

Ohio Board of Speech-Language Pathology and Audiology

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TESTIMONY BEFORE
THE
FINANCE SUBCOMMITTEE ON PRIMARY AND SECONDARY EDUCATION
OHIO HOUSE OF REPRESENTATIVES

THE HONORABLE BOB CUPP, CHAIR

THURSDAY, FEBRUARY 23, 2017

9:00 A.M.

ROOM 121

STATEHOUSE

COLUMBUS, OHIO 43215

EXECUTIVE BUDGET RECOMMENDATIONS FISCAL YEARS 2018-2019

INTRODUCTION:

Good morning, Chairman Cupp and respected members of the Finance Primary and Secondary Education Subcommittee. My name is Gregg Thornton, and I am the Executive Director for the Ohio Board of Speech-Language Pathology and Audiology (Board). I was appointed as the Board's Executive Director in 2009, and have also served with the Ohio Attorney General's Office and Ohio Inspector General's Office. Thank you for the opportunity to present testimony on the Board's Fiscal Years 2018 and 2019 Executive Budget recommendations.

THE OHIO BOARD OF SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY:

The Ohio Board of Speech-Language Pathology and Audiology (also referred to as "the Board" for purposes of this testimony) 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. Since 1975, it has been the Board's mission to regulate the practice of both professions 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.

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 was the first state in the country for the doctor of audiology degree to take effect on January 1, 2006. At least thirty-one states now require the doctor of audiology degree to practice audiology. Two years ago when I appeared before this honorable committee, twenty six states had this requirement. 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 the highest 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 in private practice. Nearly fifty percent of licensed speech-language pathologists are practicing in the school setting, identifying children with communication disabilities that impact their academic progress. Each of these settings requires its own subset of expertise and unique consumer protection issues and professional requirements.

PREVALENCE OF COMMUNICATION DISORDERS:

According to the National Institute on Deafness and Other Communication Disorders, (NIDCD), more than 46 million people in the United States suffer with some form of disordered communication. According to the American Speech-Language Hearing Association (ASHA), communication disorders cost the U.S. an estimated \$154 billion to \$186 billion annually. Intervention is likely to be much more effective and much less costly

when it is provided earlier in life rather than later. Five studies on early detection and intervention have shown that future benefits exceed treatment costs at a ratio as high as 7 to 1.

Statistics on Hearing

According to NIDCD, it is estimated that:

- About 20 percent of Americans, (48 million), report some degree of hearing loss.
- About 30% of hearing loss is syndrome related and over 400 genetic syndromes include hearing loss incorporating other health and developmental impacts and sometimes as the first indicator of life threatening syndromic pathologies.
- Age is the strongest predictor of hearing loss among adults aged 20-69, (63.5% of Ohioans - 7,326,227 - 2010 census) with the greatest amount of hearing loss in the 60-69 age group (10% of Ohioans - 1,144,273 - 2010 census).
- One in eight people in the United States (13 percent, or 30 million) aged 12 years or older have hearing loss in both ears, based on standard hearing examinations.
- About 2 percent of adults aged 45-54 (15% of Ohioans - 1,742,191 - 2010 census) have disabling hearing loss. The rate increases to 8.5 percent for adults aged 55-64 (13% of Ohioans - 1,452,266 - 2010 census). Nearly 25 percent of those aged 64-74 and 50 percent of those who are 75 and older (7% of Ohioans - 771,781 - 2010 census) have disabling hearing loss.
- Roughly 10 percent of the U.S. adult population, or about 2 million Americans, has experienced tinnitus lasting at least five minutes in the past year.
- About 28.8 million U.S. adults could benefit for using hearing aids.
- Among adults aged 70 or older (10% of Ohioans - 1,143,151 - 2010 census) with hearing loss who could benefit from hearing aids, fewer than one in three (30 percent) has ever used them.
- As of December 2012, approximately 324,200 cochlear implants have been implanted worldwide. In the United States, roughly 58,000 devices have been implanted in adults and 38,000 in children. Licensed audiologists in the state of Ohio are qualified to program/map these implants and licensed speech language pathologists are qualified to diagnose and recommend speech and language therapy plans for these individuals.
- Five out of six children experience ear infection (otitis media) by the time they are 3 years old, managed in cooperation with otolaryngologists and audiologists as well as speech language pathologists.

