

# SENATE BILL 523

J2

(11r0804)

## ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government  
Operations* —

Introduced by **Senator Lam (By Request – State Board of Examiners for  
Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists)**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Examiners for Audiologists, Hearing Aid Dispensers, and**  
3 **Speech–Language Pathologists – Duties, Appointment of Members, and**  
4 **Requirements for Licensees**

5 FOR the purpose of altering the definition of “board” for purposes of requiring the State  
6 Board of Examiners for Audiologists, Hearing Aid Dispensers, and  
7 Speech–Language Pathologists to post a list of certain courses, provide certain  
8 information on certain courses at a certain time, and advertise the availability of  
9 certain courses; requiring the Board, instead of certain organizations, to submit  
10 certain lists to the Secretary of Health and the Governor for the purpose of  
11 appointing certain speech–language pathologist and certain audiologist members;  
12 requiring the Board to notify licensed speech–language pathologists in the State of  
13 a certain vacancy ~~and conduct a certain balloting process for the purpose of filling~~

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



~~certain speech–language pathologist member vacancies~~; requiring the Board, rather than certain organizations, to notify licensed audiologists in the State of a certain vacancy ~~and~~; ~~repealing a certain provision of law requiring certain organizations to~~ conduct a certain balloting process for the purpose of filling certain audiologist member vacancies; requiring the Secretary, rather than the Department of Disabilities, to submit a certain list to the Governor for purposes of appointing certain consumer members; repealing the requirement that the Department of Disabilities solicit certain nominees for certain consumer members; authorizing certain organizations or family members to submit certain recommendations to the Secretary for certain consumer member vacancies; authorizing the Board and the Secretary to notify certain organizations or family members of a certain vacancy and solicit certain applications; requiring certain licensees to identify and represent themselves to the public using certain information; requiring certain licensees to include a certain license number on certain documentation; ~~repealing a certain requirement that a certain licensee display a certain license in a certain manner in a certain place~~; requiring the Board to maintain a certain list of individuals licensed by the Board ~~and make the list available on its website~~; authorizing an individual to contact the Board to verify a certain license; altering the changes in information with respect to which a licensee is required to notify the Board within a certain period of time; repealing certain obsolete provisions of law; making technical, stylistic, and conforming changes; and generally relating to audiologists, hearing aid dispensers, and speech–language pathologists.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–801, 2–202(a), 2–302.1(a), 2–302.2, 2–305(a) and (b), 2–307.4, and 2–311

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 1–802

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

### Article – Health Occupations

1–801.

(a) In this subtitle the following words have the meanings indicated.

(b) “Applicant” means an individual who applies for licensure to practice as a health care professional.

1 (c) “Board” means:

2 **(1) THE STATE BOARD OF EXAMINERS FOR AUDIOLOGISTS,**  
 3 **HEARING AID DISPENSERS, AND SPEECH–LANGUAGE PATHOLOGISTS;**

4 [(1)] (2) The State Board of Dental Examiners;

5 [(2)] (3) The State Board of Nursing;

6 [(3)] (4) The State Board of Examiners in Optometry;

7 [(4)] (5) The State Board of Pharmacy;

8 [(5)] (6) The State Board of Physicians;

9 [(6)] (7) The State Board of Podiatric Medical Examiners;

10 [(7)] (8) The State Board of Professional Counselors and Therapists;

11 [(8)] (9) The State Board of Examiners of Psychologists; and

12 [(9)] (10) The State Board of Social Work Examiners.

