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By: **Delegates Hubbard, Hurson, Hammen, Rosenberg, Goldwater, and  
~~Nathan Pulliam~~ Nathan Pulliam, Benson, Boteler, Boutin, Bromwell,  
Costa, Donoghue, Elliott, Hubbard, Kach, Mandel, McDonough,  
Morhaim, Murray, Oaks, Pendergrass, Rudolph, Smigiel, V. Turner, and  
Weldon**

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Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 16, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Examiners for Audiologists, Hearing Aid Dispensers, and**  
3 **Speech-Language Pathologists - Membership Voting Powers**

4 FOR the purpose of ~~decreasing the number of Board members to a certain number~~  
5 limiting the voting power of a certain number of members of the State Board of  
6 Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language  
7 Pathologists; and generally relating to the ~~composition~~ voting powers of  
8 members of the State Board of Examiners for Audiologists, Hearing Aid  
9 Dispensers, and Speech-Language Pathologists.

10 BY repealing and reenacting, with amendments,  
11 Article - Health Occupations  
12 Section 2-202(a)  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume and 2003 Supplement)

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

17 **Article - Health Occupations**

18 2-202.

19 (a) (1) The Board consists of ~~{13}~~{14} members.

1 (2) Of the ~~{13}+~~ Board members:

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

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

6 ~~{(iii) 2 shall be physicians who~~ SHALL BE VOTING MEMBERS OF THE  
7 BOARD, EXCEPT ON PROPOSALS THAT EXPAND OR RESTRICT THE PRACTICE OF  
8 AUDIOLOGY AS DEFINED IN § 2-101(N) OF THIS TITLE OR THAT EXPAND OR RESTRICT  
9 THE PRACTICE OF SPEECH PATHOLOGY AS DEFINED IN § 2-101(O) OF THIS TITLE, AND  
10 WHO:

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

12 2. Hold a certificate of qualification from the American  
13 Board of Otolaryngology;}

14 ~~{(iv)}~~ ~~{(H)}~~ 2 shall be consumer members, 1 of whom shall be hearing  
15 impaired; and

16 ~~{(v)}~~ ~~{(V)}~~ 3 shall be licensed hearing aid dispensers who have at  
17 least 5 years' paid work experience in dispensing hearing aids.

18 ~~{(3)}~~ The Governor shall appoint the physician members, with the advice  
19 of the Secretary, from a list submitted to the Secretary and the Governor by the  
20 Maryland Society of Otolaryngology with the approval of the Medical and Chirurgical  
21 Faculty of the State of Maryland. There shall be at least 3 names on the list.}

22 ~~{(4)}~~ ~~{(3)}~~ The Governor shall appoint the speech-language pathologist  
23 members, with the advice of the Secretary, from a list submitted to the Secretary and  
24 the Governor by the Maryland Speech-Language and Hearing Association. The  
25 number of names on the list shall be at least 3 times the number of vacancies.

26 ~~{(5)}~~ ~~{(4)}~~ (i) Subject to subparagraph (ii) of this paragraph, the  
27 Governor shall appoint the audiologist members, with the advice of the Secretary,  
28 from a list submitted to the Secretary and the Governor, jointly by the Maryland  
29 Academy of Audiology and the Maryland Speech-Language and Hearing Association.  
30 The number of names on the list shall be at least 3 times the number of vacancies.

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

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

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

1           ~~{(6)}~~   ~~(5)~~     The Governor shall appoint the hearing aid dispenser members,  
2 with the advice of the Secretary, from a list submitted to the Secretary and the  
3 Governor by the Maryland members of the Hearing Aid Specialist Association of  
4 Maryland, District of Columbia, and Delaware. The number of names on the list shall  
5 be at least 3 times the number of vacancies.

6           ~~{(7)}~~   ~~(6)~~     (i)       The Governor shall appoint the consumer members with  
7 the advice of the Secretary and the advice and consent of the Senate.

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

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

13     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
14 effect October 1, 2004.