

OVERVIEW

Sunset Evaluation Update: Speech Pathologists and Audiologists

Report No. 00-03, January 2000

Summary

The Legislature, through Act 254, Session Laws of Hawaii 1999, directed the State Auditor to conduct a sunset evaluation of the regulatory program for speech pathology and audiology. The Legislature specifically requested an assessment of whether the regulation of speech pathologists and audiologists should be continued or repealed, and, if continued, whether it would be more efficient and cost effective to regulate these occupations through a regulatory board, the Department of Commerce and Consumer Affairs, or some other agency or mechanism.

Speech pathology and audiology are interrelated disciplines that deal with disorders of speech, language and hearing. Both speech pathologists and audiologists specialize in the prevention, diagnosis, and treatment of communication disorders, including speech, language, hearing, and balance problems. Speech pathologists and audiologists work directly with patients in a variety of settings, which range from private practice to such institutions as hospitals, clinics, health care organizations, government agencies, and schools.

Currently, 47 states regulate audiologists and 44 regulate speech pathologists. Both professions have been regulated in Hawaii since 1974 through a Board of Speech Pathology and Audiology. As of March 1999, there were 341 speech pathologists and 50 audiologists licensed to practice in Hawaii; a majority of them were employed by the state Departments of Education and Health.

Our last sunset evaluation of speech pathologists and audiologists, conducted in 1987, found that the two professions posed minimal risk to the public and did not warrant state licensure. However, our current study found that the practices of speech pathology and audiology require specialized skills and technical knowledge and that potential harm exists from incompetently performed assessments and/or treatment procedures, errors of omission, and misdiagnosis. Furthermore, since our previous report, the scopes of practice for speech pathologists and audiologists have substantially expanded. Both professions now perform a number of invasive procedures that pose risks ranging from patient discomfort to electrical shock and even death.

The autonomy of a profession's practitioners is also a factor in the amount of harm the profession can impose upon consumers. Autonomy can be seen in the degree of authority and responsibility practitioners have in making decisions about the delivery of services. In Hawaii, speech pathologists and audiologists are not supervised. In addition, the two professions provide direct clinical services to patients and make independent judgments.

Our evaluation also examined the need for licensure (or *right-to-practice* regulation) as opposed to a lesser form of state regulation. We found that because of their high potential for causing harm to the public, licensure is the most appropriate form of regulation for speech pathologists and audiologists in Hawaii. Only through licensure will unqualified persons be restricted from practicing the professions.

Finally, we considered alternatives to state regulation and evaluated the cost effectiveness of such regulation. We concluded that a professional regulatory board within the Department of Commerce and Consumer Affairs is the most appropriate means of administering a licensure program. The expertise afforded by a professional board composed of practitioners, public members, and medical doctors is the most efficient and effective means of implementing the regulation of speech pathologists and audiologists in Hawaii.

Recommendations and Response

We recommended that the Legislature continue the regulation of speech pathologists and audiologists. We also recommended that the Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division continue to administer the licensing of speech pathologists and audiologists with the aid of a professional board.

In its response, the Board of Speech Pathology and Audiology noted strong support for our recommendations to retain regulation and the board. The Department of Commerce and Consumer Affairs did not submit a response.

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