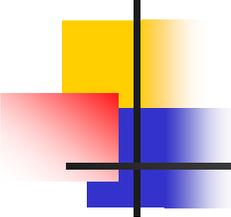


Licensure and Certification

How-To 2010



It's the Law

- **It is a Class B misdemeanor (punishable by 6 months in county jail and/or fine not exceeding \$1,000) to practice without a license.**

**Texas Occupations Code, Section
401.503**



License Types - Speech

- **Speech-Language Pathologist**
- **Intern in Speech-Language Pathology**
- **Assistant in Speech-Language Pathology**
- **Temporary Certificate of Registration in Speech-Language Pathology**



License Types - Audiology

- **Audiologist**
- **Intern in Audiology**
- **Assistant in Audiology**
- **Temporary Certificate of Registration in Audiology**



Application Procedure

- **Online:**

Complete licensure application form and pay application fee. (www.dshs.state.tx.us/speech/)
(Must mail in official transcript)

- **Mail:**

- **Application & Fee**
- **Official Transcript**
- **Supporting Documentation**

- **Fax:**

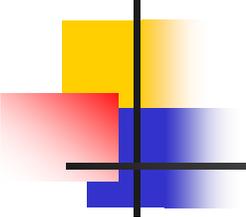
Only the application & supporting documentation can be faxed



Application Procedure

- **Allow at least 15 working days for processing your license application.**
- **You can do an online live public search and download a verification as soon as your license is granted.**

Remember!

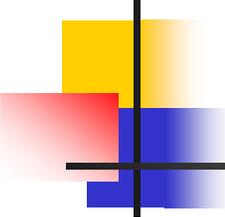


- **Keep copies of all documents you send to the office!**
- **If your application is returned or held pending additional information, you have a limited amount of time to provide the requested information. If you do not complete the application process in time, or if your application is denied, the original documents are not saved. You will need to resubmit *everything*.**



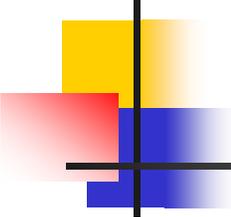
Most Common Delays

- **Not submitting a conferred transcript(s)**
- **Not using the most current form(s)**
- **Incomplete form(s)**
- **Not submitting all required supporting documentation(s)**



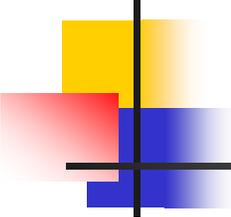
Supervision Issues

- **Supervisors must hold a valid Texas license
Supervisors must have 3 years of experience
(internship + 2). [§741.44(a)]**
- **Supervisors can supervise a maximum of 4
individuals (any combination of interns and
assistants). [§741.44(b)(4)]**
- **Supervisors of an intern must possess at least
a master's degree in communication sciences
and disorders. [§741.62(g)]**



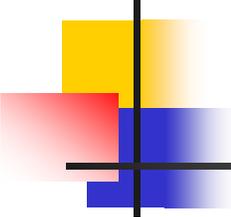
Assistant Application

- **Application & Fee**
- **Official transcript showing baccalaureate degree(s) conferred**
- **Supervisory Responsibility Statement Form**
- **Proof of Completion of Jurisprudence Exam**



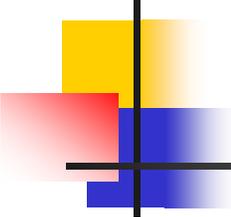
Assistant Application – cont.

- **Clinical Observation & Experience Form completed by university program director**
- **Clinical Deficiency Plan if you did not complete all the clinical observation hours & clinical experience hours at the university**



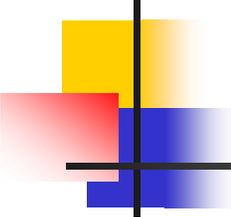
Assistant FAQ's

- **Q. Do assistants have their own caseload?**
- **A. No, they assist the licensed speech-language pathologist in managing as existing caseload by implementing documented treatment plans.**



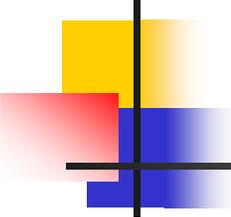
Assistant FAQ's

- **Q. What title can an assistant use?**
- **A. Assistants may use "Assistant SLP" or SLP Assistant" as indicators of their credentials. "SLP-A" or "STA" should not be used.**



