

SB

365

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FILE

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 365
(S) Publish Date: 4/2/04

Revision Date/Time (Note if correction):
Title Speech-Language Pathologist Assistants
Sponsor Senate Labor and Commerce
Requester Senate Labor and Commerce
Dept. Affected: DCED
RDU Occupational Licensing (117)
Component Occupational Licensing
Component No. 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	0.8	0.8	0.8	0.8	0.8	0.8
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.8	0.8	0.8	0.8	0.8	0.8

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (1156)	0.8	0.8	0.8	0.8	0.8	0.8
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1156 - Receipt Supported Services	0.8	0.8	0.8	0.8	0.8	0.8
TOTAL	0.8	0.8	0.8	0.8	0.8	0.8

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 365 creates registration for Speech-Language Pathologist Assistants. Currently there are 121 licensed Speech-Language Pathologists. Based on similar programs that register assistants, this fiscal note assumes that at least 10% of the current licensee number will register to become an Assistant (at least 12 registrants). The expenditure shown above is based on 10% of the FY03 Speech-Language Pathologist costs. Speech-Language Pathologist Assistants will be expected to cover these costs through registration fees.

Based on biennial costs of \$1.6, registrants can expect to pay a biennial registration fee of approximately \$133.00.

Prepared by: Jennifer Strickler, Administrative Manager Phone (907) 465-2144
Division Occupational Licensing Date/Time 3/23/04 3:10 PM
Approved by: Edgar Blatchford, Commissioner Date 3/23/2004
Agency Department of Community and Economic Development

Adopted no obj
5.5.04

AMENDMENT

BY: _____

TO: CS SB 365 (FIN)

DELETE all language on page 4, lines 25-27

Alaska State Legislature



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Senator.Con.Bunde@legis.state.ak.us

SENATOR CON BUNDE

District P

VICE-CHAIR: SENATE FINANCE COMMITTEE
CHAIR: SENATE LABOR & COMMERCE COMMITTEE
MEMBER: LEGISLATIVE BUDGET & AUDIT COMMITTEE

Sponsor Statement SB365 Speech-Language Pathology Assistants

SB365 establishes registration of speech-language pathology assistants through the department of occupational licensing regardless of employment setting. Currently, speech-language pathology assistants (SLPA), in Alaska, are not licensed or regulated like the similar professions of physical and occupational therapy assistants. SB365 outlines the qualifications and training required to be an SLPA, their scope of practice, supervision and continuing education requirements.

Due to shortages in the number of qualified speech-language pathologists, many Alaskans are not receiving the consistency and appropriate amount of services they require. An SLPA will be able to assist the speech-language pathologists in clerical duties, charting progress, developing materials and assisting in other therapy services within their scope of practice. SLPAs will not be allowed to work independently of a speech-language pathologist or be given the sole responsibility of their own case/workload. SLPAs will be under the direction and supervision of a qualified and licensed Speech-Language Pathologist.

It is not the intent of SB365 to hire an SLPA in lieu of a qualified speech-language pathologist. SLPAs are to enhance the services provided.

All regions of Alaska will benefit from the use SLPAs. SLPAs will be able to enhance services in schools, private clinics, the underserved rural/remote areas, and in hospital settings. Having an assistant will allow the speech-language pathologist additional time to assess an individual's progress, write treatment plans, confer with medical and other professionals, attend meetings and complete other administrative duties as required. The recipients of speech-language pathology services will benefit the most, as they will have consistent services from appropriately trained individuals, which will decrease the length of treatment and thereby decreasing costs. Since many recipients of speech-language services receive assistance through Medicaid/Medicare, that cost savings is then passed on to the citizens of Alaska.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
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MEMORANDUM

March 31, 2004

SUBJECT: Speech- Language Pathologist Assistants SB 365
(Work Order No. 23-LS0504\H)

TO: Senator Con Bunde
Attn: Jane Alberts

FROM: Jean M. Mischel
Legislative Counsel



You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Authorizes a temporary speech-language pathology license for persons who are in the process of completing supervised clinical experience.

Section 2. Adds reference to registration of speech-language pathologist assistants to lapsed license provision.

Section 3. Adds reference to registration of speech-language pathologist assistants to suspended license provision.

Section 4. Adds new sections pertaining to the activities, qualifications, and supervision of registered speech-language pathologist assistants. Authorizes the Department of Community of Economic Development to regulate speech-language pathologist assistants.

Section 5. Adds speech-language pathologist assistant registration application and renewal to list of fees that must be set by the Department of Community and Economic Development.

