



ASHA
American
Speech-Language-Hearing
Association



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Molly Spearman
State Superintendent of Education
1429 Senate Street
Columbia, SC 29201

RE: SCDOE SLP Educator Certification

Dear Superintendent Spearman:

On behalf of the American Speech-Language-Hearing Association and the South Carolina Speech-Language-Hearing Association, we write to urge the South Carolina Department of Education (SCDOE) to reconsider its rules for certifying speech-language pathologists licensed by the Department of Labor, Licensing, and Regulation (LLR) in order to accurately reflect their education and training.

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 223,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students. Over 3,000 ASHA members reside in South Carolina.¹

The South Carolina Speech-Language-Hearing Association (SCSHA) is a professional and scholarly organization for speech-language pathologists and audiologists. The goal of SCSHA is to meet the needs of their members and the individuals they serve by promoting and advocating for the highest quality services and professional standards, providing opportunities for professional growth and the exchange of knowledge, and educating the public about communication disorders and the professions of speech-language pathology and audiology.

Under SCDOE's certification rules, LLR licensees are eligible for an "Internship Certificate" if: 1) their program of study did not include an educator certification track, and; 2) they do not have employment experience as a speech-language pathologist (SLP) in a public school setting. This requirement is unnecessary and inadequately represents the qualifications of ASHA-certified SLPs (i.e., those who have the Certificate of Clinical Competence in Speech-Language Pathology/CCC-SLP) and those with an "SLP Intern" license. LLR-licensed SLPs are educated and trained to diagnose, assess, and treat speech, language, swallowing, and cognitive communication disorders across the lifespan; therefore, they may choose to practice in various work settings—including health care and schools.

We recognize that SCDOE's Internship Certificate mirrors LLR's designation of its clinical fellow (CF) license as an "Intern" License. ASHA and SCSHA support changes to LLR regulations and South Carolina (SC) state law to replace the term "SLP Intern" with an "initial license." An initial license for a CF would only be used to designate those who

require LLR board-regulated Supervised Professional Employment (SPE). This is similar to how most states license CFs as “initial or provisional licensees,” which accurately reflects their education and training. However, despite differences in the official designation, LLR’s Speech-Language Pathology Intern license is the same as ASHA’s Clinical Fellowship.

Under ASHA’s standards, personnel who have obtained a postgraduate degree in speech-language pathology and are in the process of completing their mentored professional experience are considered a CF. They are independent practitioners trained to conduct evaluations and provide therapy services. While CFs work with a mentor, both ASHA and LLR rules define the CF scope of practice identically with the scope of practice for SLPs except for requiring administrative supervision as laid out within the regulations. This administrative supervision differs from the level of supervision provided to assistants or other support personnel as it does not require a CF to be *under the direction of a* supervising SLP.

Misalignment of the training, expertise, licensing, and title designations for SLPs in SC schools has led to several issues:

- 1. By maintaining the Internship Certificate requirement for LLR licensees, SCDOE limits the supply of practitioners who can fill vacancies in SC schools.** When certification misaligns with the state and national standards for speech-language pathology, there is confusion by those hiring and leading SLPs within local education agencies (LEAs). As a result, salary ranges for potential employees are inaccurate as they are not based on education and experience. This makes it difficult to recruit qualified SLPs to the school setting. Vacancies have been reported as an area of ongoing concern in SC with little more than 80% of positions being filled by SLPs directly employed by LEAs during the beginning of the 2021-2022 school year.² Despite having five graduate level and three undergraduate speech-language pathology training programs in the state, school positions remain difficult to fill.
- 2. Improper provider designation has led to issues with access and reimbursement for services rendered by SLPs in schools.** ASHA and SCSHA have heard from members in SC that SCDOE’s Internship Certification has created problems for CFs seeking reimbursement from the SC Department of Health and Human Services (DHHS). We understand that DHHS has rejected the designation of “SLP Intern” under the false assumption speech-language pathology interns are students and not a licensed individual who has acquired the appropriate academic coursework and, therefore, appear to be ineligible providers. While ASHA is working with SCSHA to encourage DHHS to address its guidelines, these issues are specifically related to the inaccuracies of the educator certificate and should be remediated by SCDOE.

