

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
Second Regular Session  
2020

# HOUSE BILL 2225

AN ACT

AMENDING SECTIONS 36-1901, 36-1902 AND 36-1906, ARIZONA REVISED STATUTES; REPEALING SECTION 36-1910, ARIZONA REVISED STATUTES; AMENDING SECTION 36-1922, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 17, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-1925; AMENDING SECTIONS 36-1934, 36-1940, 36-1940.02 AND 36-1940.04, ARIZONA REVISED STATUTES; RELATING TO SPEECH-LANGUAGE PATHOLOGISTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-1901, Arizona Revised Statutes, is amended to  
3 read:

4 36-1901. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Accredited program" means a program leading to the award of a  
7 degree in audiology that is accredited by an organization recognized for  
8 that purpose by the United States department of education.

9 2. "Approved training program" means a postsecondary  
10 speech-language pathology assistant training program that is approved by  
11 the director.

12 3. "Assistive listening device or system" means an amplification  
13 system that is specifically designed to improve the signal-to-noise ratio  
14 for the listener who is hearing impaired, TO reduce interference from  
15 noise in the background and TO enhance hearing levels at a distance by  
16 picking up sound from as close to the source as possible and sending it  
17 directly to the ear of the listener, excluding hearing aids.

18 4. "Audiologist" means a person who engages in the practice of  
19 audiology and who meets the requirements prescribed in this chapter.

20 5. "Audiology" means the nonmedical and nonsurgical application of  
21 principles, methods and procedures of measurement, testing, evaluation and  
22 prediction that are related to hearing, its disorders and related  
23 communication impairments for the purpose of nonmedical diagnosis,  
24 prevention, amelioration or modification of these disorders and  
25 conditions.

26 6. "Clinical interaction" means a fieldwork practicum in  
27 speech-language pathology that is supervised by a licensed speech-language  
28 pathologist.

29 7. "Department" means the department of health services.

30 8. "Direct supervision":

31 (a) Means the ~~on-site, in-view~~ observation and guidance of a  
32 speech-language pathology assistant by a licensed speech-language  
33 pathologist while the speech-language pathology assistant performs an  
34 assigned clinical activity.

35 (b) INCLUDES VIEWING AND COMMUNICATING BY THE SUPERVISING LICENSED  
36 SPEECH-LANGUAGE PATHOLOGIST WITH THE SPEECH-LANGUAGE PATHOLOGY ASSISTANT  
37 VIA TELECOMMUNICATION TECHNOLOGY AS THE SPEECH-LANGUAGE PATHOLOGY  
38 ASSISTANT PROVIDES CLINICAL SERVICES IF THE SUPERVISING LICENSED  
39 SPEECH-LANGUAGE PATHOLOGIST IS ABLE TO PROVIDE ONGOING IMMEDIATE FEEDBACK  
40 THROUGHOUT THE CLINICAL SERVICE BEING PROVIDED.

41 (c) DOES NOT INCLUDE THE SUPERVISING LICENSED SPEECH-LANGUAGE  
42 PATHOLOGIST REVIEWING A TAPED SESSION AT A LATER TIME.

43 9. "Director" means the director of the department.

44 10. "Disorders of communication" means an organic or nonorganic  
45 condition that impedes the normal process of human communication and

1 includes disorders of speech, articulation, fluency, voice, verbal and  
2 written language, auditory comprehension, cognition and communications and  
3 oral, pharyngeal and laryngeal sensorimotor competencies.

4 11. "Disorders of hearing" means an organic or nonorganic  
5 condition, whether peripheral or central, that impedes the normal process  
6 of human communication and includes disorders of auditory sensitivity,  
7 acuity, function or processing.

8 12. "Hearing aid" means any wearable instrument or device designed  
9 for or represented as aiding or improving human hearing or as aiding,  
10 improving or compensating for defective human hearing, and any parts,  
11 attachments or accessories of the instrument or device, including ear  
12 molds, but excluding batteries and cords.

13 13. "Hearing aid dispenser" means any person who engages in the  
14 practice of fitting and dispensing hearing aids.

15 14. "Indirect supervision" means supervisory activities, other than  
16 direct supervision, that are performed by a licensed speech-language  
17 pathologist and that may include ~~consultation, record review~~ CONSULTING,  
18 REVIEWING RECORDS and ~~review~~ REVIEWING and ~~evaluation of~~ EVALUATING  
19 audiotaped or videotaped sessions.

20 15. "Letter of concern" means an advisory letter to notify a  
21 licensee that, while there is insufficient evidence to support  
22 disciplinary action, the director believes the licensee should modify or  
23 eliminate certain practices and that continuation of the activities that  
24 led to the information being submitted to the director may result in  
25 action against the licensee.

26 16. "License" means a license issued by the director under this  
27 chapter and includes a temporary license.

28 17. "Nonmedical diagnosing" means the art or act of identifying a  
29 communication disorder from its signs and symptoms. Nonmedical diagnosing  
30 does not include diagnosing a medical disease.

