

# Idaho Speech, Hearing and Communication Services Licensure Board

## Board/Commission Members:

- Dr. Gayle L. Chaney, AuD, CCC-A, Boise – Chair
- Barbra Osterhout, MS, CCC-SLP, Boise
- Dr. Cynthia K. Olsen, AuD, CCC-A, Boise
- Kenneth W. Nuhn, MA-Arch, Moscow – Public Member
- Kevin C. Woodall, MS, CCC-SLP, Boise
- La Vona Andrew, MA, CI, CT, NIC: Master, Ed: K-12, Core CHI™, Boise
- Patrick J. Brown, HIS, Meridian

**Board/Commission Composition:** The Board consists of seven (7) members: two (2) speech-language pathologists; one (1) licensed sign language interpreter\*; two (2) audiologists; one (1) hearing aid dealer and fitter, and one (1) public member. Board members serve a term of three (3) years. [Idaho Code § 54-2908](#). (\*Sign Language Interpreter licenses are not required until July 1, 2018.)

**Operating costs per licensee: \$77.88.** This number represents the dollar amount required annually to serve each applicant or licensee based on the average number of licensees and the average expenditures since Fiscal Year 2014. This includes all administrative, fiscal, legal and investigative services.

**Total number** of licensees in Idaho on May 19, 2018: **1,174**.

For the Idaho Speech, Hearing and Communication Services Licensure Board, the **shortest time** from complete application to issuing a license was the **same day**. The **longest time** from complete application to issuing a license was **31 days**. **42.5 percent** of all licenses were issued the **same day**. The **average time** from complete application to issuing a license was **5.6 days**. The Board issued **120 licenses** from May 19, 2017 to May 19, 2018. The full Board reviews all complete applications. Meetings are generally every 4 to 6 weeks. Sometimes application review conference calls are scheduled sooner in response to applicant requests.

**Note:** All Board meetings are subject to Idaho's Open Meeting Law. The law requires a minimum of five (5) calendar days' notice for regular meetings, and a forty-eight (48) hour notice for the agenda. Special meetings require twenty-four (24) hour meeting and agenda notice. [Idaho Code § 74-204](#).

Idaho Speech, Hearing and Communication Services Licensure Board

**A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal**

		<u>Statute Title 54, Chapter 29</u>	<u>Rule IDAPA 24.23.01</u>	<i>*Policy</i>	<u>Application</u>	<u>Basis to Deny Issuance or Renewal</u>	<u>Fees</u>
Speech-Language Pathologist	Issuance for Initial License	<a href="#">I.C. § 54-2913</a>	<a href="#">24.23.01.220</a> <a href="#">24.23.01.310</a>	*	<a href="#">Application</a>  <a href="#">Endorsement Application</a>	<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application Fee</a> <a href="#">\$70 License Fee</a> <a href="#">\$70 Endorsement Fee</a>
	Renewal Requirements	<a href="#">I.C. § 54-2921</a>	<a href="#">24.23.01.200</a> <a href="#">24.23.01.400</a>	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	<a href="#">\$100 Renewal Fee</a>
Speech-Language Pathologist Assistant	Issuance for Initial License	<a href="#">I.C. § 54-2915</a>	<a href="#">24.23.01.240</a> <a href="#">24.23.01.310</a>	*	<a href="#">Application</a>  <a href="#">Endorsement Application</a>	<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application Fee</a> <a href="#">\$70 License Fee</a> <a href="#">\$70 Endorsement Fee</a>
	Renewal Requirements	<a href="#">I.C. § 54-2921</a>	<a href="#">24.23.01.200</a> <a href="#">24.23.01.400</a>	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	<a href="#">\$100 Renewal Fee</a>

