

ABESPA NEWSLETTER

Summer 2011

Volume XVIII

Alabama Board of Examiners for
Speech-Language Pathology and Audiology
(ABESPA)
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BOARD MEMBERS

Amanda Blaszczynski, Au.D. ABA, FAAA

Chair
District 4 Term: 2008-2011

Lawrence F. Molt, Ph.D., SLP/A, FASHA

Vice Chair
District 3 Term: 2009-2012

Committees:

Applications Review
ABESPA Liaison to SHAA

Thomasyne Hill, Ed.D., CCC-SLP

District 7 Term: 2010-2013

Committees:

Credentials Review and Enforcement
Budget

Linda W. Hughes, Consumer Member

District 2 Term: 2010-2013

Committees:

Special Assistance

Denise Heffel, M.A., CCC-SLP

District 5 Term: 2008-2011

Committees:

Rules and Regulations

Tonia Beverly, Au.D., CCC-A

District 1 Term: 2010-2013

Committees:

Continuing Education

Bobby McClung, Au.D., CCC-A

Recording Secretary
District 6 Term: 2009-2012

Committees:

Minutes/Website

STAFF

Wanda Rawlinson

Executive Secretary

Shemicka Williams

Administrative Assistant

LEGAL COUNSEL

Yvonne Saxon, J.D.

Assistant Attorney General

A Word From The Chair

Amanda Blaszczynski, Au.D. ABA, FAA

THANKS AND ENCOURAGEMENT

In October of this year I will rotate off the board after two terms, which is a total of six years. To travel to Montgomery one Friday every month for six years is a big commitment, away from your job, but in my opinion well worth it. Before I agreed to have my name put in for nomination and possible appointment to the board I knew absolutely nothing about what was involved and what the ABESPA board did besides provide my license. It certainly has been an eye opening experience for me. On more than one occasion there has been times where a licensee has put a call into the board office or written the board wanting requesting something to be done or complaining about how something has been done, but everything that the board does is done by procedure. These procedures are dictated by our laws and statutes and cannot be changed because we want to change them. If there are new things that have come about; for example the Au.D, then we propose changes our Rules and Regulations to accommodate for changes that occur in our profession. My point is the best way to understand the board proceedings and to make a difference in our state is to serve on the board. If you are one of those who do not understand the board proceedings and maybe has been doing the complaining about how things are being done, then when a SHAA member calls you to see if you are interested in serving on the ABESPA board tell them ðYESö! I promise you will enjoy it and learn so much. I truly appreciate this opportunity I have had and hope that everyone has been pleased with the job that all of the board members have done. I know that I have had an incredible experience getting to know each and everyone one of them that I have served with over the last six years. Thanks to every one one of the licensees that helped to put me on the board and to each and every one of you for serving our community every day. The ABESPA board members of the future, I am sure, will do an incredible job because we have wonderful hard working professionals in our state that will continue assuring our consumers are always receiving the best care possible.

The Alabama Board of Examiners for Speech-Language Pathology and Audiology (ABESPA) does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

Highlight on New Board Members



Linda Hughes, Consumer Member

Term: 2010-2012 District 2

Mrs. Hughes graduated from Lanier High School in Montgomery, Al in 1963 and received her Bachelor of Science Degree in Education from the University of Ala. in 1967. She is currently a Real Estate professional with her CRS and ABR designations. She has been in practice for 28 years and holds her license with Bell and Corwin Realtors in Montgomery, AL.

Married to Bert Hughes for 46 years with 3 grown children and 4 grandchildren. Mrs. Hughes became actively involved in all aspects of rehabilitation as a consumer when her youngest daughter, Lisa Hughes, at 18, was involved in a tragic, life changing car wreck in Athens, Ga. in July 1996 resulting in traumatic brain injury. During the past 15 years, Lisa has been the recipient of all aspects of therapy including speech, hearing, physical, occupational, music, and cognitive.