Section 6. Adds a new section relating to grounds for imposition, after a hearing, of disciplinary sanctions on a speech-language pathologist assistant.

Section 7. Adds references to speech-language pathologist assistants for purposes of imposition of disciplinary sanctions by the Department of Community and Economic

Senator Con Bunde
March 31, 2004
Page 2

Development.

Section 8. Adds a reference to speech-language pathologist assistant registrants to summary suspension provision.

Section 9. Adds a reference to speech-language pathologist assistant registrants to reinstatement provision.

Section 10. Adds a reference to speech-language pathologist assistant registrants to provision allowing for reinstatement after revocation of a registration in certain circumstances.

Section 11. Adds a new subsection authorizing the Department of Community and Economic Development to place a registered speech-language pathologist on probation in certain circumstances.

Section 12. Defines different types of "supervision" and defines "screening" as used in this Act.

Section 13. Establishes a July 1, 2004 effective date for the Act.

JMM:med
04-345.med

Changes made to SB 365

The four changes that were made in Senate Finance to SB 365 were technical language changes throughout the bill that clarified that SPLAs should not conduct feeding and swallowing *screenings*.

We made the following changes to SB 365 (CS Version Q) in order to have all sections of the bill be in conformance with ASHA (American Speech Language Hearing Association) preferred practice patterns for speech-language pathology. It was recommended by Ms. Susan Pilch, Director, State Legislative and Regulatory Advocacy, ASHA, that the following changes be made to this bill to make it even stronger. Ms. Pilch reminded us that while SLPAs may perform feeding and swallowing treatment under the supervision of a certified Speech-Language Pathologist, they may not conduct feeding and swallowing screenings.

In order to have these specific changes be clear throughout all sections of SB 365, the following were necessary so that our intent to prohibit feeding and swallowing screenings by SLPAs would be achieved.

Sec. 08.11.042 (b) **page 2, line 26** "direct screening" was deleted.

Sec. 08.11.042 (c) **page 2, line 31** "new" was deleted from the former phrase "new screening."

Sec. 08.11.042 (e) **page 4, line 9** deals with what registered SLPAs are not permitted to do, that the following be added, "perform screening of feeding or swallowing functions."

Sec. 08.11.200 (11) **page 10, line 12** clarifies the definition of screening.

The new amended version reads,

"screening" means a procedure in which a client is identified by either "pass" or "fail" for purposes of necessitating further evaluation of speech, language or hearing.

Fast Facts for SB365

SLP= Licensed/Certified Speech-Language Pathologist

SLPA= Speech –Language Pathology Assistant

Concerns:

Currently Alaska does not have standards/regulations for SLP Assistants.

- Many school districts have special education aides assigned to SLPs. Aides have high school degrees, no training in speech –language specific techniques/therapies. There are not any supervision standards established or continuing education requirements. A scope of practice is not outlined and there are concerns with liability of untrained personnel providing medically related treatments (voice therapy, swallowing and feeding) and following established and proven service practices.
- With shortages of SLPs, specifically in rural areas, services cannot be provided as frequently as required.
- SLPs frequently are in a community a few days a month and need appropriately trained assistants to help provided needed services.
- Without regulations- the SLP workload increases because they have to train the new employee instead of working with clients or completing required paperwork/ billing. Hiring an appropriately trained SLPA will save time and money for the employers.
- With regulations for SLPAs, employers will be able to bill third parties and be paid for services provided.
- Regulations will prevent someone with a 2- year assistant's degree from working as an independent contractor/provider.
- **The 2-year degree requirement for SLPAs is aligned with the Federal regulations of No Child Left Behind.**

1) **31 states currently regulate SLPAs and 22 of those states have regulations similar to what is outlined in SB365** (including supervision, continuing education and initial training and practical experience). This ensures that speech-language pathology assistants in Alaska will be comparable to assistants in other states.

2) **Approximately 210 ASHA certified SLPs in AK.**

Of this, 121 SLPs are licensed through State of AK- occupational licensing to work in private practice, hospitals, or other non-school settings. SLPs are not required to hold ASHA certification to work for a school district- but they must have a Master's degree.

