

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Department of Health and Mental Hygiene  
(DLS Control No. 15-378)**

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**Overview and Legal and Fiscal Impact**

The regulations require specified individuals applying to the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists to include an official transcript as part of the application. The regulations also require licensees to provide notice of a change in mailing address, name, or email address, subject to an administrative penalty for failure to comply.

The regulations present no legal issues of concern.

There is no material fiscal impact on State or local agencies.

**Regulations of COMAR Affected**

**Department of Health and Mental Hygiene:**

Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech Language Pathologists: Licensure and Continuing Education: COMAR 10.41.03.03 and .07  
Hearing Aid Dispensers: COMAR 10.41.08.02 and .13  
Speech-Language Pathology Assistants: COMAR 10.41.11.03 and .10

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**Legal Analysis**

**Summary of Regulations**

The regulations require an individual applying for a limited license to practice as an audiologist, speech-language pathologist, or hearing aid dispenser, or to assist in the practice of speech-language pathology, to include an official transcript as part of an application made to the board. The regulations also require that licensees notify the board within 30 days of a change in mailing address, name, or email address, subject to an administrative penalty of \$100 for failure to comply with this requirement.

**Legal Issues**

The regulations present no legal issues of concern.

## **Statutory Authority and Legislative Intent**

The Department of Health and Mental Hygiene cites §§ 2-205, 2-302, 2-302.1, 2-310, 2-310.1, 2-310.2, and 2-314(10) and (11) of the Health Occupations Article as statutory authority for the regulations. Section 2-205 authorizes the board to adopt regulations to carry out provisions of law that relate to the practices of audiology, hearing aid dispensing, and speech-language pathology and the assistance in the practice of speech-language pathology. Section 2-302 sets forth the qualifications for licensure as an audiologist in the State. Section 2-302.1 sets forth the qualifications for licensure as a hearing aid dispenser in the State. Sections 2-310, 2-310.1, and 2-310.2 set forth the circumstances under which the board must issue a limited license to practice audiology, hearing aid dispensing, or speech-language pathology to an applicant who will practice only under the supervision of a fully licensed individual or other specified individual. Section 2-314(10) and (11) authorize the board, subject to specified hearing provisions, to discipline an applicant or licensee for the commission of acts of unprofessional conduct or if the individual violates any regulation adopted by the board.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

## **Fiscal Analysis**

There is no material fiscal impact on State or local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The regulations require audiologists, hearing aid dispensers, speech-language pathologists, and speech-language pathology assistants to submit an official transcript as part of their application for licensure in order to prove satisfaction of applicable education requirements. They also require that licensees notify the board within 30 days of any change of name, mailing address, or email address; otherwise, the regulations authorize the board to impose a \$100 administrative penalty for failure to notify it of such changes. The State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists advises that the regulations have no impact on State or local governments. The Department of Legislative Services generally concurs, noting that there may be a minimal increase in special fund revenues associated with the collection of administrative penalties for failure to provide updated information to the board within 30 days.

### **Impact on Budget**

There is no impact on the State operating or capital budget.

### **Agency Estimate of Projected Small Business Impact**

The board advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

## **Contact Information**

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