

SCSHA Advocacy Report: 2022

Kelly Caldwell, MA, MS, CCC-SLP
Vice President of Government Affairs

VPGA Report, May 2022 In Touch Newsletter:

Advocacy and Legislative Updates: February-May 2022

Dear SCSHA Members and Advocates,

I have been busy on behalf of SCSHA this quarter. The legislative session has been extremely busy with many organizations and lobbying groups advocating for their bills to get through committees. This is the end of a two year legislative term, so any bills that don't pass by May 12th will have to be re-filed for the 2023-2024 term which means starting over - again.

One thing I've learned after serving in the role of Vice President of Government Affairs in the last year is that change is constant. Sometimes things in South Carolina move slowly and sometimes they move faster than you'd expect! Telepractice has been at the forefront of things moving quickly in SC. At the SCSHA convention in February, Shari Robertson, PhD, CCC-SLP challenged us to become "imaginologists" in that we challenge the status quo. We imagine more and imagine better for our patients. We innovate and stimulate creativity. We ponder *what could be* rather than *what is*. To read more, check out this 2019 ASHA leader article: <https://leader.pubs.asha.org/doi/10.1044/leader.FTP.24032019.6>.

If you've ever thought to yourself, "Why do I need to be part of the state association?" This information is for you. I hope to show you what the state association does and why it's so incredibly important that our association retains members and grows membership every year. We have nearly 3300 licensed SLPs and a total of nearly 3900 licensed SLPs, SLP Interns, SLP Assistants, and Audiologists in our state. We have some growing to do! SCSHA serves the professional interests of our membership; however, these advocacy efforts impact all of the professionals in our state regardless of membership status.

You might be surprised just how much the state association does to support you. Without our lobbyist, our efforts to advocate for our profession would be severely crippled. I have attended many committee meetings in Columbia this year with our lobbyist and can humbly brag that I



believe we have a lobbyist truly fighting for us. Her knowledge and connections are what help us to be successful as an organization working for you.

Please communicate with the SCSHA board about advocacy issues that are important to you. This newsletter includes information on specific initiatives we've been pursuing this quarter.

Keep on imagining more and imagining better!

Kelly A. Caldwell, MA, MS, CCC-SLP
Vice President of Government Affairs

Mission-Driven Advocacy

Insurance Reimbursement

When reimbursement rates stay flat or decrease in the face of increasing costs to provide SLP and Audiology services, employers and business owners have a difficult decision: continue providing services with a loss, cut hours, decrease therapy time to increase numbers of patients served, or go out-of-network with those payers. SCSHA is aware of several issues related to reimbursement that include:

- Non-licensed early intervention providers are reimbursed more per hour than licensed SLPs, and have access to some billing codes that licensed SLPs cannot bill.
- Third party liability requirements place a burden on providers to bill private insurance first before billing Medicaid for services rendered. Some commercial payers are not readily giving providers proof of denial for out of network services.
- For SC Medicaid, the policy manuals, procedure code listing, fee schedules, and issues with credentialing SLP Interns creates multiple layers of confusion that limits providers from practicing their full scope of practice. SCSHA has submitted recommendations to change the policy manuals, and we are awaiting some updates on the procedure code list and the fee schedule when the state budget passes.

Advocacy mission: Obtain provider feedback on barriers to equitable service provision. Work with SC Department of Health and Human Services to recommend critical updates to policy manuals, CPT codes, and reimbursement rates. Propose changes to the practice act to update the term "SLP Intern" to be consistent with an initial or provisional license rather than a graduate student.

Interstate Compact (H.3840, S.1136)

Providers across our state are hopeful that the interstate compact bill will pass this legislative term. The SC legislative term ends May 12th. So, we are planning to send an update to the membership at the end of the legislative term about whether or not we succeed this year. Regardless of the outcome, our executive board has been hard at work on this bill. We have faced strong opposition from the SC medical association and the American Academy of Otolaryngology-Head and Neck Surgery. We are competing with multiple other organizations to get our bills heard in the SC house

and senate this year, and they are tackling other big issues including medical cannabis, repealing the Certificate of Need, and hot-button political issues as this is also an election year. Kelly Caldwell and Adrienne Davis have been testifying in person and virtually at the SC house and senate subcommittees. These sacrifices of personal time required us to take paid (or unpaid) time off from work. We sincerely hope our efforts will pay off!



Our lobbyist, Wanda Crotwell, has been working tirelessly to get this legislation passed. Her work was critical in getting this bill through the house and senate committees. This is the year that multiple organizations wanted interstate compacts to be passed (occupational therapy, psychology, and Audiology/SLP), which comes with challenges.

Advocacy mission: Promote passage of the Audiology and Speech-Language Pathology Interstate Compact to enable easier access to practice across state lines, facilitate telehealth, increase patient access to care, and ensure consumer protection.

