

**TENNESSEE BOARD OF COMMUNICATION DISORDERS AND SCIENCES  
MEETING MINUTES**

**DATE:** February 2, 2021 Revised.

**TIME:** 10:00 A.M., CDT

**LOCATION:** Health Related Boards  
WebEx Meeting

**BOARD MEMBERS**

**PRESENT:** Debby Starr, Au.D, Audiologist, Chair  
David Haynes, MD, Otolaryngologist  
Alicia Barker, Audiologist  
Robyn Lusby, Speech Pathologist, Audiologist  
Carren Mills, Speech Pathologist  
Richard Morton, Citizen Member  
Ellen Pearson, Speech Pathologist

**BOARD MEMBERS**

**ABSENT:**

**STAFF MEMBERS**

**PRESENT:**

Ms. Shelton, Administrative Services Assistant 3  
Doris VanOvermeiren, Board Administrator 1  
Ashley Fine, Assistant General Counsel

Due to gathering restrictions imposed by the Covid-19 virus, a virtual meeting was held via WebEx.

Ms. Shelton read the opening remarks into the record. She asked everyone to introduce themselves for the record and to state whether everyone could hear each other. She then asked whether the members wished to proceed to hold the meeting virtually.

A motion to hold the meeting electronically was made by Alicia Barker and seconded by Ellen Pearson. A roll call vote was held, and all voted in the affirmative. The motion carried.

Ms. Debby Starr called the meeting to order at 9:00 a.m. A roll call vote was conducted, and all Board members were present. Ms. Starr ask Ms. Shelton to introduce the new members of the department, Mr. George Darden, HRB Director and Mr. Grant Mullins, General Counsel. Ms. Starr then introduced the new Board member, Mrs. Robyn Lusby.

## **Review/Approve Board Meeting Minutes**

Upon review of the November 10, 2020 board meeting minutes, Ms. Starr asked that the minutes be tabled until the next board meeting on May 4, 2021.

Ms. Mills made a motion, seconded by Ellen Pearson. A roll call was held, and all voted in the affirmative. The motion carried.

## **Financial Report**

None given at this time

## **Investigative Report**

Ms. Lori Leonard, Disciplinary Coordinator for all non-nursing Boards gave the following report:

### **Summary of Currently Monitored Practitioners**

There are three (4) currently monitored practitioners for the year 2020; one (1) under a Board Order., One (2) under Probation and one (1) under Revocation.

### **Board Statistical Complaint Report: Totals for 2020 and for 2021.**

**SLP's:** Total complaints received in the office for Investigation and complaints for the year 2020, there were a total of 4 complaints. One (1) for falsification of records, One (1) for fraud or false billing. Two (2) Unprofessional conduct, four (4) complaints were closed. Two (2) were sent to the Office of General Council for formal discipline and Two (2) were closed with no action. Currently there are five (5) open complaints being investigated and/or reviewed. For the year 2021 no new complaints and 5 open complaints being investigated and/or reviewed.

**Audiologist:** There were six (7) new open complaints in 2020; Three (3) for malpractice, One (1) for unprofessional conduct, One (1) for Medical records requested, One (1) for a lapsed license, One (1) for practice beyond the scope of practice. Have closed eleven complaints. Nine were closed and sent to the office of Investigations for formal discipline and Two (2) complaints were closed with no action. There are currently four (4) open complaints for that are being investigated and or review for the year 2020. For the year 2021 no new complaints and four complaints currently open.

**SLP-A's:** No new complaints in 2020, no closed complaints and zero complaints currently opened to be investigated and or review at this time. For 2010 no complaints and zero complaints currently opened. The same for 2021.

**Audiologist Aides:** There are zero new complaints in 2020, no closed complaints and zero complaints opened to be investigated and or review at this time. The same for 2021.

## **OGC Report**

Ms. Fine, with the Office of General Counsel (“OGC”), presented the OGC report. She read aloud the Conflict of Interest Policy and the Open Meetings Act. She then addressed disciplinary and rule activity.

### **Disciplinary Activity**

Ms. Fine stated that there are ten (10) cases open in OGC and that there were no contested cases or consent orders scheduled to be presented at the meeting.

### **Rule Activity**

Provisional Licensure Rules – In Internal Review

Telecommunications Rules – Preparing for Internal Review

The Board discussed amendments to Rule 1370-01-.21 regarding Speech Language Pathology Assistants.

### **Administrative Report**

Latonya Shelton provided the following administrative report:

As of November 1, 2020, thru February 2, 2021 there are a total of 484 licensed Audiologists, 3128 licensed Speech Language Pathologists and 135 registered Speech Language Pathology Assistants.

