Certification Page
Regular and Emergency Rules
Revised May 2014

☐ Emergency Rules *(After completing all of Sections 1 and 2, proceed to Section 5 below)* ☑ Regular Rules

1. General Information

a. Agency/Board Name
Administration and Information

b. Agency/Board Address	c. City	d. Zip Code
2001 Capitol Ave, Room 104	Cheyenne	82002

e. Name of Contact Person	f. Contact Telephone Number
Emily Cronbaugh	(307) 777-6529

g. Contact Email Address	h. Adoption Date
emily.cronbaugh@wyo.gov	January 21, 2016

i. Program
Board of Examiners of Speech Pathology and Audiology

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

If "New," provide the Enrolled Act numbers and years enacted: SEA 47 (2014), HEA 40 (2014)

c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed
(Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification)

Chapter Number:	Chapter Name:	New	Amended	Repealed
1	General Provisions	☑	☑	☐
2	Licensure and Renewal Requirements and Application Procedures	☐	☑	☐
3	Information Practices	☐	☐	☑
4	Qualifications	☐	☐	☑
5	Speech Pathology and Audiology Aides	☐	☑	☐
6	Continuing Education	☐	☐	☑
7	Fees	☐	☑	☐
8	Denial, Suspension, Revocation and Other Discipline	☐	☐	☑
9	Practice and Procedures for Disciplinary, Application, and Licensure Matters	☑	☑	☐
10	Standards of Ethical Principles	☐	☐	☑

d. ☑ The Statement of Reasons is attached to this certification.

e. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

3. State Government Notice of Intended Rulemaking

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the **Secretary of State:**	September 24, 2015
b. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the **Legislative Service Office:**	September 24, 2015
c. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the **Attorney General:**	September 24, 2015

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. ☑ Yes ☐ No ☐ N/A

b. A public hearing was held on the proposed rules. ☐ Yes ☑ No

If "Yes:"	Date:	Time:	City:	Location:

5. Final Filing of Rules

a. Date on which the Certification Page with original signatures and final rules were sent to the **Attorney General's Office for the Governor's signature:**	January 27, 2016
b. Date on which final rules were sent to the **Legislative Service Office:**	January 27, 2016
c. Date on which a PDF of the final rules was electronically sent to the **Secretary of State:**	January 27, 2016

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual *(Blue ink as per Rules on Rules, Section 7)*	Emily Cronbaugh
Printed Name of Signatory	Emily Cronbaugh
Signatory Title	Executive Director
Date of Signature	January 27, 2016

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

Attorney General: 1. Statement of Reasons; 2. Original Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; and 5. Memo to Governor documenting emergency (for emergency rules only).

LSO: 1. Statement of Reasons; 2. Copy of Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; 5. Electronic copy of rules (PDFs) emailed to Criss.Carlson@wyoleg.gov: clean and strike/underscore; and 6. Memo to Governor documenting emergency (for emergency rules only).

SOS: 1. PDF of clean copy of rules; and 2. Hard copy of Certification Page as delivered by the AG.

Additional Rule Information

Revised May 2014

1. General Information

a. Agency/Board Name Administration and Information		
b. Agency/Board Address 2001 Capitol Ave, Room 104	c. City Cheyenne	d. Zip Code 82002
e. Name of Contact Person Emily Cronbaugh	f. Contact Telephone Number (307) 777-6529	
g. Contact Email Address emily.cronbaugh@wyo.gov		
h. Program Board of Examiners of Speech Pathology and Audiology		

2. Rule Information, Cont.

a. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed

Chapter Number:	Chapter Name:	
11	Practice of Speech Pathology and Audiology	☒ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
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Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed

If Needed

AMENDED STATEMENT OF PRINCIPAL REASONS

FOR FORMAL ADOPTION OF REGULAR RULES

Pursuant to the legislative mandates contained in 2014 Senate Enrolled Act 47 (administrative rules streamlining) and 2014 House Enrolled Act 40 (general procedures for licensing boards), the Wyoming Board of Speech Pathology and Audiology has adopted amendments to Chapters 1 and 9. To comply with Senate Enrolled Act 47, the Board adopted the Office of Administrative Hearings' uniform rules for contested case hearings in their entirety and incorporated them by reference into Chapters 1 and 9. To comply with House Enrolled Act 40, the Board added a section to Chapter 1 to establish by resolution a regular meeting of the Board and added a section in Chapter 2 to establish an application review process and procedures.