*\*All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

**Idaho Speech, Hearing and Communication Services Licensure Board**

		<b>Statute</b> <a href="#">Title 54, Chapter 29</a>	<b>Rule</b> <a href="#">IDAPA 24.23.01</a>	<i>*Policy</i>	<b>Application</b>	<b>Basis to Deny Issuance or Renewal</b>	<b>Fees</b>
Speech- Language Pathologist Aide	Issuance for Initial License	<a href="#">I.C. § 54-2914</a>	<a href="#">24.23.01.230</a> <a href="#">24.23.01.310</a>	*	<a href="#">Application</a>  <a href="#">Endorsement Application</a>	<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application Fee</a> <a href="#">\$70 License Fee</a> <a href="#">\$70 Endorsement Fee</a>
	Renewal Requirements	<a href="#">I.C. § 54-2921</a>	<a href="#">24.23.01.200</a> <a href="#">24.23.01.400</a>	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	<a href="#">\$100 Renewal Fee</a>
Audiologist	Issuance for Initial License	<a href="#">I.C. § 54-2912</a>	<a href="#">24.23.01.210</a> <a href="#">24.23.01.310</a>	*	<a href="#">Application</a>  <a href="#">Endorsement Application</a>	<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application Fee</a> <a href="#">\$70 License Fee</a> <a href="#">\$70 Endorsement Fee</a>
	Renewal Requirements	<a href="#">I.C. § 54-2921</a>	<a href="#">24.23.01.200</a> <a href="#">24.23.01.400</a>	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	<a href="#">\$100 Renewal Fee</a>
Speech Pathology Provisional Permit	Issuance for Initial License	<a href="#">I.C. § 54-2919</a>	<a href="#">24.23.01.460</a>	*	<a href="#">Application</a>	<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application Fee</a> <a href="#">\$100 License Fee</a>
	Renewal Requirements	N/A	N/A	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	N/A
Audiology Provisional Permit	Issuance for Initial License	<a href="#">I.C. § 54-2919</a>	<a href="#">24.23.01.470</a>	*	<a href="#">Application</a>	<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application Fee</a> <a href="#">\$100 License Fee</a>
	Renewal Requirements	N/A	N/A	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	N/A

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**Idaho Speech, Hearing and Communication Services Licensure Board**

		<b>Statute</b> <a href="#">Title 54, Chapter 29</a>	<b>Rule</b> <a href="#">IDAPA 24.23.01</a>	<i>*Policy</i>	<b>Application</b>	<b>Basis to Deny Issuance or Renewal</b>	<b>Fees</b>
Hearing Aid Dealer and Fitter	Issuance for Initial License	<a href="#">I.C. § 54-2916</a>	<a href="#">24.23.01.250</a> <a href="#">24.23.01.400</a>	*	<a href="#">Application</a>  <a href="#">Endorsement Application</a>	<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application Fee</a> <a href="#">\$70 License Fee</a> <a href="#">\$70 Endorsement Fee</a>
	Renewal Requirements	<a href="#">I.C. § 54-2921</a>	<a href="#">24.23.01.200</a> <a href="#">24.23.01.400</a>	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	<a href="#">\$100 Renewal Fee</a>
Hearing Aid Dealer Provisional Permit	Issuance for Initial License	<a href="#">I.C. § 54-2919</a>	<a href="#">24.23.01.450</a>	*	<a href="#">Application</a>	<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application</a> <a href="#">\$100 License</a>
	Renewal Requirements	N/A	N/A	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	N/A
Sign Language Interpreter	Issuance for Initial License	<a href="#">I.C. § 54- 2916A</a>		*		<a href="#">I.C. § 54-2923</a>	<a href="#">\$30 Application Fee</a> <a href="#">\$70 License Fee</a> <a href="#">\$70 Endorsement Fee</a>
	Renewal Requirements			*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	<a href="#">\$100 Renewal Fee</a>
Inactive License	Issuance for Inactive Licenses	<a href="#">I.C. § 54-2921</a>	<a href="#">24.23.01.205</a>	*		<a href="#">I.C. § 54-2923</a> <a href="#">I.C. § 67-2614</a>	<a href="#">Inactive License:</a> <a href="#">\$40; \$45</a>

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**Idaho Speech, Hearing and Communication Services Licensure Board**

**B. Applications and Renewals Denied, May 19, 2017-May 19, 2018**

Refusal to Issue Initial License [Total Number: 1]

	Basis in Statute and/or Rule	Summary of Factual Basis
1	I.C. <a href="#">§ 54-2914(1)(b)</a>	Applicant must meet educational program standards.

Refusal to Renew License [Total Number: 0]

	Statutory Basis	Summary of Factual Basis
	None	

## Idaho Speech, Hearing and Communication Services Licensure Board

### C. Disciplinary Actions in the Last Five (5) Years\*\*

The Idaho Speech, Hearing and Communication Licensure Board received **57 complaints** from Fiscal Year 2013 through May 19, 2018. During this time frame, **37 complaints were closed** by the Board with no disciplinary action; **16 resulted in disciplinary action**; **1 was pending legal review**; **1 was pending Board review**; and **2 remained under investigation**.

