2011 SENATE HUMAN SERVICES

SB 2115

2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee
Red River Room, State Capitol

SB 2115
1-10-2011
12695
☐ Conference Committee

Committee Clerk Signature: VA Monson

Explanation of reason for introduction of bill/resolution:

The practice, licensing and disciplining of audiologists and speech-language pathologists.

ATTACHED TESTIMONY

Minutes:

Senator Judy Lee opened the hearing on SB 2115 which included a FN. (FN does not request any state funding).

Nan Kennelly, North Dakota State Board of Audiology and Speech Pathology provided written testimony. (Attachment #1) She indicates error in the first biennium that FN should be lined out to zero. Proceeds to highlight various points of bill. (Attachment #1)

Senator Lee asks if the changes that were made in section 1 on page 1, 12-13, is simply elaborating more on the type of practice.

Ms. Kennelly indicates that the definition of speech pathology has not been altered since approximately 1983 and the field has changed considerably so the definitions were expanded to include further scope of field.

Senator Lee asked about the deletion (page 3) -- will not affect remuneration from sale of a hearing aide unless speech pathologist is licensed.

Ms. Kennelly states language moved to section 8 for unprofessional conduct.

Senator Lee states Master's and Doctorate level 1 has to pass exam within a year.

Senator Mathern: Questioned rationale of $100 compensation to board members.

Ms. Kennelly: The compensation amount is meant to be kept conservative but to encourage some compensation for time spent on the board and not to discourage future members from participating on board action. (Legislative comparison).

There was no opposing testimony.

The hearing was closed on SB2115.

Senator Mathern moved a **Do Pass.**

Senator Uglem seconded the motion.

Roll call vote 5-0-0. **Motion carried**.

Carrier is **Senator Mathern.**

FISCAL NOTE

Requested by Legislative Council
03/23/2011

Amendment to: SB 2115

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	$0	$0	$0	$0	$0	$0
Expenditures	$0	$0	$0	$5,000	$0	$5,000
Appropriations	$0	$0	$0	$0	$0	$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
$0	$0	$0	$0	$0	$0	$0	$0	$0

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Update definitions and Education requirements. Modify Board makeup. Add compensation for time spent on Board business. Minimal fiscal impact anticipated.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Compensation to board members for time/work completed for Board business.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*
   A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

n/a

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

approximately $2500/year for quarterly meetings and misc board business.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

n/a

Name:	Nan Kennelly	**Agency:**	NDBSE
Phone Number:	(701)-364-5433	**Date Prepared:**	03/25/2011

FISCAL NOTE

Requested by Legislative Council
12/30/2010

Bill/Resolution No.: SB 2115

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	$0	$0	$0	$0	$0	$0
Expenditures	$0	$0	$0	$5,000	$0	$5,000
Appropriations	$0	$0	$0	$0	$0	$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
$0	$0	$0	$0	$0	$0	$0	$0	$0

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Update definitions and Education requirements. Modify Board makeup. Add compensation for time spent on Board business. Minimal fiscal impact anticipated.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Compensation to board members for time/work completed for Board business.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*
   A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

n/a

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

approximately $2500/year for quarterly meetings and misc board business.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

n/a

Name:	Nan Kennelly	**Agency:**	NDSBE for Audiology and Speech-Language Pathology
Phone Number:	701-364-5433/701-866-3618	**Date Prepared:**	01/01/2011

Date: 1-10-2011

Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2115

Senate **HUMAN SERVICES** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By **Sen.** Mathern Seconded By **Sen.** Uglem

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee, Chairman	✓		**Sen. Tim Mathern**	✓	
Sen. Gerald Uglem, V. Chair	✓				
Sen. Dick Dever	✓				
Sen. Spencer Berry	✓				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Sen. Mathern

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2115: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2115 was placed on the Eleventh order on the calendar.

2011 HOUSE HUMAN SERVICES

SB 2115

2011 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee
Fort Union Room, State Capitol

SB 2115
March 15, 2011
Job #15444

☐ Conference Committee

Committee Clerk Signature Vicky Crabtree

Explanation or reason for introduction of bill/resolution:

Relating to the practice, licensing and disciplining of audiologist and speech language pathologists.

Minutes: See Testimony #1

Chairman Weisz: Opened the hearing on SB 2115.