And according to the Hearing Loss Association of America:

- A report from the United States Department of Veterans Affairs estimated that more than 59,000 military members are on disability for hearing loss from Operation Iraqi Freedom and Operation Enduring Freedom.

It has been reported that the most-widespread injury for veterans has been hearing loss and other auditory complications.

Statistics on Voice, Speech, and Language

According to the ASHA, it is estimated that:

Speech

- Approximately 7.5 million people in the United States have trouble using their voices.
- By the first grade, roughly 5 percent of children have noticeable speech disorders.
- More than 3 million Americans stutter.

Language

- Between 6 and 8 million people in the U.S. have some form of language impairment.
- Roughly one million persons in the U.S. suffer from aphasia (the inability to use or understand language).

Ohio is the 7th largest state by population with over 11.5 million people. Many states that regulate speech-language pathology and audiology look to us as a benchmark and authority on best practice for consumer protection. With these statistics in mind, the Board's vision is for Ohioans to possess maximum communication skills in order to achieve social and vocational independence. Along with its mission and vision, the Board and its employees also share a set of core values, which are reflected in licensing, investigations, policy-making, and public relations; these values include: accountability, accuracy, fairness, integrity, leadership/role model, professionalism, respect, responsiveness, and transparency.

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 are representatives of the general public. At least one of the members representing the general public shall be at least sixty years of age.

The Board 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. The Board also licenses aides, oversees supervision of aides and business filings for employers that hire our licensed professionals.

Our Board members have diverse experience in all practice settings and consumer age groups. Since our last budget testimony, our Board members have collectively represented well over 100 years professional experience and expertise. Our public members have personally experienced the issues associated with communication disorders, either receiving assistance themselves from a licensed speech-language pathologist or audiologist or for someone in their family.

The Board is committed to fulfilling its mission as the General Assembly has lawfully prescribed, pursuant to Ohio Revised Code section 4753.05. The Board has not been subject to any litigation holding that it has exceeded its statutory authority or taken action

that constitutes an unlawful restraint of trade. The Board seeks and takes into consideration public comments on all proposed rules. The Board's rules are then reviewed by the Office of Common Sense Initiative for a determination of any economic impact. Since the inception of the Common Sense Initiative process, all of the Board's proposed rules have received favorable recommendations and successfully passed through Ohio's rule-making process. In order to ensure that disciplinary actions are fair and impartial, the Board has long been following disciplinary guidelines, which are reviewed and updated on a regular basis. Additionally, board actions must be reviewed by our statutorily appointed Assistant Attorney General with the Ohio Attorney General's Office. Since 2009, the Board has not been subject to any complaint alleging waste, fraud, or abuse that would fall under the jurisdiction of the Ohio Inspector General's Office.

The Board conducts about seven board and committee meetings annually to fulfill its duties under Ohio Revised Code Chapter 4753. We have a "working" Board, with Board members serving on committees, subcommittees, and a variety of task force and workgroups addressing professional and regulatory issues at state and national levels that impact consumer protection. Examples include:

- Ohio Department of Education's Caseload Determination Workgroup;
- Ohio Department of Health's Infant and Hearing Screening Subcommittee;
- Governor's Office of Workforce Transformation related to military training and experience and considerations for military veterans and military families, which included testifying in support of HB 488;
- Ohio Hearing Aid Assistance Program

The Board has also addressed consumer protection issues such as online sales of hearing aids, human trafficking, shortages among related service personnel in schools, continuing education tracking, etc. with a variety of state agencies and groups including the:

- Ohio Department of Education
- Ohio Department of Health
- Ohio Department of Medicaid
- Ohio Department of Veteran Services
- Ohio Academy of Audiology
- Ohio Speech-Language-Hearing Association
- Ohio School Speech Pathology Educational Audiology Coalition
- Ohio Council of Speech and Hearing Administrators
- Ohio Speech-Language Pathology Supervisory and Audiology Network
- American Speech-Language-Hearing Association
- American Academy of Audiology
- All eleven accredited universities in Ohio that have graduate level speech-language pathology and audiology programs

The Board is also a charter member of the National Council of State Boards of Examiners for Speech-Language Pathology and Audiology (NCSB), which consists of speech-language pathology and audiology licensure boards across the country. As a member of NCSB, the Board has access to a network of resources that ensure we stay on the cutting edge of

emerging licensure issues that impact consumers.

There are currently 8,605 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	6,863
■ Audiologist	992
■ Duals	38
■ Inactive Audiologist	41
■ Inactive Speech-Language Pathologist	247
■ Conditional Speech-Language Pathologists	351
■ Speech-Language Pathology Aides	4
■ Audiology Aides	69
TOTAL	8,605

In FY 2016, the Board processed 858 new license applications. During FY 2018-2019, we expect to exceed this total, based on historical licensure trends since 2009 showing an approximately five percent growth in our licensure totals during each of the last three biennium practice periods. As of February 2017, there are 6,863 active speech-language pathologists. This represents a 16.5% increase over the 5,884 who were licensed in December 2009. As of February 2017, there are 992 active audiologists. This represents a 6.5% increase over the 931 who were licensed in December 2009. As of February 2015, there are 351 active conditional speech-language pathologists. This represents a 17% increase over the 300 who were licensed in December 2009. As of February 2017, there are 8,863 total licensees regulated by the Board. This represents a 21% 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 licenses. During the 2011-2012 biennium there was a 5.2% increase in the total number of licenses. During the 2013-2014 biennium, there was a 5.6% increase in the total number of licenses. During the 2015-2016 biennium, there was a 5.3% increase in the total number of 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. We work with all eleven universities in Ohio that graduate speech-language pathologists and audiologists and arrange additional licensure approvals that coincide with their graduation dates. This ensures that qualified applicants are licensed and in Ohio's workforce, assisting Ohioans with communications disorders, within days of receiving their advanced degree. We often receive comments from individuals licensed in other states that it can take several weeks before they were able to practice.

In FY 2016, the Board issued 3 Consent Agreements, 6 Adjudication Orders, 2 Cease and Desist letters, and 29 Informative Letters involving the laws and rules governing the practice of speech-language pathology and audiology. In addition, the Board conducted an audit of continuing education compliance for licensed speech-language pathologists and audiologists in Ohio. In FY 2015, the Board audited approximately 5% of all licensees in each profession for the 2013-2014 licensure biennium, as well as other categories. In total, the Board completed 556 audits, which included the three speech-language pathology and three audiology board members. The audits resulted in 47 failed audits, with the Board imposing various disciplinary actions via warning letters, consent agreements, and adjudication orders.

