

Speech-Language Pathology Licensure FAQs

Is a license required to practice speech-language pathology in Texas public schools?

The Texas Occupations Code, Chapter 401.054, states that the licensure law “does not prevent or restrict the activities and services or the use of an official title by a person who is certified in speech-language pathology by the Texas Education Agency if the person only performs speech-language pathology or audiology services as part of the person's duties within an agency, institution, or organization under the jurisdiction of the Texas Education Agency.” The Texas Education Agency no longer issues certificates in speech-language therapy, but individuals who hold a lifetime TEA certificate in speech and hearing therapy or speech-language therapy are allowed to practice in public schools without a license.

My school district administrative pattern is to assign licensed assistants to a licensed SLP after the school year is well under way and we have begun seeing children. Am I placing my assistant's license in jeopardy by seeing children before my supervisor is assigned?

Yes. An assistant may not practice until a supervisory responsibility statement identifying the licensed supervisor is received in the office of the licensing board and the office faxes an approval.

I had problems this year getting my assistant's license when the school year began. Is the school district exempt from the law when employing a licensed assistant?

No, licensed assistants are not exempt from the law because they are employed by a school district. Preparation could be made by assigning licensed assistants to supervisors before the school term begins. This would facilitate the board office processing of applications and documentation of supervisors and help avoid any backlog that may develop at the start of the school term.

May I work as a licensed assistant without having a supervisor who is a licensed speech-language pathologist (SLP)?

No. The role of the licensed assistant is to assist a licensed SLP in providing services to students on their caseload. Licensed assistants may not have their own independent caseloads.

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I have agreed to supervise one intern and two assistants; however, one of them can't find her license and another hasn't filed the appropriate papers identifying me as the supervisor. My supervisor told me to begin supervising and the two people could provide the necessary paperwork later. Can I do this?

No. Board Rules require that you have proof that the intern or assistant has a valid license and has submitted the appropriate form naming you as the supervisor. The Board shall initiate disciplinary actions against both you and the intern or assistant should Board Rules be violated.

I will complete my internship in March and my special education director has asked me to begin supervising an assistant. Am I allowed to begin supervising an assistant as soon as I receive my SLP license?

No. Board Rules require that you have three years of professional experience (internship plus two) before you are allowed to supervise assistants or interns.

I have taken a job in a school district where I am the only licensed SLP. How many assistants am I allowed to supervise?

A licensed SLP is allowed to supervise no more than a total of four assistants and/or interns. While the rules allow an SLP to supervise as many as four individuals, the licensed SLP retains responsibility for the entire caseload when supervising assistants, so this factor must be considered in determining a reasonable number of assistants.

May an individual who wishes to apply for the assistant license but has not earned the required 25 hours of clinical observation and /or 25 hours of clinical assisting experience earn these hours before an assistant license is issued?

No, the applicant must first obtain the assistant license. The 25 hours of observation and 25 hours of clinical assisting experience must begin after the issue date of the license and must be completed within 60 days of that date. If not, the license shall be surrendered.

An assistant has two different jobs and different supervisors at each job. One job is full time and the other part time. Must each licensed speech-language pathologist who assumed the responsibility for the assistant's practice submit a supervisory responsibility statement? What is the minimum amount of supervision required for the full time position versus the half time position as described?

Each supervisor must submit the supervisory responsibility statement and receive approval from the Board office. In response to the second question: For the part-time position as well as the full-time position, the minimum supervision of a licensed assistant is still two hours per week (1 hour of direct on-site and 1 hour of indirect). Please note that this is the *minimum* amount of supervision. The supervisor must determine if the assistant requires more than the two hours of supervision per week.

Could the required minimum two hours per week of supervision be reduced for licensed assistants who have practiced for more than one year? Also, what about the assistant who holds a master's degree in communication disorders and has completed the post-graduate experience but has been unable to pass the examination for full licensure? Shouldn't this assistant be allowed to practice without as much supervision as the assistant with only a baccalaureate degree?

The two hours per week of supervision is the *minimum* and this minimum must be maintained as long as the assistant holds the license, regardless of the level of education. A licensed assistant who has little or no experience may require much more than two hours of supervision per week at first. Once the supervisor is confident in the assistant's ability to perform specific tasks, the amount of supervision may decrease, but can never be less than the two hours per week, regardless of the assistant's education level.