31 18. "Practice of audiology" means:

32 (a) Rendering or offering to render to a person or persons who have  
33 or who are suspected of having disorders of hearing any service in  
34 audiology, including prevention, identification, evaluation, consultation,  
35 habilitation, rehabilitation, instruction and research.

36 (b) Participating in hearing conservation, hearing aid and  
37 assistive listening device evaluation and hearing aid prescription  
38 preparation, fitting, dispensing and orientation.

39 (c) Screening, identifying, assessing, nonmedical diagnosing,  
40 preventing and rehabilitating peripheral and central auditory system  
41 dysfunctions.

42 (d) Providing and interpreting behavioral and physiological  
43 measurements of auditory and vestibular functions.

44 (e) Selecting, fitting and dispensing assistive listening and  
45 alerting devices and other systems and providing training in their use.

1 (f) Providing aural rehabilitation and related counseling services  
2 to hearing impaired persons and their families.

3 (g) Screening speech-language and other factors that affect  
4 communication function in order to conduct an audiologic evaluation and an  
5 initial identification of persons with other communications disorders and  
6 making the appropriate referral.

7 (h) Planning, directing, conducting or supervising services.

8 19. "Practice of fitting and dispensing hearing aids":

9 (a) Means ~~the measurement of~~ MEASURING human hearing by means of an  
10 audiometer or by any other means, solely for the purpose of making  
11 selections or adaptations of hearing aids, and ~~the~~ fitting, ~~sale~~ SELLING  
12 and servicing ~~of~~ hearing aids, including assistive listening devices, and  
13 ~~the~~ making ~~of~~ impressions for ear molds. ~~and~~

14 (b) Includes identification, instruction, consultation,  
15 rehabilitation and hearing conservation as these relate only to hearing  
16 aids and related devices and, at the request of a physician or another  
17 licensed health care professional, ~~the~~ making ~~of~~ audiograms for the  
18 professional's use in consultation with the hearing impaired. ~~The~~  
19 ~~practice of fitting and dispensing hearing aids~~

20 (c) Does not include formal auditory training programs, lip reading  
21 and speech conservation.

22 20. "Practice of speech-language pathology" means:

23 (a) Rendering or offering to render to an individual or groups of  
24 individuals who have or are suspected of having disorders of communication  
25 service in speech-language pathology, including prevention,  
26 identification, evaluation, consultation, habilitation, rehabilitation,  
27 instruction and research.

28 (b) Screening, identifying, assessing, interpreting, nonmedical  
29 diagnosing and rehabilitating disorders of speech and language.

30 (c) Screening, identifying, assessing, interpreting, nonmedical  
31 diagnosing and rehabilitating disorders of oral-pharyngeal functions and  
32 related disorders.

33 (d) Screening, identifying, assessing, interpreting, nonmedical  
34 diagnosing and rehabilitating cognitive and communication disorders.

35 (e) Assessing, selecting and developing augmentative and  
36 alternative communication systems and providing training in ~~the use of~~  
37 USING these systems and assistive listening devices.

38 (f) Providing aural rehabilitation and related counseling services  
39 to hearing impaired persons and their families.

40 (g) Enhancing speech-language proficiency and communication  
41 effectiveness.

42 (h) Screening hearing and other factors for speech-language  
43 evaluation and initially identifying persons with other communication  
44 disorders and making the appropriate referral.

1           21. "Regular license" means each type of license issued by the  
2 director, except a temporary license.

3           22. "Sell" or "sale" means a transfer of title or of the right to  
4 use by lease, bailment or any other contract, but does not include  
5 transfers at wholesale to distributors or dealers.

6           23. "Speech-language pathology" means the nonmedical and  
7 nonsurgical application of principles, methods and procedures of  
8 assessment, testing, evaluation and prediction related to speech and  
9 language and its disorders and related communication impairments for the  
10 nonmedical diagnosis, prevention, amelioration or modification of these  
11 disorders and conditions.

12           24. "Speech-language pathology assistant" means a person who  
13 provides services prescribed in section 36-1940.04 ~~and~~ under the direction  
14 and supervision of a speech-language pathologist licensed pursuant to this  
15 chapter.

16           25. "Sponsor" means a person who is licensed pursuant to this  
17 chapter and who agrees to train or directly supervise a temporary licensee  
18 in the same field of practice.

19           26. "Temporary licensee" means a person who is licensed under this  
20 chapter for a specified period of time under the sponsorship of a person  
21 licensed pursuant to this chapter.

22           27. "Unprofessional conduct" means:

23           (a) Obtaining any fee or making any sale by fraud or  
24 misrepresentation.

25           (b) Employing directly or indirectly any suspended or unlicensed  
26 person to perform any work covered by this chapter.

27           (c) Using, or causing or promoting the use of, any advertising  
28 matter, promotional literature, testimonial, guarantee, warranty, label,  
29 brand, insignia or other representation, however disseminated or  
30 published, that is misleading, deceiving, improbable or untruthful.

31           (d) Advertising for sale a particular model, type or kind of  
32 product when purchasers or prospective purchasers responding to the  
33 advertisement cannot purchase or are dissuaded from purchasing the  
34 advertised model, type or kind if the purpose of the advertisement is to  
35 obtain prospects for the sale of a different model, type or kind than that  
36 advertised.