The Board has a strong history of meeting its core licensing mandates with a stable and professional staff of four. Each staff person is cross-trained in key components of other staff positions. 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, consumers and interested parties via a quarterly Board newsletter, which is distributed to over 12,000;
- Holding a Strategic Planning meeting every year to establish and review priorities; incorporated into one of the scheduled board meetings.
- Maintaining our compliance with the Health Integrity Practitioner Data Bank by reporting Board disciplinary actions in a timely manner;
- Effective January 1, 2015, required two hours of continuing education related to ethics and provided resources and ethics training to licensees and employers;
- Amended Ohio Administrative Code section 4753-4-01 to specifically recognize and promote human trafficking training for continuing education credit;
- Utilizing CE Broker, a continuing education tracking system, to more efficiently streamline the Board's continuing education audit process at no cost to licensees;
- Assisted military veterans and military families under Ohio Administrative Code Chapter 4753-12-01 with expedited licensure and other considerations;
- Aided the Attorney General's office in finding licensees to help consumers negatively affected by a device manufacturer fleeing the state and abandoning patients;
- Maintained a 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;
- Implemented early communication to licensees and employers regarding the licensure renewal campaign, which has resulted in a 39% decrease in the collection of late license renewal fees;
- Incorporated annual ethics training for all board members and staff pursuant to Governor Kasich's Executive Order;
- Received no recommendations or findings during the audits performed by the State Auditor's Office for FY 2012-2013 and FY 2014-2015 audit periods;
- Continued outreach to university graduate students regarding the licensure application process resulting in a decrease in the number of violations related to the

- supervised professional experience and other issues associated with newly licensed professionals;
- Received “The Governor’s Top Honors Award” for exceeding the state’s 15% MBE requirement for FY2014 and FY2015;
 - Respond to numerous inquiries from licensees and the public seeking guidance in resolving ethical dilemmas related to the practice of speech-language pathology and audiology;
 - Providing exceptional customer service standards in all interactions with the public; the Board actively solicits, tracks and evaluates customer service feedback. The Board’s customer service satisfaction rating has exceeded 95% since 2009;
 - In August 2015, provided guidance to school based licensees on the Ohio Department of Education’s Workload Determination Process, and created a dedicated webpage for school based licensees with additional information and resources;
 - In March 2016, responded to the Ohio Department of Medicaid and Ohio Department of Education by clarifying the Board’s scope of practice related to speech and audiology services specified on Individualized Education Plans;
 - In 2016, launched a Facebook page via social media to provide important updates to the public related to speech-language pathology and audiology licensure issues;
 - Assist employers who provide speech-language pathology and audiology services by posting job announcements on the Board’s website in hard to fill areas of our state;
 - Tracking a variety of licensure trends such as work settings, projected retirements, etc., and share this information with various groups, such as universities;
 - In 2015, developed a bookmark on the role of school-based speech-language pathologists, followed by a bookmark developed in 2016 on the role of educational audiologists; several thousand bookmarks have been distributed throughout Ohio;

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. Each board is responsible for supporting their own budgetary needs and is strictly held accountable by the Office of Budget and Management. The Board has historically demonstrated that it operates within the executive budget recommendation and generates sufficient revenue.

In 2006, the Board reduced its license renewal fee from \$150.00 to \$100.00. 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 \$1.2 million during FY 2018-2019.

BOARD EFFICIENCIES:

I would like to highlight 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 Board's staff since 1994.
- The staff duties are designed to optimize efficiency, effectiveness, and support, and is sustainable even as our licensure totals continue to increase on average by five percent each biennium since 2009.
- The new Ohio E-License system will result in more efficiencies, including online applications.

Additionally, the Board utilizes technology to communicate with licensees in an efficient and cost-effective manner 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.

CHALLENGES:

The Board will continue to utilize its expertise to address professional issues that impact consumer protection. Some of those issues include:

- Implementation of the Ohio Department of Education's workload determination process
- Food and Drug Administration's recent announcement that it does not intend to enforce the requirement that individuals eighteen and older receive a medical evaluation or sign a waiver prior to purchasing most hearing aids
- Food and Drug Administration's commitment to consider creating a category of over-the-counter hearing aids for consumers
- Interstate telehealth communication compact agreement
- Qualifications, training, duties, and supervision for support personnel

CONCLUSION:

We appreciate this opportunity to share information with you about the Board's mission, and how we strive to ensure that our mission is efficiently accomplished each and every day for all Ohioans. The Board is committed to accomplishing its mission as determined by the Ohio legislature.

Respectfully submitted,

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