3) **Number of SLPs in schools not currently available:**

A request has been made to DEED: Difficulty in obtaining information is due to: SLPs can be certified with Type A (reg ed certificate w/ endorsement in SLP) or Type C (special services-SLP) Certification from DEED is not standardized for job title: Speech Language Pathology, Speech therapist, Communication Disorders Specialist, Speech/Hearing Sciences

4) **Approximate number of SLPs in larger school districts: ASD- 70. Juneau 9, Mat-Su 24, FBKS 20 and Kenai (central peninsula area) 20**

5) **Approximate number of non-regulated paraprofessionals working with SLPs in schools:** Anchorage 11, Kenai (central peninsula area) 2, Mat-Su SD 4, Juneau 1, Fbks 20

6) **SLPA program- Distance Delivery program through Prince William Sound Community College- in cooperation with UAA.** Has been in existence for 3 years. 10 graduates to date. Approximately 20 students enrolled in the SLPA program. 2/3 of current students are from rural areas. Several have indicated wanting to continue on to a BA or MA degree. Some students already have BA degrees and are going through the program to update their skills and get the needed practical experience to be an SLPA.

THE
FOLLOWING
DOCUMENT(S)
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AMERICAN
SPEECH-LANGUAGE-
HEARING
ASSOCIATION

March 31, 2004

Alaska Speech-Language Hearing Association
Nancy Lovering, President
4325 Laurel Street- Suite 100
Anchorage, AK 99508

Dear Ms. Lovering:

The American Speech-Language-Hearing Association (ASHA) would like to formally express our support for Alaska S.B. 365. ASHA is the professional, credentialing and scientific organization that represents more than 114,000 audiologists; speech-language pathologists; and speech, language and hearing scientists nationwide.

We have examined the text of S.B. 365 and would like to focus our comments on the topic of speech-language pathology assistants. S.B. 365 is well written, comprehensive and generally consistent with ASHA policy and guidelines on the use of speech-language pathology support personnel. The bill does an excellent job of clearly delineating the tasks that are allowed and prohibited to be performed by speech-language pathology assistants.

With the passage of this legislation, Alaska would be joining 31 other states that currently regulate the use of speech-language pathology support personnel. Of these 31 states, 22 states regulate through registration, similar to the proposed Alaska bill. In addition, the sections of S.B. 365 that pertain to education/experience required, title, continuing education and supervision all fall within the spectrum of other state requirements ensuring that speech-language pathology assistants in Alaska would be comparable to assistants in other states.

We feel that the bill could be made even stronger by making some minor changes and we have detailed suggested amendment language for you in the attached e-mail. If you have any questions or concerns, please contact me at spilch@asha.org or at (301) 897-5700, ext. 4284.

Sincerely,

Susan Pilch

Director, State Legislative and Regulatory Advocacy

1. Under Section 08.11.042(b) we recommend that you strike the words "direct screening." This would bring the section into conformance with the ASHA preferred practice patterns for speech-language pathology that provide that while assistants may perform feeding and swallowing treatment, they may not conduct feeding and swallowing screening.
2. Under Section 08.11.045(3)(d) we would recommend that you specify that a "full-time" speech-language pathologist may not supervise more than two individuals. You may also wish to add a sentence that specifies that a "part-time speech-language pathology assistant may not supervise more than one assistant."
3. In addition, we would recommend that you include a statement similar to "A speech-language pathology assistant may not be assigned his or her own caseload" and "a school district that intends to utilize the services of a speech-language pathology assistant must provide written notification to the parent or guardian of each student served by a speech-language pathology assistant." All of the recommendations listed in this paragraph and the one prior are provisions that have been included in various state statutes and regulations pertaining to support personnel.



Senator Con Bunde
State Capitol
Juneau, AK 99801-1182

Senator Bunde;

I am writing in support of SB 365 and encourage your support. This bill will assist in the regulation of speech-language pathology assistants working with Alaskan children and adults with communication impairments. Nationwide there is a shortage of certified speech-language pathologists and in Alaska there is also such a shortage. Many of our remote areas rely on instructional assistants to implement services when the speech-language pathologist cannot be there. Additionally, speech-language pathologists in other work settings (i.e. hospitals, urban schools, clinics) are finding the need for qualified service delivery personnel to assist in implementing services.

Speech-language pathology assistants would be highly trained in their field with an AA or BA degree and a minimum of 100 hours supervised clinical practicum by a certified speech-language pathologist. In addition, these qualifications will satisfy the requirements for No Child Left Behind. The importance of trained speech-language pathology assistants cannot be ignored. The consistency and quality of services to people in need would be greatly enhanced.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Nancy C. Lovering". The signature is written in black ink and is positioned above the typed name.

