

Tennessee Board of Communication Disorders and Sciences



Newsletter



2016

A Regulatory Agency of the State of Tennessee

Fall

665 Mainstream Drive, Nashville, TN 37243 <http://tennessee.gov/health> (615) 741-5735 or 1-800-778-4123
Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except state and federal holidays) Fax: (615) 532-5369

In conjunction with the purpose and goals of the Department of Health, the Mission of the Bureau of Health Licensure and Regulation is to: Monitor, access and enforce health care laws and regulations; Protect, promote and enhance quality health care for all citizens; Continuously strive to meet the needs of our customers in a respectful and caring manner; Provide quality work-life necessary to attract and retain competent, caring employees; Empower our employees to become entrepreneurs in their jobs; Increase awareness and public confidence in our services; and, Utilize our resources efficiently and cost effectively.

2017 Board Meeting Dates

February 7, 2017
10:00 a.m., Poplar Room

May 2, 2017
10:00 a.m., Poplar Room

August 8, 2017
10:00 a.m., Poplar Room

November 7, 2017
10:00 a.m., Poplar room



All board meetings will be held at 665 Mainstream Drive, Nashville TN, unless otherwise noted.

Live Streaming Video

If you would like to see your board “in action” but can’t attend a meeting in person, you can now watch the board meeting on your computer through live streaming video. The link is:
<https://web.nowuseit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>. After you access the page, go to the board meeting you wish to view and click on that particular link.

Statistical Information Regarding Licensees

Profession	Total Number	Last 12 Months
Speech Pathologists	2621	329
Audiologists	412	43
Speech Pathologist Aides	109	30
Hearing Instrument Specialists	140	30

LAWS
you need to
KNOW

Legislative Updates - 2016

Public Chapter 763

Permits licensees whose licenses from a health-related board have expired to obtain reinstatement on the payment of the renewal fee as well as the late payment fee which shall not exceed twice the renewal fee, instead of the current requirement of payment of all past due fees before reinstatement. This act will take effect on July 1, 2016.

Public Chapter 990

Eliminates the requirement that a healthcare services provider be at a hospital or other qualified site for the service

to be considered telehealth services for insurance purposes; requires health insurance entities to reimburse healthcare service providers at the same rate for telehealth services as for in-person encounters. This act will take effect on July 1, 2016.

Public Chapter 959

This bill authorizes the commissioner of health or the commissioner's designee to obtain records maintained by any licensed facility licensed to facilitate investigations and inquiries concerning opioid drug abuse, opioid drug overdoses, and opioid overdose deaths. Such facilities must provide records in the most efficient and expedient means possible. To determine these means, the department must: (1) Consult with stakeholders to develop data reporting elements and a short term mechanism for near real-time electronic access to these data elements by July 1, 2016; (2) Implement the short-term reporting system by October 1, 2016; and (3) Consult with stakeholders to develop a long-term electronic real-time data reporting plan utilizing electronic processes for opioid drug abuse, overdoses, and overdose deaths by January 1, 2017.

RULE AMENDMENTS



New rules have been passed recently affecting speech pathologists, audiologists, and speech pathologist assistants. A summary of these rules is as follows:

Rule 1370-01-.05 Procedures for Licensure:

- If applying by Certificate of Clinical Competence, an applicant shall file with the application documentation proof of possessing the following certification:
 - Proof of good moral character
 - Such evidence shall include at least one (1) recent (dated within the preceding twelve (12) months) original letter from a professional attesting to the applicant's personal character and professional ethics and typed on the signator's letterhead.

Rule 1370-01-.08 Examinations:

- All persons intending to apply for licensure as a Speech Language Pathologist or Audiologist in Tennessee must successfully complete examinations pursuant to this Rule.
 - The Specialty Area Tests in Speech-Language Pathology and Audiology of the Professional

Assessments for Beginning Teachers (Praxis Test) must be completed prior to application for licensure.

- The Board adopts the Praxis Test, or its successor examination, as its licensure examination. Successful completion of examination is a prerequisite to licensure pursuant to Rule 1370-01-.05.
- The Tennessee Jurisprudence Exam, established by the Board on the rules and statutes, must be successfully completed prior to licensure and/or reinstatement of licensure.

Rule 1370-01-.14 Speech Language Pathology Assistants and Supervision:

- (4) Supervising licensees shall be at least two (2) years removed from the completion of their Clinical Fellowship work.

It is suggested that all licensees review their rules and regulations periodically. You can view this board's rules and regulations at:

<http://www.state.tn.us/sos/rules/1370/1370.htm>

Board Disciplinary Action Available Online

The Tennessee Department of Health issues a monthly media release listing all disciplinary actions taken by the health related boards during the prior month. All action taken by the Board of Medical Examiners is viewable online at:

<http://health.state.tn.us/Boards/disciplinary.htm>

Clinical Fellowship Year and Audiology Clinical Extern

Those pursuing a Clinical Fellowship in Speech Pathology are required to submit an application for the CFY; and that CFY cannot begin until you have been approved by the Board's administrative office. An application for CFY cannot be approved prior to graduation and the receipt of an official transcript showing the degree conferral date.

