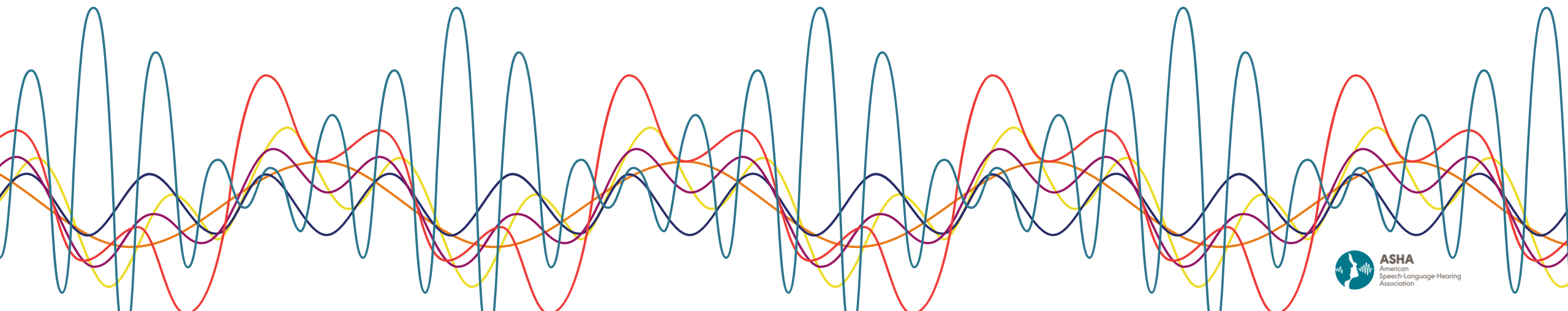


# Trending Issues in States: What's New in 2021?

Janet Deppe, MS CCC-SLP FNAP



# Disclosure

- Financial-I am an ASHA employee
- Nonfinancial-I support ASHA's public policy initiatives and serve as the ex-officio to ASHA's School Finance Committee

# State Affairs Survey Results

- 51 states, the Overseas association and the District of Columbia participated
- Key Takeaways:
  - 2019 – 13% were interested in Telepractice regulation
  - 2020– 98% were somewhat or very interested
  - 2019—36% of states were interested in learning about the interstate compact
  - 2020– 91% of respondents were interested in passing legislation to adopt the interstate compact
  - Other areas of interest included: comprehensive licensure-55%, scope of practice infringement (including by ABA-87% and music therapy – 78%), Medicaid reimbursement/increased access-91% and school reopening/safety-87%)

# ASHA/State Association Priorities

- Professional Practice
  - Telepractice Regulation and Interstate Practice
  - Interstate Licensure Compact- Update
  - ASHA Certification and State Regulation of Assistants
- Scope of Practice Issues
  - Music therapy
  - Role of the Audiologist/SLP in the treatment of Autism
- Consumer Issues
  - LEAD-K
- School Issues
  - School Salary issues
  - School Choice
  - Telepractice- Access and regulation

# ASHA/State Association Priorities

- Health Care Issues
  - Coverage of Services
  - Telepractice-Coverage, Reimbursement and Access
  - Hearing Aid Coverage

# Telepractice- Licensure

- Increase in telepractice in healthcare and education settings
- Telepractice requires state licensure- Practice across state lines is complicated
- ASHA has compiled a state-by-state tracker:  
<https://www.asha.org/siteassets/uploadedfiles/state-telepractice-policy-covid-tracking.pdf>
  - Requirements for CF, SLPAs and students
  - Pre-COVID waivers
  - Governor Emergency Orders