Consumer services have included 2 general hospitals, several private therapy clinics, 2 In- house long term living facilities, and the Speech and Hearing Clinic at the University of Montevallo. Lisa currently has a full time, in- home private care coach/teacher who continues to work with her to teach the basic skills of daily living.

Lisa is now 33 and lives at home with her mom and dad.

Within my experience, I am proud to be appointed to this board by the governor of Alabama as a consumer advocate.

Tonia Beverly, Au.D. CCC-A

Term: 2010-2012 District 1



Dr. Beverly is originally from Pensacola, Florida, but has called Mobile, Alabama home since 1987. She graduated from the University of South Alabama in 1991 with her Master of Science in Speech and Hearing Sciences. She earned her Doctor of Audiology degree from the University of Florida in 2001.

Dr. Beverly has been employed as a Clinical Audiologist at the University of South Alabama (USA) Speech and Hearing Center for over the past 19 years. While working at USA, she has had the opportunity to serve a diverse patient population, from neonates to older adults, and has conducted comprehensive diagnostic and rehabilitative audiological procedures. Her experience supervising Audiology graduate students has been invaluable and has kept her abreast of best practice protocols.

Dr. Beverly is looking forward to serving her term on the ABESPA Board.

ABESPA and DISCIPLINARY ACTIONS

BY: ASSISTANT ATTORNEY GENERAL YVONNE SAXON

INTRODUCTION

What is Discipline? Black's Law Dictionary defines Discipline as "Instruction, comprehending communication of knowledge and training to observe and act in accordance with rules and orders. Correction, chastisement, punishment, penalty. Rules and regulations."

THE LAW

Licensees:

The Alabama Board of Examiners for Speech Language Pathology and Audiology (ABESPA/Board) has the authority to discipline its licensees pursuant to ALA. CODE § 34-28A-26 (1975). The Rules and Regulations provision is § 870-X-4-.06. This provision provides that a licensee may receive the following based upon his/her actions: suspended, revoked, or reprimand. The stated violations are:

- (a) Felony conviction,
- (b) Fraud or deceit in rendering service,(c) Aided or abetted a person not a licensee to practice speech language pathology or audiology,
- (d) Violation of Code of Ethics,
- (e) Fraud or deceit in securing license,
- (f) Negligent in the practice of speech pathology or audiology, and (g) Willfully violates any provision of ABESPA's law.

ABESPA also has the authority to fine licensees for violations of ABESPA's law up to \$1,000, pursuant to ALA. CODE § 34-28A-42 (g) (1975).

Non-Licensees:

ALA. CODE § 34-28A-4 (1975), gives ABESPA the authority to punish non-licensees. Under this section, ABESPA has the authority to fine non-licensees from \$100 to \$500. The violations include representation as a licensed speech language pathologist or audiologist, false evidence, false advertising, or other actions that may violate ABESPA's law. The action of a non-licensee is a misdemeanor.

ALA. CODE § 34-28A-4 (1975), provides ABESPA with the authority to seek an injunction to stop the actions of non-licensee or licensee that may be harming Alabama consumers in the area of speech language pathology and audiology.

DISCIPLINE PROCEDURE

The following is the basic procedure for disciplinary action:

1. Written letter of complaint (mailed, faxed, e-mailed),
2. Waiver of anonymity request sent to complainant,
3. Letter to complainant acknowledging letter,
4. Letter to subject of the complaint,
5. Further investigation as deemed appropriate by ABESPA,
6. Follow-up letters to parties, and
7. Resolution of complaint formal or informal.
8. Where applicable, the complaint is also forwarded to other licensing boards.

An Informal resolution of the complaint is appropriate. If an informal resolution is reached, it will include a settlement between the Board and the parties.

A Formal resolution involves a disciplinary hearing. The Board follows the disciplinary hearing procedure as provided in ALA. CODE § 34-28A-26 (b) (c) (1975), and Rules and Regulations § 870-X-5-.01.

