

Proposal Summary/ Overview

To be completed by proposal sponsor. (500 Word Count Limit for this page)

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Is this proposal regarding:

- *New or increased regulation of an existing profession/occupation? If so, complete this form, Questionnaire A.*
- *Increased scope of practice or decreased regulation of an existing profession? If so, complete Questionnaire B.*
- *Any other change to regulation or scope of practice? If so, please contact the Committee Administrator to discuss how to proceed.*

1) State the profession/occupation that is the subject of the proposal.

Occupation: Speech-Language Pathology

Subject: Speech-Language Pathology Assistant (SLPA) licensure

2) Briefly describe the proposed change.

Establishes licensure requirements for speech-language pathology assistants, administered by the MN Department of Health.

3) If the proposal has been introduced, provide the bill number and names of House and Senate sponsors. If the proposal has not been introduced, indicate whether legislative sponsors have been identified. If the bill has been proposed in previous sessions, please list previous bill numbers and years of introduction.

2023: HF2998 (Edelson)/SF2982 (Boldon)

2022: HF3700 (Pryor)/SF3762 (Ingebrigtsen)

2019: HF2193 (Hausman)/SF2651 (Ingebrigtsen)

2017: HF1122 (Albright)/SF197 (Ingebrigtsen)

2015: HF470(Zerwas)/SF43 (Wiklund)

4) Given the press of business in the 2023 legislative session it is unlikely that health licensing and scope of practice bills will be taken up this year. If there is an urgent need that this bill be heard this year, please explain the urgency.

There continues to be a severe shortage of speech language pathologists (SLP's) in Minnesota, causing an emergency shortage of professionals with expertise in the effective treatment of communication disorders. SLP's serve student/patient/clients from birth to death so their scope of practice is very wide. To alleviate this shortage, and to ensure that Minnesota has the most highly trained and qualified staff in front of individuals with communication disorders, we believe passing a bill to provide licensure for speech language pathology assistant's (SLPA's) is a key component to addressing this need. Health care employers need the reassurance that SLPA's are licensed and that their training and skill level has been vetted by the state of Minnesota, like those of other licensed professions. The SLPA license is similar to licensure for occupational therapy assistants and physical therapy assistants, which are already licensed by the state. Providers are at risk when they post an SLPA position that is open to someone who might not be qualified. Minnesota needs an established vetting process to ensure that Minnesotans with communication disorders receive the best speech-language services possible from qualified personnel. This could happen only with an SLPA license.

Questionnaire A: New or increased regulation (adapted from Mn Stat 214.002 subd 2 and MDH Scope of Practice Tools)

This questionnaire is intended to assist the House Health Finance and Policy Committee in deciding which legislative proposals for new or increased regulation of health professions should receive a hearing and advance through the legislative process. It is also intended to alert the public to these proposals and to narrow the issues for hearing.

This form must be completed by the sponsor of the legislative proposal. The completed form will be posted on the committee's public web page. At any time before the bill is heard in committee, opponents may respond in writing with concerns, questions, or opposition to the information stated and these documents will also be posted. The Chair may request that the sponsor respond in writing to any concerns raised before a hearing will be scheduled.

A response is not required for questions which do not pertain to the profession/occupation (indicate "not applicable"). Please be concise. Refer to supporting evidence and provide citation to the source of the information where appropriate.

New or increased regulation of health professions is governed by Mn State 214. Please read and be familiar with those provisions before submitting this form.

While it is often impossible to reach complete agreement with all interested parties, sponsors are advised to try to understand and to address the concerns of any opponents before submitting the form.

1) Who does the proposal impact?

a. Define the occupations, practices, or practitioners who are the subject of this proposal.

Speech-Language Pathologists and Speech-Language Pathology Assistants

- b. List any associations or other groups representing the occupation seeking regulation and the approximate number of members of each in Minnesota.

MN Speech Language Hearing Association (MNSHA), which has a membership of 362 total members - 345 speech-language pathologists and 17 audiologists.

According to MDH licensing lookup, there are 2006 licensed speech-language pathologists and 481 licensed audiologists in Minnesota.

- c. Describe the work settings, and conditions for practitioners of the occupation, including any special geographic areas or populations frequently served.

Acute care and rehabilitation hospitals, outpatient clinics, nursing homes, private pediatric practices, private practice, autism programs and other medical facilities.