13 (d) “Health care professional” means:

14 **(1) AN INDIVIDUAL LICENSED BY THE STATE BOARD OF EXAMINERS**  
 15 **FOR AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH–LANGUAGE**  
 16 **PATHOLOGISTS;**

17 [(1)] (2) A dentist licensed by the State Board of Dental Examiners;

18 [(2)] (3) A registered nurse or licensed practical nurse licensed by the  
 19 State Board of Nursing;

20 [(3)] (4) An optometrist licensed by the State Board of Examiners in  
 21 Optometry;

22 [(4)] (5) A pharmacist licensed by the State Board of Pharmacy;

23 [(5)] (6) A physician licensed by the State Board of Physicians;

24 [(6)] (7) A podiatrist licensed by the State Board of Podiatric Medical  
 25 Examiners;

1            ~~[(7)] (8)~~     An individual licensed by the State Board of Professional  
2 Counselors and Therapists;

3            ~~[(8)] (9)~~     A psychologist licensed by the State Board of Examiners of  
4 Psychologists; and

5            ~~[(9)] (10)~~    An associate social worker, a graduate social worker, a certified  
6 social worker, or a certified social worker–clinical licensed by the State Board of Social  
7 Work Examiners.

8 1–802.

9            (a)    (1)    The Office of Minority Health and Health Disparities shall provide to  
10 each board a list of recommended courses in cultural and linguistic competency, health  
11 disparities, and health literacy.

12            (2)    The Department, in consultation with the Department of Veterans  
13 Affairs, shall provide to each board a list of recommended courses in military culture.

14            (b)    Each board shall:

15            (1)    Post the list of recommended courses provided to the board under  
16 subsection (a) of this section prominently on the board’s Web site;

17            (2)    Provide information about the recommended courses to health care  
18 professionals at the time of renewal of licensure; and

19            (3)    Advertise the availability of the recommended courses in newsletters  
20 and any other media published by the board.

21 2–202.

22            (a)    (1)    The Board consists of 13 members.

23            (2)    Of the 13 Board members:

24            (i)    3 shall be licensed audiologists who have at least 5 years’ paid  
25 work experience in audiology and are currently practicing audiology in the State;

26            (ii)   3 shall be licensed speech–language pathologists who have at  
27 least 5 years’ paid work experience in speech–language pathology and are currently  
28 practicing speech–language pathology in the State;

29            (iii)  2 shall be physicians who shall be voting members of the Board,  
30 except on proposals that expand or restrict the practice of audiology as defined in § 2–101(q)

1 of this title or that expand or restrict the practice of speech–language pathology as defined  
 2 in § 2–101(r) of this title, and who:

3 1. Are licensed to practice medicine in the State;  
 4 2. Hold a certificate of qualification from the American Board  
 5 of Otolaryngology; and

6 3. Are currently practicing in the State;

7 (iv) 2 shall be consumer members, 1 of whom shall be a consumer of  
 8 services provided by an individual licensed by the Board; and

9 (v) 3 shall be licensed hearing aid dispensers who have at least 5  
 10 years' paid work experience in dispensing hearing aids and are currently practicing hearing  
 11 aid dispensing in the State.

12 (3) (I) The Governor shall appoint the physician members, with the  
 13 advice of the Secretary, from a list submitted to the Secretary and the Governor by the  
 14 Maryland Society of Otolaryngology.

15 (II) There shall be at least 3 names on the list.

16 (4) (I) The Governor shall appoint the speech–language pathologist  
 17 members, with the advice of the Secretary, from a list submitted to the Secretary and the  
 18 Governor by the [Maryland Speech–Language and Hearing Association] **BOARD**.

19 (II) The number of names on the list shall be at least 3 times the  
 20 number of vacancies.

21 (III) **FOR EACH LICENSED SPEECH–LANGUAGE PATHOLOGIST**  
 22 **VACANCY, THE BOARD SHALL:**

23 ~~1. NOTIFY NOTIFY ALL LICENSED SPEECH–LANGUAGE~~  
 24 ~~PATHOLOGISTS IN THE STATE OF THE VACANCY TO SOLICIT NOMINATIONS TO FILL~~  
 25 ~~THE VACANCY; AND~~

26 ~~2. CONDUCT A BALLOTING PROCESS BY WHICH EVERY~~  
 27 ~~LICENSED SPEECH–LANGUAGE PATHOLOGIST IN THE STATE IS ELIGIBLE TO VOTE~~  
 28 ~~ON THE NAMES OF THE LICENSED SPEECH–LANGUAGE PATHOLOGISTS TO BE~~  
 29 ~~SUBMITTED TO THE SECRETARY AND THE GOVERNOR.~~

30 (5) (i) Subject to subparagraph [(ii)] (III) of this paragraph, the  
 31 Governor shall appoint the audiologist members, with the advice of the Secretary, from a

1 list submitted to the Secretary and the Governor[, jointly by the Maryland Academy of  
2 Audiology and the Maryland Speech–Language and Hearing Association] **BY THE BOARD.**

3 (II) The number of names on the list shall be at least 3 times the  
4 number of vacancies.