REPORT TO THE NATIONAL DATA BANK

All Disciplinary Actions (formal and informal) that result in a disciplinary action against the licensee is reported by ABESPA to the National Data Bank for Health Care Professionals.

APPEAL RIGHTS

Any party who is not satisfied with the Decision of the Board may appeal the decision to the Circuit Court of Montgomery County pursuant to ALA. CODE § 41-22-1, *et seq* (1975).

GENERAL SUMMARY OF COMPLAINTS

The Board has received the following types of complaints in the past five years:

- Ethical Violations: falsified documentation to receive money for services that he/she did not provide. Licensee misrepresents hours of service provided.
- Representation as SLP/AUD: A non-licensee represents that he/she was a *licensed* audiologist or speech language pathologist, and entered into a contract to provide audiology services for a nursing home.
- Misdiagnosis: Licensee misdiagnosed a hearing test done on a new born baby. Licensee was working in an exempt setting (under supervision of physician). Licensee's actions were recognized as negligence. Considering the exempt status, the Board required licensee to complete additional educational hours to maintain her license current for the next two years.
- Misrepresentations in the newspaper and telephone books: These follow the same procedure. In some instances there are exemptions or simply misunderstandings.
- Complaints regarding internet solicitation and advertisement: There is very little that can be done in this area.

SUMMARY

Decisions on disciplinary actions are decided on a case-by-case basis by ABESPA within the above guidelines. **All investigations are kept confidential.** If the investigation does not result in a disciplinary action against the licensee, the file is closed and no further actions are taken. There is no report to the National Data Bank. If, however, the complaints results in a finding of a violation against the licensee, after the confidential investigation, the report **MUST** be submitted to the National Data Bank. To avoid a violation of ABESPA's laws, ask questions before the action is taken. You may contact the Board of assistance on questions you may have in carrying out your duties as a licensed Speech-Language Pathologist or Audiologist.

ABESPA ON-LINE

The website for ABESPA is www.abespa.org. You can go to the website to verify licensure, as well as meeting dates, minutes, new Rules and Regulations proposals, and download forms such as change of address, licensure applications, and complaint forms. You can also access our stat-utes. Here you can look up information such as the requirements for licensure, acceptable continuing education classes, programs, or fees.

Continuing Education Committee

If you are selected for the 2011 continuing education audit, a renewal form will be mailed to you on October 3, 2011. All audits must be approved by a quorum of the Board at a scheduled Board meeting. In order to have your license renewed by the December 31, 2011 deadline you must return your renewal form and proof of continuing education (CE) hours for 2011 to the Board's office prior to one of the following meeting dates:

November 4, 2011

December 9, 2011

If your renewal is not received prior to one of the above dates, **you must cease and desist** from the practice of speech-language pathology and/or audiology after December 31, 2011. The Board will not review CE Audits between December 10, 2011 and January 13, 2011. Your license can be reinstated during the January 2012 Board meeting provided you have sent in the proper documentation along with your renewal form.

As you have been selected for a continuing education (CE) audit you cannot renew online at the ABESPA website. Your renewal form and documentation must be mailed directly to the ABESPA office.

If you have any questions, please feel free to contact the Board's office at (334) 269-1434 or email abespa@mindspring.com.

Credential Review and Enforcement Committee

Thomasyn E. Hill, Ed.D., CCC-SLP District 7

The Credentials Review and Enforcement Committee (CREC) is charged with investigating instances of possible violations of the Alabama Code governing the licensing of Speech-Language Pathologists and Audiologists. This is typically done in two ways: by monitoring license renewals and by investigating complaints submitted to the CREC.

In the instance of non-renewal of licensure, the ABESPA Executive Secretary notifies the licensee by mail, shortly after December 31st that the Board did not receive all necessary licensure renewal material and, if still practicing in a non-exempt setting as of January 1st, the individual is in violation of the Alabama State law. If the license is not renewed within 30 days of receipt of that letter, or an appropriate explanation of licensure non-renewal is not provided, the CREC Chair issues a formal cease and desist letter and the investigation of possible Alabama Code violations begins.