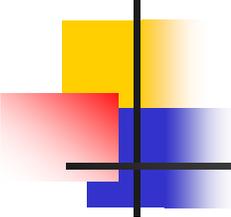
Assistant FAQ's

- **Q. How much supervision should an assistant receive?**
- **A. The supervising speech-language pathologist shall provide a minimum of two hours per week of supervision, at least one hour of which is face-to-face supervision where the licensed assistant is providing the therapy. This applies whether the licensed assistant's practice is full or part-time. [§741.64(g)(4)]**



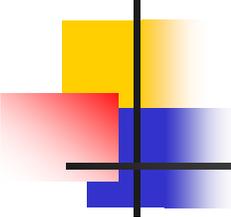
Assistant FAQ's

- **Q. Is continuing education required for an assistant to renew their license?**
- **A. Yes. Twenty clock hours (two CEUs) shall be required to renew a license issued for a two-year term. Effective April 30, 2009, a license holder must complete a minimum of 2.0 clock hours (0.2 CEUs) in ethics as part of the continuing education requirement.**



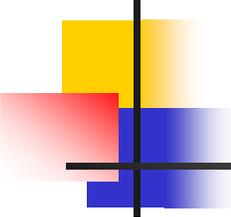
Intern Application

- Application & Fee
- Proof of Completion of Jurisprudence Exam
- Official transcript(s) showing masters degree(s) has been conferred
 - If the masters degree has not been officially conferred, submit a current official transcript showing course work completed AND an letter signed by the university program director on official university letterhead stating you satisfactorily completed all academic course work and you are awaiting the date of next graduation for the degree to be conferred.



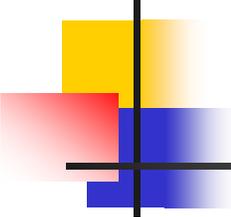
Intern Application – cont.

- Course Work & Clinical Experience Form completed by the university program director or director designee
- Intern Plan and Agreement of Supervision



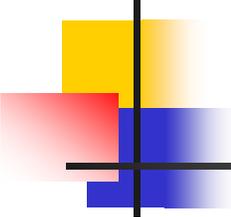
Internship FAQ's

- An Intern may pursue the American Speech-Language-Hearing Association (ASHA) Clinical Fellowship Year (CFY) simultaneously, HOWEVER, APPROVAL FROM ASHA TO BEGIN THE CFY IS NOT A LICENSE TO PRACTICE IN TEXAS.



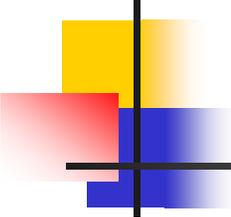
Once the Internship is Completed:

- Each supervisor must complete the Report of Completed Internship form and the intern must submit the form(s) within 30 days of completion of the internship.
- Both the intern and the supervisor must maintain documentation of the supervisor's observations and evaluations for **three years**, or until the full license is granted.



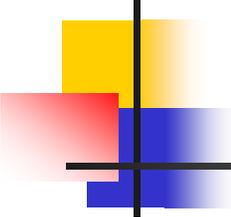
Once the Internship is Completed:

- If the Praxis exam has been passed, apply for a two-year full license by submitting:
 - Application & Fee
 - Original Transcript showing graduate degree conferred if not previously submitted
 - Report of Completed Internship from each supervisor
 - Praxis exam score (600+)



Once the Internship is Completed:

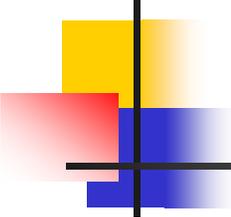
- If the exam has **not** been passed, apply for a temporary certificate of registration (application & fee, transcript if needed, Report of Completed Internship, & statement the supervision will continue).
- Temporary certificate allows practice for a period ending 8 weeks after the next scheduled exam



Internship FAQ's

- **Q: When do I start the internship?**

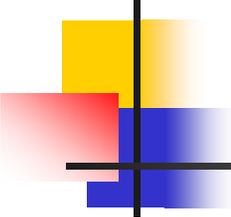
A: You must begin within 4 years after completing academic and clinical experience requirements.



Internship FAQ's

- **Q: How long is the internship?**

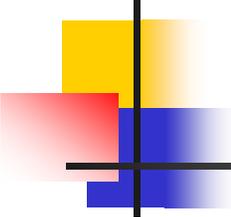
A: It must be completed within *36 months*, and it consists of *36 weeks* of full-time (35 hours per week) supervised professional experience. Part-time employment over a longer period is also acceptable.



