

APA1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. Department or Agency Alabama Board of Examiners for Speech Language Pathology & Audiology
Rule No. 870-X-4-.08

Rule Title: Mandatory Continuing Education

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?

YES

Is there another, less restrictive method of regulation available that could adequately protect the public?

NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

YES

Does the proposed rule have an economic impact?

NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer

Wanda C. Paulson

Date 05-14-2013

(DATE FILED)
(STAMP)

APA2
07/04

Alabama Board of Examiners for Speech Language Pathology and Audiology

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 870-X-4-.02 Renewal
870-X-4-.08 Mandatory Continuing Education

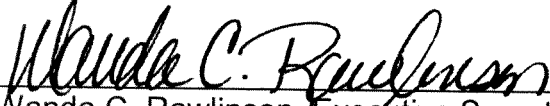
INTENDED ACTION: To amend

SUBSTANCE OF PROPOSED ACTION: To amend the rule to increase license renewal fee, add return check charge and changes to Mandatory Continuing Education.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested parties may present their views in writing to Wanda Rawlinson, Executive Secretary or via email at abespa@mindspring.com at any time during the thirty-five (35) day period following the publication of the notice or by appearing at the public hearing scheduled for 1:00 p.m. on Friday, July 19, 2013 at 400 South Union Street, 4th floor conference room.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: July 19, 2013

CONTACT PERSON AT AGENCY:
Wanda Rawlinson
(334)269-1434



Wanda C. Rawlinson, Executive Secretary

pathologist or audiologist, in illegally representing such person as a speech-language pathologist or audiologist within this state.

(d) The licensee has been grossly negligent in the practice of speech-language pathology and/or audiology.

(e) The licensee has willfully violated any of the provisions of state law governing said licensee or any regulations adopted by the Board.

(f) The licensee has been guilty of unprofessional conduct or violation of the Code of Ethics.

(g) The licensee has used fraud or deception in applying for a license.

(h) Any disciplinary violation by a licensee may be punished with a fine not to exceed \$1000.00 per violation. The Board has the authority to effect any legal proceedings necessary to enforce compliance of this rule.

Authors: David Savage, Loie Sears, and Denise P. Gibbs

Statutory Authority: Code of Ala. 1975, §§34-28A-1, et seq.

History: Filed September 20, 1982. Amended: Filed December 12, 1988; January 14, 1994.

Amended: Filed February 11, 1994; effective March 18, 1994.

870-X-4-.07 Replacement. Application can be made to the Board for replacement of a license certificate that has been lost, destroyed, or mutilated. A letter of request will serve as an application and it must be accompanied by a \$15.00 fee for replacement license certificate.

Authors: David Savage

Statutory Authority: Code of Ala. 1975, §§34-28A-1, et seq.

History: Filed December 12, 1988.

870-X-4-.08 Mandatory Continuing Education.

(a) Each licensee shall annually complete and report at least twelve (12) hours of continuing education. A minimum of ten (10) shall be in the area of licensure – Content Area I; one of the ten hours should be in the area of ethics; and a maximum of (2) may be in areas related to the profession of speech-language pathology or audiology – Content Area II, all which must contribute to professional competency of licensee. ~~A person holding licensure in both speech language pathology and audiology shall annually collect and report at least twelve (12) hours of continuing education in speech language pathology and at least twelve (12) hours in audiology for a total of 24 hours that are in compliance with the content area requirements.~~ The

Board shall not issue a renewal of a licensee's certificate of registration unless the licensee documents completion of twelve (12) hours of continuing education. The period for completion of the continuing education requirements shall be the period beginning January 1 and ending December 31 of each renewal period.

(b) Any speech-language pathologist or audiologist whose license has been placed on inactive status must obtain at least twelve (12) continuing education hours for each year of inactive status (refer to 870-X-4-.05 for inactive status) prior to license reactivation. ~~These twelve (12) hours must directly improve clinical skills in the area of licensure.~~ These twelve (12) hours must be in compliance with the content area requirements.

(c) Any speech-language pathologist or audiologist whose license has been revoked due to failure to renew must demonstrate that they have obtained at least twelve (12) continuing education hours for each year during which the license was in revoked status in addition to the continuing education hours that were required for renewal at the time the license was revoked prior to the granting of a new license.