Learning about Advocacy

In lieu of the 2022 legislative day, SCSHA is hosting a 4-part virtual continuing education series for advocacy training. We are providing these 90 minute courses live via Zoom and free of charge to all SCSHA members. Non-members may attend for a small fee.

- Advocacy 101: Communicating with Legislators was held on March 22 featuring Tim Boyd with ASHA.
- Advocacy 102: Drilling Down to the Bottom of Public Policy was a panel discussion held on April 26 featuring Amber Heape, Adrienne Davis, Kristen West, Maggie Donaker, and Tim Boyd.
- The next two courses are still under construction and are expected to occur in late summer and sometime in the fall. Stay tuned for more announcements this year!

Advocacy mission: Empower members to become successful advocates within their workplace, communities, state, and region so members of SCSHA promote and advocate for the highest quality services, professional standards, and participate in educating the public about the practice of Speech-Language Pathology and Audiology.

Telepractice

Whether you call it telepractice, telehealth, or virtual therapy, it's increasing the potential of what SLP and Audiology services can look like. We've learned that telepractice is possible and clinicians have been growing - and stretching - into this modality of service delivery. While we can complete some services via telepractice, there may be situations where in-person services are appropriate and the provider should make that determination based on individual patient needs. Telepractice may be the primary mode of service delivery - or supplement in-person services (hybrid) per ASHA's definition.

According to the Centers for Medicare and Medicaid, “For purposes of Medicaid, telemedicine seeks to improve a patient's health by permitting two-way, real time interactive communication between the patient, and the physician or practitioner at the distant site. This electronic communication means the use of interactive telecommunications equipment that includes, at a minimum, audio and video equipment.”

It is possible - and probable - that there are SLPs and Audiologists in SC who are not comfortable with this method of service delivery. And certainly - there are situations where it may not be appropriate or even possible to use telepractice. If telepractice has been an area of caution for you, know that SCSHA board members understand that discomfort and want to grow *with* you as we all learn how to ethically and competently provide services using telepractice.

SCSHA sent a letter to SC DHHS about telehealth with Medicaid in December, and at long last, DHHS issued an update on telehealth after the end of the current public health emergency (PHE). You will find details on that update in this newsletter. We also advocated at the licensing board meeting for a reconsideration of the telehealth policy.

Advocacy mission: Enable providers to determine if and when it is clinically appropriate to provide evaluations and/or treatments using telepractice. Support developing competency, challenge status quo on license board policy, and ensure adequate reimbursement. Work with stakeholders to increase patient access to services using telepractice.

Protecting our Scope of Practice

We’ve heard from members that there are problems in nearly every work setting where another individual appears to be practicing as a Speech-Language Pathologist by recommending communication/swallowing intervention that may be contrary to the plan of care established by the SLP on the case, or by providing communication/swallowing intervention for a communication/swallowing disorder *without* asking for an SLP consultation. Regardless of what is occurring, SCSHA recognizes these issues as multi-faceted, requiring professional advocacy with the interprofessional team. We must also encourage reporting of unlicensed practice as a professional and ethical obligation. It’s not just a problem within your individual work setting. We are planning to increase our advocacy efforts statewide.

Advocacy mission: Promote Speech-Language Pathology as the preferred provider of assessment and treatment for communication, feeding, and swallowing disorders. Ensure that professionals and members of the community are able to report unlicensed practice to the licensing board.

Member Updates from Social Media

These updates were shared on the SCSHA Facebook page this quarter. If you aren't involved, search for us on facebook and request to join!

SC Medicaid and Telehealth during the public health emergency

A new bulletin from SC DHHS was issued on Friday April 29th specific to telehealth. If you provide services via telehealth to Medicaid beneficiaries you should go read this bulletin. A printable (PDF) link is at the bottom of the webpage.

<https://www.scdhhs.gov/.../update-telehealth...>



A few highlights:

1. These changes take effect once the current federal public health emergency (PHE) expires. The current PHE is in effect until July 15, 2022 and may be extended.
2. Encounters must meet HIPAA requirements.
3. Use GT modifier on claims.
4. PT and SLP services will be reimbursed for One year following the end of the PHE.
5. Audio-only services will not be reimbursable at the expiration of the PHE.
6. Initial evaluations are to be performed in person to be eligible for reimbursement. 92507 (speech therapy) may be billed for a new patient using telehealth. They did not add 92526 (feeding/swallowing therapy).

The current 20-008 and 20-016 bulletins on telehealth still apply as long as we are under the current PHE.

20-008:

<https://msp.scdhhs.gov/covid19/provider-announcements/covid-19-telehealth-services-policy-update-pt-ot-and-st-coverage>

20-016:

<https://www.scdhhs.gov/press-release/coronavirus-disease-2019-covid-19-update-temporary-telehealth-coverage-changes-1>

SCSHA is at work for you!

On April 21, Crystal Murphree-Holden and Kelly Caldwell attended the meeting of the SC Speech-Language Pathology and Audiology board (LLR). It was a lengthy meeting and we spoke directly with LLR about several issues on behalf of our membership's concerns.

