

CONSENT CALENDAR

January 25, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 1016-FN,

AN ACT relative to initial licensing as a speech-

language pathologist. Having considered the same,

report the same with the following amendment, and the

recommendation that the bill OUGHT TO PASS WITH

AMENDMENT.

Rep. William Marsh

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 1016-FN
Title:	relative to initial licensing as a speech-language pathologist.
Date:	January 25, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2022-0091h

STATEMENT OF INTENT

This bill as amended, developed in consultation with New Hampshire Speech Language Hearing Association and the American Speech Language Hearing Association, completely replaces the original bill. This amended bill discontinues the double licensing and collection of fees from Speech Language Pathologists in New Hampshire by eliminating the redundant licensing of Speech Language Pathologists by the Department of Education; preserves the integrity of the Speech Language Pathologist credential and New Hampshire's participation in the Audiology and Speech Language Hearing Interstate Compact; and permits the 20 or so remaining Speech Language Specialists working in NH schools to continue working until their retirement.

Vote 18-0.

Rep. William Marsh
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

HB 1016-FN, relative to initial licensing as a speech-language pathologist. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for Executive Departments and Administration. This bill as amended, developed in consultation with New Hampshire Speech Language Hearing Association and the American Speech Language Hearing Association, completely replaces the original bill. This amended bill discontinues the double licensing and collection of fees from Speech Language Pathologists in New Hampshire by eliminating the redundant licensing of Speech Language Pathologists by the Department of Education; preserves the integrity of the Speech Language Pathologist credential and New Hampshire's participation in the Audiology and Speech Language Hearing Interstate Compact; and permits the 20 or so remaining Speech Language Specialists working in NH schools to continue working until their retirement. **Vote 18-0.**

Original: House Clerk

Cc: Committee Bill File

Amendment to HB 1016-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to licensing of speech-language specialists.

4

5 Amend the bill by replacing all after the enacting clause with the following:

6

7 1 New Paragraphs; Speech-Language Pathology; Eligibility for Initial Licensure. Amend RSA
8 326-F:3 by inserting after paragraph III the following new paragraphs:

9 III.(a) As of July 1, 2022, to be eligible to practice speech-language pathology in a public
10 school system, state-approved nonpublic school for children with disabilities, chartered educational
11 institution of the state, or the state department of education, applicants shall be licensed as speech-
12 language pathologists in accordance with this chapter.

13 (b) Notwithstanding subparagraph (a), any person practicing speech-language pathology
14 as a speech-language specialist certified by the department of education prior to July 1, 2022 shall be
15 eligible to continue practicing as a speech-language specialist so long as such person practices
16 continuously after July 1, 2022 in a public school system, state-approved nonpublic school for
17 children with disabilities, chartered public educational institution of the state, or the state
18 department of education. Such persons shall not be eligible to participate in the audiology and
19 speech-language pathology interstate compact established in RSA 326-F:17.

20 2 Department of Education; Rulemaking. Amend RSA 21-N:9, II(s) to read as follows:

21 (s) License standards for educational personnel, to include the establishment and
22 implementation of a secure system for conducting criminal background checks pursuant to RSA
23 189:13-a for all first-time applicants listed in this section, the establishment and implementation of
24 a secure system for accessing findings of abuse for individuals on the central registry pursuant to
25 RSA 169-C:35, and educator certification fees for granting licenses to educational personnel,
26 including teachers, paraprofessionals, superintendents, assistant superintendents, special education
27 administrators, business administrators, principals, vocational directors, coordinators of
28 comprehensive health education and services, directors of pupil personnel services, guidance
29 directors, guidance counselors, school psychologists, associate school psychologists, [~~speech-language~~
30 ~~specialists,~~] social workers, health educators, physical education teachers, consumer and family
31 science teachers, elementary teachers, specialists in assessment of intellectual functioning, school
32 bus drivers and transportation monitors, media supervisors, media generalists, and master teachers

Amendment to HB 1016-FN

- Page 2 -

1 as authorized by RSA 186:8 and RSA 186:11, X, professional licenses including beginning educator
2 licenses, experienced educator licenses, and intern authorizations, and other classifications of
3 educators, administrators, specialists, and paraprofessionals necessary to address educational needs
4 as determined by the state board upon the recommendation of the professional standards board
5 pursuant to RSA 186:60.

