or if he or she offers those services to the public under any title incorporating the words "speech pathology," "speech pathologist," "speech-language pathology," "speech-language pathologist," "speech correction," "speech correctionist," "speech therapy," "speech therapist," "speech clinic," "speech clinician," "voice therapist," "language therapist," "aphasia therapist," "communication disorders specialist," "communication therapist," or any similar title or description of service.

(7) SPEECH PATHOLOGY or SPEECH-LANGUAGE PATHOLOGY. The application of principles, methods, and procedures for the measurement, testing, evaluation, prediction, counseling, instruction, habilitation, or rehabilitation related to the development and disorders of speech, voice, or language for the purpose of evaluating, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals, or both.

(8) SPEECH-LANGUAGE PATHOLOGY ASSISTANT and AUDIOLOGY ASSISTANT. Those persons meeting the minimum qualifications that may be established by the Board of Examiners for Speech-Language Pathology and Audiology and who work directly under the supervision of a speech-language pathologist or audiologist, respectively. The qualifications for registration as an assistant shall be less than those prescribed for a speech-language pathologist or audiologist.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §2; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-2 Declaration of policy and legislative intent.

It is declared that the practice of speech-language pathology and audiology is a privilege which is granted to qualified persons by legislative authority in the interest of public health, safety, and welfare, and, in enacting this law, it is the intent of the Legislature to require educational training and licensure of any person who engages in the practice of speech-language pathology or audiology, or both, to encourage better educational training programs, to prohibit the unauthorized and unqualified practice of speech-language pathology or audiology, or both, and the unprofessional conduct of persons licensed to practice speech-language pathology and audiology and to provide for enforcement of this chapter and penalties for its violation. To help ensure the availability of the highest possible quality speech-language pathology or audiology services, or both, to the communicatively handicapped people of the state, it is necessary to provide regulatory authority over persons offering speech-language pathology and audiology services to the public.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §1; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-3 Persons and practices exempt from chapter.

Nothing in this chapter shall be construed as preventing or restricting any of the following:

- (1) Physicians or surgeons or persons under their supervision from engaging in the examining, testing, and diagnosing of speech and audio defects in this state.
- (2) A hearing instrument fitter and seller (dealer) from engaging in the practice of fitting, testing, and selling hearing instruments in this state. Chapter 14 of this title shall not be repealed or affected in any way.
- (3) Any person licensed in this state by any other law from engaging in the profession or occupation for which he or she is licensed.
- (4) The activities and services of a person who holds a valid and current credential as a speech or hearing specialist, or both, issued by the Department of Education of this state or a person who is employed as a speech-language pathologist or audiologist by the government of the United States, if the person performs speech-language pathology and audiology services solely within the confines or under the jurisdiction of the organization by which he or she is employed. The person may, without obtaining a license under this chapter, consult with or disseminate his or her research findings and other scientific information to speech-language pathologists or audiologists, or both, outside the jurisdiction of the organization by which he or she is employed. The person may also offer lectures to the public for a fee, monetary or other, without being licensed under this chapter. These persons may additionally elect to be subject to and licensed under the provisions of this chapter.
- (5) The activities and services of persons pursuing a course of study or training, or both, in speech-language pathology or audiology, or both, at a college or university, if those activities and services constitute a part of a supervised course of study or training, or both, at that institution of higher learning and the person is designated as an intern, trainee, or by other title clearly indicating the training status appropriate to his or her level of training.
- (6) The performance of speech-language pathology or audiology services, or both, in this state by any person not a resident of this state who is not licensed under this

chapter, if the services are performed for no more than seven days in any calendar year and in cooperation with a speech-language pathologist or audiologist licensed under this chapter and if the person meets the qualifications and requirements for application for licensure described herein. However, a person not a resident of this state who is not licensed under this chapter but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by Section 34-28A-21 or who is the holder of the American Speech and Hearing Association (ASHA) certificate of clinical competence in speech-language pathology or audiology or its equivalent may offer speech-language pathology or audiology services in this state for no more than 30 days in any calendar year, if the services are performed in cooperation with a speech-language pathologist or audiologist licensed under this chapter.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §4; Acts 1997, No. 97-160, p. 218, §3; Act 2006-226, p. 387, §1.)