37           (e) Representing that the professional services or advice of a  
38 physician will be used or made available in ~~the~~ selling, fitting,  
39 ~~adjustment, maintenance~~ ADJUSTING, MAINTAINING or ~~repair of~~ REPAIRING  
40 hearing aids if this is not true, or using the words "doctor", "clinic",  
41 "clinical" or like words, abbreviations or symbols while failing to affix  
42 the word, term or initials "audiology", "audiologic", "audiologist",  
43 "doctor of audiology", "Au.D.", "Ph.D." or "Sc.D."

1 (f) Defaming competitors by falsely imputing to them dishonorable  
2 conduct, inability to perform contracts or questionable credit standing or  
3 by other false representations, or falsely disparaging the products of  
4 competitors in any respect, or their business methods, selling prices,  
5 values, credit terms, policies or services.

6 (g) Displaying competitive products in the licensee's show window,  
7 shop or advertising in such manner as to falsely disparage such products.

8 (h) Representing falsely that competitors are unreliable.

9 (i) Quoting prices of competitive products without disclosing that  
10 they are not the current prices, or showing, demonstrating or representing  
11 competitive models as being current models when they are not current  
12 models.

13 (j) Imitating or simulating the trademarks, trade names, brands or  
14 labels of competitors with the capacity, tendency or effect of misleading  
15 or deceiving purchasers or prospective purchasers.

16 (k) Using in the licensee's advertising the name, model name or  
17 trademark of a particular manufacturer of hearing aids in such a manner as  
18 to imply a relationship with the manufacturer that does not exist, or  
19 otherwise to mislead or deceive purchasers or prospective purchasers.

20 (l) Using any trade name, corporate name, trademark or other trade  
21 designation that has the capacity, tendency or effect of misleading or  
22 deceiving purchasers or prospective purchasers as to the name, nature or  
23 origin of any product of the industry, or of any material used in the  
24 product, or that is false, deceptive or misleading in any other material  
25 respect.

26 (m) Obtaining information concerning the business of a competitor  
27 by bribery of an employee or agent of that competitor, by false or  
28 misleading statements or representations, by the impersonation of one in  
29 authority, or by any other unfair means.

30 (n) Giving directly or indirectly, offering to give, or ~~permitting~~  
31 ~~ALLOWING~~ or causing to be given money or anything of value, except  
32 miscellaneous advertising items of nominal value, to any person who  
33 advises another in a professional capacity as an inducement to influence  
34 that person or have that person influence others to purchase or contract  
35 to purchase products sold or offered for sale by a hearing aid dispenser,  
36 or to influence persons to refrain from dealing in the products of  
37 competitors.

38 (o) Sharing any profits or sharing any percentage of a licensee's  
39 income with any person who advises another in a professional capacity as  
40 an inducement to influence that person or have that person influence  
41 others to purchase or contract to purchase products sold or offered for  
42 sale by a hearing aid dispenser or to dissuade persons from dealing in  
43 products of competitors.

44 (p) Failing to comply with existing federal regulations regarding  
45 ~~the~~ fitting and dispensing ~~of~~ a hearing aid.

- 1 (q) ~~Conviction~~ BEING CONVICTED of a felony or a misdemeanor that  
2 involves moral turpitude.
- 3 (r) Fraudulently obtaining or attempting to obtain a license or a  
4 temporary license for the applicant, the licensee or another person.
- 5 (s) Aiding or abetting unlicensed practice.
- 6 (t) Wilfully making or filing a false audiology, speech-language  
7 pathology or hearing aid dispenser evaluation.
- 8 (u) ~~The use of~~ USING narcotics, alcohol or drugs to the extent that  
9 ~~the performance of~~ PERFORMING professional duties is impaired.
- 10 (v) Betraying a professional confidence.
- 11 (w) ENGAGING IN any conduct, practice or condition that impairs the  
12 ability of the licensee to safely and competently engage in the practice  
13 of audiology, speech-language pathology or hearing aid dispensing.
- 14 (x) Providing services or promoting the sale of devices, appliances  
15 or products to a person who cannot reasonably be expected to benefit from  
16 these services, devices, appliances or products.
- 17 (y) Being disciplined by a licensing or disciplinary authority of  
18 any state, territory or district of this country for an act that is  
19 grounds for disciplinary action under this chapter.
- 20 (z) Violating any provision of this chapter or failing to comply  
21 with rules adopted pursuant to this chapter.
- 22 (aa) Failing to refer an individual for medical evaluation if a  
23 condition exists that is amenable to surgical or medical intervention  
24 prescribed by the advisory committee and consistent with federal  
25 regulations.
- 26 (bb) Practicing in a field or area within that licensee's defined  
27 scope of practice in which the licensee has not either been tested, taken  
28 a course leading to a degree, received supervised training, taken a  
29 continuing education course or had adequate prior experience.
- 30 (cc) Failing to affix the word, term or initials "audiology",  
31 "audiologic", "audiologist", "doctor of audiology", "Au.D.", "Ph.D." or  
32 "Sc.D." in any sign, written communication or advertising media in which  
33 the term "doctor" or the abbreviation "Dr." is used in relation to the  
34 audiologist holding a doctoral degree.