# ASHA Telepractice Resources

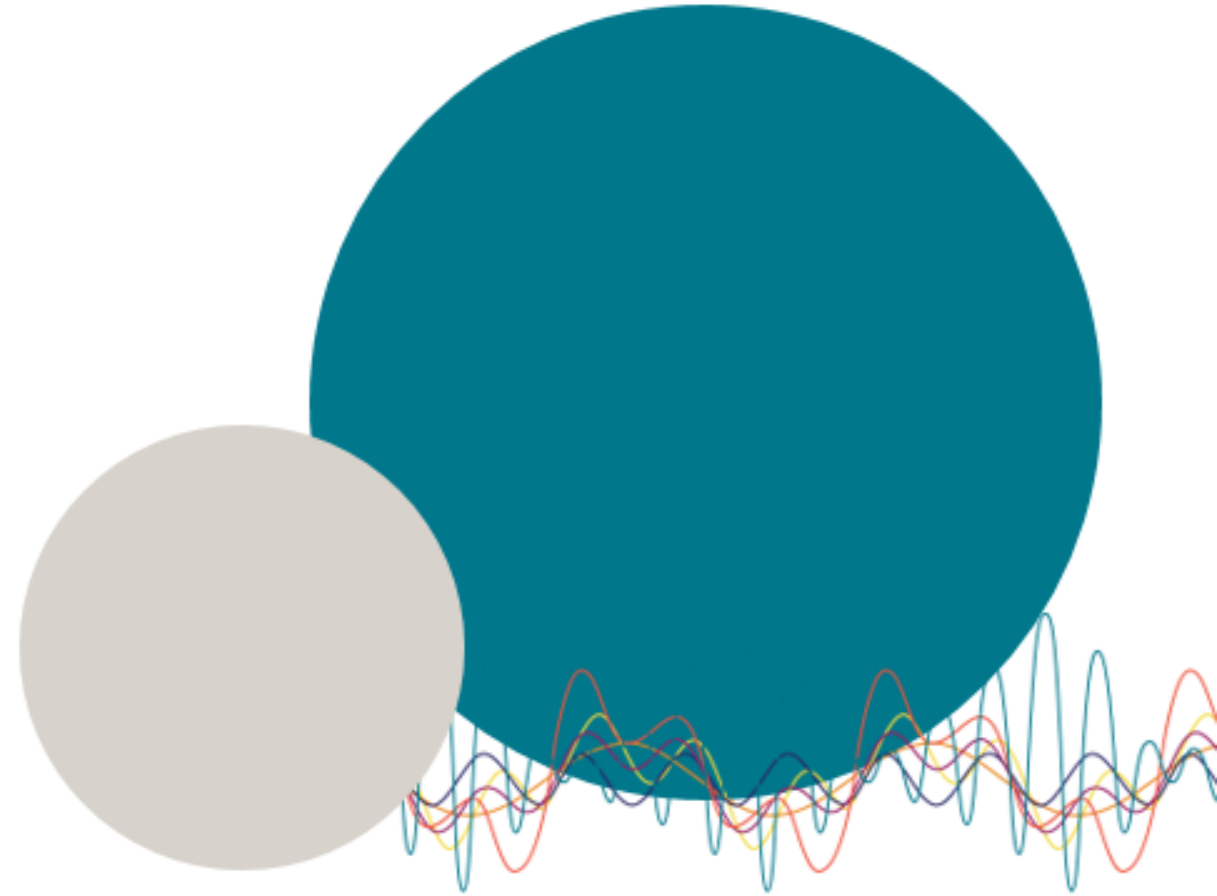
- Tele practice Practice Portal: <https://www.asha.org/practice-portal/professional-issues/telepractice/>
- Sig 18 <http://www.asha.org/SIG/18/default/>
- ASHA Community <http://community.asha.org/Home/>
- International Audiology and Speech-Language Pathology Associations  
[http://www.asha.org/members/international/intl\\_assoc/](http://www.asha.org/members/international/intl_assoc/)

# Audiology and Speech-Language Pathology Interstate Compact ASLPIC

Compact Commission will be created when 10 states enact the legislation (expected 2021/2022)

Compact legislation has passed in 6 states:

- Louisiana
- North Carolina
- Oklahoma
- Utah
- West Virginia
- Wyoming





# ASLPIC Update

Compact legislation has been introduced in 15 states in 2021.

<b>Alabama</b>	<b>Colorado</b>	<b>Georgia</b>	<b>Indiana</b>	<b>Iowa</b>
Kansas	Kentucky	Maryland	Nebraska	New Hampshire
New Mexico	Oregon	South Carolina	Texas	Washington

Talks are ongoing to introduce in additional states this year.

# ASLPIC Resources

- Audiology and Speech-Language Pathology Interstate Compact Webpage: <http://aslpcompact.com>
- For questions, contact Dan Logsdon at [dlogsdon@csg.org](mailto:dlogsdon@csg.org) or ASHA at [interstatecompact@asha.org](mailto:interstatecompact@asha.org).

