

SECOND REGULAR SESSION

HOUSE BILL NO. 1900

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DOHRMAN (Sponsor), HOSKINS,
COX AND KOLKMEYER (Co-sponsors).

5937H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, and to enact in lieu thereof eight new sections relating to speech-language pathologists, with penalty provisions.

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

Section A. Sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 345.015, 345.020, 345.025, 345.040, 345.050, 345.051, 345.065, 345.080, to read as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

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.

14 b. On-the-job training;

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.

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

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

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

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

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

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

38 (8) "Practice of audiology":

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

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

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

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

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

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

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

120 (m) Conducts, disseminates and applies research in communication sciences and
121 disorders;

122 (n) Measures outcomes of treatment and conducts continuous evaluation of the
123 effectiveness of practices and programs to improve and maintain quality of services;

124 (10) "Speech-language pathologist", a person who is licensed as a speech-language
125 pathologist pursuant to sections 345.010 to 345.080; who engages in the practice of
126 speech-language pathology as defined in sections 345.010 to 345.080;

127 (11) "Speech-language pathology aide", a person who is registered as a speech-language
128 aide by the board, who does not act independently but works under the direction and supervision
129 of a licensed speech-language pathologist. Such person assists the speech-language pathologist
130 with activities which require an understanding of speech-language pathology but do not require
131 formal training in the relevant academics. To be eligible for registration by the board, each
132 applicant shall submit a registration fee, be of good moral and ethical character; and:

133 (a) Be at least eighteen years of age;

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

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

137 b. On-the-job training;

138 (c) Be employed in a setting in which direct and indirect supervision is provided on a
139 regular and systematic basis by a licensed speech-language pathologist. However, the aide shall
140 not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing
141 instruments, make ear impressions, make diagnostic statements, determine case selection, present
142 written reports to anyone other than the supervisor without the signature of the supervisor, make
143 referrals to other professionals or agencies, use a title other than speech-language pathology aide
144 [or clinical audiology aide], develop or modify treatment plans, discharge clients from treatment
145 or terminate treatment, disclose clinical information, either orally or in writing, to anyone other
146 than the supervising speech-language [pathologist/audiologist] **pathologist**, or perform any
147 procedure for which he or she is not qualified, has not been adequately trained or both;

148 (12) "Speech-language pathology assistant", a person who is registered as a
149 speech-language pathology assistant by the board, who does not act independently but works
150 under the direction and supervision of a licensed speech-language pathologist **or speech-**
151 **language pathologist practicing under subdivisions (1) or (6) of subsection 1 of section**
152 **345.025 for at least one year** and whose activities require both academic and practical training
153 in the field of speech-language pathology although less training than those established by
154 sections 345.010 to 345.080 as necessary for licensing as a speech-language pathologist. To be
155 eligible for registration by the board, each applicant shall submit the registration fee, be of good

156 moral character and furnish evidence of the person's educational qualifications which meet the
157 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] **in the field of speech-language**
165 **pathology as established by the board through rules and regulations.**

345.020. 1. Licensure or registration shall be granted in either speech-language
2 pathology or audiology independently. A person may be licensed or registered in both areas if
3 the person is qualified. Each licensed or registered person shall display the license or certificate
4 prominently in the person's place of practice.

5 2. No person shall practice or hold himself or herself out as being able to practice
6 speech-language pathology or audiology in this state unless the person is licensed in accordance
7 with the provisions of sections 345.010 to 345.080. Nothing in sections 345.010 to 345.080,
8 however, shall be construed to prevent a qualified person licensed in this state under any other
9 law from engaging in the profession for which the person is licensed, and a licensed physician
10 or surgeon may practice speech-language pathology or audiology without being licensed in
11 accordance with the provisions of sections 345.010 to 345.080.

12 3. No person shall hold himself or herself out as being a speech-language pathologist in
13 this state unless the person is licensed as provided in sections 345.010 to 345.080. Any person
14 who, in any manner, represents himself or herself as a speech-language pathologist or who uses
15 in connection with such person's name the words or letters: "speech-language pathologist",
16 "speech pathologist", "speech therapy", "speech therapist", "speech clinic", "speech clinician",
17 "S.L.P.", "language specialist", "logopedist" or any other letters, words, abbreviations or insignia,
18 indicating or implying that the person is a speech-language pathologist without a valid existing
19 license is guilty of a class B misdemeanor.

