




ABESPA ETHICS!


**Technology & Ethical Issues
For
SLP & AuD**

**Presented by:
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Ethics & Technology



Presentation Agenda

- Telepractice & Consultation
- HIPPA: What can I do; Who Can I Talk to?
- What the IEP says controls.



What is Telepractice?

ASHA Video....

<http://www.asha.org/Practice-Portal/Professional-Issues/Telepractice/>



Alabama's Telepractice Law

ABESPA Rules & Regulations § 870-X-2-.01(j):

"Any practitioner who does not meet the exemptions stated above must hold an Alabama license. **This shall be required for all individuals providing services for consumers in Alabama via in-office practice as well as Telepractice or any other electronic means.**"

Note:

- All licensure provisions apply to Telepractice procedures.
- Check the provider/insurance requirement for the proper procedure when billing for services.



Scenario #1A

SLP/AuD, who lives in Huntsville, AL is licensed by ABESPA. She has a client/patient who has moved to Mobile, AL who wants her to continue her treatment plan, but the client is unable to make the trip back to Huntsville for the services. **How can the SLP/AuD continue to treat her client/patient?**



Scenario #2A

SLP/AuD has a new patient/client. He has never seen the patient/client before. SLP/AuD lives in Birmingham, AL and the patient/client lives in York, AL. The patient/client is in need of services, but is unable to travel to Birmingham. The patient/client has access to the internet and a computer. **Can the SLP/AuD provide the needed services?**

1. Yes/No?
2. Why?



Issues of Telepractice



Issues of Telepractice

- Is the computer connection available?
- Ensure that the patient/client is clear on the service provided.
- Are waivers for privacy needed?
- Is the HIPPA/IEP up to date to allow Telepractice treatment?
- Have you cleared with the provider that they will pay for the Telepractice service?
- How will you deliver the service, via computer, telephone, or hybrid?



Exempt Settings & Telepractice

**Exempt Settings
Telepractice & Teachers**

- (d) The activities and services of a person who holds a valid and current credential as a speech and/or hearing specialist issued by the Department of Education of this state or
- A person, who is employed as a speech-language pathologist or audiologist by the Government of the United States.
- If such person performs speech-language pathology and audiology services solely within the confines or under the jurisdiction of the organization by which he/she is employed.
- EXEMPTION APPLIES ONLY IF THE DUTIES ARE PERFORMED SOLELY WITHIN THE CONFINES OF THE JURISDICTION BY WHICH HE/SHE IS EMPLOYED.
- ***This provision DOES NOT exempt persons who perform speech-language pathology and audiology services outside the confines or jurisdiction of the Department of Education of this state or the Government of the United States. The exempt person can only share research or provide lectures outside of duties without being licensed. THEY CANNOT PROVIDE CLINICAL DIAGNOSIS OUTSIDE OF WORK SETTING WITHOUT BEING LICENSED.

Scenario #3A

Speech Teacher works for the ABC Board of Education. She has her issued Speech Teacher Certificate but is NOT licensed by ABESPA. She has been asked to provide Telepractice speech therapy for a student in the XYZ school district. **Can she provide these services without violating ABESPA's law?**

1. Yes/No?
2. Why?

Scenario #4A

Speech Teacher works for LMNOP School District and has her required teacher certificate, but she is NOT licensed by ABESPA. She provides services to students during her regular work hours. A student's parent in XYZ School District has contacted her to provide Telepractice services after hours. **Can she provide the after hour services without violating ABESA's law?**

1. Yes/No?
2. Why?



TRUE or FALSE

1. If you work in an Exempt Setting, you do not have to be licensed by ABESPA? T/F
2. If you are LICENSED, but work in an Exempt Setting, you **do not** have to follow ABESPA's Rules & Regulations? T/F
3. A Non-licensed AUD/SLP can advertise as an AUD/SLP, if working in an exempt setting? T/F
4. A non-licensed AUD/SLP, working in an exempt setting, can legally provide services "outside" of the work setting? T/F



Exempt Settings & Telepractice

- (g) An unlicensed Speech-Language Pathologist or Audiologist, who resides in another State, who has limited contact with Alabama in performing speech and/or hearing services. Services provided for no more than seven days within one calendar year in association with a licensed AL SLP/AuD.

(h) A person, not a resident of this state who is not licensed under this chapter but :

1. Who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by Section 34-28A-21 or who is the holder of the American Speech and Hearing Association (ASHA) certificate of clinical competence in speech-language pathology or audiology or its equivalent.



Exempt Settings & Telepractice

(h) A person, not a resident of this state who is not licensed under this chapter but :

...