As of November 1, 2020, thru February 2, 2021

There were four (4) newly licensed Audiologists. There were zero (0) retired licenses, one (1) expired license, and zero (0) reinstatements. There were a total of forty-five (45) Audiologists renewals, forty (40) of which were online renewals. There were no new audiology Clinical Externs,

There were forty-two (42) newly licensed Speech Language Pathologists, two (2) retired licenses, twenty-two (22) expired licenses and four (4) reinstatements. Three hundred (308) Speech Pathologists have renewed their licenses. Two hundred and fifty three (253) of the renewals were online. There were eighteen (18) new Clinical Fellows

There was one (1) newly registered Speech Language Pathology Assistant, zero (0) retirements, four (4) expired registrations, and zero (0) reinstatements. A total of three (3) Speech Language Pathology Assistants renewed during this time. Two (2) of the renewals were online renewals.

The next meeting will be held on May 14, 2021. It is likely we will have a virtual meeting due to gathering restrictions.

### **Tentative meetings for 2021:**

May 14, 2021

August 3, 2021

November 9, 2021

### **Newly Licensed/ CF- Licensed Speech Pathologists**

Upon review, Mrs. Alicia Barker made a motion, seconded by Ms. Carrie Mills, to approve the following newly licensed Audiologist. A roll call vote was conducted, and all voted in favor of the motion. The motion carried

### **Newly Licensed/ Licensed Speech Pathologists**

Upon review, Mrs. Alicia Barker made a motion, seconded by Ms. Carrie Mills, to approve the following newly licensed Speech Pathologists. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

### **Newly Licensed Audiologists**

Upon review, Mrs. Alicia Barker made a motion, seconded by Ms. Carrie Mills, to approve the following newly licensed Audiologists. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

### **Newly Registered Speech Language Pathologist Assistants**

Upon review, Ms. Ellen Pearson made a motion seconded by Ms. Carrie Mills, to approve the following newly registered Speech Language Pathology Assistants. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

### **Reinstatements**

#### **Speech Pathologist Reinstatements**

Upon review, Mrs. Alicia Barker made a motion, which was seconded by Ms. Carrie Mills. A roll call vote was conducted, and all voted in favor of the motion. The motion carried.

### **Correspondence**

No correspondence currently.

### **Rulemaking, Discussion of Telehealth**

Ms. Jamie Seek from the Tennessee Association of Audiologists and Speech Language Pathologists ("TAASLP") addressed the Board with suggested rule amendments regarding telehealth and tele-supervision. The Board reviewed the document she presented including telehealth and tele-supervision of Speech Language Pathologists Assistants and tele-supervision for Clinical Externs. Ms. Seek made recommendations regarding amending Rule 1370-01-.14 and further amending Rule 1370-01-.21.

Ms. Fine, Counsel for the Board, clarified that the position of the Department of Health, Office of General Counsel, is that a speech language pathology assistant can now practice telehealth under the amended version of Tenn. Code Ann. § 63-1-155. Counsel then presented a document to the Board which added speech language pathology assistants to the previous amendments for 1370-01-.21. Counsel advised the Board that it has authority under its general rulemaking powers to incorporate the practice of tele-supervision within its rules as the statutory supervision requirements are broad and leave wide discretion to the Board, and that allowing tele-supervision of speech language pathology assistants and clinical externs would be legally acceptable. However, Counsel also advised the Board that it should consider possible future conflicts and that the Board would legally need to remove a proposed provision in packet 17-0093 in which the Board voted to require a supervising licensee to be "on the premises at all times" when supervising

speech language pathology assistants. Additionally, Counsel advised the Board that it would be advisable to table the additional recommendations of TAASLP regarding telehealth practice of speech language pathology assistants in Rule 1370-01-.14 until the future rulemaking on packet 17-0093, but advised that it would be fine to move forward in adding the allowance for tele-supervision for SLPAs and Clinical Externs in Rule 1370-01-.21.

Ms. Carrie Mills made a motion to accept the amendments for Rule 1370-01-.21 in their entirety, which was seconded by Dr. David Haynes. A roll call vote was conducted, and all members voted in favor of motion. The motion carried

A second motion was made by Ms. Carrie Mills to accept the amendments to Rule 1370-01-.01, which was seconded by Ms. Alicia Barker. A roll call vote was conducted, and all members voted in favor of the motion. The motion carried.

### **New Business**

No new business currently.

### **Adjournment**

With no other Board business to conduct, Ms. Carrie Mills made a motion, seconded by Ms. Alicia Barker, to adjourn the meeting. The motion carried; the meeting was adjourned at 11:15 a.m.

***Ratified by the Board***