Section 34-28A-4 Prohibited acts; penalty for violations of provisions of chapter; enforcement of chapter; assistance of board by Attorney General; disposition of fines collected for violations of chapter.

(a) Any person who practices or offers to practice the profession of speech-language pathology or audiology without being licensed or exempted in accordance with this chapter, or any person who uses in connection with his or her name or otherwise assumes, uses, or advertises any title or description tending to convey the impression that he or she is a speech-language pathologist or audiologist without being licensed or exempted in accordance with this chapter, or any person who presents or attempts to use as his or her own the license of another, or any person who gives any false or forged evidence of any kind to the board or any member thereof in obtaining a license, or any person who attempts to use an expired or revoked license or any person, firm, partnership, or corporation, or any person who violates any of the provisions of this chapter, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense.

(b) The board, or the person or persons as may be designated by the board to act in its stead, may prefer charges for any of the violations of this chapter in any county in this state in which the violations may have occurred. All duly constituted officers of the law of this state or any political subdivision thereof shall enforce this chapter and prosecute any persons, firms, partnerships, or corporations violating the same.

(c) The Attorney General of the state and his or her assistants shall act as legal advisers of the board and render legal assistance as may be necessary in carrying out this chapter.

(d) All fines collected for the violation of any provisions of this chapter shall be paid over to the secretary of the board to be delivered by him or her to the State Treasury and placed in the Speech-Language Pathology and Audiology Fund in the same manner as funds received for the issuance of licenses.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §17; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-5 Proceedings to enjoin or restrain violations of chapter.

The board, the Attorney General, or the local district attorney may apply to the circuit court in the county in which a violation of this chapter is alleged to have occurred for an order enjoining or restraining the commission or continuance of the acts complained of. Thereupon, the court has jurisdiction over the proceedings and may grant any temporary or permanent injunction or restraining order, without bond, as it deems just and proper. The remedy provided by this section is in addition to and independent of any other remedies available for the enforcement of this chapter.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §16; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-6 Construction of chapter.

(a) This chapter shall not be construed to repeal Chapter 14 of this title.

(b) This chapter shall in no way be construed to restrain trade nor to restrict any entrepreneur or the free enterprise system.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §§18, 20; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-20 Required; licenses to be granted to qualified applicants.

(a) Under no circumstances shall any person practice or represent himself or herself as a speech-language pathologist or audiologist in this state unless he or she is licensed in accordance with this chapter.

(b) Licensure shall be granted either in speech-language pathology or audiology if the applicant meets the respective qualifications.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §3; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-21 Qualifications of applicants for licenses.

(a) To be eligible for licensure by the board as a speech-language pathologist or audiologist a person shall meet each of the following qualifications and requirements:

(1) Be of good moral character.

(2) Make application to the board on a form prescribed by the board.

(3) Pay to the board the appropriate application fee.

(4) Pass an examination in speech-language pathology or audiology approved by the board.

(5) Be a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government.

(b) Applicants for the speech-language pathology license shall submit the following:

(1) Evidence of possession of at least a master's degree in speech-language pathology from an institution approved by the board.

(2) Evidence of the successful completion of supervised clinic practicum experiences from an educational institution, or its cooperating programs, that is approved by the board.

(3) Evidence of the successful completion of postgraduate professional experience approved by the board as delineated in the rules of the board.

(c) Applicants for the audiology license whose master's degree was earned and conferred prior to January 1, 2007, shall submit the following:

(1) Evidence of possession of at least a master's degree in audiology from an education institution approved by the board.

