

SECOND REGULAR SESSION

HOUSE BILL NO. 1545

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DIXON.

Read 1st time January 25, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3795L.01I

AN ACT

To repeal sections 345.015, 345.030, and 345.055, RSMo, and to enact in lieu thereof three new sections relating to audiology.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 345.015, 345.030, and 345.055, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 345.015, 345.030, and 345.055, to read as follows:

345.015. As used in sections 345.010 to 345.080, the following terms mean:

(1) "Audiologist", a person who is licensed as an audiologist pursuant to sections 345.010 to 345.080 to practice audiology;

(2) "Audiology aide", a person who is registered as an audiology aide by the board, who does not act independently but works under the direction and supervision of a licensed audiologist. Such person assists the audiologist with activities which require an understanding of audiology but do not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee, be of good moral and ethical character; and:

(a) Be at least eighteen years of age;

(b) Furnish evidence of the person's educational qualifications which shall be at a minimum:

a. Certification of graduation from an accredited high school or its equivalent; and

b. On-the-job training;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (c) Be employed in a setting in which direct and indirect supervision are provided on a
16 regular and systematic basis by a licensed audiologist.

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18 However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or
19 dispense hearing instruments, make ear impressions, make diagnostic statements, determine case
20 selection, present written reports to anyone other than the supervisor without the signature of the
21 supervisor, make referrals to other professionals or agencies, use a title other than
22 speech-language pathology aide or clinical audiology aide, develop or modify treatment plans,
23 discharge clients from treatment or terminate treatment, disclose clinical information, either
24 orally or in writing, to anyone other than the supervising speech-language
25 pathologist/audiologist, or perform any procedure for which he or she is not qualified, has not
26 been adequately trained or both;

27 (3) "Board", the state board of registration for the healing arts;

28 (4) "Clinical fellowship", the supervised professional employment period following
29 completion of the academic and practicum requirements of an accredited training program as
30 defined in sections 345.010 to 345.080;

31 (5) "Commission", the advisory commission for speech-language pathologists and
32 audiologists;

33 (6) "Hearing instrument" or "hearing aid", any wearable device or instrument designed
34 for or offered for the purpose of aiding or compensating for impaired human hearing and any
35 parts, attachments or accessories, including ear molds, but excluding batteries, cords, receivers
36 and repairs;

37 (7) "Person", any individual, organization, or corporate body, except that only
38 individuals may be licensed pursuant to sections 345.010 to 345.080;

39 (8) "Practice of audiology":

40 (a) The application of accepted audiologic principles, methods and procedures for the
41 measurement, testing, interpretation, appraisal and prediction related to disorders of the auditory
42 system, balance system or related structures and systems;

43 (b) Provides consultation, counseling to the patient, client, student, their family or
44 interested parties;

45 (c) Provides academic, social and medical referrals when appropriate;

46 (d) Provides for establishing goals, implementing strategies, methods and techniques,
47 for habilitation, rehabilitation or aural rehabilitation, related to disorders of the auditory system,
48 balance system or related structures and systems;

49 (e) Provides for involvement in related research, teaching or public education;

- 50 (f) Provides for rendering of services or participates in the planning, directing or
51 conducting of programs which are designed to modify audition, communicative, balance or
52 cognitive disorder, which may involve speech and language or education issues;
- 53 (g) Provides and interprets behavioral and neurophysiologic measurements of auditory
54 balance, cognitive processing and related functions, including intraoperative monitoring;
- 55 (h) Provides involvement in any tasks, procedures, acts or practices that are necessary
56 for evaluation of audition, hearing, training in the use of amplification or assistive listening
57 devices;
- 58 (i) Provides selection [and], assessment, **fitting, programming, and dispensing of**
59 **hearing instruments, in accordance with section 346.020, RSMo, assistive listening devices,**
60 **and other amplification systems;**
- 61 (j) Provides for taking impressions of the ear, making custom ear molds, ear plugs, swim
62 molds and industrial noise protectors;
- 63 (k) Provides assessment of external ear and cerumen management;
- 64 (l) Provides advising, fitting, mapping assessment of implantable devices such as
65 cochlear or auditory brain stem devices;
- 66 (m) Provides information in noise control and hearing conservation including education,
67 equipment selection, equipment calibration, site evaluation and employee evaluation;
- 68 (n) Provides performing basic speech-language screening test;
- 69 (o) Provides involvement in social aspects of communication, including challenging
70 behavior and ineffective social skills, lack of communication opportunities;
- 71 (p) Provides support and training of family members and other communication partners
72 for the individual with auditory balance, cognitive and communication disorders;
- 73 (q) Provides aural rehabilitation and related services to individuals with hearing loss and
74 their families;
- 75 (r) Evaluates, collaborates and manages audition problems in the assessment of the
76 central auditory processing disorders and providing intervention for individuals with central
77 auditory processing disorders;
- 78 (s) Develops and manages academic and clinical problems in communication sciences
79 and disorders;
- 80 (t) Conducts, disseminates and applies research in communication sciences and
81 disorders;
- 82 (9) "Practice of speech-language pathology":
- 83 (a) Provides screening, identification, assessment, diagnosis, treatment, intervention,
84 including but not limited to prevention, restoration, amelioration and compensation, and
85 follow-up services for disorders of:

- 86 a. Speech: articulation, fluency, voice, including respiration, phonation and resonance;
87 b. Language, involving the parameters of phonology, morphology, syntax, semantics and
88 pragmatic; and including disorders of receptive and expressive communication in oral, written,
89 graphic and manual modalities;
90 c. Oral, pharyngeal, cervical esophageal and related functions, such as dysphagia,
91 including disorders of swallowing and oral functions for feeding; orofacial myofunctional
92 disorders;
93 d. Cognitive aspects of communication, including communication disability and other
94 functional disabilities associated with cognitive impairment;
95 e. Social aspects of communication, including challenging behavior, ineffective social
96 skills, lack of communication opportunities;
97 (b) Provides consultation and counseling and makes referrals when appropriate;
98 (c) Trains and supports family members and other communication partners of individuals
99 with speech, voice, language, communication and swallowing disabilities;
100 (d) Develops and establishes effective augmentative and alternative communication
101 techniques and strategies, including selecting, prescribing and dispensing of augmentative aids
102 and devices; and the training of individuals, their families and other communication partners in
103 their use;
104 (e) Selects, fits and establishes effective use of appropriate prosthetic/adaptive devices
105 for speaking and swallowing, such as tracheoesophageal valves, electrolarynges, or speaking
106 valves;
107 (f) Uses instrumental technology to diagnose and treat disorders of communication and
108 swallowing, such as videofluoroscopy, nasendoscopy, ultrasonography and stroboscopy;
109 (g) Provides aural rehabilitative and related counseling services to individuals with
110 hearing loss and to their families;
111 (h) Collaborates in the assessment of central auditory processing disorders in cases in
112 which there is evidence of speech, language or other cognitive communication disorders;
113 provides intervention for individuals with central auditory processing disorders;
114 (i) Conducts pure-tone air conduction hearing screening and screening tympanometry
115 for the purpose of the initial identification or referral;
116 (j) Enhances speech and language proficiency and communication effectiveness,
117 including but not limited to accent reduction, collaboration with teachers of English as a second
118 language and improvement of voice, performance and singing;
119 (k) Trains and supervises support personnel;
120 (l) Develops and manages academic and clinical programs in communication sciences
121 and disorders;

