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March 28, 2022

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Honorable Mary Kiffmeyer
Honorable Jeff Howe
State Government Finance and Policy and
Elections Committee
Room 1100, Minnesota Senate Bldg.
St. Paul, MN 55155

Re: Opposition to SB 3364, the Audiology and Speech-Language
Pathology Interstate Compact (unless amended)

Dear Senators Kiffmeyer and Howe:

The American Academy of Otolaryngology-Head and Neck Surgery (AAO-HNS) with the support of the MN Academy of Otolaryngology-Head and Neck Surgery (MAO-HNS) wish to express our opposition to SB 3364, the Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC), as written. This interstate compact contains legislative language that is distinctly different and much broader than most other health professional licensure compacts. This bill proposes a “privilege to practice” concept that is vastly different than the Medical Licensure Compact which is a simple voluntary expedited licensure agreement.

By way of introduction, the AAO-HNS¹ represents physician specialists dedicated to the care of patients with disorders of the ears, nose, throat and related structures of the head and neck, commonly referred to as ENT’s.

The AAO-HNS has identified seven significant issues with the ASLP-IC as drafted:

- The power granted to the Compact Commission to **override** state laws.
- The **lack of transparency** of the Commission’s activities.

¹ The AAO-HNS is the world’s largest organization representing specialists who treat the ear, nose, throat, and related structures of the head and neck. The Academy represents approximately 10,000 otolaryngologist-head and neck surgeons in the United States who diagnose and treat disorders of those areas.

- A **weak definition and practice statement** on telehealth which does not recognize existing state provisions.
- **Lack of oversight** provisions of the Compact Commission.
- **Exclusion of physician** board members as delegates to the Commission.
- **Replication of, and lack of recognition of**, existing state provisions that already exempt active-duty military or their spouses from licensure laws.
- The **unknown fiscal impact imposed on the budget of each state** joining the compact. The Commission has the power to determine the fee formula and bind the state to it. Withdrawal from the compact requires a legislative repeal of the compact statute and is not effective until six months after the enactment of the repeal, requiring the state to continue to pay for their membership even after their withdrawal.

Conclusion

Due to the issues and concerns set forth above, the AAO-HNS and the American Medical Association (AMA) have worked jointly with stakeholders in other states to address these issues through **amendments**. We would be happy to work with all interested parties to establish the appropriate revisions. We have attached a short catalog of amendments to assist in these revisions that have been accepted in at least eight (8) states.

Thank you for your consideration of our position and request for revision. If you or your staff have any questions or need additional information, please do not hesitate to contact our Senior Advisor for State Advocacy at jbrannon@entnet.org.

Sincerely,



James C. Denny, III, MD
Executive Vice President/CEO

Attachment

cc. Sen. Nelson; Sen. Jasinski