Speech-language pathologists treat individuals with a wide variety of communication disorders including disorders that are acquired (for example, from stroke, traumatic brain injury, and ALS), degenerative (for example, from dementia), or developmental (for example, articulation disorders, language delays, stuttering, autism spectrum disorder).

- d. Describe the work duties or functions typically performed by members of this occupational group and whether they are the same or like those performed by any other occupational groups.

A speech-language pathology assistant provides services to remediate communication issues related to articulation, language stuttering, or voice impairment under the supervision of a licensed speech-language pathologist. The work is supportive of, and therefore similar to, work completed by a speech-language pathologist.

2) Specialized training, education, or experience (“preparation”) required to engage in the occupation.

- a. What preparation is required to engage in the occupation? How have current practitioners acquired that preparation?

[M.S. 148.5192](#) governs supervision requirements for speech-language pathology assistants but there are currently no requirements for licensure.

Under this statute a licensed speech-language pathologist may delegate duties to an assistant who has documented with a transcript from an educational institution satisfactory completion of either:

(1) an associate degree from a speech-language pathology assistant program that is accredited by the Higher Learning Commission of the North Central Association of Colleges or its equivalent as approved by the commissioner; or

(2) a bachelor's degree in the discipline of communication sciences or disorders with additional transcript credits and instruction in assistant-level service delivery practices and completion of at least 100 hours of supervised field work experience as a speech-language pathology assistant student.

Alexandria Technical and Community College offers an online training program for speech-language pathology assistants, which began in August 2013. Since its inception, this program has graduated eight classes of speech-language pathology assistants.

- b. Would the proposed regulation change the way practitioners become prepared? If so, why, and how? Include any change in the cost of entry to the occupation. Who would bear these costs? *See note above

Under the proposed legislation, an applicant for speech-language pathology assistant licensure must meet the requirements spelled out in [M.S. 148.5192](#) which governs supervision of speech-language pathology assistants.

- c. Is there an existing model of this change being implemented in another state? Please list state, originating bill and year of passage?

According to the American Speech-Language-Hearing Association (ASHA), there 17 states with licensure requirements for SLPAs in a medical setting and 11 states with licensure requirements for SLPAs in an education setting.

- d. If current practitioners in Minnesota lack any training, education, experience, or credential that would be required under the new regulation, how does the proposal address that lack.

Minnesota has an online training program currently in place at Alexandria Technical and Community College.

- e. Would new entrants into the occupation be required to provide evidence of preparation or be required to pass an examination? If not, please explain why not. Would current practitioners be required to provide such evidence? If not, why not?

Yes, new entrants would have to provide evidence of successfully completing an associate degree from a speech-language pathology assistant program accredited by the Higher Learning Commission or a bachelor's degree in the discipline of communications sciences or disorder and a speech-language pathology assistant certification program.

New applicants would not at this time be required to pass an examination for licensure.

3) Supervision of practitioners

- a. How are practitioners of the occupation currently supervised, including any supervision within regulated institution or by a regulated health professional? How would the proposal change the provision of supervision?

[M.S. 148.5192](#) allows a licensed speech-language pathologist to delegate duties to a speech-

language pathology assistant and specifies requirements for speech-language pathologists regarding supervision of a speech-language assistant.

This proposal makes two changes to that statute:

- Increases the number of speech-language pathology assistants a speech-language pathologist can supervise from one to two.
- Clarifies that supervision may be performed either in person or using real-time, two-way interactive audio and visual communication.

This statute also stipulates that speech-language pathologists are required to take a 10 hour online supervisory course that is specific to supervising a speech-language pathology assistant. It is offered online, work at your own pace, at Alexandria Technical and Community College.

- b. Does a regulatory entity currently exist or does the proposal create a regulatory entity? What is the proposed scope of authority of the entity? (For example, will it have authority to develop rules, determine standards for education and training, assess practitioners' competence levels?) Has the proposed change been discussed with the current regulatory authority? If so, please list participants and date.

A speech-language pathology assistant would be licensed under the MN Department of Health which currently oversees the licensure of speech-language pathologists.

- c. Do provisions exist to ensure that practitioners maintain competency? Describe any proposed change.

Speech-language pathology assistants would be required to follow and track continued education unit hour the same as speech-language pathologists.

4) Level of regulation (See Mn Stat 214.001, subd. 2, declaring that “no regulations shall be imposed upon any occupation unless required for the safety and well-being of the citizens of the state.” The harm must be “recognizable, and not remote.” Ibid.)

