

**BEFORE THE NEW MEXICO BOARD OF SPEECH LANGUAGE PATHOLOGY,
AUDIOLOGY, AND HEARING AID DISPENSING PRACTICES**

IN THE MATTER OF:

PIA ENGLISH,

Applicant.

Case No.: App-12-1

FINAL DECISION AND ORDER

THIS MATTER came before a quorum of the New Mexico Board of Speech Language Pathology, Audiology, and Hearing Aid Dispensing Practices (the “Board”), at a regular meeting held on July 22, 2013, for a decision in the above-referenced case. An evidentiary hearing on the merits of the allegations contained in the Notice of Contemplated Action (hereinafter “NCA”) for case number App-12-1 was heard by Dr. Richard Cram, board member and designated hearing officer, on May 6, 2013, in Conference Room B of the Las Cruces Public Schools, located at 505 S. Main Street, Suit 249, Las Cruces, New Mexico. Nicholas Sydow, Assistant Attorney General, appeared in this matter as the administrative prosecutor for the Board. Applicant Pia English (“Ms. English”) was present and represented by her counsel, Mary Louise Boelcke, Esquire.

The Board, having familiarized themselves with the record of the proceedings, including the Hearing Officer’s Report, hereby issues its Final Decision and Order:

FINDINGS OF FACT

The Board, having relied upon the Hearing Officer's Report (hereinafter "Report"), which is attached hereto and incorporated by reference, affirms findings of fact numbered one (1) through thirty-three (33), within the Report.

CONCLUSIONS OF LAW

1. Applicant is subject to the jurisdiction and licensure authority of the Board pursuant to the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act ("Practices Act"), NMSA 1978, Sections 61-14B-1 through 61-14B-25 (1996, as amended through 2005) and the Uniform Licensing Act ("ULA"), NMSA 1978, Sections 61-1-1 through 61-1-31 (1957, as amended through 2003).

2. All parties to these proceedings were properly and timely noticed and all interested parties were present at the hearing. [Administrative Record].

3. The Board has complied with all notice requirements of the ULA.

4. A formal hearing was held on May 6, 2013, in conformance with the ULA.

5. Under Section 61-1-4(C) of the ULA, "the burden of satisfying the board of the applicant's qualifications shall be upon the applicant."

6. The requirements for licensure as a speech-language pathologist are enumerated in Section 61-14B-12 of the Practices Act and Section 16.26.2.11 NMAC of the Board's rules.

7. Section 61-14B-12 of the Practices Act requires the following for licensure as a speech-language pathologist:

A license to practice as a speech-language pathologist shall be issued to a person who files a completed application, accompanied by the required fees and documentation; certifies that the applicant is not guilty of any of the activities

listed in Section 61-14B-21 NMSA 1978; and submits satisfactory evidence that the applicant:

- A. holds at least a master's degree in speech pathology, speech-language pathology or communication disorders or equivalent degree regardless of degree name and meets the academic requirements for certification by a nationally recognized speech-language association; and
- B. currently holds a certificate of clinical competence from a nationally recognized speech-language association in the area for which the applicant is seeking licensure; or
- C. has completed the current academic, practicum and employment experience requirements for a certificate of clinical competence from a nationally recognized speech-language association in the area for which the applicant is applying for license and has passed a recognized standard national examination in speech-language pathology.

8. Section 16.26.2.11 NMAC of the Board's rules, governing qualifications for licensure as a speech-language pathologist, requires the following:

Application for licensure as a speech-language pathologist must be accompanied by the following documents:

- A. official transcripts verifying at least a master's degree in speech-language pathology, speech-language and hearing science, communication disorders or equivalent degree regardless of degree name; or
- B. a certification bearing an official seal and attesting to completion of degree requirements from the registrar, mailed directly to the board from the conferring institution; and
- C. a certified copy of a certificate of clinical competency from a board recognized national speech-language association or proof of completion of the clinical fellowship year or equivalent; and
- D. proof of having passed a nationally recognized standard examination in speech-language pathology;
- E. passing the jurisprudence examination with a grade of no less than 70%; and
- F. if currently or previously licensed in another state a verification of licensure must be sent directly to the board by the issuing jurisdiction.

9. The Board finds that the prior disciplinary action taken against Applicant's clinical fellow license does not bar her licensure as a speech-language pathologist.

10. Applicant has satisfied her burden of proof to show that she meets the requirements for licensure as a speech-language pathologist under Section 61-14B-12 of the Practices Act and Section 16.26.2.11 NMAC of the Board's rules.

ORDER

Based on the Findings of Fact and Conclusions of Law, the Board votes in the affirmative and renders this Decision and Order:

IT IS THEREFORE ORDERED that Ms. English's application for licensure as a speech-language pathologist is approved without restrictions.


NOTICE OF RIGHT TO APPEAL

Pursuant to Section 61-1-17 of ULA, a person aggrieved by a final decision or order of the Board may appeal the decision to district court pursuant to the provisions of NMSA 1978, Section 39-3-1.1. To obtain such review, a notice of appeal must be filed in the proper district court within thirty (30) days after of the date of this Final Decision and Order.

IT IS SO ORDERED.

FOR THE NEW MEXICO
BOARD OF SPEECH LANGUAGE
PATHOLOGY, AUDIOLOGY AND
HEARING AID DISPENSING
PRACTICES

7/25/13
Date



Keith Rohr
Board Chair