May an assistant attend an ARD/IEP meeting?

An assistant has always been allowed to *attend* an ARD/IEP meeting, but recent changes in the Board Rules now allow the assistant to represent speech-language pathology at the ARD/IEP meeting if:

- the SLP assistant has written documentation of approval from the licensed, board approved SLP supervisor;
- the SLP assistant has three years experience as a speech pathology assistant in the school setting;

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- the meeting is an annual review ARD meeting involving a student for whom the assistant provides services.

The speech-language pathology assistant shall present Individual Educational Plan (IEP) goals and objectives that have been drafted by the supervising SLP and reviewed with the parent by the supervising SLP. The speech-language pathology assistant shall discontinue participation in the ARD meeting, and contact the supervising SLP when substantive questions or changes arise regarding the IEP document.

The licensed, board approved supervisor of the assistant must:

- notify the parents of students with speech impairments that services will be provided by an SLP assistant and that the SLP assistant will represent Speech Pathology at the ARD;
- draft the student's new IEP goals and objectives and review them with the SLP assistant;
- represent the profession of speech pathology at ARD meetings when admission and dismissal will be determined
- maintain undiminished responsibility for the services provided and the actions of the assistant

May an assistant conduct evaluations under supervision?

No. An assistant may never conduct evaluations, not even under direct supervision since this is a diagnostic and decision making activity.

May an assistant administer tests?

An assistant may administer routine tests if the licensed speech-language pathologist who assumed the responsibility for the assistant's practice determines the assistant has the experience, training and competence to perform the specific test. An assistant shall not administer commercial tests specifically requiring graduate level training. The supervisor is ultimately responsible for all routine tests performed by the assistant and may not allow the assistant to interpret the results of the tests.

Must the supervisor be present when the assistant is administering routine tests as assigned by the SLP?

The licensed speech-language pathologist need not be present when the assistant is completing the assigned tests. However, the licensed speech-language pathologist must document all services provided and direct on-site supervision of the assistant.

May an assistant complete progress reports for student report cards?

No, because this is a determination of progress and the assistant does not have the education or experience to make this determination.

May a licensed assistant in speech-language pathology prepare lesson plans?

Licensed assistants in speech-language pathology may prepare lesson plans to deliver the therapy that was prescribed by the speech-language pathologist. These lesson plans should be reviewed by the speech-language pathologist.

May the public schools employ a substitute to fill in when the speech-language pathologist or assistant is not available?

The only substitute that may be employed is one who holds a current, valid speech-language pathology, intern in speech-language pathology or assistant in speech-language pathology license or one who holds the Texas Education Agency's certificate in speech and hearing therapy. Occupation Code, 401.301 requires an individual to hold a license to practice in Texas. Exemptions are listed in Sections 401.051-401.060.

I have been told by my employer to keep my therapy records in such a manner as to have it appear that I have given individual therapy to children I have seen in group therapy. This helps the school district collect more money from SHARS, but this sounds like fraud to me. What will happen if my records are investigated?

What you described is unethical and you could possibly have your license suspended if you were investigated and found in violation of the Code of Ethics. Your records must be accurate relative to the duration, dates, and type of services performed.

I plan to supervise interns and assistants so that services may be reimbursed by Medicaid. What does "under the direction" mean?

The federal Department of Health and Human Services provided the following response:

In terms of school-based services, our interpretation of the term "under the direction" of a speech pathologist is that the speech pathologist is directly involved with the individual under his or her direction and accepts professional responsibility

for actions of the personnel that he or she agrees to direct. The speech pathologist must see each patient at least once, determine the type of care to be provided, and review the patient after the treatment has begun. The speech pathologist would also need to assume professional responsibility for the services provided. Therefore, it would clearly be in the speech pathologist's own interest to maintain close oversight of any services for which he or she agrees to assume direction. Our interpretation would be the same in clinics, hospitals and rehabilitation settings.

Relating to the above question, must the supervisor and intern or assistant be employed at the same physical location?

There is no Federal requirement that the supervisor and intern or assistant be employed by the same employer. However, the supervisor must be affiliated with the school or clinic (e.g., some type of contractual agreement or other type of formal arrangement by which the supervisor is obligated to supervise the care provided to the patients).