Did you know that...

.... You can report unlicensed practice of speech-language pathology? There is a link on the main webpage for South Carolina LLR (it's not on the speech LLR page). Let us know if you can't find it. We can't stop encroachment into our scope of practice if we aren't reporting it.

.... LLR deals with issues that impact consumer protection? They are our incredibly valued last-line-of-defense to ensure that consumers are protected. They were able to help one of our members with a question about scope of practice so that she can advocate for herself in her place of employment!

.... The updated regulations (Chapter 115) will be published and become "in effect" at the end of May? We posted some news about these regulations in a recent SCSHA In Touch issue, but didn't have a firm idea of what date the regs would be active. We know that SC LLR will post them on their webpage but beyond that - these aren't authored by SCSHA, so we will make sure you're aware of the new regs when they are up so you can check them out.

.... We have some incredible SLPs and audiologists who are serving on the LLR board. They have four year terms unless they apply to be re-appointed to the board.

Thank you for trusting SCSHA to advocate for your concerns! Let us know if there are other concerns you feel SCSHA might be able to help you address.

SC DHHS Babynet update:

BabyNet State Office has posted the following revised documents on our [website](#):

IDEA/Part C Policies:

- CHILD FIND AND REFERRAL
- SERVICE COORDINATION

IDEA/Part C Procedures:

- CENTRAL REFERRAL
- FAMILY RIGHTS AND SAFEGUARDS
- ORIENTATION INTAKE AND SCREENING
- DETERMINATION OF INITIAL ELIGIBILITY
- INITIAL IFSP
- PERIODIC REVIEW OF THE IFSP
- EIS PROVIDER AGREEMENTS
- EIS IN NATURAL ENVIRONMENTS

IDEA/PART C Forms & Instructions

- FAMILY GUIDE
- FAMILY GUIDE SPANISH
- REQUEST FOR DISPUTE RESOLUTION
- PARENT NOTICE OF FAMILY RIGHTS AND SAFEGUARDS SIGNATURE FORM (INSTRUCTIONS)

The documents above contain minor revisions for clarification or expansion on processes. **Please review and discontinue use of previous versions of these documents.** You may need to refresh your browser to access the new documents.

Thank you for your continued support of the BabyNet program.

What else has SCSHA been doing?



SCSHA advocacy on per-pupil weighted funding

This is the first year in many that the weighted formula for per-pupil funding will change in South Carolina. The original formula is codified in the SC Education Finance Act of 1977 and every state is different in their approach to weighted funding. The 2022-2023 state budget proposal (H.5150) includes a proviso (Part 1B) that changes the formula. We were told that students with disabilities EXCEPT speech would receive a weight of 2.5, and those who needed speech therapy would have a weight of 0.15. These numbers impact the division of funding to school districts. If students

requiring speech therapy services were only counted as 0.15, this would represent a nearly 94% cut in support for those students. Thankfully, the Department of Education clarified the funding issue, which now states that students with disabilities will have a weight of 2.6 and the special line for speech therapy only was eliminated.

Read to Succeed Act

There is a bill to update the Read to Succeed Act (Early Literacy and Numeracy Screening; H.3613). In reviewing this bill, we noticed that the language of the Read to Succeed Act (standing law) states that “Early childhood and elementary education certified classroom teachers, reading specialists, and special education teachers provide learning disability and speech services to students...” This language is in conflict with the practice act for Audiology and Speech-Language Pathology which requires a Speech-Language Pathology license to provide speech services. We proposed a slight language change on this bill to remove the phrase “and speech” in both occurrences, but we are not sure the language change will make it into the bill this year. If it does not, we will keep this issue on our agenda for the future.



SC Superintendent of Education

For the first time in 24 years, the state of South Carolina will be electing a new superintendent of education. Molly Spearman has been in office since 1998. There are approximately 10 candidates who filed to run for superintendent for the primary elections on June 14, 2022. The

superintendent's race is partisan, meaning that one candidate will be selected from each party from the primary election results and 2 or possibly 3 candidates will be on the ballot in November. The primaries are your way of making sure your voice is heard! To help our members, we are planning to host a "Meet the Candidates" virtual night. Our lobbyist will be arranging this for us and we will announce details once we have a date. We are only inviting SCSHA members to this event, so please help us by recruiting a colleague to join SCSHA today!

GET INVOLVED IN STATE AGENCIES

SCSHA needs members who can represent our interests at several state agency meetings that occur monthly or quarterly. Many meetings are available using virtual platforms such as WebEx or Microsoft Teams. If you're interested to find out more or would like to volunteer, please email us at SCSHAed@gmail.com.

- SC Joint Committee on Children (monthly; announced on SCstatehouse.gov; join the SCSHA Legislative Affairs committee to get involved)
- SC Department of Disabilities and Special Needs (monthly meetings; join the SCSHA School SLP committee to get involved)
- SC Interagency Coordinating Council (quarterly meetings; join SCSHA Babynet committee to get involved)

Other agencies will be announced and volunteers recruited as we become aware of needs.