(d) Individuals with dual licenses in both speech-language pathology and audiology shall complete at least twenty-four (24) hours of continuing education on an annual basis as a condition of licensure renewal. All twenty-four (24) required hours must meet the qualifying criteria specified. The required hours must be equally distributed between the two areas of speech-language pathology and audiology and must be completed in the twelve (12) month period beginning January 1 and ending December 31 of each renewal period. At the time of renewal, the licensee is required to specify the applicable area for each continuing education activity. Licenses with dual licenses shall complete two of the 24 hours of continuing education in ethics.

(e) A single continuing education activity shall not apply to both areas of dual licensure.

(2) Record Keeping, Recording and Monitoring.

(a) It is the responsibility of each speech-language pathologist or audiologist to maintain and compile accurate records relating to all continuing education courses or activities attended and completed. It shall be the responsibility of each speech-language pathologist and audiologist to maintain the above described documentation and information pertaining to each renewal period for a period of five (5) years and this information shall be submitted on line or a form approved by and provided by the Alabama Board of Examiners for Speech Language Pathology and Audiology at the time of license renewal. The Board will not be responsible for maintaining the licensee's documentation of the continuing education hours.

(b) Each speech-language pathologist or audiologist must submit by December 31st (the time of annual license renewal) of each year evidence of satisfactory completion of the required hours of continuing education provided for in these rules. This

information shall be submitted on a form provided by the Board or on line. Upon receipt, the Board shall have the authority to review this information. Each speech language pathologist and audiologist will be notified that either (1) the requirements of these rules have been fulfilled (by automatic renewal of their license) or (2) that there are deficiencies resulting in noncompliance with rules and regulations relating to license renewal. Licensee with deficiencies will be notified that their license(s) may not be renewed until the noncompliance has been remedied in accordance with the rules relating to license renewal.

(c) Auditing. The Board requires documentation of continuing education for audit purposes. If a licensee fails to renew his/her license on time, this will result in an automatic audit. Each year 25% of all licensees will be randomly selected for audit of their continuing education hours. If it is determined that the speech-language pathologist or audiologist submitted false or misleading documentation to ABESPA, such person may be subject to penalties outlined in Code of Ala., 1975, §34-28A-26.

(d) Each licensee shall certify by signature, electronic or otherwise, on his/her licensure renewal form, under penalty of perjury, that she/he has completed the required twelve (12) hours of continuing education, and that the continuing education obtained meets the qualifying criteria specified.

(e) Any speech-language pathologist or audiologist who receives notification that the license will not be renewed because of noncompliance with these rules will have until January 31 to remedy noncompliance/deficiencies, without penalty.

(f) If noncompliance/deficiencies are not remedied by February 28, the speech-language pathologist or audiologist has an additional thirty (30) days to appeal, in writing, to the Board. Upon the receipt of the written appeal, the Board may request the submission of additional information or records, or may require the speech-language pathologist or audiologist to appear before the Board in conjunction with the appeal. All applicable late renewal penalties apply during the appeal period.

(3) Extension.

(a) Upon written request to the Board, by January 31, and upon completion of the annual continuing education requirements as set forth herein. The Speech-Language Pathologist or Audiologist who seeks such an extension shall submit to the Board any documentation required by the Board to make a decision concerning the extension.

(b) If an extension is granted, the speech-language pathologist or audiologist must submit a plan to meet the requirements of these rules and regulations within thirty (30) days of notice that an extension has been granted.

(c) When an extension is approved by the Board, noncompliance/deficiencies must be remedied within 90 days of approval of the plan.

- (d) All late renewal penalties apply until deficiencies are remedied.
- (4) Criteria for Approval of Continuing Education.

(a) Continuing Education in Speech-Language Pathology and Audiology shall consist of a series of planned learning experiences beyond the educational programs that have led to the degree that qualifies one for licensure. The licensee must participate in CEU activities of at least twelve (12) clock hours for each license period. A minimum of ten (10) of the required twelve (12) hours of continuing education must improve the professional competency of the licensee in the area of licensure – Content Area I. A maximum of two (2) of the required twelve (12) hours can be in an area related to the area of licensure but must improve the professional competency of the licensee – Content Area II. Dual licensees must complete twenty four (24) clock hours with a minimum of ten (10) hours in each discipline from Content Area I.

CONTENT AREA I:

- (1) Anatomic and physiologic bases for the normal development and use of speech, language and hearing and balance
- (2) Physical bases and processes of the production and perception of speech, language and hearing
- (3) Linguistic and psycho-linguistic variables related to normal development and use of speech, language and hearing
- (4) Technological, biomedical, engineering and instrumentation information which would enable expansion of knowledge in the basic communication processes
- (5) Various types of disorders of communication, their manifestations, classification and cause
- (6) Evaluation skills, including procedures, techniques, and instrumentation for assessment
- (7) Principles in habilitation and rehabilitation of communication disorders
- (8) Principles in diagnosis and rehabilitation of balance and vestibular disorders
- (9) Ethical Practices
- (10) Any other professional competency area that is relevant to treatment and diagnosis.

