

# Ohio Board of Speech-Language Pathology and Audiology

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TESTIMONY BEFORE  
THE  
SENATE FINANCE COMMITTEE  
OHIO SENATE

THE HONORABLE CHRIS WIDENER, CHAIR

WEDNESDAY, MAY 4, 2011

10:00 A.M.

ROOM 126

STATEHOUSE

COLUMBUS, OHIO 43215

BIENNIAL OPERATING BUDGET 2012-2013

**INTRODUCTION:**

Good morning, Chairman Widener and respected members of the Senate Finance Committee. My name is Gregg Thornton and I am the Executive Director for the Ohio Board of Speech-Language Pathology and Audiology (“Board”). I appear before this committee to seek the support of the Ohio Senate concerning the Board’s Fiscal Year 2012 and 2013 Executive Budget recommendations. After a brief description of the Board and its role, I would like to focus the majority of my testimony on the budget recommendations.

**THE OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY:**

The Ohio Board of Speech-Language Pathology and Audiology is a unique regulatory board. The Board regulates two distinctly different professions: the practice of speech-language pathology, provided by licensed speech-language pathologists related to the development and disorders of human communication and the practice of audiology, provided by licensed audiologists related to hearing and the disorders of hearing. The Board's mission is to regulate the practice of speech-language pathology and audiology by establishing, promoting, and enforcing practice standards and professional competency among licensees pursuant to Chapter 4753 of the Ohio Revised Code and Ohio Administrative Code.

The Board was originally established in 1975 to regulate the practice of speech-language pathology and audiology. Speech-Language Pathology and Audiology are highly technical and versatile health care professions. Individuals applying for a speech-language pathology license must hold at least a master’s degree in speech-language pathology. Individuals applying for an audiology license must hold at least a doctor of audiology degree. Ohio's regulations requiring the doctor of audiology degree were the first in the country to take effect on January 1, 2006. Twenty-six other states now require the doctor of audiology degree to practice audiology, with more states expected to follow. Speech-language pathologists and audiologists work throughout the state of Ohio treating communication and hearing disorders of Ohioans. These healthcare professionals work in schools, hospitals, nursing homes/long term care facilities, rehabilitation facilities, home healthcare, community-based/non-profit centers, universities, research centers, and private practice.

The Board consists of eight residents of this state appointed by the governor with the advice and consent of the senate. Three members of the board are licensed speech-language pathologists, and three members are licensed audiologists, who have been licensed and engaged in the practice, teaching, administration, or research in the area of appointment for at least five years prior to the dates of their appointment. Two members shall be representatives of the general public, and neither shall be a speech-language pathologist or audiologist or a person licensed under this chapter. At least one of the members representing the general public shall be at least sixty years of age. The Board conducts about seven board and committee meetings annually to fulfill the its duties under Ohio Revised Code Chapter 4753.

The Board of Speech-Language Pathology and Audiology also serves Ohio consumers of

speech pathology and audiology services by regulating the practices of audiology and speech pathology. The regulatory scheme sets educational and examination standards for entry into the professions; requires that licensees maintain competency throughout practice, and requires that licensees practice within ethical standards.

Today, licensing in speech-language pathology and audiology is required nationwide. There are currently 7,289 licensees. Included in the written testimony is a breakdown of the various licenses the Board issues to individuals who meet the licensure requirements.

■ Speech-Language Pathologist	5,870
■ Audiologist	904
■ Inactive	133
■ Audiologists – 25	
■ Speech-Language Pathologists – 108	
■ Conditional Speech-Language Pathologists	271
■ Student Permit Holders	41
■ Speech-Language Pathology Aides	10
■ Audiology Aides	60
TOTAL	7,289

The Board employs four full-time staff: 1 Licensing Administrator, 1 Investigator, 1 Administrative Assistant, and the Executive Director. The Licensing Administrator is responsible for the intake and processing of all licensure applications, as well as serving as Acting Executive Director, in the Executive Director’s absence. In FY 2010, the Licensing Administrator processed 716 new license applications, which includes a total of 314 conditional license applications, an all-time high. 35 student permit applications were processed during FY 2010. The Licensing Administrator reviews, evaluates, and recommends for approval licensure applications on the 1st and 15th of each month.

