



South Dakota Board of Examiners for Speech-Language Pathology

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OFFICIAL BOARD MINUTES FOR July 23, 2021 TELECONFERENCE

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

MEMBERS ABSENT: None

OTHERS PRESENT: Carol Tellinghuisen, Executive Secretary
Brooke Tellinghuisen Geddes, Executive Assistant
Abby Rehorst Executive Assistant
Jennifer Schultz, Lisa Bauer, SDSLHA
Megan Borchert, DOH Board Attorney

CALL TO ORDER/WELCOME AND INTRODUCTIONS: President Heinemeyer called the meeting to order at 8:32AM MDT.

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

CORRECTIONS OR ADDITIONS TO THE AGENDA: None

APPROVAL OF THE AGENDA: Hauge made a motion to approve the agenda. Tucker seconded the motion. **MOTION PASSED** unanimously.

PUBLIC TESTIMONY/PUBLIC COMMENT PERIOD: There was no public comment.

APPROVAL OF THE MINUTES FROM April 23, 2021: Schmidt made a motion to approve the minutes from April 23, 2021. Protexter seconded the motion. **MOTION PASSED** unanimously.

FY FINANCIAL UPDATE: Tellinghuisen Geddes reported fiscal year to date figures as of May 31, 2021:

revenue of \$37,142.94, expenditures of \$38,007.18 and cash balance on hand of \$182,859.65. Tellinghuisen Geddes advised that the 2021 renewal period is the big year with close to 500 licensees that will be renewing so the bulk of the revenue will come in between September and October 2021. The Board accepted the financials as presented.

UPDATE ON ONLINE RENEWAL SYSTEM: Tellinghuisen Geddes reported they are currently using the new system on two other Boards and the transition has been smooth. As soon as the last Board with the Department of Health votes to move forward with the new system, the Board office will begin the contract process with Albertson Consulting. The goal is to have the new system up and running for the 2022 renewal period.

LEGISLATIVE UPDATES (LEGAL COUNSEL): Borchert advised that HB 1077 which provides for licensure by endorsement won't change the procedure the Board of Speech-Language Pathology currently utilizes as the current procedure seems to be compliant with the new bill. Borchert advised that HB 1127 changed the requirement to have a roll call vote during a teleconference. Motions may now be passed by voice vote with a roll call vote required only if a member votes in the negative. Borchert advised that HB 1014, an act to establish uniform complaint and declaratory ruling procedures for agencies regulating certain professions and occupations has become effective July 1, 2021. She will work closely with the Board office to make sure the Board is in compliance with the new bill on any future complaints.

LEGAL COUNSEL TRANSITION UPDATE: Borchert advised she has taken a position with the Attorney General's office and will be transitioning her role as legal counsel for the Board. Borchert advised she will do everything she can to ensure a smooth transition. The Board office expressed gratitude for all Borchert's hard work.

VOTE ON REVISED SDCL 36-37: The Board discussed the proposed changes to the practice act. Schmidt and Heinemeyer advised they would like more time to review the compact before they are ready to vote it into law as both were under the impression that we were only working on revising SDCL 36-37 and would be looking at the compact separately. They would like the Board and Board office to prepare questions in advance of the special meeting on August 27, 2021 to be answered by someone from the ASLP-IC. Hauge expressed support for both the updates to the practice act and adopting the compact. Schmidt voiced concerns regarding diminishing South Dakota's power in favor of a national organization. Hauge made a motion to accept the revisions to SDCL 36-37 as presented. Motion failed for lack of a second. Schmidt made a motion to accept the proposed revisions on SDCL 36-37 omitting the last two statutes 36-34-27 and 36-37-28. Heinemeyer seconded the motion. **MOTION PASSED** by roll call vote. Heinemeyer, yes; Schmidt, yes; Hauge, no; Protexter, yes; Tucker, yes.

UPDATE ON AUDIOLOGY AND SLP INTERSTATE COMPACT: The Board was presented with the proposed compact language during their discussion of the revised SDCL 36-37.

DISCUSSION OF ARSD 20:79:04:03: Schultz asked for the Board's interpretation of ARSD 20:79:04:03 regarding supervision requirements of SLPA's. Following discussion, Borchert advised that as the way the law is currently written, it does require the SLPA to meet the supervision requirements as written with each new supervisor. Each assistant and supervisor are bound by the plain meaning of the statutes and rules. Each supervisor is responsible for each assistant they supervise. Each enters their own agreement before the board

and in doing so, agrees to comply with all the terms and be bound by the rules. Therefore, if they switch supervisors or have multiple supervisors, each supervisor/supervisee must meet the full requirements. Schultz asked that the Board add this to FAQ's to provide clarification for licensees in the field.

DISCUSSION ON PROVISIONAL LICENSES FOR SLPA'S: Schultz asked if the Board would consider issuing a license to SLPA's who have met their academic requirements but are waiting for transcripts as the Board does for Provisional SLP licenses. Following discussion, the Board decided to edit the language in SDCL 36-37-18 to allow the Board to issue their license with verification of meeting the academic and practicum requirements of the chapter. Language for the updates to this statute will be presented to the Board during the special meeting being held August 27, 2021.

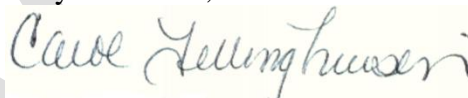
EXECUTIVE SESSION PURSUANT TO SDCL 1-25-2: The Board did not have a need to enter executive session as there are no pending complaints.

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

NEXT MEETING DATE: A special meeting to vote on the revised SDCL 36-37 and compact will be held Friday, August 27, 2021. The next regular meeting is scheduled for October 15, 2021.

Hauge made a motion to adjourn at 10:02AM. Tucker seconded the motion. **MOTION PASSED** unanimously.

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.