

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Jim Barnett at 1:30 p.m. on February 2, 2010, in Room 546-S of the Capitol.

All members were present.

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes
Iraida Orr, Kansas Legislative Research Department
Terri Weber, Kansas Legislative Research Department
Amanda Nguyen, Intern, Kansas Legislative Research Department
Jan Lunn, Committee Assistant

Conferees appearing before the Committee:

Marla Rhoden, Director Health Occupations Credentialing, Kansas Department of Health and Environment (KDHE)
Larry Ruder, Licensed Kansas Audiologist, Member Speech Pathology/Audiology Advisory Board
Tom Krebs, Governmental Relations Specialist, Kansas Association of School Boards

Senator Barnett introduced pages, Calvin Schneider and Nicholas Spiess.

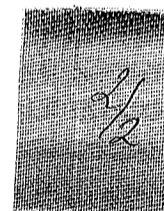
Nobuko Folmsbee provided an overview of **SB 449 - Audiologists; educational requirements for licensure** to those attending the meeting. The bill requires individuals seeking licensure as an audiologist on, or after, January 1, 2012, to hold at least a doctorate degree, or its equivalent, in audiology. Individuals holding a master's degree in audiology, or its equivalent, prior to January 1, 2012, would be deemed to have met the new requirement. The bill exempts individuals holding an audiology clinical doctoral degree from the requirement to complete a postgraduate professional experience. Ms. Folmsbee also indicated a technical amendment is required.

Marla Rhoden from KDHE encouraged favorable consideration of **SB 449**. The change is recommended by KDHE's advisory board and would provide consistency with accredited programs currently offered by the Kansas Board of Regent institutions. Applicants possessing an audiology clinical doctoral degree would be exempt from completing a postgraduate professional experience; those with an academic degree would be required to complete the postgraduate professional experience (Attachment 1).

Ms. Rhoden explained that there will be no issues identified related to access to services provided by audiologists. Kansas currently has approximately 200 licensed audiologists, that number is not expected to change. While residents in rural areas may find it difficult to obtain service, the proposed legislation will not create any additional access issue.

Larry Ruder provided a history of the audiology profession from the mid-1940's through early 2000 (Attachment 2). He indicated new standards were written in 2007 and became effective in 2009. This phase essentially affected educational institutions offering degrees in audiology; the second phase of the new standards become effective on January 1, 2012 and requires that all individuals possess a doctoral degree, i.e., AuD, PhD, EdD, ScD. Mr. Ruder described the reimbursement procedures by Medicare for audiology testing and hearing devices. Mr. Ruder encouraged support of **SB 449**.

Dan Morin, Kansas Medical Society, while speaking from a neutral position recommended that language be included in the bill requiring licensed audiologists using the term "Doctor" also indicate the profession in which the licensee holds a doctorate (Attachment 3). Mr. Morin indicated this would provide consistency in that the Kansas Healing Arts Act requires similar disclosure for every licensee when presenting oneself to the general public. There were no objections from proponents to include qualifying language.



CONTINUATION SHEET

Minutes of the Senate Public Health and Welfare Committee at 1:30 p.m. on February 2, 2010, in Room 546-S of the Capitol.

Tom Krebs, Governmental Relations Specialist, Kansas Association of School Boards, spoke as a neutral, interested party (no written testimony) . Mr.Krebs questioned the fiscal note which indicated there would be no fiscal impact. He explained that in the true, technical sense costs could be impacted. As audiologists earn doctorates, it would seem likely that their compensation would increase. This would result in the an increase in the state's share of special education aid.

Upon a motion by Senator Schmidt to adopt the technical amendments as discussed and a second by Senator Brungardt, the motion carried.

Upon a motion by Senator Schmidt to include the conceptual amendment offered by Mr. Morin concerning qualifying language when using the term "doctor" and a second by Senator Kelly, the motion carried.

Senator Schmidt moved to favorably pass out **SB 449** as amended; Senator Huntington seconded the motion which passed.