(2) Evidence of the successful completion of supervised clinic practicum experiences from an educational institution, or its cooperating programs, that is approved by the board.

(3) Evidence of the successful completion of postgraduate professional experience approved by the board as delineated in the rules and regulations of the board.

(d) Applicants for the audiology license whose degree was earned and conferred after January 1, 2007, shall submit the following:

(1) Evidence of possession of a doctoral degree in audiology from an education institution approved by the board.

(2) Evidence of the successful completion of supervised clinic practicum experiences from an educational institution, or its cooperating programs, that is approved by the board as delineated in the rules of the board.

(e) Nothing in this section shall prevent the continued licensure of an audiologist that received licensure before January 1, 2007.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §5; Acts 1981, No. 81-209, p. 250, §4; Acts 1993, No. 93-205, p. 310, §3; Acts 1997, No. 97-160, p. 218, §3; Act 2006-226, p. 387, §1; Act 2009-28, p. 89, §3.)

Section 34-28A-22 Applications for examination; application fee; applications for reexamination; performance of speech-language pathology and audiology services prior to action by board on application.

(a) A person eligible for licensure under Section 34-28A-21 and desirous of licensure shall make application for examination to the board at least 30 days prior to the date of examination, upon a form and in a manner as the board prescribes, and shall mail or deliver the application to a permanent address set and made known to the general public by publication by the board.

(b) Any application shall be accompanied by the non-refundable fee prescribed in Section 34-28A-27.

(c) A person who fails an examination may make application for reexamination if he or she again meets the requirements of subsections (a) and (b).

(d) A person certified by the American Speech and Hearing Association (ASHA) or licensed under the law of another state, a territory of the United States, or the District of Columbia as a speech-language pathologist or audiologist who has applied for licensure under this section may perform speech-language pathology and audiology services in this state during the interim period of time prior to board action on that application.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §10; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-23 Examination of applicants for licenses.

(a) Applicants for licensure shall be examined at a time and place and under such supervision as the board may determine.

(b) The board may examine in whatever theoretical or applied fields of speech-language pathology and audiology it considers appropriate to the area of specialization and may examine with regard to the professional skills and judgment of a person in the utilization of speech-language pathology and audiology techniques and methods.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §11; Acts 1981, No. 81-209, p. 250, §4; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-24 Waiver of examination and granting of licenses.

The board shall waive the examination and grant licensure to any person currently certified as clinically competent by ASHA in the area for which the person is applying for licensure upon payment of the licensing fee, provided ASHA requirements meet or exceed those of the State of Alabama, as determined by the board.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §12; Acts 1981, No. 81-209, p. 250, §4; Acts 1985, No. 85-361, p. 304, §3; Acts 1997, No. 97-160, p. 218, §3; Act 2001-248, p. 296, §3.)

Section 34-28A-25 Issuance and renewal of licenses; continuing education; inactive status.

(a) The board shall issue a license certificate to each person whom it licenses as a speech-language pathologist or audiologist, or both. The certificate shall show the full name of the licensee and shall bear a serial number. The certificate shall be signed by the chair and secretary of the board under the seal of the board.

(b) The board shall adopt a program of continuing education not later than October 1, 1991, and, after that date, proof of compliance with the minimum requirements of the continuing education program shall be required as a condition of license renewal.

(c) Licenses shall expire on December 31 following their issuance or renewal and are invalid thereafter unless renewed. The board shall notify every person licensed under this chapter of the date of expiration and the amount of the renewal fee. This notice shall be mailed to his or her last known address at least one month before the expiration of the license. Every person licensed under this chapter shall, on or before January 1 of each year, pay a fee for renewal of license to the board. The board may, in the event payment exceeds a period of grace of 30 days, renew a license upon payment of the renewal fee plus a late renewal payment penalty. Failure on the part of any licensed person to pay his or her renewal fee before January 1 does not deprive him or her of his or her right to renew his or her license, but the fee to be paid for renewal after January 31 shall be increased by twenty dollars (\$20) for each month or fraction thereof that the payment is delayed, up to a maximum of twice the current renewal fee.

