



AMERICAN  
SPEECH-LANGUAGE-  
HEARING  
ASSOCIATION

April 8, 2003

Congressman John Boehner  
1011 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Boehner:

On behalf of over 109,000 members of the American Speech-Language-Hearing Association (ASHA), I am writing to express our serious concern about H.R.1350, the Improving Education Results for Children with Disabilities Act of 2003. Specifically, our members want to bring to your attention our strong opposition to the elimination of the highest qualified provider language in H.R.1350.

As you may know, ASHA is the professional, scientific, and credentialing association for audiologists, speech-language pathologists, and speech, language, and hearing scientists. ASHA's mission is to ensure that all people with speech, language, and hearing disorders have access to quality services to help them communicate more effectively. ASHA's school-based members provide direct services to over one million non-disabled and disabled students each year.

H.R.1350, as amended, removes part of the current statute describing how states must maintain the "highest requirements" for personnel standards for related services personnel (current law, Part B, Sec.612, (15)(B)(ii) and Part C, Sec.635, (a)(9)(B)). These state defined and enforced standards actually describe the entry-level requirements for professionals and disciplines to practice in a state. By removing this language H.R.1350 would create a two tiered system for related services professionals (as defined in IDEA, Part A, Section 602(23)). The lower tier would be in our nation's schools for our children with special needs where this specialized care will be entrusted to personnel with temporary, provisional or emergency certification without specialized education, no practical experience and no clinical supervision.

The higher tier would be virtually all other settings. In fact, local school districts would lose millions in federal Medicaid funds by switching to a lower personnel standard. The long-standing minimum requirements for an individual to qualify for Medicaid payment for speech-language pathology services in schools is a masters degree from an accredited program with a clinical fellowship and passage of a national exam. The same definition is also utilized by Medicare, Department of Defense via TRICARE, Veterans Administration, Joint Commission on Accreditation of Healthcare Organizations and the vast majority of private insurance payers.

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This two tiered system created the current version of H.R. 1350 would further exacerbate the difficulties local school districts, especially urban and rural districts, are experiencing. And since the federal government does not fully fund the 40% of its share of the costs of educating children with disabilities, the loss of Medicaid funds would be a devastating blow to local schools.

The House Education and the Workforce Committee can help prevent this from happening by adding the following language to Part B, Section 612 and Part C, Section 635:

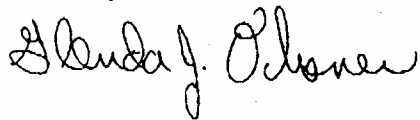
“(B) STANDARDS DESCRIBED. Such standards shall—  
(ii) be consistent with *the highest requirements* in any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services;”

This still preserves the states’ prerogative to establish personnel standards in their state. As stated above, these state defined and enforced standards actually describe the entry-level requirements for professionals and discipline to practice in a state.

Today, H.R.1350 weakened personnel standards remain unchanged. The bill needs to be strengthened before being reported out of the House Education and the Workforce Committee by retaining the highest qualified provider language and by adding provisions and resources that help school districts improve their recruitment and retention of qualified personnel.

If you have any questions or need addition information, please contact Neil Snyder, ASHA’s Director of Federal Advocacy, at 800-274-2376, ext. 4257 or via e-mail at [nsnyder@asha.org](mailto:nsnyder@asha.org)

Sincerely,

A handwritten signature in cursive script that reads "Glenda J. Ochner".

Glenda J. Ochner, Ph.D.  
President