6 3 Repeal. The following are repealed:

7 II. RSA 189:14-e, relative to certification of speech-language specialists.

8 III. RSA 326-F:2, I(a), relative to the exemption of speech-language specialists from certain
9 statutory requirements.

10 IV. RSA 326-F:3-a, relative to the eligibility requirements for speech-language specialists to
11 become licensed speech-language pathologists.

12 4 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 1016-FN
- Page 3 -

2022-0091h

AMENDED ANALYSIS

This bill provides that any person practicing speech-language pathology within certain educational settings must be licensed as a speech-language pathologist. The bill also eliminates certification of speech-language specialists by the department of education. The bill provides that any person currently certified as a speech-language specialist by the department of education may continue to practice in such capacity.



2022 SESSION

Executive Departments and Administration

Bill #: HB1016 Motion: ADOPT AMEND AM #: 0091H Exec Session Date: 1-24-22
MARSIT - LEKAS

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Judy, Jean L.	X		
Schmidt, Peter B.	X		
Marsh, William M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.			
Grote, Jaci L.	X		
O'Brien, Michael B. <i>HOLLIGAN</i>	X		
TOTAL VOTE:			

18-0



2022 SESSION

Executive Departments and Administration

Bill #: HB 1016 Motion: OTP/A AM #: 00914 Exec Session Date: 1-24-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.	X		
Marsh, William M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.			
Grote, Jaci L.	X		
O'Brien, Michael B. <i>HORRIGAN</i>	X		
TOTAL VOTE:			

18-0 cc

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1016-FN

BILL TITLE: relative to initial licensing as a speech-language pathologist.

DATE: January 24, 2022

LOB ROOM: 302-304 **Time Public Hearing Called to Order:** 2:50 p.m.

Time Adjourned: 3:50 a.m.

Committee Members: Reps. McGuire, Rhodes, Sytek, S. Pearson, Yakubovich, T. Lekas, Alliegro, Bailey, Lanzara, Santonastaso, Goley, Schuett, P. Schmidt, Jeudy, Fellows, Grote, O'Brien and Marsh

Bill Sponsors:
Rep. McGuire

Sen. Reagan

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. McGuire, prime sponsor, introduced the bill and spoke in favor. She said a problem had been discovered in the Medicare To Schools program. Some speech language practitioners in the schools were not actually licensed. They had been granted temporary licenses. Some were eligible for licensing; others had graduate level training, not necessarily in language pathology. This expands the eligibility for licensure to others at the speech-language bachelor level but with a masters in related field.

Laura Darling of Loudon with many past professional credentials, spoke in opposition. With the aid of a chart prepared by NHSLHA (NH Speech Language-Hearing Association), she spoke of the confusion among speech language providers in public schools, speech language pathologists (licensed in Allied Health), speech language specialists (licensed by DOE), speech pathology assistants. She felt that parents were discovering that their child was not being treated by a qualified professional, one whom this bill would license as a pathologist. She recounts the history of licensing in this field and how it has required greater qualification since 1980. However, some "specialists" did not choose to gain greater qualification and stayed licensed by DOE. She continued describing the complexities which she called a "gray area." Her opposition was due to the fact that the bill did not require sufficiently high standards. She cited that CMS would not accept this bill's level for Medicaid To Schools. She took Committee questions which led to a complicated discussion.

Rep. Marsh spoke in support of his amendment which replaced the entire bill., not however, of the bill as introduced. He spoke of his personal experience and the importance of appropriate credentials. He took Committee questions.