COMMUNITY ENGAGEMENT OPPORTUNITIES

SC Interagency Coordinating Council (SCICC)

The SCSHA Babynet Committee needs you! The SCICC is a legally established advisory council for Part C / Babynet services. There are local meetings (LEIS) each month in various regions of South Carolina. Many of these meetings have moved to a virtual format which increases the ability of members of the public, including SCSHA members, to participate.

Join our Babynet committee so you can sign up to attend these monthly LEIS meetings on behalf of SCSHA. We need a coordinated effort and that includes *all* of us. You can sign up for the Babynet committee on the SCSHA website under "membership."

Community Connections

The SC DHHS launched a free resource entitled the Community Connections database in October 2021, which uses the "find help" platform. To see if your organization is included you can search on search.scparents.org. To suggest your organization to be included on the Find Help platform, go here: https://sccommunityconnect.auntbertha.com/find_a_program

For more information on Community Connections, read the bulletin here:

https://content.govdelivery.com/attachments/SCDHHS/2021/10/28/file_attachments/1979290/%282021-10-28%29%20Community%20Connections%20Press%20Release.pdf?fbclid=IwAR2poJDRz-x0CT32xYWIuZ2jB18PNU8uNY3zNk6fQJV0oGsQpS0fB3gdI-g

SCSHA AND ASHA PARTNERSHIP

In the first several months of 2022, ASHA and SCSHA worked together to author a joint letter to the SC Department of Education. This letter will be available publicly on the ASHA website soon. The goal of this work is to advocate for updates to the SCDOE regulations which will essentially eliminate the SLP educator certificate, and to be in line with the intention of the SLP Universal licensure law (S.277) which passed in 2020. The letter also includes information about what an “SLP intern” is to ASHA, which is the equivalent of the ASHA clinical fellow (CF). The letter was also sent to SC DHHS with the goal of reducing confusion about the SLP Intern license and potentially allowing for SLP-clinical fellow (SLP Interns) to be eligible for the credential to provide services for Medicaid patients without having an SLP co-signature.

A team from SCSHA also worked hard on recommending updates to the policy manuals for Medicaid which had language that was woefully out of date and also contained confusion on the qualifications and education of the SLP Intern. Those changes were sent to SC DHHS in late March 2022. Changes that affect policies on such a large scale take time. We want to ensure that any change we attempt to make has merit, will stand the test of time, and is necessary for improving access to care.

What does ASHA do? Beyond the importance of their coordination with the state association, we encourage you to check out the ASHA public policy page as well as their advocacy page for more information. Without advocacy at the federal level with ASHA, we would lose one of our most important voices for lasting change.

VPGA Report, August 2022 In Touch Newsletter:

Advocacy and Legislative Updates: June - August 2022

Dear SCSHA members and advocates,

It feels like it has been a long time since our last update in May. Some of our members have found time to enjoy vacations and reset for the upcoming school year. There are others who have found part-time jobs and have worked throughout the summer. And still, some of you have been hard at work, plugging into SCSHA advocacy missions, or working hard to help your patients accomplish their goals.



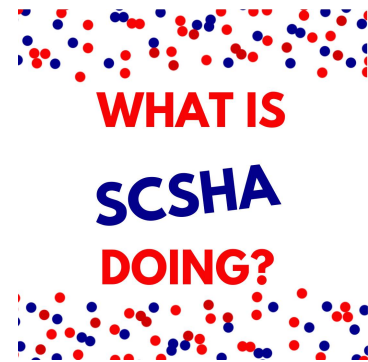
I personally have lost count of how many conversations I've had with our SCSHA lobbyist and other stakeholders on behalf of SCSHA since May. The ASLP interstate compact (H3840) passed into SC law since the last newsletter articles were submitted! We have been actively communicating with SC DHHS about Medicaid issues and have a meeting planned for early August. We've had subcommittees working on specific projects. There is so much coming up during the next school year in terms of the new SLP companion guide, the updated SEED document, and growth in the medical field to include telehealth.

Our organization has a significant amount of work to do to protect our profession, advocate for our patients, and improve patient access to care. The Medicare cuts in 2023 are going to affect all of us, whether we are Medicare providers or not. Their reimbursement rates affect state Medicaid rates as well as coverage policies. Policies from CMS and reimbursement trickles down to commercial insurance. Medicare patients legally cannot participate in self-pay services for a Medicare-covered service. Not all Medicare patients are geriatric. So these cuts are a big deal for ALL of us. I have plans in the works to collaborate with important stakeholders throughout South Carolina in the next academic year and establish a pathway for ongoing advocacy with state agencies.

If you have said out loud, "What is **ASHA** doing about this? What is **SCSHA** doing about this?" I would like to invite you to jump in with the committee that best matches your concerns and passions. The SCSHA legislative affairs committee is our "catch all" for things that do not specifically pertain to other committees. Those of you who have been available to help collaborate on these issues deserve a big **THANK YOU!** Many hands make light work!