Nancy C. Lovering
President- Alaska Speech and Hearing Association
4325 Laurel St., Suite 100
Anchorage, AK 99508
907-562-8262

Cara Leckwold, M.A. CCC-SLP
4325 Laurel St. #100
Anchorage, AK, 99508
(907)561-8775

Senator Con Bunde
Staten Capitol
Juneau, AK 99801-1182

Dear Senator Bunde:

I am writing in support of SB 365 and to encourage your support. This bill will assist in the regulation of speech-language assistants working with children and adults with communication impairments. As I am sure you are aware, there is a national shortage of certified speech-language pathologists, and this has had a tremendous impact on the availability of services to people in Alaska with speech and language disorders. As a result of this shortage, many of our remote and undeserved areas must rely on assistants to implement services when a certified speech-language pathologist is not available.

Speech-language pathology assistants would be required to be highly trained in their field, have an Associate or Bachelor degree, and a minimum of 100 hours of clinical practicum supervised by a certified speech-language pathologist. These requirements of qualification would satisfy the requirements for the No Child Left Behind Act. The importance of having trained speech-language assistants cannot be ignored. The consistency and quality of services to people with communication disorders would be greatly enhanced by the implementation of this bill.

Thank you for your consideration.

Cara Leckwold

Cara Leckwold, M.A. CCC SLP
Speech Language Pathologist
ASHA #: 01083614
AK Lic. # 10



Southwest Region School District

P.O. Box 90
574 Kenny Wren Road
Dillingham, AK 99576

(907) 842-5287 • Phone
(907) 842-5428 • Fax

To Whom It May Concern:

I am writing in support of the bill that will create regulations for SLP Assistants. As a rural speech pathologist serving nine villages, I have to rely on instructional assistants and special education teachers to deliver services when I'm not in the village. I can only visit my villages twice a month so that leaves a significant amount of time that these people are delivering services for me. Even though I have given them training, it is not the same as having someone who has graduated from a college program specifically designed for the purpose of delivering speech/language services. These assistants will be highly qualified which will satisfy the NCLB requirements.

Having a SLP Assistant deliver services under my supervision will allow me the time I don't have now to consult with teachers, medical personnel and others as well as give me the opportunity to train staff, attend meetings and complete the mountain of paperwork I have. The quality and consistency of services provided to my students will be greatly improved. Although the assistants will be highly qualified, they still need guidelines to work within. This bill will provide that.

Aleknagik

Clark's Point

Ekwok

Koliganek

Manokotak

New Stuyahok

Portage Creek

Togiak

Twin Hills

Sincerely,

Tina Clumpner M.S., CCC-SLP
Speech-Language Pathologist
Southwest Region Schools

Subject: SLP Assistants

Date: Mon, 29 Mar 2004 13:46:13 -0900

From: "mary@ptialaska.net" <marylang@ptialaska.net>

To: <Jane_Alberts@legis.state.ak.us>

CC: <campbell@alaska.net>

I would like to encourage the passing of SB 365 " An Act relating to the regulation of speech-language pathology assistants; and providing for an effective date." Certified, licensed Speech/Language Pathologists are in short supply in Alaska. Programs have been in effect to educate Assistants in field appropriately to work under the supervision of licensed personnel. Their scope of practice is limited to skills developed during the acquisition of the AA or the BA. They would enhance the services available at present, offered through the SLP. Having these personnel available will allow the SLP time to consult with medical personnel and other service providers, attend meetings, evaluate, and complete other administrative duties as required. There are a number of these people available in the state at present, having gone through the AA program through Prince William Sound. Implementing them will be a tremendous help to both private therapists and school personnel increasing the frequency of service throughout the system.

Mary J. Toutonghi, MS, CCC-SLP-L



Alaska
Speech &
Language
Depot INC.

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Phone (907) 522-0078

Fax (907) 279-0331

WWW.alaskaspeech.com

March 29, 2004

SB365 "An act relating to the regulation of speech-language pathology assistants; and providing for an effective date."

This letter is in support of SB365. Please consider the following points:

The State of Alaska currently has a shortage of certified Speech-Language Pathologists, in all work settings. Presently, there are students participating in long-distance education programs to obtain their master's degree in this field, to help alleviate this shortage. Alaska does not have a degree program for Speech-Language Pathology so residents have to choose whether to reside in Alaska and participate in a distance-learning program or spend their education dollars outside. SB365 will allow these students to complete their supervised practicum and Clinical Fellowship, which are required for certification from the American Speech-Language Hearing Association and to be licensed in Alaska. Without SB365 these students would have an extremely difficult time fulfilling the requirements for their degrees while residing in Alaska.