Nan S. Kennelly: Here on behalf of the NDSBE on Audiology and Speech Language Pathology testified in support of the bill. (See Testimony #1)

Rep. Paur: You say there is now a doctorial level. Are you speaking of a doctorate in audiology or a PhD.

Nan: Yes. Nationwide all audiologist now graduate with their doctorate degree.

Chairman Weisz: Is your license fee schedule in code or by rule?

Nan: I believe it is in our rules.

OPPOSITION

Dr. Brady Ness: An audiologist in Bismarck and the President of the ND Academy of Audiology opposed the bill. It is the position of the ND Academy of Audiology that this bill 433704 should specifically not pass as currently written as it does not allow experienced masters level audiologists who have maintained their national certificate of clinical competence and state licensure elsewhere to receive a license and practice in our state. There are three main reasons for this recommendation. The first is that there are at least six practicing audiologist within the state already that have a masters level. We are already deciding that those masters level audiologists with experience in keeping their certificate of clinical competence and state licensure is adequate enough to practice within our state. Secondly, our national accreditation organizations, both American Speech and Hearing Association (ASHA) and the American Academy of Audiology have already included provisions in their rules and regulations which permit the masters level audiologist to maintain licensure and continue to practice so long as there has been no lapse in clinical

competence or their specific state licensure. And finally our three neighboring states along with every other state that I researched follow the provisions set forth by ASHA. In the opinion of the ND Academy of Audiology there needs to be date added that specifies that experienced practitioners that have maintained their c's and have no lapse in state licensure in there elsewhere with a masters degree shall be eligible for a ND license and allowed to practice just as they were able to in their state. And multiple providers are doing so in our state. ASHA has set this date as January 1, 2012 and we would recommend following this.

Chairman Weisz: You don't have a problem with the doctorate from the standpoint of all new? I guess anybody graduating now would have a doctorate? So in the future you are ok?

Chairman Weisz: There isn't an issue now having a masters anymore? That you can graduate with masters.

Dr. Ness: No. There hasn't been a program within the country that graduates masters level audiologists for at least five years. Minot State closed their program about five years ago as well.

Chairman Weisz: Your issue is with currently practicing.

Dr. Ness: With currently practicing. My concern is that an experienced clinician from out of state that has maintained their certificate of clinical competence and has been licensed in that state would not be allowed to receive a license within ND under this.

Rep. Paur: I'm still working on that doctorate. My audiologist has a PhD in audiology and he teaches doctorates in audiology and he would not be eligible to?

Dr. Ness: No. PhD, AUD, MD. Are traditional degrees now PhD a research doctorate or an AUD which is a clinical doctorate which the vast majority of providers in the state have. Your PhD audiologist would absolutely receive licensure, but not a masters level.

Rep. Paur: That is not what the predecessor said.

Dr. Ness: There is a handful of PhD. Mainly at universities settings within the state.

Chairman Weisz: You say currently there are six practicing audiologists?

Dr. Ness: Yes and they currently have masters levels and most have been practicing for a significant amount of time within the state and this would not affect them, but would affect the person who would want to come to our state with the same education and training.

Chairman Weisz: Wouldn't it affect them when they came to renewal or not?

Dr. Ness: No. It is for new licensures in the state.

Chairman Weisz: You don't have a copy of your testimony do you.

Dr. Ness: I do not.

NO OPPOSITION

Chairman Weisz: Closed the hearing on SB 2115

2011 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee
Fort Union Room, State Capitol

SB 2115
March 21, 2011
Job #15720

☐ Conference Committee

Committee Clerk Signature Vicky Crabtree

Minutes:

You may make reference to "attached testimony."

Chairman Weisz: Brady Ness has expressed some concern having to do with those currently practicing because we are changing the level for an audiologist to a doctorate. There were two issues; the one issue is not an issue when I checked into it. There are currently six audiologists in ND that are masters only right now. The language in the bill will not affect them because they are already licensed and a renewal is not a license. So there is not an issue there as I checked with the attorney. The other issue he had was that if you have an audiologist say in MN has a masters and now wants to practice in ND, he can't under this bill. So that is the fix he would like to have. You should have the e-mail in front of you from Mr. Ness suggesting some changes to accommodate that. Frankly I don't understand the date. Putting that date in means that someone would have to apply for licensure prior to that date so they wouldn't be able to get licensed in the future. I don't know why we would do that either. I would think you would just make sure any current certified masters level in another state can apply for licensure in the State of ND.