- a. Describe the harm to the public posed by the unregulated practice of the occupation or by the continued practice at its current degree of regulation.

The clients working with a speech-language pathology assistant have varying communication impairments and may range in age from birth to elderly adults. Because of their age or disability, individuals being served by a speech-language pathology assistant are potentially vulnerable without access to treatment and licensing ensures that individuals may not practice as an assistant without adequate professional training.

Without a licensing mechanism, employers are left to review and consider speech-language pathology assistant candidates on an individual basis. Given the high level of variation on licensing, title usage and training across various states there are a high number of unqualified candidates applying for these positions without uniform qualifications. There is an urgent need to ensure candidates meet the qualifications of our state statute prior to placing them in a position.

Additionally, licensed speech-language pathologists are being asked to supervise individuals that may not be qualified to be in the role of SLPA, with no way to verify an individual's qualifications. Licensing would ensure consistency and ensure an authoritative body would take responsibility for verifying qualifications.

- b. Explain why existing civil or criminal laws or procedures are inadequate to prevent or remedy any harm to the public.

We do not believe criminal or civil procedures apply in our desire to create a licensure for speech-language pathology assistants.

- c. Explain why the proposed level of regulation has been selected and why a lower level of regulation was not selected.

Licensing speech-language pathology assistants will allow for regulation of qualifications and, ultimately, eligibility to bill for medical assistance.

5) Implications for Health Care Access, Cost, Quality, and Transformation

- a. Describe how the proposal will affect the availability, accessibility, cost, delivery, and quality of health care, including the impact on unmet health care needs and underserved populations. How does the proposal contribute to meeting these needs?

There is a critical shortage of speech-language pathologists in Minnesota. This proposal would allow those in health care settings to put qualified, highly trained people in front of those with communication disorders.

- b. Describe the expected impact of the proposal on the supply of practitioners and on the cost of services or goods provided by the occupation. If possible, include the geographic availability of proposed providers/services. Cite any sources used.

We estimate that about 30% of the speech-language pathology positions in MN went unfilled last year and there is a need to find alternative solutions to address this shortage. This shortage is felt across all parts of Minnesota.

- c. Does the proposal change how and by whom the services are compensated? What costs and what savings would accrue to patients, insurers, providers, and employers?

The license is necessary to have a conversation with the MN Department of Human Services about getting assigned a billing code specific for speech-language pathology assistants. Allowing speech language pathology assistant services to be billed will increase access to care for people in need of services to address their communication disorder.

- d. Describe any impact of the proposal on an evolving health care delivery and payment system (e.g., collaborative practice, innovations in technology, ensuring cultural competency, value-based payments)?

The license is necessary to have a conversation with the MN Department of Human Services about getting assigned a billing code specific for speech-language pathology assistants. Allowing speech language pathology assistant services to be billed will increase access to care for people in need of services to address their communication disorder.

- e. What is the expected regulatory cost to state government? Is there an up-to-date fiscal note for the proposal? How are the costs covered under the proposal?

Applicants for speech-language pathology assistant licensure must submit all fees required under [M.S. 148.5194](#). A fiscal note has not been completed but the author will request one.

6) Evaluation/Reports

Describe any plans to evaluate and report on the impact of the proposal if it becomes law, including focus and timeline. List the evaluating agency and frequency of reviews.

The bill does not include such provisions.

7) Support for and opposition to the proposal

- a. What organizations are sponsoring the proposal? How many members do these organizations represent in Minnesota?

MN Speech Language Hearing Association, which has a membership of 362.

- b. List organizations, including professional, regulatory boards, consumer advocacy groups, and others, who support the proposal.

Minnesota Speech-Language-Hearing Association (MNSHA)

- c. List any organizations, including professional, regulatory boards, consumer advocacy groups, and others, who have indicated concerns/opposition to the proposal or who are likely to have concerns/opposition. Explain the concerns/opposition of each, as the sponsor understands it.

We are not aware of any opposition to the bill. No opposition was raised when the bill advanced in previous legislative sessions.

- d. What actions has the sponsor taken to minimize or resolve disagreement with those opposing or likely to oppose the proposal?

The MN Speech Language Hearing Association is working with the MN Department of Health (MDH) to clarify any questions. MDH has committed to providing technical feedback which will be considered for incorporation once we've had a chance to review it.

Should opposition arise, supporters of the legislation will work to address concerns.