

REFERENCE TITLE: **speech-language pathologists; assistants**

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

HB 2225

Introduced by
Representative Barto

AN ACT

AMENDING SECTIONS 36-1901, 36-1902 AND 36-1906, ARIZONA REVISED STATUTES;
REPEALING SECTION 36-1910, ARIZONA REVISED STATUTES; AMENDING SECTIONS
36-1922, 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.".

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

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

(h) Representing falsely that competitors are unreliable.

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

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

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

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

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

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

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

(p) Failing to comply with existing federal regulations regarding ~~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.~~

~~2.~~ 1. Supervise and administer qualifying examinations to test the knowledge and proficiency of applicants for a hearing aid dispenser's license.

~~3.~~ 2. Designate the time and place for holding examinations for a hearing aid dispenser's license.

~~4.~~ 3. License persons who apply for and pass the examination for a license, and WHO possess all other qualifications required for the practice of fitting and dispensing hearing aids, the practice of audiology and the practice of speech-language pathology.

~~5.~~ 4. License persons who apply for a license and WHO possess all other qualifications required for licensure as a speech-language pathology assistant.

~~6.~~ 5. Authorize all disbursements necessary to carry out this chapter.

~~7.~~ 6. Ensure the public's health and safety by adopting and enforcing qualification standards for licensees and applicants for licensure under this chapter.

B. The director may:

1. Purchase and maintain, or rent, equipment and facilities necessary to carry out the examination of applicants for a license.

2. Issue and renew a license.

3. Deny, suspend, revoke or refuse renewal of a license or file a letter of concern, issue a decree of censure, prescribe probation, impose a civil penalty or restrict or limit the practice of a licensee pursuant to this chapter.

4. Appoint an ~~examining~~ ADVISORY committee to assist in ~~the conduct of the examination of~~ EXAMINING applicants for a hearing aid dispenser's license AND TO COLLABORATE WITH AND ASSIST THE DIRECTOR IN DISCIPLINARY MATTERS, IF REQUESTED, OR ANY OTHER DUTIES PRESCRIBED IN THIS CHAPTER.

5. Make and publish rules that are not inconsistent with the laws of this state and that are necessary to carry out this chapter.

6. Require the periodic inspection of testing equipment and facilities of persons ~~engaging~~ WHO ARE ENGAGED in the practice of fitting and dispensing hearing aids, THE PRACTICE OF audiology and THE PRACTICE OF speech-language pathology.

7. Require a licensee to produce customer records of patients involved in complaints on file with the department.

C. The advisory committee appointed pursuant to subsection ~~A, paragraph 1~~ B OF THIS SECTION consists of THE FOLLOWING MEMBERS:

1. The director OR THE DIRECTOR'S DESIGNEE. ;

2. Two physicians WHO ARE licensed under title 32, chapter 13 or 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. ~~;~~

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

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

10 8. TWO LICENSED SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.

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

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

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

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

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

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

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

34 ~~2. Prescribing disciplinary procedures.~~

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

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

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

42 ~~6. Requiring a licensee to produce customer records of patients~~
43 ~~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. Section 36-1934, Arizona Revised Statutes, is amended to
29 read:

30 36-1934. Denial, revocation or suspension of license;
31 hearings; alternative sanctions

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

34 1. ~~Conviction~~ **BEING CONVICTED** of a felony or misdemeanor involving
35 moral turpitude. The record of the conviction or a certified copy from the
36 clerk of the court where the conviction occurred or from the judge of that
37 court is sufficient evidence of conviction.

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

39 3. **COMMITTING** unprofessional conduct, ~~or~~ or incompetence in the
40 conduct of ~~his~~ **THE LICENSEE'S** practice.

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

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

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

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

7 C. The department may deny a license without holding a
8 hearing. After receiving notification of the denial, the applicant may
9 request a hearing to review the denial.

10 D. The department shall conduct any hearing to revoke or suspend a
11 license or impose a civil penalty under section 36-1939 pursuant to title
12 41, chapter 6, article 10.

13 E. Instead of denying, revoking or suspending a license, the
14 director may file a letter of concern, issue a decree of censure,
15 prescribe a period of probation or restrict or limit the practice of a
16 licensee.

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

19 Sec. 7. Section 36-1940, Arizona Revised Statutes, is amended to
20 read:

21 36-1940. Audiology; licensure requirements

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

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

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

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

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

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

37 4. Be of good moral character.

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

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

43 1. Submit a nonrefundable application fee as prescribed by section
44 36-1908.

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

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

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

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

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

18 ~~5.~~ 4. Be of good moral character.

19 ~~6.~~ 5. Not have had a license revoked or suspended by a state
20 within the past two years and not be presently ineligible for licensure in
21 any state because of a prior revocation or suspension.

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

25 1. Submit a nonrefundable application fee as prescribed pursuant to
26 section 36-1908.

27 2. Submit evidence satisfactory to the director that the applicant
28 meets the requirements prescribed in section 36-1940.02, subsection C for
29 a waiver of the educational and clinical rotation requirements of this
30 article.

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

37 4. Pass the hearing aid dispenser's examination pursuant to section
38 36-1924.

39 5. Be of good moral character.

40 6. Not have had a license to practice as an audiologist or hearing
41 aid dispenser revoked or suspended by another state within the past two
42 years and not currently be ineligible for licensure in any state because
43 of a prior revocation or suspension.

44 D. The director shall adopt rules prescribing criteria for approved
45 postgraduate professional experience.

1 Sec. 8. Section 36-1940.02, Arizona Revised Statutes, is amended to
2 read:

3 36-1940.02. Waiver of licensure and examination requirements

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

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

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

18 2. ~~The applicant~~ Holds a certificate of clinical competence in
19 speech-language pathology from a nationally recognized speech-language
20 hearing association approved by the department in the field for which the
21 applicant is applying for licensure.

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

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

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

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

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

36 1. ~~The applicant~~ Presents proof satisfactory to the department that
37 the applicant is currently licensed and practicing audiology in this state
38 or in another state that has standards that are at least equivalent to
39 those of this state.

40 2. ~~The applicant~~ Presents proof satisfactory to the department that
41 the applicant is currently practicing audiology under the authority and
42 supervision of an agency of the United States government or of another
43 board, agency or department of another state and holds a certificate in
44 audiology from a recognized credentialing body approved by the director.

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

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

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

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

14 Sec. 9. Section 36-1940.04, Arizona Revised Statutes, is amended to
15 read:

16 36-1940.04. Speech-language pathology assistants; licensure
17 requirements; scope of practice; supervision

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

20 1. Submit a nonrefundable application fee as prescribed by section
21 36-1908.

22 2. Submit written evidence satisfactory to the director that the
23 applicant has completed:

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

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

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

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

35 3. Be of good moral character.

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

39 ~~B. The director shall grant a waiver of the requirements for~~
40 ~~licensure as provided by subsection A of this section until September 1,~~
41 ~~2007 to individuals who have performed the functions of a speech-language~~
42 ~~pathology assistant if the individual:~~

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

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

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

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

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

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

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

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

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

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

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

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

37 7. Schedule activities and prepare charts, records, graphs or other
38 displays of data.

39 8. Perform checks and maintenance of equipment.

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

42 10. Sign and initial treatment notes for review and ~~co-signature~~
43 ~~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.