I'm looking forward to hearing from you about ways you'd like to get involved.

Can you imagine what it would be like to have SLPs and Audiologists around our state who are both passionate and compassionate for, and working actively on advocacy issues? Can you imagine a robust SCSHA calendar of events for regional and statewide meetings, and we know who is involved with that particular piece of our advocacy? Can you imagine a way for our organization to make a big difference in the future?



What do you imagine for SCSHA?

Let's imagine more - and imagine better!

Kelly A. Caldwell, MA, MS, CCC-SLP, Vice President of Government Affairs

Creating a Road Map and Sticking to it

Submitted by: Kelly Caldwell, VP of Government Affairs

In the last edition of *SCSHA In Touch*, I spent time reconceptualizing how I think of advocacy for our association and how I communicate that information with our members. I heard some positive feedback from some of you. Many of you did not get a chance to read the last newsletter. The information below is not a repeat; it contains each of the advocacy missions, but underneath I am including what specific actions were taken toward accomplishing those missions. It is my hope that you find this format helpful. Your feedback is welcomed. If you have a passion project that needs state-level advocacy, please do not hesitate to get *In Touch* with SCSHA!

Advocacy mission: Obtain provider feedback on barriers to equitable service provision. Work with SC Department of Health and Human Services to recommend critical updates to policy manuals, CPT codes, and reimbursement rates. Propose changes to the practice act to update the term “SLP Intern” to be consistent with an initial or provisional license rather than a graduate student.

Actions:

- We have submitted a letter with request for a discussion with SC DHHS to address many action items including CPT codes, policy manuals, and reimbursement.
- We have a meeting with SC DHHS scheduled for August 1, 2022.
- Our legislative affairs subcommittee has begun working on the practice act to address the “intern” terminology.

Advocacy mission: Promote passage of the Audiology and Speech-Language Pathology Interstate Compact to enable easier access to practice across state lines, facilitate telehealth, increase patient access to care, and ensure consumer protection.

Actions:

- The interstate compact passed into law in May 2022
- We will await information from ASLPcompact.com regarding when interested providers can begin to obtain a privilege to practice in our states as well as others

Advocacy mission: Empower members to become successful advocates within their workplace, communities, state, and region so members of SCSHA promote and advocate for the highest quality services, professional standards, and participate in educating the public about the practice of Speech-Language Pathology and Audiology.

Actions:

- We recruited several members to begin regularly attending statewide meetings including the Education Oversight Committee, Joint Committee on Children, and others.

- If you have an interest in participating by attending important statewide meetings, please get in touch with SCSHAed@gmail.com.

Advocacy mission: Enable providers to determine if and when it is clinically appropriate to provide evaluations and/or treatments using telepractice. Support developing competency, challenge status quo on license board policy, and ensure adequate reimbursement. Work with stakeholders to increase patient access to services using telepractice.

Actions:

- Met with SC Licensing board regarding the telepractice policy in April 2022.
- We heard of a preliminary decision to update the SC LLR telepractice policy at the public meeting on July 21, 2022. That policy has to be written and will not be active until it is published by SC LLR
- We continue to work with ASHA to determine appropriate state-level advocacy is necessary for telepractice to be included in commercial insurance payer policies common in our state.
- We submitted a letter to SC DHHS to expand what CPT codes would be allowed to be billed using telepractice.

Advocacy mission: Promote Speech-Language Pathology as the preferred provider of assessment and treatment for communication, feeding, and swallowing disorders. Ensure that professionals and members of the community are able to report unlicensed practice to the licensing board.

Actions:

- We have a subcommittee collaborating with behavior analysts regarding their quest to obtain state licensure in SC.
- Given that Aegis Therapies has been attempting to require their SLP employees to cross-train Occupational Therapists to provide dysphagia services (in areas where there are SLP shortages), we want to ensure members are aware of, and have access to, information about standards of practice.
- The ASHA practice policy on Multi-Skilled Personnel provides guidance on cross-training and supervision..
- Policy on Multi-Skilled Personnel: <https://www.asha.org/policy/tr1997-00247/>

GET INVOLVED IN STATE AGENCIES

Submitted by: Kelly Caldwell, VP of Government Affairs

SCSHA needs members who can represent our interests at several state agency meetings that occur monthly or quarterly. Many meetings are available using virtual platforms such as WebEx or Microsoft Teams. We need multiple people available to attend these public agency meetings to ensure we have the ability to participate in whatever way is needed. If you're interested to find out more about these meetings, please email us at SCSHAed@gmail.com.

- SC Joint Committee on Children
- SC Department of Disabilities and Special Needs

- SC Interagency Coordinating Council
- SC Board of Education

If you are aware of a state agency that needs SCSHA representation, please contact us.



