

March 7, 2012

Rep. Brian DelGrosso
Chair, House of Representatives Finance Committee
200 E. Colfax Ave
Denver, CO 80203

Dear Mr. Chair:

The purpose of this letter is to convey my concern over the lack of regulation of Speech-Language Pathologists in Colorado. My cognitively disabled daughter, Michelle, has been using an Augmentative Communication Device (AAC Device) to communicate since 1987. She is unable to speak with her mouth, but is able to generate and communicate complex thoughts and convey her wants and needs through a device that uses computer generated speech. In 2008, Michelle began receiving Speech Therapy from a Speech Pathologist who was not skilled in using or programming an AAC Device. This unqualified Speech Pathologist did not refer my daughter for appropriate services to a provider that was familiar with AAC and Michelle's specific device. Through inappropriate use of Michelle's AAC device, the Speech Pathologist rendered her device useless. I was then required to try to problem-solve the AAC issues myself. After returning the device back to my daughter the Speech Pathologist, through her own negligence did over \$1,500 worth of damage to the device. The repair of which was paid for by Medicaid funds. An expenditure which would not have been necessary had it not been for this Speech Pathologist's negligence. When the device was returned to my daughter, it still did not function properly and she was left without the ability to communicate. Eventually a replacement device was secured at a cost of over \$18,000 which this same Speech Pathologist rendered unusable as well. Consequently Michelle was deprived of the ability to communicate for more than two years. Without an AAC device left my daughter unable to tell anyone if she needed to use the restroom, if she was in pain, hungry, thirsty, etc. Because this unqualified Speech-Pathologist did not know what she was doing, Michelle was denied the right to communicate. Delegation of Michelle's therapy to untrained staff (with no supervision) that work at the group home where my daughter lived was also problematic while she was under this Speech Pathologist's care. I am concerned that in Colorado, we have vulnerable patients being hurt and denied appropriate treatment by incompetent practitioners.

It was very difficult to pursue legal action against this unqualified Speech Pathologist. Due to Colorado's lack of regulation, I have little recourse. I have no ability to make sure this Speech Pathologist does not continue to limit her patients' ability to thrive and communicate. Consumers have no way of knowing if a complaint has been filed due to a Speech Pathologist's unethical behavior. HB 1303 ensures that Colorado consumers have access to a state disciplinary process in these unfortunate circumstances.

Would you and your fellow Representatives consider supporting HB 1303 to provide your voters the ability to report and pursue action against unqualified Speech Pathologists in Colorado? As the only state in the US not currently regulating Speech-Pathologists, it is imperative that Colorado legislators work to address this issue.

Sincerely,



Carol Lee Pearson

March 7, 2012

Rep. Brian DelGrosso
Chair, House Finance Committee
200 E Colfax Ave
Denver, CO 80203

Dear Mr. Chair:

I am writing you today to urge you and the House Finance Committee to support HB1303 to regulate Speech Language Pathologists practicing in Colorado.

In 2009, my mother was subjected to speech-language therapy at her Alzheimer's Care living center despite her and my previous refusal of this service. I was not informed that she received therapy; the speech therapist used a consent I signed for physical therapy (given by the same Rehab agency) to justify speech therapy. Aside from blatant disregard for a patient right to refuse therapy, the speech therapist never contacted me or involved me in any way in my mother's therapy. Therapy cannot be effective for memory-impaired individuals if the family is not involved. Thus, the speech therapy that was provided to my mother was guaranteed to be ineffective.

My specific complaints are: 1) my mother was given speech therapy without my specific consent (she and I had previous declined speech therapy), 2) giving my mother speech therapy without my consent or her consent could be construed as "battery" on my mother, 3) the therapy was guaranteed to be ineffective because a family member was not involved to provide daily carry-over, and 4) the only benefit that could accrue from this therapy was monetary to the therapy agency at the expensive of my mother's rights

I complained to the therapy agency whose response was to reverse the charges for therapy. I specifically asked that their policies be reviewed so this never happened to another person. They did not respond to my last communication on May 4, 2009.

As Colorado does not regulate speech-language pathologists, I had no avenue to report this therapist's unethical behavior. Thus, there is no way for a conscientious consumer to check if a speech-language pathologist has had consumer complaints against him/her and how they were resolved. HB1303 rectifies this issue.

Colorado health care consumers need a way to validate the credentials and record of the speech-language pathologists they consult and an avenue to report consumer harm when it occurs. For this reason, I urge you to support HB1303 and address this lack of oversight in Colorado.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Hayes". The signature is written in black ink and is positioned above the printed name.

Deborah Hayes