Pursuant to the directive from the Governor's Office to reduce and streamline agency rules, the Board has also proposed amendments to Chapters 1, 2, 5, 7, and 9 and repealed Chapters 3, 4, 6, 8, and 10. Specifically, the Board's rules have been reduced by approximately 40% in number and 22% length. These changes are an attempt to reduce, reorganize, and clarify existing rules. In general, with respect to all chapters, the Board adopted the following changes:

- Utilized consistent language when referring to the Board's authority regarding rules,
- Removed unnecessary and duplicative language,
- Utilized organization abbreviations and acronyms,
- Condensed sections regarding similar subject matter, and
- Reformatted chapter content utilizing recommended outline format to maintain consistency across chapters.

The Board has also added Chapter 11 in an effort to clarify the practice of speech pathology, audiology, supervisors, and supervisees that were either unclear or were listed in multiple chapters, namely Chapters 1 and 5.

In addition, the Board adopted the following proposed amendments related to each chapter:

<u>Chapter 1: General Provisions</u>

- Updated and reduced language in existing definitions, and deleted unnecessary or obsolete definitions.
- Added a section to identify the location of the Board Office.
- Added section on Board Meeting and clarified established regular Board meetings would be held by resolution.
- Added a section for References by Incorporation, including the uniform contested case rules from Chapter 9.
- Added a section for Public Records Inspection.
- Added a section for Change of Name.

<u>Chapter 2: Licensure and Renewal Requirements and Application Procedures</u>

- Reorganized the Chapter to include all application and licensure matters into one chapter.
- Added section for Application Status and Application Review Committee.
- Added and clarified methods for licensure in Provisional, Initial Licensure by Completing Provisional, Initial Licensure, and Endorsement sections.

- Added and clarified Annual Licensure Renewal section including the Continuing Education section from Chapter 6.
- Added and clarified Failure to Timely Renew section.
- Added and clarified Relicensure section.
- Based on public comments, clarified Relicensure section to accept verification of current ASHA or ABA certification as evidence of clinical competency.
- Added and clarified Reinstatement section for Discipline from Chapters 8 and 9.

Chapter 3: Information Practices (Repealed)

- Repealed Chapter and moved public record and roster request information to Chapter 1.

Chapter 4: Qualifications (Repealed)

- Repealed Chapter and moved licensure qualifications to Chapter 2.

Chapter 5: Speech Pathology and Audiology Aides

- Clarified eligibility, requirements, and procedure for registration as an aide.
- Clarified procedure to renew aide registration.
- Removed practice of an aide to the new practice chapter, Chapter 11.

Chapter 6: Continuing Education (Repealed)

- Repealed Chapter and moved continuing education information to Chapter 2.

Chapter 7: Fees

- Consolidated and clarified the General Information section.
- Reformatted and grouped fees to mirror Chapter 2.
- Listed actual fees charged and not ambiguous fee limits.
- Consolidated application fees to encompass prior separation of application and licensure fees.
- Added fees associated with relicensure and reinstatement because these are newly created application procedures for those applicants seeking licensure that do not wish to actively practice, have failed to timely renew, or have previously been disciplined.
- Added fees associated with Aide Registration applications.
- Clarified language for late renewal fee.
- Added miscellaneous fee for duplicate pocket cards/wall certificate requests, license verification, and non-sufficient funds.
- Added fees for photo copy charges associated with public records inspections and general office administration.

Chapter 8: Denial, Suspension, Revocation and Other Discipline (Repealed)

- Repealed Chapter and moved Grounds for Discipline in Chapter 9.

Chapter 9: Practice and Procedures for Disciplinary, Application, and Licensure Matters

- Reorganized the Chapter to include all disciplinary, application, and licensure matters into one chapter.
- Removed the required content of a complaint form as these details can be listed within the complaint form itself.
- Based on public comments, added treatment by “video or other electronic means” to unprofessional conduct.
- Added and clarified Grounds for Discipline from Chapter 8.
- Added Application Review and Investigation Process.