*\*\*The detail provided below is only for disciplinary action closed between May 19, 2017 and May 19, 2018. Cases are not always closed within the same fiscal year they are opened, and sometimes multiple complaints are included in one disciplinary action.*

Number	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
SHS-2018-3	4/13/2018	Settlement Order	I.C. <a href="#">§ 54-2910</a> ; IDAPA <a href="#">24.23.01.400</a>	Respondent failed to document continuing education required for renewal.
SHS-2017-5	1/12/2018	Consent Order	I.C. <a href="#">§§ 54-2903(8)</a> and <a href="#">54-2923(6) and (17)</a> ; IDAPA <a href="#">24.23.01.500.02</a>	Respondent failed to administer necessary tests utilizing appropriate, established procedures and instrumentation.
SHS-2017-6	12/21/2017	Consent Order	I.C. <a href="#">§ 54-2923(13)</a> ; IDAPA <a href="#">24.23.01.450.03</a>	Respondent failed to properly and adequately supervise a hearing aid dealer and fitter trainee.
SHS-2017-3	12/21/2017	Consent Order	I.C. <a href="#">§§ 54-2903(8)</a> and <a href="#">54-2923(6) and (17)</a> ; IDAPA <a href="#">24.23.01.450.04 and .500.02</a>	Respondent failed to administer necessary tests utilizing appropriate, established procedures and instrumentation, and failed to submit complete trainee quarterly reports.
SHS-2017-4	10/11/2017	Consent Order	I.C. <a href="#">§§ 54-2923(13) and (17)</a> ; IDAPA <a href="#">24.23.01.450.02(a) and .03(c)</a>	Respondent failed to properly and adequately supervise a hearing aid dealer and fitter provisional permit holders.

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**D. Changes or Attempted Changes in the Last Five (5) Years to Eliminate Barriers to Entry**

Law and Rule

Session	Legislation or Rule	Summary
2013	<a href="#">Docket No. 24-2301-1201</a>	Added an inactive license; updated language for a provisional permit for fitting and dealing hearing aids and removed restrictions for supervision of permit holders; and added provisional permits for speech-language pathology and audiology.  <b>Impact:</b> This lowered the fee if the licensee is not practicing; changed the qualifications for speech-language pathologists to clarify the supervised experience requirement; and changed the provisional permit section to clarify the permit requirements and limitations for each licensure category.
2013	<a href="#">House Bill 34</a>	Updated language to reflect current national standards for audiologists.
2014	<a href="#">House Bill 357</a>	Revised language to update what constituted a quorum to allow more flexibility.  <b>Impact:</b> Eliminated requirements for specific Board members to be present in order to meet the quorum requirement. <b>This change allowed more flexibility in establishing a quorum, which allowed licenses to be issued more quickly.</b>
2015	<a href="#">Docket No. 24-2301-1401</a>	Updated the rules to reflect the changes from <a href="#">House Bill 357</a> in 2014.
2017	<a href="#">Docket No. 24-2301-1601</a>	These rule changes included a fee reduction for original license and license renewal fees. These changes also updated the rules to establish qualifications for supervisors for the provisional permits added in 2013 to ensure permit holders received adequate training.  <b>Impact:</b> The fees were lowered because the Board’s revenues were exceeding its expenses and the Board wanted to leave more money in the hands of the licensees.

## Idaho Speech, Hearing and Communication Services Licensure Board

### Law and Rule (continued)

Session	Legislation or Rule	Summary
2017	<a href="#">House Bill 46</a>	The Legislature added licensure for sign language interpreters to meet the needs of the public for accurate interpretation services.
2018	<a href="#">Docket No. 24-2301-1702</a>	This rule established the rules for sign language interpreters, including identifying what was included and that dual licensure was not required.
2018	<a href="#">Docket No. 24-2301-1701</a>	Newborn screening rule clarified that performing newborn hearing screening tests on infants using automated equipment does not, by itself, constitute the practice of audiology.
2018	<a href="#">Docket No. 24-2301-1701</a>	<p>This rule changed the requirement for continuing education units for licensees from a minimum of ten (10) hours annually to a minimum of thirty (30) contact hours every three years. This change aligned licensure requirements and the American Speech-Language-Hearing Association (ASHA) requirements.</p> <p><b><u>Impact:</u></b> This rule change allows licensees to easily meet the requirement for continuing education units for ASHA and the requirements for their state's license.</p>

### Additional Barriers Eliminated/Opportunities Provided

Date	Barriers/Opportunities	Summary
February 2018	Review of applications	The Board added a policy that allows a designated Board member to review/approve permit applications so applicants would not have to wait until the next Board meeting.