Senator Barnett adjourned the meeting at 2:05 p.m.



Mark Parkinson, Governor
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

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**Testimony on Senate Bill 449
Licensure of Audiologists**

**Presented to
Senate Public Health and Welfare Committee**

**By
Marla Rhoden, Director Health Occupations Credentialing
Kansas Department of Health and Environment**

February 2, 2010

Chairman Barnett and members of the committee, I am Marla Rhoden, Director of the Health Occupations Credentialing Program for the Kansas Department of Health and Environment. Thank you for the opportunity to appear before you today in support of Senate Bill 449, which would change the minimum educational requirement for licensure as an audiologist from at least a master's degree or equivalent to at least a doctorate degree or equivalent. *exemption only*

Changing the educational requirement as noted is recommended by the Department of Health and Environment's Advisory Board on Speech-Language Pathology and Audiology. It would also make the educational requirement consistent with the accredited programs currently offered by Kansas Board of Regents institutions, The University of Kansas, Kansas State University, Wichita State University, and Fort Hays State University, as well as the national accrediting body for audiologists, the American Speech-Language-Hearing Association.

The bill would exempt applicants who meet the educational requirement prior to January 1, 2012 and grandfather existing licensees. Applicants who possess an audiology clinical doctoral degree would be exempt from the requirement to complete a postgraduate professional experience pursuant to rules and regulations because the clinical degree would have covered such experience.

The Department of Health and Environment respectfully requests the committee act favorably on SB 449. I will now stand for questions.

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Senate Public Health and Welfare

Date:

02/02/10

Attachment:

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Testimony in Support of Kansas SB 449
Senate Public Health and Welfare Committee
Larry L. Ruder, Licensed Kansas Audiologist
Member Speech Pathology/Audiology Advisory Board
Tuesday, February 2, 2010

Mr. Chairman, members of the committee, my name is Larry Ruder and I am pleased to appear before you in support of SB 449. The profession of Audiology was born during the years of World War II when many combat veterans returned home with serious, and in most cases permanent damage to their ears and hearing leading to permanent, partial disability. Pioneers of the profession stepped forward to develop auditory therapy and techniques and procedures and amplifying devices to help these veterans overcome their disabilities. These pioneers came from the ranks of medicine, electronic engineering, hearing science, speech and language therapy, deaf education, psychology, and other human and biological sciences.

In the 1950's the profession grew and developed many diagnostic tests to help physicians and other disciplines working in communication disorders to diagnose the cause of a patient's hearing loss and differentiate between a loss that could be helped medically or surgically and one that could only be helped with hearing aid amplification and rehabilitation.

In the 1960's and to this date, new and better diagnostic tests/methods continue to be developed. More importantly, however, the profession returned to its roots in the rehabilitation of hearing loss. Since the 1960's Audiologists have taken an ever increasing role in the fitting and dispensing of hearing aids and the rehabilitation of hearing loss. They also contribute heavily in the development of more advanced and improved electronic circuits within hearing aids to improve their performance. Clinically, they make a huge difference in improving the quality of life for the hearing impaired. From its infancy of twenty to thirty founders, Audiologists now number over 11,000 in the United States.

From the 1950's into the 1990's, the store of knowledge in the field of Audiology has grown tremendously. The education, clinical and technical training of a Masters degree was, at one time, sufficient to practice as an Audiologist. In the late 1990's and early 2000's it became apparent to practicing clinical and educational leaders in Audiology across the country that the one to two years of Masters degree education was no longer sufficient to adequately educate and train an Audiologist.

Accordingly, the elected leaders of the American Speech/Language Hearing Association (ASHA) and the American Academy of Audiology (AAA) made the decision in the late 1990's to require that any person desiring to practice as an Audiologist after January 1, 2012 must have completed at least a doctorate degree or equivalent in Audiology from an educational institution certified as an approved training site by the Council for Clinical Certification (CCC) of ASHA. Anyone who has already completed their Masters degree and is certified or licensed in Audiology would be grandfathered in.