Rep. Damschen: I was thinking that would mean that anyone who had applied prior to that date would be grandfathered in.

Chairman Weisz: They are not really grandfathered they still have to apply for licensure, but it would appear they would have to apply for licensure between now and 2012.

Rep. Kilichowski: (Didn't have microphone on. Inaudible.)

Chairman Weisz: Correct. That is what he is saying, but I'm not sure why we would limit them. Say someone is working in MN and in 2013 they would want to practice here. We've allowed every other masters level in as long as they were currently practicing, I'm not sure why we would turn them down.

Rep. Louser: I'm reading that as Brady probably interpreting that as of January 1, 2012 you must have a doctorate degree. I think that is what his intention was. I understand your point.

Chairman Weisz: That's fine. That would be later than the 2011 when this would kick in. You might be right there that he was putting a date further out to ensure compliance with the

original bill. I'm comfortable that ensuring an out of state that is currently practicing. If other states still allow initial licensure from masters level I think you want them to have to be licensed prior to 2012 in any state. I think that was his intent also. The point is to move everybody to a doctorate. I'll have Steven draw up amendments if you are comfortable with this. The amendments would address that out of state could continue to license in ND if they are currently practicing prior to 2012.

Rep. Paur: Why are we moving it up to a doctorate?

Chairman Weisz: It says here (reads) "the field of audiology is now doctorial level entry nationwide. Graduate students in audiology will earn no less than a doctorate". The only programs out there now are doctorates. It's getting us up to standard. This basically keeps us up where it is at. Is the committee comfortable with that? We won't take it up until we have the language.

2011 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee
Fort Union Room, State Capitol

SB 2115
March 21, 2011
Job #15746

☐ Conference Committee

Committee Clerk Signature Vicky Crabtree

Minutes: You may make reference to "attached testimony."

Chairman Weisz: I was provided some more information from Legislative Council. They have concerns about saying someone who is licensed out of state can practice here if they are indeed a masters. Their suggestion was based on the fact there won't be any more master degrees that we actually (drops sentence). Look at page 3, line 26-29, they are saying there that they shall possess at least a masters or a doctorate degree in audiology. Even though the masters is going away it doesn't hurt anything because if there is no masters program, then all the new ones will be doctorates. Then it answered the issue of those having a masters in another state, but the board still has the ability to determine if they are competent to come into the state just like they do now. It does not prohibit a masters from another state, but gives the board the authority to decide if they should be issued a license.

Rep. Louser: I think Mr. Ness was talking about a masters in audiology, not a masters degree in speech language pathology.

Chairman Weisz: His concern was in audiology only. If we put at least a masters they can apply for a license in ND. I assume it may end up in conference. It made sense to me.

Rep. Kilichowski: Is there much difference from a masters and doctorate?

Rep. Holman: You can get a masters in 2 years. A doctorate takes 4 years.

Chairman Weisz: It is at least two years more. What does the committee want to do?

Rep. Holman: I move on line 28, page 3 an amendment to insert after the word a right before doctorate the words masters or.

Rep. Hofstad: Second.

Voice Vote: Motion Carried

Chairman Weisz: On page 5, line 16, 17 we changed that language in the behavioral analyst bill to be legislative management compensation and we should try and establish some consistency among these boards. Initially it says they can't receive any salary accept

mileage and travel expenditures. If somebody would like to offer an amendment, we would change that language to the same as we did in behavior analyst.

Rep. Kilichowski: I move the amendment

Rep. Anderson: Second.

Rep. Paur: I we referencing it back to the section then?

Chairman Weisz: It will be the same language. It will just say, "Legislative management compensation".

Rep. Paur: I think that was as defined in section something or other.

Chairman Weisz: Legislative management is defined, but the compensation is not a specific section. We are just saying the compensation set by legislative management and that part is defined. The bill would be 2155 where that language is.

Voice Vote: Motion Carried

Rep. Conklin: I move a Do Pass as amended.