(d) A person who fails to renew his or her license within a period of two years after the date of expiration may not renew the license, and the license may not be restored, reissued, or reinstated thereafter, but the person may apply for and obtain a new license if he or she meets the requirements of this chapter.

(e) A licensee who wishes to place his or her license on an inactive status may do so by application to the board and by payment of a fee of one half of the renewal fee. An inactive licensee shall not accrue any penalty for late payment of the renewal fee that reactivates his or her license. The license may be held inactive for a maximum period of two years.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §13; Acts 1989, No. 89-234, p. 298, §3; Acts 1997, No. 97-160, p. 218, §3; Act 2001-248, p. 296, §3.)

Section 34-28A-26 Suspension or revocation of licenses or issuance of reprimands to licensees; appeals; restoration of licenses revoked, reduction of suspensions, etc.

(a) The license of any licensee under this chapter may be suspended or revoked, or a reprimand may be issued by the board, upon a finding of the board that the licensee has committed any of, but not limited to, the following acts:

- (1) Has been convicted of a felony in any court of the United States, if the acts for which the person is convicted are found by the board to have a direct bearing on whether the individual should be entrusted to serve the public as a speech-language pathologist or audiologist.
 - (2) Has been guilty of fraud or deceit in connection with his or her services rendered as a speech-language pathologist or audiologist.
 - (3) Has aided or abetted a person, not a licensed speech-language pathologist or audiologist, in illegally representing himself or herself as a speech-language pathologist or audiologist within this state.
 - (4) Has been guilty of unprofessional conduct as defined by the rules established by the board or has violated the code of ethics made and published by the board.
 - (5) Has used fraud or deception in applying for a license or in passing an examination provided for in this chapter.
 - (6) Has been grossly negligent in the practice of his or her profession.
 - (7) Has willfully violated any of the provisions of this chapter or any regulations adopted hereunder.
- (b) No license shall be suspended or revoked or reprimand issued until after a hearing before the board. A notice of at least 30 days shall be served, either personally or by registered or certified mail, with the returned receipt signed by the addressee, to the licensee charged, stating the time and place of the hearing and setting forth the ground or grounds constituting the charges against the licensee. The licensee shall be entitled to be heard in his or her defense, either in person or by counsel, and may produce testimony and may testify in his or her own behalf. A record of the hearing shall be taken and preserved by the secretary of the board. The hearing may be adjourned from time to time. If, after due receipt of notice of a hearing, the licensee shall be unable to appear for good cause shown, then a continuance shall be granted by the board. The time allowed shall be at the discretion of the board, but in no instance shall it be less than two weeks from the originally scheduled date of the hearing. If the inability of the licensee to appear is due to circumstances beyond his or her control, then, at the discretion of the board, a mutually agreed upon date may be set for the hearing. If a licensee repeatedly fails or refuses to appear, the board may proceed to hear and determine charges in his or her absence. If a licensee pleads guilty or if, upon hearing the charges, five members of the board find them to be true, the board shall enter an order suspending or revoking the license or reprimanding the licensee, as the case may be. The board shall record its findings and order in writing.
- (c) Any person who feels aggrieved by reason of the suspension or revocation of his or her license or of the reprimand or of the rejection of his or her application by the board may appeal to the board for a review of the case. If the board does not reverse itself at a hearing, then the aggrieved person may file a civil action within 30 days after receiving notice of the action of the board or of the order of the board in the Circuit Court of Montgomery County, Alabama, or in the circuit court of the county of his or her residence to annul or vacate the action or the order of the board. The action shall be filed against the board as defendant, and service of process shall be upon either the chair or secretary of the board. The action shall be tried by the court and shall be a trial de novo, but the burden of proof shall be upon the plaintiff assailing the order of the board. The judgment of the circuit court may be appealed to the Supreme Court of Alabama in the same manner as other civil cases.