Senate Public Health and Welfare

Date:

02/02/10

Attachment:

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The new standards in Audiology were written in 2007 and were to take effect in two phases. The first phase, addressing the change to acquisition of knowledge and skills, increased post-baccalaureate course work and graduate level clinical practicum, and the cessation of the clinical fellowship requirement went into effect January 1, 2008 for all individuals submitting applications on or after that date. The second phase of the new standards will take effect on January 1, 2012, and will require that all individuals applying for initial or reinstatement of certification as of that date have earned a doctoral degree, i.e. AuD, PhD, EdD, ScD, etc.

The first phase deadline of January 1, 2008 is behind us. It means that anyone who had not completed their Masters degree program by that date must now complete a doctoral program under the new standards. The first phase primarily affected educational institutions offering degrees in audiology and those students just beginning their studies in pursuit of a degree in audiology. In effect, it eliminated Masters degree programs.

Many States have already upgraded their statutes to accommodate the new standards, i.e. Alabama, Colorado, Georgia, Illinois, Indiana, Maryland, Minnesota, New Mexico, Ohio, Oklahoma, Rhode Island, Tennessee, and Wyoming. I urge the Kansas Legislature to join them by enacting SB 449.



To: Senate Committee on Public Health & Welfare

From: Dan Morin
Director of Government Affairs

Date: February 2, 2010

Subject: SB 449--Audiologists; educational requirements for licensure

The Kansas Medical Society appreciates the opportunity to appear today as a interested neutral party as you consider SB 449 which would require that any individual seeking licensure as an audiologist on or after January 1, 2012, possess at least a doctorate degree or equivalent in audiology.

With the emergence of the clinical doctorate degree in allied healthcare fields including nursing, audiology, and speech-language pathology, allied healthcare providers who have achieved their doctorate degrees are increasingly using the title of "Doctor" in their practice settings, advertisements, and other patient communications. When a doctoral degree is cited among an individual's professional qualifications in any form of advertisement or other patient communication, the field of study for the degree should be specified in order to avoid confusion and/or misrepresentation. Individuals who use the title "Doctor" or the abbreviation "Dr." in any form of advertising or other patient communication in connection with his/her practice should simultaneously use a clarifying title, initials, abbreviations or designation, or language that identifies the type of practice for which he/she is certified or licensed.

We recommend amending K.S.A. 65-6504, or other relevant statute, to include language requiring licensed audiologists using the word "Doctor" in offering to perform professional services to also indicate the profession in which the licensee holds a doctorate. The American Academy of Audiology in 2005 issued the following statement on use of the term "Doctor" in Advertising:

The American Academy of Audiology recommends that, in printed media such as on business cards, in letterhead, and in advertisements, audiologists with doctoral degrees in audiology or a directly relevant area refer to themselves in one of the following manners:

Jane Doe, AuD, Doctor of Audiology

or
Jane Doe, AuD
or
Jane Doe, PhD, Audiologist
or
Jane Doe, PhD

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Members are advised to check applicable state laws, including licensure laws, before referring to themselves in writing in another manner or using other terminology, such as Dr. Doe, without further designation of degree.

The Kansas Healing Arts Act requires similar disclosure for every licensee when presenting oneself to the general public.

65-2885. Use of title by licensee. No person licensed hereunder shall use a title in connection with his name which in any way represents him as engaged in the practice of any branch of the healing arts for which he holds no license: Provided, however, That every such licensee when using the letters or term "Dr." or "Doctor" shall use the appropriate words or letters to identify himself with the particular branch of the healing arts in which he holds a license.

Thank you for the time and opportunity to comment on SB 449. Should the committee decide to report the bill favorably for passage, the Kansas Medical Society respectfully requests an appropriate amendment requiring identification of educational credentials associated with a doctorate degree of audiology in Kansas