Those pursuing a fourth (4th) year Audiology Externship are required to submit an application in accordance with the rules as well. This is applied for in the same manner as the Speech Pathology CFY, but instead of a degree conferral date, the Board's administrative office must receive a letter from the university advising that the applicant has satisfied the course requirements to date, and is expected to graduate with a doctoral degree on "xx" date.

Applications are available on the board's website at:

<http://tn.gov/health/topic/CDS-board>

Electronic Notification for Licensed Health Professionals

On January 1, 2013, a new law became effective requiring all Tennessee health professional boards to provide electronic notices to healthcare professionals they license. The law gives healthcare professionals the option of being notified electronically of the following: (1) Renewals of license, certification or registration; (2) Any fee increases; (3) Any changes in state law that impact the license holder; and (4) Any board meeting where changes in rules or fees are on the agenda. If a healthcare professional "opts in", the Department of Health will also be able to alert him or her of critical public health matters impacting Tennessee. Please visit apps.tn.gov/hlrs/begin.jsp and complete the registration process to opt in. Upon receipt of a current email address, those who opt in will begin to receive ALL notices electronically rather than through the United States mail. Please note opting in means license renewal notification will be delivered electronically approximately 45 days in advance of the expiration date. The electronic notice will direct the licensee to the appropriate Web page to renew. For professions that do not permit licensees to renew their licenses online, a paper renewal will continue to be provided.

For more information, contact the Health Professional Boards office at 615-532-3202 or toll-free at 1-800-778-4123.

See more at: <http://tennessee.gov/health/section/health-professional-boards#sthash.ewm6pBba.dpuf>

Renew Your License Online



Whether you receive a paper renewal form or not, you can still renew your license online. This is faster, more convenient, and you can use a credit card to pay the renewal fees. Just go to <https://apps.tn.gov/hlrs/> to renew your license. You may renew up to 70 days prior to the expiration date.

Click the "Licensing Renewal" link where you can renew your license and update your professional license information. *Licensees are responsible for renewing their licenses on time and keeping the Board apprised of current information. It is a violation of the law and of the Board's rules to practice on an expired license.*

-Step 1: Login - Select our board and your profession and enter your license number.

-Step 2: Update your Information - Change your home and/or office address, if needed.

-Step 3: Enter your renewal information - Answer all necessary questions, as if you were completing your hard-copy form.

-Step 4: Payment - Enter your credit card information through the secure site and choose "submit".

If you have met all of the criteria necessary, your renewal certificate will be mailed to you in approximately one week. Updated license information will be available on the department's web site within two business days.

Retirement of License

If you are not practicing in Tennessee and do not wish to maintain your license, it is suggested you retire your license rather than have it fall into failed to renew status. A retirement form may be obtained at our website at:

<http://tn.gov/health/article/CDS-applications>

If you do not have access to the internet, you may request a retirement form be mailed to you. **Note: you cannot retire an expired license.**



Have You Moved/Changed Your Name?

Must be reported (in writing or by e-mail) to the board's office within 30 days! Please include the following:

- your name and license number;
- your profession;
- your old address and phone number;
- your new address and phone number, e-mail address, and/or your fax number; and your signature!
- If your name has changed due to marriage or divorce, you must send a copy of the document that made the change in status.

Keeping the board's administrative staff up to date on your location facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes.

You may fax your change to the board's administrative office at (615) 532-5369 or mail to: 665 Mainstream Dr., Nashville, TN 37243

You may e-mail the Board at: TN.Health@tn.gov, call the Board at 615/532-5157, or visit the website at: <http://tn.gov/health/article/CDS-applications>

Policy Statements

Continuing Education

The Tennessee Board of Communication Disorders and Sciences requires all Speech Language Pathologists and Audiologists to successfully complete a minimum of ten (10) hours of continuing education during each calendar year (January 1 – December 31). Five (5) hours of the ten (10) hour requirement must have been obtained in the licensee's area of practice (Speech Language Pathology or Audiology); and five (5) hours of the ten (10) hour requirement may regard either Speech Language Pathology or Audiology.

All Speech Language Pathology Assistants must complete a minimum of five (5) hours of continuing education during each calendar year.

In the event a licensee is found to be deficient in the number of required continuing education (CE) hours for a particular year, that person will be required to pay a one-time civil penalty of One Hundred Dollars (\$100.00) and make up the deficient hours.

The civil penalty must be paid, and all deficient CE hours must be taken and documented by the Board, within ninety (90) days after Department staff mails the licensee a notice of deficiency.

Notice of discipline for CE deficiency will be assessed by the Department via Agreed Citation, which will detail the licensee's rights and obligations under the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301, et seq. The discipline assessed in accordance with this continuing education policy constitutes formal discipline against a practitioner's license and as such will be reported to the disciplinary data bank and will be noted on the practitioner's licensure profile.