Rep. Hofstad: Second

VOTE: 12 y 0 n 1 absent – Rep. Porter

Bill Carrier: Rep. Conklin

Date: 3-21-11
Roll Call Vote # 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2115

House HUMAN SERVICES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Holman Seconded By Rep. Hofstad

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ			REP. CONKLIN		
VICE-CHAIR PIETSCH			REP. HOLMAN		
REP. ANDERSON			REP. KILICHOWSKI		
REP. DAMSCHEN					
REP. DEVLIN					
REP. HOFSTAD					
REP. LOUSER					
REP. PAUR					
REP. PORTER					
REP. SCHMIDT					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Motion Carried

Date: 3-21-11
Roll Call Vote # 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2115

House HUMAN SERVICES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Kilichowski Seconded By Rep. Anderson

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ			REP. CONKLIN		
VICE-CHAIR PIETSCH			REP. HOLMAN		
REP. ANDERSON			REP. KILICHOWSKI		
REP. DAMSCHEN					
REP. DEVLIN					
REP. HOFSTAD					
REP. LOUSER					
REP. PAUR					
REP. PORTER					
REP. SCHMIDT					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Motion Carried

Adopted by the Human Services Committee

March 21, 2011

VK
3/21/11

PROPOSED AMENDMENTS TO SENATE BILL NO. 2115

Page 3, line 28, after "a" insert "master's or a"

Page 5, line 16, after "compensation" insert "per day"

Page 5, line 16, remove "of"

Page 5, line 17, replace "one hundred dollars for each day or portion of each day spent conducting board business" with "provided for members of the legislative management under section 54-35-10"

Renumber accordingly

Date: 3-21-11
Roll Call Vote # 3

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2115

House HUMAN SERVICES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Conklin Seconded By Rep. Hofstad

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ	√		REP. CONKLIN	√	
VICE-CHAIR PIETSCH	√		REP. HOLMAN	√	
REP. ANDERSON	√		REP. KILICHOWSKI	√	
REP. DAMSCHEN	√				
REP. DEVLIN	√				
REP. HOFSTAD	√				
REP. LOUSER	√				
REP. PAUR	√				
REP. PORTER	A				
REP. SCHMIDT	√				
					–

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Conklin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2115: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2115 was placed on the Sixth order on the calendar.

Page 3, line 28, after "a" insert "master's or a"

Page 5, line 16, after "compensation" insert "per day"

Page 5, line 16, remove "of"

Page 5, line 17, replace "one hundred dollars for each day or portion of each day spent conducting board business" with "provided for members of the legislative management under section 54-35-10"

Renumber accordingly

2011 TESTIMONY

SB 2115

#1

North Dakota

State Board of Examiners

Audiology and Speech-Language Pathology

TESTIMONY
Senate Bill No. 2115

NORTH DAKOTA STATE BOARD OF EXAMINERS ON AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

Madame Chair and members of the committee:

My name is Nan Kennelly, and I am here on behalf of the NDSBE on Audiology and Speech-Language Pathology. I am here in favor of Senate Bill 2115. This bill proposes amendments relating to the practice, licensing and disciplining of audiologists and speech-language pathologists and the composition, powers, and compensation of the board of examiners on audiology and speech-language pathology.

The field of speech-language pathology has expanded and grown over the last few decades, and the proposed amendment to subsection 7 of section 43-37-02 serves to update the definition and practice scope of speech-language pathology to reflect the expanded role of the profession.

The field of audiology is now doctoral level entry nationwide. Graduate students in audiology will earn no less than a doctorate. The proposed amendment to section 43-37-04 clarifies new requirements for licensure application for audiology. No significant changes were made to the field of speech-language pathology. Further clarification under this amendment includes a timeline requirement for completion of a national exam prior to licensure application.

Licensees served by the State Board of Examiners for Audiology and Speech-Language Pathology are currently comprised of 471 speech-language pathologists and 47 audiologists. The proposed amendment for section 43-37-05 serves to increase the board membership by one additional speech-language pathologist to better represent the majority of licensees. Further clarification was included to define quorum.

TESTIMONY
Senate Bill No. 2115

To date, board members have not been compensated for time spent attending meetings, traveling, or completing board business. Section 43-37-08 amends this to include compensation in the amount of one hundred dollars for each day or portion of each day conducting board business.

Further clarifications are also included to amend national examination definition, administrative assistance for the board, and actions of the board for unprofessional conduct.

I wish to thank the committee for the opportunity to be here today and for your time and consideration of these amendments. I respectfully request adoption of the amendments and a "DO PASS" recommendation on Senate Bill 2115. I will attempt to answer any question the committee may have.

Sincerely.