20 4. No person shall hold himself or herself out as being an audiologist in this state unless
21 the person is licensed as provided in sections 345.010 to 345.080. Any person who, in any
22 manner, represents himself or herself as an audiologist or who uses in connection with such
23 person's name the words: "audiology", "audiologist", "audiological", "hearing clinic", "hearing
24 clinician", "hearing therapist" or any other letters, words, abbreviations or insignia, indicating
25 or implying that the person is an audiologist without a valid existing license is guilty of a class
26 B misdemeanor.

27 5. No person shall hold himself or herself out as being a speech-language pathology
28 assistant or aide or audiology aide in this state unless the person is registered as provided in
29 sections 345.010 to 345.080.

30 6. Nothing in sections 345.010 to 345.080 shall prohibit a corporation, partnership, trust,
31 association, or other like organization from engaging in the business of speech-language
32 pathology or audiology without licensure if it employs licensed natural persons in the direct
33 practice of speech-language pathology or audiology. [Any such corporation, partnership, trust,
34 association, or other like organization shall also file with the board a statement, on a form
35 approved by the board, that it submits itself to the rules and regulations of the board and the
36 provisions of sections 345.010 to 345.080 which the board shall deem applicable to it.]

345.025. 1. The provisions of sections 345.010 to 345.080 do not apply to:

2 (1) The activities, services, and the use of an official title on the part of a person in the
3 employ of a federal agency insofar as such services are part of the duties of the person's office
4 or position with such agency;

5 (2) The activities and services of certified teachers of the deaf;

6 (3) The activities and services of a student in speech-language pathology or audiology
7 pursuing a course of study at a university or college that has been approved by its regional
8 accrediting association, or working in a recognized training center, if these activities and services
9 constitute a part of the person's course of study supervised by a licensed speech-language
10 pathologist or audiologist as provided in section 345.050;

11 (4) The activities and services of physicians and surgeons licensed pursuant to chapter
12 334;

13 (5) Audiometric technicians who are certified by the council for accreditation of
14 occupational hearing conservationists when conducting pure tone air conduction audiometric
15 tests for purposes of industrial hearing conservation and comply with requirements of the federal
16 Occupational Safety and Health Administration;

17 (6) A person who holds a current valid certificate as a speech-language pathologist
18 issued **before January 1, 2014** by the Missouri department of elementary and secondary
19 education and who is an employee of a public school while providing speech-language pathology
20 services in such school system.

21 2. No one shall be exempt pursuant to subdivision (1) or (6) of subsection 1 of this
22 section if the person does any work as a speech-language pathologist or audiologist outside of
23 the exempted areas outlined in this section for which a fee or compensation may be paid by the
24 recipient of the service. When college or university clinics charge a fee, supervisors of student
25 clinicians shall be licensed.

345.040. The board shall adopt a seal by which it shall authenticate its proceedings.
2 Copies of its proceedings, records, and acts, when signed by the [secretary] **executive director**
3 and authenticated by the seal, shall be prima facie evidence in all courts of this state.

345.050. 1. To be eligible for licensure by the board by examination, each applicant
2 shall submit the application fee and shall furnish evidence of such person's good moral and
3 ethical character, current competence and shall:

4 (1) Hold a master's or a doctoral degree from a program accredited by the Council on
5 Academic Accreditation of the American Speech-Language-Hearing Association or other
6 accrediting agency approved by the board in the area in which licensure is sought;

7 (2) Submit official transcripts from one or more accredited colleges or universities
8 presenting evidence of the completion of course work and clinical practicum requirements
9 equivalent to that required by the Council on Academic Accreditation of the American
10 Speech-Language-Hearing Association or other accrediting agency approved by the board; **and**

11 (3) [Present written evidence of completion of clinical fellowship as defined in
12 subdivision (4) of section 345.015 from supervisors. The experience required by this subdivision
13 shall follow the completion of the requirements of subdivisions (1) and (2) of this subsection.
14 This period of employment shall be under the direct supervision of a person who is licensed by
15 the state of Missouri in the profession in which the applicant seeks to be licensed. Persons
16 applying with an audiology clinical doctoral degree are exempt from this provision;

17 (4)] Pass an examination promulgated or approved by the board. The board shall
18 determine the subject and scope of the examinations.

19 2. To be eligible for licensure by the board without examination, each applicant shall
20 make application on forms prescribed by the board, submit the application fee and shall be of
21 good moral and ethical character, submit an activity statement and meet one of the following
22 requirements:

23 (1) The board shall issue a license to any speech-language pathologist or audiologist who
24 is licensed in another jurisdiction and who has had no violations, suspension or revocations of
25 a license to practice speech-language pathology or audiology in any jurisdiction; provided that,
26 such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater
27 than, Missouri at the time the applicant applies for licensure; or

28 (2) Hold the certificate of clinical competence issued by the American
29 Speech-Language-Hearing Association in the area in which licensure is sought.

