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**By: Senator Hollinger**

Introduced and read first time: January 31, 1997

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 11, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **State Board of Examiners for Audiologists, Hearing Aid Dispensers, and**  
3 **Speech-Language Pathologists - Regulatory Authority**

4 FOR the purpose of altering certain requirements for an individual to qualify for a license  
5 to practice audiology; authorizing holders of certain limited licenses to practice in  
6 certain settings under the supervision of specified individuals; authorizing the  
7 issuance of certain limited licenses to an individual who has previously been issued  
8 a limited license; authorizing licensed speech-language pathologists to delegate  
9 certain duties to an assistant under certain circumstances; requiring the Board to  
10 adopt certain regulations; prohibiting hearing aid dispensers from violating certain  
11 consumer protection laws; and generally relating to the regulatory authority of the  
12 State Board of Examiners for Audiologists, Hearing Aid Dispensers, and  
13 Speech-Language Pathologists.

14 BY repealing and reenacting, with amendments,  
15 Article - Health Occupations  
16 Section 2-302, 2-310, 2-310.1, 2-310.2, and 2-406  
17 Annotated Code of Maryland  
18 (1994 Replacement Volume and 1996 Supplement)

19 BY adding to  
20 Article - Health Occupations  
21 Section 2-319  
22 Annotated Code of Maryland  
23 (1994 Replacement Volume and 1996 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

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1           **Article - Health Occupations**

2 2-302.

3           (a) To qualify for a license to practice audiology, an applicant shall be an  
4 individual who meets the requirements of this section.

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

6           (c) The applicant shall:

7                   (1) (I) Hold a master's degree or its equivalent in audiology from an  
8 educational institution which incorporates the academic course work and the minimum  
9 hours of supervised training required by the regulations adopted by the Board; and

10                   [(2)] (II) Have completed the period of supervised postgraduate  
11 professional practice in audiology as specified by the regulations adopted by the Board;  
12 OR

13                   (2) HOLD A DOCTORAL DEGREE IN AUDIOLOGY FROM AN  
14 EDUCATIONAL INSTITUTION WHICH INCORPORATES THE ACADEMIC COURSE WORK  
15 AND THE MINIMUM HOURS OF SUPERVISED TRAINING REQUIRED BY THE  
16 REGULATIONS ADOPTED BY THE BOARD OR ITS EQUIVALENT.

17           (d) Except as otherwise provided in this title, the applicant shall pass an  
18 examination given or approved by the Board under this subtitle.

19 2-310.

20           (a) Subject to the provisions of this section, the Board shall issue a limited license  
21 to practice audiology to an applicant who:

22                   (1) Except for the examination and supervised postgraduate professional  
23 practice in audiology, meets the license requirements under § 2-302 of this subtitle;

24                   (2) Demonstrates to the satisfaction of the Board that for the term of the  
25 limited license the applicant will practice audiology only under the supervision of an  
26 individual described under subsection (b)(2) of this section;

27                   (3) Submits an application to the Board on the form that the Board  
28 requires; and

29                   (4) Pays to the Board the application fee set by the Board.

30           (b) (1) The purpose of a limited license is to permit an individual to practice  
31 audiology while completing the licensing requirements of this title.

32                   (2) While it is effective, a limited license authorizes the licensee to practice  
33 audiology under the supervision of:

34                           (i) A fully licensed audiologist; or

35                           (ii) [An] IF THE INDIVIDUAL IS EMPLOYED IN A SETTING IN  
36 WHICH LICENSURE IS NOT REQUIRED AS PROVIDED UNDER § 2-301(B)(1)(I) OF THIS

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1 SUBTITLE, AN individual who holds [a certificate of clinical competence] NATIONAL  
2 CERTIFICATION in audiology from:

3 1. The American Speech-Language and Hearing Association;  
4 or

5 2. Any other organization acceptable to the Board.

6 (c) A limited license expires on the first anniversary of its effective date.

7 (d) The Board may renew the limited license once for an additional 1-year term,  
8 if the holder:

9 (1) Otherwise meets the requirements of this section;

10 (2) Submits a renewal application to the Board on the form that the Board  
11 requires; and

12 (3) Pays to the Board a limited license renewal fee set by the Board.

13 2-310.1.

14 (a) Subject to the provisions of this section, the Board shall issue a limited license  
15 to provide hearing aid services to an individual who is waiting to take a licensing  
16 examination under this subtitle.