35 Sec. 2. Section 36-1902, Arizona Revised Statutes, is amended to  
36 read:

37 36-1902. Powers and duties of the director; advisory  
38 committee; members

39 A. The director shall:

40 ~~1. Appoint an advisory committee to collaborate with and assist the~~  
41 ~~director and to perform duties as prescribed by this chapter. The~~  
42 ~~director shall inform the advisory committee regarding all disciplinary~~  
43 ~~actions.~~

- 1           ~~2.~~ 1. Supervise and administer qualifying examinations to test the  
2 knowledge and proficiency of applicants for a hearing aid dispenser's  
3 license.
- 4           ~~3.~~ 2. Designate the time and place for holding examinations for a  
5 hearing aid dispenser's license.
- 6           ~~4.~~ 3. License persons who apply for and pass the examination for a  
7 license, and WHO possess all other qualifications required for the  
8 practice of fitting and dispensing hearing aids, the practice of audiology  
9 and the practice of speech-language pathology.
- 10          ~~5.~~ 4. License persons who apply for a license and WHO possess all  
11 other qualifications required for licensure as a speech-language pathology  
12 assistant.
- 13          ~~6.~~ 5. Authorize all disbursements necessary to carry out this  
14 chapter.
- 15          ~~7.~~ 6. Ensure the public's health and safety by adopting and  
16 enforcing qualification standards for licensees and applicants for  
17 licensure under this chapter.
- 18           B. The director may:
- 19           1. Purchase and maintain, or rent, equipment and facilities  
20 necessary to carry out the examination of applicants for a license.
- 21           2. Issue and renew a license.
- 22           3. Deny, suspend, revoke or refuse renewal of a license or file a  
23 letter of concern, issue a decree of censure, prescribe probation, impose  
24 a civil penalty or restrict or limit the practice of a licensee pursuant  
25 to this chapter.
- 26           4. Appoint an ~~examining~~ ADVISORY committee to assist in ~~the conduct~~  
27 ~~of the examination of~~ EXAMINING applicants for a hearing aid dispenser's  
28 license AND TO COLLABORATE WITH AND ASSIST THE DIRECTOR IN DISCIPLINARY  
29 MATTERS, IF REQUESTED, OR ANY OTHER DUTIES PRESCRIBED IN THIS CHAPTER.
- 30           5. Make and publish rules that are not inconsistent with the laws  
31 of this state and that are necessary to carry out this chapter.
- 32           6. Require the periodic inspection of testing equipment and  
33 facilities of persons ~~engaging~~ WHO ARE ENGAGED in the practice of fitting  
34 and dispensing hearing aids, THE PRACTICE OF audiology and THE PRACTICE OF  
35 speech-language pathology.
- 36           7. Require a licensee to produce customer records of patients  
37 involved in complaints on file with the department.
- 38           C. The advisory committee appointed pursuant to subsection  
39 ~~A, paragraph 1~~ B OF THIS SECTION consists of THE FOLLOWING MEMBERS:
- 40           1. The director OR THE DIRECTOR'S DESIGNEE. ;
- 41           2. Two physicians WHO ARE licensed under title 32, chapter 13 or  
42 17, one of whom is a specialist in otolaryngology. ;



1           3. Two licensed audiologists, one of whom dispenses hearing  
2 aids. ~~;~~

3           4. Two licensed speech-language pathologists, ONE OF WHOM PROVIDES  
4 SERVICES IN A SCHOOL SETTING.

5           5. Two public members, one of whom is ~~hearing impaired;~~ DEAF OR  
6 HARD OF HEARING.

7           6. One member of the ~~Arizona~~ commission for the deaf and the hard  
8 of hearing who is not licensed pursuant to this chapter. ~~and~~

9           7. Two licensed hearing aid dispensers who are not licensed to  
10 practice audiology.

11           8. TWO LICENSED SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.

12           D. Committee members who are licensed under this chapter shall have  
13 at least five years' experience immediately preceding the appointment in  
14 their field of practice in this state. COMMITTEE MEMBERS SHALL SERVE A  
15 TWO-YEAR TERM.

16           ~~D. The examining committee authorized pursuant to subsection B,  
17 paragraph 4 consists of one otolaryngologist, two licensed dispensing  
18 audiologists and two licensed hearing aid dispensers. Committee members  
19 who are licensed under this chapter shall have at least five years'  
20 experience immediately preceding the appointment in their field of  
21 practice in this state. The findings of the examining committee shall be  
22 advisory to the director.~~

23           E. The director shall verify that the audiology licensee has passed  
24 a nationally recognized examination approved by the director.

25           F. The director shall verify that the speech-language pathology  
26 licensee has passed a nationally recognized examination approved by the  
27 director.

28           G. The director may recognize a nationally recognized  
29 speech-language hearing association or audiology association examination,  
30 or both, as an approved examination.