(d) Upon a vote of five of its members, the board may restore a license which has been revoked, reduce the period of a suspension, or withdraw a reprimand.
(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §15; Acts 1989, No. 89-234, p. 298, §3; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-27 Fees.

(a) The board shall publish, in a manner the board deems appropriate, fees for all of the following purposes:

- (1) Application for examination.
- (2) Initial licensing.
- (3) Renewal of licensure.
- (4) Late payment for renewal (monthly penalty).
- (5) Registration of speech-language pathology assistants and audiology assistants.
- (6) Late payment fees.

(b) A qualified applicant for licensing who has successfully passed the examination prescribed by the board and has paid the application, examination, and, if necessary, the reexamination fees, shall be licensed by the board as a speech-language pathologist or audiologist, or both. The application fee, examination fee, reexamination fee, licensing fee, late payment fees, and the annual renewal fee shall be in an amount fixed by the board. Fees may not be refunded to applicants or licensees under any circumstances.

(c) A qualified applicant for registration as a speech-language pathology assistant or audiology assistant who has paid the registration fee prescribed by the board shall be registered by the board as a speech-language pathology assistant or audiology assistant. The registration fee and the annual renewal fee shall be in an amount that is one half of the registration fee and annual renewal fee required of speech pathologists and audiologists respectively. Fees may not be refunded to applicants or registrants under any circumstances.

(d) The fee for issuance of a license issued to replace one that is lost, destroyed, mutilated, or revoked shall be fifteen dollars (\$15), and the fee shall accompany the application for a replacement license.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §14; Acts 1985, No. 85-361, p. 304, §3; Acts 1989, No. 89-234, p. 298, §3; Acts 1997, No. 97-160, p. 218, §3; Act 2001-248, p. 296, §3.)

Section 34-28A-40 Creation; composition; qualifications, appointment, and terms of office of members; meetings; quorum; vacancies; removal of members.

(a) There is established as an independent agency of the executive branch of the government of the State of Alabama, the Alabama Board of Examiners for Speech-Language Pathology and Audiology.

(b) The board shall be comprised of seven members, who shall be appointed by the Governor from names submitted to the Governor by the association. Not more than one board member from any United States Congressional District shall be appointed to serve at the same time. Those persons nominated or appointed to serve on the board shall have been engaged in rendering services to the public, or teaching, or research, or any combination of service to the public, teaching, or research, in speech-language pathology or audiology, or both for at least five years immediately preceding their appointment, and shall be citizens of this state. At least three board members shall be speech-language pathologists, at least three shall be audiologists, and one shall be a

member of the consuming public or an allied professional. The six professional speech-language pathologist and audiologist board members shall at all times be holders of active and valid licenses for the practice of speech-language pathology and audiology in this state, except for the six members first appointed, who shall fulfill the requirements set forth in the appropriate provisions of Section 34-28A-21. The membership of the board shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.

(c) The Governor shall appoint two board members for a term of one year, two for a term of two years, two for a term of three years, and one for a term of four years. Appointments made thereafter shall be for three-year terms, with no person being eligible to serve more than two full consecutive terms. Terms shall begin on October 1, except for the first appointee member, who shall serve through September 30 of the year in which he or she is appointed before commencing the terms provided by this subsection.

(d) The board shall meet during the month of October each year for the purposes of annual reorganization to select a chair and an executive secretary and to compile an annual report of business conducted during the previous year. Copies of the annual report shall be submitted to the Governor or his or her duly named representative and filed in the offices of the members of the board. Additionally, a report of the actions of the board shall be presented during the program of an annual meeting of the Speech and Hearing Association of Alabama. At least one additional meeting shall be held before the end of each year. Further meetings shall be convened at the call of the chair or any two board members. All meetings shall be open to the public; except, that the board may hold closed sessions to prepare, approve, grade, or administer examinations or, upon a request of an applicant who has failed an examination, to prepare a response indicating the reason for failure.

