

CAPITOL WATCH

SEPTEMBER 30, 2011

LICENSURE BOARD RULES:

- The Rules Committee of the State Board of Examiners for Speech-Language Pathology and Audiology met in Dallas Sept. 9th to discuss new Rules to implement the newly revised Licensure Act that went into effect Sept. 1, 2011.
- Rules for implementing the Criminal History Check Requirement e.g. required fingerprinting of all new licensees and renewals that become effective March 1, 2012 are in process, and the Board hopes to have them available for comment by the first of the year (2012). **FINGERPRINTING IS A ONE TIME REQUIREMENT FOR LICENSURE.**
- Rules for dispensing hearing instruments will be a joint effort with the State Committee of Examiners for Fitting & Dispensing Hearing Instruments. The Act requires that dispensing language and rules be the same for both licensing entities, and be in the best interest of consumers.
- The new Licensure Law will be reviewed again during the 2017 Legislative Session (6 years instead of the usual 12 years.)

Gov. Rick Perry announced that he has reappointed three members to the State Board of Examiners for Speech-Language Pathology and Audiology for terms to expire August 31, 2017.

- **Patricia Elaine Brannon** of San Antonio is speech-language coordinator for the Northside Independent School District. She is a member of the Texas and American Speech-Language-Hearing Associations, and the San Antonio Speech-Language-Hearing Association. She is also a volunteer with Habitat for Humanity and the San Antonio Conservation Society, and is a former Girl Scout and Boy Scout leader for special needs children. Brannon received a bachelor's degree from the University of Arkansas and a master's degree in communication disorders from the University of Texas at Dallas.
- **Vickie B. Dionne** of Nederland is an associate professor of audiology at Lamar University. She is chair of professional development for the American Academy of Audiology, and a fellow of the American Speech-Language-Hearing Association, the Texas Academy of Audiology and the Texas Speech-Language-Hearing Association. She is also a member of Sertoma International, chair of the Golden Triangle Sertoma Club Safe Ears Program, and a volunteer with the American Heart Association, American Leukemia Society and Children's Miracle Network. Dionne received a bachelor's degree and a master's degree in audiology from Lamar University, and a Doctor of Audiology from the Pennsylvania College of Optometry School of Audiology. She will continue to serve as chair of the board for a term to expire at the pleasure of the governor.
- **Sonya Salinas** of Mission is a lecturer, undergraduate program coordinator and clinical supervisor of the University of Texas-Pan American (UTPA) College of Health Sciences

and Human Services Communication Sciences and Disorders Department. She is a member of the American and Texas Speech-Language-Hearing Associations, and a member and past president of the Valley Network for Speech-Language Pathologists and Audiologists. She is also advisor of the UTPA Chapter of the National Student Speech-Language-Hearing Association. Salinas received a bachelor's and a master's degree in communication disorders from the University of Texas-Pan American.

Medicare Part B Supervision Requirements for Videostroboscopy and Nasopharyngoscopy Procedures Rescinded Effective October 1, 2011

- Effective October 1, 2011, the Centers for Medicare & Medicaid Services (CMS) is rescinding the requirement that became effective January 1, 2011, that supervision of the videostroboscopy (CPT 31579) and nasopharyngoscopy (CPT 92511) procedures required a physician to be in the room. In March 2011, representatives from ASHA and the American Academy of Otolaryngology - Head and Neck Surgery met with CMS officials. Additionally, ASHA members protested the need for such supervision to members of Congress. As a result, the CMS Administrator issued a letter in June 2011, acknowledging that "while physicians perform these diagnostic procedures, speech pathologists also perform these procedures to evaluate and treat a patient's functional/use problems."
- The letter removed all supervision levels previously assigned to the procedures, effective October 1. ASHA, in conjunction with Special Interest Group 3: Voice and Voice Disorders, has developed Frequently Asked Questions to clarify billing and supervision issues related to the CMS decision. For additional information, please contact reimbursement@asha.org.

ED RELEASES LONG-AWAITED FINAL RULES ON PART C OF IDEA 2004

- The Office of Special Education and Rehabilitative Services (OSERS), U.S. Department of Education, has released an unofficial copy of the long-awaited final Part C regulations (infants and toddlers program, 0-2 years) to implement the Individuals with Disabilities Education Improvement Act of 2004 (commonly known as IDEA 2004). The final IDEA Part C regulations may be found at OSERS' Web site at www2.ed.gov/policy/speced/reg/idea/part-c/index.html. The official copy of the final regulations has been delivered to the Office of the Federal Register but has not yet been scheduled for publication. The official version of this document is the document that will be published in the Federal Register within the next couple of weeks. The regulations become effective 30 days after it is published in the Federal Register.
- ASHA has mobilized a Member Advisory Group and a National Office staff team who are in the process of conducting a thorough review and analysis of the 932 pages of the final

regulations, including the impact on the professions of speech-language pathology and audiology. For more information on this contact **Catherine D. Clarke**, ASHA's director of education and regulatory advocacy, via e-mail at cclarke@asha.org or by phone at 800-498-2071, ext. 5611.

MEDICAID

- Medicaid Guidelines for Supervision of Students
 - Representative Garnet Coleman has agreed to help TSHA get a response to our request for clarification of the guidelines.
- Medicaid Proposed General Rehab Rate Cuts initially scheduled for Oct. 1 – DELAYED
 - Multiple groups within TSHA, including TSHA leadership have been working to mediate the proposed rate reductions.
 - VP JoAnn Wiechmann is in the process of appointing a task force made up of members representing all factions of the professions who bill Medicaid for services rendered, address the issue. We will post TF members when finalized.
 - TSHA is working with the Texas Occupational Therapy Association, and Texas Physical Therapy Association, whose members are also affected by the Medicaid proposal.
 - We anticipate having an opportunity to meet with Medicaid officials shortly after October 8th. Currently Medicaid officials are collecting information on utilization of CPT codes, prior to the meeting.
 - TSHA is also working with ASHA staff on the issue.

TEXAS SOCIETY FOR ALLIED HEALTH PROFESSIONS (TSAHP)

- **Jan Lougeay and VP Bobbie Kay Turkett** represented TSHA at the annual meeting of TSAHP on Sept. 15th. TSHA is an institutional member of the TSAHP.
- TSAHP Legislative Summit is scheduled for January 5, 2012. The main purpose of the meeting will be to continue to share information about:
 - Allied health work force issues
 - Role of institutions and professional organizations to address work force needs
 - Legislative policy agendas related to education and the work force
 - Common areas of concern with regard to legislation and policy agendas

LEGISLATURE ELECTIONS

- **SENATOR FLORENCE SHAPIRO**, the long serving chairperson of the Senate Education Committee has announced that she will not seek re-election.

TSHA PAC

- **Judi Keller**, has been appointed the new PAC Board Chair
- A PAC check was presented to **Representation Wayne Christian** a staunch supporter of speech-language pathologists and audiologists.