Internship FAQ's

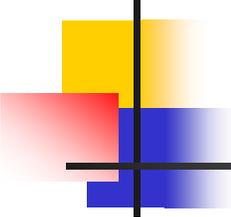
- **Q: What type of job is acceptable?**

A: It must involve primarily clinical activities such as assessment, diagnosis, screening, treatment, report-writing, and family/client consultation and/or counseling related to individuals with communication disabilities.



Internship FAQ's

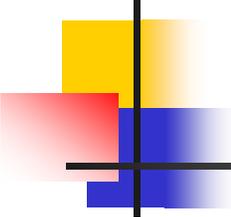
- Q: What title do I use?
- A: "Intern" (in speech-language pathology or audiology).



Internship FAQ's

- **Q: How much supervision is required?**

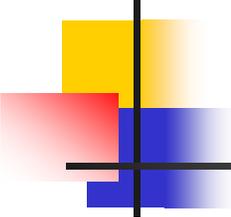
A: A total of 36 clock hours. Each 1/3 of the internship must include 6 hours of direct observations of client contact at the intern's worksite, plus 6 hour of other monitoring activities (e.g., correspondence, videotape review, phone conferences). During each 1/3 segment, the supervisor must conduct a formal evaluation of the intern's progress and maintain documentation.



Internship FAQ's

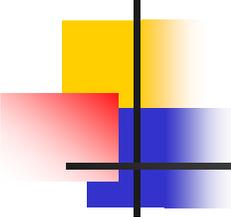
- **Q: What happens if I don't complete the internship within the time frame?**

A: You may submit a written request for an extension explaining the reason. A Board Designee will determine whether the internship should be revised or extended and whether additional requirements must be met.



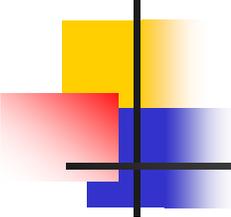
Internship FAQ's

- **Q: What happens if I change jobs?**
- **A: If the supervisor and number of hours worked per week stay the same, you must submit a new Intern Plan and indicated that it is a site change only.**



Internship FAQ's

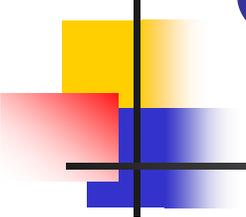
- **Q: What happens if I change supervisors?**
- **A: Your new supervisor must submit a current Intern Plan and Agreement of Supervision form. The new arrangement has to be approved by the Board before you resume practice. You and your previous supervisor must complete a Report of Completed Internship Form and submit it to the Board office.**



Internship FAQ's

- **Q: What happens if I increase or decrease the hours I work?**

A: If the number of hours worked changes, but supervisor and location are the same, you must submit a new Intern Plan. A Report of Completed Internship form must also be submitted for the previous experience.



Contact Information

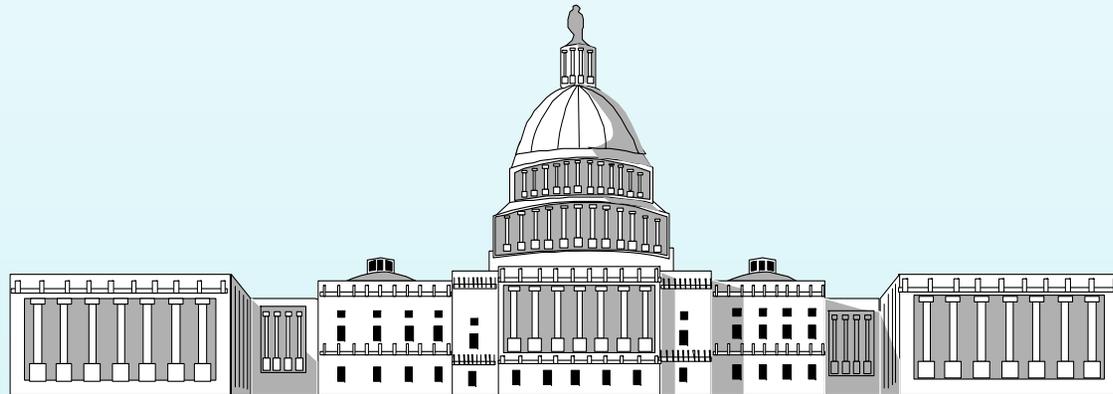
- 512-834-6627 (phone)
- 512-834-6677 (fax)
- e-mail:
 - speech@dshs.state.tx.us
- web site:
 - www.dshs.state.tx.us/speech/



*Licensure, Ethics &
The Complaint Process*

Licensure

- Government process where state grants permission to practice





Licensure addresses...

