

SENATE BILL 588

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2003 Regular Session
(3lr2195)

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Health and Government Operations --

Introduced by **Senator Conway**

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 - Membership ~~and Scope of Authority~~**

4 FOR the purpose of ~~specifying that provisions of law regulating audiologists, hearing~~
5 ~~aid dispensers, and speech language pathologists do not limit the right of a~~
6 ~~physician to dispense hearing aids;~~ decreasing the number of Board members to
7 a certain number; providing for the termination of the term of office of certain
8 board members; and generally relating to the composition ~~and scope of authority~~
9 of the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and
10 Speech-Language Pathologists.

11 BY repealing and reenacting, with amendments,
12 Article - Health Occupations
13 Section ~~2-102~~ and 2-202(a)
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2002 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 ~~2-102.~~

5 ~~This title does not:~~

6 ~~(1) Limit the right of an individual to practice a health occupation that~~
7 ~~the individual is authorized to practice under this article;~~

8 ~~(2) Prohibit an individual from practicing any other profession that the~~
9 ~~individual is authorized to practice under the laws of this State; or~~

10 ~~(3) Limit the right of a physician who is authorized to practice medicine~~
11 ~~under the laws of the State to treat the human ear or TO fit OR TO DISPENSE hearing~~
12 ~~aids.~~

13 2-202.

14 (a) (1) The Board consists of [13] 11 members.

15 (2) Of the [13] 11 Board members:

16 (i) 3 shall be licensed audiologists who have at least 5 years' paid
17 work experience in audiology;

18 (ii) 3 shall be licensed speech-language pathologists who have at
19 least 5 years' paid work experience in speech-language pathology;

20 [(iii) 2 shall be physicians who:

21 1. Are licensed to practice medicine in this State; and

22 2. Hold a certificate of qualification from the American
23 Board of Otolaryngology;]

24 [(iv) (III) 2 shall be consumer members, 1 of whom shall be hearing
25 impaired; and

26 [(v) (IV) 3 shall be licensed hearing aid dispensers who have at
27 least 5 years' paid work experience in dispensing hearing aids.

28 [(3) The Governor shall appoint the physician members, with the advice
29 of the Secretary, from a list submitted to the Secretary and the Governor by the
30 Maryland Society of Otolaryngology with the approval of the Medical and Chirurgical
31 Faculty of the State of Maryland. There shall be at least 3 names on the list.]

32 [(4) (3) The Governor shall appoint the speech-language pathologist
33 members, with the advice of the Secretary, from a list submitted to the Secretary and

1 the Governor by the Maryland Speech-Language and Hearing Association. The
2 number of names on the list shall be at least 3 times the number of vacancies.

3 [(5)] (4) (i) Subject to subparagraph (ii) of this paragraph, the
4 Governor shall appoint the audiologist members, with the advice of the Secretary,
5 from a list submitted to the Secretary and the Governor, jointly by the Maryland
6 Academy of Audiology and the Maryland Speech-Language and Hearing Association.
7 The number of names on the list shall be at least 3 times the number of vacancies.

8 (ii) For each audiologist vacancy, the Maryland Academy of
9 Audiology and the Maryland Speech-Language and Hearing Association shall:

10 1. Notify by mail all licensed audiologists in the State of the
11 vacancy to solicit nominations to fill the vacancy; and

12 2. Conduct a balloting process by mail by which every
13 licensed audiologist in the State is eligible to vote on the names of the licensed
14 audiologists to be submitted to the Secretary and the Governor.

15 [(6)] (5) The Governor shall appoint the hearing aid dispenser members,
16 with the advice of the Secretary, from a list submitted to the Secretary and the
17 Governor by the Maryland members of the Hearing Aid Specialist Association of
18 Maryland, District of Columbia, and Delaware. The number of names on the list shall
19 be at least 3 times the number of vacancies.

20 [(7)] (6) (i) The Governor shall appoint the consumer members with
21 the advice of the Secretary and the advice and consent of the Senate.

22 (ii) 1. The Governor shall appoint the hearing impaired
23 consumer member from a list submitted to the Secretary and the Governor by the
24 Governor's Office for Individuals with Disabilities.

25 2. The Governor's Office for Individuals with Disabilities
26 shall solicit nominees from each of the hearing impaired associations in the State.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of office of
28 the members of the State Board of Examiners for Audiologists, Hearing Aid
29 Dispensers, and Speech-Language Pathologists appointed under § 2-202(a)(2)(iii) of
30 the Health Occupations Article, or their successors selected to fill a vacancy, who are
31 in office as of September 30, 2003 shall terminate on October 1, 2003.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
33 effect October 1, 2003.