South Carolina

By the Numbers

2021-2022



109,421 Students in SC Schools have Individualized Educational Programs (IEPs) <small>SCDE report to the SC Joint Committee on Children, May 4, 2022</small>	12% Percentage of IDEA-mandated services that are currently funded by the federal government <small>SCDE report to the SC Joint Committee on Children, May 4, 2022</small>
51.9% Students with an IEP who have Speech-Language Impairment listed as the primary disability, age 6 (data does not include secondary impairment or related services) <small>US Dept of Education Child Count Data, 2020-2021</small>	40% Percentage of IDEA funding promised by the federal government to be “fully funded” <small>National Center for Learning Disabilities</small>
41.06% Percent of related service providers who are SLPs, the largest group of all related service providers <small>US Dept of Education Ed Facts Data Warehouse 2018-19</small>	50.9% ASHA certified CCC-SLPs who work in schools compared to all other settings <small>ASHA Member and Affiliate profile trends (2021)</small>
1,129.58 SLPs who are related service providers for IDEA Part B services in schools <small>US Dept of Education Ed Facts Data Warehouse 2018-19</small>	66,000 Median national salary for school SLPs working 9 or 10 months <small>ASHA 2020 Schools Survey</small>
3,294 Licensed SLPs in South Carolina <small>SC LLR FOIA request, May 4 2022</small>	139 Licensed SLP Interns in South Carolina <small>SC LLR FOIA request, May 4 2022</small>

VPGA Report, November 2022 In Touch Newsletter:

Where are we on the Advocacy Roadmap?

By Kelly Caldwell, VP of Government Affairs

It's been a challenging quarter in terms of meetings, letters to write, follow-up meetings, and strategic planning. I hope you are seeing our announcements, events, and updates on social media and email. If you've thought to yourself, "what is SCSHA doing?!" We are trying to connect with you and welcome your feedback on how you'd like to receive information so that you feel you are both connected to, and supported by, SCSHA.

Advocacy Mission 1

Obtain provider feedback on barriers to equitable service provision. Work with SC Department of Health and Human Services to recommend critical updates to policy manuals, CPT codes, and reimbursement rates. Propose changes to the practice act to update the term "SLP Intern" to be consistent with a provisional license rather than a graduate student.

Actions Taken:

- ☐ Planning on several more SCSHA provided webinars on advocacy including presenters from ASHA, organizations that aren't therapists but are strong advocates, and SCSHA leaders.
- ☐ Met with SCDHHS multiple times regarding recommended policy changes and await more formal actions soon, including a period of public comment and notifications to the Centers for Medicare and Medicaid (CMS).
- ☐ We have heard from SCDHHS about some of the policy manual changes we requested. Some of the changes we have requested will take more formal steps before they can be finalized.
- ☐ Coordinating with SC Department of Education and Higher Education programs in SC to advocate within the organization regarding educator certificate application requirements
- ☐ Working with the SC Therapy Coalition and the ASHA STAR to focus on equitable service delivery, patient access to care, and reimbursement problems that providers are reporting such as recoupment of funds based on PERM audits.
- ☐ Coordinated with the SC Therapy Coalition to host single association Town Hall events on early intervention to help our group develop a strong plan for advocacy.
- ☐ The SCSHA Legislative Affairs committee has a subcommittee working on drafting changes on the practice act (SC code 40-67).

Advocacy Mission 2

Promote passage of the Audiology and Speech-Language Pathology Interstate Compact to enable easier access to practice across state lines, facilitate telehealth, increase patient access to care, and ensure consumer protection.

Actions Taken:

- ☐ The ASLP passed and we are waiting for an update from the ASLP Compact Commission and the SC department of labor, licensing, and regulation (LLR) as to when it will be possible to obtain a privilege to practice in South Carolina.
- ☐ Posting on social media as a method of ensuring providers remain aware of progress on the ASLP compact.
- ☐ GOAL MET!

Advocacy Mission 3

Empower members to become successful advocates within their workplace, communities, state, and region so members of SCSHA promote and advocate for the highest quality services, professional standards, and participate in educating the public about the practice of Speech-Language Pathology.

Actions Taken:

- ☐ Added a list of “SCSHA Liaisons” on the SCSHA website (check out the advocacy tab!)
- ☐ Creating a form for individuals to request a letter of support from SCSHA when they need such letters for grant applications and other activities. This was the idea of Dr. Jessica Berry from SC State University!
- ☐ Working to connect with SC Family Connections to provide information to our members about the services they offer so SLPs in SC can ensure families have access to resources they need.
- ☐ Planning for another Advocacy CEU from SCSHA specifically on workplace advocacy partnership with SLP Assistants and SLPs. Date is TBD.
- ☐ Working diligently with the SC Department of Education regarding problems related to the Educator Certificate for SLPs.
- ☐ Created an FAQ on SLP Interns/Clinical Fellows and SLP assistants (check out the resources tab on the SCSHA website!)

Advocacy Mission 4

Enable providers to determine if and when it is clinically appropriate to provide evaluations and/or treatments using telepractice. Support developing competency, challenge status quo on license board policy, and ensure adequate reimbursement. Work with stakeholders to increase patient access to services using telepractice.