17 (b) The Board may issue a limited license to provide hearing aid services only to  
18 an individual who:

19 (1) [Has not been issued a limited license before;]

20 [(2)] Except for taking and passing an examination under this subtitle,  
21 otherwise qualifies for a license;

22 [(3)] (2) Submits to the Board an application on the form that the Board  
23 provides;

24 [(4)] (3) Satisfies the Board that the individual will provide hearing aid  
25 services only within the scope allowed under subsection (c) of this section; and

26 [(5)] (4) Pays to the Board the application fee set by the Board.

27 (c) While a limited license to provide hearing aid services is in effect, it authorizes  
28 the holder to provide hearing aid services only while being trained under the supervision  
29 of a licensed hearing aid dispenser.

30 (d) A limited license to provide hearing aid services expires on the first  
31 anniversary of its effective date.

32 (e) [(1)] Subject to the provisions of this subsection, the Board may renew once  
33 for an additional 1-year term the limited license to provide hearing aid services of an  
34 individual who:

35 (1) (i) [1.] Takes but fails to pass the examination; or

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1 (II) [2.] Does not take the examination for a reason that the Board  
2 finds adequate to excuse the failure to take the examination;

3 (2) [(ii)] Submits to the Board a renewal application on the form that the  
4 Board provides; and

5 (3) [(iii)] Pays to the Board the renewal fee set by the Board.

6 (F) [(2)] The total amount of time during which an individual may provide  
7 hearing aid services under a limited license OR LICENSES may not be more than 2 years.

8 2-310.2.

9 (a) Subject to the provisions of this section, the Board shall issue a limited license  
10 to practice speech-language pathology to an applicant who:

11 (1) Except for the examination and supervised postgraduate professional  
12 practice in speech-language pathology, meets the license requirements under § 2-302.2 of  
13 this subtitle;

14 (2) Demonstrates to the satisfaction of the Board that for the term of the  
15 limited license the applicant will practice only under the supervision of an individual  
16 described under subsection (b)(2) of this section;

17 (3) Submits an application to the Board on the form that the Board  
18 requires; and

19 (4) Pays to the Board the application fee set by the Board.

20 (b) (1) The purpose of a limited license to practice speech-language pathology  
21 is to permit an individual to practice speech-language pathology while completing the  
22 licensing requirements of this title.

23 (2) While it is effective, a limited license to practice speech-language  
24 pathology authorizes the licensee to practice speech-language pathology under the  
25 supervision of:

26 (i) A fully licensed speech-language pathologist; or

27 (ii) [An] IF THE INDIVIDUAL IS EMPLOYED IN A SETTING IN  
28 WHICH LICENSURE IS NOT REQUIRED AS PROVIDED UNDER § 2-301(B)(1)(I) AND (III)  
29 OF THIS SUBTITLE, AN individual who holds [a certificate of clinical competence]  
30 NATIONAL CERTIFICATION in speech-language pathology from:

31 1. The American Speech-Language and Hearing Association;

32 or

33 2. Any other organization acceptable to the Board.

34 (c) A limited license to practice speech-language pathology expires on the first  
35 anniversary of its effective date.

36 (d) The Board may renew the limited license to practice speech-language  
37 pathology once for an additional 1-year term, if the holder:

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- 1 (1) Otherwise meets the requirements of this section;
- 2 (2) Submits a renewal application to the Board on the form that the Board  
3 requires; and
- 4 (3) Pays to the Board a limited license renewal fee set by the Board.

5 2-319.

6 (A) A LICENSED SPEECH-LANGUAGE PATHOLOGIST MAY DELEGATE DUTIES  
7 TO AN ASSISTANT IF THE ASSIGNED DUTIES DO NOT REQUIRE THE PROFESSIONAL  
8 SKILL AND JUDGMENT OF A LICENSED SPEECH-LANGUAGE PATHOLOGIST.

9 (B) THE BOARD SHALL ADOPT REGULATIONS TO ESTABLISH  
10 QUALIFICATIONS FOR THE POSITION OF A SPEECH-LANGUAGE PATHOLOGIST  
11 ASSISTANT.

12 2-406.

13 While [practicing audiology] PROVIDING HEARING AID SERVICES AS AN  
14 AUDIOLOGIST OR A HEARING AID DISPENSER, a person may not:

15 (1) Engage in an unfair or deceptive trade practice, as defined in § 13-301  
16 of the Commercial Law Article; or

17 (2) Violate any provision of Title 14, Subtitle 25 of the Commercial Law  
18 Article.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 1997.