

SENATE BILL 340

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CF HB 326

By: **Senators Conway, Britt, Dyson, Lenett, Pinsky, and Rosapepe**

Introduced and read first time: February 1, 2007

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Audiologists, Hearing Aid Dispensers, and Speech–Language**
3 **Pathologists Act – Revision**

4 FOR the purpose of specifying that certain provisions of law apply to certain
5 individuals who practice audiology, hearing aid dispensing, or speech–language
6 pathology, or assist in the practice of speech–language pathology; specifying
7 that certain provisions of law do not authorize certain licensees to practice
8 medicine, perform surgery, or prescribe pharmaceutical agents; requiring
9 certain members of the State Board of Examiners for Audiologists, Hearing Aid
10 Dispensers, and Speech–Language Pathologists to currently practice in the
11 State; requiring a Board member to be a consumer of services provided by an
12 individual licensed by the Board; repealing the requirement that certain notice
13 and a certain balloting process be given by mail; altering certain qualifications
14 for certain members of the Board; providing that a majority of members
15 currently serving on the Board is a quorum; requiring the Board to appoint an
16 executive director; authorizing the Board to regulate the practice of telehealth
17 communications by audiologists, hearing aid dispensers, and speech–language
18 pathologists; repealing the authority of the Board to inspect facilities used by
19 licensed hearing aid dispensers; requiring the Board to adopt and publish a
20 code of ethics for the assistance of the practice of speech–language pathology;
21 authorizing the Board to require that certain licensed speech–language
22 pathology assistants submit to an examination by a certain health care
23 provider during certain investigations; requiring an individual to be licensed by
24 the Board before assisting in the practice of speech–language pathology;
25 requiring that on or before a certain date, certain individuals hired to practice
26 speech–language pathology or assist in the practice of speech–language

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 pathology by certain schools and educational institutions be licensed;
2 exempting certain individuals employed by certain schools or educational
3 institutions continuously since on or before a certain date from certain licensing
4 requirements; repealing a certain licensure exemption for individuals who fit
5 hearing aids; altering and adding speech–language pathology assistants to the
6 requirements for the authorization to practice without a license for certain
7 audiologists, hearing aid dispensers, and speech–language pathologists who are
8 licensed in another state; requiring that certain applicants demonstrate oral
9 competency; requiring that applicants for a license to practice audiology have
10 certain degrees before or after a certain date; altering certain requirements to
11 qualify for a license to practice hearing aid dispensing after a certain date;
12 repealing the option of an applicant to have the equivalent of a master’s degree
13 to qualify for a license to practice speech–language pathology; requiring certain
14 applicants to meet certain requirements to qualify for a license to assist in the
15 practice of speech–language pathology; establishing the requirements for a
16 license to assist in the practice of speech–language pathology; altering certain
17 requirements for certain licensure examinations; altering the Board’s authority
18 to waive certain requirements for applicants for licenses to practice audiology
19 and speech–language pathology and establishing that the Board may waive
20 certain requirements for applicants for licenses to assist in the practice of
21 speech–language pathology; repealing a certain continuing education
22 requirement for certain individuals who are licensed to practice hearing aid
23 dispensing in a state that does not have certain continuing education
24 requirements; authorizing the Board to grant a waiver for an examination if an
25 applicant holds certain national certification and meets certain practice
26 requirements; repealing a provision that prohibits the Board from imposing a
27 licensing requirement for the practice of hearing aid dispensing that is not
28 required of any other applicant on an individual applying for a waiver of
29 examination; requiring certain licensees to identify themselves by a certain
30 profession and degree earned; repealing the requirement that the Board not
31 require applicants to practice hearing aid dispensing who hold a certain license
32 from another state to satisfy any licensing requirement that is not required for
33 other applicants for the practice of hearing aid dispensing; altering the period
34 of time that the Board has before a license expires to contact a licensee;
35 requiring that the Board contact certain licensees at the last known address
36 provided by a licensee and advise the licensee of certain renewal requirements;
37 altering certain renewal requirements for certain licensees; requiring certain
38 licensees who fail to renew a license within a certain period of time to pay
39 certain fees; authorizing the Board to reinstate a license to assist in the practice
40 of speech–language pathology under certain circumstances; prohibiting the
41 Board from reinstating a speech–language pathology license if the licensee does
42 not apply within a certain period of time unless certain requirements are met;
43 altering certain requirements for issuing a limited license to practice audiology;

1 establishing the terms and renewal requirements for limited licenses to
2 practice audiology, hearing aid dispensing, and speech–language pathology;
3 establishing a limited license to assist in the practice of speech–language
4 pathology; establishing the requirements for a limited license to assist in the
5 practice of speech–language pathology; establishing the term and renewal
6 requirements for a limited license to assist in the practice of speech–language
7 pathology; altering the requirement that the Board keep a record of certain
8 business addresses prohibiting a speech–language pathology assistant from
9 surrendering a license under certain circumstances; authorizing the Board to
10 set conditions on certain agreements with a speech–language pathology
11 assistant who is under investigation or while charges are pending; authorizing
12 the Board to impose certain penalties on speech–language pathology assistants
13 under certain circumstances; altering certain grounds for penalties; repealing a
14 certain exemption that allows a person to sell hearing aids by door–to–door
15 solicitation under certain circumstances; requiring audiologists and hearing aid
16 dispensers who sell hearing aids to provide certain refund information; altering
17 certain monetary penalties; authorizing the Board to issue subpoenas and
18 administer oaths under certain circumstances with the signature of an officer
19 or administrator of the Board; requiring licensees found in violation of certain
20 provisions to pay certain costs; establishing that a certain order of the Board
21 may not be stayed pending review; establishing one rehabilitation committee
22 for audiologists, hearing aid dispensers, speech–language pathologists, and
23 speech–language pathology assistants; requiring the Board to adopt regulations
24 establishing qualifications, scope of practice, and supervision requirements for
25 speech–language pathology assistants; altering terms and practices that certain
26 unlicensed individuals may not use to represent to the public that they are
27 authorized to practice audiology or speech–language pathology, or assists in the
28 practice of speech–language pathology; prohibiting unlicensed individuals from
29 representing to the public that they are authorized to assist in the practice of
30 speech–language pathology; altering the definitions of certain terms; defining
31 certain terms; and generally relating to revisions of the Maryland Audiologist,
32 Hearing Aid Dispensers, and Speech–Language Pathologist Act.

33 BY repealing and reenacting, with amendments,

34 Article – Health Occupations

35 Section 2–101, 2–102, 2–202, 2–204 through 2–205.1, 2–207, 2–301 through
36 2–302.2, 2–304, 2–305, 2–307.1, 2–308 through 2–310.2, 2–311, 2–313
37 through 2–318, 2–319 through 2–402.2, 2–408, and 2–501

38 Annotated Code of Maryland

39 (2005 Replacement Volume and 2006 Supplement)

40 BY repealing and reenacting, without amendments,

41 Article – Health Occupations

1 Section 2–201, 2–203, 2–206, 2–303, 2–306, 2–307, 2–307.2, 2–312, 2–403
 2 through 2–406, and 2–502
 3 Annotated Code of Maryland
 4 (2005 Replacement Volume and 2006 Supplement)

5 BY adding to
 6 Article – Health Occupations
 7 Section 2–302.3, 2–307.3, 2–307.4, 2–310.3, and 2–402.3
 8 Annotated Code of Maryland
 9 (2005 Replacement Volume and 2006 Supplement)

10 BY repealing
 11 Article – Health Occupations
 12 Section 2–318.1 and 2–318.2
 13 Annotated Code of Maryland
 14 (2005 Replacement Volume and 2006 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 2–101.

19 (a) In this title the following words have the meanings indicated.

20 (b) “Audiologist” means an individual who practices audiology.

21 (c) “Board” means the State Board of Examiners for Audiologists, Hearing
 22 Aid Dispensers, and Speech–Language Pathologists.

23 (D) **“DIRECT SUPERVISION” MEANS ON–SITE AND PERSONAL**
 24 **OVERSIGHT BY AN INDIVIDUAL LICENSED UNDER THIS TITLE WHO ASSUMES**
 25 **RESPONSIBILITY FOR ANOTHER INDIVIDUAL’S CONDUCT WHETHER IT IS**
 26 **CONSISTENT OR FAILS TO BE CONSISTENT WITH PROFESSIONAL STANDARDS**
 27 **AND THE PROVISIONS OF THIS TITLE.**

28 [(d) “Fit hearing aids” means:

29 (1) Solely for the purposes of choosing, adapting, or selling hearing
 30 aids or for the use of a member of a health occupation that has a professional concern
 31 about human hearing, to measure human hearing by any means, including the

1 preparation of an audiogram by means of an audiometer and evaluation of the
2 audiogram;

3 (2) To make an impression of a human ear for the purpose of building
4 an ear mold; or

5 (3) To provide advice about the choice or use of a hearing aid by a
6 hearing impaired individual.]

7 (e) "Hearing aid" OR "**HEARING INSTRUMENT**" means:

8 (1) [Any instrument or device that is designed for or represented as
9 being capable of improving or correcting impaired human hearing] **AN FDA**
10 **CLASSIFIED, WEARABLE, OR IMPLANTABLE INSTRUMENT OR DEVICE, THE**
11 **FUNCTION, DESIGN, OR INTENT OF WHICH IS TO AID OR COMPENSATE FOR**
12 **IMPAIRED HUMAN HEARING;** or

13 (2) Any [part or accessory of the instrument or] **OTHER** device
14 **OFFERED TO AID OR COMPENSATE FOR IMPAIRED HUMAN HEARING.**

15 (f) "Hearing aid dispenser" means an individual who [provides] **PRACTICES**
16 hearing aid [services] **DISPENSING.**

17 (g) "**HEARING AID DISPENSER SUPERVISOR**" **MEANS A LICENSED**
18 **HEARING AID DISPENSER OR LICENSED AUDIOLOGIST WHO SUPERVISES A**
19 **LIMITED LICENSEE WHO IS STUDYING HEARING AID DISPENSING FOR THE**
20 **PURPOSE OF BECOMING ELIGIBLE TO SIT FOR THE LICENSURE EXAMINATION.**

21 (h) (1) "**HEARING AID DISPENSING**" **MEANS PERFORMING,**
22 **CONDUCTING, AND INTERPRETING HEARING ASSESSMENT PROCEDURES TO**
23 **DETERMINE THE TYPE AND EXTENT OF HEARING LOSS FOR THE PURPOSE OF:**

24 (i) **FITTING SUITABLE HEARING INSTRUMENTS;**

25 (ii) **SELECTING SUITABLE HEARING INSTRUMENTS;**

26 (iii) **PROGRAMMING A HEARING AID BY SELECTING AND**
27 **DETERMINING THE FREQUENCY RESPONSE, COMPRESSION, OUTPUT, GAIN, OR**
28 **OTHER PARAMETERS OF THE HEARING AID FOR INITIAL WEAR BY AN**

1 **INDIVIDUAL OR ANY REQUIRED ALTERATIONS THROUGHOUT THE USE OF THE**
2 **HEARING AID;**

3 **(IV) MAKING EAR MOLDS OR EAR IMPRESSIONS; AND**

4 **(V) PROVIDING APPROPRIATE COUNSELING.**

5 **(2) “HEARING AID DISPENSING” INCLUDES:**

6 **(I) AN ACT PERTAINING TO THE SELLING, RENTING,**
7 **LEASING, OR DELIVERING OF A HEARING INSTRUMENT; AND**

8 **(II) PROVIDING MAINTENANCE OR REPAIR SERVICES FOR A**
9 **HEARING AID.**

10 **(I) “HEARING AID ESTABLISHMENT” MEANS AN ESTABLISHMENT THAT**
11 **OFFERS, ADVERTISES, OR PERFORMS HEARING AID DISPENSING.**

12 **[(g)] (J) (1) “License” means, unless the context requires otherwise, a**
13 **license issued by the Board to practice audiology, [to provide hearing aid services]**
14 **HEARING AID DISPENSING, or [to practice] speech–language pathology, OR TO**
15 **ASSIST IN THE PRACTICE OF SPEECH–LANGUAGE PATHOLOGY.**

16 **(2) “License” includes, unless the context requires otherwise, a limited**
17 **license.**

18 **[(h)] (K) “Licensed audiologist” means, unless the context requires**
19 **otherwise, an audiologist who is licensed by the Board to practice audiology.**

20 **[(i)] (L) “Licensed hearing aid dispenser” means, unless the context**
21 **requires otherwise, a hearing aid dispenser who is licensed by the Board to [provide**
22 **hearing aid services] PRACTICE HEARING AID DISPENSING.**

23 **[(j)] (M) “Licensed speech–language pathologist” means, unless the context**
24 **requires otherwise, a speech–language pathologist who is licensed by the Board to**
25 **practice speech–language pathology.**

26 **(N) “LICENSED SPEECH–LANGUAGE PATHOLOGY ASSISTANT” MEANS,**
27 **UNLESS THE CONTEXT REQUIRES OTHERWISE, A SPEECH–LANGUAGE**
28 **PATHOLOGY ASSISTANT WHO IS LICENSED BY THE BOARD TO ASSIST A**

1 **LICENSED SPEECH-LANGUAGE PATHOLOGIST IN THE PRACTICE OF**
2 **SPEECH-LANGUAGE PATHOLOGY.**

3 [(k)] (O) “Limited [license to practice audiology] **LICENSE**” means a
4 license issued by the Board **TO PRACTICE AUDIOLOGY, HEARING AID DISPENSING,**
5 **OR SPEECH-LANGUAGE PATHOLOGY, OR TO ASSIST IN THE PRACTICE OF**
6 **SPEECH-LANGUAGE PATHOLOGY, OR TO ASSIST IN THE PRACTICE OF**
7 **SPEECH-LANGUAGE PATHOLOGY** as limited by [§ 2-310] §§ **2-310 THROUGH**
8 **2-310.3** of this title [to practice audiology].