- Consolidated and clarified several sections into Complaint Review and Disciplinary Investigation Process and Petition and Notice of Hearing sections.
- Added subsection for summary suspensions.
- Added Lawful Service section.
- Clarified the Default section.
- Added subsection for dismissal of applications.
- Consolidated and clarified several sections into Contested Case Hearing section and incorporated by reference the uniform contested case rules adopted by Office of Administrative Hearings.
- Added Burden and Standard of Proof section.
- Consolidated and clarified several sections into Board Decision and Order.
- Revised Judicial Review section.

Chapter 10: Standards of Ethical Principles (Repealed)

- Repealed Chapter and incorporated by reference the ethical standards in Chapter 1.

Chapter 11: Practice of Speech Pathology and Audiology

- Consolidated practice language previously listed in Chapters 1 and 5.
- Based on public comments, added pragmatics and literacy to the speech pathologist scope of practice.
- Clarified where the Board considers practice to occur.
- Clarified supervision requirements for provisional license holders and aides.
- Reformatted and grouped acceptable and non-acceptable duties of aides.

CHAPTER 1

GENERAL PROVISIONS

Section 1. **Authority.** The Board is authorized under the Act and the WAPA to promulgate rules and regulations related to the licensure and discipline of speech pathologists and audiologists and regulation of the practice of speech pathology and audiology in Wyoming.

Section 2. **Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish administrative procedures.

Section 3. **Definitions.**

(a) **"AAA"** means American Academy of Audiology.

(b) **"ABA"** means American Board of Audiology.

(c) **"Act"** means the License Act for Speech Pathologists and Audiologists, W.S. 33-33-101 through -309.

(d) **"ARC"** means Application Review Committee.

(e) **"ASHA"** means the American Speech-Language-Hearing Association.

(f) **"Board Rules"** means the administrative rules and regulations promulgated by the Board.

(g) **"CEU"** means continuing education units.

(h) **"DC"** means Disciplinary Committee which may be comprised of at least one (1) Board member or the Executive Director.

(j) **"Direct Supervision"** means that a speech pathologist or audiologist provide procedural guidance for the services to be provided with initial direction and periodic inspection of the service performance and is present on the premises while the services are being provided.

(k) **"Licensee"** means a speech pathologist or audiologist licensed in Wyoming.

(l) **"Praxis"** means the National Examination in Speech Pathology or the National Examination in Audiology administered by the Educational Testing Service or its successor.

(m) **"WAPA"** means the Wyoming Administrative Procedure Act, W.S. 16-3-101 through -115.

Section 4. **Board Office.** The Board Office shall be located at 2001 Capitol Avenue, Cheyenne, Wyoming.

Section 5. **Board Meetings.** The Board shall set its regular meetings by resolution.

Section 6. **Reference by Incorporation.**

(a) For any rule incorporated by reference in these Board Rules:

(i) The Board has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section; and

(iii) The incorporated rule is maintained at Board Office and is available for public inspection and copying at cost at the same location.

(b) Each rule incorporated by reference is further identified as follows:

(i) Referenced in Chapter 9, Section 9 is Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on October 17, 2014, found at: http://soswy.state.wy.us/Rules/RULES/9644.pdf.

(ii) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by AAA and effective in 2011, found at: http://www.audiology.org/publications-resources/document-library/code-ethics.

(iii) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by ABA and effective in 1999, found at: http://www.boardofaudiology.org/pdf/ABA_Code_of_Ethics.pdf.

(iv) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by ASHA and effective in 2010, found at: http://www.asha.org/uploadedFiles/ET2010-00309.pdf.

Section 7. **Public Records Inspection.**

(a) If a member of public requests an electronic or hard copy of public records, then that individual shall pay a fee. Such fee shall include cost of administrative time and producing a copy of the public record.

(b) Public records inspection shall take place under the following conditions:

(i) An appointment shall be made to review the records between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state holidays, at the Board Office;

(ii) Records inspection shall take place in the presence of Board staff; and

(iii) A member of the public may request copies upon payment of a fee.

Section 8. **Change of Name, Address, or Telephone Number.** Each applicant and licensee shall notify the Board in writing of any change to their legal name, home address, business address, e-mail address, or telephone number within thirty (30) days of the change.

Section 9. **Requests for Rosters.** Any person requesting a roster of licensees shall submit a completed request form and payment of a fee.