345.051. 1. Every person licensed or registered pursuant to the provisions of sections
2 345.010 to 345.080 shall renew the license **or registration** on or before the renewal date. Such
3 renewal date shall be determined by the board. The application shall be made on a form
4 furnished by the board. The application shall include, but not be limited to, disclosure of the

5 applicant's full name and the applicant's office and residence addresses and the date and number
6 of the applicant's license **or registration**, all final disciplinary actions taken against the applicant
7 by any speech-language-hearing association or society, state, territory[,] **or** federal agency or
8 country and information concerning the applicant's current physical and mental fitness to practice
9 [as a speech-language pathologist or audiologist].

10 2. A blank form for application for license **or registration** renewal shall be mailed to
11 each person licensed **or registered** in this state at the person's last known office or residence
12 address. The failure to mail the form of application or the failure to receive it does not, however,
13 relieve any person of the duty to renew the license **or registration** and pay the fee required by
14 sections 345.010 to 345.080 for failure to renew the license **or registration**.

15 3. An applicant for renewal of a license [pursuant to] **or registration under** this section
16 shall:

17 (1) Submit an amount established by the board; and

18 (2) Meet any other requirements the board establishes as conditions for license **or**
19 **registration** renewal, including the demonstration of continued competence to practice the
20 profession for which the license **or registration** is issued. A requirement of continued
21 competence may include, but is not limited to, continuing education, examination,
22 self-evaluation, peer review, performance appraisal or practical simulation.

23 4. If a license **or registration** is suspended pursuant to section 345.065, the license **or**
24 **registration** expires on the expiration date as established by the board for all licenses **and**
25 **registrations** issued pursuant to sections 345.010 to 345.080. Such license **or registration** may
26 be renewed but does not entitle the licensee to engage in the licensed **or registered** activity or
27 in any other conduct or activity which violates the order of judgment by which the license **or**
28 **registration** was suspended until such license **or registration** has been reinstated.

29 5. If a license **or registration** is revoked on disciplinary grounds pursuant to section
30 345.065, the license **or registration** expires on the expiration date as established by the board
31 for all licenses **and registrations** issued pursuant to sections 345.010 to 345.080. Such license
32 **or registration** may not be renewed. If a license **or registration** is reinstated after its expiration,
33 the licensee, as a condition of reinstatement, shall pay a reinstatement fee that is equal to the
34 renewal fee in effect on the last regular renewal date immediately preceding the date of
35 reinstatement plus any late fee established by the board.

345.065. 1. The board may refuse to issue any certificate of registration or authority,
2 permit or license required pursuant to sections 345.010 to 345.080 for one or any combination
3 of causes stated in subsection 2 of this section. The board shall notify the applicant in writing
4 of the reasons for the refusal and shall advise the applicant of the applicant's right to file a
5 complaint with the administrative hearing commission as provided by chapter 621. As an

6 alternative to a refusal to issue or renew any certificate, registration or authority, the board may,
7 at its discretion, issue a license **or registration** which is subject to probation, restriction or
8 limitation to an applicant for licensure **or registration** for any one or any combination of causes
9 stated in subsection 2 of this section. The board's order of probation, limitation or restriction
10 shall contain a statement of the discipline imposed, the basis therefor, the date such action shall
11 become effective and a statement that the applicant has thirty days to request in writing a hearing
12 before the administrative hearing commission. If the board issues a probationary, limited or
13 restricted license **or registration** to an applicant for licensure **or registration**, either party may
14 file a written petition with the administrative hearing commission within thirty days of the
15 effective date of the probationary, limited or restricted license **or registration** seeking review
16 of the board's determination. If no written request for a hearing is received by the administrative
17 hearing commission within the thirty-day period, the right to seek review of the board's decision
18 shall be considered as waived.