31           ~~H. The advisory committee shall provide recommendations to the  
32 director in the following areas, on which the director shall act within a  
33 reasonable period of time:~~

34           ~~1. Issuance and renewal of a license.~~

35           ~~2. Prescribing disciplinary procedures.~~

36           ~~3. Appointment of an examining committee to assist in the conduct  
37 of the examination of applicants for a hearing aid dispenser's license.~~

38           ~~4. Adopting rules that are not inconsistent with the laws of this  
39 state and that are necessary to carry out this chapter.~~

40           ~~5. Requiring the periodic inspection of testing equipment and  
41 facilities of persons engaging in the practice of fitting and dispensing  
42 hearing aids, audiology and speech-language pathology.~~

43           ~~6. Requiring a licensee to produce customer records of patients  
44 involved in complaints on file with the department of health services.~~

1           Sec. 3. Section 36-1906, Arizona Revised Statutes, is amended to  
2 read:

3           36-1906. Registering place of business with director

4           A. A person who holds a license shall notify the director in  
5 writing of the address of the place or places where the person engages in  
6 the practice of fitting and dispensing hearing aids, **THE PRACTICE OF**  
7 audiology or **THE PRACTICE OF** speech-language pathology and any change of  
8 address.

9           B. The director shall keep a record of the places of practice of  
10 persons who hold licenses. ~~Any notice required to be given by the~~  
11 ~~director to a person who holds a license may be given by mailing it to~~  
12 ~~that person at the address given by that person to the director.~~

13           Sec. 4. Repeal

14           Section ~~36-1910~~, Arizona Revised Statutes, is repealed.

15           Sec. 5. Section 36-1922, Arizona Revised Statutes, is amended to  
16 read:

17           36-1922. Reciprocity

18           A. The director may issue a license to a person who is currently  
19 licensed in another state or jurisdiction that the director determines  
20 meets the minimum licensure requirements of this chapter. The person  
21 shall apply for licensure and pay all applicable fees as prescribed by  
22 this chapter ~~and shall pass an examination approved by the director in~~  
23 ~~jurisprudence and ethics related to this chapter within six months after~~  
24 ~~initial licensure. The director shall offer the examination at least four~~  
25 ~~times each calendar year.~~

26           B. The applicant shall provide information the director determines  
27 is necessary to investigate the status of the applicant's current license.

28           Sec. 6. Title 36, chapter 17, article 2, Arizona Revised Statutes,  
29 is amended by adding section 36-1925, to read:

30           36-1925. Educational materials; bills of sale; notice  
31 requirements

32           **THE DEPARTMENT SHALL CREATE AN AWARENESS CAMPAIGN FOR HEARING AID**  
33 **DISPENSERS AND POST ON ITS WEBSITE EDUCATIONAL MATERIALS REGARDING THE**  
34 **BILL OF SALE NOTICE REQUIREMENTS PRESCRIBED IN SECTION 36-1909.**

35           Sec. 7. Section 36-1934, Arizona Revised Statutes, is amended to  
36 read:

37           36-1934. Denial, revocation or suspension of license;  
38 hearings; alternative sanctions

39           A. The director may deny, revoke or suspend a license issued under  
40 this chapter for any of the following reasons:

41           1. ~~Conviction~~ **BEING CONVICTED** of a felony or misdemeanor involving  
42 moral turpitude. The record of the conviction or a certified copy from the  
43 clerk of the court where the conviction occurred or from the judge of that  
44 court is sufficient evidence of conviction.

45           2. Securing a license under this chapter through fraud or deceit.

1           3. COMMITTING unprofessional conduct, or incompetence in the  
2 conduct of ~~his~~ THE LICENSEE'S practice.

3           4. Using a false name or alias in the LICENSEE'S PROFESSIONAL  
4 practice ~~of his profession.~~

5           5. Violating any of the provisions of this chapter.

6           6. Failing to comply with existing federal regulations regarding  
7 ~~the~~ fitting and dispensing ~~of~~ a hearing aid.

8           B. If the director determines pursuant to a hearing that grounds  
9 exist to revoke or suspend a license, the director may do so permanently  
10 or for a fixed period of time and may impose conditions as prescribed by  
11 rule.

12           C. The department may deny a license without holding a  
13 hearing. After receiving notification of the denial, the applicant may  
14 request a hearing to review the denial.

15           D. The department shall conduct any hearing to revoke or suspend a  
16 license or impose a civil penalty under section 36-1939 pursuant to title  
17 41, chapter 6, article 10.

18           E. Instead of denying, revoking or suspending a license, the  
19 director may file a letter of concern, issue a decree of censure,  
20 prescribe a period of probation or restrict or limit the practice of a  
21 licensee.

22           ~~F. The director shall promptly notify a licensee's employer if the~~  
23 ~~director initiates a disciplinary action against the licensee.~~

24           Sec. 8. Section 36-1940, Arizona Revised Statutes, is amended to  
25 read:

26           36-1940. Audiology; licensure requirements

27           A. A person who wishes to be licensed as an audiologist shall:

28           1. Submit a nonrefundable application fee as prescribed by section  
29 36-1908.

30           2. Submit evidence satisfactory to the director that the applicant  
31 has:

32           (a) A doctoral degree with an emphasis in audiology from  
33 ~~a nationally or regionally accredited college or university in~~ an  
34 accredited program ~~consistent with the standards of this state's~~  
35 ~~universities~~ RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION.