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### Additional Barriers Eliminated/Opportunities Provided (continued)

Date	Barriers/Opportunities	Summary
2017	Implemented Idaho Code for military service and added it to the Board's website	<p>I.C. <a href="#">§ 67-2620</a> For military service members and veterans, the Board added to its website a link to a law that says the Board may accept military training and experience toward qualification for licensure. <b>The law states that professional and occupational licensing boards may accept military education, training, and experience toward meeting the qualifications for a license, certification or registration.</b> Boards may also expedite applications, including military spouse applications.</p> <p>I.C. <a href="#">§ 67-2602A</a> Additionally, if a licensee already holds an active Idaho license and is on active duty in the United States Armed Forces, that license will remain active without renewing it <b>for six (6) months following discharge from active duty. The license shall remain in good standing without the necessity of renewal and during said period the same shall not be cancelled, suspended or revoked.</b></p>
2015	I.C. <a href="#">§ 67-2614</a>	<p>Sets the reinstatement fee to \$35 and eliminates the requirement that, in addition to the reinstatement fee, the licensee has to include payment of the license fees for all of the years the license has been expired. It also clarifies the continuing education required to reinstate.</p> <p><b>Impact:</b> Those whose licenses expired within the last five (5) years had to pay licensure fees for each year they were expired. Anyone whose license had been expired for more than five (5) years would have to apply as a new applicant. This law change reduces barriers to reentry in two ways. For those whose licenses have been expired for less than five (5) years, it eliminates the requirement to pay licensure fees for each year the license was expired. For those whose licenses have been expired for more than five (5) years, it allows the Board to consider education, supervised practice, examination or practice in another jurisdiction in determining the person's competency when reviewing applications.</p>

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### Additional Barriers Eliminated/Opportunities Provided (continued)

Date	Barriers/Opportunities	Summary
2011	Decreasing the amount of time a student must wait to get to work after completing educational requirements	Since 2011 the Board has allowed the Department Chair at the University to submit a letter stating that the student has met the all of the educational requirements necessary for the degree. The Board now issues a provisional license based on the letter instead of waiting for the official transcript. The policy has greatly reduced the time delay between when a student completes the educational requirements and when they can be issued a provisional license, which allows them to go to work. In some cases, it can take three to six months after the education is completed to receive an official transcript.
2010	Hearing Aid Dealer and Fitter Practical Exam Schedule	The Board changed its exam schedule from annually to as-needed.  <b><u>Impact:</u></b> This removed a barrier by allowing applicants to take the entrance exam upon request, as opposed to making applicants wait until the annual testing date. This change allows individuals to get work earlier.
2001	<a href="#">House Bill 13</a>	This bill removes members of the Board from the Public Employee Retirement System of Idaho (PERSI) by changing the payment they receive from compensation to an honorarium under I.C. <a href="#">§ 59-509(h-n)</a> .

### **E. Assessment of Public Interest**

Speech pathologists, audiologists, hearing aid dealers and fitters, and sign language interpreters carry the charge of public trust for the identification and the rehabilitation of speech and hearing disorders, also known as communication disorders. This includes, but is not limited to, speech articulation problems, language disorders, voice disorders, stuttering, autism spectrum disorders, swallowing disorders, hearing loss, tinnitus, balance disorders, and deafness. These services are provided for infants, children, teenagers, adults and the elderly. Many of these citizens are vulnerable and rely on educated and ethical professionals to improve their communication difficulties. Adequate communication is essential for physical, mental and emotional health.

