

Board Mission and Organization

The mission of the Ohio Board of Speech-Language Pathology and Audiology (OBSLPA) is to protect the public and regulate the practice of speech-language pathology and audiology according to the Practice Act, Chapter 4753 of the Ohio Revised Code. In order to fulfill its mission, the OBSLPA is empowered to issue licenses to speech-language pathologists, audiologists, and aides, review and investigate complaints, take disciplinary action for violations of Chapter 4753 of the Ohio Revised Code, seek injunctive relief against persons practicing without a license, and mandate activities through which licensees may demonstrate continued competence to practice.

The OBSLPA is an agency of the state of Ohio and was established in 1975 by an act of the Ohio legislature. Licenses are issued to speech-language pathologists, audiologists, and aides.

OBSLPA investigates complaints about its licensees and about unlicensed practice. It may directly discipline those licensees who violate the Practice Act, Chapter 4753 of the Ohio Revised Code, or the rules, Chapter 4753 of the Ohio Administrative Code. Complaints of activities that do not fall within the jurisdiction of OBSLPA are referred to other appropriate agencies. OBSLPA must seek court action if it finds that an individual is engaging in unlicensed practice.

Who are the Members of OBSLPA?

OBSLPA has eight members: three are speech-language pathologists, three are audiologists, and two are members of the general public. All members are appointed by the Governor and confirmed by the Ohio Senate for three-year terms. OBSLPA appoints an Executive Director who serves as the chief administrative officer and who is responsible for the daily activities of the staff.

Rule Making Authority

The law under which the practice of speech-language pathology and audiology are regulated has two components. The first is the statute or Practice Act, which was enacted by the Ohio General Assembly and codified as Chapter 4753 of the Ohio Revised Code. The second is rule, which is developed and enacted by OBSLPA pursuant to the authority granted to it in Chapter 4753 of

the Ohio Revised Code. Once enacted, OBSLPA rules are codified in the Ohio Administrative Code and have the force and effect of law.

Rules essentially provide the detail that clarifies and amplifies the provisions of the Ohio Revised Code. Rules cannot change the provisions of or exceed the scope of authorization in the Ohio Revised Code.

OBSLPA is empowered to enact rules by Sections 4753.05, 4753.06, 4753.072, 4753.09, and 4753.11 of the Ohio Revised Code.

Section 4753.05 of the Ohio Revised Code states that OBSLPA shall do the following:

(A) *The board of speech- language pathology and audiology may make reasonable rules necessary for the administration of this chapter. The board shall adopt rules to ensure ethical standards of practice by speech-language pathologists and audiologists licensed pursuant to this chapter. All rules adopted under this chapter shall be adopted in accordance with Chapter 119, of the Revised Code.*

(B) *The board shall determine the nature and scope of examinations to be administered to applicants for licensure pursuant to this chapter in the practices of speech-language pathology and audiology, and shall evaluate the qualifications of all applicants. Written examinations may be supplemented by such practical and oral examinations as the board shall determine by rule. The board shall determine by rule the minimum examination score for licensure. Licensure shall be granted independently in speech-language pathology and audiology. The board shall maintain a current public record of all persons licensed, to be made available upon request.*

Section 4753.06 of the Ohio Revised Code states as follows as pertains to requirements for licensure:

No person is eligible for licensure as a speech-language pathologist or audiologist unless:

(C) *He submits to the board evidence of the completion of appropriate, supervised clinical experience in the professional area, speech-language pathology or audiology, for which licensure is requested, dealing with a variety of communication disorders. The appropriateness of the experience shall be determined under rules of the board. This experience shall have been obtained in an accredited college or university, in*

a cooperating program of an accredited college or university, or in another program approved by the board.

(D) *He presents to the board written evidence that he has obtained professional experience. The professional experience shall be appropriately supervised as determined by board rules. The amount of professional experience shall be determined by board rule and shall be bona fide clinical work that has been accomplished in the major professional area, speech-language pathology or audiology, in which licensure is being sought. ***.*

Section 4753.072 of the Ohio Revised Code, states as follows:

*The board of speech-language pathology and audiology shall establish by rule pursuant to Chapter 119. Of the Revised Code the qualifications for persons seeking licensure as a speech-language pathology aide or an audiology aide. The qualifications shall be less than the standards for licensure as a speech-language pathologist or audiologist. ****

Section 4753.09 of the Ohio Revised Code states as follows:

*** *The board shall establish by rule adopted pursuant to Chapter 119. of the Revised Code the qualifications for license renewal. Applicants shall demonstrate continued competence, which may include continuing education, examination, self-evaluation, peer review, performance appraisal, or practical simulation. The board may establish other requirements as a condition for license renewal as considered appropriate by the board.*

Section 4753.11 of the Ohio Revised Code states as follows:

(A) *For all types of licenses, the board of speech-language pathology and audiology shall charge a nonrefundable licensure fee, to be determined by board rule, which shall be paid at the time the application is filed with the board.*

(B) *On or before the thirty-first day of January of every other year, the board shall charge a biennial licensure renewal fee which shall be determined by board rule and used to defray costs of the board.*

(C) *The board may, by rule, provide for the waiver of all or part of such fees which the license is issued less than one hundred days before the date on which it will expire.*

- (D) *After the last day of the month designated by the board for renewal, the board shall charge a late fee to be determined by board rule in addition to the biennial licensure renewal fee.*

The Rule-making Process

OBSLPA reviews its rules on an ongoing basis.

Proposed rules are routinely discussed in open session at regular board meetings. OBSLPA may appoint a committee to investigate the need to create or change a rule. When it is determined that a rule should be amended or a new rule written, OBSLPA drafts a proposed rule for consideration. Once a rule or amendment is proposed, the rule-making process proceeds in compliance with Chapter 119 of the Ohio Revised Code.

Pursuant to Chapter 119 of the Ohio Revised Code, OBSLPA must hold a public hearing to accept oral and written testimony for and against proposed rules. Public notice of the public hearing is published at least thirty days prior to the scheduled hearing in a newspaper of general circulation in Columbus, Ohio, on the Register of Ohio, and by sending notice to the Ohio Speech and Hearing Association, Ohio Council of Speech and Hearing Administrators, Aphasiology Association of Ohio, and Ohio Academy of Audiology. The notice states the OBSLPA's intention to adopt, amend, or rescind a rule and the reason for such action, provides a summary of the rule, and gives the date, time, and place for the public hearing. A copy of a proposed rule may be requested from the OBSLPA office or may be accessed from the OBSLPA Internet website.

Public comments on any proposed rule may be sent to OBSLPA in writing or presented at the public hearing.

Participation in the Rules Writing Process

OBSLPA welcomes the input of all interested parties. The public can participate in the rule-making process by any or all of the following ways:

- (1) Providing comment or written correspondence recommending rules to be proposed, changed, amended, or rescinded;
- (2) Providing comment during the initial discussion phase of the rule proposal or amendment. This can be done at a board meeting during the open forum part of the

agenda or by written correspondence sent for board review during the business portion of the meeting;

- (3) Participating in exploratory committees for rule proposals;
- (4) Providing verbal or written testimony as a proponent or opponent of a proposed rule at a public rules hearing;
- (5) Filing a written request to be notified of rules proposed to be created, amended or rescinded.
- (6) Obtaining copies of proposed rules on the Register of Ohio website:
<http://www.RegisterofOhio.state.oh.us>

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A Guide to Public Participation in Rule-Making

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