36           (b) Completed supervised clinical rotations in audiology from a  
37 nationally or regionally accredited college or university in an accredited  
38 program consistent with the standards of this state's universities.

39           3. Pass an examination pursuant to section 36-1902, subsection G.  
40 ~~The applicant must have completed the examination within three years~~  
41 ~~before the date of application for licensure pursuant to this article.~~

42           4. Be of good moral character.

43           5. Not have had a license revoked or suspended by a state within  
44 the past two years and not be presently ineligible for licensure in any  
45 state because of a prior revocation or suspension.

1 B. A person who has a doctoral degree in audiology and who wishes  
2 to be licensed as an audiologist to fit and dispense hearing aids shall:

3 1. Submit a nonrefundable application fee as prescribed by section  
4 36-1908.

5 2. Submit evidence satisfactory to the director that the applicant  
6 has:

7 (a) A doctoral degree with an emphasis in audiology from  
8 ~~a nationally or regionally accredited college or university in a program~~  
9 ~~consistent with the standards of this state's universities~~ AN ACCREDITED  
10 PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION.

11 (b) Completed supervised clinical rotations in audiology from a  
12 nationally or regionally accredited college or a university in an  
13 accredited program that is consistent with the standards of this state's  
14 universities.

15 3. Pass an examination pursuant to section 36-1902, subsection G.  
16 ~~The applicant must have completed the examination within three years~~  
17 ~~before the date of application for licensure pursuant to this article.~~

18 ~~4. Pass an examination approved by the director in jurisprudence~~  
19 ~~and ethics related to this chapter within six months after initial~~  
20 ~~licensure. The director shall offer the examination at least four times~~  
21 ~~each calendar year.~~

22 ~~5.~~ 4. Be of good moral character.

23 ~~6.~~ 5. Not have had a license revoked or suspended by a state  
24 within the past two years and not be presently ineligible for licensure in  
25 any state because of a prior revocation or suspension.

26 C. A person who wishes to be licensed as an audiologist to fit and  
27 dispense hearing aids and who was awarded a master's degree in audiology  
28 before December 31, 2007 must:

29 1. Submit a nonrefundable application fee as prescribed pursuant to  
30 section 36-1908.

31 2. Submit evidence satisfactory to the director that the applicant  
32 meets the requirements prescribed in section 36-1940.02, subsection C for  
33 a waiver of the educational and clinical rotation requirements of this  
34 article.

35 3. Pass an audiology examination pursuant to section 36-1902,  
36 subsection E. The applicant must have completed the examination within  
37 three years before the date of application for licensure pursuant to this  
38 article unless the applicant is currently practicing audiology and meets  
39 the audiology examination waiver requirements of section 36-1940.02,  
40 subsection D.

41 4. Pass the hearing aid dispenser's examination pursuant to section  
42 36-1924.

43 5. Be of good moral character.

44 6. Not have had a license to practice as an audiologist or hearing  
45 aid dispenser revoked or suspended by another state within the past two

1 years and not currently be ineligible for licensure in any state because  
2 of a prior revocation or suspension.

3 D. The director shall adopt rules prescribing criteria for approved  
4 postgraduate professional experience.

5 Sec. 9. Section 36-1940.02, Arizona Revised Statutes, is amended to  
6 read:

7 36-1940.02. Waiver of licensure and examination requirements

8 A. The advisory committee appointed under section 36-1902 may  
9 recommend to the director a waiver of the educational requirements of  
10 sections 36-1940 and 36-1940.01 if an applicant submits proof satisfactory  
11 to the department that the applicant received professional education in  
12 another country equivalent to the education and practicum requirements of  
13 this article.

14 B. The department shall waive the EDUCATION, CLINICAL PRACTICUM,  
15 POSTGRADUATE PROFESSIONAL EXPERIENCE AND examination requirements of  
16 section 36-1940.01 ~~under either of the following conditions~~ IF THE  
17 APPLICANT EITHER:

18 1. ~~The applicant~~ Presents proof satisfactory to the department that  
19 the applicant is currently licensed in a state, district or territory of  
20 this country that has standards that are at least equivalent to those of  
21 this state.

22 2. ~~The applicant~~ Holds a certificate of clinical competence in  
23 speech-language pathology from a nationally recognized speech-language  
24 hearing association approved by the department in the field for which the  
25 applicant is applying for licensure.

26 C. The department shall waive the education and clinical rotation  
27 requirements of section 36-1940 if an applicant submits proof satisfactory  
28 to the director that the applicant ~~either~~ MEETS ONE OF THE FOLLOWING:

29 1. Is currently licensed in a state that has standards that are at  
30 least equivalent to those of this state.

31 2. Has a master's degree in audiology that was awarded by an  
32 accredited program before December 31, 2007 and has completed postgraduate  
33 professional experience in audiology as approved by the director.

