

Testimony HB 2285

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Representative Morrison and Committee Members, my name is Sherry DuPerier and I am the Executive Officer of the Board of Hearing Aid Examiners.

Originally it was not my intention to testify at today's hearing as the bill, while long and with many changes, is technical and clean up in nature. However, yesterday I was made aware that an amendment will be introduced which will involve significant substantive changes. Hopefully those introducing the bill are aware of the Board's response to this amendment and will not introduce it. However, as a proponent of the bill, I feel it is necessary that I discuss the issue at this time.

The board and our representative from the Attorney Generals office have spent a great deal of time and effort over the past several months during which we have worked out many of the details relating to the requested changes. In addition, the board has incorporated all of the concerns that were brought up at a meeting of interested parties with the exception of the issue of licensure by endorsement for audiologists which was discussed at length.

After our meetings and subsequent correspondence, I am disappointed that the communication has seemingly ended and that our efforts to work together have failed. This last minute amendment is not the way to approach a change of such significance where attention to detail is paramount. The Board is very opposed to the addition of the change without further discussion between the parties to insure all aspects of the change are addressed in the necessary statutes.

In the mid to late 90's the associations of those regulated by this law met over a period of many months and discussed in great detail the possibility of merging the boards. After much time and effort the audiology and speech pathology association ended the communication.

In 2004 the Board of Hearing Aid Examiners dealt with several issues relating to consumer protection. During these discussions it was suggested by the Attorney Generals office that to better address recurring problems, statutory changes of a technical nature were advisable. As the bill was originally drafted in 1968, many

other clean up revisions were also recommended. It was of importance to our board that those persons regulated by the law be advised of the proposed changes. We initially contacted the interested parties the first week of November 2004 to schedule a meeting. Due to calendar problems with the members of the Kansas Speech Language Hearing Association, we did not meet until Jan 7. At that time we were made aware of their concerns with language in our proposed legislation. In addition we were made aware of their interest to amend the bill with endorsement language for audiologists. There was significant discussion regarding all requested changes, especially that of endorsement. The board has incorporated all changes, some minor and some quite significant, with the exception of the endorsement amendment. Our thoughts regarding this were explained in detail at the meeting.

On Sunday January 23, a proposal to include such a change was sent to the Board of Examiners by the President-Elect of the Kansas Speech Language Hearing Association (KSHA) and a response was issued on January 25 by the Board of Examiners regarding the concern with such significant changes at this last minute. We explained our understanding of the proposal, and our agreement to work through the details for introduction during the 2006 legislative session.

KSHA President-Elect Heidi Daley responded on January 27 that she would discuss our response with the KSHA Board members and proceed from there. She noted her appreciation of our willingness to continue discussions of KSHA's concerns and stated that she looked forward to meeting with the board in the future. As no further communication has been received regarding this proposal, it was our belief that our understanding of the requested legislation and our agreement to honor our offer to move forward had been accepted. The professions regulated and this Board have in my opinion had a good working relationship and have the ability to work this amendment and give it the time and detail that it deserves. It makes no sense to approach this issue in a last minute fashion.

The time and effort put in by many on this bill is significant and the agreed upon changes reflected in the bill strengthen and clarify many issues. We do not want to lose the time and effort spent by attaching a substantive issue such as is proposed and put the entire legislation at risk.

The issue under discussion is one to which the board is amenable but one which needs more time to make sure all aspects of the change are reflected correctly and completely throughout the law. Minor changes currently under revision went through numerous revisions to reach a consensus and to insure consistency. This major change to the statutes should not be treated with less importance. It deserves the time to be thought through, to insure accuracy, completeness and consensus.

I would encourage you not to adopt this last minute amendment to what was to

be, and is, a technical, clean up bill.