

**BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY**

Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by §92-7(b), Hawaii Revised Statutes (HRS).

Date: March 1, 2013

Time: 2:20 p.m.

Place: Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Present: Kristine M. Takekawa, AuD, Audiologist, Chairperson  
Shari Goo-Yoshino, Speech Pathologist, Vice Chairperson  
Anne M. Horner, Speech Pathologist, Member  
Valery O'Brien, Member  
Joseph C. Sniezek, M.D., F.A.C.S., Member  
Candace Ito, Executive Officer  
Shari J. Wong, Deputy Attorney General  
Faith Nishimura, Secretary

Excused: June Uyehara-Isono, Audiologist, Member  
Jenny C. Wells, Ph.D., Member

Guest: Aaron Ziegler, University of Hawaii/Department of Communication Sciences and Disorders ("CSD")

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Takekawa at 2:20 p.m.

Additions/Revisions to the Agenda: None.

Approval of November 2, 2012 Meeting Minutes: It was moved by Dr. Sniezek, seconded by Ms. Horner, and unanimously carried to approve the minutes of the November 2, 2012 meeting as circulated.

**The following agenda item was taken out of order.**

Unfinished  
Business:

a. Email inquiry from Aaron Ziegler regarding videoendoscopy

Aaron Ziegler, Assistant Professor in CSD at the University of Hawaii, appeared before the Board and indicated that he has received interest from ear-nose-throat specialists ("ENTs") to perform videoendoscopy/stroboscopy ("VES").

The Board reviewed and discussed the following questions from Dr. Ziegler:

- Can speech language pathologists ("SLPs") perform and bill for VES in the State of Hawaii? If so, what level of supervision is required by a MD?
- In the State of Hawaii, who is permitted to administer a local anesthetic such as a lidocaine spray?

The Executive Officer asked the Board whether SLPs perform this procedure in other organizations. The Board responded affirmatively.

DAG Wong asked Dr. Ziegler to describe the VES procedure. Dr. Ziegler indicated that the SLP would describe the procedure, risks, discomforts and equipment to the patient. The procedure involves the insertion of a rigid or flexible viewing tube down the patient's mouth or nose which provides video images of the vocal folds using rapid pulses of light to control the vibrating speed of the vocal folds. A microphone detects the frequency of vibration.

Dr. Sniezek clarified that this procedure provides a slow motion view of the patient's vocal chords which allows the vocal chords to be examined. He also related that every institution has different policies on who is allowed to apply lidocaine.

Chairperson Takekawa addressed Dr. Ziegler's inquiries by referring to the Board's minutes of August 15, 2001 which states:

"Does the board have an official position on speech language pathologists performing endoscopies? NO."

The Board has adopted the position on record from its meeting of August 15, 2001 which is: the scope of practice of speech pathology is encompassing, and education and training to perform the procedure is available. Therefore, it is incumbent upon practitioners who want to perform the procedure to have the appropriate

training, education, and clinical experience before offering to perform, performing the procedure, or both.

Dr. Ziegler thanked the Board for its response to his inquiries.

New Business:

a. Consideration of Amendments to Chapter 16-100 Hawaii Administrative Rules

Chairperson Takekawa called for a discussion on the proposed rule amendments.

Members reviewed and discussed the written testimony submitted by Dr. Henry Lew, President and Verna Chinen, President-Elect of the Hawaii Speech-Language-Hearing Association ("HSHA") that was provided before the public hearing.

HSHA conveyed the following recommendations for the Board's consideration:

- §16-100-20(c)(2) Requirements for license by examination.

HSHA recommended that this section should only apply to speech-language pathology and suggested the following: (1) adding "speech-language pathologist" after fellowship in section 16-100-20(c)(2); and (2) deleting "or board certification from the ABA" as this only applies to speech-language pathology.

Dr. Takekawa clarified that HSHA is concerned that the Board's proposed amendment to section 16-100-20(c)(2)(C) would allow an ABA board certified audiologist to provide supervision of a speech pathologist's clinical fellowship.

- §16-100-20(d) Requirements for license by examination.

HSHA recommended separating out the different degree requirements for speech and audiology; delete "or audiology" from sentence one; and delete the equivalency language.

- §16-100-20(d)(3) Requirements for license by examination.

HSHA recommended adding the doctoral degree requirement for audiology here. "For audiologist applicants, obtain a doctoral

degree with an emphasis in audiology from an accredited program..."

- §16-100-20(g) Requirements for license by examination.

HSHA recommended deleting this subsection as HSHA's proposed amendment to section 16-100-20(d)(3), above, would fulfill this requirement for the doctoral degree for audiologists.

- §16-100-42 Payment.

HSHA recommended a new subsection (d) Continuing Education for the creation of a continuing education section under License Renewal using the language from ASHA's model licensure bill.

HSHA offered the following statement from ASHA on telepractice for the Board's consideration in future meetings: "Services delivered via telecommunication technology must be equivalent to the quality of services delivered face-to-face, i.e. in-person. Telepractice services must conform to professional standards including, but not limited to: Code of Ethics, scope of practice, professional policy documents and other relevant federal, state and institutional policies and requirements (<http://www.asha.org/uploadedFiles/ModRegTelepractice.pdf>)."

The Board discussed HSHA's recommended amendments to section 16-100-20 and believes that these amendments would prohibit reasonable entry into the profession.

With regard to HSHA's recommendation to add a new subsection to require continuing education for the renewal of a license, the Board related that this recommendation is not related to the current rule revision.