- Consumer Protection
- Legal Right to Practice
- Defines Scope of Professional Practice
- Continuing Education
- Law v. Rules and Regulations



State Board of Examiners for Speech-
Language Pathology and Audiology

- **POWERS/DUTIES** are to administer, coordinate, and enforce this chapter under Texas Occupations Code CH 401 and.....



This board shall.

- Evaluate qualifications of applicants.
- Issue subpoenas, examine witnesses, and administer oaths under the laws of the state of Texas.
- Conduct hearings and keep records and minutes necessary to the orderly administration of this chapter.
- Investigate persons engaging in practices that violate this chapter.



STATE BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY

§401.202 Rulemaking Authority

“The board shall adopt rules necessary to administer and enforce this chapter including rules that establish standards of **ethical practice**”.

State Board of Examiners for Speech- Language Pathology and Audiology

- Current Appointees

- Vickie B. Dionne, Au.D., FAAA -- Chair
- Phillip Wilson, Ph.D., CCC-A
- Kerry Ormson, Ed.D., Au. D.
- Sonya Salinas, M.A., CCC-SLP
- Patty Brannon, M.A., CCC-SLP
- Leila Salmons, M.S., CCC-SLP
- Kimberly Carlisle, J.D.
- Tammy Camp, M.D.
- Christopher Rourk, J.D.



www.dshs.state.tx.us/speech

You can find:

- Rules
- Members
- Complaints Process
- Applications / forms
- Statutes or laws
- Links

Rules

- 22 Texas Administrative Code Chapter 741
 - Subchapter D. Code of Ethics; Duties and Responsibilities of License Holders



press-release o-matic

I didn't
know

I wasn't
told

I should
have
asked

MVP
00



The shalls and
the shall nots

Licensees SHALL:

- Notify the Board of changes in name of preferred mailing address within (30) days of such change (s) which must include the name, mailing address, and zip code and be mailed, telephoned, faxed or sent by electronic mail to the Executive Director [§741.41(a)]

Licensees SHALL:

- Practice only in those aspects of profession w/in licensee's scope of competence [§741.41(a)(1)]
- Ensure safe therapy environment [§741.41(a)(2)]
- Seek appropriate medical consultation whenever indicated [§741.41(a)(4)]
- Ensure equipment operates properly and properly calibrated [§741.41(a)(7)]
- Seek to identify competent dependable referral sources for clients [§741.41(a)(5)]

Licensees SHALL:

- Provide accurate information to clients
[§741.41(a) (9)]
- Inform the board of violations of this ethics code or any other provision in this chapter[§741.41(d)]
- Comply with any order issued by the board[§741.41(e)]

Licensees shall:

- Cooperate with the board by promptly furnishing documents and promptly responding to a request for information [§741.41(i)]
- Terminate professional relationship when reasonably clear, client is no longer benefiting from the services being provided [§741.41(a)(8)]

Licensees SHALL NOT:

- Jeopardize a client's safety through inattentive behavior [§741.41(b)(2)]

Licensees SHALL NOT:

- Guarantee, directly or indirectly, the results of any therapeutic procedures, EXCEPT:
 - a reasonable statement of prognosis may be made; and caution must be exercised not to mislead clients to expect results that cannot be predicted from reliable evidence.

[§741.41(b)(3)(A)(B)]

Licensees SHALL NOT:

- Delegate any service requiring professional competence of a licensee to anyone not licensed for the performance of that service [§741.41(b)(4)]
- Provide services if the services cannot be provided with reasonable skill or safety to the client [§741.41(b)(5)]

Licensees SHALL NOT:

- Engage in sexual contact, including intercourse, kissing, or fondling, with a client or an assistant, intern, or a student supervised by the licensee [§741.41(b)(7)]

Licensees SHALL NOT:

- Falsify records [§741.41(b)(14)]
- Misrepresent his or her training or competence [§741.41(b)(13)]
- Aid or abet the practice of an unlicensed person when that person is required to hold a license under this chapter [§741.41(f)]

GROUNDS FOR LICENSE DENIAL AND DISCIPLINARY ACTION

- After a hearing, the board may deny a license to an applicant or may suspend or revoke a person's license or place on probation a license holder if the applicant or license holder:
 - (4) engages in unprofessional conduct that:
 - (B) violates the code of ethics adopted and published by the board. [Occupations Code, §401.451(a)(4)(B)]

The Complaint Process

The background is a solid teal color. At the bottom right corner, there is a silhouette of a mountain range in a slightly darker shade of teal.