In FY 2010, the Board investigator closed 36 cases involving alleged violations of the Speech-Language Pathology and Audiology practice laws. 24 consent agreements and 1 cease and desist letter were issued. In addition, the investigator conducted an audit of continuing education compliance for licensed speech-language pathologists and audiologists in Ohio. The Board audited approximately 5% of all licensees in each profession. This resulted in 285 random audits, which included the three speech-language pathology and three audiology board members. 98.4% of those audited were found to be in compliance. 3 licensees were found to be deficient, resulting in 2 consent agreements and 1 surrendering of license. In addition, the Board audited 86 licensees who renewed their license late. 81.3% of those audited under this category were found to be in compliance. 16 licensees were found to be deficient, resulting in appropriate disciplinary action.

The Board's Administrative Assistant supports all aspects of the Board’s operations, staff, and board members. The Board has a strong history of meeting its core licensing mandates with a stable staff of four. Each staff person is cross-trained in key components of the other person’s position. Throughout its history the Board has

continually redefined how to do the job more efficiently, while holding costs increases to a minimum and licensing fees unchanged or decreased to reflect expenditure versus revenue trends.

#### **ACCOMPLISHMENTS:**

- In FY 2010, the Board issued 716 new licenses during the 1<sup>st</sup> and 15<sup>th</sup> of each month during the year.
- Received legislative support to amended Ohio Revised Code section 4753.06 (F) to correct the intent to allow open grandfathering for audiologists who received a Master's degree in audiology before January 1, 2006, and who have maintained active practice and/or continuing education units.
- Received legislative support to adopt a new statute under Ohio Revised Code section 4753.091 to allow licensees to place their license in inactive status.
- Updated Board disciplinary actions with the Health Integrity Practitioner Data Bank and became fully compliant with the new federal reporting mandates by March 1, 2010.
- Amended Ohio Administrative Code section 4753-3-10(E)(2) to simplify renewal procedures for individuals whose license has been expired more than one year.
- Developed a new licensure status for Conditional Licensees seeking employment, which allows employers to readily determine whether a required Plan has been approved by the Board and thereby assisting in the prevention of practice without a license and the reduction of billing errors.
- Amended Ohio Administrative Code section 4753-3-07 to permit web-based supervision during the supervised professional experience.
- Adopted new rules to implement the requirements under Ohio Revised Code section 1347.15 governing access to personal confidential information.
- Entered into a Memorandum of Understanding with the Ohio Department of Education related to the Student Intern Program and supervision of student permit holders.
- Issued Student Permits to qualified applicants to address shortages in hard to place school districts across the state.
- Continued regular communications with licensees and interested parties via the Board's newsletter.
- Continued outreach to university graduate students regarding the licensure application process.
- Maximized cost savings by enrolling in the State's Cost Per Copy Program.

#### **BOARD EFFICIENCIES:**

I would like to point out some important facts relative to the Board's budget and management. The Board fully utilizes the back-office support functions and services provided by the Department of Administrative Service – Central Service Agency ("CSA"). By consolidating support services provided by the CSA, the Board does not have to hire personnel to manage functions related to fiscal processing, information technology, human resources, or procurement. The Board also shares access with other regulatory boards to the Ohio E-License system to process and manage all aspects of licensure activities, including the processing of licensure applications, issuance of

licenses, enforcement activities, and continuing education requirements. As a result of this leveraging:

- There has been no increase in application fees or renewal fees since 1992.
- The Board's expenditures have remained relatively flat since 1997.
- There has been no increase in the Boards staff since 1994.
- The staff duties are designed to optimize efficiency, effectiveness, and support.
- The Ohio E-License system has resulted in better record keeping and improved services to our licensees.