(e) Four members of the board shall constitute a quorum to do business.

(f) When a vacancy on the board occurs, the Speech and Hearing Association of Alabama shall recommend not less than three persons to fill each vacancy, and the Governor shall make his or her appointment from the persons so nominated.

(g) The Governor may remove from office any member of the board for neglect of any duty required by this chapter, for incompetency, or for unprofessional conduct.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §6; Acts 1981, No. 81-209, p. 250, §4; Acts 1993, No. 93-205, p. 310, §3; Acts 1997, No. 97-160, p. 218, §3; Act 2009-28, p. 89, §3.)

Section 34-28A-41 Compensation of board members.

Members of the board shall receive no compensation for their services but may be reimbursed for necessary expenses pursuant to state regulations from funds derived from fees collected under this chapter or from other available revenue sources.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §9; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-42 Powers and duties of board generally; administrative fines.

(a) The board shall administer, coordinate, and enforce the provisions of this chapter, evaluate the qualifications and supervise the examinations of applicants for licensure under this chapter and shall, at its discretion, investigate allegations of practices violating the provisions of this chapter.

(b) The board shall adopt rules and regulations relating to professional conduct commensurate with the policy of this chapter, including, but not limited to, regulations which establish ethical standards of practice, and for other purposes, and may amend or repeal the same in accordance with the administrative procedures of this state. Following their adoption, the rules and regulations shall govern and control the professional conduct of every person who holds a license to practice speech-language pathology and audiology in this state.

(c) The board shall, by appropriate rules and regulations, make provisions for the continuing professional education of persons subject to this chapter, not later than October 1, 1991.

(d) Upon the request of any person, the board shall furnish a list of persons licensed under this chapter.

(e) The board shall promulgate rules and regulations necessary to provide for registration and supervision of applicants for licensure while the applicant is meeting the professional experience requirement enumerated in subdivision (4) of Section 34-28A-21.

(f) The conferral or enumeration of specific powers elsewhere in this chapter shall not be construed as a limitation of the general functions conferred by this section.

(g) The board is hereby authorized to discipline its licensees by the adoption and collection of administrative fines, not to exceed one thousand dollars (\$1,000) per violation, and is further authorized to institute any legal proceedings necessary to effect compliance with this chapter.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §7; Acts 1989, No. 89-234, p. 298, §3; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-43 Adoption of bylaws and rules; seal; powers of board as to witnesses; institution of proceedings to enjoin or restrain violations of chapter and liability of board members therefor.

(a) The board may adopt all bylaws and rules, not inconsistent with the constitution and laws of this state, reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it.

(b) The board shall adopt and have an official seal.

(c) In carrying into effect this chapter, the board may, under the hand of its chair and the seal of the board, subpoena witnesses and compel their attendance and may also require them to produce books, papers, maps, or documents. Any member of the board may administer oaths of affirmation to witnesses appearing before the board. Witnesses officially called by the board shall receive the same compensation and shall be reimbursed for expenses in the same amount as the members of the board pursuant to Section 34-28A-41. If any person refuses to appear as a witness before the board, to testify, or to produce any books, papers, or documents, the board may present its petition to the Montgomery County Circuit Court, setting forth the facts, and thereupon the court shall, in a proper case, issue a subpoena to the person, requiring his or her attendance before the circuit court and there to testify or to produce those books, papers, and documents as may be deemed necessary and pertinent by the board. Any person failing or refusing to obey the subpoena or order of the circuit court may be proceeded against in the same manners as for refusal to obey any other subpoena or order of the court.

(d) The board is empowered to apply for relief by injunction, without bond, to restrain any person, partnership, or corporation from the commission of any act which is prohibited by this chapter. Application for an injunction may be made to the Circuit Court of Montgomery County, Alabama, or the circuit court of the county in which it is alleged that the violation is occurring. The members of the board shall not be personally liable for instituting any proceedings.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §15; Acts 1997, No. 97-160, p. 218, §3.)

