

# FREQUENTLY ASKED QUESTIONS ABOUT THE SLPA LICENSURE, NEW MEXICO

SENATE BILL # 363 – LICENSURE BILL FOR SLPAS 2019



## 1. Question: Why is NMSHA pushing SLPA licensure now?

Answer There are SLPAs coming into NM to work, and school districts are hiring them as E.A.s and allowing them to work with students (without adequate supervision, certification or training). NMSHA and NM RLD needs to address this as a concern for protecting the consumer and addressing the needs of students especially those in rural communities in NM. There may not be a shortage of licensed speech pathologists in larger districts (e.g. Las Cruces, Albuquerque) but there is a tremendous need in rural communities for services for students. ASHA is working now to develop an SLPA exam (see ASHA SLPA exam blueprint) for demonstration of competency for an SLPA. NM is one of only 14 States that does not have a license for the use of SLPAs.

## 2. Question: Does New Mexico have a current Associate of Arts (AA) degree program in SLPA?

There are no current AA programs in community colleges or universities in NM, however, each of our neighboring States: Arizona, Colorado, Texas and Utah have SLPA AA programs and these folks are coming to NM to seek positions.

## 3. Question about competency requirement in the bill – what is the plan?

Answer: Speech Pathology, Audiology and Hearing Aid Dispensing Licensure Boards' Rules Committee will develop the demonstration of competency for the SLPA License. They will decide either to use what ASHA develops or to develop something on their own. Placing the statement into the bill: 61-14B-15.1 A (3) "Demonstrates competency in the skills required of a speech language pathology assistant" allows the Licensure Board to develop the type of competency they

desire (similar to what they have developed for licensing bilingual speech language pathologists). Whatever “rules” the licensure board develops will have to go out for public hearing before the Board adopts any rule so there will be ample time for others to provide input on proposed rules.

4. Question: Do NM RLD develops rules through a committee?

Answer: The Licensure Board has a Rules committee made up of members of the Licensure Board including two speech language pathologists. They will research and develop “rules” to address the type of competency that SLPAs must demonstrate to be licensed. Once the ‘rules” are in draft form they will go out for public comment on the proposed rules before adopting them. There will be opportunity for speech language pathologists and SLPAs to provide feedback on any proposed rules before they are adopted.

5. Question: Regarding the clinical hour of 100 hours, do you think the Bachelor level have completed any hours before the application for license?

Answer: I cannot speak on behalf of the Universities, but I do know that students completing a bachelors degree in speech language pathology or communication disorders may have some clinical hours but do not have the 100 clinical hours prior to obtaining an SLPA license.

It is important to keep in mind that a student graduating for a bachelors program, who may be accepted into a graduate program, can immediately apply for an apprentice license (under current Statute) without ANY hours of clinical experience.

ASHA recently sent a Answer to NMSHA regarding this very question since ASHA has in their Scope of Practice a statement about licensure requirements for the SLPA which states: 2014 ASHA Scope of Practice for Licensure of an SLPA – the academic course of study must include or be equivalent to: a. an associates degree in an SLPA program; or a bachelor’s degree in a speech language pathology or communication disorders program and b. successful completion of a minimum of 100 hours of supervised field work experience or its clinical experience equivalent.

ASHA Answer (January 31, 2019):

*“When the model bill was developed in 2014, it was out understanding that the Associate programs in SLPA included 100 clock hours of clinical experience during the program. Bachelor’s programs, on the other hand, do not contain that same requirement. In order to not disadvantage those who chose to obtain a bachelor’s degree, we included an option of obtaining 100 clock hours of clinical experience during the first job experience.*

*The ASHA scope of practice is older and has not been updated to include that distinction within programs.”*

*Susan Adams, Esq  
Director, State Legislative and Regulatory Affairs  
ASHA*

6. Question: Can SLPAs could start working with no training?

Answer: There are three ways in which a person can be licensed as an SLPA in the bill:

- a. Accepted into or enrolled in a graduate speech language pathology or communication disorders program leading to an MA in speech pathology
- b. Graduating for an Associates program in communication disorders or speech language pathology from an accredited college or university.
- c. Graduating for a Bachelors level training program in speech pathology or communication disorders.

For those students who graduate from a bachelor’s ;eve; program in speech pathology or communication disorders they must also complete 100 hours of clinical experience under the direct supervision of a licensed speech pathologist within their first year of licensure to remain licensed as an SLPA.

As stated in number “3” above, under the current Statute, an apprentice can be licensed upon entering a graduate program without any clinical experience hours. But all have some form of educational training in Communicative Disorders.

7. Question: Under the requirements for an SLPA – Will the NM RLD Board Rules committee develop the scope of practice for what an SLPA can and cannot do?

