

Ohio Board of Speech-Language Pathology and Audiology

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TESTIMONY BEFORE
THE
FINANCE – CORRECTIONS SUBCOMMITTEE
OHIO SENATE

THE HONORABLE JOE UECKER, CHAIR

THURSDAY, MAY 7, 2015

10:00 A.M.

NORTH HEARING ROOM

STATEHOUSE

COLUMBUS, OHIO 43215

BIENNIAL OPERATING BUDGET 2016-2017

INTRODUCTION:

Good afternoon, Chairman Uecker and respected members of the Finance – Corrections Subcommittee. My name is Gregg Thornton and I am the Executive Director for the Ohio Board of Speech-Language Pathology and Audiology (“Board”). Joining me today is Helen Mayle, a public member of the board. We appear before this committee to seek the support of the Ohio Senate concerning the Board’s Fiscal Year 2016 and 2017 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. At least twenty-six other states now require the doctor of audiology degree to practice audiology, with more states expected to follow. Prior to the doctor of audiology requirement, individuals were required to hold at least a master’s degree in audiology. Consequently, the requirement of an advanced degree to practice speech-language pathology or audiology in the state of Ohio ensures consumers receive high quality services from skilled clinicians. Speech-language pathologists and audiologists work throughout the state of Ohio treating communication and hearing disorders for Ohioans of all ages. 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 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 mandate sets educational and examination standards for entry into the professions; requires that licensees maintain competency throughout their practice, and requires that licensees practice within ethical standards.

There are approximately 8,100 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	6,467
■ Audiologist	957
■ Inactive	257
■ Audiologists – 39	
■ Speech-Language Pathologists – 218	
■ Conditional Speech-Language Pathologists	355
■ Speech-Language Pathology Aides	10
■ Audiology Aides	54
TOTAL	8,100

In FY 2014, the Board processed 786 new license applications. During FY 2015, we expect to exceed this total, based on historical licensure trends since 2009. As of February 2015, there are 6,467 active speech-language pathologists. This represents a 9% increase over the 5,884 who were licensed in December 2009. As of February 2015, there are 957 active audiologists. This represents a 2.7% increase over the 931 who were licensed in December 2009. As of February 2015, there are 355 active conditional speech-language pathologists. This represents a 15.5% increase over the 300 who were licensed in December 2009. As of February 2015, there are 8,100 total active licensees regulated by the Board. This represents a 10.5% increase over the 7,248 total licensees who were regulated in December 2009. Licenses are active for two years, and must be renewed on the even year. During 2009-2010, there was a 4.8% increase in the total number of active licenses. During the 2011-2012 biennium there was a 5% increase in the total number of active licenses. During the 2013-2014 biennium, there was a 5.3% increase in the total number of active licenses. We expect this trend to continue based on employment projections released by the United States Bureau of Labor Statistics (BLS) in November 2014. BLS projects employment of audiologists will increase over a 10-year period from 13,000 in 2012 to 17,300 in 2022 (a 34 percent increase) - much faster than the 11 percent average growth rate for all occupations. BLS projects employment for speech-language pathologists will increase from 134,100 in 2012 to 160,100 in 2022 (a 19 percent increase) – faster than the 11 percent average for all occupations. The Board reviews, evaluates, and approves licensure applications on the 1st and 15th of each month.

In FY 2014, the Board issued 12 Consent Agreements, 2 Adjudication Orders, 18 Cease and Desist letters, 50 Warning Letters, and 3 Informative letters involving violations of the Speech-Language Pathology and Audiology practice laws. In addition, the Board conducted an audit of continuing education compliance for licensed speech-language pathologists and audiologists in Ohio. In FY 2013, the Board audited approximately 5% of all licensees in each profession for the 2011-2012 licensure biennium, as well as other categories, such as late renewals and previous board action. In total, the Board completed 520 audits, which included the three speech-language pathology and three audiology board members. The audits resulted in 43 failed audits, with the Board imposing various disciplinary actions via warning letters, consent agreements, adjudication orders, etc. Three licensees surrendered their license.

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 fulfill its mission more efficiently, while holding costs and licensure fees to a minimum.

ACCOMPLISHMENTS:

- Continued regular communications with licensees and interested parties via the Board's newsletter.
- Held a Strategic Planning meeting in January 2014.
- Maintained our compliance with the Health Integrity Practitioner Data Bank by reporting Board disciplinary actions in a timely manner.
- Amended Ohio Administrative Code section 4753-4-01 specifying that two of the twenty hours of continuing education must be related to ethics.
- Amended Ohio Administrative Code section 4753-5-01 waiving the licensure renewal fee for practitioners whose license was restored within 100 days of the renewal deadline.
- Adopted Ohio Administrative Code section 4753-3-12 for summary suspension of license for a human trafficking conviction.
- Adopted Ohio Administrative Code Chapter 4753-12-01 establishing licensure pathways and other considerations for military veterans and their spouses.
- Implemented Governor Kasich's Executive Order 2013-05K regarding consideration of relevant military education and training for licensure.
- Board was invited by the Governor's Office of Workforce Transformation to serve on a workgroup for implementation of military considerations and testified in support of HB 488.
- Maintained consumer alert to Ohio consumers with hearing loss about the serious risks associated with online hearing tests and purchasing of hearing aids via the Internet.
- Support of HB 109, which prohibits the sale of hearing aids through the mail to the ultimate consumer without a prior in-person evaluation between the consumer and individuals permitted to recommend or fit a hearing aid.
- Communicated to licensees regarding the licensure renewal campaign.

- Utilized CE Broker as the Board’s official continuing education tracking system to more efficiently process continuing education audits.
- Incorporation of annual ethics training for all board members and staff.
- Received no recommendations or findings during the audit performed by the State Auditor’s Office for FY 2012-2013.
- Continued outreach to university graduate students regarding the licensure application process.
- Received “The Governor’s Top Honors Award” for exceeding the state’s 15% MBE requirement at 81.67% for FY2014.

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 since 1992. The licensure renewal fee increased from \$100 to \$120 in 2012, but was less than the level it was at in 2004, i.e., \$150.
- 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 regular basis, an improved web site, and a licensee E-mail list serve. Moreover, administrative hearings and the costs associated with them have decreased with an effective 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 2016-2017, the Executive Budget recommends \$508,660 and \$508,660.00 respectively. The Board's budget was prepared using a zero-based budgeting approach. 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.

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. 278 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 remained \$100.00 for three license renewal biennium periods. In August of 2013, the Board restored the renewal fee to \$120.00 to ensure it remains self-sustaining, and projects generating revenue of \$1.1 million during FY 2016-2017.

CONCLUSION:

The Board supports the Executive Budget funding recommendation for the 2016-2017 biennium in the amount of \$508,660 and \$508,660.00 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 2016 and FY 2017 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