5 [(ii)] (III) For each audiologist vacancy, the [Maryland Academy of  
6 Audiology and the Maryland Speech–Language and Hearing Association] **BOARD** shall:

7 ~~1.~~ ~~Notify~~ **NOTIFY** all licensed audiologists in the State of the  
8 vacancy to solicit nominations to fill the vacancy, ~~and~~

9 ~~2.~~ ~~Conduct a balloting process by which every licensed~~  
10 ~~audiologist in the State is eligible to vote on the names of the licensed audiologists to be~~  
11 ~~submitted to the Secretary and the Governor.~~

12 (6) (i) The Governor shall appoint the hearing aid dispenser members,  
13 with the advice of the Secretary, from a list submitted to the Secretary and the Governor  
14 by the Maryland members of the Hearing Society of Maryland, Washington, D.C., and  
15 Delaware.

16 (ii) The number of names on the list shall be at least 3 times the  
17 number of vacancies.

18 (7) (i) The Governor shall appoint the consumer members with the  
19 advice of the Secretary and the advice and consent of the Senate.

20 (II) **THE BOARD AND THE SECRETARY MAY SOLICIT**  
21 **APPLICATIONS FOR CONSUMER MEMBER VACANCIES FROM THE GENERAL PUBLIC.**

22 [(ii)] (III) 1. The Governor shall appoint the consumer member  
23 who is a consumer of services provided by an individual licensed by the Board from a list  
24 submitted [to] **BY** the Secretary [and the Governor by the Department of Disabilities].

25 [2. The Department of Disabilities shall solicit nominees from  
26 associations representing hearing or communication impaired individuals in the State.]

27 **2. AN ORGANIZATION REPRESENTING PATIENTS OR**  
28 **FAMILY MEMBERS OF PATIENTS SERVED BY INDIVIDUALS LICENSED BY THE BOARD**  
29 **MAY SUBMIT RECOMMENDATIONS FOR THE CONSUMER BOARD MEMBER APPOINTED**  
30 **UNDER THIS SUBPARAGRAPH TO THE SECRETARY.**

31 **3. THE BOARD AND THE SECRETARY MAY NOTIFY**  
32 **ORGANIZATIONS REPRESENTING PATIENTS OR FAMILY MEMBERS OF PATIENTS**

1 SERVED BY INDIVIDUALS LICENSED BY THE BOARD OF A VACANCY FOR THE  
2 CONSUMER MEMBER APPOINTED UNDER THIS SUBPARAGRAPH.

3 2–302.1.

4 (a) [On or after January 1, 2008, to] **TO** qualify for an initial license to practice  
5 hearing aid dispensing, an applicant shall be an individual who meets the requirements of  
6 this section.

7 2–302.2.

8 (a) To qualify for a license to practice speech–language pathology, an applicant  
9 shall be an individual who meets the requirements of this section.

10 (b) The applicant shall be of good moral character.

11 (c) The applicant shall:

12 (1) Hold a master’s degree in the area of speech–language pathology from  
13 an educational institution which incorporates the academic course work and the minimum  
14 hours of supervised training required by the regulations adopted by the Board; [and]

15 (2) Have completed the period of supervised postgraduate professional  
16 practice in speech–language pathology as specified by the regulations adopted by the  
17 Board[.];

18 [(d)] **(3)** Except as otherwise provided in this title, [the applicant shall] pass an  
19 examination in speech–language pathology as required by regulations adopted by the  
20 Board[.];

21 [(e)] **(4)** [The applicant shall demonstrate] **DEMONSTRATE** oral competency[.];  
22 **AND**

23 [(f)] **(5)** [The applicant shall submit] **SUBMIT** to a criminal history records  
24 check in accordance with § 2–303.1 of this subtitle.

