

FLORIDA | Board of Speech-Language  
Pathology and Audiology

**Meeting Minutes**

**January 24, 2020  
9:00 a.m.**

**Rosen Plaza Hotel  
9700 International Drive  
Orlando, FL 32819  
(407) 996-9700**



Peter Johnson, PhD  
**Chair**

Frederick Rahe, Au.D.  
**Vice-Chair**

Kama Monroe  
**Executive Director**

## January 24, 2020, Board Meeting

The Meeting was called to order by Board chair, Peter Johnson at 9:03 a.m.

Present for all or part of the meeting, include:

### **MEMBERS PRESENT:**

Peter Johnson, Au.D., Chair  
Frederick Rahe, Au.D., Vice-Chair  
Kristen Rutland, SLP  
Sherry Jordan, Ed.S.  
Paul Boyev, M.D.

### **BOARD STAFF PRESENT:**

Kama Monroe, Executive Director  
Carol Taylor, Program Office Administrator

### **MEMBERS ABSENT:**

Sergio Guerreiro, Au.D.

### **BOARD COUNSEL:**

Tom Jones, Board counsel

### **COURT REPORTER:**

American Court Reporting  
Jane Heneghan  
(352) 324-3904

### **PROSECUTION SERVICES UNIT**

None

*Please note that the meeting minutes reflect the actual order None that agenda items were discussed during the meeting and may differ from the agenda outline.*

## **TAB 1: REVIEW AND APPROVAL OF MINUTES**

Minutes of the November 1, 2019, Board Meeting were reviewed.

Motion: by Frederick Rahe, seconded by Paul Boyev, to approve the minutes. Motion carried.

## **APPLICANTS**

### **Speech-Language Pathology Assistant Application Review**

**TAB 3** – Barbara Alvarez-Hernandez, File #5216

Applicant was present. Applicant was not represented by counsel.

The board provided a Spanish interpreter for applicant.

**Action Taken:** After discussion, Peter Johnson, moved to table the application until June to allow the applicant the opportunity to obtain a new translation from Josef Silny regarding the 15 required hours in Speech-Language Pathology and Audiology and once received delegate Dr. Johnson the authority to approve the application. If not received, applicant will be required to appear at the July board meeting. Paul Boyev seconded the motion. Motion carried.

Applicant verbally waived the ninety-day requirement.

### **Provisional Speech-Language Pathologist Application Review**

**TAB 4** – Magdalys Mendoza, File #9354

Applicant was present. Applicant was not represented by counsel.

The board provided a Spanish interpreter for applicant.

**Action Taken:** After discussion, Frederick Rahe, moved to allow the applicant to withdraw her application, Dr. Boyev seconded the motion. Motion carried.

## **TAB 2: PROSECUTION SERVICES REPORT**

A motion to allow the Department to continue to prosecute all year or older cases, including the prosecution services report as an attachment, was included on the agenda.

Motion: by Paul Boyev, seconded by, Frederick Rahe, to allow PSU to continue prosecuting cases a year and older. Motion carried.

## **TAB 5 – RATIFICATION OF LICENSES ISSUED 10.1.2019-12.31.2019**

(a) 3001 - Speech-Language Pathologist

Motion: by Frederick Rahe, seconded by Kristen Rutland, to ratify the 177 license numbers 17502-17678 issued between 10/1/2019 and 12/31/2019. Motion carried.

(b) 3002 – Audiologist

Motion: by Frederick Rahe, seconded by Paul Boyev, to ratify the 8 license numbers 7325-7332 issued between 10/1/2019 and 12/31/2019. Motion carried.

(c) 3003 - Speech-Language Pathology Assistant

Motion: by Frederick Rahe, seconded by Paul Boyev to ratify the 96 license numbers 4163-4258 issued between 10/1/2019 and 12/31/2019. Motion carried.

(d) 3004 – Audiologist Assistant

Motion: by Paul Boyev, seconded by Frederick Rahe, to ratify the 13 license numbers 363-375 issued between 10/1/2019 and 12/31/2019. Motion carried.

(e) 3005 - Provisional Speech-Language Pathologist

Motion: by Frederick Rahe, seconded by Paul Boyev, to ratify the 59 license numbers 6374-6432 issued between 10/1/2019 and 12/31/2019. Motion carried.