If such licensee fails to pay the civil penalty and demonstrate that he or she has cured the CE deficiency within the calendar year in which he receives notification, the Department will file a licensure complaint and the licensee will be prosecuted in accordance with the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301, et seq.

NEW 2016 Lapsed License

The Board of Communication Disorders and Sciences recognizes that an individual may inadvertently allow his/her license to expire. However, applicable law prohibits an individual from working unless he/she has an active license. While the Board does not condone an individual working on an expired license, the Board recognizes that these inadvertent lapses can occur. As such, the Board has adopted

the following procedures for reinstatement of an expired license.

1. Immediately upon recognition that his/her license has expired, the individual must cease practicing and contact the Board's administrative office to request a reinstatement application.

2. Upon receipt of the reinstatement application, the individual is to complete the application in its entirety, providing a detailed work history since the license expiration date. The application is to be signed, notarized, and returned to the Board's administrative office along with any additional information and all fees specified in the instructions.

3. Upon receipt of a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, the Board's administrator may reinstate a license which has been in an expired status for less than thirty (30) calendar days. Although the Board and administrative staff recognize the applicant's urgent interest in having his or her license reinstated, preferential treatment will not be given to these applicants. All applications are reviewed in the order in which they are received.

4. If the work history reflects that the individual has practiced in excess of thirty (30) calendar days, but less than six (6) months on an expired license, the Board will present to the licensee, an Agreed Citation which specifies payment of a fine in the amount of \$100.00 per month for every month in which the individual has worked at least one day beyond the thirty (30) calendar day grace period. The individual's license will not be reinstated unless and until the Agreed Citation is executed by the licensee and payment of the fine remitted to the Board's administrative office.

A. The licensee shall be notified that all Agreed Citations prepared in accordance with this policy shall be reportable on the Department of Health's website, its disciplinary action report issued in the month the action is taken and to all appropriate federal databanks including the National Practitioner Data Bank (NPDB).

B. This remedy is only available to those licensees who have practiced on a lapsed license for less than six (6) months from the date the license went into expired status.

5. If the licensee refuses to execute the Agreed Citation and/or remit the civil penalty described therein within sixty (60) days of the date the Agreed Citation is sent to the licensee, or if the licensee practiced on a lapsed license for six (6) months or longer, the licensee shall be referred to the Office of Investigations and Office of General Counsel for formal disciplinary action. Upon a proven violation, the minimum disciplinary action for this violation shall be:

A. A formal and reportable Reprimand on the license;

- B. Assessment of civil penalties in an amount to exceed \$100.00 per month for every month in which the individual has worked at least one day beyond the thirty (30) calendar day grace period;
- C. Assessment of costs associated with investigating and prosecuting the matter; and
- D. Any and all other remedies the Board deems appropriate.

6. In the event the matter is referred to the Office of Investigations and Office of General Counsel for formal disciplinary action, the Board's administrative office shall be permitted to reinstate those applicants for whom they have received a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, subject to further action on the license as described in paragraph five (5) above. Though the Board's administrator may reinstate such a license upon approval from the Board's consultant, preferential treatment will not be given to these applicants. These applications will be reviewed in the order in which they are received. For those applicants who have declined an Agreed Citation, their application will be deemed received sixty (60) days from the date the Agreed Citation was sent.

Discipline for lapsed licenses is reportable to the national databanks as well as the Department's Disciplinary Action report and will be noted on the practitioner's licensure profile.

Professional Privilege Tax

Tenn. Code Ann. §67-4-1701, et seq., requires the payment of an annual professional privilege (occupation) tax. Failure to pay your professional privilege tax constitutes grounds for suspension of your license to practice in Tennessee. If you fail to pay your professional privilege tax, the Department of Health will file formal charges against you seeking the suspension of your license pursuant to Tenn. Code Ann. §67-4-1704 and Tenn. Code Ann. §63-9-101, et seq. Avoid the possible suspension of your privilege to practice in Tennessee by remitting your tax to the Department of Revenue in a timely fashion. For more information please go to:

<http://tn.gov/revenue/topic/professional-privilege-tax>

If you have moved out-of-state, but maintain a license, you are still responsible for paying the Professional Privilege Tax.

If your license is in "active" status as of June 1 of any year, no matter if you live in Tennessee or out-of-state, you are required to pay the yearly professional privilege tax.

Note: The Board of Communication Disorders and Sciences does not assess this tax.

Communication Disorders and Sciences Website

You may download a copy of the rules, applications and forms, board member list, board meeting schedule, policy statements, and other pertinent information at the board's website: <http://tn.gov/health/topic/CDS-board>

To Contact This Board Call:

(615) 741-5735 local or (800) 778-4123 nationwide or write to:

Tennessee Board of Communication Disorders and Sciences
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

Mary Velvet Buehler, Speech Pathologist/Audiologist
 Carrie M. Crittenden, Audiologist
 Julie Anne Crosby-Davis, Speech Pathologist
 Debby H. Starr, Audiologist
 Kimberley N. Vinson, M.D., ENT/Otolaryngologist
 Richard E. Morton, Citizen Member
 Vacant, Speech Pathologist

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