25 2–305.

26 (a) The Board, **IN ITS DISCRETION**, may waive any of the qualifications required  
27 for a license to practice audiology under this title for an individual who:

28 (1) Is of good moral character;

29 (2) Pays the application fee required by the Board under § 2–303 of this  
30 subtitle; and

1           (3)   (i)   Holds or has held a national certification in audiology from an  
2 organization if the organization is recognized by the Board and the qualifications for  
3 certification meet the practice requirements established by the regulations adopted by the  
4 Board;

5                   (ii)   Holds a current license to practice audiology in another state if  
6 the Board determines that the state has requirements for licensure that are at least  
7 equivalent to the requirements of this State and meet the practice requirements  
8 established under regulations adopted by the Board; or

9                   (iii)   [On or before September 30, 2007, holds] **HOLDS** a current  
10 license to practice audiology in this or another state or practices audiology under the  
11 authority and supervision of an agency of the federal government or a board, agency, or  
12 department of this State or another state if:

13                           1.   The individual holds a master's degree in audiology from  
14 an accredited educational program;

15                           2.   The Board determines that the requirements for practice  
16 are at least equivalent to the requirements of this Board; and

17                           3.   The individual meets other requirements established by  
18 regulations adopted by the Board that may not include a requirement for a doctoral degree  
19 in audiology.

20           (b)   The Board, **IN ITS DISCRETION**, may waive any of the qualifications required  
21 for a license to practice speech–language pathology or to assist in the practice of  
22 speech–language pathology under this title for an individual who:

23                   (1)   Is of good moral character;

24                   (2)   Pays the application fee required by the Board under § 2–303 of this  
25 subtitle; and

26                   (3)   (i)   Holds or has held a national certification in speech–language  
27 pathology or as an assistant of speech–language pathology from an organization if the  
28 organization is recognized by the Board and the qualifications for certification meet the  
29 practice requirements established by the regulations adopted by the Board; or

30                           (ii)   Holds a current license to practice speech–language pathology or  
31 to assist in the practice of speech–language pathology in another state that the Board  
32 determines has requirements for licensure and practice that are at least equivalent to the  
33 requirements established under regulations adopted by the Board.

34 2–307.4.

1 (A) A licensee shall identify and represent themselves TO THE PUBLIC by  
2 [profession and]:

3 (1) THE PROFESSION FOR WHICH THE LICENSEE HOLDS A LICENSE;

4 (2) THE degree earned TO OBTAIN THE LICENSE; AND

5 (3) THE NAME ON THE LICENSE.

6 (B) A LICENSEE SHALL INCLUDE THE LICENSEE'S LICENSE NUMBER ON  
7 WORK-RELATED DOCUMENTATION, INCLUDING:

8 (1) WRITTEN CLIENT REPORTS; AND

9 (2) IF APPLICABLE, AUDIOGRAMS.

10 2-311.

11 ~~f~~(a) Each licensee shall display the license conspicuously in the office or place of  
12 employment of the licensee.‡

13 ~~(A)~~ (B) (1) THE BOARD SHALL MAINTAIN AN ELECTRONIC LIST OF  
14 EACH INDIVIDUAL LICENSED BY THE BOARD.

15 ~~(2) THE BOARD SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.~~

16 ~~(3)~~ (2) AN INDIVIDUAL MAY CONTACT THE BOARD TO VERIFY AN  
17 INDIVIDUAL'S LICENSE.

18 ~~(b)~~ (C) If a licensee has more than one place of business, the licensee shall  
19 notify the Board of the address the Board may use to send notices and other correspondence.

20 ~~(e)~~ (D) A licensee shall notify the Board in writing of a change of MAILING  
21 address, E-MAIL ADDRESS, OR PHONE NUMBER within 30 days after the change [of  
22 address].

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
24 1, 2021.