- 122 (m) Conducts, disseminates and applies research in communication sciences and
123 disorders;
- 124 (n) Measures outcomes of treatment and conducts continuous evaluation of the
125 effectiveness of practices and programs to improve and maintain quality of services;
- 126 (10) "Speech-language pathologist", a person who is licensed as a speech-language
127 pathologist pursuant to sections 345.010 to 345.080; who engages in the practice of
128 speech-language pathology as defined in sections 345.010 to 345.080;
- 129 (11) "Speech-language pathology aide", a person who is registered as a speech-language
130 aide by the board, who does not act independently but works under the direction and supervision
131 of a licensed speech-language pathologist. Such person assists the speech-language pathologist
132 with activities which require an understanding of speech-language pathology but do not require
133 formal training in the relevant academics. To be eligible for registration by the board, each
134 applicant shall submit a registration fee, be of good moral and ethical character; and:
- 135 (a) Be at least eighteen years of age;
- 136 (b) Furnish evidence of the person's educational qualifications which shall be at a
137 minimum:
- 138 a. Certification of graduation from an accredited high school or its equivalent; and
139 b. On-the-job training;
- 140 (c) Be employed in a setting in which direct and indirect supervision is provided on a
141 regular and systematic basis by a licensed speech-language pathologist. However, the aide shall
142 not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing
143 instruments, make ear impressions, make diagnostic statements, determine case selection, present
144 written reports to anyone other than the supervisor without the signature of the supervisor, make
145 referrals to other professionals or agencies, use a title other than speech-language pathology aide
146 or clinical audiology aide, develop or modify treatment plans, discharge clients from treatment
147 or terminate treatment, disclose clinical information, either orally or in writing, to anyone other
148 than the supervising speech-language pathologist/audiologist, or perform any procedure for
149 which he or she is not qualified, has not been adequately trained or both;
- 150 (12) "Speech-language pathology assistant", a person who is registered as a
151 speech-language pathology assistant by the board, who does not act independently but works
152 under the direction and supervision of a licensed speech-language pathologist and whose
153 activities require both academic and practical training in the field of speech-language pathology
154 although less training than those established by sections 345.010 to 345.080 as necessary for
155 licensing as a speech-language pathologist. To be eligible for registration by the board, each
156 applicant shall submit the registration fee, be of good moral character and furnish evidence of
157 the person's educational qualifications which meet the following:

158 (a) Hold a bachelor's level degree in the field of speech-language pathology from an
159 institution accredited or approved by a regional accrediting body recognized by the United States
160 Department of Education or its equivalent; and

161 (b) Submit official transcripts from one or more accredited colleges or universities
162 presenting evidence of the completion of bachelor's level course work and clinical practicum
163 requirements equivalent to that required or approved by a regional accrediting body recognized
164 by the United States Department of Education or its equivalent.

345.030. 1. The board shall administer, coordinate, and enforce the provisions of
2 sections 345.010 to 345.080, evaluate the qualifications of applicants, supervise the examination
3 of applicants, issue licenses, and shall investigate persons engaging in practices which appear
4 to violate the provisions of sections 345.010 to 345.080.

5 2. The board shall conduct such hearings and keep such records and minutes as shall be
6 necessary to an orderly dispatch of business.

7 3. The board shall adopt reasonable rules and regulations which establish ethical
8 standards of practice, **including standards related to hearing aid dispensing that ensure**
9 **consumer protection equal to that provided under sections 346.007 to 346.250, RSMo,** and
10 may amend or repeal the same.

11 4. Regular meetings of the commission shall be held at such times and places as it
12 prescribes, and special meetings may be held upon the call of the chairperson or by request of
13 at least two other members of the commission, but at least one regular meeting shall be held each
14 year.

15 5. No rule or portion of a rule promulgated pursuant to the authority of sections 345.010
16 to 345.080 shall become effective unless it has been promulgated pursuant to the provisions of
17 chapter 536, RSMo.

345.055. 1. The board shall charge a license or registration renewal fee for each license
2 or registration renewed. Persons possessing the required training and qualifications to be
3 licensed or registered as both a speech-language pathologist and audiologist shall receive both
4 licenses, which for the purposes of this section shall be considered as a single license or
5 certificate. Duplicate licenses or certificates shall be issued without additional charge to persons
6 practicing in more than one location. Persons who allow their licenses to lapse shall submit a
7 reinstatement fee, and if the license has lapsed for more than a three-year period, the board may
8 require reexamination.

9 2. The fees prescribed by section 345.051 and this section shall be exclusive, and
10 notwithstanding any other provision of law, no municipality may require any person licensed
11 pursuant to the provisions of sections 345.010 to 345.080 to furnish any bond, pass any
12 examination, or pay any license fee or occupational tax.

13 3. The board shall set the amount of the fees which sections 345.010 to 345.080
14 authorize and require by rules and regulations promulgated pursuant to section 536.021, RSMo.
15 The fees shall be set at a level to produce revenue which shall not substantially exceed the cost
16 and expense of administering sections 345.010 to 345.080; **except that, audiology fees may be**
17 **set at a level needed to supplement revenue fees available to support the cost and expense**
18 **of administering sections 346.007 to 346.250, RSMo, for a transition period ending January**
19 **1, 2009.**

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