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## DIGEST

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HB 338 Reengrossed

2017 Regular Session

Pope

**Abstract:** Provides for the powers and duties of the La. Board of Examiners for Speech-Language Pathology and Audiology.

Present law creates the La. Board of Examiners for Speech-Language Pathology and Audiology within the La. Department of Health. Further provides that at least two of the seven members shall be practicing speech-language pathologists, one of whom shall be currently certified by the State Board of Elementary and Secondary Education (BESE) as a specialist of speech-language pathology and currently employed in a school setting.

Proposed law removes the requirement that at least one member be certified by BESE and specifies that the member must be employed in a public school.

Present law prohibits certain actions by the public member of the board.

Proposed law retains present law and adds that no public member shall have a financial interest in the practice or business of speech-language pathology or audiology or be a family member or spouse of a licensed speech-language pathologist or audiologist.

Present law requires the public member to be an individual or a family member or spouse of an individual who is deaf, hard of hearing, or speech impaired or a member of an advocacy group committed to the advancement of the well-being of the deaf, hard of hearing, or speech impaired.

Proposed law changes the qualification for the public member to an individual or family member or spouse of an individual with a communication disorder.

Present law requires the public member to be appointed to the board on or before August 15, 1995.

Proposed law repeals present law as the deadline has passed.

Present law requires appointments to the board to be made without regard to race, creed, sex, religion, or national origin of the appointee.

Proposed law requires appointments to the board to be made without regard to race or ethnicity, age, religion, national origin, sex, or disability of the appointee.

Present law requires the La. Speech-Language-Hearing Association to submit to the governor a list

of at least three names for each respective professional service category of board member, except the physician member and the public member, selected by all licensed speech-language pathologists and audiologists in this state.

Proposed law removes the requirement that a total of three names be submitted.

Present law requires the La. State Medical Society to submit to the governor a list of at least three names of physicians from which the governor shall make the appointment of the physician member of the board.

Proposed law removes the requirement that a total of three names be submitted.

Present law requires the La. Speech-Language-Hearing Association to submit to the governor a list of at least three names selected by all licensed speech-language pathologists and audiologists in this state from which the governor shall make his appointment to fill the public position.

Proposed law removes the requirement that a total of three names be submitted.

Present law provides that there shall be a chair and a vice chair of the board, who shall be elected annually from among the members of the board.

Proposed law retains present law but requires the chair and vice chair to be licensees of the board.

Present law requires regular meetings of the board to be held at least once each year and authorizes special meetings to be held upon the call of the chair.

Proposed law increases the frequency of required meetings to at least one each quarter.

Proposed law prohibits a member of the board from being an officer or holding any leadership position in a state speech-language pathology or audiology professional association for the term of the member's appointment to the board.

Proposed law establishes the domicile of the board in the parish of East Baton Rouge.

Proposed law provides that a member of the board may be removed by the board upon an affirmative vote of a two-thirds majority of members otherwise eligible to vote upon one or more of the following grounds:

- (1) Refusal or inability for any reason of a member of the board to perform the duties required of a board member.
- (2) Failure to attend two consecutive meetings of the board without prior approval of the board chair.
- (3) Misuse of a board member position to obtain or attempt to obtain any financial or material

gain, or any advantage personally or for another, through such position.

- (4) A final adjudication that there has been a violation of the laws governing the practice of speech-language pathology or audiology by a board member.
- (5) Conviction of a crime other than a minor traffic offense.

Proposed law requires La. licensure for in-state practitioners and telehealth registration for out-of-state practitioners using telehealth in the delivery of speech-language pathology or audiology services, regardless of where the services are rendered or delivered.

Proposed law authorizes the board to issue a license on a conditional basis. Conditions may include but are not limited to any of the following:

- (1) Additional requirements for continuing education.
- (2) Additional supervision requirements.
- (3) Limitations on practice.
- (4) Limitations on supervisory responsibility.
- (5) Monthly monitoring of conditions.

Present law authorizes the board to suspend a license or discipline a licensee for certain acts.

Proposed law retains present law and expands the board's authority to individuals registered with the board.

Present law authorizes the board to discipline a licensee who has engaged in abusive or fraudulent billing in connection with services provided.

Proposed law changes the prohibited act to negligent or fraudulent billing in connection with services provided.

Proposed law prohibits any individual from engaging in the practice of speech-language pathology or audiology unless currently licensed by or registered with the board. Further provides that the individual engaging in unlicensed practice shall be subject to a cease and desist order or disciplinary action by the board, as appropriate.

Proposed law authorizes the board to issue a consent agreement and order in a disciplinary action.

Present law requires a stenographic record of all disciplinary hearing proceedings before the board to be made and a transcript kept on file with the board.

Proposed law authorizes the record to be made in any form and requires the record itself to be kept on file.

(Amends R.S. 37:2654(A)(intro. para.), (1)(c), and (2), (B)-(D), and (F)-(H), 2662(A)(intro. para.), (2), (3), and (7)(c) and (B), 2663(A), (B), and (D), and 2664; Adds R.S. 37:2654(A)(1)(d) and (e) and (I)-(K), 2656.1, 2660.1, 2661.2, and 2662(C); Repeals R.S. 37:2655)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Make technical corrections.