Occupations Code
§401.253

Chapter 741
Subchapter N
Rule 741.191

COMPLAINT PROCESS

Each licensee must prominently display in his/her office the:

State Licensing Board's

Name

Address

Phone Number

COMPLAINT PROCESS

A complaint can be filed against you by a consumer, a colleague, or even the Board itself.

COMPLAINT PROCESS

A person wishing to report an alleged violation of the Act or the rules by a licensee or other person shall notify the Executive Director.

COMPLAINT PROCESS

Written Notice can be in the form of:

- ◆ Complaint Form (website)
- ◆ Letter
- ◆ Email

COMPLAINT PROCESS

When a complaint has been filed:

Prior to or during an investigation, the executive director or his/her designee shall request a response from the licensee or person against whom an alleged violation has been filed to gather information required by the Complaints committee of the board.

COMPLAINT PROCESS

The licensee or person against whom an alleged violation has been filed must respond within

15 working days



of the Executive Director's request.

PRACTICE TIP

Ignoring Executive
Director's letter does not
make it go away!

COMPLAINT PROCESS

Open Meetings

- ◆ The agendas are published and the public is always

WELCOME

- ◆ Names relating to the complaints are not published at this time



COMPLAINT PROCESS

If it is determined that there are sufficient grounds to support the complaint, the matters in question shall be investigated.

COMPLAINT PROCESS

What happens if...

The committee determines that there are insufficient grounds to support the complaint?

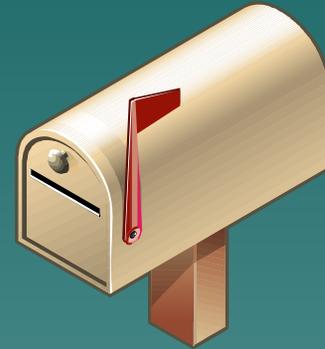


COMPLAINT PROCESS

What happens if: (con't)

The committee shall:

- ◆ dismiss the complaint
- ◆ give **written notice** to:
 - licensee or person against whom the complaint has been filed
 - the complainant



COMPLAINT PROCESS

If after investigation a complaint or allegation is substantiated by the evidence, the committee may recommend:

- ❖ Cease and Desist
- ❖ Information Letter
- ❖ Warning Letter
- ❖ Reprimand
- ❖ Reprimand with CEs

COMPLAINT PROCESS

Violation

❖ Administrative Penalty

- Not less than \$50 or more than \$5,000 for each violation
- Each day a violation continues = separate violation

❖ Probated Suspension

❖ Suspension

❖ Emergency Suspension

❖ License Revocation

COMPLAINT PROCESS

Factors Related to Schedule of Sanctions

- ◆ Seriousness of violation
- ◆ Previous complaint history
- ◆ Severity level necessary to deter future violations
- ◆ Efforts to correct the violation
- ◆ Other extenuating circumstances

COMPLAINT PROCESS

In the Past Year

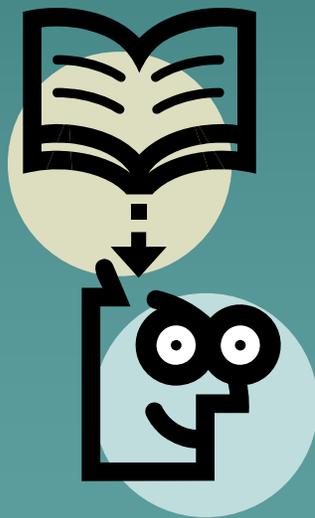
- ◆ Approximately 36-50 complaints
- ◆ Approximately 10-18 against audiologists
- ◆ No license revocations
- ◆ Multiple violations
- ◆ Multiple administrative penalties in the form of fines
- ◆ Several letters of reprimand, & probated suspensions with CEU's

COMPLAINT PROCESS

- ◆ Failure to maintain proper records;
- ◆ Failure to supervise Intern or Assistant
- ◆ Not upgrading to Full License

If You Don't Know???

Please Read the Act, Rules, or
contact the Program Office



CONTACT INFORMATION:

C. David Richards

Assistant General Counsel

Office of the General Counsel

1100 West 49th Street, M-525

Austin, Texas 78756

512-458-7236

512-458-7751 Fax