



AMERICAN  
SPEECH-LANGUAGE-  
HEARING  
ASSOCIATION

April 27, 2018

The Honorable Daniel Martiny  
Committee on Commerce, Consumer Protection and International Affairs  
Louisiana State Senate  
P.O. Box 94183  
Baton Rouge, LA 70804

RE: H.B. 748

Dear Senator Martiny:

On behalf of the American Speech-Language-Hearing Association, I write to oppose H.B. 748, which establishes the Occupational Licensing Review Act.

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 198,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students. Audiologists specialize in preventing and assessing hearing and balance disorders as well as providing audiologic treatment, including hearing aids. Speech-language pathologists identify, assess, and treat speech, language, and swallowing disorders. Over 2,900 of our members reside in Louisiana.

ASHA strongly opposes the limitations on the use of the terms “certification” and “certified” by individuals who have obtained a voluntary professional certification. ASHA’s Certificate of Clinical Competence in Audiology (CCC-A) and Speech-Language Pathology (CCC-SLP) are trademarked designations that may not be preempted by state law. Individuals who hold these designations are recognized as ASHA-certified.

ASHA also maintains that a sunset review conducted by the Governor’s office is unnecessary and overly burdensome. The Louisiana Board of Examiners for Speech-Language Pathology and Audiology, which consist of consumer members as well as members of the professions, has an important role in regulating the professional conduct of licensees by investigating and adjudicating cases of potential harm to the public.

### **Audiology & Speech-Language Pathology Professional Qualifications**

Audiologists in Louisiana hold a doctoral degree, or equivalent, in audiology, have completed a supervised clinical practicum, and have passed an exam approved by the Board. Speech-language pathologists (SLPs) hold a master’s degree, or equivalent, in speech-language pathology, have completed a supervised clinical practicum, have passed an exam also approved by the Board, and have completed at least 36-weeks of full-time supervised postgraduate professional employment, or its part-time equivalent. The practice of the professions is fully supported and regulated by state licensing entities in all 50 states and the District of Columbia.

## **Purpose of Licensure**

Licensure is designed to protect consumers from harm by:

- helping consumers identify the differences between audiologists, SLPs, and other persons providing services (e.g., paraprofessionals, teachers, hearing aid dispensers);
- ensuring that only those with the appropriate qualifications and training can provide audiology and speech-language pathology services;
- deterring the hiring or substitution of other workers who do not meet the identified criteria for professional practice;
- deterring unethical behavior from professionals and employers such as over/under utilization, misrepresentation, and fraud;
- increasing accessibility to and reimbursement from third party insurers;
- providing the necessary authority to intervene in cases of provider misconduct; and
- providing a venue for consumers and professionals to seek redress, including censure of individuals who have committed fraud or engaged in otherwise unethical behavior.

## **ASHA Certification: Certificate of Clinical Competence (CCC)**

ASHA's certification process is voluntary; therefore, the requirements of certificate holders are only applicable to those who choose to be certified. Individuals holding the CCCs are expected to abide by ASHA's Code of Ethics. ASHA has no legal recourse against those who violate ASHA's Code of Ethics other than to revoke their certification. In the absence of state authority over the practice of audiology and speech-language pathology, an individual may continue to practice despite unethical or incompetent service.

## **Licensure and ASHA Certification**

Both licensure and ASHA certification help ensure the quality provision of audiology and speech-language pathology services. State licensure provides consumer protection and recourse against incompetent practitioners and/or those acting in an unethical manner so that they may be removed from practice. ASHA certification is the fundamental standard among major health professions and public and private insurers. It is the most widely recognized symbol of competency for audiologists (CCC-A) and speech-language pathologists (CCC-SLP). While licensure is important to legally perform our work, certification is important for internal professional recognition and external accountability.

## **Potential for Harm**

In the absence of licensure, patients must rely on the legal system to redress any of their grievances. It is likely that many individuals with communicative disabilities—predominantly children and older persons—will not be able financially, or otherwise, to launch or sustain effective legal action and suffer in silence. The vulnerable population of persons with communicative disorders requires the protection of the state to ensure that competent and ethical providers provide quality care.

## **Regulatory Oversight Is Needed for Consumer Protection**

Regulatory oversight legislated through licensure is the accepted practice for consumer protection. Regulatory boards, including speech-language pathology boards, in all 50 states and the District of Columbia, consist of a majority of practitioners of the profession being regulated

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and a substantial minority of consumers of the services provided by the regulated profession. The practitioners ensure that board decisions are soundly based in the technical and scientific knowledge required to practice, as applied to individual patient care situations. The public can rely on the expertise and wisdom of practicing professionals to ensure that those in practice are held to the high standards of the profession.

For these reasons, ASHA urges you to oppose H.B. 748. Thank you for your consideration. If you or your staff have any questions, please contact Eileen Crowe, ASHA's director of state association relations, at [ecrowe@asha.org](mailto:ecrowe@asha.org).

Sincerely,

A handwritten signature in cursive script that reads "Elise Davis-McFarland".

Elise Davis-McFarland, PhD, CCC-SLP  
2018 ASHA President

cc: The Honorable Julie Emerson