These disorders are surprisingly common. Thirty-one (31) percent of people over age 65 have hearing loss. Fifteen (15) percent of school age children have speech and language disorders. One (1) in 68 children has an autism spectrum disorder. Seniors with untreated hearing loss are significantly more likely to develop dementia and experience cognitive decline. Social isolation leads to depression, memory, attention and focus difficulties, cognitive decline and mental illness.

This vulnerable population, as described above, represents over 250,000 people in Idaho. Their protection is ensured through the safe practice of these professions. When performed improperly, the results can be catastrophic: irreversible decline in residual hearing, trauma and damage to the physical structures of the ears and mouth, inadequate educational opportunities, inability to obtain or maintain gainful employment, loss of financial resources, and even fatality.

## F. Recommendations for Improvement, Modification, or Elimination of Requirements

1. Add a definition of “Direct Client Contact.”
2. Add a rule for the termination of permits. (IDAPA [24.23.01.460.02.5](#), [24.23.01.450.03.i](#), [24.23.01.470.02.d](#))
3. Review the qualifications for Hearing Aid Fitters and Dealers. Idaho only requires a high school education and passage of an exam, making portability from Idaho to other states difficult. Idahoans have a high exam failure rate; and in the last four (4) years, this group of licensees represented 53 percent of the total complaints received by the Board, but only represents 10 percent of the Board’s total license count.
4. Better define audiology support personnel (IDAPA [24.23.01.211.01](#)) and eliminate outdated language such as “temperate habits” in I.C. [§ 54-2916](#).
5. Eliminate the age requirement and allow it to coincide with other laws. (For example, a person must be 18 to sign contracts.)
6. Bring continuing education requirements for sign language interpreters and deaf interpreters into conformity with the Registry of Interpreters for the Deaf (RID), a widely enlisted national certification organization for sign language interpreters and deaf interpreters. This would remove the requirement for licensees to comply with two separate requirements for continuing education units.
7. Continue to monitor telehealth issues being raised by licensees and whether the current Act is sufficient.

## Idaho Speech, Hearing and Communication Services Licensure Board

### Summary of Objectives

The Licensing Freedom Act asked that all of Idaho's professional licensing entities critically look at their processes, laws and rules. The goal is to document the elimination of barriers and make recommendations for future changes that improve, modify or eliminate laws and rules governing professional licensure. In response, the Idaho Speech, Hearing and Communication Services Licensure Board respectfully submits the above report and summarizes with a checklist to ensure all of the objectives were met:

- ✓ Objectives of Executive Order
  - ✓ Protect the public. (*I.C. [§ 54-2902](#)*)
  - ✓ Portability of licensure. (*IDAPA [24.23.01.310](#)*)
  - ✓ Eliminate barriers to entry to work. (*I.C. [§ 67-2614](#); see Section D*)
  - ✓ Do away with unnecessary regulation. (*Address complaints and review possible barriers to hearing aid dealers and fitters*)
  - ✓ Modernize licensure and regulatory requirements. (*Streamline continuing education requirements for sign language interpreters*)
  
- ✓ Comprehensive Review - consider some of the issues raised in the background material, such as,
  - ✓ Telework – Idaho has recently passed laws related to telehealth but other occupations may be facing similar issues regarding telework. (*I.C. [Title 54, Chapter 57](#)*)
  - ✓ Distance/Online Learning/Testing – distance/online education and testing are increasingly available and may influence the resources that applicants or licensees can access to obtain education, continuing education or to test. (*CEU for all licensees, IDAPA [24.23.01.400](#)*)
  - ✓ Criminal History – What barriers or additional obstacles do applicants/licensees face who have a criminal conviction? Do our laws consider the relevance or proximity in time of a conviction to the individuals applying for licensure or for those currently in practice? (*IDAPA [24.2301.260.01.b](#)*)
  - ✓ Early Examination – What can be addressed in the timing of processes to eliminate unnecessary delays? (*Hearing aid dealers practical exam is on-demand; exams for speech language pathology and audiology are taken as part of their educational program.*)
  - ✓ CE Hardship – Is there an allowance for extenuating circumstances? (*IDAPA [24.23.01.400.05](#)*)
- ✓ Temporary Permits – Are there opportunities to work while minimum requirements are being met? (*Provisional permits are offered for all licensees: IDAPA [24.23.01.450](#); IDAPA [24.23.01.460](#); IDAPA [24.23.01.470](#); and IDAPA [24.23.01.480](#)*)