CONTENT AREA II: (Must relate to the professional competency of Speech-Language Pathology and/or Audiology)

- (1) Regulations and implementation of federal and/or state regulated programs
- (2) Service delivery models
- (3) Administration for supervision issues
- (4) Related areas which interface with delivery of speech-language pathology and audiology services

(b) One (1) hour of continuing education credit shall be given for each clock hour of attendance

(c) Acceptable continuing education activities include, but are not limited to:

(1) Workshops in the area of licensure approved by the American Speech-Language-Hearing Association (ASHA) or the American Academy of Audiology (AAA);

(2) Academic coursework at a regionally accredited college or university in the area of licensure taken for credit or official audit (three semester hours or five quarter hours = 12 hours of continuing education);

(3) Distance learning and self study provided the activity is approved by ABESPA (i.e. continuing education lending library (CELL), video conferences, telephone seminars and Internet courses sponsored by individual private practitioners, universities, schools, clinics, state agencies, hospitals, professional organizations, or related professional organizations);

(4) Workshops and in-services that are university, school, clinic, hospital or state agency sponsored provided they are approved by ABESPA;

(5) Publication of articles in a peer-reviewed journal for the year in which they are published (maximum of two (2) hours);

(6) Scientific or educational lectures to include presentations such as poster sessions given by the licensee; the presenting licensee may count 1 ½ times the value of a workshop the first time it is presented to allow for preparation time (Example: a three hour workshop = 4 ½ hours.) No credit will be allowed for subsequent presentations of the same workshop;

(7) Related areas of study pertain to the understanding of human behavior, both normal and abnormal, as well as services available from related professions which apply to the contemporary practice of speech-language pathology/audiology, e.g., theories of learning and behavior; services available from related professions that also deal with persons who have

disorders of communication; information from these professions about the sensory, physical, emotional, social or intellectual states of child or adult; and other areas such as, clinical supervision, counseling and interviewing.

(8) Teaching at the college level in the area of communication disorders is not acceptable.

(d) Pre-approval is required for continuing education events that do not meet the requirements as listed under c.

(e) During the first cycle of licensure renewal, the graduated scale for the collection of continuing education hours is based on the date an applicant receives his/her initial license. One clock hour CEU is required for every month a new licensee is licensed in the state.

(f) Preapproval, by the Board, of a continuing education activity may be requested by the licensee.

(g) No continuing education credit shall be given for identical courses taken during the same year.

(5) Documentation of continuing education compliance, as required during an auditing period, shall be evidenced by:

(a) A Continuing Education Registry Form from the American Speech-Language-Hearing Association (ASHA) and/or the American Academy of Audiology (AAA) , specifically listing the continuing education obtained by the licensee and the dates of obtainment; or

(b) A certificate of attendance provided by a sponsor which contains the date of program, the program title and presenter(s), program site, number of clock hours attended, name of sponsor and name of licensee; or

(c) A personal letter to the licensee which contains the date of the program, the program title and presenter(s), program site, number of clock hours attended, name of sponsor, name of licensee and is signed by a program official; or

(d) An official transcript, from a regionally accredited college or university, indicating successful completion of academic coursework in appropriate subject matter as specified of this rule.

(6) Any speech-language pathologist or audiologist who fails to comply with the provisions of these rules or who otherwise violates provisions of Code of Ala. 1975, §34-28A-25 in connection with the requirements of these rules or relating to any information to be maintained or submitted to the Board as provided for in these rules shall be, upon notice of hearing, subject to the penalties outlined in the Code of Ala. 1975, Chapter 28A, §34-28A-26.

Authors: Ruth Tucker, Richard Sweitzer, Patsy Patton, Denise P. Gibbs, Lissa Van Doorn, Gina Murray, Doreen Oyadomari, Paul Stephens, Margaret Hemm, Carmen Taylor, Thomasyne Smith, and Florence Cuneo

Statutory Authority: Code of Ala. 1975, §§34-28A-1, et seq.

History: Amended: Filed February 11, 1994; effective March 18, 1994. Amended: Filed October 18, 1994; effective November 22, 1994; Filed June 20, 1997; Filed September 13, 2002; Filed July 20, 2006. Filed July 15, 2010.