

HOUSE BILL 114

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SB 662/97 - EEA

1998 Regular Session  
8r1009

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By: **Delegate Morhaim**

Introduced and read first time: January 16, 1998

Assigned to: Environmental Matters

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A BILL ENTITLED

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  
5 license to practice audiology; authorizing holders of certain limited licenses to  
6 practice in certain settings under the supervision of specified individuals;  
7 authorizing the issuance of certain limited licenses to an individual who has  
8 previously been issued a limited license; authorizing licensed speech-language  
9 pathologists to delegate certain duties to an assistant under certain  
10 circumstances; requiring the Board to adopt certain regulations; prohibiting  
11 hearing aid dispensers from violating certain consumer protection laws; and  
12 generally relating to the regulatory authority of the State Board of Examiners  
13 for Audiologists, Hearing Aid Dispensers, and 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 1997 Supplement)

19 BY adding to  
20 Article - Health Occupations  
21 Section 2-319  
22 Annotated Code of Maryland  
23 (1994 Replacement Volume and 1997 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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**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  
9 minimum hours of supervised training required by the regulations adopted by the  
10 Board; and

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

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

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

20 2-310.

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

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

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

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

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

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

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

- 1 (i) A fully licensed audiologist; or
- 2 (ii) [An] IF THE INDIVIDUAL IS EMPLOYED IN A SETTING IN  
3 WHICH LICENSURE IS NOT REQUIRED AS PROVIDED UNDER § 2-301(B)(1)(I) OF THIS  
4 SUBTITLE, AN individual who holds [a certificate of clinical competence] NATIONAL  
5 CERTIFICATION in audiology from:
- 6 1. The American Speech-Language and Hearing Association;  
7 or
- 8 2. Any other organization acceptable to the Board.
- 9 (c) A limited license expires on the first anniversary of its effective date.
- 10 (d) The Board may renew the limited license once for an additional 1-year  
11 term, if the holder:
- 12 (1) Otherwise meets the requirements of this section;
- 13 (2) Submits a renewal application to the Board on the form that the  
14 Board requires; and
- 15 (3) Pays to the Board a limited license renewal fee set by the Board.
- 16 2-310.1.
- 17 (a) Subject to the provisions of this section, the Board shall issue a limited  
18 license to provide hearing aid services to an individual who is waiting to take a  
19 licensing examination under this subtitle.
- 20 (b) The Board may issue a limited license to provide hearing aid services only  
21 to an individual who:
- 22 (1) [Has not been issued a limited license before;]
- 23 [(2)] Except for taking and passing an examination under this subtitle,  
24 otherwise qualifies for a license;
- 25 [(3)] (2) Submits to the Board an application on the form that the Board  
26 provides;
- 27 [(4)] (3) Satisfies the Board that the individual will provide hearing aid  
28 services only within the scope allowed under subsection (c) of this section; and
- 29 [(5)] (4) Pays to the Board the application fee set by the Board.
- 30 (c) While a limited license to provide hearing aid services is in effect, it  
31 authorizes the holder to provide hearing aid services only while being trained under  
32 the supervision of a licensed hearing aid dispenser.

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

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

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

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

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

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

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

15 2-310.2.

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

18 (1) Except for the examination and supervised postgraduate professional  
19 practice in speech-language pathology, meets the license requirements under §  
20 2-302.2 of this subtitle;

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

24 (3) Submits an application to the Board on the form that the Board  
25 requires; and

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

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

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

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

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

1 OF THIS SUBTITLE, AN individual who holds [a certificate of clinical competence]  
2 NATIONAL CERTIFICATION in speech-language pathology 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 to practice speech-language pathology expires on the first  
7 anniversary of its effective date.

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

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

14 2-319.

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

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

20 2-406.

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

- 23               (1)       Engage in an unfair or deceptive trade practice, as defined in §  
24 13-301 of the Commercial Law Article; or
- 25               (2)       Violate any provision of Title 14, Subtitle 25 of the Commercial Law  
26 Article.

27       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 1998.