Section 10. **Duplicate Pocket Card and Wall Certificate.** A licensee may request a duplicate pocket card and/or wall certificate by submitting a form and payment of the fee.

Section 11. **License Verification.** A licensee may request verification of their Wyoming license by submitting a form and payment of the fee.

CHAPTER 1

GENERAL PROVISIONS

Section 1. **Authority and Purpose.** The Board is authorized under the Act and the WAPA to promulgate rules and regulations related to the licensure and discipline of speech pathologists and audiologists and regulation of the practice of speech pathology and audiology in WyomingThese rules are promulgated pursuant to the License Act for Speech Pathologists and Audiologists (W.S. 33-33-101 through 33-33-309).

Section 2. **Statement of PurposeApplication.** These Board Rules are adopted to implement the Board's authority to establish administrative proceduresThe provisions of these rules shall apply to the practice of Speech-Language Pathology and/or Audiology whether or not compensation is received for these services.

Section 3. **Definitions.** In addition to the definitions contained in the Act, the following definitions shall apply herein:

(a) **"AAA"** means American Academy of Audiology.

(a) (b) **"A.B.A."** means American Board of Audiology.

(b) (c) **"Act"** means the License Act for Speech Pathologists and Audiologists, (W.S. 33-33-101 through 33-33-309).

(d) **"ARC"** means Application Review Committee.

(c) (e) **"A.S.H.A."** means the American Speech-Language-Hearing Association.

(d) "Audiologist" means an individual who practices audiology.

(e) "Audiology" means the application of principles, methods and procedures of measurement, testing, evaluation, prediction, consultation, counseling, instruction, habilitation or rehabilitation related to hearing and disorders of hearing for the purpose of evaluating, identifying, preventing, ameliorating or modifying such disorders and conditions in individuals or groups of individuals.

(f) "Audiometric Technician" or an "Audiology Aide" means an individual who meets minimum qualifications established by the board for audiology aides, which qualifications shall be less than those established for license as an audiologist, and who works under the direct supervision of a licensed audiologist.

(f) **"Board Rules"** means the administrative rules and regulations promulgated by the Board.

(g) **"CEU"** means continuing education units.

~~(g) "CFY" means clinical fellowship year.~~

(h) **"DC"** means Disciplinary Committee which may be comprised of at least one (1) Board member or the Executive Director.

~~(h) "Development and disorders of speech, voice, language or swallowing" includes, but is not limited to, screening, identifying, assessing and interpreting, diagnosing, rehabilitating, and preventing disorders of speech such as articulation, phonology, fluency, voice, resonance and nasal airflow, oral motor speech and orofacial myofunctional function, oral-pharyngeal function, such as swallowing/dysphagia and related disorders, language to include verbal and written and related non-oral/nonverbal forms, cognitive/communication disorders, memory and comprehension, auditory processing; assessing, selecting and developing augmentative and alternative communication systems and providing training in their use; providing aural rehabilitation and related counseling services to hearing impaired individuals and their families; enhancing Speech-Language proficiency and communication effectiveness, such as accent reduction; and screening of hearing and other factors for the purpose of Speech-Language evaluation or the initial identification of individuals with other communication disorders.~~

(j) **"Direct Supervision"** means that a speech pathologist or audiologist provide procedural guidance for the services to be provided with initial direction and periodic inspection of the service performance and is present on the premises while the services are being provided.

~~(k) "Examination" means the National Examination in Speech Pathology or the National Examination in Audiology administered by the Educational Testing Service or its predecessor. In addition to the written examination, the Board may administer an oral examination.~~

~~(l) "In cooperation with a Speech-Language Pathologist or Audiologist licensed under the Act...", means under the direct supervision of a Speech-Language Pathologist or Audiologist licensed under the Act.~~

~~(m)~~ (k) **"Licensee"** means a ~~S~~speech ~~P~~pathologist or ~~A~~audiologist ~~where applicable~~licensed in Wyoming.

~~(n) "Measurement" includes but is not limited to, facilitating where applicable the conservation of auditory system function; developing and implementing environmental and occupational hearing conservation programs; cerumen management; screening, identifying, assessing and interpreting, diagnosing, preventing, and rehabilitating peripheral and central auditory system dysfunction; providing and interpreting behavioral and electro-physiological measurements of auditory and vestibular functions, such as auditory evoked potential assessment, neurophysiologic intraoperative monitoring or balance system assessment; providing aural rehabilitation and related counseling services to hearing impaired individuals and their families; and screening of speech-language and other factors affecting communication function for the purposes of an audiologic evaluation and/or the initial identification of individuals with other communication disorders.~~

(l) **"Praxis"** means the National Examination in Speech Pathology or the National Examination in Audiology administered by the Educational Testing Service or its successor.