SCDOE and DHHS should adhere to established national guidelines for eligible providers. For example, the Centers for Medicare & Medicaid Services (CMS) fully recognizes CFs as qualified providers and allows direct billing under the Medicare program.³ Moreover, federal guidance establishes the standard for a qualified SLP in Medicaid as an individual who “[h]as completed the academic program and is acquiring supervised work experience to qualify for the certificate.”⁴

3. **Asking LLR licensees to obtain additional educator certification is inconsistent with the intent of §40-67-300(6), as amended by SB 277 (2019).**⁵ SB 277 sought to allow SLPs with an LLR license to work in schools without additional requirements to support improved recruitment and retention as well as to ensure appropriate education and training of SLPs and provide for consumer health, protection, and welfare.
4. **SCDOE SLP certification does not align with the regulations under the Individuals with Disabilities Education Act (IDEA).** Under IDEA § 300.156, state education agencies must establish qualifications for related services personnel (such as SLPs) that are consistent with state-recognized licensing requirements.⁶ SCDOE's Internship Certificate does not appear to meet this standard.
5. **Accurately reporting data to the Office of Special Education Programs (OSEP) on SLPs has become nearly impossible.** SCDOE has five different designations for speech-language pathology personnel. However, there are only three designations (i.e., SLP, CF-SLP, and SLPA) that are recognized by OSEP as being consistent with state licensure as required under 42 CFR 300.156. This has created a myriad of problems for providers to accurately represent themselves when reporting to OSEP.

To address these issues, ASHA and SCSHA encourage SCDOE to allow LLR-licensed SLPs to work in schools without additional certification requirements, similar to audiologists, nurses, social workers, physical therapists, and occupational therapists. To achieve this goal, we recommend:

- Updating SCDOE regulations pertaining to related service professionals to include SLPs in the list of professions for which licensing is remanded to the established licensing board (SC Chapter 43-50).
- Removing the regulation pertaining to the Speech-Language Pathology Internship Certificate as it inaccurately represents the qualification of SLPs and SLP Interns (SC Chapter 43-53(I)(E)(3)).


However, if SCDOE maintains that an educator certificate is critical to a school-based SLP's ability perform their duties and that certification by SCDOE does not impact the ability to recruit and retain SLPs, ASHA and SCSHA recommend the following:

- Granting a Professional Certificate to all applicants with an LLR license as an SLP regardless of previous work setting.
- Creating an "Initial" certificate for SLPs working as a clinical fellow, with an LLR license as a Speech-Language Pathology Intern.
- Creating an SLPA certificate to ensure consistent data reporting.

Thank you for your consideration of our request. If you or your staff have any questions, please contact Tim Boyd, ASHA's director of state health care and education affairs, at

tboyd@asha.org and ASHA's SC State Education Advocacy Leader (SEAL) Miranda Grice at m.mccarthy.grice@gmail.com.

Sincerely,



Judy Rich, EdD, CCC-SLP, BCS-CL
2022 ASHA President



Allison McGee, MSP, CCC-SLP
SCSHA President

cc: Melanie Barton, Senior Education Advisor, Office of the Governor
Mack Williams, Administrator, SC Labor, License and Review Board
Robert Kerr, Director, SC DHHS
Kevin Bonds, Health Policy & Hospital Policy Lead, SC DHHS
Barbara Drayton, Deputy General Counsel, SC State Department of Education
Angie Neal, SLP Contact, Early Language and Literacy Education Associate
Office of Special Education Services
Miranda Grice, ASHA State Education Advocacy Leader for South Carolina
Denise Sowell, South Carolina Association of School Administrators, Professional
Affiliate Representative

¹ American Speech-Language-Hearing Association. (2021). *South Carolina* [Quick Facts].

<https://www.asha.org/siteassets/uploadedfiles/South-Carolina-State-Flyer.pdf>.

² Data compiled by an informal survey of lead SLPs by ASHA's SC State Education Advocacy Leader (SEAL) in 2021.

³ U.S. Department of Health & Human Services [DHHS], 2004; 42 CFR 440.110 (c) (i).

⁴ Social Security Act, 42 U.S.C. Sec. 1395x (II)(4)(A)(ii), § 1861. Retrieved from https://www.ssa.gov/OP_Home/ssact/title18/1861.htm.

⁵ SC Code § 40-67-300 (2021). <https://www.scstatehouse.gov/code/t40c067.php>.

⁶ Sec. 300.156 (2005). Retrieved from <https://sites.ed.gov/idea/regsb/b/300.156/c>.