34 3. HOLDS A CERTIFICATE OF CLINICAL COMPETENCE IN AUDIOLOGY FROM A  
35 NATIONALLY RECOGNIZED SPEECH-LANGUAGE HEARING ASSOCIATION APPROVED BY THE  
36 DEPARTMENT IN THE FIELD FOR WHICH THE APPLICANT IS APPLYING FOR LICENSURE.

37 D. The department shall waive the audiology examination  
38 requirements of section 36-1940 if ~~either~~ THE APPLICANT MEETS ONE OF THE  
39 FOLLOWING:

40 1. ~~The applicant~~ Presents proof satisfactory to the department that  
41 the applicant is currently licensed and practicing audiology in this state  
42 or in another state that has standards that are at least equivalent to  
43 those of this state.

44 2. ~~The applicant~~ Presents proof satisfactory to the department that  
45 the applicant is currently practicing audiology under the authority and

1 supervision of an agency of the United States government or of another  
2 board, agency or department of another state and holds a certificate in  
3 audiology from a recognized credentialing body approved by the director.

4 3. ~~HOLDS A CERTIFICATE OF CLINICAL COMPETENCE IN AUDIOLOGY FROM A~~  
5 ~~NATIONALLY RECOGNIZED SPEECH-LANGUAGE HEARING ASSOCIATION APPROVED BY THE~~  
6 ~~DEPARTMENT IN THE FIELD FOR WHICH THE APPLICANT IS APPLYING FOR LICENSURE.~~

7 E. The department shall waive the hearing aid dispensing  
8 examination requirements of section 36-1940 if:

9 ~~1. the applicant presents proof satisfactory to the department that~~  
10 ~~the applicant holds a current license that includes dispensing and that is~~  
11 ~~issued by another state that has standards that are at least equivalent to~~  
12 ~~those of this state.~~

13 ~~2. The applicant passes an examination approved by the director in~~  
14 ~~jurisprudence and ethics related to this chapter within six months after~~  
15 ~~initial licensure. The director shall offer the examination at least four~~  
16 ~~times each calendar year.~~

17 Sec. 10. Section 36-1940.04, Arizona Revised Statutes, is amended  
18 to read:

19 36-1940.04. Speech-language pathology assistants; licensure  
20 requirements; scope of practice; supervision

21 A. A person who wishes to be licensed as a speech-language  
22 ~~pathologist~~ PATHOLOGY assistant shall:

23 1. Submit a nonrefundable application fee as prescribed by section  
24 36-1908.

25 2. Submit written evidence satisfactory to the director that the  
26 applicant has completed:

27 (a) An approved training program for speech-language pathology  
28 assistants or the equivalent from a nationally or regionally accredited  
29 college or university that consisted of a minimum of sixty semester credit  
30 hours of course work with the following curriculum content:

31 (i) Twenty to forty semester credit hours of general education ~~OR A~~  
32 ~~BACHELOR'S DEGREE.~~

33 (ii) Twenty to forty semester credit hours of speech-language  
34 pathology technical course work.

35 (b) A minimum of one hundred hours of clinical interaction that  
36 does not include observation, under the supervision of a licensed master's  
37 level speech-language pathologist.

38 3. Be of good moral character.

39 4. Not have had a license revoked or suspended by a state within  
40 the past two years and ~~is~~ not BE presently ineligible for licensure in any  
41 state because of a prior revocation or suspension.

42 ~~B. The director shall grant a waiver of the requirements for~~  
43 ~~licensure as provided by subsection A of this section until September 1,~~  
44 ~~2007 to individuals who have performed the functions of a speech-language~~  
45 ~~pathology assistant if the individual:~~

1 ~~1. Has completed a minimum of forty semester credit hours of~~  
2 ~~speech-language pathology technical course work.~~

3 ~~2. Has satisfactorily completed a minimum of two years of~~  
4 ~~experience as a speech-language pathology assistant under the supervision~~  
5 ~~of a licensed master's level speech-language pathologist.~~

6 ~~3. Is of good moral character.~~

7 ~~4. Has not had a license revoked or suspended by a state within the~~  
8 ~~past two years and is not presently ineligible for licensure in any state~~  
9 ~~because of a prior revocation or suspension.~~

10 B. THE DIRECTOR MAY WAIVE THE REQUIREMENTS OF SUBSECTION A,  
11 PARAGRAPH 2 OF THIS SECTION IF THE APPLICANT HOLDS CERTIFICATION AS A  
12 SPEECH-LANGUAGE PATHOLOGY ASSISTANT FROM A NATIONALLY RECOGNIZED  
13 SPEECH-LANGUAGE HEARING ASSOCIATION APPROVED BY THE DEPARTMENT IN THE  
14 FIELD FOR WHICH THE APPLICANT IS APPLYING FOR LICENSURE.

15 C. A speech-language pathology assistant may do the following under  
16 the supervision of the licensed speech-language pathologist:

17 1. Conduct speech and language screenings without interpretation,  
18 using screening protocols specified by the supervising speech-language  
19 pathologist.

20 2. Provide direct treatment assistance, including feeding for  
21 nutritional purposes to patients, clients or students except for patients,  
22 clients or students with dysphagia, identified by the supervising  
23 speech-language pathologist by following written treatment plans,  
24 individualized education programs, individual support plans or protocols  
25 developed by the supervising speech-language pathologist.

