

FLORIDA | Board of Speech-Language Pathology and Audiology

Teleconference Minutes

**July 23, 2021
9:00 a.m.**

**Conference Number: 1-877-309-2073
Access Code: 707-651-749**

or

**Join the meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/707651749>**



**Frederick Rahe, Au.D
Chair**

**Peter Johnson, PhD
Vice-Chair**

**Kama Monroe
Executive Director**

The Meeting was called to order by Board Chair, Frederick Rahe at 9:04 a.m.

Present for all or part of the meeting, include:

MEMBERS PRESENT:

Frederick Rahe, Au.D., Chair
Sergio Guerreiro, Au.D
Kristen Rutland, SLP
Sherry Jordan, Ed.S.
Dania Lopez-Ramirez, SLP

BOARD STAFF PRESENT:

Kama Monroe, Executive Director
Carol Taylor, Program Administrator

MEMBERS ABSENT:

BOARD COUNSEL:

Tom Jones, Board counsel

COURT REPORTER:

For the Record Reporting
(850) 222-5491
Ray Convery

PROSECUTION SERVICES UNIT

Please note that the meeting minutes reflect the actual order that agenda items were discussed during the meeting and may differ from the agenda outline.

TAB 1: BOARD CHAIR REPORT-Dr. Frederick Rahe

Welcome New Board Member

Dr. Rahe introduced new board member Dania Lopez-Ramirez and allowed her the opportunity to introduce herself to the board members.

REVIEW AND APPROVAL OF MINUTES

TAB 2: April 16, 2021 Meeting Minutes

Motion: by Dr. Guerriero, seconded by Ms. Lopez-Ramirez, to accept the minutes. Motion carried.

TAB 3: PROSECUTION SERVICES REPORT, Christina A. Shideler, Esq.

Prosecuting Services attorney Christina Shideler submitted a Motion to Continue prosecution on all year or older cases. The motion was included in the board materials for review.

Motion: by Ms. Rutland, seconded by Dr. Jordan, to allow PSU to continue prosecuting cases a year and older. Motion carried.

APPLICANTS

SPEECH-LANGUAGE PATHOLOGY ASSISTANT APPLICATION REVIEW

TAB 4: Dania Agulia, File #6088

Applicant was present. Applicant was not represented by counsel.

Action Taken: After discussion,

Motion: by Dr. Guerriero, seconded by Dr. Jordan, to allow the applicant to withdraw the application.

Motion carried

TAB 5: Marilyn Ramos, File #5623

Applicant was initially not present. Applicant appeared later in the meeting and issue was revisited at 10:31 am. Applicant was not represented by counsel.

This matter was initially tabled within the meeting in the event the applicant subsequently appeared. Applicant appeared later and this matter was heard at 10:31 am.

Action Taken: After discussion, wherein it was determined that transcripts reflect only one post graduate course in linguistics, the applicant was provided the opportunity to withdraw the application.

Motion: by Dr. Guerriero, seconded by Ms. Lopez-Ramirez, to allow the applicant to withdraw the application.

Motion carried.

The applicant was instructed to contact the board office regarding a refund.

PROVISIONAL SPEECH-LANGUAGE PATHOLOGY APPLICATION REVIEW

TAB 6: Arellys Gonzalez De La Osa, File #10567

Applicant was present. Applicant was not represented by counsel.

This matter was initially tabled within the meeting in the event the applicant subsequently appeared. This matter was heard at 10:31 am.

Action Taken: After discussion, wherein it was determined that the applicant completed only one 3-hour course at graduate level and that her training was basically in special education and not speech language pathology.

Motion: by Ms. Lopez-Ramirez, seconded by Dr. Jordan, to deny the application due to the fact the applicant has a bachelor's and master's in special education; she had thirty-seven hours at the undergraduate level but she only has three hours at the graduate level. She doesn't meet the seventy-five overall hours or the required thirty-six graduate level hours for provisional licensure. Motion carried.
The Order will allow the applicant fifteen days to withdraw the application before the denial takes effect.

TAB 7: RATIFICATION OF LICENSURE

- (a) 3001 - Speech-Language Pathologist 3.25.2021 through 7.1.2021
Motion: by Dr. Guerriero, seconded by Dr. Jordan, to ratify the license numbers 18898-19270 issued between 3.25.2021 through 7.1.2021 totaling 368 licenses. Motion carried.
- (b) 3002 - Audiologist 3.25.2021 through 7.1.2021
Motion: by Dr. Guerriero, seconded by Ms. Lopez-Ramirez, to ratify the license numbers 2439-2497 issued between 3.25.2021 through 7.1.2021 totaling 59 licenses. Motion carried.
- (c) 3003 - Speech-Language Pathology Assistant 3.25.2021 through 7.1.2021
Motion: by Dr. Guerriero, seconded by Ms. Lopez-Ramirez, to ratify the license numbers 4761-4962 issued between 3.25.2021 through 7.1.2021 totaling 200 licenses. Motion carried.
- (d) 3004 - Audiology Assistant 3.25.2021 through 7.1.2021
Motion: by Dr. Guerriero, seconded by Ms. Rutland, to ratify the license numbers 409-417 issued between 3.25.2021 through 7.1.2021 totaling 9 licenses. Motion carried.
- (e) 3005 - Provisional Speech-Language Pathologist 3.25.2021 through 7.1.2021
Motion: by Dr. Guerriero, seconded by Ms. Rutland, to ratify the license numbers 10006-10158 issued between 3.25.2021 through 7.1.2021 totaling 153 licenses. Motion carried.
- (f) 3006- Provisional Audiologist 3.25.2021 through 7.1.2021
Motion: by Dr. Guerriero, seconded by Ms. Rutland, to ratify the license numbers 814-819 issued between 3.25.2021 through 7.1.2021 totaling 6 licenses. Motion carried.