(f) 3006 – Provisional Audiologist

Motion: by Frederick Rahe, seconded by Paul Boyev, to ratify the two license numbers 795-796 issued between 10/1/2019 and 12/31/2019. Motion carried.

## **BOARD COUNSEL REPORT**

### **TAB 7 – Rules Report**

January 2020 Rules Report  
December 2019 Rules Report  
November 2019 Rules Report

Board counsel reviewed the most recent report with the board.

### **TAB 8 - Rule Discussion**

a. Rule 64B20-2.007 Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome

**Action Taken:** Motion by, Peter Johnson, to repeal Rule 64B20-2.007, F.A.C. Motion carried.

b. Rule 64B20-5.0022  
This item was withdrawn from the agenda.

### **TAB 9 – Sunset Language**

Board counsel reviewed the Governor's Letter with the board and discussed Sunset Language. After discussion:

**Action Taken:** Motion by, Frederick Rahe, seconded by Kristen Rutland, to include sunset language in any new rule adopted, that is not statutorily required or may affect the health, safety or welfare of Florida citizens, that the board review the rule within five years. The review process shall begin no more than one hundred eighty days before the time period. Motion carried.

## **EXECUTIVE DIRECTOR REPORT-Kama Monroe, J.D., Executive Director**

### **TAB 10 –Applications**

Ms. Monroe reviewed the proposed typographical changes for the applications approved at the last Board meeting, as well as, the proposed changes to SPA-3.

- a. **Action Taken:** After discussion: Frederick Rahe, moved to approve the proposed typographical changes to SPA-1 SLPA Full Licensure Application, Peter Johnson seconded the motion. Motion carried.
- b. **Action Taken:** After discussion: Frederick Rahe, moved to approve the proposed typographical changes to SPA-2 Provisional Licensure Application, Kristen Rutland seconded the motion. Motion carried.
- c. **Action Taken:** After discussion: Kristen Rutland, moved to approve the proposed changes to SPA-3 Assistant Certification Application, Frederick Rahe seconded the motion. Motion carried.

Board counsel informed the board that with the approval of the changes to the three applications, the affected proposed rules will be Rule 64B20-2.001, F.A.C., Rule 64B20-2.003, F.A.C., and Rule 64B20-4.001, F.A. C. He further added that some additional procedural items will have to be filed.

### **TAB 8 - Rule Discussion**

a. Rule 64B20-2.007 Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome

Board counsel readdressed this item.

**Action Taken:** Motion by, Paul Boyev, seconded by Frederick Rahe, that repeal of the rule will not make an adverse impact on small business and proposed changes would not directly or indirectly increase

regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. The proposed rule amendments will not have an adverse impact and would not directly or indirectly increase regulatory costs to any entity including government in excess of \$1,000,000.00 within five years after the implementation of the rule. Motion carried.

## **ADDENDUM ITEMS:**

### **EXECUTIVE DIRECTOR REPORT**

#### **TAB 12: Discussion of Applications Reviewed by Board chair and vice-chair.**

**Action Taken:** After discussion: Paul Boyev, moved that in case of dispute, the applications are to be brought to the board for review, Frederick Rahe seconded the motion.

After discussion, Dr. Boyev withdrew his motion.

Paul Boyev, moved that review of the applications will be split between the two liaisons, the first reviewer will have three options, yes, no, or unsure; if yes the application will be approved; if no the application will be sent to the board; if the response is unsure the application will be sent to the second reviewer; if the second reviewer says yes the application will be approved, if no then the application must be reviewed by the board. If a required appearance is needed due to a possible 90-day violation, a request for the chair to require an appearance will be submitted. Kristen Rutland seconded the motion. Motion carried.

### **TAB 8: RULE DISCUSSION**

#### **c. 64B20-2.003(5) Provisional Licensure Requirement**

During discussion Frederick Rahe informed the board that when the provisional license was first developed it was to address CFY people who didn't have a license and the reason why there is a time limit is so that the person who can't pass their national exam and complete all of the requirements for a full license can't just keep practicing under a provisional license. He noted that unless under extreme circumstance there should be no reason for a second provisional license.

**Action Taken:** After discussion: Motion by Kristen Rutland, seconded by Paul Boyev, to approve the proposed changes to Rule 64B20-2.003(5), F.A.C. Motion carried.

