
By: **Delegate Morhaim**

Introduced and read first time: January 16, 1998

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 1998

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
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)

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

3 **Article - Health Occupations**

4 2-302.

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

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

8 (c) The applicant shall:

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

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

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

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

22 2-310.

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

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

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

30 (3) Submits an application to the Board on the form that the Board
31 requires; and

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

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

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

3 (i) A fully licensed audiologist; or

4 (ii) [An] IF THE INDIVIDUAL IS EMPLOYED IN A SETTING IN
5 WHICH LICENSURE IS NOT REQUIRED AS PROVIDED UNDER § 2-301(B)(1)(I) OF THIS
6 SUBTITLE, AN individual who holds [a certificate of clinical competence] NATIONAL
7 CERTIFICATION in audiology from:

8 1. The American Speech-Language and Hearing Association;
9 or

10 2. Any other organization acceptable to the Board.

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

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

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

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

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

18 2-310.1.

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

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

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

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

27 [(3)] (2) Submits to the Board an application on the form that the Board
28 provides;

29 [(4)] (3) Satisfies the Board that the individual will provide hearing aid
30 services only within the scope allowed under subsection (c) of this section; and

31 [(5)] (4) Pays to the Board the application fee set by the Board.

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

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

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

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

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

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

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

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

18 2-310.2.

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

21 (1) Except for the examination and supervised postgraduate professional
22 practice in speech-language pathology, meets the license requirements under §
23 2-302.2 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 only under the supervision of an individual
26 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 to practice speech-language
31 pathology is to permit an individual to practice speech-language pathology while
32 completing the licensing requirements of this title.

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

1 (i) A fully licensed speech-language pathologist; 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) AND (III)
 4 OF THIS SUBTITLE, AN individual who holds [a certificate of clinical competence]
 5 NATIONAL CERTIFICATION in speech-language pathology 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 to practice speech-language pathology expires on the first
 10 anniversary of its effective date.

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

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

17 2-319.

18 (A) A LICENSED SPEECH-LANGUAGE PATHOLOGIST MAY DELEGATE DUTIES
 19 TO AN ASSISTANT ~~IF THE ASSIGNED DUTIES DO NOT REQUIRE THE PROFESSIONAL~~
 20 ~~SKILL AND JUDGMENT OF A LICENSED SPEECH LANGUAGE PATHOLOGIST WITHIN~~
 21 THE SCOPE OF PRACTICE AND SUPERVISION GUIDELINES IN THE REGULATIONS
 22 ADOPTED UNDER SUBSECTION (B) OF THIS SECTION.

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

25 2-406.

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

28 (1) Engage in an unfair or deceptive trade practice, as defined in §
 29 13-301 of the Commercial Law Article; or
 30 (2) Violate any provision of Title 14, Subtitle 25 of the Commercial Law
 31 Article.

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