BOARD COUNSEL REPORT, Ronald Jones, Esq.

TAB 8: RULES REPORT

The rules report was provided in the agenda materials for informational purposes.

RULE DISCUSSION

TAB 9: 64B20-7.001 DISCIPLINARY GUIDELINES

Board counsel informed the board that the legislature passed HB241 which is now incorporated into Chapter 2021-191, Laws of Florida. He continued that there are two violations that need to be added to the disciplinary guidelines as a result of the legislation.

The two new violations requested to be added are:

Rule 64B20-7.001(2)(jj) failure to comply with the parental consent requirements.

Rule 64B20-7.001(2)(kk) for being convicted of crimes

Discussion ensued regarding the law requiring parental consent, which included the following: what would the requirements entail, what kind of consent form is required; how does this affect Speech-Language, Pathology & Audiology in their practice, is a consent to treat required for everyone, does it include consent for evaluation, the fact that treatment is identifying a pathology and treating with medication or a procedure. The board indicated a desire to have a clear understanding of the requirements and what a violation would entail should this come to the board for a violation, at a later date.

The board expressed their desire that the matter be researched, and that board counsel bring it back at the October meeting and provide a little clearer guidance as to how this would impact the profession.

Counsel noted that these are now laws as of July 1st, and requested the board approve the language and discuss later.

Motion: by Dr. Guerriero, seconded by Ms. Rutland to approve the proposed language for the new violation Rule 64B20-7.001(2)(kk). Motion carried.

Motion: by Dr. Guerriero, seconded by Ms. Rutland to approve the proposed language for the new violation Rule 64B20-7.001(2)(jj). Motion carried.

Motion: by Dr. Guerriero, seconded by Ms. Rutland that the proposed changes will not make an adverse impact on small business. Motion carried.

Motion: by Dr. Guerriero, seconded by Ms. Rutland, that the proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed, and no legislative ratification is needed. Motion carried.

Motion: by Dr. Guerriero, seconded by Ms. Rutland to find that a violation of the rule or any part of this rule would not be considered a minor violation. Motion carried.

TAB 10: PROPOSED CHANGE TO 64B20-3.0001(4)(a), F.A.C.

Board counsel informed the board that the purpose of placing this item on the agenda was to bring the rule in compliance with statute.

Motion: by Dr. Guerriero, seconded by Ms. Rutland to approve the proposed changes. Motion carried.

Motion: by Ms. Lopez-Ramirez, seconded by Ms. Rutland that the proposed changes will not make an adverse impact on small business. Motion carried.

Motion: by Ms. Lopez-Ramirez, seconded by Ms. Rutland, that the proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. No SERC is needed, and no legislative ratification is needed. Motion carried.

Motion: by Ms. Lopez-Ramirez, seconded by Ms. Rutland to find that a violation of the rule or any part of this rule would not be considered a minor violation. Motion carried.

Motion: by Ms. Lopez-Ramirez, seconded by Ms. Rutland, to not add a sunset provision to this rule. Motion carried.

TAB 14: EXECUTIVE DIRECTOR REPORT-Kama Monroe, J.D., Executive Director

Board Executive Director, Kama Monroe noted that a list of the legislative bills is included in the board materials and indicated that the two bills that would directly affect this board were addressed in the previous agenda item.

TAB 18: Annual Regulatory Plan

Motion: by Dr. Guerriero, seconded by Ms. Lopez-Ramirez to approve the annual regulatory plan. Motion carried.

TAB 12: BOARD LIAISON REPORTS

A: Budget Liaison Report- Vacant

- a. Revenue Report
- b. Expenditures

Ms. Monroe informed the board there was no problem with the budget at this time.

B: Application - Dr. Rahe (Au.D) & Vacant (SLP)

No report at this time.

C: Continuing Education - Dr. Guerreiro (Au.D)
1. Approved Providers (informational purposes only)
Nothing to report on the approval process.

D: Laws and Rules - Vacant: (Dr. Rahe (Au.D) for specific circumstances
No report at this time.

E: Unlicensed Activity - Dr. Rahe (Au.D) & Vacant (SLP)
No report at this time.

F: Healthy Weight - Ms. Rutland
No report at this time.

GENERAL DISCUSSION

TAB 13: Discussion on Audiologists Performing General Health and Cognitive Screening
Board Chair reminded board members that it was determined at the last board meeting that the board had no statutory authority to address this.
Board counsel stated he had checked with other health care professions and checked to see if there was anything to preclude screening. Board counsel summarized his findings.

TAB 14: Executive Order on Promoting Competition in the American Economy
In 2017 there was a bill which resulted in the FDA creating over the counter hearing aids, and a directive to create rules, which was not done. Biden's order was just directing them to do what they should have already done.

TAB 15: OLD BUSINESS

There was no old business.

NEW BUSINESS

TAB 16: Election of Officers

Motion: by Dr. Rahe, seconded by Ms. Rutland, to nominate and elect Dr. Guerreiro to serve as vice-chair until the new elections. Motion carried.

Dr. Guerreiro will serve as second review applicant liaison

Dr. Guerreiro will serve as budget liaison

Dr. Guerreiro will serve as Unlicensed Activity (ULA) liaison

Kristen offered to assist with CE applications/Kristen will assume CE review liaison position

Dania Lopez-Ramirez will be co-liaison for Unlicensed Activity (ULA)

TAB 17: PUBLIC COMMENT

There was a question regarding the education requirement for an audiologist. Response was provided.

ADJOURN Motion by Frederick Rahe, seconded by Ms. Rutland adjourn.
Next meeting October 22, 2021 TBA
Meeting adjourned at 11:02 p.m.