Based on information available in our office as of June 30, 2011, **the licenses of the individuals listed below are now invalid.** These licensees have failed to renew for 2011 and have not responded to the ABESPA office regarding licensure status. Anyone with information, which would raise questions about the validity of the listing, is asked to notify the Board's office. A list of valid licensees is available on the ABESPA website at www.abespa.org:

2364	SLP	Theia	A.	Chaffin
0172a	AUD	Faye	M.	Churchill
1015a	AUD	Kelly	M.	Clay
3080	SLP	Danna	Christine	Clines
1992	SLP	Huntleigh	M.	Dodson
3034	SLP	Shannon	Elizabeth	Flynn
3010	SLP	Alyssa	Renee	Fripp
2709	SLP	Heather	Wicker	Gann
2611	SLP	Kesha	J.	Gantt
2993	SLP	Emily	Lauren	Hefner
2025	SLP	Elizabeth	A.	Houssain
2933	SLP	Lori		Hoven
2978	SLP	Stacey	M.	Ishee
2233	SLP	Jeannette	Munoz	Lopez
2754	SLP	Jossena	Bonita	Matthews
1827	SLP	Nancy		Nusbaum
2368	SLP	Karen	J.	Pigott
2973	SLP	Jennifer	L.	Porter
3063	SLP	Marlene	T.	Prejean
2762	SLP	Jamie		Robertson
2769	SLP	Sherri	McVay	Rodgers
2866	SLP	Kate	Rutledge	Searcy
0881a	AUD	Steven	D.	Smith
2674	SLP	Julie	G.	Smith
0820a	AUD	Lynn		Stewart
1183	SLP	Amy	Andrews	Wilson

Credential Review and Enforcement Committee

Thomasyne E. Hill, Ed.D., CCC-SLP District 7

During the 2009 and 2010 years, 4 complaints were received by the committee. Of these complaints, none moved toward any formal disciplinary hearing. As of this date, no complaints have been filed with the Board for 2011.

If you feel that someone has violated the ASHA Code of Ethics, is taking advantage of consumers or engaging in illegal practices, please send a letter to the Board and thoroughly explain the reason(s) for your complaint. All complaints are reviewed in a timely manner by the committee and the Assistant Attorney General and all names are withheld for confidentiality purposes. ABESPA's purpose is to protect the consumer. If you have questions regarding other responsibilities of the CREC, please contact us.

Budget Committee

The Budget for the Board is reviewed at every Board meeting. There are several line items in the budget which include staff salaries, office operations and grants for organizations requesting funds for conferences and speakers to name a few. The Budget Committee is also responsible for keeping the SMART budget in compliance with the State of Alabama. We must establish measurable goals and outcomes for the Board to achieve and accomplish each year.

How to Submit Continuing Education Pre-Approvals

Pre-Approval of an upcoming Continuing Education opportunity may be submitted to the ABESPA office at any time. Approval or disapprovals are decided upon by review and vote of the entire Board. Submitting a request to an individual member results in that member submitting the individual request to the Board as a whole during the regularly scheduled meeting (*see page 3 for scheduled Board Meeting Dates*). The appropriate steps to follow include:

- (1) Log on to the ABESPA website and download the appropriate form for CEU Pre-Approval and follow the directions on the form.
- (2) The information submitted to the Board must include:
 - Course Objectives
 - Biographically Information about the Speaker
 - Classification of the Course as Content I or Content II (*see page 8*)
- (3) Submit the form to: ABESPA
400 South Union Street, Suite 397
Attn: Wanda Rawlinson, Executive Secretary
P.O. Box 304760
Montgomery, Alabama 36130-4760

Rules and Regulations – What’s It All About?

Lynn Heffel, CCC-SLP

Have you ever had a question regarding licensure, ethics, professional conduct or boundaries of practice related to your professional license? Did you know that the ABESPA Rules and Regulations can be fully viewed on the ABESPA website? This may be viewed as a burdensome task to review the Rules and Regulations for the professional practice, but in doing so you may find something that you never knew before, or you may identify something that is outdated, unclear, or needs to be changed.