19 2. The board may cause a complaint to be filed with the administrative hearing
20 commission as provided by chapter 621 against any holder of any certificate of registration or
21 authority, permit or license required by sections 345.010 to 345.080 or any person who has failed
22 to renew or has surrendered the person's certificate of registration or authority, permit or license
23 for any one or any combination of the following causes:

24 (1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to
25 an extent that such use impairs a person's ability to perform the work of any profession licensed
26 or regulated by sections 345.010 to 345.080;

27 (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty
28 or nolo contendere, in a criminal prosecution under the laws of any state or of the United States,
29 for any offense reasonably related to the qualifications, functions or duties of any profession
30 licensed or regulated pursuant to sections 345.010 to 345.080, for any offense an essential
31 element of which is fraud, dishonesty or an act of violence, or for any offense involving moral
32 turpitude, whether or not sentence is imposed;

33 (3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of
34 registration or authority, permit or license issued pursuant to sections 345.010 to 345.080 or in
35 obtaining permission to take any examination given or required pursuant to sections 345.010 to
36 345.080;

37 (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by
38 fraud, deception or misrepresentation;

39 (5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty
40 in the performance of the functions or duties of any profession licensed or regulated by sections
41 345.010 to 345.080;

- 42 (6) Violation of, or assisting or enabling any person to violate, any provision of sections
43 345.010 to 345.080, or of any lawful rule or regulation adopted pursuant to sections 345.010 to
44 345.080;
- 45 (7) Impersonation of any person holding a certificate of registration or authority, permit
46 or license or allowing any person to use his or her certificate of registration or authority, permit,
47 license or diploma from any school;
- 48 (8) Disciplinary action against the holder of a license or other right to practice any
49 profession regulated by sections 345.010 to 345.080 granted by another state, territory, federal
50 agency or country upon grounds for which revocation or suspension is authorized in this state;
- 51 (9) A person is finally adjudged insane or incompetent by a court of competent
52 jurisdiction;
- 53 (10) Assisting or enabling any person to practice or offer to practice any profession
54 licensed or regulated by sections 345.010 to 345.080 who is not registered and currently eligible
55 to practice pursuant to sections 345.010 to 345.080;
- 56 (11) Issuance of a certificate of registration or authority, permit or license based upon
57 a material mistake of fact;
- 58 (12) Failure to display a valid certificate or license if so required by sections 345.010 to
59 345.080 or any rule promulgated pursuant to sections 345.010 to 345.080;
- 60 (13) Violation of any professional trust or confidence;
- 61 (14) Fraudulently or deceptively using a license, provisional license or registration;
- 62 (15) Altering a license, provisional license or registration;
- 63 (16) Willfully making or filing a false report or record in the practice of speech-language
64 pathology or audiology;
- 65 (17) Using or promoting or causing the use of any misleading, deceiving, improbable or
66 untruthful advertising matter, promotional literature, testimonial, guarantee, warranty, label,
67 brand, insignia or any other representation;
- 68 (18) Falsely representing the use or availability of services or advice of a physician;
- 69 (19) Misrepresenting the applicant, licensee or holder by using the word doctor or any
70 similar word, abbreviation or symbol if the use is not accurate or if the degree was not obtained
71 from a regionally accredited institution;
- 72 (20) Committing any act of dishonorable, immoral or unprofessional conduct while
73 engaging in the practice of speech-language pathology or audiology;
- 74 (21) Providing services or promoting the sale of devices, appliances or products to a
75 person who cannot reasonably be expected to benefit from such services, devices, appliances or
76 products.

77 3. After the filing of such complaint, the proceedings shall be conducted in accordance
78 with the provisions of chapter 621. Upon a finding by the administrative hearing commission
79 that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the
80 board may, singly or in combination, censure or place the person named in the complaint on
81 probation on such terms and conditions as the board deems appropriate for a period not to exceed
82 ten years, or may suspend, for a period not to exceed three years, **or restrict or limit the**
83 **person's ability to practice for an indefinite period of time,** or revoke the license or
84 registration.

85 4. The board may apply for relief by injunction, without bond, to restrain any person,
86 partnership or corporation from engaging in any act or practice which constitutes an offense
87 pursuant to sections 345.010 to 345.080. The board does not need to allege and prove that there
88 is no adequate remedy at law to obtain an injunction. The members of the board and the advisory
89 commission shall not be individually liable for applying for such relief.

 345.080. 1. There is hereby established an "Advisory Commission for Speech-Language
2 Pathologists and Audiologists" which shall guide, advise and make recommendations to the
3 board. The commission shall approve the examination required by section 345.050, and shall
4 assist the board in carrying out the provisions of sections 345.010 to 345.075.