9 (l) “Limited license to practice speech-language pathology” means a license
10 issued by the Board as limited by § 2-310.2 of this title to practice speech-language
11 pathology.

12 (m) “Limited license to provide hearing aid services” means a license issued
13 by the Board to provide hearing aid services as limited in § 2-310.1 of this title.]

14 (P) **“ORAL COMPETENCY” MEANS THE DEMONSTRATION OF GENERAL**
15 **ENGLISH-SPEAKING PROFICIENCY BY RECEIVING A PASSING SCORE ON A**
16 **STANDARDIZED TEST THAT THE BOARD HAS APPROVED BY REGULATION.**

17 [(n)] (Q) (1) “Practice audiology” means [to apply the principles,
18 methods, and procedures of measurement, prediction, evaluation, testing, counseling,
19 consultation, and instruction that relate to the development and disorders of hearing,
20 vestibular functions, and related language and speech disorders, to prevent or modify
21 the disorders or assist individuals in hearing and auditory and related skills for
22 communication.] **THE APPLICATION OF PRINCIPLES, METHODS, AND**
23 **PROCEDURES RELATED TO THE DEVELOPMENT AND DISORDERS OF THE HUMAN**
24 **AUDITORY – VESTIBULAR SYSTEM.**

25 (2) “Practice audiology” includes [the fitting or selling of hearing aids]:

26 (I) **THE DIAGNOSIS, EVALUATION, TREATMENT,**
27 **COUNSELING, AND MANAGEMENT OF:**

28 **1. AUDITORY AND BALANCE FUNCTIONS;**

29 **2. CERUMEN MANAGEMENT;**

1 **3. AN ABNORMAL FUNCTION RELATED TO TINNITUS,**
2 **AUDITORY SENSITIVITY, LANGUAGE, FUNCTION OR PROCESSING OF SPEECH, OR**
3 **OTHER ABERRANT BEHAVIOR RESULTING FROM HEARING LOSS; OR**

4 **4. CONDITIONS RELATED TO DEFICITS IN**
5 **PROCESSING AUDITORY INFORMATION, WHETHER RELATED TO NORMAL OR**
6 **ABNORMAL HEARING, THAT MAY:**

7 **A. IMPAIR AN INDIVIDUAL'S ABILITY TO**
8 **COMMUNICATE, UNDERSTAND SPOKEN LANGUAGE, OR UNDERSTAND AUDITORY**
9 **MESSAGES; OR**

10 **B. INTERFERE WITH AN INDIVIDUAL'S JOB**
11 **PERFORMANCE OR EDUCATION.**

12 **(II) SCREENING FOR DELAYS AND DISORDERS OF SPEECH**
13 **AND LANGUAGE FOR THE PURPOSE OF REFERRAL FOR FURTHER EVALUATION;**

14 **(III) SELECTING, EVALUATING, DISPENSING, AND ASSISTING**
15 **IN THE ADJUSTMENT TO OR DISPENSING AND FITTING OF A HEARING**
16 **INSTRUMENT OR FM SYSTEM;**

17 **(IV) PROGRAMMING, MAPPING, EVALUATING, DISPENSING,**
18 **OR ASSISTING IN THE ADJUSTMENT TO OR DISPENSING AND FITTING OF THE**
19 **HEARING AND SPEECH PROCESSING COMPONENTS OF COCHLEAR IMPLANTS**
20 **AND OTHER IMPLANTABLE HEARING DEVICES; OR**

21 **(V) PROVIDING NEUROPHYSIOLOGIC INTRAOPERATIVE**
22 **MONITORING.**

23 **[(o)] (R) (1) "Practice speech-language pathology" means to apply the**
24 **principles, methods, and procedures [of measurement, prediction, evaluation, testing,**
25 **counseling, consultation, and instruction] that relate to the development [and],**
26 **disorders, AND EFFECTIVENESS of [speech, voice, swallowing, and related language**
27 **and hearing disorders, to prevent or modify the disorders or to assist individuals in**
28 **cognition-language and communication skills.] HUMAN COMMUNICATION,**
29 **SWALLOWING, AND RELATED FUNCTIONS INCLUDING SCREENING,**
30 **CONSULTATION, EVALUATION, ASSESSMENT, DIAGNOSIS, TREATMENT,**
31 **INTERVENTION, MANAGEMENT, COUNSELING, AND FOLLOW-UP SERVICES FOR**

1 **DISORDERS OF SPEECH, LANGUAGE, SWALLOWING, OR OTHER UPPER**
2 **AERODIGESTIVE FUNCTIONS AND COGNITIVE ASPECTS OF COMMUNICATION.**

3 **(2) "PRACTICE SPEECH-LANGUAGE PATHOLOGY" INCLUDES:**

4 **(I) ESTABLISHING AUGMENTATIVE AND ALTERNATIVE**
5 **COMMUNICATION TECHNIQUES AND STRATEGIES, INCLUDING DEVELOPING,**
6 **SELECTING, AND PRESCRIBING SYSTEMS AND DEVICES;**

7 **(II) PROVIDING SERVICES TO INDIVIDUALS WITH HEARING**
8 **LOSS AND THEIR FAMILIES, EXCLUDING AUDIOLOGICAL DIAGNOSTICS AND**
9 **HEARING AID DISPENSING;**

10 **(III) SCREENING THE HEARING OF INDIVIDUALS INCLUDING**
11 **INFANTS FOR THE PURPOSE OF REFERRAL FOR FURTHER EVALUATION;**

12 **(IV) INDEPENDENTLY USING INSTRUMENTATION TO**
13 **OBSERVE, COLLECT DATA, AND MEASURE PARAMETERS OF COMMUNICATION**
14 **AND SWALLOWING;**

15 **(V) SELECTING, FITTING, AND ESTABLISHING EFFECTIVE**
16 **USE OF PROSTHETIC OR ADAPTIVE DEVICES FOR COMMUNICATION,**
17 **SWALLOWING, OR OTHER AERODIGESTIVE FUNCTIONS; AND**

18 **(VI) PROVIDING SERVICES TO MODIFY OR ENHANCE**
19 **COMMUNICATION PERFORMANCE.**

20 [(p) "Provide hearing aid services" means to:

21 (1) Fit hearing aids; or

22 (2) Sell hearing aids at retail.

23 (q)] (S) "Speech-language pathologist" means an individual who practices
24 speech-language pathology.

25 (T) "SPEECH-LANGUAGE PATHOLOGY ASSISTANT" MEANS AN
26 INDIVIDUAL WHO:

1 **(1) MEETS THE MINIMUM QUALIFICATIONS ESTABLISHED BY THE**
2 **BOARD THAT SHALL BE LESS STRINGENT THAN THOSE ESTABLISHED BY THIS**
3 **TITLE TO LICENSE SPEECH–LANGUAGE PATHOLOGISTS;**

4 **(2) DOES NOT WORK INDEPENDENTLY;**

5 **(3) WORKS UNDER THE DIRECT SUPERVISION OF A**
6 **SPEECH–LANGUAGE PATHOLOGIST LICENSED UNDER THIS TITLE.**

7 **(U) “TELEHEALTH” MEANS THE USE OF TELECOMMUNICATIONS AND**
8 **INFORMATION TECHNOLOGIES FOR THE EXCHANGE OF INFORMATION FROM**
9 **ONE SITE TO ANOTHER FOR THE PROVISION OF HEALTH CARE TO AN**
10 **INDIVIDUAL FROM A PROVIDER THROUGH HARDWIRE OR INTERNET**
11 **CONNECTION.**

12 2–102.

13 **(A) THIS TITLE APPLIES TO AN INDIVIDUAL WHO PRACTICES**
14 **AUDIOLOGY, HEARING AID DISPENSING, OR SPEECH–LANGUAGE PATHOLOGY,**
15 **OR ASSISTS IN THE PRACTICE OF SPEECH–LANGUAGE PATHOLOGY IN THE**
16 **STATE.**

17 **(B) This title does not:**

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

20 (2) Prohibit an individual from practicing any other profession that
21 the individual is authorized to practice under the laws of [this] **THE** State; [or]

22 (3) Limit the right of a physician who is authorized to practice
23 medicine under the laws of the State to treat the human ear or fit hearing aids; **OR**

24 **(4) AUTHORIZE A LICENSEE TO PRACTICE MEDICINE, PERFORM**
25 **SURGERY, OR PRESCRIBE PHARMACEUTICAL AGENTS.**

26 2–201.

27 There is a State Board of Examiners for Audiologists, Hearing Aid Dispensers,
28 and Speech–Language Pathologists in the Department.

1 2-202.

2 (a) (1) The Board consists of 13 members.

3 (2) Of the 13 Board members:

4 (i) 3 shall be licensed audiologists who have at least 5 years'
5 paid work experience in audiology **AND ARE CURRENTLY PRACTICING AUDIOLOGY**
6 **IN THE STATE;**

7 (ii) 3 shall be licensed speech-language pathologists who have
8 at least 5 years' paid work experience in speech-language pathology **AND ARE**
9 **CURRENTLY PRACTICING SPEECH-LANGUAGE PATHOLOGY IN THE STATE;**

10 (iii) 2 shall be physicians who shall be voting members of the
11 Board, except on proposals that expand or restrict the practice of audiology as defined
12 in [§ 2-101(n)] § **2-101(Q)** of this title or that expand or restrict the practice of
13 [speech] **SPEECH-LANGUAGE** pathology as defined in [§ 2-101(o)] § **2-101(R)** of this
14 title, and who:

15 1. Are licensed to practice medicine in [this] **THE** State;
16 [and]

17 2. Hold a certificate of qualification from the American
18 Board of Otolaryngology; **AND**

19 **3. ARE CURRENTLY PRACTICING IN THE STATE;**

20 (iv) 2 shall be consumer members, 1 of whom shall be [hearing
21 impaired] **A CONSUMER OF SERVICES PROVIDED BY AN INDIVIDUAL LICENSED BY**
22 **THE BOARD;** and

23 (v) 3 shall be licensed hearing aid dispensers who have at least
24 5 years' paid work experience in dispensing hearing aids **AND ARE CURRENTLY**
25 **PRACTICING HEARING AID DISPENSING IN THE STATE.**

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

1 (4) The Governor shall appoint the speech–language pathologist
2 members, with the advice of the Secretary, from a list submitted to the Secretary and
3 the Governor by the Maryland Speech–Language and Hearing Association. The
4 number of names on the list shall be at least 3 times the number of vacancies.

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

10 (ii) For each audiologist vacancy, the Maryland Academy of
11 Audiology and the Maryland Speech–Language and Hearing Association shall:

12 1. Notify [by mail] all licensed audiologists in the State
13 of the vacancy to solicit nominations to fill the vacancy; and

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

17 (6) (I) The Governor shall appoint the hearing aid dispenser
18 members, with the advice of the Secretary, from a list submitted to the Secretary and
19 the Governor by the Maryland members of the [Hearing Aid Specialist Association of
20 Maryland, District of Columbia, and Delaware] **HEARING SOCIETY OF MARYLAND,
21 WASHINGTON, D.C., AND DELAWARE.**

22 (II) The number of names on the list shall be at least 3 times the
23 number of vacancies.

24 (7) (i) The Governor shall appoint the consumer members with the
25 advice of the Secretary and the advice and consent of the Senate.

26 (ii) 1. The Governor shall appoint the [hearing impaired]
27 consumer member **WHO IS A CONSUMER OF SERVICES PROVIDED BY AN
28 INDIVIDUAL LICENSED BY THE BOARD** from a list submitted to the Secretary and
29 the Governor by the Department of Disabilities.

30 2. The Department of Disabilities shall solicit nominees
31 from [each of the hearing impaired] associations **REPRESENTING HEARING OR
32 COMMUNICATION IMPAIRED INDIVIDUALS** in the State.

1 (b) Each member of the Board:

2 (1) Shall be a resident of this State; but

3 (2) May not be an employee of the Department.

4 (c) The consumer members of the Board:

5 (1) Shall be a member of the general public;

6 (2) May not be or ever have been an audiologist, hearing aid
7 dispenser, [or] speech–language pathologist, **OR SPEECH–LANGUAGE PATHOLOGY**
8 **ASSISTANT**, or in training to become an audiologist, hearing aid dispenser, [or]
9 speech–language pathologist, **OR SPEECH–LANGUAGE PATHOLOGY ASSISTANT**;

10 (3) May not have a household member who is an audiologist, hearing
11 aid dispenser, or speech–language pathologist or in training to become an audiologist,
12 hearing aid dispenser, or speech–language pathologist;

13 (4) May not participate or ever have participated in a commercial or
14 professional field related to audiology, [the provision of hearing aid services]
15 **HEARING AID DISPENSING**, or speech–language pathology;

16 (5) May not have a household member who participates in a
17 commercial or professional field related to audiology, [the provision of hearing aid
18 services] **HEARING AID DISPENSING**, or speech–language pathology; and

19 (6) May not have had within 2 years before appointment a substantial
20 financial interest in a person regulated by the Board.

21 (d) While a member of the Board, a consumer member may not have a
22 substantial financial interest in a person regulated by the Board.

23 (e) Before taking office, each appointee to the Board shall take the oath
24 required by Article I, § 9 of the State Constitution.

25 (f) (1) The term of a member is 4 years.

26 (2) The terms of members are staggered as required by the terms
27 provided for members of the Board on October 1, 1992.

1 (3) At the end of a term, a member continues to serve until a successor
2 is appointed and qualifies.

3 (4) A member who is appointed after a term has begun serves only for
4 the rest of the term and until a successor is appointed and qualifies.

5 (5) A member may not serve more than 2 consecutive full terms.

6 (6) To the extent practicable, the Governor shall fill any vacancy on
7 the Board within 60 days after the date of the vacancy.

8 (g) (1) The Governor may remove a member for incompetence or
9 misconduct.

10 (2) Upon the recommendation of the Secretary, the Governor may
11 remove a member whom the Secretary finds to have been absent from 2 successive
12 Board meetings without adequate reason.

13 (h) A member of the Board may not serve as **AN EMPLOYEE**, an elected
14 [officer] **OFFICER**, or a director of a professional or trade association that has
15 members who are under the authority of the Board.

16 2-203.

17 (a) From among its members, the Board annually shall elect a chairman.

18 (b) The Board shall determine:

19 (1) The manner of election of officers; and

20 (2) The duties of each officer.

21 2-204.

22 (a) A majority of the [full authorized membership of] **MEMBERS**
23 **CURRENTLY SERVING ON** the Board, with at least 1 member of each profession
24 regulated under the provisions of this title being present, is a quorum to do business.

25 (b) The Board shall meet at least once a year, at the times and places that it
26 determines.

1 (c) In accordance with the budget of the Board, each member of the Board is
2 entitled to:

3 (1) Compensation, at a rate determined by the Board, for each day on
4 which the member is engaged in the duties of the member's office; and

5 (2) Reimbursement for expenses at a rate determined by the Board.

6 (d) The Board may employ a staff in accordance with the budget of the
7 Board.

8 **(E) THE BOARD SHALL APPOINT AN EXECUTIVE DIRECTOR WHO:**

9 **(1) SHALL SERVE AT THE PLEASURE OF THE BOARD;**

10 **(2) IS THE EXECUTIVE OFFICER OF THE BOARD; AND**

11 **(3) HAS THE POWERS AND DUTIES ASSIGNED BY THE BOARD.**

12 2-205.

13 (a) In addition to the powers and duties set forth elsewhere in this title, the
14 Board has the following powers and duties:

15 (1) To adopt rules and regulations to carry out the provisions of this
16 title;

17 (2) To adopt and publish codes of ethics for the practices of audiology,
18 [the provision of hearing aid services, and the practice of speech-language pathology]
19 **HEARING AID DISPENSING, AND SPEECH-LANGUAGE PATHOLOGY, AND THE**
20 **ASSISTANCE IN THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY;**

21 (3) To adopt an official seal;

22 (4) To hold hearings and keep records and minutes necessary for the
23 orderly conduct of business;

24 (5) To issue a list annually of the names of all individuals licensed by
25 the Board [to practice audiology, provide hearing aid services, and practice
26 speech-language pathology]; [and]

1 (6) To send any notice that the Board is required to give to a licensee
2 under this title to the last known address given to the Board by the licensee; **AND**

3 **(7) TO ADOPT REGULATIONS GOVERNING THE USE OF**
4 **TELEHEALTH COMMUNICATIONS BY AUDIOLOGISTS, HEARING AID DISPENSERS,**
5 **AND SPEECH-LANGUAGE PATHOLOGISTS.**

6 [(b) The Board shall require, by regulation, periodic calibration of audiometric
7 equipment used by licensed audiologists and hearing aid dispensers.

8 (c) The Board may inspect the facilities used by licensed hearing aid
9 dispensers.]

10 2-205.1.

11 (a) While investigating an allegation against a licensee under this title, the
12 Board may require the licensee to submit to an appropriate examination by a health
13 care provider designated by the Board if the Board has reason to believe that the
14 licensee may cause harm to a person affected by the licensee's practice of audiology,
15 [provision of hearing aid services] **HEARING AID DISPENSING**, or [practice of]
16 speech-language pathology, **OR ASSISTANCE IN THE PRACTICE OF**
17 **SPEECH-LANGUAGE PATHOLOGY.**

18 (b) In return for the privilege given to a licensee to practice audiology, [to
19 provide hearing aid services] **HEARING AID DISPENSING**, or [to practice]
20 speech-language pathology, **OR ASSIST IN THE PRACTICE OF SPEECH-LANGUAGE**
21 **PATHOLOGY** in the State, the licensee is deemed to have:

22 (1) Consented to submit to an examination under this section, if
23 requested by the Board in writing; and

24 (2) Waived any claim of privilege as to the testimony or reports of a
25 health care provider who examines the licensee.

26 (c) The failure or refusal of the licensee to submit to an examination
27 required under subsection (b) of this section is prima facie evidence of the licensee's
28 inability to practice audiology, [to provide hearing aid services] **HEARING AID**
29 **DISPENSING**, or [to practice] speech-language pathology, **OR ASSIST IN THE**
30 **PRACTICE OF SPEECH-LANGUAGE PATHOLOGY** competently, unless the Board
31 finds that the failure or refusal was beyond the control of the licensee.

1 (d) The Board shall pay the cost of any examination made under this section.

2 2-206.

3 (a) There is a State Board of Examiners for Audiologists, Hearing Aid
4 Dispensers, and Speech–Language Pathologists Fund.

5 (b) (1) The Board may set reasonable fees for the issuance and renewal of
6 licenses and its other services.

7 (2) The fees charged shall be set so as to produce funds to approximate
8 the cost of maintaining the Board.

9 (3) Funds to cover the compensation and expenses of the Board
10 members shall be generated by fees set under this section.

11 (c) In accordance with the budget of the Board, the Board may pay expenses
12 incurred in carrying out the provisions of this title.

13 (d) (1) The Board shall pay all funds collected under this title to the
14 Comptroller of the State.

15 (2) The Comptroller shall distribute the fees to the State Board of
16 Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language
17 Pathologists Fund.

18 (e) (1) The Fund shall be used to cover the actual documented direct and
19 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
20 by the provisions of this article.

21 (2) The Fund is a continuing nonlapsing fund, not subject to § 7-302 of
22 the State Finance and Procurement Article.

23 (3) Any unspent portions of the Fund may not be transferred or revert
24 to the General Fund of the State, but shall remain in the Fund to be used for the
25 purposes specified in this article.

26 (4) No other State money may be used to support the Fund.

27 (f) (1) A designee of the Board shall administer the Fund.

28 (2) Moneys in the Fund may be expended only for any lawful purpose
29 authorized under the provisions of this article.

1 (g) The Legislative Auditor shall audit the accounts and transactions of the
2 Fund as provided in § 2-1220 of the State Government Article.

3 2-207.

4 A person shall have [the] immunity from **THE** liability described under § 5-703
5 of the Courts and Judicial Proceedings Article for giving information to the Board or
6 otherwise participating in its activities.

7 2-301.

8 (a) (1) Except as otherwise provided in this title, an individual shall be
9 licensed by the Board before the individual may practice audiology, [provide hearing
10 aid services] **HEARING AID DISPENSING**, or [practice] speech-language pathology,
11 **OR ASSIST IN THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY** in this State.

12 (2) **ON OR AFTER OCTOBER 1, 2007, AN INDIVIDUAL HIRED BY A**
13 **MARYLAND LOCAL PUBLIC SCHOOL SYSTEM, STATE-APPROVED NONPUBLIC**
14 **SCHOOL FOR HANDICAPPED CHILDREN, OR CHARTERED EDUCATIONAL**
15 **INSTITUTION OF THE STATE TO PRACTICE SPEECH-LANGUAGE PATHOLOGY OR**
16 **ASSIST IN THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY, SHALL BE**
17 **LICENSED BY THE BOARD.**

18 (b) (1) This section does not apply:

19 (i) [Unless the individual chooses to apply for a license under
20 this subtitle, to] **TO** an individual employed by any agency of the federal government
21 **PERFORMING THE DUTIES OF THAT EMPLOYMENT;**

22 (ii) [Unless the individual who is practicing audiology chooses to
23 apply for a license under this subtitle, to] **TO** an individual [employed] continuously
24 **EMPLOYED TO PRACTICE AUDIOLOGY** since June 30, 1988 by a county public school
25 system, a State approved nonpublic school for handicapped children, a chartered
26 institution of the State, or the State Department of Education while performing the
27 duties of that employment;

28 (iii) [Unless the individual who is practicing speech-language
29 pathology chooses to apply for a license under this subtitle, to] **TO** an individual
30 employed by a [county] **MARYLAND LOCAL** public school system, State approved
31 nonpublic school for handicapped children, or chartered educational institution of the

1 State or the State Department of Education **TO PRACTICE SPEECH–LANGUAGE**
2 **PATHOLOGY CONTINUOUSLY SINCE ON OR BEFORE SEPTEMBER 30, 2007**, while
3 performing the duties of that employment;

4 (iv) To a student or trainee in audiology or speech–language
5 pathology while pursuing a supervised course of study at an accredited university or
6 college or a recognized training center **WHILE THE STUDENT IS OBTAINING**
7 **CLINICAL PRACTICUM HOURS; OR**

8 (v) To a volunteer while working in free speech and hearing
9 screening programs[; or

10 (vi) To an individual who is fitting hearing aids under:

11 1. An academic curriculum of an accredited institution of
12 higher education; or

13 2. A program conducted by a public, charitable, or
14 nonprofit institution or organization that is supported primarily by voluntary
15 contributions].

16 (2) The Board may allow an audiologist, hearing aid dispenser, [or]
17 speech–language pathologist, **OR SPEECH–LANGUAGE PATHOLOGY ASSISTANT**
18 licensed in another state to practice audiology, [provide hearing aid services]
19 **HEARING AID DISPENSING**, or [practice] speech–language pathology, **OR ASSIST IN**
20 **THE PRACTICE OF SPEECH–LANGUAGE PATHOLOGY** in this State without a license
21 if the audiologist, hearing aid dispenser, [or] speech–language pathologist, **OR**
22 **SPEECH–LANGUAGE PATHOLOGY ASSISTANT**[:

23 (i) Recently has become a resident of this State; and

24 (ii) Has an] **HAS A COMPLETED** application for a license
25 pending before the Board.

26 2–302.

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

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

1 (c) The applicant shall:

2 (1) **ON OR BEFORE SEPTEMBER 30, 2007:**

3 (i) Hold a master's **OR DOCTORAL** degree [or its equivalent] in
4 audiology from an **ACCREDITED** educational institution which incorporates the
5 academic course work and the minimum hours of supervised **CLINICAL** training
6 required by the regulations adopted by the Board; and

7 (ii) Have completed the period of supervised postgraduate
8 professional practice in audiology as specified by the regulations adopted by the Board;
9 [or]

10 (2) [Hold] **ON OR AFTER OCTOBER 1, 2007, HOLD** a doctoral degree
11 in audiology from an **ACCREDITED** educational institution which incorporates the
12 academic course work and the minimum hours of supervised **CLINICAL** training
13 required by the regulations adopted by the Board [or its equivalent]; **OR**

14 (3) **QUALIFY FOR A LICENSE UNDER § 2-305 OF THIS SUBTITLE.**

15 (d) Except as otherwise provided in this title, the applicant shall pass an
16 examination [given or approved by the Board under this subtitle] **IN AUDIOLOGY**
17 **REQUIRED BY THE REGULATIONS ADOPTED BY THE BOARD.**

18 (E) **THE APPLICANT SHALL DEMONSTRATE ORAL COMPETENCY.**

19 2-302.1.

20 (a) [To] **ON OR AFTER JANUARY 1, 2008, TO** qualify for [a] **AN INITIAL**
21 license to [provide hearing aid services] **PRACTICE HEARING AID DISPENSING**, an
22 applicant shall be an individual who meets the requirements of this section.

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

24 (c) The applicant shall [be at least 18 years old]:

25 (1) **BE A GRADUATE OF AN ACCREDITED 2-YEAR**
26 **POSTSECONDARY PROGRAM WITH A DIPLOMA OR DEGREE; AND**

27 (2) **PRIOR TO TAKING THE STATE LICENSING EXAMINATION,**
28 **PROVIDE PROOF OF SUCCESSFUL COMPLETION OF THE INTERNATIONAL**

1 **HEARING SOCIETY CURRICULUM ENTITLED “DISTANCE LEARNING FOR**
2 **PROFESSIONALS IN HEARING HEALTH SCIENCES” OR AN EQUIVALENT COURSE**
3 **APPROVED BY THE BOARD.**

4 [(d) The applicant shall be a high school graduate or the equivalent.

5 (e)] (D) (1) Except as otherwise provided in this subtitle, the applicant
6 shall pass an examination given by the Board under this subtitle.

7 (2) Except for an applicant who holds a valid license to provide
8 hearing aid dispenser services in another state, the applicant shall obtain 6 months
9 training under the supervision of a licensed hearing aid dispenser **OR LICENSED**
10 **AUDIOLOGIST** prior to taking the examination given by the Board.

11 (E) **THE APPLICANT SHALL DEMONSTRATE ORAL COMPETENCY.**

12 2-302.2.

13 (a) To qualify for a license to practice speech–language pathology, an
14 applicant shall be an individual who meets the requirements of this section.

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

16 (c) The applicant shall:

17 (1) Hold a master’s degree [or its equivalent] in the area of
18 speech–language pathology from an educational institution which incorporates the
19 academic course work and the minimum hours of supervised training required by the
20 regulations adopted by the Board; and

21 (2) Have completed the period of supervised postgraduate professional
22 practice in speech–language pathology as specified by the regulations adopted by the
23 Board.

24 (d) Except as otherwise provided in this title, the applicant shall pass an
25 examination [given or approved by the Board under this subtitle] **IN**
26 **SPEECH–LANGUAGE PATHOLOGY AS REQUIRED BY REGULATIONS ADOPTED BY**
27 **THE BOARD.**

28 (E) **THE APPLICANT SHALL DEMONSTRATE ORAL COMPETENCY.**

1 **2-302.3.**

2 (A) TO QUALIFY FOR A LICENSE TO ASSIST IN THE PRACTICE OF
3 SPEECH-LANGUAGE PATHOLOGY, AN APPLICANT SHALL BE AN INDIVIDUAL WHO
4 MEETS THE REQUIREMENTS OF THIS SECTION.

5 (B) THE APPLICANT SHALL:

6 (1) BE OF GOOD MORAL CHARACTER;

7 (2) HOLD A BACCALAUREATE DEGREE IN SPEECH-LANGUAGE
8 PATHOLOGY OR COMMUNICATION SCIENCES AND DISORDERS FROM AN
9 ACCREDITED INSTITUTION OR OTHER DEGREE AS PROVIDED FOR IN
10 REGULATIONS ADOPTED BY THE BOARD;

11 (3) HAVE SUCCESSFULLY COMPLETED THE CLINICAL
12 OBSERVATION HOURS AND SUPERVISED CLINICAL ASSISTING EXPERIENCE
13 HOURS REQUIRED BY THE REGULATIONS ADOPTED BY THE BOARD;

14 (4) AFTER A PERIOD OF SUPERVISED PRACTICE BY A LICENSED
15 SPEECH-LANGUAGE PATHOLOGIST, HAVE SUCCESSFULLY COMPLETED A
16 COMPETENCY SKILLS CHECKLIST AS PROVIDED FOR IN REGULATIONS ADOPTED
17 BY THE BOARD; AND

18 (5) DEMONSTRATE ORAL COMPETENCY.

19 (C) THE BOARD MAY WAIVE ANY OF THE QUALIFICATIONS REQUIRED
20 UNDER THIS SECTION AS PROVIDED FOR IN REGULATIONS ADOPTED BY THE
21 BOARD.

22 **2-303.**

23 To apply for a license, an applicant shall:

24 (1) Submit an application to the Board on the form that the Board
25 requires; and

26 (2) Pay to the Board the application fee set by the Board.

27 **2-304.**

1 (a) An applicant who otherwise qualifies for a license is entitled to be
2 examined as provided in this section.

3 [(b) The Board shall give examinations to applicants at least twice a year, at
4 the times and places that the Board determines.

5 (c)] (B) (1) For the examination of applicants for a license to practice
6 audiology or speech–language pathology, the Board may adopt appropriate
7 examinations given by a professional body in the field of audiology or the field of
8 speech–language pathology.

9 (2) AN EXAMINATION SHALL BE IN WRITING AND CONSIST OF
10 TESTS THAT REQUIRE AN APPLICANT TO DEMONSTRATE THE MINIMUM
11 KNOWLEDGE OF SERVICES AND SUBJECT MATTER RELATED TO THE PRACTICE
12 OF AUDIOLOGY OR SPEECH–LANGUAGE PATHOLOGY THAT WILL ENABLE THE
13 APPLICANT TO PRACTICE AUDIOLOGY OR SPEECH–LANGUAGE PATHOLOGY
14 EFFECTIVELY.

15 [(2)] (3) The Board may supplement any written examination given
16 under this section with an oral examination.

17 [(d)] (C) The Board shall notify each qualified applicant of the time and
18 place of examination.

19 [(e)] (D) [Except as otherwise provided in subsection (h) of this section, the]
20 **THE** Board:

21 (1) [shall] **SHALL** determine the subjects, scope, form, and passing
22 scores for examinations given under this subtitle; **OR**

23 (2) **MAY ADOPT AN EXAMINATION GIVEN BY A NATIONAL BODY.**

24 [(f)] (E) The Board may not limit the number of times an applicant may
25 take an examination required under this subtitle.

26 [(h)] (F) (1) An applicant who otherwise qualifies for a license to
27 [provide hearing aid services] **PRACTICE HEARING AID DISPENSING** is entitled to be
28 examined as provided in this subsection.

1 [(2) The Board shall determine the subjects, scope, and form of and the
2 passing score for examinations given under this subsection.

3 (3)] (2) The examination shall consist of a written part and a
4 practical part **AS REQUIRED BY REGULATIONS BY THE BOARD.**

5 [(4) The written part of the examination shall cover the subjects of:

6 (i) The basic physics of sound;

7 (ii) The human hearing mechanism, including:

8 1. The science of hearing;

9 2. The causes of hearing disorders; and

10 3. The rehabilitation of a hearing impaired individual;

11 (iii) The basic psychology that relates to a hearing impaired
12 individual;

13 (iv) The structure and functions of hearing aids;

14 (v) The theory of masking methodology;

15 (vi) The provisions of this title; and

16 (vii) The availability of social services and other special resources
17 for a hearing impaired individual.

18 (5) The practical part of the examination shall test proficiency in:

19 (i) Pure tone audiometry, including testing and recording of air
20 and bone conduction;

21 (ii) Recorded speech audiometry, including:

22 1. Speech reception;

23 2. Threshold testing; and

24 3. Speech discrimination testing;

- 1 (iii) Masking methodology;
- 2 (iv) Choice and adaptation of hearing aids;
- 3 (v) Testing of hearing aids;
- 4 (vi) Maintenance and basic repair of hearing aids;
- 5 (vii) Taking of ear mold impressions; and
- 6 (viii) Other techniques and procedures that may be required to fit
7 hearing aids.

8 (6) The Board shall use a new examination at least once a year.

9 (7) The Board may buy or rent and maintain any audiometric
10 equipment or facility that is needed to give examinations under this section.]

11 2–305.

12 (a) The Board may waive any of the qualifications required for a license to
13 practice audiology [or speech–language pathology] under this title for an individual
14 who:

15 (1) Is of good moral character;

16 (2) Pays the application fee required by the Board under § 2–303 of
17 this subtitle; and

18 [(3) Holds the certificate of clinical competence in audiology of the
19 American Speech–Language–Hearing Association and meets the practice
20 requirements established by the Board or holds the certificate of clinical competence in
21 speech–language pathology of the American Speech–Language–Hearing Association
22 and meets the practice requirements established by the Board.]

23 **(3) (I) HOLDS OR HAS HELD A NATIONAL CERTIFICATION IN**
24 **AUDIOLOGY FROM AN ORGANIZATION IF THE ORGANIZATION IS RECOGNIZED BY**
25 **THE BOARD AND THE QUALIFICATIONS FOR CERTIFICATION MEET THE**
26 **PRACTICE REQUIREMENTS ESTABLISHED BY THE REGULATIONS ADOPTED BY**
27 **THE BOARD;**

1 **(II) HOLDS A CURRENT LICENSE TO PRACTICE AUDIOLOGY**
2 **IN ANOTHER STATE IF THE BOARD DETERMINES THAT THE STATE HAS**
3 **REQUIREMENTS FOR LICENSURE THAT ARE AT LEAST EQUIVALENT TO THE**
4 **REQUIREMENTS OF THIS STATE AND MEET THE PRACTICE REQUIREMENTS**
5 **ESTABLISHED UNDER REGULATIONS ADOPTED BY THE BOARD; OR**

6 **(III) ON OR BEFORE SEPTEMBER 30, 2007, HOLDS A**
7 **CURRENT LICENSE TO PRACTICE AUDIOLOGY IN THIS OR ANOTHER STATE OR**
8 **PRACTICES AUDIOLOGY UNDER THE AUTHORITY AND SUPERVISION OF AN**
9 **AGENCY OF THE FEDERAL GOVERNMENT OR A BOARD, AGENCY, OR**
10 **DEPARTMENT OF THIS STATE OR ANOTHER STATE IF:**

11 **1. THE INDIVIDUAL HOLDS A MASTER'S DEGREE IN**
12 **AUDIOLOGY FROM AN ACCREDITED EDUCATIONAL PROGRAM;**

13 **2. THE BOARD DETERMINES THAT THE**
14 **REQUIREMENTS FOR PRACTICE ARE AT LEAST EQUIVALENT TO THE**
15 **REQUIREMENTS OF THIS BOARD; AND**

16 **3. THE INDIVIDUAL MEETS OTHER REQUIREMENTS**
17 **ESTABLISHED BY REGULATIONS ADOPTED BY THE BOARD THAT MAY NOT**
18 **INCLUDE A REQUIREMENT FOR A DOCTORAL DEGREE IN AUDIOLOGY.**

19 **(B) THE BOARD MAY WAIVE ANY OF THE QUALIFICATIONS REQUIRED**
20 **FOR A LICENSE TO PRACTICE SPEECH-LANGUAGE PATHOLOGY OR TO ASSIST IN**
21 **THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY UNDER THIS TITLE FOR AN**
22 **INDIVIDUAL WHO:**

23 **(1) IS OF GOOD MORAL CHARACTER;**

24 **(2) PAYS THE APPLICATION FEE REQUIRED BY THE BOARD**
25 **UNDER § 2-303 OF THIS SUBTITLE; AND**

26 **(3) (I) HOLDS OR HAS HELD A NATIONAL CERTIFICATION IN**
27 **SPEECH-LANGUAGE PATHOLOGY OR AS AN ASSISTANT OF SPEECH LANGUAGE**
28 **PATHOLOGY FROM AN ORGANIZATION IF THE ORGANIZATION IS RECOGNIZED BY**
29 **THE BOARD AND THE QUALIFICATIONS FOR CERTIFICATION MEET THE**
30 **PRACTICE REQUIREMENTS ESTABLISHED BY THE REGULATIONS ADOPTED BY**
31 **THE BOARD; OR**

1 **(II) HOLDS A CURRENT LICENSE TO PRACTICE**
 2 **SPEECH-LANGUAGE PATHOLOGY OR TO ASSIST IN THE PRACTICE OF**
 3 **SPEECH-LANGUAGE PATHOLOGY IN ANOTHER STATE THAT THE BOARD**
 4 **DETERMINES HAS REQUIREMENTS FOR LICENSURE AND PRACTICE THAT ARE AT**
 5 **LEAST EQUIVALENT TO THE REQUIREMENTS ESTABLISHED UNDER**
 6 **REGULATIONS ADOPTED BY THE BOARD.**

7 **[(b)] (C)** The Board may waive any examination requirement of this subtitle
 8 for an applicant for a license to practice audiology or speech-language pathology who:

9 (1) Pays the application fee required by the Board under § 2-303 of
 10 this subtitle; and

11 (2) Provides adequate evidence that the applicant:

12 (i) Meets the qualifications otherwise required by this title; and

13 (ii) Became licensed in the other state after meeting in that or
 14 any other state requirements that are at least equivalent to the licensing
 15 requirements of this State.

16 **[(c)] (D)** (1) **[Subject to the provisions of this subsection, the] THE** Board
 17 shall waive the examination requirements of this subtitle for an applicant for a license
 18 to **[provide hearing aid services] PRACTICE HEARING AID DISPENSING** who is
 19 licensed to **[provide hearing aid services] PRACTICE HEARING AID DISPENSING** in
 20 another state.

21 (2) The Board may grant a waiver under this subsection only if the
 22 applicant:

23 (i) Pays the application fee required under § 2-303 of this
 24 subtitle; and

25 (ii) Provides adequate evidence that the applicant:

26 1. Meets the qualifications otherwise required by this
 27 title; **[and]**

28 2. Became licensed in the other state after meeting, in
 29 that or any other state, requirements that are at least equivalent to the licensing
 30 requirements of this State; **AND**

1 **3. MEETS THE PRACTICE REQUIREMENTS**
2 **ESTABLISHED BY THE REGULATIONS ADOPTED BY THE BOARD.**

3 (3) [If licensed in another state that does not have a continuing
4 education requirement equivalent to that contained in § 2-308(h) of this subtitle, an
5 applicant shall, within 6 months after being issued a license in this State, complete a
6 prescribed number of hours of continuing education as determined by the Board, not to
7 exceed 20 hours, so as to obtain an equivalent number of hours as is required for
8 in-State applicants] **THE BOARD MAY GRANT A WAIVER UNDER THIS SUBSECTION**
9 **IF AN APPLICANT HOLDS CURRENT NATIONAL BOARD CERTIFICATION AS A**
10 **HEARING INSTRUMENT SPECIALIST AND MEETS THE PRACTICE REQUIREMENTS**
11 **ESTABLISHED BY REGULATIONS ADOPTED BY THE BOARD.**

12 [(4) Except as provided by this subsection, the Board may not impose
13 on an individual who applies for a waiver of examination any licensing requirement
14 that is not required of any other applicant for a license.]

15 2-306.

16 The Board shall issue a license to any applicant who:

- 17 (1) Meets the requirements of this title; and
18 (2) Pays the license fee set by the Board.

19 2-307.

20 A license to practice audiology authorizes the licensee to practice audiology
21 while the license is effective.

22 2-307.1.

23 A license to [provide hearing aid services] **PRACTICE HEARING AID**
24 **DISPENSING** authorizes the licensee to [provide hearing aid services] **PRACTICE**
25 **HEARING AID DISPENSING** while the license is effective.

26 2-307.2.

27 A license to practice speech-language pathology authorizes the licensee to
28 practice speech-language pathology while the license is effective.

1 **2-307.3.**

2 **A LICENSE TO ASSIST IN THE PRACTICE OF SPEECH-LANGUAGE**
3 **PATHOLOGY AUTHORIZES THE LICENSEE TO ASSIST A SPEECH-LANGUAGE**
4 **PATHOLOGIST IN THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY WHILE**
5 **THE LICENSE IS EFFECTIVE.**

6 **2-307.4.**

7 **A LICENSEE SHALL IDENTIFY AND REPRESENT THEMSELVES BY**
8 **PROFESSION AND DEGREE EARNED.**

9 **2-308.**

10 (a) Except as provided for a limited license in §§ 2-310[, 2-310.1, and
11 2-310.2] **THROUGH 2-310.3** of this subtitle, a license expires on the date set by the
12 Board, unless the license is renewed for an additional term as provided in this section.
13 [A license may not be renewed for a term longer than 2 years.]

14 (b) At least [1 month] **2 MONTHS** before the license expires, the Board shall
15 [send to the licensee, by first-class mail to the last known address given to the Board
16 by the licensee, a renewal notice that states] **CONTACT THE LICENSEE AT THE LAST**
17 **KNOWN ADDRESS PROVIDED BY THE LICENSEE AND ADVISE THE LICENSEE OF:**

18 (1) The date on which the current license expires;

19 (2) The date by which the renewal application must be received by the
20 Board for the renewal to be issued and mailed before the license expires; and

21 (3) The amount of the renewal fee.

22 (c) [Except as otherwise provided in subsection (d) of this section, before]
23 **BEFORE** the license expires, the licensee periodically may renew it for an additional
24 [2-year] term, if the licensee:

25 (1) Otherwise is entitled to be licensed;

26 (2) Pays to the Board a renewal fee set by the Board; and

27 (3) Submits to the Board:

1 (i) A renewal application on the form that the Board requires;
2 [and]

3 (ii) [Except as otherwise provided in subsection (h) of this
4 section, satisfactory evidence] **EVIDENCE** of compliance with any continuing
5 education requirement set under this section for license renewal; **AND**

6 **(III) EVIDENCE THAT EACH AUDIOMETER IN USE HAS BEEN**
7 **CALIBRATED WITHIN 12 MONTHS BEFORE THE DATE THE LICENSE IS RENEWED.**

8 [(d) The Board may waive any education, supervised postgraduate
9 professional practice, or examination requirement of this subtitle for an individual
10 who seeks renewal of a license to practice audiology or speech–language pathology, if
11 the individual prior to July 1, 1991:

12 (1) Was licensed as an audiologist or speech–language pathologist; or

13 (2) Applied for a license to practice audiology or speech–language
14 pathology and subsequently became licensed.

15 (e) **(D)** In addition to any other qualifications and requirements
16 established by the Board, the Board, by rule or regulation, shall establish continuing
17 education requirements as a condition to the renewal of licenses under this section.

18 [(f) **(E)** The Board shall renew the license of each licensee who meets the
19 requirements of this section.

20 [(g) **(F)** [An audiologist, hearing aid dispenser, or speech–language
21 pathologist] **A LICENSEE** has a grace period of 30 days after [the audiologist’s,
22 hearing aid dispenser’s, or speech–language pathologist’s] **A** license expires in which
23 to renew it retroactively, if the [audiologist, hearing aid dispenser, or speech–language
24 pathologist] **LICENSEE**:

25 (1) Otherwise is entitled to have the license renewed; and

26 (2) Pays to the Board the renewal fee and any late fee set by the
27 Board.

28 [(h) (1) The Board may not renew a license to provide hearing aid services
29 unless the licensee within each 2–year term of a license successfully completes at least
30 20 hours of instruction provided through 1 or more courses that the Board approves.

1 (2) For purposes of this paragraph, the Board may only approve a
2 course of instruction that the Board finds to be:

3 (i) Related to providing hearing aid services; and

4 (ii) Taught by a qualified teacher.]

5 2–309.

6 (a) If [an audiologist, hearing aid dispenser, or speech–language pathologist]
7 **A LICENSEE** fails for any reason to renew [the] **A** license [of the audiologist, hearing
8 aid dispenser, or speech–language pathologist] by the end of the 30–day grace period,
9 the Board shall reinstate the license if the [audiologist, hearing aid dispenser, or
10 speech–language pathologist] **LICENSEE**:

11 (1) Applies to the Board for reinstatement of the license within 5 years
12 after the license expires;

13 (2) Meets the renewal requirements of § 2–308 of this subtitle; and

14 (3) Pays to the Board the **RENEWAL FEE AND THE** reinstatement fee
15 set by the Board.

16 (b) The Board may not reinstate the license of an audiologist, hearing aid
17 dispenser, [or] speech–language pathologist, **OR SPEECH–LANGUAGE PATHOLOGY**
18 **ASSISTANT** who fails to apply for reinstatement of the license within 5 years after the
19 license [expires. However, the audiologist, hearing aid dispenser, or speech–language
20 pathologist may become licensed by meeting] **EXPIRES, UNLESS THE AUDIOLOGIST,**
21 **HEARING AID DISPENSER, SPEECH–LANGUAGE PATHOLOGIST, OR**
22 **SPEECH–LANGUAGE PATHOLOGY ASSISTANT:**

23 (1) **MEETS THE REQUIREMENTS OF § 2–305 OF THIS SUBTITLE;**
24 **OR**

25 (2) **MEETS** the current requirements for obtaining a new license
26 under this title including continuing education requirements established by the rules
27 and regulations of the Board.

28 2–310.

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

3 (1) Except for the examination [and] **OR** supervised [postgraduate
4 professional practice in audiology] **CLINICAL TRAINING**, meets the license
5 requirements under § 2–302 of this subtitle;

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

9 (3) Submits an application to the Board on the form that the Board
10 requires; and

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

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

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

16 (i) A fully licensed audiologist; or

17 (ii) If the individual is employed in a setting in which licensure
18 is not required as provided under § 2–301(b)(1)(i) of this subtitle, an individual who
19 holds national certification in audiology from[:

20 1. The American Speech–Language and Hearing
21 Association; or

22 2. Any other] **A PROFESSIONAL** organization acceptable
23 to the Board **AS PROVIDED IN THE REGULATIONS ADOPTED BY THE BOARD.**

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

25 (d) The Board may renew the limited license once for an additional 1–year
26 term, if the holder:

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

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

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

4 **(E) IF A LIMITED LICENSEE FAILS TO RECEIVE A FULL LICENSE WITHIN**
5 **2 YEARS AFTER THE INITIAL LIMITED LICENSE WAS ISSUED, THE INDIVIDUAL**
6 **SHALL WAIT A MINIMUM OF 1 YEAR BEFORE THE INDIVIDUAL MAY APPLY FOR**
7 **ANOTHER LICENSE.**

8 2-310.1.

9 (a) Subject to the provisions of this section, the Board shall issue a limited
10 license to [provide hearing aid services] **PRACTICE HEARING AID DISPENSING** to an
11 individual who is waiting to take a licensing examination under this subtitle.

12 (b) The Board may issue a limited license to [provide hearing aid services]
13 **PRACTICE HEARING AID DISPENSING** only to an individual who:

14 (1) Except for [taking and passing an examination under this subtitle]
15 **COMPLETING THE REQUIREMENTS UNDER § 2-302.1(C)**, otherwise qualifies for a
16 license;

17 (2) Submits to the Board an application on the form that the Board
18 provides;

19 (3) Satisfies the Board that the individual will [provide hearing aid
20 services] **PRACTICE HEARING AID DISPENSING** only within the scope allowed under
21 subsection (c) of this section; and

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

23 (c) While a limited license to [provide hearing aid services] **PRACTICE**
24 **HEARING AID DISPENSING** is in effect, it authorizes the holder to [provide hearing
25 aid services] **PRACTICE HEARING AID DISPENSING** only while being trained under
26 the supervision of a licensed hearing aid dispenser **OR A LICENSED AUDIOLOGIST.**

27 (d) A limited license to [provide hearing aid services] **PRACTICE HEARING**
28 **AID DISPENSING** expires on the first anniversary of its effective date.

1 (e) Subject to the provisions of this subsection, the Board may renew once for
2 an additional 1-year term the limited license to [provide hearing aid services of]
3 **PRACTICE HEARING AID DISPENSING TO** an individual who:

4 (1) (i) Takes but fails to pass the examination; or

5 (ii) Does not take the examination for a reason that the Board
6 finds adequate to excuse the failure to take the examination;

7 (2) Submits to the Board a renewal application on the form that the
8 Board provides; and

9 (3) Pays to the Board the renewal fee set by the Board.

10 (f) The total amount of time during which an individual may [provide
11 hearing aid services] **PRACTICE HEARING AID DISPENSING** under a limited license
12 or licenses may not be more than 2 years.

13 **(G) IF A LIMITED LICENSEE FAILS TO RECEIVE A FULL LICENSE WITHIN**
14 **2 YEARS AFTER THE INITIAL LIMITED LICENSE WAS ISSUED, THE INDIVIDUAL**
15 **SHALL WAIT A MINIMUM OF 1 YEAR BEFORE THE INDIVIDUAL MAY APPLY FOR**
16 **ANOTHER LICENSE.**

17 2-310.2.

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

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

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

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

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

1 (b) (1) The purpose of a limited license to practice speech–language
2 pathology is to permit an individual to practice speech–language pathology while
3 completing the licensing requirements of this title.

4 (2) While it is effective, a limited license to practice speech–language
5 pathology authorizes the licensee to practice speech–language pathology under the
6 supervision of:

7 (i) A fully licensed speech–language pathologist; or

8 (ii) If the individual is employed in a setting in which licensure
9 is not required as provided under § 2–301(b)(1)(i) [and (iii)] of this subtitle, an
10 individual who holds national certification in speech–language pathology from[:

11 1. The American Speech–Language and Hearing
12 Association; or

13 2. Any other] **A PROFESSIONAL** organization acceptable
14 to the Board **AS PROVIDED FOR IN THE REGULATIONS ADOPTED BY THE BOARD.**

15 (c) A limited license to practice speech–language pathology expires on the
16 first anniversary of its effective date.

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

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

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

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

23 **(E) IF A LIMITED LICENSEE FAILS TO RECEIVE A FULL LICENSE WITHIN**
24 **2 YEARS AFTER THE DATE THE INITIAL LIMITED LICENSE WAS ISSUED, THE**
25 **INDIVIDUAL SHALL WAIT A MINIMUM OF 1 YEAR BEFORE THE INDIVIDUAL MAY**
26 **APPLY FOR ANOTHER LICENSE.**

27 **2–310.3.**

1 **(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL**
2 **ISSUE A LIMITED LICENSE TO ASSIST IN THE PRACTICE OF SPEECH-LANGUAGE**
3 **PATHOLOGY TO AN APPLICANT WHO:**

4 **(1) EXCEPT FOR THE CLINICAL OBSERVATION HOURS AND**
5 **SUPERVISED CLINICAL ASSISTING EXPERIENCE HOURS REQUIREMENT, MEETS**
6 **THE LICENSE REQUIREMENTS UNDER § 2-302.3 OF THIS SUBTITLE;**

7 **(2) DEMONSTRATES TO THE SATISFACTION OF THE BOARD THAT**
8 **FOR THE TERM OF THE LIMITED LICENSE THE APPLICANT WILL PRACTICE ONLY**
9 **UNDER THE SUPERVISION OF AN INDIVIDUAL DESCRIBED UNDER SUBSECTION**
10 **(B)(2) OF THIS SECTION;**

11 **(3) SUBMITS AN APPLICATION TO THE BOARD ON THE FORM**
12 **THAT THE BOARD REQUIRES; AND**

13 **(4) PAYS TO THE BOARD AN APPLICATION FEE SET BY THE**
14 **BOARD.**

15 **(B) (1) THE PURPOSE OF A LIMITED LICENSE TO ASSIST IN THE**
16 **PRACTICE OF SPEECH-LANGUAGE PATHOLOGY IS TO PERMIT AN INDIVIDUAL TO**
17 **PRACTICE AS A SPEECH-LANGUAGE PATHOLOGY ASSISTANT WHILE**
18 **COMPLETING THE LICENSING REQUIREMENTS OF THIS TITLE.**

19 **(2) WHILE IT IS EFFECTIVE, A LIMITED LICENSE TO ASSIST IN**
20 **THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY AUTHORIZES THE LICENSEE**
21 **TO ASSIST IN THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY UNDER THE**
22 **DIRECT SUPERVISION OF:**

23 **(I) A FULLY LICENSED SPEECH-LANGUAGE PATHOLOGIST;**
24 **OR**

25 **(II) IF THE INDIVIDUAL IS EMPLOYED IN A SETTING IN**
26 **WHICH LICENSURE IS NOT REQUIRED AS PROVIDED UNDER § 2-301(B)(1)(I) OF**
27 **THIS SUBTITLE, AN INDIVIDUAL WHO HOLDS NATIONAL CERTIFICATION IN**
28 **SPEECH-LANGUAGE PATHOLOGY FROM A PROFESSIONAL ORGANIZATION AS**
29 **PROVIDED FOR IN THE REGULATIONS ADOPTED BY THE BOARD.**

1 **(C) A LIMITED LICENSE TO ASSIST IN THE PRACTICE OF**
2 **SPEECH-LANGUAGE PATHOLOGY EXPIRES ON THE FIRST ANNIVERSARY OF ITS**
3 **EFFECTIVE DATE.**

4 **(D) THE BOARD MAY RENEW A LIMITED LICENSE TO ASSIST IN THE**
5 **PRACTICE OF SPEECH-LANGUAGE PATHOLOGY ONCE FOR AN ADDITIONAL**
6 **1-YEAR TERM, IF THE HOLDER:**

7 **(1) OTHERWISE MEETS THE REQUIREMENTS OF THIS SECTION;**

8 **(2) SUBMITS A RENEWAL APPLICATION TO THE BOARD ON THE**
9 **FORM THAT THE BOARD REQUIRES; AND**

10 **(3) PAYS TO THE BOARD A LIMITED LICENSE RENEWAL FEE SET**
11 **BY THE BOARD.**

12 **(E) IF A LIMITED LICENSEE FAILS TO RECEIVE A FULL LICENSE WITHIN**
13 **2 YEARS, THE INDIVIDUAL SHALL WAIT A MINIMUM OF 1 YEAR BEFORE THE**
14 **INDIVIDUAL MAY APPLY FOR ANOTHER LICENSE.**

15 2-311.

16 (a) Each licensee shall display the license conspicuously in the office or place
17 of employment of the licensee.

18 [(b) (1) The Board shall keep a record of the address of each place where a
19 licensee practices audiology, provides hearing aid services, or practices
20 speech-language pathology.

21 (2) Each licensee shall notify the Board in writing:

22 (i) Of the address of each place where the licensee practices or
23 intends to practice audiology, provide hearing aid services, or practice
24 speech-language pathology; and

25 (ii) Within 30 days after the change, of any change of address.

26 (3) If a licensee has more than one place of business, the licensee shall
27 specify on each notice required under this subsection the place to which the Board
28 should mail its notices and other correspondence to the licensee.]

1 **(B) IF A LICENSEE HAS MORE THAN ONE PLACE OF BUSINESS, THE**
2 **LICENSEE SHALL NOTIFY THE BOARD OF THE ADDRESS THE BOARD MAY USE TO**
3 **SEND NOTICES AND OTHER CORRESPONDENCE.**

4 **(C) A LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF A CHANGE**
5 **OF ADDRESS WITHIN 30 DAYS AFTER THE CHANGE OF ADDRESS.**

6 2-312.

7 (a) (1) The Board shall investigate any alleged violation of this title.

8 (2) The Board may issue subpoenas, administer oaths, and examine
9 witnesses.

10 (b) (1) The Board may sue to enforce any provision of this title by
11 injunction or other appropriate proceeding.

12 (2) An action under this subsection is in addition to and not instead of
13 criminal prosecution under § 2-408 of this title.

14 2-313.

15 (a) Unless the Board agrees to accept the surrender of a license or a limited
16 license, a [licensed audiologist, hearing aid dispenser, or speech-language pathologist
17 or holder of a limited license to practice audiology, provide hearing aid services, or
18 practice speech-language pathology] **LICENSEE OR LIMITED LICENSEE** may not
19 surrender the license or limited license nor may the license lapse by operation of law
20 while the licensee is under investigation or while charges are pending against the
21 licensee.

22 (b) The Board may set conditions on its agreement with [the audiologist,
23 hearing aid dispenser, or speech-language pathologist, or holder of a limited license to
24 practice audiology, provide hearing aid services, or practice speech-language
25 pathology] **A LICENSEE OR LIMITED LICENSEE** under investigation or against whom
26 charges are pending to accept surrender of the license.

27 2-314.

28 Subject to the hearing provisions of § 2-315 of this subtitle, the Board may deny
29 a license or limited license to any applicant, reprimand any licensee or holder of a
30 limited license, place any licensee or holder of a limited license on probation, or
31 suspend or revoke a license or limited license if the applicant, licensee, or holder:

1 (1) Fraudulently or deceptively obtains or attempts to obtain a license
2 or limited license for the applicant, licensee, or holder or for another;

3 (2) Fraudulently or deceptively uses a license or limited license;

4 (3) Commits fraud or deceit in the practice of audiology, [the provision
5 of hearing aid services, or the practice of] **HEARING AID DISPENSING, OR**
6 **speech–language pathology, OR ASSISTANCE OF THE PRACTICE OF**
7 **SPEECH–LANGUAGE PATHOLOGY;**

8 (4) Is convicted of or pleads guilty or nolo contendere to a felony or to a
9 crime involving moral turpitude, whether or not any appeal or other proceeding is
10 pending to have the conviction or plea set aside;

11 (5) Obtains a fee through fraud or misrepresentation;

12 (6) Directly or indirectly employs any unlicensed person or any person
13 whose license or limited license has been suspended;

14 (7) Uses or promotes or causes the use of any misleading, deceiving,
15 improbable, or untruthful advertising matter, promotional literature, testimonial,
16 guarantee, warranty, label, brand, insignia, or other representation;

17 (8) In the practice of audiology, [the providing of hearing aid services,
18 or the practice of] **HEARING AID DISPENSING, OR** speech–language pathology, **OR**
19 **ASSISTANCE OF THE PRACTICE OF SPEECH–LANGUAGE PATHOLOGY:**

20 (i) Falsely represents the use or availability of services or
21 advice of a physician; or

22 (ii) Misrepresents the applicant, licensee, or holder by using the
23 word “doctor” or any similar word, abbreviation, or symbol if the use is not accurate;

24 (9) Permits another person to use the license of the licensee or limited
25 license of the holder;

26 (10) Commits any act of unprofessional conduct in the practice of
27 audiology, [the provision of hearing aid services] **HEARING AID DISPENSING,** or [the
28 practice of] speech–language pathology, **OR THE ASSISTANCE OF THE PRACTICE OF**
29 **SPEECH–LANGUAGE PATHOLOGY;**

- 1 (11) Violates any lawful order given or regulation adopted by the Board;
- 2 (12) Violates any provision of this title;
- 3 (13) Provides professional services while:
- 4 (i) Under the influence of alcohol; or
- 5 (ii) Using any narcotic or controlled dangerous substance, as
6 defined in § 5–101 of the Criminal Law Article, or other drug that is in excess of
7 therapeutic amounts or without valid medical indication;
- 8 (14) Is disciplined by a licensing or disciplinary authority of any other
9 state or country or convicted or disciplined by a court of any state or country for an act
10 that would be grounds for disciplinary action under this section;
- 11 (15) Practices audiology, [provides hearing aid services, or practices]
12 **HEARING AID DISPENSING, OR** speech–language pathology, **OR ASSISTS IN THE**
13 **PRACTICE OF SPEECH–LANGUAGE PATHOLOGY** with an unauthorized person or
14 supervises or aids an unauthorized person in the practice of audiology, [the provision
15 of hearing aid services, or the practice of] **HEARING AID DISPENSING, OR**
16 **speech–language pathology, OR ASSISTANCE OF THE PRACTICE OF**
17 **SPEECH–LANGUAGE PATHOLOGY;**
- 18 (16) [Willfully] **KNOWINGLY** makes or files a false report or record in
19 the practice of audiology, [the provision of hearing aid services, or the practice of]
20 **HEARING AID DISPENSING, OR** speech–language pathology, **OR ASSISTANCE IN THE**
21 **PRACTICE OF SPEECH–LANGUAGE PATHOLOGY;**
- 22 (17) [Willfully] **KNOWINGLY** fails to file or record any report as
23 required by law, willfully impedes or obstructs the filing or recording of the report, or
24 induces another to fail to file or record the report;
- 25 (18) Submits a false statement to collect a fee;
- 26 (19) Is professionally, physically, or mentally incompetent;
- 27 (20) Promotes the sale of devices, appliances, or goods to a patient so as
28 to exploit the patient for financial gain;

1 (21) Behaves immorally in the practice of audiology, [the provision of
2 hearing aid services, or the practice of] **HEARING AID DISPENSING, OR**
3 **speech–language pathology, OR ASSISTANCE OF THE PRACTICE OF SPEECH–**
4 **LANGUAGE PATHOLOGY;**

5 (22) Refuses, withholds from, denies, or discriminates against an
6 individual with regard to the provision of professional services for which the licensee is
7 licensed and qualified to render because the individual is HIV positive; or

8 (23) Pays or agrees to pay any sum to any person for bringing or
9 referring a patient.

10 2–314.1.

11 (a) In this section, “medical examination” means a physical examination of
12 the ear of an individual by an otolaryngologist, otologist, or other physician.

13 (b) (1) Before an audiologist or a hearing aid dispenser sells a hearing aid
14 to an individual, the audiologist or hearing aid dispenser shall determine whether the
15 individual has had a medical examination within the 6 months before the hearing aid
16 service is to be provided.

17 (2) Unless an audiologist or a hearing aid dispenser determines that
18 an individual has had a medical examination within the period set under paragraph
19 (1) of this subsection, the audiologist or hearing aid dispenser:

20 (i) Shall give the individual a written recommendation that the
21 individual obtain a medical examination; and

22 (ii) Except as provided in subsection (c) of this section, may not
23 sell a hearing aid to the individual until the individual provides to the audiologist or
24 the hearing aid dispenser satisfactory written evidence that the individual has had a
25 medical examination within the 6 months before the hearing aid is provided.

26 (c) (1) An audiologist or a hearing aid dispenser may sell a hearing aid to
27 an individual without complying with the requirements of subsection (b)(2)(ii) of this
28 section only if the services are:

29 (i) Limited to replacement of a hearing aid; or

30 (ii) Provided to an individual who:

- 1 1. Is at least 18 years old; and
- 2 2. Before a hearing aid is provided[:
- 3 A. Signs], **SIGNS** a written waiver of the medical
- 4 examination that otherwise is required under subsection (b)(2)(ii) of this section[; and
- 5 B. Is given a copy of the signed waiver by the audiologist
- 6 or hearing aid dispenser].

7 (2) Each audiologist or hearing aid dispenser shall keep a copy of each
8 signed waiver [given to an individual under this subsection].

9 2–314.2.

10 While [providing or offering to provide hearing aid services] **PRACTICING**
11 **AUDIOLOGY OR HEARING AID DISPENSING**, an audiologist or a hearing aid
12 dispenser may not:

13 (1) Advertise a particular model, type, or kind of hearing aid for sale
14 while intending:

15 (i) 1. Not to allow an individual who responds to the
16 advertisement to buy the hearing aid advertised; or

17 2. To dissuade an individual who responds to the
18 advertisement from buying the hearing aid advertised; and

19 (ii) To obtain for a prospective buyer a model, type, or kind of
20 hearing aid that differs from that advertised; or

21 (2) Falsely represent the use or availability of services or advice of a
22 physician for providing hearing aid services.

23 2–314.3.

24 While [providing or offering to provide hearing aid services] **PRACTICING**
25 **HEARING AID DISPENSING**, a hearing aid dispenser may not misrepresent the place
26 of business of the person by use of the word “clinic” or any similar word, abbreviation,
27 or symbol to indicate falsely that a medical service is provided at that place.

28 2–314.4.

1 A person may not [provide hearing aid services] **PRACTICE HEARING AID**
2 **DISPENSING** under a false name.

3 2–314.5.

4 While [providing or offering to provide hearing aid services] **PRACTICING**
5 **AUDIOLOGY OR HEARING AID DISPENSING**, an audiologist or a hearing aid
6 dispenser may not directly or indirectly give or offer to give anything of value to
7 another person who provides professional services to clients, if the thing of value is
8 given to induce the person receiving the thing of value to:

9 (1) Buy a product or service from the person giving the thing of value;

10 (2) Refrain from buying a product or service of a competitor of the
11 person giving the thing of value; or

12 (3) Influence another to:

13 (i) Buy a product or service from the person giving the thing of
14 value; or

15 (ii) Refrain from buying a product or service of a competitor of
16 the person giving the thing of value.

17 2–314.6.

18 (a) Subject to subsection (b) of this section, a person may not sell or attempt
19 to sell a hearing aid to any person by door-to-door solicitation.

20 (b) Subsection (a) of this section does not apply to a solicitation that is made:

21 (1) At the request of the solicited individual; **OR**

22 (2) In response to an inquiry from the solicited individual[]; or

23 (3) On referral of the person making the solicitation to the solicited
24 individual by a third party].

25 2–314.7.

1 While [providing or offering to provide hearing aid services] **PRACTICING**
2 **AUDIOLOGY OR HEARING AID DISPENSING**, a person may not engage in an unfair or
3 deceptive trade practice, as defined in § 13–301 of the Commercial Law Article.

4 2–314.8.

5 Each time an audiologist or a hearing aid dispenser sells a hearing aid to an
6 individual, the audiologist or the hearing aid dispenser shall give the individual a
7 receipt that includes:

8 (1) The name and address of the regular place of business of the
9 audiologist or the hearing aid dispenser;

10 (2) The license number of the audiologist or the hearing aid dispenser;

11 (3) The [specifications] **MAKE, MODEL, AND SERIAL NUMBER** of the
12 hearing aid provided;

13 (4) If the hearing aid is used or reconditioned, a statement that
14 indicates that the hearing aid is used or reconditioned;

15 (5) The amount charged for the hearing aid; [and]

16 (6) **THE TOTAL REFUNDABLE AMOUNT OF THE HEARING AID IF IT**
17 **IS RETURNED WITHIN 30 DAYS AS PROVIDED IN THE HEARING AID SALES ACT,**
18 **TITLE 14, SUBTITLE 25 OF THE COMMERCIAL LAW ARTICLE; AND**

19 [(6)] (7) The signature of the audiologist or the hearing aid
20 dispenser.

21 2–314.9.

22 (a) If after a hearing under § 2–315 of this subtitle, the Board finds that
23 there are grounds under § 2–314 of this subtitle to suspend or revoke a license or to
24 reprimand a licensee or place a licensee on probation, the Board may impose a penalty
25 not exceeding [\$1,000] **\$5,000** in addition to suspending or revoking the license,
26 reprimanding the licensee, or placing the licensee on probation.

27 (b) The Board shall adopt regulations to set standards for the imposition of
28 penalties under this section.

1 (c) The Board shall pay any penalty collected under this section into the
2 General Fund of the State.

3 2-315.

4 (a) Except as otherwise provided in the Administrative Procedure Act, before
5 the Board takes any action under § 2-314 of this subtitle or denies a license or a
6 limited license for any other reason, it shall give the individual against whom the
7 action is contemplated an opportunity for a hearing before the Board.

8 (b) The Board shall give notice and hold the hearing in accordance with the
9 Administrative Procedure Act.

10 (c) Any notice given under this section shall be sent by first-class mail to the
11 last known address given to the Board by the individual.

12 (d) If after due notice the individual against whom the action is
13 contemplated fails or refuses to appear, nevertheless the Board may hear and
14 determine the matter.

15 **(E) OVER THE SIGNATURE OF AN OFFICER OR THE ADMINISTRATOR OF**
16 **THE BOARD, THE BOARD MAY ISSUE A SUBPOENA OR ADMINISTER AN OATH IN**
17 **CONNECTION WITH AN INVESTIGATION, HEARING, OR PROCEEDING BY THE**
18 **BOARD.**

19 **(F) IF, AFTER A HEARING, A LICENSEE IS FOUND IN VIOLATION OF THIS**
20 **TITLE, THE LICENSEE SHALL PAY COSTS OF THE HEARING AS SPECIFIED IN**
21 **REGULATIONS ADOPTED BY THE BOARD.**

22 2-316.

23 (a) Except as provided in this section for an action under § 2-314 of this
24 subtitle, any person aggrieved by a final decision of the Board in a contested case, as
25 defined in the Administrative Procedure Act, may:

26 (1) Appeal that decision to the Board of Review; and

27 (2) Then take any further appeal allowed by the Administrative
28 Procedure Act.

1 (b) (1) Any person aggrieved by a final decision of the Board under §
2 2–314 of this subtitle may not appeal to the Secretary or Board of Review but may
3 take a direct judicial appeal.

4 (2) The appeal shall be made as provided for judicial review of final
5 decisions in the Administrative Procedure Act.

6 (C) **AN ORDER OF THE BOARD MAY NOT BE STAYED PENDING REVIEW.**

7 2–317.

8 (A) If the license of an audiologist, hearing aid dispenser, [or]
9 speech–language pathologist, **OR SPEECH–LANGUAGE PATHOLOGY ASSISTANT** is
10 suspended or revoked under § 2–314 of this subtitle, and it is not reinstated by the
11 Board within 5 years, the Board may not reinstate it.

12 (B) [However, the] **IF A LICENSE MAY NOT BE REINSTATED UNDER**
13 **SUBSECTION (A) OF THIS SECTION, AN** audiologist, hearing aid dispenser, [or]
14 speech–language pathologist, **OR SPEECH–LANGUAGE PATHOLOGY ASSISTANT**
15 [then] may apply for a new license [under] **BY MEETING** the current licensing
16 requirements for obtaining a new license under this title **AND ANY ADDITIONAL**
17 **REQUIREMENTS DETERMINED BY THE BOARD.**

18 2–318.

19 (a) In this section, “[audiologist] rehabilitation committee” means a
20 committee that:

21 (1) Is defined in subsection (b) of this section; and

22 (2) Performs any of the functions listed in subsection (d) of this
23 section.

24 (b) For purposes of this section, [an audiologist] **A** rehabilitation committee
25 is a committee of the Board or a committee of [the Maryland Speech–Language and
26 Hearing Association] **A PROFESSIONAL ASSOCIATION APPROVED BY THE BOARD**
27 that:

28 (1) Is recognized by the Board; and

1 (2) Includes but is not limited to audiologists, **HEARING AID**
2 **DISPENSERS, SPEECH-LANGUAGE PATHOLOGISTS, AND SPEECH-LANGUAGE**
3 **PATHOLOGY ASSISTANTS.**

4 (c) A rehabilitation committee of the Board or recognized by the Board may
5 function:

6 (1) Solely for the Board; or

7 (2) Jointly with a rehabilitation committee representing another
8 Board or Boards.

9 (d) For purposes of this section, [an audiologist] A rehabilitation committee
10 evaluates and provides assistance to any audiologist, **HEARING AID DISPENSER,**
11 **SPEECH-LANGUAGE PATHOLOGIST, OR SPEECH-LANGUAGE PATHOLOGY**
12 **ASSISTANT,** and any other individual regulated by the Board, in need of treatment
13 and rehabilitation for alcoholism, drug abuse, chemical dependency, or other physical,
14 emotional, or mental condition.

15 (e) (1) Except as otherwise provided in this subsection, the proceedings,
16 records, and files of the [audiologist] rehabilitation committee are not discoverable
17 and are not admissible in evidence in any civil action arising out of matters that are
18 being or have been reviewed and evaluated by the [audiologist] rehabilitation
19 committee.

20 (2) Paragraph (1) of this subsection does not apply to any record or
21 document that is considered by the [audiologist] rehabilitation committee and that
22 otherwise would be subject to discovery or introduction into evidence in a civil action.

23 (3) For purposes of this subsection, civil action does not include a
24 proceeding before the Board or judicial review of a proceeding before the Board.

25 (f) A person who acts in good faith and within the scope of jurisdiction of [an
26 audiologist] **THE** rehabilitation committee is not civilly liable for any action as a
27 member of the [audiologist] rehabilitation committee or for giving information to,
28 participating in, or contributing to the function of the [audiologist] rehabilitation
29 committee.

30 [2-318.1.

1 (a) In this section, “speech–language pathologist rehabilitation committee”
2 means a committee that:

3 (1) Is defined in subsection (b) of this section; and

4 (2) Performs any of the functions listed in subsection (d) of this
5 section.

6 (b) For purposes of this section, a speech–language pathologist rehabilitation
7 committee is a committee of the Board or a committee of the Maryland
8 Speech–Language and Hearing Association that:

9 (1) Is recognized by the Board; and

10 (2) Includes but is not limited to speech–language pathologists.

11 (c) A rehabilitation committee of the Board or recognized by the Board may
12 function:

13 (1) Solely for the Board; or

14 (2) Jointly with a rehabilitation committee representing another board
15 or boards.

16 (d) For purposes of this section, a speech–language pathologist rehabilitation
17 committee evaluates and provides assistance to any speech–language pathologist, and
18 any other individual regulated by the Board, in need of treatment and rehabilitation
19 for alcoholism, drug abuse, chemical dependency, or other physical, emotional, or
20 mental condition.

21 (e) (1) Except as otherwise provided in this subsection, the proceedings,
22 records, and files of the speech–language pathologist rehabilitation committee are not
23 discoverable and are not admissible in evidence in any civil action arising out of
24 matters that are being or have been reviewed and evaluated by the speech–language
25 pathologist rehabilitation committee.

26 (2) Paragraph (1) of this subsection does not apply to any record or
27 document that is considered by the speech–language pathologist rehabilitation
28 committee and that otherwise would be subject to discovery or introduction into
29 evidence in a civil action.

30 (3) For purposes of this subsection, civil action does not include a
31 proceeding before the Board or judicial review of a proceeding before the Board.

1 (f) A person who acts in good faith and within the scope of jurisdiction of a
2 speech–language pathologist rehabilitation committee is not civilly liable for any
3 action as a member of the speech–language pathologist rehabilitation committee or for
4 giving information to, participating in, or contributing to the function of the
5 speech–language pathologist rehabilitation committee.]

6 [2–318.2.

7 (a) In this section, “hearing aid dispenser rehabilitation committee” means a
8 committee that:

9 (1) Is defined in subsection (b) of this section; and

10 (2) Performs any of the functions listed in subsection (d) of this
11 section.

12 (b) For purposes of this section, a hearing aid dispenser rehabilitation
13 committee is a committee of the Board or a committee of the Maryland members of the
14 Hearing Aid Specialist Association of Maryland, District of Columbia, and Delaware
15 that:

16 (1) Is recognized by the Board; and

17 (2) Includes but is not limited to hearing aid dispensers.

18 (c) A rehabilitation committee of the Board or recognized by the Board may
19 function:

20 (1) Solely for the Board; or

21 (2) Jointly with a rehabilitation committee representing another board
22 or boards.

23 (d) For purposes of this section, a hearing aid dispenser rehabilitation
24 committee evaluates and provides assistance to any hearing aid dispenser, and any
25 other individual regulated by the Board, in need of treatment and rehabilitation for
26 alcoholism, drug abuse, chemical dependency, or other physical, emotional, or mental
27 condition.

28 (e) (1) Except as otherwise provided in this subsection, the proceedings,
29 records, and files of the hearing aid dispenser rehabilitation committee are not

1 discoverable and are not admissible in evidence in any civil action arising out of
2 matters that are being or have been reviewed and evaluated by the hearing aid
3 dispenser rehabilitation committee.

4 (2) Paragraph (1) of this subsection does not apply to any record or
5 document that is considered by the hearing aid dispenser rehabilitation committee
6 and that otherwise would be subject to discovery or introduction into evidence in a
7 civil action.

8 (3) For purposes of this subsection, civil action does not include a
9 proceeding before the Board or judicial review of a proceeding before the Board.

10 (f) A person who acts in good faith and within the scope of jurisdiction of a
11 hearing aid dispenser rehabilitation committee is not civilly liable for any action as a
12 member of the hearing aid dispenser rehabilitation committee or for giving
13 information to, participating in, or contributing to the function of the hearing aid
14 dispenser rehabilitation committee.]

15 2–319.

16 (a) A licensed speech–language pathologist may delegate duties to an
17 assistant within the scope of practice and supervision guidelines in the regulations
18 adopted under subsection (b) of this section.

19 (b) The Board shall adopt regulations to establish qualifications **AND SCOPE**
20 **OF PRACTICE** for the position of a speech–language [pathologist] **PATHOLOGY**
21 **assistant AND THE REQUIREMENTS FOR THE SUPERVISION OF A**
22 **SPEECH–LANGUAGE PATHOLOGY ASSISTANT BY A SUPERVISOR OF A**
23 **SPEECH–LANGUAGE PATHOLOGY ASSISTANT.**

24 2–401.

25 (a) Except as otherwise provided in this title, a person may not practice,
26 attempt to practice, or offer to practice audiology, [provide hearing aid services]
27 **HEARING AID DISPENSING**, or [practice] speech–language pathology, **OR ASSIST IN**
28 **THE PRACTICE OF SPEECH–LANGUAGE PATHOLOGY** in this State unless licensed
29 **BY THE BOARD** to practice audiology, [provide hearing aid services] **HEARING AID**
30 **DISPENSING**, or [practice] speech–language pathology, **OR ASSIST IN THE PRACTICE**
31 **OF SPEECH–LANGUAGE PATHOLOGY** [by the Board].

32 (b) A person may not use or attempt to use a license or a limited license that
33 has been purchased, fraudulently obtained, counterfeited, or materially altered.

1 2-402.

2 (a) Unless authorized to practice audiology under this title **OR UNLESS**
3 **OTHERWISE PROVIDED FOR IN THIS ARTICLE**, a person may not represent to the
4 public by title, by description of services, methods, or procedures, or otherwise that the
5 person:

6 (1) Is authorized to practice audiology in this State; or

7 (2) Evaluates, examines, directs, instructs, or counsels individuals
8 suffering from disorders or conditions that affect hearing **AND BALANCE** or assists
9 those individuals in the perception of sound.

10 (b) Unless authorized to practice audiology under this title **OR UNLESS**
11 **OTHERWISE PROVIDED FOR IN THIS ARTICLE**, a person may not use, with the
12 intent to represent that the person practices audiology, [any of the following] words or
13 terms, **INCLUDING**:

14 (1) "Audiological";

15 (2) "Audiologist";

16 (3) "Audiology";

17 **(4) "AURAL REHABILITATION";**

18 ~~[(4)]~~ **(5)** "Hearing clinic";

19 ~~[(5)]~~ **(6)** "Hearing clinician"; **OR**

20 ~~[(6)]~~ "Hearing or aural rehabilitation"; or]

21 (7) "Hearing specialist".

22 (c) While performing the duties of that employment, an individual employed
23 by any agency of the federal government[, county public school system, State approved
24 nonpublic school for handicapped children, chartered educational institution of this
25 State, or the State Department of Education] may use any of the titles listed in
26 subsection (b) of this section.

1 2-402.1.

2 Unless authorized under this title to [provide hearing aid services] **PRACTICE**
3 **HEARING AID DISPENSING OR UNLESS OTHERWISE PROVIDED FOR IN THIS**
4 **ARTICLE**, a person may not represent to the public, by use of a title, including
5 “licensed hearing aid dispenser”, by description of services, methods, or procedures, or
6 otherwise, that the person is authorized to [provide hearing aid services] **PRACTICE**
7 **HEARING AID DISPENSING** in the State.

8 2-402.2.

9 (a) Unless authorized to practice speech–language pathology under this title
10 **OR UNLESS OTHERWISE PROVIDED FOR UNDER THIS ARTICLE**, a person may not
11 represent to the public by title, by description of services, methods, or procedures, or
12 otherwise that the person:

13 (1) Is authorized to practice speech–language pathology in this State;
14 or

15 (2) Evaluates, examines, instructs, or counsels individuals suffering
16 from disorders or conditions that affect speech [and], language, **COMMUNICATION,**
17 **AND SWALLOWING.**

18 (b) Unless authorized to practice speech–language pathology under this title
19 **OR UNLESS OTHERWISE PROVIDED FOR UNDER THIS ARTICLE**, a person may not
20 use any word or term connoting professional proficiency in speech–language
21 pathology, including but not limited to:

22 (1) “Communication disorders”;

23 (2) “Communicologist”;

24 **(3) “DYSPHAGIST”;**

25 [(3)] **(4)** “Language pathologist”;

26 [(4)] **(5)** “Logopedist”;

27 [(5)] **(6)** “Speech and language clinician”;

28 [(6)] **(7)** “Speech and language therapist”;

- 1 [(7)] (8) “Speech clinic”;
- 2 [(8)] (9) “Speech clinician”;
- 3 [(9)] (10) “Speech correction”;
- 4 [(10)] (11) “Speech correctionist”;
- 5 [(11)] (12) “Speech pathology”;
- 6 [(12)] (13) “Speech–language pathology”;
- 7 [(13)] (14) “Speech therapist”; [or]
- 8 [(14)] (15) “Speech therapy”; **OR**
- 9 (16) **“SWALLOWING THERAPIST”**.

10 (c) While performing the duties of that employment, an individual employed
 11 by any agency of the federal government[, county public school system, State approved
 12 nonpublic school for handicapped children, chartered educational institution of this
 13 State, or the State Department of Education] may use any of the titles listed in
 14 subsection (b) of this section.

15 **2-402.3.**

16 (A) **UNLESS AUTHORIZED TO PRACTICE AS A SPEECH–LANGUAGE**
 17 **PATHOLOGY ASSISTANT UNDER THIS TITLE OR UNLESS OTHERWISE PROVIDED**
 18 **FOR UNDER THIS ARTICLE, A PERSON MAY NOT REPRESENT TO THE PUBLIC, BY**
 19 **TITLE, DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR**
 20 **OTHERWISE, THAT THE PERSON:**

21 (1) **IS AUTHORIZED TO PRACTICE AS A SPEECH–LANGUAGE**
 22 **PATHOLOGY ASSISTANT IN THE STATE; OR**

23 (2) **ASSISTS IN THE PRACTICE OF SPEECH–LANGUAGE**
 24 **PATHOLOGY.**

1 **(B) UNLESS AUTHORIZED TO PRACTICE AS A SPEECH-LANGUAGE**
2 **PATHOLOGY ASSISTANT UNDER THIS TITLE OR UNLESS OTHERWISE PROVIDED**
3 **FOR UNDER THIS ARTICLE, A PERSON MAY NOT USE ANY WORD OR TERM**
4 **CONNOTING PROFESSIONAL PROFICIENCY IN ASSISTING THE PRACTICE OF**
5 **SPEECH-LANGUAGE PATHOLOGY, INCLUDING:**

6 (1) **“COMMUNICATION ASSISTANT”;**

7 (2) **“SPEECH ASSISTANT”;**

8 (3) **“SPEECH-LANGUAGE ASSISTANT”;**

9 (4) **“SPEECH-LANGUAGE TEACHER”;** OR

10 (5) **“SPEECH TEACHER”.**

11 2–403.

12 A person may not knowingly make a false, material statement in an application
13 for a license or a limited license or for renewal of a license or a limited license.

14 2–404.

15 A person may not materially alter a license or a limited license with fraudulent
16 intent.

17 2–405.

18 A person may not transfer or offer to transfer a license or a limited license for
19 consideration.

20 2–406.

21 While providing hearing aid services as an audiologist or a hearing aid
22 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
26 Law Article.

1 2-408.

2 A person who violates any provision of this title is guilty of a misdemeanor and
3 on conviction is subject to a fine not exceeding [\$500] **\$5,000** or imprisonment not
4 exceeding [90 days] **3 YEARS** or both.

5 2-501.

6 This title may be cited as the “Maryland [Audiologists, Hearing Aid Dispensers,
7 and Speech–Language Pathologists] **AUDIOLOGY, HEARING AID DISPENSING, AND**
8 **SPEECH–LANGUAGE PATHOLOGY Act**”.

9 2-502.

10 Subject to the evaluation and reestablishment provisions of the Maryland
11 Program Evaluation Act, this title and all rules and regulations adopted under this
12 title shall terminate and be of no effect after July 1, 2016.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2007.