Answer: Yes, NMSHA worked closely with Legislative Counsel Services on the language of this bill so that it could be put into Statutory language which would be acceptable to go into Statute should it pass. During that time we looked at the

current Statutes for PT (including PTAs) and OT (including COTAs) and found that in those licensure laws, that the Licensure Board for those professions developed the scope of practice for what a PTA or COTA could and could not do. In order to be consistent with current licensure laws for assistants, we removed the scope of practice for SLPAs and inserted a statement that the SLP Licensure Board would promulgate rules for what and SLPA could and could not do under supervision of the licensed speech language pathologist. As stated previously, once the Rules committee of the SLP Licensure Board develops these rules they will have to hold public hearings to obtain feedback on these proposed rules prior to adopting them.

8. Question: Why are we deleting apprentice rather than adding another term to the current Statute?

Answer: Under the current Statute for the use of the apprentice there have been numerous complaints from licensed speech pathologists in NM regarding the use of the apprentice (since the current Statute is vague regarding how they should be used). School districts are using the apprentice as a licensed speech pathologist and giving them their own caseload. They are then requiring the licensed speech pathologist to carry a double caseload (overwhelming the licensed speech pathologist with extra students and work). In an effort to control this abuse, we are eliminating the apprentice term and everyone will be called an SLPA with specific duties outlined by the Licensure Board.

9. Question: How will the apprentice be transitioned?

Answer: There is a section in SB 363 which allows for a period of transition for those currently enrolled in graduate programs and licensed as an apprentice (Section 7). The Licensure Board will develop rules for the transition of the apprentice to the SLPA.

10. Question: Is there language in bill regarding telehealth?

Answer: The SLP Licensure Board will develop rules that addresses what an SLPA can do and cannot do regarding telehealth. It should be noted, that currently, only Medicare and Medicaid will reimburse telehealth/telepractice when conducted by the licensed speech language pathologist and not the SLPA.

11. Question: Will Private insurance pay for the SLPA?

Answer: Insurance reimbursement whether it is under Medicare or Medicaid or the insurance companies under the Managed Care (Affordable Care Act) will only reimburse for services that are signed off by the licensed speech language pathologist, They will not reimburse for services provided and signed off by the SLPA, or Apprentice only.

ASHA is currently working with both Medicare and Medicaid to request reimbursement by other licensed professionals.

12. Question: Will you review the supervision hierarchy?

Answer: Direct supervision must be provided at least 50% of the time during the first 90 days of working with the SLPA and 20% indirect supervision after they have completed their 100 hours of supervised clinical experience. It will be up to the supervising licensed speech language pathologist to determine if the SLPA requires more or less supervision after that time.

SLPAs that work with medically fragile students must be supervised 100% of the time. There are other supervision requirements in the bill and in addition, the supervising speech language pathologist will have to provide written documentation to the Licensure Board regarding the supervision provided to the SLPA.

13. Question: Will there be safeguard for SLPs in a school, can SLPs say they are not wanting to supervise a SLPA?

Answer: The Statute states that the supervising speech language pathologist will reduce their own caseload for every SLPA that they supervise. The SLPA will be licensed by the PED as well as the Licensure Board. NMSHA and the Licensure Board will work with PED to make sure that the scope of practice of what an SLPA can and cannot do are specifically stated. There is no such statement in the current Statute that protects the licensed speech language pathologist. The Licensure Board will develop rules stating what an SLPA can and cannot do and will be enforcing these requirements with the schools, private practice, clinics, hospitals, etc.

14. Question: SLPAs do not have ongoing training as ASLs (Apprentices) do, Will there be requirements for SLPAs?

Answer: The SLPA bill includes the required CEU's that an SLPA must take to maintain their license. The SLPA must complete 20 hours of CEU's every two years and submit that documentation to the Licensure Board in order to maintain their license. The Licensure Board is not going to renew an SLPA license for someone who takes, e.g. basket weaving as a required CEU course for re-licensure. There are also numerous on line training classes that an SLPA (like any licensed SLP) can take during the year, as needed and which can be directed by the supervising speech language pathologist.

15. Question: Who is responsible to monitor the quarterly progress report of the SLPA by the Supervising SLP?

Answer: The SLP Licensure Board will be responsible for monitoring the quarterly progress reports submitted by the supervising speech language pathologist. Although it was stated that they currently don't do that – it will be their responsibility to figure out how to accomplish this task. NMSHA cannot speak on behalf of the Licensure board.

16. Question: Who will train SLPs how to supervise SLPAs if this passes?

Answer: NMSHA has a strategic plan if this Bill 363 passes which included a state-wide initiative to train SLPs how to direct, manage and supervise SLPAs.

17. Question: What about typos's or language issues in the current bill?

Answer: The Legislative Counsel Services is responsible for writing the bill in such a way as to be acceptable into Statutory language so some of the language terminology and construction may be foreign to what we expect but it is legislative counsel's responsibility to make sure it is clear for Statute.