It was moved by Dr. Sniezek, seconded by Ms. Horner, and unanimously carried to adopt the rule amendments presented at the public hearing with the following non-substantive amendment for clarity:

- §16-100-20(c)(2)(C) Requirements for license by examination.

"Been completed under the supervision of an individual who holds the certificate of clinical competence in the area of practice for which the certificate is sought, or board certification in audiology from the ABA for an audiologist applicant;"

Unfinished Business: b. Application forms

At the Board's November 2, 2012 meeting, the Executive Officer related that she would contact the American Board of Audiology ("ABA") to verify that an ABA certification number is issued.

Members reviewed a sample letter from the ABA that verifies an applicant's ABA Board Certification. It was noted that the individual's certification number is stated in the ABA certification letter.

Legislation: a. Senate Bill No. 506, S.D. 1, Relating to Professional and Vocational Licensing

This measure: (1) clarifies that licensing authorities shall consider relevant education, training, or service completed by service members; (2) specifies which service members are subject to these provisions; (3) allows licensure by endorsement or licensure by reciprocity in certain situations for service members; (4) establishes procedures for service members to receive a license by endorsement or license by reciprocity; (5) allows the issuance of a temporary license if certain requirements are met; and (6) requires the licensing authority to expedite consideration of the application and issuance of a license by endorsement, license by reciprocity, or temporary license to a qualified service member.

The Executive Officer related that Senate Bill No. 506, S.D. 1 included language that would potentially waive the passage of a national examination for military service members. Senate Bill No. 506, S.D. 2 requires a certificate or evidence satisfactory to the licensing authority of having passed a national or regional exam or its equivalent to be provided to the licensing authority.

b. Senate Bill No. 965, Relating to Professional and Vocational Licensing

This measure establishes qualifications for "nonresident military spouses" eligible for expedited procedures for professional and

vocational licensing by endorsement or reciprocity, and temporary licensing. It establishes requirements for nonresident military spouses to maintain licenses and requires reporting of changes in status or circumstances that may affect licensure.

The Executive Officer related that this bill provides for temporary licensure that would be in effect during the time the service member spouse is stationed in Hawaii. PVL submitted testimony in support of the measure.

c. House Bill No. 1381 Relating to Professional and Vocational Licensing

This measure requires a licensing authority to consider in the process for licensure by endorsement or reciprocity military spouses who meet certain requirements or service members who meet certain requirements including providing retirement, separation, or discharge documentation. It requires the service member to have been discharged within the last two years. The bill excludes doctors, dentists, and certified public accountants. Its effective date is July 1, 2050.

The Executive Officer related that this measure proposes to grant a military spouse permanent licensure in Hawaii. PVL submitted testimony in opposition of the measure.

d. Senate Bill No. 1259, S.D. 1/House Bill No. 143, H.D. 1, Relating to Freedom of Information

This measure clarifies that a licensee does not have a significant private interest in records that show relevant experience for licensure, trade examination results, or possession of adequate bonding, and makes this licensing information public information subject to disclosure.

The Executive Officer related that a majority of applicants qualify on the basis of the certificate of clinical competence awarded the person by the American Speech-Language-Hearing Association ("ASHA"), thus the certification of experience is not maintained by PVL. Although this bill does not define "trade examination," the practice of speech pathology and audiology is not considered a "trade". Therefore, the Praxis examination in Audiology and Speech Pathology will probably not be considered a "trade

examination." This bill only proposes that "trade examinations" are subject to disclosure.

e. Senate Bill No. 252 Relating to Torts

This measure revises medical tort reform laws to: allow for arbitration of medical services contracts, create a new cap on noneconomic damages for medical torts, allow for introduction of evidence, limit contingency fees, and allow for periodic payments for future damages. It redefines noneconomic damages for purposes of tort actions and limits the amount recoverable for noneconomic damages to \$250,000.

This measure was distributed to members for their information.

Announcements: The Executive Officer reminded Board members that their blue parking passes are only valid when attending Board meetings. If Board members will be attending legislative hearings, they may contact the Board's office to obtain a special function permit. Parking Control Branch has been issuing tickets to Board members who use their blue parking passes at times other than during Board meetings.

Applications: a. Licensure

None.

b. Ratifications

It was moved by Ms. O'Brien, seconded by Ms. Horner, and unanimously carried to ratify the applications for licensure of the following individuals:

SPEECH PATHOLOGISTS

<u>License #</u>	<u>Name</u>
SP 1268	MILLER, Ruth N.
SP 1269	TOM, Korianne S.L.
SP 1270	SARVEY, Rebecca L.
SP 1271	WESTENDORF, Shawn M.
SP 1272	GARCIA, Jennifer C.
SP 1273	KWOCK, Kimi Y.

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SP 1274	KMIECIAK, Kristina A.
SP 1275	HAUCH, Heather C.
SP 1276	KRAMER, Mary M.
SP 1277	EVANS, Karen L.
SP 1278	ELBO, April L.
SP 1279	MOYER, Deborah
SP 1280	TRITT, Michele
SP 1281	FARNHAM, Jamie
SP 1282	AUSTIN, Michele F.

AUDIOLOGIST

<u>License #</u>	<u>Name</u>
AUD 142	ORMOND, Kristina M.

Correspondence: None.

Next Meeting Friday, May 3, 2013  
Date: 2:30 p.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at 2:55 p.m.

Taken and recorded by:

/s/ Faith Nishimura  
Faith Nishimura  
Secretary

Reviewed and approved by:

/s/ Candace Ito  
Candace Ito  
Executive Officer

Cl:fn



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[ ] Minutes approved as is.

[X] Minutes approved with changes; see minutes of May 3, 2013.