Actions Taken:

- ☐ The SC Board of Examiners in Speech-Pathology and Audiology updated the telepractice policy. We have posted it on social media and want all of our members to be aware of the policy change because **it affects your clinical documentation**. To find the policy on the LLR page, you can click on the break-out menu called “Additional Resources,” then click on “Laws and Policies” and you’ll find the telepractice policy linked there. For your convenience, here is a direct link to the policy.
<https://llr.sc.gov/aud/FORMS/SC-Speech-Telepractice.pdf>
- ☐ We sent a member email about the telepractice policy update. If you’re not getting member emails, contact us at SCSHAED@gmail.com to troubleshoot what’s happening!
- ☐ Working with SCDHHS to ensure the full list of telepractice-allowed CPT codes from CMS is considered in their telehealth policies post-pandemic. Submitted the list of CPT codes in August; waiting for an update.

Advocacy Mission 5

Promote Speech-Language Pathology as the preferred provider of assessment and treatment for communication, feeding, and swallowing disorders. Ensure that professionals and members of the community are able to report unlicensed practice to the licensing board.

Actions Taken:

- ☐ We have a legislative affairs subcommittee specifically addressing any concerns related to Behavior Analysts and have followed up with our lobbyist.
- ☐ SCSHA nominated a member for the new Palmetto Autism Study Committee.
- ☐ Significant steps taken to work on problems reported to SCSHA related to Early Intervention in SC (update elsewhere).
- ☐ Asked SC LLR to add a button to make it easier to report unlicensed practice of Aud/SLP on our board page; they have a button on the Dept of LLR page but not on individual board pages. The request was not granted.
- ☐ We have encouraged members to work with early intervention companies to resolve differences between providers when it appears that unlicensed early interventionists have contributed to conflicts in service delivery.

Legislative Affairs Committee

Regulatory update: FEES and physician supervision

One of our SCSHA members was on a mission to advocate for flexible endoscopic evaluation of swallowing (FEES) in her long term care facility. This SLP wanted to bring equipment on site to speed up access to FEES within the facility and provide the procedure herself. What was the problem? Many facilities which have never had FEES find it difficult to navigate establishing policies and procedures (P&P) for FEES. To boot, there is little guidance at the national level such



as a model P&P these facilities can use. It is a procedure that falls within the SLP scope of practice for those who are competent, but the facility had questions on physician supervision and if any regulatory requirements from a state level existed.

The member SLP met with the SC Board of Speech-Language Pathology and Audiology specifically to pose her question for board input regarding supervision by physicians. After some testimony by this SLP and SCSHA executive board members, and discussion by the licensing board, the following statement was put into the board

minutes for the April 2022 meeting:

“FEES is within the Scope of Practice of Speech Language Pathology, but whether you need Physician oversight is based on your place of employments policies.”

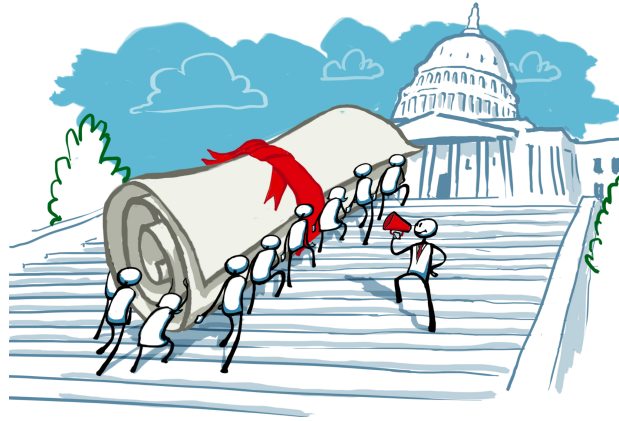
This statement can be referenced by SLPs who are facing difficulties in getting policies and procedures established for FEES, with clear evidence that FEES is in our scope of practice. Physician oversight is not required by law or regulation. To view the licensing board minutes from [April 2021, click here.](#)

Regulatory update: Chapter 115

Regulatory Update: Chapter 115

The board of examiners (LLR) is considering additional updates to Chapter 115-2 and 115-7. We authored a letter asking for some minor changes to language on supervision for the purposes of clarity, and a couple of additions from the ASHA Code of Ethics. There is a public process that includes the notice of drafting, the notice of proposed regulation, and meetings with the senate committees. If you'd like to stay informed of this process but aren't a member of the legislative affairs committee, you can check the State Register website.

Statute Update: The SLP and Audiology Practice Act



We have been working in the legislative affairs committee to recommend some changes to the practice act that will change the term “SLP Intern” and propose some framework updates to the fellowship process that will align SC more closely with ASHA’s clinical fellowship. Our legislative affairs subcommittee has been working on this project. Any proposals for legislation on the practice act will follow SCSHA bylaws and board policies and procedures. If you need to share any concerns about the practice act as it stands now, please get in touch with SCSHA!