26 3. Document patient, client or student progress toward meeting  
27 established objectives as stated in the treatment plan, individual support  
28 plan or individualized education program without ~~interpretation of~~  
29 INTERPRETING the findings, and report this information to the supervising  
30 speech-language pathologist.

31 4. Assist the speech-language pathologist in ~~the~~ collecting and  
32 tallying ~~of~~ data for assessment purposes, without ~~interpretation of~~  
33 INTERPRETING the data.

34 5. Act as a second-language interpreter during assessments.

35 6. Assist with informal documentation during an intervention  
36 session by collecting and tallying data as directed by the speech-language  
37 pathologist, preparing materials and assisting with other clerical duties  
38 as specified by the supervising speech-language pathologist.

39 7. Schedule activities and prepare charts, records, graphs or other  
40 displays of data.

41 8. Perform checks and maintenance of equipment.

42 9. Participate with the speech-language pathologist in research  
43 projects, in-service training and public relations programs.

44 10. Sign and initial treatment notes for review and ~~co-signature~~  
45 COSIGNATURE by the supervising speech-language pathologist.

1 D. A speech-language pathology assistant shall not:

2 1. Conduct swallowing screening, assessment and intervention  
3 protocols, including modified barium swallow studies.

4 2. Administer standardized or nonstandardized diagnostic tests, ~~OR~~ OR  
5 formal or informal evaluations or interpret test results.

6 3. Participate in parent conferences, case conferences or any  
7 interdisciplinary team meeting without the presence of the supervising  
8 speech-language pathologist, except for individualized education program  
9 or individual support plan meetings if the licensed ~~speech~~ SPEECH-LANGUAGE  
10 pathologist has been excused by the individualized education program team  
11 or the individual support plan team.

12 4. Write, develop or modify a patient's, client's or student's  
13 treatment plan, individual support plan or individualized education  
14 program in any way.

15 5. Provide intervention for patients, clients or students without  
16 following the treatment plan, individual support plan or individualized  
17 education program prepared by the supervising speech-language pathologist.

18 6. Sign any formal documents, including treatment plans, individual  
19 support plans, individualized education programs, reimbursement forms or  
20 reports.

21 7. Select patients, clients or students for services.

22 8. Discharge patients, clients or students from services.

23 9. Unless required by law, disclose clinical or confidential  
24 information orally or in writing to anyone not designated by the  
25 speech-language pathologist.

26 10. Make a referral for any additional service.

27 11. Communicate with the patient, client or student or with family  
28 or others regarding any aspect of the patient, client or student status  
29 without the specific consent of the supervising speech-language  
30 pathologist.

31 12. Claim to be a speech-language pathologist.

32 13. Write a formal screening, diagnostic, progress or discharge  
33 note.

34 14. Perform any task without the express knowledge and approval of  
35 the supervising speech-language pathologist.

36 E. All services provided by a speech-language pathology assistant  
37 shall be performed under the direction and supervision of a  
38 speech-language pathologist WHO IS licensed pursuant to this chapter.

39 F. A licensed speech-language pathologist who supervises or directs  
40 the services provided by a speech-language pathology assistant shall:

41 1. Have at least two years of full-time professional experience as  
42 a licensed speech-language pathologist.

43 2. Provide direction and supervision to not more than two full-time  
44 or three part-time speech-language pathology assistants at one time.



1           3. Ensure that the amount and type of supervision and direction  
2 provided to a speech-language pathology assistant is consistent with the  
3 individual's skills and experience, the needs of the patient, client or  
4 student served, the setting in which services are provided and the tasks  
5 assigned and provide:

6           (a) A minimum of twenty ~~per cent~~ PERCENT direct supervision and ten  
7 ~~per cent~~ PERCENT indirect supervision of all of the time that a  
8 speech-language pathology assistant is providing services during the first  
9 ninety days of the person's employment.

10          (b) ~~Subsequent to~~ AFTER the first ninety days of a speech-language  
11 pathology assistant's employment, ~~a minimum of ten per cent direct~~  
12 ~~supervision and ten per cent indirect supervision of all of the time a~~  
13 ~~speech-language pathologist assistant is providing service~~ THE AMOUNT OF  
14 SUPERVISION CAN BE ADJUSTED IF THE SUPERVISING SPEECH-LANGUAGE PATHOLOGIST  
15 DETERMINES THAT THE SPEECH-LANGUAGE PATHOLOGY ASSISTANT HAS MET  
16 APPROPRIATE COMPETENCIES AND SKILL LEVELS WITH A VARIETY OF COMMUNICATION  
17 AND RELATED DISORDERS.

18          4. Inform a patient, client or student when the services of a  
19 speech-language pathology assistant are being provided.

20          5. Document all periods of direct and indirect supervision provided  
21 to a speech-language pathology assistant.

22          G. If more than one speech-language pathologist provides  
23 supervision to a speech-language pathology assistant, one of the  
24 speech-language pathologists shall be designated as the primary supervisor  
25 who is responsible for coordinating any supervision provided by other  
26 speech-language pathologists.