

SB0082/244738/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 82

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Professional Counselors and Therapists**” and substitute “**Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists**”; strike beginning with “establishing” in line 4 down through “Therapists” in line 5 and substitute “renaming the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists to be the State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech–Language Pathologists, and Music Therapists; adding music therapist members to the Board and providing for the appointment of the members”; in line 6, after “ethics;” insert “authorizing the Board to facilitate the dissemination of certain information to certain persons;”; and strike beginning with “providing” in line 9 down through the second “Committee;” in line 14.

On page 2, in line 15, strike “a” and substitute “and altering”; in the same line, strike “title” and substitute “titles”; strike beginning with “providing” in line 15 down through “Act;” in line 16 and substitute “providing for the application of certain provisions of law;”; in line 17, strike “specifying the terms of the initial members of the Committee;”; in line 18, strike “providing for the termination of certain provisions of this Act;” and substitute “requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any cross-references or terminology rendered incorrect by this Act and to describe any corrections made in an editor’s note following the section affected;”; in lines 19 and 20, strike “and the Music Therapist Advisory Committee”; after line 20, insert:

“BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 2–101(a)

(Over)

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BY repealing and reenacting, with amendments,

Article - Health Occupations

Section 2-101(c) and 2-102(a) to be under the amended title “Title 2. Audiologists, Hearing Aid Dispensers, Speech–Language Pathologists, and Music Therapists”; 2-201, 2-202(a), and 2-206(a) and (d)(2) to be under the amended subtitle “Subtitle 2. State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech–Language Pathologists, and Music Therapists”; and 2-501

Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)”;

in line 23, strike “17-6B-01” and substitute “2-4A-01”; in the same line, strike “17-6B-31” and substitute “2-4A-25”; in the same line, strike “6B.” and substitute “4A.”; and strike in their entirety lines 27 through 31, inclusive.

AMENDMENT NO. 2

On page 2, after line 34, insert:

“Title 2. Audiologists, Hearing Aid Dispensers, [and] Speech–Language Pathologists, AND MUSIC THERAPISTS.

2-101.

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

(c) “Board” means the State Board of Examiners for Audiologists, Hearing Aid Dispensers, [and] Speech–Language Pathologists, AND MUSIC THERAPISTS.

2-102.

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(a) This title applies to an individual who practices audiology, hearing aid dispensing, [or] speech–language pathology, **OR MUSIC THERAPY**, or assists in the practice of speech–language pathology in the State.

Subtitle 2. State Board of Examiners for Audiologists, Hearing Aid Dispensers, [and] Speech–Language Pathologists, **AND MUSIC THERAPISTS**.

2–201.

There is a State Board of Examiners for Audiologists, Hearing Aid Dispensers, [and] Speech–Language Pathologists, **AND MUSIC THERAPISTS** in the Department.

2–202.

(a) (1) The Board consists of [13] **15** members.

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

(i) 3 shall be licensed audiologists who have at least 5 years' paid work experience in audiology and are currently practicing audiology in the State;

(ii) 3 shall be licensed speech–language pathologists who have at least 5 years' paid work experience in speech–language pathology and are currently practicing speech–language pathology in the State;

(iii) 2 shall be physicians who shall be voting members of the Board, except on proposals that expand or restrict the practice of audiology as defined in § 2–101(q) of this title or that expand or restrict the practice of speech–language pathology as defined in § 2–101(r) of this title, and who:

1. Are licensed to practice medicine in the State;

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2. Hold a certificate of qualification from the American Board of Otolaryngology; and

3. Are currently practicing in the State;

(iv) 2 shall be consumer members, 1 of whom shall be a consumer of services provided by an individual licensed by the Board; [and]

(v) 3 shall be licensed hearing aid dispensers who have at least 5 years' paid work experience in dispensing hearing aids and are currently practicing hearing aid dispensing in the State; AND

(VI) 2 SHALL BE LICENSED MUSIC THERAPISTS WHO HAVE AT LEAST 5 YEARS' PAID WORK EXPERIENCE IN MUSIC THERAPY AND ARE CURRENTLY PRACTICING MUSIC THERAPY IN THE STATE.

(3) The Governor shall appoint the physician members, with the advice of the Secretary, from a list submitted to the Secretary and the Governor by the Maryland Society of Otolaryngology. There shall be at least 3 names on the list.

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

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

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

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

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

(6) (i) The Governor shall appoint the hearing aid dispenser members, with the advice of the Secretary, from a list submitted to the Secretary and the Governor by the Maryland members of the Hearing Society of Maryland, Washington, D.C., and Delaware.

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

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

(ii) 1. The Governor shall appoint the consumer member who is a consumer of services provided by an individual licensed by the Board from a list submitted to the Secretary and the Governor by the Department of Disabilities.

2. The Department of Disabilities shall solicit nominees from associations representing hearing or communication impaired individuals in the State.

(8) (I) THE GOVERNOR SHALL APPOINT THE MUSIC THERAPIST MEMBERS, WITH THE ADVICE OF THE SECRETARY, FROM A LIST SUBMITTED TO

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THE SECRETARY AND THE GOVERNOR BY THE MARYLAND ASSOCIATION FOR
MUSIC THERAPY.

(II) THE NUMBER OF NAMES ON THE LIST SHALL BE AT LEAST
3 TIMES THE NUMBER OF VACANCIES.

(III) ON OR BEFORE DECEMBER 31, 2021, THE MUSIC
THERAPIST MEMBERS SHALL BE BOARD CERTIFIED MUSIC THERAPISTS, AS
DEFINED IN § 2-4A-01 OF THIS TITLE.

(IV) ON OR AFTER JANUARY 1, 2022, THE MUSIC THERAPIST
MEMBERS SHALL BE LICENSED PROFESSIONAL MUSIC THERAPISTS, AS DEFINED
IN § 2-4A-01 OF THIS TITLE.

2-206.

(a) There is a State Board of Examiners for Audiologists, Hearing Aid
Dispensers, [and] Speech–Language Pathologists, AND MUSIC THERAPISTS Fund.

(d) (2) The Comptroller shall distribute the fees to the State Board of
Examiners for Audiologists, Hearing Aid Dispensers, [and] Speech–Language
Pathologists, AND MUSIC THERAPISTS Fund.”;

in line 35, strike “6B.” and substitute “4A.”; and in line 36, strike “17-6B-01.” and
substitute “2-4A-01.”.

On page 3, strike in their entirety lines 7 and 8; and in lines 9, 22, 24, and 27,
strike “(D)”, “(E)”, “(F)”, and “(G)”, respectively, and substitute “(C)”, “(D)”, “(E)”, and
“(F)”, respectively.

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On page 5, in line 28, strike “**17-6B-02.**” and substitute “**2-4A-02.**”.

On page 6, in lines 18 and 23, strike “**17-6B-03.**” and “**17-6B-04.**”, respectively, and substitute “**2-4A-03.**” and “**2-4A-04.**”, respectively; in line 19, strike “**SHALL ADOPT**”; in line 20, strike “**REGULATIONS**” and substitute “**SHALL ADOPT REGULATIONS**”; in line 21, strike “**AND**”; in line 22, strike “**A**” and substitute “**SHALL ADOPT A**”; and in the same line, after “**THERAPY**” insert “**; AND**”.

(3) MAY FACILITATE THE STATEWIDE DISSEMINATION OF MUSIC THERAPY INFORMATION TO MUSIC THERAPISTS, THE AMERICAN MUSIC THERAPY ASSOCIATION OR ANY SUCCESSOR ORGANIZATION, AND THE CERTIFICATION BOARD FOR MUSIC THERAPISTS OR ANY SUCCESSOR ORGANIZATION”.

On pages 7 through 10, strike in their entirety the lines beginning with line 6 on page 7 through line 4 on page 10, inclusive.

On page 10, in lines 5 and 9, strike “**17-6B-10.**” and “**17-6B-11.**”, respectively, and substitute “**2-4A-05.**” and “**2-4A-06.**”, respectively; and in line 26, after “**EQUIVALENT,**” insert “**INCLUDING CLINICAL TRAINING,**”.

On page 11, strike in their entirety lines 3 through 11, inclusive; in lines 12 and 16, strike “**(4)**” and “**(5)**”, respectively, and substitute “**(3)**” and “**(4)**”, respectively; and in lines 17 and 25, strike “**17-6B-12.**” and “**17-6B-13.**”, respectively, and substitute “**2-4A-07.**” and “**2-4A-08.**”, respectively.

On page 11 in line 24, on page 12 in lines 17 and 27, and on page 17 in line 11, in each instance, strike “**§ 17-501.1**” and substitute “**§ 2-303.1**”.

On page 12, in line 1, strike “**§ 17-6B-12**” and substitute “**§ 2-4A-07**”.

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On page 13, in lines 2 and 5, strike “~~17-6B-14.~~” and “~~17-6B-15.~~”, respectively, and substitute “2-4A-09.” and “2-4A-10.”, respectively.

On page 14, in line 10, strike “~~17-6B-16.~~” and substitute “2-4A-11.”; and in lines 18 and 19 and 27, in each instance, strike “~~§ 17-6B-15~~” and substitute “§ 2-4A-10”.

On page 15, in lines 7 and 8, strike “~~§ 17-6B-11~~” and substitute “§ 2-4A-06”; and in lines 9, 16, and 20, strike “~~17-6B-17.~~”, “~~17-6B-18.~~”, and “~~17-6B-19.~~”, respectively, and substitute “2-4A-12.”, “2-4A-13.”, and “2-4A-14.”, respectively.

On page 15 in line 21, and on page 17 in line 21, in each instance, strike “~~§ 17-6B-21~~” and substitute “§ 2-4A-16”.

On page 16, in line 8, strike “~~§ 17-6B-03(2)~~” and substitute “§ 2-4A-03(2)”.

On page 17, in line 20, strike “~~17-6B-20.~~” and substitute “2-4A-15.”.

On page 17 in line 22, on page 18 in lines 3 and 29 and 30, on page 19 in lines 4 and 5 and 26, and on page 20 in lines 12 and 13, in each instance, strike “~~§ 17-6B-19~~” and substitute “§ 2-4A-14”.

On page 18, in lines 1 and 28, strike “~~17-6B-21.~~” and “~~17-6B-22.~~”, respectively, and substitute “2-4A-16.” and “2-4A-17.”, respectively.

On page 19, in lines 11, 18, and 21, strike “~~17-6B-23.~~”, “~~17-6B-24.~~”, and “~~17-6B-25.~~”, respectively, and substitute “2-4A-18.”, “2-4A-19.”, and “2-4A-20.”, respectively.

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On page 20 in line 12, and on page 22 in line 4, in each instance, strike “§ 17-6B-27” and substitute “§ 2-4A-22”.

On page 20, in line 14, strike “17-6B-26.” and substitute “2-4A-21.”; and in lines 16 and 25, in each instance, strike “COMMITTEE” and substitute “BOARD”.

On page 21, in lines 20, 25, and 32, strike “17-6B-27.”, “17-6B-28.”, and “17-6B-29.”, respectively, and substitute “2-4A-22.”, “2-4A-23.”, and “2-4A-24.”, respectively.

On page 22, in line 7, strike “17-6B-30.” and substitute “2-4A-25.”; strike in their entirety lines 9 through 13, inclusive, and substitute:

“2-501.”

This title may be cited as the “Maryland Audiology, Hearing Aid Dispensing, [and] Speech–Language Pathology, AND MUSIC THERAPY Act”.”;

and strike in their entirety lines 14 through 25, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross–references and terminology rendered incorrect by this Act or by any other Act of the General Assembly of 2021 that affects provisions enacted by the Act. The publisher shall adequately describe any correction that is made in an editor’s note following the section affected.”.