VPGA Report, February 2023 In Touch Newsletter:

Advocacy 2023

From Kelly Caldwell, Vice President of Government Affairs

If you were able to attend the SCSHA Annual Convention, you had the chance to see the video we played for our general meeting on Thursday morning, or hear directly from our lobbyist about the Changin' Times of SCSHA Advocacy. If you missed the video, we are planning to upload it to the SCSHA website soon.

Advocacy Missions

Medicaid and the MCOs

Continue working with DHHS to advocate for policy changes in Babynet and Medicaid, CPT code updates and additions, and reimbursement rate increases.

Practice Act Bill

Propose updates to the practice act to restructure and rename the SLP Intern; work with audiologists to advocate for statutory updates.

Educator Certificate

Work with SCDE to update Department of Education regulations with positive changes on the educator certificate for SLPs.

Read to Succeed

Support bills that remove scope of practice encroachment, and advocate for programs which consider SLPs perspectives in language and literacy requirement

[SCSHA.net](#) → [“Advocacy”](#) → [“Legislative Updates”](#) & [login as a member to view updates](#)

Who is SCSHA?

- Committees are made up of professional, associate, and student members and do the work on the advocacy agenda with input from the board.
- The all-volunteer board is made up of elected professional members, many of whom work in clinical service provision, academia, or related work to the field of SLP and/or Audiology.
- Only two contracted individuals help carry out the work of SCSHA: the executive director who manages the day-to-day business, accounting, administration, website, emails, and CEUs; and the lobbyist, who is our chief strategist when it comes to advocacy, working to connect with important stakeholders at the state level.

- YOU are SCSHA! We thank you for continuing to be members and sharing what SCSHA does with your colleagues. Many of you are involved in committees now, and your work is valuable in helping our advocacy move forward into tangible actions.

What does SCSHA do?

- Reframing advocacy and streamlining our efforts to increase the likelihood of long-term success
- Provide input on practice standards in SC
- Meet with stakeholder groups to inform our next steps
- Collaborate across SLP and Audiology settings and experiences
- Host an annual convention, and other CEUs throughout the year
- Advocate on policy and legislation at the state level
- Attend stakeholder meetings
- Give scholarships and awards annually
- New SCSHA reimbursement committee in 2023!
- Publishing Member Survey data from 2022 and planning surveys in 2023



Why does SCSHA matter?

We are planning meetings with SC Department of Health and Human Services (DHHS) this year to continue to maintain a partnership with them as a stakeholder group, sharing concerns about Medicaid. As we obtain updates that can be shared with all, we will email members what is being accomplished. It's been a long process, to say the least, but we are going towards solving the policy issues that affect everything else about Medicaid, including reimbursement.

There are collaborative efforts underway to meet with multiple stakeholder groups in 2023, all of which would not be possible without our members connecting with each other and other groups wanting to connect with us.

We take a global view of what's going on in South Carolina to form a plan to advocate for our profession and our patients. And, we have direct access to ASHA for help along the way. The help we get from ASHA, to include advice from the healthcare team, has been a

valuable contribution as we've been working to put together a list of concerns about SC BabyNet.

Have you checked out the "FAQ" section under the "Resources" Tab on the SCSHA webpage? We are adding more resources continually. We have several new FAQs in the works that should be posted soon.

We're taking bill tracking *online*! It became clear that we needed to find a way to share with members what the SC legislature is doing in a more fluid way than an annual legislative report, or the quarterly newsletter. We are planning to use the SCSHA website to share the list of bill numbers we are currently tracking. Our SCSHA executive board signed a letter of opposition on HB3515 which would deregulate multiple professions by removing licenses, including the section of the code on SLP and Audiology, SC Title 40 Chapter 67. Thank you to members who expressed concerns about this bill so we would know that it mattered to you!

Need to suggest a resource? Want to express a concern about a problem affecting your clinical practice? Feel frustrated with something SCSHA may or may not be addressing? Get in touch with us!

Thanks for allowing me to stay on this ride as Vice President of Government Affairs with SCSHA. It has been an amazing two years. I'm looking forward to getting multiple projects to a finishing point in the next two years.



Mark Your Calendars!

The SC Therapy Coalition has been meeting monthly and working hard between meetings to specifically address BabyNet as well as other concerns. We are holding two **VIRTUAL** Town Hall meetings in March. We hope you'll make plans to come to one of them!

Anything worth having takes time.

We're moving at *lightning speed* on advocating on BabyNet. If you haven't had a chance to connect with SCSHA about your concerns on BabyNet, please get in touch today.



Save the Date!

Save the date for SCSHA's annual legislative day at the SC Statehouse! We are planning to start with breakfast at the Palmetto Club for a limited number of registrations. Make sure you are reading your SCSHA emails to learn more about the schedule for the event. We are including 0.1 CEU for this event, learning from our lobbyist about advocacy from her perspective.