Nan S. Kennelly

#1

North Dakota

State Board of Examiners

Audiology and Speech-Language Pathology

TESTIMONY
House Bill No. 2115
NORTH DAKOTA STATE BOARD OF EXAMINERS ON AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

Mister Chairman and members of the committee my name is Nan Kennelly and I am here on behalf of the NDSBE on Audiology and Speech-Language Pathology. I am here in favor of House Bill 2115. This bill proposes amendments relating to the practice, licensing and disciplining of audiologists and speech-language pathologists and the composition, powers, and compensation of the board of examiners on audiology and speech-language pathology.

The field of speech-language pathology has expanded and grown over the last few decades, and the proposed amendment to subsection 7 of section 43-37-02 serves to update the definition and practice scope of speech-language pathology.

The field of audiology is now doctoral level entry nationwide. Graduate students in audiology will earn no less than a doctorate. The proposed amendment to section 43-37-04 clarifies new requirements for licensure application for audiology. No significant changes were made to the field of speech-language pathology. Further clarification under this amendment includes a timeline requirement for completion of a national exam prior to licensure application.

Licensees served by the State Board of Examiners for Audiology and Speech-Language Pathology are currently comprised of 471 speech-language pathologists and 47 audiologists. The proposed amendment for section 43-37-05 serves to increase the board membership by one additional speech-language pathologist to better represent the majority of licensees. Further clarification was included to define quorum.

To date, board members have not been compensated for time spent attending meetings, traveling, or completing board business. Section 43-37-08 amends this to include compensation in the amount of one hundred dollars for each day or portion of each day conducting board business.

Further clarifications are also included to amend national examination definition, administrative assistance for the board, and actions of the board for unprofessional conduct.

I wish to thank the committee for the opportunity to be here today and for your time and consideration of these amendments. I respectfully request adoption of the amendments and a "DO PASS" recommendation on House Bill 2115. I will attempt to answer any question the committee may have.

Thank you.

Nan S. Kennelly

SB2115

Devlin, Bill R.

[redacted]n: Brady Ness [bradyness@hotmail.com]
[redacted]t: Tuesday, March 15, 2011 1:31 PM
To: Devlin, Bill R.
Subject: Audiology licensure changes

Representative Devlin,

Thank you for the oppurtunity to discuss the proposed changes to Audiology licensure in ND this morning. What the ND Academy of Audiology is really hoping for is some addendum on the current proposal requiring a doctorate degree to receive a license in ND that would include those experienced master's level audiologist that have been practicing with their national clinical certificate of competence elsewhere.

Here is my testimony from this morning. I apologize for not having copies this morning as this was my first time testifying. Please forward this on to all committee members.

It is the position of the North Dakota Academy of Audiology that this bill (SB 2115), specifically section 43-37-04 should not pass as currently written as it does not allow experienced, masters-level audiologists that have maintained their National Certificate of Clinical Competence and state licensure elsewhere to receive a license and practice in our state.

There are 3 main reasons for this recommendation:

1. There are at least 6 Audiologists currently practicing with a master's degree in ND, so we are already telling them that their training and experience is sufficient to be licensed in ND.
2. Our National accrediation organizations, the American Speech and Hearing Association (ASHA) and American Academy of Audiology (AAA) have already included provisions in their rules and regulations which permit these master's level [redacted]ogists to maintain licensure and continue to practice so long as there has been no lapse in their Certificate of [redacted]al Competence (CCC).
3. Our 3 neighboring states, along with every other that I researched follow those provisions as set forth by ASHA.

In the opinion of the ND Academy of Audiology, there needs to be a date added that specifies that experienced practitioners that have maintained their CCC's are eligible for a ND license and allowed to practice just as they were able to in their previous state (and many master's level providers continue to do so in our state.) ASHA has set this date at Jan. 1, 2012 and we would recommend following this.

In looking at the proposed change to Section 43-37-04 2. b it may be as simple as adding that "an Applicant for an audiologist license shall possess at least a doctorate degree in audiology or be current with their Certificate of Clinical Competence as set for the by the American Speech and Hearing Association (ASHA)." The date could then be listed as well (Jan. 1, 2012). This would then include all of the master's level audiologists applying for or renewing a license in ND. Those that aren't in accordance with our National organization (which we all need to be a part of for 3rd party billing) would not be eligible for this exception.

Thank you kindly for your time in this matter. Please feel free to contact me at MedCenter One on my direct line at 701-323-8552 with any further questions.

Sincerely,
Brady Ness, AuD
President
ND Academy of Audiology

[redacted]