

Report on the

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

October 1, 2018 through September 30, 2020

Filed: February 12, 2021



**Department of
Examiners of Public Accounts**

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Rachel Laurie Riddle, Chief Examiner



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Honorable Rachel Laurie Riddle
Chief Examiner of Public Accounts
Montgomery, Alabama 36130

Dear Madam:

An examination was conducted on the Board of Examiners for Speech-Language Pathology and Audiology, Montgomery, Alabama, for the period October 1, 2018 through September 30, 2020. Under the authority of the *Code of Alabama 1975*, Section 41-5A-19, I hereby swear to and submit this report to you on the results and findings of the examination.

Respectfully submitted,

Daniel Dupree
Examiner of Public Accounts

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Department of
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SUMMARY

**Board of Examiners for Speech-Language Pathology and Audiology
October 1, 2018 through September 30, 2020**

The Board of Examiners for Speech-Language Pathology and Audiology (the “Board”) operates under the authority of the *Code of Alabama 1975*, Sections 34-28A-1 through 34-28A-44. The Board licenses and regulates persons who practice speech-language pathology and/or audiology in Alabama.

This report presents the results of an examination of the Board and a review of compliance by the Board with applicable laws and regulations of the State of Alabama. This examination was conducted in accordance with the requirements of the Department of Examiners of Public Accounts under the authority of the *Code of Alabama 1975*, Section 41-5A-12. Our examination was performed for the purpose of determining whether the public officers, agents, and employees of the Board properly and lawfully accounted for all money and other public assets or resources received, disbursed, or in the custody of the Board. Our examination included determining compliance by the Board with state laws and regulations that pertain to financial transactions; personnel; safeguarding of state-owned assets, property, and resources; information dissemination, processing, and retention; and official actions, rulemaking procedures, and meetings. As a part of our examination, we also reviewed internal control policies and procedures relating to the areas listed above. Our examination did not encompass managerial and operational matters, such as whether the Board accomplished its mission or its regulatory, enforcement, investigative, or other oversight activities in an efficient, fair, timely, or legal manner.

The following instance of noncompliance with State laws and regulations and other matters was found during the examination as shown on the Schedule of State Legal Compliance and Other Findings and they are summarized below.

FINDING

- 2020-01 Relates to the Board not complying with the Open Meetings Act regarding executive sessions.

EXIT CONFERENCE

Board members and the Executive Secretary were invited to an exit conference held on January 14, 2021. Individuals in attendance were Wanda Rawlinson, Executive Secretary, and Yvonne Saxon, Legal Counsel, along with Robin Hutcheson and Daniel Dupree from the Department of Examiners of Public Accounts.



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COMMENTS

**Board of Examiners for Speech-Language Pathology and Audiology
October 1, 2018 through September 30, 2020**

The Board of Examiners for Speech-Language Pathology and Audiology (the “Board”) licenses and regulates persons who practice speech-language pathology and/or audiology in Alabama. The Board operates under the authority of the *Code of Alabama 1975*, Sections 34-28A-1 through 34-28A-44.

The Board is comprised of seven members appointed by the Governor. Three members are required to be speech-language pathologists; three must be audiologists, and one member must be from the consuming public or an allied professional. The six professional members must be active, valid license holders in Alabama. No more than one member from each congressional district may serve at the same time. Members serve three-year terms and are not eligible to serve more than two full consecutive terms.

The Board employs an Executive Secretary to supervise the day-to-day operations of the Board. The Executive Secretary serves at the pleasure of the Board.

The Board operates from Special Revenue Fund 356 in the State Treasury. The Board’s operating funds consist of licensing fees. The Board is subject to the State’s normal budget procedures and cannot expend funds without a legislative appropriation. Unexpended balances in the Board’s fund at year-end remain on hand for subsequent expenditure.

The Board owned nonconsumable personal property consisting of office furniture, computers, and equipment. A comparison was done of nonconsumable personal property in the custody of the Board with property records maintained by the Property Inventory Division of the State Auditor’s Office. No discrepancies were noted.

*Schedule of State Legal
Compliance and Other Findings*

Schedule of State Legal Compliance and Other Findings
For the Examination Period Ended September 30, 2020

Ref. No.	Finding/Noncompliance
2020-01	<p><u>Finding:</u></p> <p>The Board did not comply with the requirements of the Open Meetings Act regarding executive sessions. According to official board minutes for the April 10, 2020 meeting, members participating electronically also participated in the executive session. Although Governor Ivey’s March 2020 Proclamation allows agencies to conduct meetings electronically during the pandemic, the Open Meetings Act prohibits members that are not physically present to participate in executive sessions.</p> <p>The <i>Code of Alabama 1975</i>, Section 36-25A-5.1(e) states, “Any other provision of this section to the contrary notwithstanding, a majority of a quorum of the members participating in any given meeting shall be physically present at the location noticed and called for the meeting in order to conduct any business or deliberation, and only those members who are physically present may participate in an executive session of the governmental body.”</p> <p><u>Recommendation:</u></p> <p>The Board should follow the procedures established by the Open Meetings Act when holding executive sessions.</p>

***Schedule of Cash Receipts, Disbursements and Balances
For the Period October 1, 2018 through September 30, 2020***

	2019-2020	2018-2019
Receipts		
Licenses, Permits, and Fees	\$ 306,377.00	\$ 300,843.00
Disbursements		
Personnel Costs	98,271.22	98,345.00
Employee Benefits	43,111.85	43,392.72
Travel, In-State	16,185.39	18,892.69
Travel, Out-of-State	4,592.29	
Repair and Maintenance	496.40	601.40
Rentals and Leases	20,099.52	20,099.52
Utilities and Communication	5,386.46	5,638.10
Professional Services	7,937.34	5,354.65
Supplies, Materials, and Operating Expenses	4,155.89	3,490.60
Grants and Benefits	24,500.00	29,100.00
Other Equipment Purchases		109.00
Total	<u>224,736.36</u>	<u>225,023.68</u>
Excess of Receipts Over Disbursements	81,640.64	75,819.32
Cash Balances at Beginning of Year	<u>502,659.35</u>	<u>426,840.03</u>
Cash Balances at End of Year	584,299.99	502,659.35
Reserve for Unpaid Obligations	<u>(3,166.00)</u>	<u>(16,640.00)</u>
Available Cash Balances at Year-End	<u>\$ 581,133.99</u>	<u>\$ 486,019.35</u>

Board Members and Official
October 1, 2018 through September 30, 2020

Board Members		Term Expires
Hon. Lana Langley	Chairman	2020
Hon. Mark Carroll	Member	2023
Hon. Nichole Bailey	Member	2022
Hon. Mickey Ezell	Member	2022
Hon. Imola Xenia MacPhee, Ph.D.	Member	2022
Hon. Larry Molt, Ph.D.	Member	2021
Hon. Karen Thatcher, Ph.D.	Member	2021
Hon. Deana Berube	Member	2019
Hon. Mary Parker	Member	2019

Official

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