



South Dakota Board of Examiners for Speech-Language Pathology

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OFFICIAL BOARD MINUTES FOR April 17, 2020 TELECONFERENCE

MEMBERS PRESENT: Brittany Schmidt, President
Jane Heinemeyer, Vice-President
Shirley Hauge, Member
Jaculin Protexter, Member
Connie Tucker, Lay Member

MEMBERS ABSENT: None

OTHERS PRESENT: Carol Tellinghuisen, Executive Secretary
Jill Lesselyoung, Executive Assistant
Brooke Tellinghuisen Geddes, Executive Assistant
Jennifer Schultz, SDSLHA
Tiffany Trask, SDSLHA

CALL TO ORDER/WELCOME AND INTRODUCTIONS: President Schmidt called the meeting to order at 8:34AM MDT.

ROLL CALL: Schmidt requested Lesselyoung to call the roll. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes; Tucker, yes. A quorum was present.

CORRECTIONS OR ADDITIONS TO THE AGENDA: None

APPROVAL OF THE AGENDA: Tucker made a motion to approve the agenda. Hauge seconded the motion. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes; Tucker, yes.

PUBLIC TESTIMONY/PUBLIC COMMENT PERIOD: Schmidt called for any public comments. There were no public comments.

TELEHEALTH-COVID-19: Tellinghuisen advised under Executive Order 2020-7, which recognizes the licenses of medical professionals licensed in another state in accordance with the Emergency Management Assistance Compact, Speech-language pathologists licensed in other states have the authority to practice in SD based on an active license in another state. They do not need to gain another license in SD. The order originally authorized practice through April 12th but has since been extended to May 31, 2020. The Speech Language Pathologists were added to the list of professions on April 3.

EXECUTIVE SESSION PURSUANT TO SDCL 1-25-2: Hauge made the motion to enter executive session at 8:42AM. Heinemeyer seconded the motion. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes; Tucker, yes. Schmidt made the motion to exit executive session at 8:58AM. Heinemeyer seconded the motion. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes; Tucker, yes.

COMPLAINTS/INVESTIGATIONS: Schmidt recommended to dismiss complaint #100 due to lack of substantive evidence. Heinemeyer made a motion to dismiss complaint #100 due to lack of substantive evidence. Tucker seconded the motion. **MOTION PASSED** by roll call vote. Schmidt, abstain; Heinemeyer, yes; Hauge, yes; Protexter, yes; Tucker, yes. Schmidt reported complaint #101 as pending.

APPROVAL OF THE MINUTES FROM February 21, 2020: Hauge made a motion to approve the minutes from February 21, 2020. Schmidt seconded the motion. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes; Tucker, yes.

FY FINANCIAL UPDATE: Lesselyoung reported fiscal year-to date figures as of February 29, 2020: revenue of \$79,609.41, expenditures of \$27,315.85 and cash balance on hand of \$189,465.76. The Board accepted the financials as presented.

OPEN MEETING LAWS: Schmidt advised the Board had been provided a copy of the State of South Dakota Boards and Commissions Meeting Guidelines which covers meeting requirements, open meeting laws, and the Code of Conduct and Conflict of Interest Policy for Board Members. The SDSLHA had expressed interest in having a Board member on the discussion panel at the scheduled convention in October. Tellinghuisen advised she had grave concerns on that breaking open meeting laws and asked Larson to explain further. Larson advised Board members are subject to open meeting laws at all times not just when in attendance at a Board meeting. If Board members were to participate in discussing matters related to the Board or industry related actions, they are subject to open meeting laws. Members were advised to err on the side of caution; listening is permitted but participation could cause problems. It is best to fully disclose duties as Board members. In order to fully protect the Board members, they should excuse themselves from holding office or participation in other meetings. It could exclude the ability to vote if involved in other matters.

NCSB ANNUAL CONFERENCE OCTOBER 22-24, 2020, SANTA FE: The Board agreed to send two members and or staff. Any members interested will need to contact the Board office.

QUESTION REGARDING LIMITED LICENSE SIGNATURE: The question came before the Board as to how a limited licensee should sign their name on an evaluation report. It is not denoted in statute that the licensee must sign a specific way. The signature should be equivalent to the level of licensure and not

misleading to the public. Individuals are encouraged to ask their agencies for their signature policy.

AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT (ASLP-IC): Schultz advised that UT, WV, and WY passed the compact this year and there are multiple states listed on the gray area of the compact map. The SDSLHA received a grant to employ lobbyists and distribute educational material to promote the acceptance of the compact.

LEGISLATIVE UPDATE: Tellinghuisen advised HB1276, an act to provide for a review of occupational regulation was tabled for this session but the general subject is expected to come up again at a future date. The Board plans to review statutes and rules for revision at a separate meeting at a future date. All members are encouraged to review HB1276 as well. Tucker exited the meeting at 9:31AM.

ANY OTHER BUSINESS COMING IN BETWEEN DATE OF MAILING AND DATE OF MEETING: There was no other business.

NEXT MEETING DATE: The Board office will send around dates for the next meeting.

Hauge made a motion to adjourn at 9:42AM. Protexter seconded the motion. **MOTION PASSED** by roll call vote. Schmidt, yes; Heinemeyer, yes; Hauge, yes; Protexter, yes.

Respectfully submitted,



Carol Tellinghuisen
Executive Secretary

1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.