

Board of Registration for Speech-Language Pathology and Audiology
Meeting Held by Video Conference and Phone
DATE: September 28, 2021 TIME: 9:00 a.m.

Public Session Minutes

A public meeting of the Massachusetts Board of Registration of Speech-Language Pathology and Audiology (“the Board”) was held via Videoconference and Conference Call pursuant to Chapter 20 of the Acts of 2021: An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency signed into law on June 16, 2021.

Board Members Present by video or phone:

Nicole Laffan
Sarah Young-Hong
Gabrielle Simone

Staff Present by video or phone:

Thomas Burke, Executive Director
Jenna Hentoff, Board Counsel

Board Members Not Present

Kristin Bresnahan
Donna Noonan

Meeting called to order at 9:10 am.

Board Business:

- Approve Public Session Minutes
 - Minutes of 8/3/21 meeting
The Board reviewed the draft of the public session minutes of the June board meeting.
Dr. Simone moved to approve the minutes. Ms. Young-Hong seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”
- Approve Public Session Minutes
 - Minutes of 9/23/21 meeting
The Board reviewed the draft of the executive session minutes of the June board meeting.
Dr. Laffan moved to approve the minutes as amended. Dr. Simone seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”
- Report from Executive Director, Thomas Burke
 - Mr. Burke reported that as of August 27, 2021, Board staff is complying with the health order for facemasks as required in all indoor public settings in the City of Boston. He noted that the Board would continue to meet remotely until April 1, 2022. Mr. Burke reminded the Board that staff continues to work in person while maintaining remote work as needed. Mr. Burke introduced Jenna Hentoff as new Board Counsel. Ms. Hentoff will provide ongoing guidance to the Board regarding the transfer of resources and staff to the Department of Public Health over the next twelve to eighteen months.
- Board Elections
 - This topic was tabled.

Compliance Monitoring

- F.M. The Board received required documents associated with the consent agreement for case number 2019-000634-IT-ENF. **Dr. Laffan moved to accept the reports. Dr. Simone seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”**

Correspondence

- JZ. The Board reviewed correspondence regarding provisional licensure of clinical fellows in Massachusetts to which the Board expressed support. **Dr. Laffan moved to delegate Ms. Young-Hong to work with Board Counsel to draft a statement of support to be reviewed at the December 2021 meeting. Dr. Simone seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”**
- MT. The Board reviewed correspondence regarding whether social learning groups are within the scope of practice of a speech-language pathologist. **Dr. Laffan moved to have the Executive Director provide a response with the assistance of Board Chair. Dr. Simone seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”**

Discussion

- Board Meeting Dates 2022
 - This matter was tabled. **Board Chair moved to instruct the Executive Director to inquire with other Board members to determine alternate bi-monthly meeting date for the 2022 calendar. Dr. Simone seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”**
- Draft Telepractice Policy – Update and Review
 - The Board reviewed a draft of the temporary telepractice policy. In discussion, the Board amended the draft and the Executive Director read the policy into the record. The amended policy states:

In response to current public health considerations due to Covid-19, the Board of Registration for Speech-Language Pathology and Audiology (“Board”) has voted to adopt the following information for all holders of Board-issued licenses. For speech-language pathology and/or audiology services rendered through August 31, 2022, the Board’s Policy on Providing Speech-Language Pathology and Audiology Services by Electronic Means (“Telepractice Policy”) is temporarily amended as set forth below.

All other standards as set forth in the Telepractice Policy, including those regarding training, remain in effect.

1. All licensing requirements of the Telepractice Policy remain in effect; thus, all persons who provide telepractice services to clients who reside or are located in Massachusetts must be licensed by the Board and Board licensees must comply with statutes, regulations and policies of the jurisdiction where the client is located.

2. A Board licensed speech-language pathologist or audiologist may provide services via telepractice to a client who is clinically appropriate and has a medical need or is determined eligible based on an Individualized Education Plan or a plan under Section 504 of the Rehabilitation Act of 1973.

3. For speech-language pathology and/or audiology services rendered through August 31, 2022, the Board hereby waives the requirement for an in-person evaluation to occur prior to the start of telepractice services. However, for individuals who choose to continue receiving telepractice services after August 31, 2022, an in-person assessment of the client's need for services and candidacy for telepractice, including behavioral, physical and cognitive abilities to participate in telepractice services, must be completed within sixty (60) working days after August 31, 2022 for individuals who did not participate in an in-person evaluation prior to the start of telepractice services. For individuals in which telepractice services have transitioned from telepractice to in person services, an in-person assessment of the client's current skills and need for services must be completed within sixty (60) working days of August 31, 2022 for individuals who did not participate in an in-person evaluation prior to the start of telepractice services.

4. Where speech-language pathology assistants or audiology assistants are providing services via telepractice, the Board's regulations and policies, including but not limited to rules on supervision, remain applicable: at least 10% of services rendered by the assistant each month must be provided under Direct Supervision, and an additional 10% of the assistant's services must be supervised either directly or indirectly.

5. Licensees who supervise clinical fellows or graduate students should follow ASHA and CFCC Covid-19 guidelines, which can be accessed here: <https://www.asha.org/certification/covid-19-guidance-from-cfcc/>

6. Licensees providing telepractice services must properly identify the patient using, at a minimum, the patient's name and date of birth and, where possible, a photo ID.

7. To the extent feasible, licensees providing telepractice services must ensure the same rights to confidentiality and security as provided during in-person services. Licensees must inform patients of any relevant privacy considerations.

This policy amends the Board's June 10, 2020 policy regarding telepractice during the State of Emergency declared by Governor Baker.

After review, Dr. Laffan moved to approve the temporary telepractice policy as amended. Dr. Simone seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”

- Draft Audiogram Policy

- **Dr. Laffan moved to table the topic. Dr. Simone seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”**
- Academy of Doctors of Audiology
 - **Dr. Laffan moved to table the topic. Dr. Simone seconded. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”**

Open session for topics not reasonably anticipated 48 hours in advance of meeting

Closed Session: Investigatory Conferences, pursuant to G.L. c. 112, §65C.

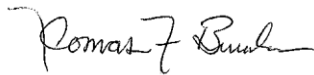
At 10:39 a.m., Dr. Laffan moved to exit open session and enter into closed session to conduct investigatory conferences, pursuant to G.L. c. 112, §65C, not return to the public meeting. Dr. Simone seconded the motion. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”

During the closed session, the Board took the following actions:

- 2021-000289-IT-ENF – Tabled.
- 2021-000081-IT-ENF – Tabled.

At 11:13 am, Dr. Laffan moved to adjourn the meeting. Dr. Simone seconded the motion. The motion passed on a roll call vote: Dr. Laffan – “Yes”; Ms. Young-Hong – “Yes”; Dr. Simone – “Yes.”

Respectfully Submitted,



Thomas F. Burke
Executive Director

Documents Used in the Open Meeting:

- Agenda
- Public Session Minutes of 8/3/2021 and 9/23/2021 Board meetings
- FM compliance monitoring
- Correspondences
- Draft Temporary Telepractice Policy