- 2. May offer speech-language pathology or audiology services in this state for no more than 30 days in any calendar year,
- 3. If the services are performed in cooperation with a speech-language pathologist or audiologist licensed under this chapter.

(l) Must notify ABESPA for Exemptions (g) & (h)





LIMITED PRACTICE TELEPRACTICE INFORMATION FORM

- Name of Practitioner:
- Address: City: State: Zip:
 - List all current state licenses and expiration dates:
 - Beginning date of service(s) in Alabama: _____
 - Ending date of service(s) in Alabama: _____
 - Name of AL licensee you are working in cooperation with:
 - AL License # _____ SLP AuD SLP/AuD
 - Address; City, State, Zip

* Must Also provide a **signed** statement from coordinating Alabama SLP agreeing to the 30-day coordinating relationship.



Scenario #5A

SLP lives in London, England. She has a client/patient who moved to Cullman, AL with her parents. The parents wants the London SLP to continue to treat the client/patient. However, the London SLP is not licensed in Alabama. **Can the London SLP continue to provide services to the client/patient without violating ABESPA licensure provisions?**

- 1. Yes/No
- 2. How?

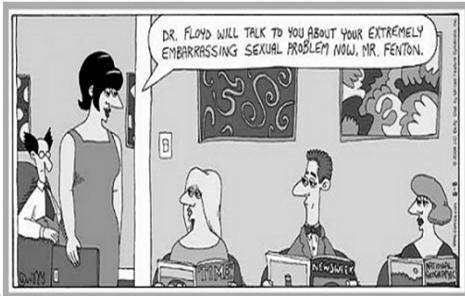


HIPPA: What can I do; Who Can I Talk to?

- **HIPAA**: Acronym that stands for the **Health Insurance Portability and Accountability Act**, a US law designed to provide **privacy** standards to protect patients' medical records and other health information provided to health plans, doctors, hospitals and other health care providers.



HIPPA VIOLATION?



HIPPA & PRIVACY

- Regulation designed to protect personal information and data collected and stored in medical records.
- The Health Insurance Portability and Accountability Act established a national standard to be used in all doctors' offices, hospitals and other businesses where personal medical information is stored.
- In addition to protecting personal medical information, **HIPPA also give patients the right to view their medical records and request changes if the data is incorrect.**



Read more: <http://www.businessdictionary.com/definition/HIPPA-privacy-rule.html>

HIPPA: End Result

- Make sure you have a completed HIPPA statement from the patient/client in the file.
- Keep patient information a private.
- Talk ONLY to the patient or who the patient has authorized a release.
- Share within the medical community for treatment purposes only as authorized by the patient/client.
- Patient information is NOT a time to Gossip!
- Failure to follow HIPPA requirements opens you up to liability issues.



INDIVIDUALIZED EDUCATION PROGRAM (IEP)?

IEP- Video

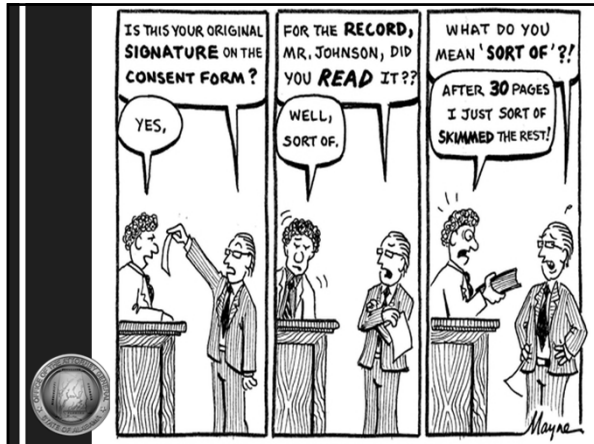
<https://www.understood.org/en/school-learning/special-services/ieps/understanding-individualized-education-programs>



IEP & Ethical Concerns

- The IEP is a comprehensive contract for services to be provided to students on a wide range of areas.
- Services cannot be performed outside of the written IEP.
- Ensure that everyone (parents/guardians) understand the terms of the IEP
- What the IEP says controls!





Scenario B

YES-I- AM- A-SLP works for ABC School System in Wherever, AL. She has completed an IEP to provide speech services to Student-A. The IEP provides that services are to be provided from August 1, 2016-May 31, 2017. A new or renewed IEP was not completed. It is February 22, 2018, and Student-A has come to her for follow-up speech services. **Can YES-I- AM- A-SLP provide services under expired the IEP?**

1. Yes/ No; Why?
2. What can YES-I- AM- A-SLP do to provide follow-up services?

Six ethics of life

Before you Pray -Believe
 Before you speak - Listen
 Before you spend - Earn
 Before you write - Think
 Before you Quit- try
 Before you Die - Live.

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