SB365 will allow for qualified and appropriately trained assistants in the field of Speech-Language Pathology. These assistants will enhance the services currently provided in Alaska. Each assistant will be supervised by a certified & licensed Speech-Language Pathologist.

Alaska needs SB365 to be passed. Please support this bill.

Sincerely,

Cheryl Campbell, M.A., CCC
Speech-Language Pathologist / President

Subject: SB365

Date: Fri, 26 Mar 2004 16:10:22 -0900

From: Bruce & Nancy Steely <bnsteely@gci.net>

To: Jane_alberts@legis.state.ak.us

CC: campbell@alaska.net

I am writing in support of SB365. I am a practicing Speech/Language Pathologist in the Anchorage School District and have been employed in this field for over 20 years. I have seen many changes over the years, notably the extreme shortage of qualified ("highly qualified" as we now call them) Speech/Language Pathologists. I currently serve two elementary schools. I have, over the years, required the very able assistance of "speech assistants". My total caseload, this year, is such that I am again using an assistant. I am fortunate to have a person who is working on her SLPA degree. The level of professionalism and knowledge she brings to the job is superior and provides my students with the necessary follow-through of the therapy plan.

ANNE VER HOEF MA, CCC-SLP

Speech - Language Pathologist

5820 Yukon Road
Anchorage, Alaska 99507
(907) 345-4422
Fax (907) 345-4422

**LETTER IN SUPPORT OF
SB365**

**An Act related to regulation of speech-language pathology assistants; and providing
an effective date**

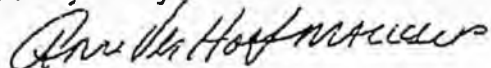
Dear Legislators:

This letter is in support of passing SB365 and the counterpart to be sent to the House regarding the regulation of speech-language pathology assistants and speech-language pathologists in their Clinical Fellowship Year (CFY).

Speech-language pathologists in their CFY have completed their Master's Degree in Speech-Language Pathology and all requirements by our national certifying agency, ASHA, with the exception of the Clinical Fellowship Year (CFY). During this 9-12 month period, the CFY candidate may be working as a Speech-Language Pathologist in various settings but is still supervised (more of a mentoring) by a certified and licensed SLP. SB365 would allow a SLP-CFY to obtain a temporary license, which is only appropriate for the scope of work the person is doing. They are providing professional services and this will help to clarify their status with various employment sites and reimbursement entities.

With regard to speech-language pathology assistants (SPL-A), SB365 will clarify the scope of practice, qualified personnel and increase the quality of services provided to Alaskans with impairments of communication, cognition and swallowing. The services provided by a SPL-A are under the direct guidance and supervision of a qualified speech-language pathologist and may occur in such varied settings as schools, hospitals, long-term care facilities and in the home. There is a critical shortage of service providers in a state with the geographical challenges of Alaska; but even in Anchorage certified speech-language pathologists are unable to cover the needs of those requesting and requiring services. This bill will help to ensure that qualified assistants may provide supportive services and Alaskan will benefit from obtaining medically necessary or educationally mandated services.

Thank you for your time and consideration in this matter.



Anne Ver Hoef, M.A., CCC-L-SLP
Speech-Language Pathologist, Certified, Licensed



April 9, 2004

SB365 "An act relating to the regulation of speech-language pathology assistants; and providing for an effective date."

This letter is in support of SB365. This bill will be heard in Senate Finance on Friday, April 16. Please consider the following points:

The State of Alaska currently has a shortage of certified Speech-Language Pathologists, in all work settings. Presently, there are students participating in long-distance education programs to obtain their master's degree in this field, to help alleviate this shortage. Alaska does not have a degree program for Speech-Language Pathology so residents have to choose whether to reside in Alaska and participate in a distance-learning program or spend their education dollars Outside. SB365 will allow these students to complete their supervised practicum and Clinical Fellowship, which are required for certification from the American Speech-Language Hearing Association and to be licensed in Alaska. Without SB365 these students would have an extremely difficult time fulfilling the requirements for their degrees while residing in Alaska.

SB365 will allow for qualified and appropriately trained assistants in the field of Speech-Language Pathology. These assistants will enhance the services currently provided in Alaska. Each assistant will be supervised by a certified & licensed Speech-Language Pathologist.

Alaska needs SB365 to be passed. Please support this bill.

Sincerely,

Cheryl Campbell, M.A., CCC
Speech-Language Pathologist / President