The role of ABESPA is to ensure that consumers of our services are provided with licensed professionals that meet the highest standards of education, professional and ethical behavior. The Rules and Regulations comprise the documentation of those standards and expectations. The ABESPA Board members spend many hours researching Rules and Regulations from other states, consulting trends from National Council of State Boards and many hours reviewing and discussing our current Rules and Regulations. As our profession in Speech-Language Pathology and Audiology grow and change, it becomes necessary to adopt new rules and regulations or to amend or repeal the current law.

The last revisions and amendments in the Rules and Regulations were passed in 2010. The Board encourages any licensee to submit a written proposal regarding changes in the current rules and regulations to the Rules and Regulations committee. The committee will review the proposal and submit it to the Board for approval. Once approved by the Board appropriate forms must be filed, the proposed changes are published in the Alabama Administrative Monthly for review by other boards or interested parties, and a public hearing is held. Following their adoption, such rules and regulations shall work in conjunction with the Section 34-28A-1 et. Seq. of the Code of Alabama (1975). Both govern the profession and control the professional conduct of every person who holds a license to practice Speech-Language Pathology and Audiology in this state.

Get involved ó read the Rules and Regulations that govern you as a licensee for the State of Alabama!

Helpful Information Regarding the Application Process

Larry Molt, PhD, CCC-A/SLP, ABESPA Vice-Chair and Applications Review Committee Chair

The Application Review Committee receives and reviews all applications to ensure that the applicant meets all ABESPA requirements for licensure, assistant registration, and/or clinical fellowship year (CFY) or audiology fourth year registration, and makes recommendations to the Board for approval or other action. The final part of that statement is probably the most important part for applicants and employers to be aware, for it dictates when applications can be approved. All applications must be approved by action of the entire ABESPA Board, not just by the committee. Because the Alabama Governmental Sunshine Law does not allow the Board to vote or conduct business via e-mail or conference calls, the vote to approve an application can only take place at a scheduled ABESPA Board Meeting (typically on the second Friday of each month; the actual schedule of meetings is available on the ABESPA web site, www.abespa.org).

Therefore, all materials necessary to complete the application must be received by the Board prior to the day of the scheduled board meeting. If the application is not complete, the Board cannot vote to approve the application, and will be unable to act on the application until the next scheduled Board meeting, typically a month away. It is unlawful to practice speech-language pathology or audiology without a valid ABESPA license (unless practicing in an exempted setting), and a pending application, even if it is complete, does not constitute holding a valid license.

The ABESPA Board operates under state law and follows the state fiscal calendar (October 1 through September 30). During the last fiscal year (October 1, 2009 to September 30, 2010) the Board received 315 new applications. From those applications, the Board licensed 177 speech-language pathologists and audiologists, approved 75 registrants for CFY or audiology 4th year placements, and approved 7 registrants for speech-language pathology assistants or audiology assistants. While the stream of applications remains fairly constant throughout the year, busiest times for applications are late spring and early summer, with the additional influx of graduating students completing applications for CFY/4th Year registration, and individuals completing their CFY/4th year terms applying for licensure.

UPCOMING BOARD MEETINGS FOR 2011

DATE	TIME	LOCATION
August 12, 2011	10:00 a.m.	400 South Union Street, Montgomery, AL 36130-4760
September 9, 2011	10:00 a.m.	400 South Union Street, Montgomery, AL 36130-4760
October 7, 2011	10:00 a.m.	400 South Union Street, Montgomery, AL 36130-4760
November 4, 2011	10:00 a.m.	400 South Union Street, Montgomery, AL 36130-4760
December 9, 2011	10:00 a.m.	400 South Union Street, Montgomery, AL 36130-4760

ALABAMA BOARD OF EXAMINERS FOR SPEECH-
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