**Action Taken:** Motion by, Frederick Rahe, seconded by Paul Boyev, that the proposed rule amendments will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. The proposed rule amendments will not have an adverse impact and would not directly or indirectly increase regulatory costs to any entity including government in excess of \$1,000,000.00 within five years after the implementation of the rule. Motion carried

#### **d. 64B20-5.005(4) Requirements for Renewal of Provisional License**

**Action Taken:** After discussion: Motion by Paul Boyev, seconded by Kristen Rutland, to approve the proposed changes to Rule 64B20-5.005(4), F.A.C. to bring it in compliance with statute. Motion carried.

**Action Taken:** Motion by, Kristen Rutland, seconded by Paul Boyev, that the proposed rule amendments will not make an adverse impact on small business and proposed changes would not directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000.00 in aggregate in Florida within one year after the implementation of the rule. The proposed rule amendments will not have an adverse impact and would not directly or indirectly increase regulatory costs to any entity including government in excess of \$1,000,000.00 within five years after the implementation of the rule. Motion carried

### **EXECUTIVE DIRECTOR REPORT-Kama Monroe, J.D., Executive Director**

#### **TAB 11: FLORIDA DEPARTMENT OF HEALTH CE RENEWAL COURSES**

**Action Taken:** After discussion: Motion by Paul Boyev, seconded by Frederick Rahe, to approve the course for one hour of general continuing education. Motion carried.

### **TAB 6 – BOARD CHAIR REPORT – Dr. Johnson**

Board chair passed around a thank you card from past board counsel.

## **BOARD LIAISON REPORTS**

### **TAB 13 – Budget Liaison Report-**

Dr. Johnson reviewed the revenue and expenses for the board.

Regarding English proficiency the Board chair called the board's attention to the ad hoc committee from ASHA, noting the committee's recommendation to approve and noting that it is currently in a comment period.

## **BOARD LIAISON REPORTS**

**TAB 14 – Application** – Dr. Rahe (AuD) & Dr. Johnson (SLP): Modifying applications was discussed during the

Executive Director Report.

**TAB 15 – Continuing Education** – Dr. Guerreiro was not present. No report.

**TAB 16 – Laws and Rules** – Dr. Rahe (AuD): No report

**TAB 17 – Unlicensed Activity** – Dr. Rahe (AuD) & Dr. Johnson (SLP): No report.

**TAB 18– Healthy Weight** – Attendees were directed to materials displayed at the back of the room and everyone was encouraged to help themselves.

## **GENERAL DISCUSSION OLD BUSINESS**

### **TAB 19: Facebook Discussion**

Board counsel provided a brief summary of the decision to the board.

### **TAB 20: Audiology & Speech-Language Interstate Compact**

This item was placed on the agenda to bring to the board's attention. Brief discussion ensued. No action required.

## **NEW BUSINESS**

### **TAB 21: Delegation of Authority**

**Action Taken:** After discussion: Motion by Frederick Rahe, seconded by Kristen Rutland, to approve the delegation. Motion carried.

## **OLD BUSINESS**

### **TAB 22: Discussion of Matrix**

The board determined that there is no need to develop a matrix.

### **TAB 23: English Competency Discussion**

After discussion: board counsel was directed to move forward with developing language and present to board at April board meeting.

### **TAB 8: Rule Discussion**

e. JAPC Correspondence

Motion by Kristen Rutland, seconded by Frederick Rahe, to approve the JAPC letters. Motion carried.

Motion by Kristen Rutland, seconded by Frederick Rahe, to approve the JAPC responses. Motion carried.

### **TAB 24: 2021 Proposed Meeting Dates and Locations**

After discussion: Motion by Frederick Rahe, seconded by Kristen Rutland, to approve the following dates and locations for 2021.

|                  |  |
|------------------|--|
| January 22, 2021 | Tallahassee, Jacksonville, Melbourne       |
| April 16, 2021   | Vero Beach, Boynton Beach, Deerfield Beach |
| July 23, 2021    | Sarasota, Kissimmee, Orlando               |
| October 22, 2021 | Tampa, St. Petersburg, Lakeland            |

## **ADJOURN:**

Motion by Frederick Rahe, seconded by Peter Johnson to adjourn.

**Meeting adjourned at 11:00 a.m.**

**Next Meeting: April 24, 2020, Orlando**