Section 34-28A-44 Employment, discharge, etc., of executive secretary and other officers and employees; admissibility in evidence of copies of proceedings, records, etc., of board; monthly report and disposition of revenues received under chapter; payment of administrative expenses of board, employee salaries, etc.

(a) The board may employ, and at its pleasure discharge, an executive secretary and other officers and employees as may be necessary, and the board shall also outline their duties and fix their compensation and expense allowances.

(b) The board shall adopt a seal by which it shall authenticate its proceedings. Copies of the proceedings, records and acts of the board, and certificates purporting to relate the facts concerning the proceedings, records, and acts signed by the secretary and authenticated by the seal shall be prima facie evidence in all the courts of this state.

(c) The board shall report to the state Comptroller by the fifth day of each month the amount and source of all revenue received by it pursuant to this chapter during the previous month and shall at that time pay the entire amount thereof into a separate trust fund for the board established by the Comptroller within the State Treasury.

(d) All appropriate expenses incurred by the board in the administration of this chapter shall be paid by the Comptroller when vouchers relating to the expenses are exhibited as having been approved by the board.

(e) The board shall be financed from income accruing to it from fees, licenses and other charges, and funds collected by the board, and all such moneys are appropriated to the board for its use. All employee salaries and other expenses shall be paid as budgeted after budgets are approved by the Comptroller or within the limitations of any appropriation or funds available for that purpose.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §8; Acts 1997, No. 97-160, p. 218, §3.)

Professional Services by Vendor

	FY 2016	FY 2017	FY 2018	FY 2019
Administrative Services				
Alabama Interactive LLC	\$ -	\$ -	\$ -	\$ 100.00
Graphic Arts Services-Professional	510.00	392.71	-	-
Gilmore Services	-	-	20.40	-
Department of Finance	34.73	115.70	124.80	161.00
Speech & Hear Association of AL	1,480.00	1,170.00	2,320.00	720.00
State Personnel Department	480.00	494.00	715.00	736.00
Legislative Reference Service	700.00	600.00	-	-
Legislative Service Agency	-	-	450.00	-
Total Administrative	3,204.73	2,772.41	3,630.20	1,717.00
Data Processing Services				
Office of Information Technology	960.00	960.00	6,992.56	1,588.74
Department of Finance	37,639.90	19,099.81	1,041.62	2,048.91
Total Data Processing	38,599.90	20,059.81	8,034.18	3,637.65
Total Professional Services	\$ 41,804.63	\$ 22,832.22	\$ 11,664.38	\$ 5,354.65

Board Members



**Alabama Board of Examiners for
Speech-Language Pathology and Audiology**

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Montgomery, AL 36130-4760
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January 13, 2020

Mr. Charles Bass
Examiner of Public Accounts
Department of Examiners of Public Accounts
P.O. Box 302251
Montgomery, AL 36130-2251

Dear Mr. Bass:

As per your request the following is a list of current board members:

Mickey Ezell (CONSUMER MEMBER) Gulf Shores, AL	District 1	Term: 2016-2022
Nichole Bailey (SLP) Columbia, AL	District 2	Term: 2019-2022
Dr. Larry Molt (DUAL) Auburn, AL	District 3	Term: 2018-2021
Ms. Lana Langley (SLP) Fayette, AL	District 4	Term: 2014-2020
Mr. Mark Carroll (AUD) Huntsville, AL	District 5	Term: 2017-2020
Dr. Karen Thatcher (SLP) Alabaster, AL	District 6	Term: 2018-2021
Dr. Imola Xenia MacPhee (AUD) Tuscaloosa, AL	District 7	Term: 2019-2022

Sincerely,

Wanda C. Rawlinson
Executive Secretary