Additionally, the Board utilizes technology to communicate with licensees in an efficient and cost-effective means through distribution of our eNewsletter on a quarterly basis, an improved web site, and a licensee E-mail list serve. Moreover, administrative hearings and the costs associated with them have decreased with a more aggressive use of Consent Agreements in disciplinary actions. While the Board strives to operate in the most efficient means possible, we do so with a commitment to fulfilling our mission of consumer protection and maintaining a high level of customer satisfaction.

**EXECUTIVE BUDGET RECOMMENDATIONS:**

For FY 2012, the Executive Budget recommends \$477,490.00 or a funding decrease of 6.9% from the current FY 2011 appropriation of \$513,000.00. In FY 2013, the Executive Budget recommends \$472,260.00, a 1.1% decrease from the FY 2012 recommended funding. The Board's budget was prepared using a zero-based budgeting approach. The amounts reflected in the Executive Budget recommendations are lower than the total amount requested due to a Controlling Board appropriation in FY 2010 to meet one-time only expenditures. Consequently, we believe the current Executive Budget recommendations will fund the Board to meet its core functions, which include licensing qualified speech-language pathology and audiology professionals, investigating complaints, and monitoring continuing education compliance.

The Board is fully aware of the very difficult economic circumstances for the State of Ohio and like most State agencies, the Board completely understands the challenges facing Ohio, and we are prepared accept our part of this challenge.

**EFFECT OF EXECUTIVE BUDGET RECOMMENDATIONS:**

*Continued funding for existing personnel and Board Members*

The Executive Budget Recommendations will support payroll costs for four full-time office staff and eight board members (approx. 140 hrs. each annually).

*Purchase service funding*

The Executive Budget Recommendations will support the costs for administrative hearings and Auditor's fees for the Board's biennial audit.

*Continued funding of maintenance expenses*

The Executive Budget Recommendations will fund ongoing maintenance expenses for the Board. Most maintenance expenditures are strictly non-discretionary. These are generally fees passed along to the Board from other state agencies that provide a service. This includes information technology support services, internet connectivity, telephone charges, mail presort and postage, office rent, central service agency charges, and elicense system use. Some maintenance costs are arguably discretionary. These costs include Board member and investigative travel expenses, office supplies, and credit card processing fees for online license renewal. The Board anticipates meeting all of its financial obligations through control and management of discretionary costs.

**REVENUE GENERATION:**

The Board is a non-GRF funded agency. Similar to all professional licensing boards, the Board is required to generate sufficient revenue to meet its expenditures. Fees generated are deposited into the 4K90, joint professional regulatory board fund. Each board is responsible for supporting their own budgetary needs and is strictly held accountable by the Office of Budget and Management.

In 2006, the Board reduced its license renewal fee from \$150.00 to \$100.00 to draw down its surplus in the 4K90 fund. The license renewal fee has remained \$100.00 for past three license renewal biennium periods, the most recent ending in 2010; thereby, further reducing the Board's surplus. The Board believes, based on the expected increase in license applications, that revenue from all licensing fees over the next biennium will sufficiently meet the Board's budget recommendations. However, during the FY 2012-13 biennium, the Board will evaluate its revenue to ensure it remains self-sustaining, and only adjust license renewal fees to meet that requirement.

**CONCLUSION:**

The Board supports the Executive Budget funding recommendation for the 2012-2013 biennium in the amount of \$477,490.00 and \$472,260.00 respectively. The recommended figures should cover known, anticipated expenditures for the period. The level of funding will require further innovation in our management of resources, but will be sufficient to carry out our statutory duties. Should you have any questions regarding the Board's FY 2012 and FY 2013 budget request, I would be pleased to address them.

Thank you for your consideration.

Respectfully submitted,

Gregg B. Thornton, Esq.  
Executive Director  
Ohio Board of Speech-Language Pathology and  
Audiology