Victoria Chesterly, speech language pathologist with many professional credentials, spoke in support of the amendment (despite her letter) but representing her only herself. She favors having only one credentialing agency (OPLC Allied Health) and eliminating the DOE licensure. She said it was important to observe the interstate compact requirements. She spoke of many technical professional details.

Steve Appleby, Director of Support in Higher Education, DOE, spoke only to DOE involvement. He cited statistics about licensed educators and said that there are less than 60 speech language specialists with even less than 20 of them not being SL pathologists. The Dept. supports moving the licensure to Allied Health. He took Committee questions that included criminal background checks.

Tom Prasol, a lobbyist with Demers & Prasol, representing NHSLHA) spoke in support of the amendment which was the result of collaboration of American Speech Language-Hearing Association (ASHA) and NHSHLA.

Lindsey Courtney, Executive Director of the OPLC, spoke in favor. OPLC would support anything to reduce unnecessary licensing. She said the amendment addressed any OPLC concerns with the original bill.

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB1016 on 2022-01-20

Support: 4 Oppose: 1 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Reagan, Senator John	Deerfield, NH kathryn.cummings@leg.state.nh.us	An Elected Official	Senate District 17	Support	No	No	1/12/2022 2:50 PM
Themea, Neil	Manchester, NH speechjake@gmail.com	A Member of the Public	Myself	Support	No	No	1/12/2022 9:24 PM
Bennett, Deborah	Nottingham, NH debbieslp@mac.com	A Member of the Public	Myself	Support	No	No	1/20/2022 7:58 AM
Flanders, William	Hampton, NH drwflanders@comcast.net	A Member of the Public	Myself	Support	No	No	1/20/2022 1:08 PM
Medynski, Grazyna	Canterbury, NH titeroptions@hotmail.com	A Member of the Public	Myself	Oppose	No	No	1/20/2022 2:42 PM

HB 1016-FN - AS INTRODUCED

2022 SESSION

22-2009

11/04

HOUSE BILL ***1016-FN***

AN ACT relative to initial licensing as a speech-language pathologist.

SPONSORS: Rep. McGuire, Merr. 29; Sen. Reagan, Dist 17

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill modifies the requirements for initial licensure as a speech-language pathologist.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to initial licensing as a speech-language pathologist.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Speech-Language Pathology Practice; Eligibility for Initial License. Amend RSA 326-F:3-a, I
2 to read as follows:

3 326-F:3-a Speech-Language Specialist Eligibility for Initial Licensure.

4 I. The board shall issue a speech-language pathologist license to any person who:

5 (a) Is currently certified as a speech-language specialist by the department of education,
6 bureau of credentialing, and was certified as of [~~the effective date of this section~~] **December 31,**
7 **2019;** [~~and~~]

8 (b) **Possesses a bachelor's degree in speech-language pathology, speech and**
9 **hearing science, or communication sciences and disorders; and**

10 (c) Possesses a master's degree or higher academic degree [~~in speech-language~~
11 ~~pathology, communications sciences and disorders, or communications disorders~~] **a related field**
12 **including but not limited to special education, early childhood education, learning**
13 **disabilities, or elementary education.**

14 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1016-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to initial licensing as a speech language pathologist.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill makes changes to licensure as a speech language pathologist to permit those with bachelor's degrees in speech language pathology, speech and hearing science, or communication sciences and disorders to qualify for licensure, and those with master's degrees in fields related to speech language pathology to qualify for licensure. The Office of Professional Licensure and Certification (OPLC) assumes that modifications to licensure requirements proposed in this bill would increase the number of those who qualify for licenses. The increase in license applications would impact OPLC's existing resources and may require additional personnel to be added. However, the fiscal impact is indeterminable to state revenues and expenditures because the number of individuals seeking licensure is unknown.

It is assumed any fiscal impact will not occur until after FY 2022.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification