

SENATE BILL 523

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CF HB 600

By: **Senator Lam (By Request – State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists)**

Introduced and read first time: January 22, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Examiners for Audiologists, Hearing Aid Dispensers, and**
3 **Speech–Language Pathologists – Duties, Appointment of Members, and**
4 **Requirements for Licensees**

5 FOR the purpose of altering the definition of “board” for purposes of requiring the State
6 Board of Examiners for Audiologists, Hearing Aid Dispensers, and
7 Speech–Language Pathologists to post a list of certain courses, provide certain
8 information on certain courses at a certain time, and advertise the availability of
9 certain courses; requiring the Board, instead of certain organizations, to submit
10 certain lists to the Secretary of Health and the Governor for the purpose of
11 appointing certain speech–language pathologist and certain audiologist members;
12 requiring the Board to notify licensed speech–language pathologists in the State of
13 a certain vacancy and conduct a certain balloting process for the purpose of filling
14 certain speech–language pathologist member vacancies; requiring the Board, rather
15 than certain organizations, to notify licensed audiologists in the State of a certain
16 vacancy and conduct a certain balloting process for the purpose of filling certain
17 audiologist member vacancies; requiring the Secretary, rather than the Department
18 of Disabilities, to submit a certain list to the Governor for purposes of appointing
19 certain consumer members; repealing the requirement that the Department of
20 Disabilities solicit certain nominees for certain consumer members; authorizing
21 certain organizations or family members to submit certain recommendations to the
22 Secretary for certain consumer member vacancies; authorizing the Board and the
23 Secretary to notify certain organizations or family members of a certain vacancy and
24 solicit certain applications; requiring certain licensees to identify and represent
25 themselves to the public using certain information; requiring certain licensees to
26 include a certain license number on certain documentation; repealing a certain
27 requirement that a certain licensee display a certain license in a certain manner in
28 a certain place; requiring the Board to maintain a certain list of individuals licensed
29 by the Board and make the list available on its website; authorizing an individual to
30 contact the Board to verify a certain license; altering the changes in information with

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 respect to which a licensee is required to notify the Board within a certain period of
 2 time; repealing certain obsolete provisions of law; making technical, stylistic, and
 3 conforming changes; and generally relating to audiologists, hearing aid dispensers,
 4 and speech–language pathologists.

5 BY repealing and reenacting, with amendments,
 6 Article – Health Occupations
 7 Section 1–801, 2–202(a), 2–302.1(a), 2–302.2, 2–305(a) and (b), 2–307.4, and 2–311
 8 Annotated Code of Maryland
 9 (2014 Replacement Volume and 2020 Supplement)

10 BY repealing and reenacting, without amendments,
 11 Article – Health Occupations
 12 Section 1–802
 13 Annotated Code of Maryland
 14 (2014 Replacement Volume and 2020 Supplement)

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

17 **Article – Health Occupations**

18 1–801.

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

20 (b) “Applicant” means an individual who applies for licensure to practice as a
 21 health care professional.

22 (c) “Board” means:

23 **(1) THE STATE BOARD OF EXAMINERS FOR AUDIOLOGISTS,**
 24 **HEARING AID DISPENSERS, AND SPEECH–LANGUAGE PATHOLOGISTS;**

25 **[(1)] (2)** The State Board of Dental Examiners;

26 **[(2)] (3)** The State Board of Nursing;

27 **[(3)] (4)** The State Board of Examiners in Optometry;

28 **[(4)] (5)** The State Board of Pharmacy;

29 **[(5)] (6)** The State Board of Physicians;

30 **[(6)] (7)** The State Board of Podiatric Medical Examiners;

1 **[(7) (8)** The State Board of Professional Counselors and Therapists;

2 **[(8) (9)** The State Board of Examiners of Psychologists; and

3 **[(9) (10)** The State Board of Social Work Examiners.

4 (d) “Health care professional” means:

5 **(1) AN INDIVIDUAL LICENSED BY THE STATE BOARD OF EXAMINERS**
6 **FOR AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH–LANGUAGE**
7 **PATHOLOGISTS;**

8 **[(1) (2)** A dentist licensed by the State Board of Dental Examiners;

9 **[(2) (3)** A registered nurse or licensed practical nurse licensed by the
10 State Board of Nursing;

11 **[(3) (4)** An optometrist licensed by the State Board of Examiners in
12 Optometry;

13 **[(4) (5)** A pharmacist licensed by the State Board of Pharmacy;

14 **[(5) (6)** A physician licensed by the State Board of Physicians;

15 **[(6) (7)** A podiatrist licensed by the State Board of Podiatric Medical
16 Examiners;

17 **[(7) (8)** An individual licensed by the State Board of Professional
18 Counselors and Therapists;

19 **[(8) (9)** A psychologist licensed by the State Board of Examiners of
20 Psychologists; and

21 **[(9) (10)** An associate social worker, a graduate social worker, a certified
22 social worker, or a certified social worker–clinical licensed by the State Board of Social
23 Work Examiners.

24 1–802.

25 (a) (1) The Office of Minority Health and Health Disparities shall provide to
26 each board a list of recommended courses in cultural and linguistic competency, health
27 disparities, and health literacy.

28 (2) The Department, in consultation with the Department of Veterans
29 Affairs, shall provide to each board a list of recommended courses in military culture.

1 (b) Each board shall:

2 (1) Post the list of recommended courses provided to the board under
3 subsection (a) of this section prominently on the board's Web site;

4 (2) Provide information about the recommended courses to health care
5 professionals at the time of renewal of licensure; and

6 (3) Advertise the availability of the recommended courses in newsletters
7 and any other media published by the board.

8 2–202.

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

10 (2) Of the 13 Board members:

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

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

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

20 1. Are licensed to practice medicine in the State;

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

23 3. Are currently practicing in the State;

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

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

29 (3) (I) The Governor shall appoint the physician members, with the
30 advice of the Secretary, from a list submitted to the Secretary and the Governor by the
31 Maryland Society of Otolaryngology.

1 (II) There shall be at least 3 names on the list.

2 (4) (I) The Governor shall appoint the speech–language pathologist
3 members, with the advice of the Secretary, from a list submitted to the Secretary and the
4 Governor by the [Maryland Speech–Language and Hearing Association] **BOARD**.

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

7 (III) **FOR EACH LICENSED SPEECH–LANGUAGE PATHOLOGIST**
8 **VACANCY, THE BOARD SHALL:**

9 1. **NOTIFY ALL LICENSED SPEECH–LANGUAGE**
10 **PATHOLOGISTS IN THE STATE OF THE VACANCY TO SOLICIT NOMINATIONS TO FILL**
11 **THE VACANCY; AND**

12 2. **CONDUCT A BALLOTING PROCESS BY WHICH EVERY**
13 **LICENSED SPEECH–LANGUAGE PATHOLOGIST IN THE STATE IS ELIGIBLE TO VOTE**
14 **ON THE NAMES OF THE LICENSED SPEECH–LANGUAGE PATHOLOGISTS TO BE**
15 **SUBMITTED TO THE SECRETARY AND THE GOVERNOR.**

16 (5) (i) Subject to subparagraph [(ii)] (III) of this paragraph, the
17 Governor shall appoint the audiologist members, with the advice of the Secretary, from a
18 list submitted to the Secretary and the Governor[, jointly by the Maryland Academy of
19 Audiology and the Maryland Speech–Language and Hearing Association] **BY THE BOARD**.

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

22 [(ii)] (III) For each audiologist vacancy, the [Maryland Academy of
23 Audiology and the Maryland Speech–Language and Hearing Association] **BOARD** shall:

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

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

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

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

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

5 **(II) THE BOARD AND THE SECRETARY MAY SOLICIT**
6 **APPLICATIONS FOR CONSUMER MEMBER VACANCIES FROM THE GENERAL PUBLIC.**

7 **[(ii)] (III)** 1. The Governor shall appoint the consumer member
8 who is a consumer of services provided by an individual licensed by the Board from a list
9 submitted **[to] BY** the Secretary **[and the Governor by the Department of Disabilities]**.

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

12 **2. AN ORGANIZATION REPRESENTING PATIENTS OR**
13 **FAMILY MEMBERS OF PATIENTS SERVED BY INDIVIDUALS LICENSED BY THE BOARD**
14 **MAY SUBMIT RECOMMENDATIONS FOR THE CONSUMER BOARD MEMBER APPOINTED**
15 **UNDER THIS SUBPARAGRAPH TO THE SECRETARY.**

16 **3. THE BOARD AND THE SECRETARY MAY NOTIFY**
17 **ORGANIZATIONS REPRESENTING PATIENTS OR FAMILY MEMBERS OF PATIENTS**
18 **SERVED BY INDIVIDUALS LICENSED BY THE BOARD OF A VACANCY FOR THE**
19 **CONSUMER MEMBER APPOINTED UNDER THIS SUBPARAGRAPH.**

20 2–302.1.

21 (a) **[On or after January 1, 2008, to] TO** qualify for an initial license to practice
22 hearing aid dispensing, an applicant shall be an individual who meets the requirements of
23 this section.

24 2–302.2.

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

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

28 (c) The applicant shall:

29 (1) Hold a master’s degree in the area of speech–language pathology from
30 an educational institution which incorporates the academic course work and the minimum
31 hours of supervised training required by the regulations adopted by the Board; **[and]**

1 (2) Have completed the period of supervised postgraduate professional
2 practice in speech–language pathology as specified by the regulations adopted by the
3 Board[.];

4 [(d)] (3) Except as otherwise provided in this title, [the applicant shall] pass an
5 examination in speech–language pathology as required by regulations adopted by the
6 Board[.];

7 [(e)] (4) [The applicant shall demonstrate] **DEMONSTRATE** oral competency[.];
8 **AND**

9 [(f)] (5) [The applicant shall submit] **SUBMIT** to a criminal history records
10 check in accordance with § 2–303.1 of this subtitle.

11 2–305.

12 (a) The Board, **IN ITS DISCRETION**, may waive any of the qualifications required
13 for a license to practice audiology under this title for an individual who:

14 (1) Is of good moral character;

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

17 (3) (i) Holds or has held a national certification in audiology from an
18 organization if the organization is recognized by the Board and the qualifications for
19 certification meet the practice requirements established by the regulations adopted by the
20 Board;

21 (ii) Holds a current license to practice audiology in another state if
22 the Board determines that the state has requirements for licensure that are at least
23 equivalent to the requirements of this State and meet the practice requirements
24 established under regulations adopted by the Board; or

25 (iii) [On or before September 30, 2007, holds] **HOLDS** a current
26 license to practice audiology in this or another state or practices audiology under the
27 authority and supervision of an agency of the federal government or a board, agency, or
28 department of this State or another state if:

29 1. The individual holds a master’s degree in audiology from
30 an accredited educational program;

31 2. The Board determines that the requirements for practice
32 are at least equivalent to the requirements of this Board; and

1 3. The individual meets other requirements established by
2 regulations adopted by the Board that may not include a requirement for a doctoral degree
3 in audiology.

4 (b) The Board, **IN ITS DISCRETION**, may waive any of the qualifications required
5 for a license to practice speech–language pathology or to assist in the practice of
6 speech–language pathology under this title for an individual who:

7 (1) Is of good moral character;

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

10 (3) (i) Holds or has held a national certification in speech–language
11 pathology or as an assistant of speech–language pathology from an organization if the
12 organization is recognized by the Board and the qualifications for certification meet the
13 practice requirements established by the regulations adopted by the Board; or

14 (ii) Holds a current license to practice speech–language pathology or
15 to assist in the practice of speech–language pathology in another state that the Board
16 determines has requirements for licensure and practice that are at least equivalent to the
17 requirements established under regulations adopted by the Board.

18 2–307.4.

19 (A) A licensee shall identify and represent themselves **TO THE PUBLIC** by
20 **[profession and]**:

21 (1) **THE PROFESSION FOR WHICH THE LICENSEE HOLDS A LICENSE;**

22 (2) **THE degree earned TO OBTAIN THE LICENSE; AND**

23 (3) **THE NAME ON THE LICENSE.**

24 (B) **A LICENSEE SHALL INCLUDE THE LICENSEE’S LICENSE NUMBER ON**
25 **WORK–RELATED DOCUMENTATION, INCLUDING:**

26 (1) **WRITTEN CLIENT REPORTS; AND**

27 (2) **IF APPLICABLE, AUDIOGRAMS.**

28 2–311.

29 [(a) Each licensee shall display the license conspicuously in the office or place of
30 employment of the licensee.]

1 **(A) (1) THE BOARD SHALL MAINTAIN AN ELECTRONIC LIST OF EACH**
2 **INDIVIDUAL LICENSED BY THE BOARD.**

3 **(2) THE BOARD SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.**

4 **(3) AN INDIVIDUAL MAY CONTACT THE BOARD TO VERIFY AN**
5 **INDIVIDUAL'S LICENSE.**

6 (b) If a licensee has more than one place of business, the licensee shall notify the
7 Board of the address the Board may use to send notices and other correspondence.

8 (c) A licensee shall notify the Board in writing of a change of **MAILING** address,
9 **E-MAIL ADDRESS, OR PHONE NUMBER** within 30 days after the change [of address].

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2021.