5 2. After August 28, 1997, the commission shall consist of seven members, one of whom
6 shall be a voting public member, appointed by the board of registration for the healing arts. Each
7 member shall be a citizen of the United States and a resident of this state. Three members of the
8 commission shall be licensed speech-language pathologists and three members of the
9 commission shall be licensed audiologists. The public member shall be at the time of
10 appointment a citizen of the United States; a resident of this state for a period of one year and
11 a registered voter; a person who is not and never was a member of any profession licensed or
12 regulated pursuant to sections 345.010 to 345.080 or the spouse of such person; and a person
13 who does not have and never has had a material, financial interest in either the providing of the
14 professional services regulated by sections 345.010 to 345.080, or an activity or organization
15 directly related to any profession licensed or regulated pursuant to sections 345.010 to 345.080.
16 Members shall be appointed to serve three-year terms, except as provided in this subsection.
17 Each member of the advisory commission for [speech] **speech-language** pathologists and
18 [clinical] audiologists on August 28, 1995, shall become a member of the advisory commission
19 for speech-language pathologists and [clinical] audiologists and shall continue to serve until the
20 term for which the member was appointed expires. Each member of the advisory commission
21 for speech-language pathologists and [clinical] audiologists on August 28, 1997, shall become
22 a member of the advisory commission for speech-language pathologists and audiologists and
23 shall continue to serve until the term for which the member was appointed expires. The first

24 public member appointed pursuant to this subsection shall be appointed for a two-year term and
25 the one additional member appointed pursuant to this subsection shall be appointed for a full
26 three-year term. No person [shall be eligible for reappointment] who has served as a member of
27 the advisory commission for [speech] **speech-language** pathologists and audiologists [or as a
28 member of the commission as established on August 28, 1995, for a total of six years] **for two**
29 **consecutive terms may be reappointed to the advisory commission until a lapse of at least**
30 **two years has occurred following the completion of his or her two consecutive terms.** The
31 membership of the commission shall reflect the differences in levels of education, work
32 experience and geographic residence. For a licensed speech-language pathologist member, the
33 president of the Missouri Speech-Language-Hearing Association in office at the time, and for
34 a licensed audiologist member, the president of the Missouri Academy of Audiologists in office
35 at the time, in consultation with the president of the Missouri Speech-Language-Hearing
36 Association, shall, at least ninety days prior to the expiration of a term of a commission member,
37 other than the public member, or as soon as feasible after a vacancy on the commission otherwise
38 occurs, submit to the **executive** director of the [division of professional registration] **board** a list
39 of five persons qualified and willing to fill the vacancy in question, with the request and
40 recommendation that the board of registration for the healing arts appoint one of the five persons
41 so listed, and with the list so submitted, the president of the Missouri Speech-Language-Hearing
42 Association or the president of the Missouri Academy of Audiologists in office at the time shall
43 include in his or her letter of transmittal a description of the method by which the names were
44 chosen by that association.

45 3. Notwithstanding any other provision of law to the contrary, any appointed member
46 of the commission shall receive as compensation an amount established by the director of the
47 division of professional registration not to exceed seventy dollars per day for commission
48 business plus actual and necessary expenses. The director of the division of professional
49 registration shall establish by rule guidelines for payment. All staff for the commission shall be
50 provided by the board of registration for the healing arts.

51 4. The commission shall hold an annual meeting at which it shall elect from its
52 membership a chairman and secretary. The commission may hold such additional meetings as
53 may be required in the performance of its duties, provided that notice of every meeting shall be
54 given to each member at least ten days prior to the date of the meeting. A quorum of the
55 commission shall consist of a majority of its members.

56 5. The board of registration for the healing arts may remove a commission member for
57 misconduct, incompetency or neglect of the member's official duties after giving the member
58 written notice of the charges against such member and an opportunity to be heard thereon.

[345.022. 1. Any person in the person's clinical fellowship as defined in sections 345.010 to 345.080 shall hold a provisional license to practice speech-language pathology or audiology. The board may issue a provisional license to an applicant who:

(1) Has met the requirements for practicum and academic requirements from an accredited training program as defined in sections 345.010 to 345.080;

(2) Submits an application to the board on a form prescribed by the board. Such form shall include a plan for the content and supervision of the clinical fellowship, as well as evidence of good moral and ethical character; and

(3) Submits to the board an application fee, as set by the board, for the provisional license.

2. A provisional license is effective for one year and may be extended for an additional twelve months only for purposes of completing the postgraduate clinical experience portion of the clinical fellowship; provided that, the applicant has passed the national examination and shall hold a master's degree from an approved training program in his or her area of application.

3. Within twelve months of issuance of the provisional license, the applicant shall pass an examination promulgated or approved by the board.

4. Within twelve months of issuance of a provisional license, the applicant shall complete the master's or doctoral degree from a program accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought.]

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