# ASHA's Assistant Certification

- ASHA has created an assistant certification program:
  - Several Pathways
  - Administration of the first exams in fall, 2020
- ASHA's certification will help states who wish to regulate assistants set standards based on ASHA requirements
- Many issues still need to be considered that will affect implementation of the certification program
  - State licensure
  - Reimbursement – qualifications, coding accreditation
  - Continuing education requirements

# State Regulation of Assistants

- States are continuing to introduce legislation to regulate assistants:
- Currently assistants are regulated in 41 states through licensure, registration or certification.
- Educational requirements vary
  - GED- enrollment in a graduate program
- Terminology is inconsistent
  - assistant
  - technician
  - aide
  - paraprofessional

# Scope of Practice Issues

- Music therapy licensure- broad scope of practice that includes assessment and treatment of communication disorders
- Met with AMTA (10/19) to review revised model legislation
  - AMTA addressed most of ASHA's concerns including collaboration with education and healthcare treatment teams
  - AMTA refused to add language prohibiting them from treating communication disorder
  - AMTA revised guidance on billing/coding issues

# Scope of Practice Issues

- Therapy for individuals with Autism Spectrum Disorder (ASD)
  - 2018 autism awareness campaign using Google, LinkedIn and Twitter
  - Targeted pediatricians and other healthcare professionals, early intervention and school administrators, policy makers and families
  - 2019 developed a toolkit for families:  
<https://www.asha.org/uploadedFiles/ASHA-SLP-ASD-Flyer.pdf>
- ABA Infringement issues:  
<https://www.asha.org/Advocacy/Applied-Behavior-Analysis/>
  - ASHA Hot Topics resource on ABA includes
    - Informational bulletins from the US Department of Education and CMS
    - Talking points
    - Issue Brief

# LEAD-K- Language Equality and Acquisition of Deaf- Kids

- ASHA made repeated attempts to meet with the National LEAD-K coalition but could not come to an agreement
- ASHA participates in a parent choice coalition opposed to many state LEAD-K measures
- ASHA supports:
  - A families right to decide the best language and /or communication method for the child who is deaf/hard of hearing (D/HH)
  - Including ASL, spoken language or a combination
  - The development and distribution of a comprehensive parent resource
- ASHA has information on its website:  
<https://www.asha.org/Advocacy/LEAD-K/>

# School Choice

- US Department of Education supports state efforts to expand school choice
- Active school choice programs in FL, AZ, LA and IN
- ASHA support families right to select the school program that meets their child/family needs, as long as families understand the benefits/drawbacks of their choice
- ASHA supports school choice programs that:
  - Do not decrease funding from public system
  - Maintain the same quality standards for teachers and other staff (meet state credentialing standards)
  - Maintain the same standards for student achievement
  - Uphold equal access to the full range of services for children with disabilities
  - Comply with applicable laws (IDEA, ADA, 504)
  - Maintain privacy protections under HIPPA and FERPA



# Salary Incentives

- Increasing number of School Strikes-many related to salary/benefits
- ASHA is revising its resources on salary incentives including salary supplements
- An interactive map on the website provides information about where members have achieved a salary supplement in both states and local districts.

<https://www.asha.org/advocacy/state/issues/advocacy-resource-guide-for-the-salary-supplement-initiative/>

# Telepractice

- 2021 nearly all states and DC have some Medicaid coverage
- Private health plans cover telepractice on an inconsistent basis
- Recent legislation proposes a reduced rate for telepractice services
- While access to services across settings has improved coverage and reimbursement of telepractice services remain a concern

# State Hearing Aid Mandates and Reimbursement

- Many Medicaid Programs, Medicare Advantage Plans and even Private Health Plans are expanding hearing aid coverage.
- Limited reimbursement rates for the device.
- Mixed approaches between bundled payment and individualized fee for service for devices and related hearing health services.
- Driven by federal discussions regarding hearing aids:
  - [President's Council of Advisors on Science & Technology](#)
  - [National Academies of Science, Engineering & Medicine](#)
- States have introduced legislation to cover hearing aids and services. Most recently IL passed comprehensive hearing aid coverage

# Questions

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