~~(o) "Speech-Language Pathologist" or "Speech Pathologist" means an individual who practices speech pathology.~~

~~(p) "Speech-Language Pathology" or "Speech Pathology" means the application of principles, methods and procedures for the measurement, testing, evaluation, prediction, counseling, instruction, habilitation or rehabilitation related to the development and disorders of speech, voice, language or swallowing for the purpose of evaluating, preventing, ameliorating or modifying such disorders and conditions in individuals or groups of individuals.~~

~~(q) "Speech-Language Pathology Assistant" or "Speech Language Paraprofessional" or "Speech Pathology Aide" means an individual who meets minimum qualifications established by the board for speech pathology aides, which qualifications shall be less than those established for license as a speech pathologist, and who works under the direct supervision of a licensed speech pathologist.~~

(m) **"WAPA"** means the Wyoming Administrative Procedure Act, W.S. 16-3-101 through -115.

~~**Section 4. Practice in Area Not Certified.**~~

~~(j) A Speech-Language Pathologist who is not certified in Audiology may perform nondiagnostic audiometric screening either for the purposes of performing a speech and language evaluation or for initial identification of individuals with other communicative disorders.~~

~~(k) An Audiologist who is not certified in Speech-Language Pathology may perform nondiagnostic speech and language screening either for purposes of performing an audiologic evaluation or for initial identification of individuals with other communicative disorders.~~

~~(l) Speech-Language Pathologists, as well as Audiologists, may provide aural rehabilitation services and auditory processing services, for which they have been properly trained.~~

~~**Section 5. Dual Licensure.**~~

~~(j) Provides for licensure in either/both of two areas: Speech-Language Pathology and/or Audiology. The spirit of the law does not preclude some testing of hearing as necessary to the practice of Speech-Language Pathology, nor does it preclude some testing of speech as necessary to the practice of Audiology. Thus, although dual licensure may be sought, if the applicant is qualified in each area, dual licensure is not mandated for practice which is essentially in one area only.~~

~~(k) To be licensed in Speech-Language Pathology, an individual must have appropriate training and experience in Speech-Language Pathology; to be licensed in Audiology, an individual must have appropriate training and experience in Audiology; to receive a dual licensure, an individual must have appropriate training and experience in each area. A degree in "speech and hearing" does not, in itself, qualify an individual for dual licensure.~~

Section 4. Board Office. The Board Office shall be located at 2001 Capitol Avenue, Cheyenne, Wyoming.

Section 5. Board Meetings. ~~Two regular Board meetings shall be held each year with one coinciding as closely as possible with the regular Wyoming Speech and Hearing Association meeting. Additional meetings may be convened at the call of the chairman or the written request of any three (3) board members.~~ The Board shall set its regular meetings by resolution.

Section 6. Reference by Incorporation.

(a) For any rule incorporated by reference in these Board Rules:

(i) The Board has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section; and

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(ii) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by AAA and effective in 2011, found at: http://www.audiology.org/publications-resources/document-library/code-ethics.

(iii) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by ABA and effective in 1999, found at: http://www.boardofaudiology.org/pdf/ABA_Code_of_Ethics.pdf.

(iv) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by ASHA and effective in 2010, found at: http://www.asha.org/uploadedFiles/ET2010-00309.pdf.

Section 7. Public Records Inspection.

(a) If a member of public requests an electronic or hard copy of public records, then that individual shall pay a fee. Such fee shall include cost of administrative time and producing a copy of the public record.

(b) Public records inspection shall take place under the following conditions:

(i) An appointment shall be made to review the records between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state holidays, at the Board Office;

(ii) Records inspection shall take place in the presence of Board staff; and

(iii) A member of the public may request copies upon payment of a fee.

Section 8. Change of Name, Address, or Telephone Number. Each applicant and licensee shall notify the Board in writing of any change to their legal name, home address, business address, e-mail address, or telephone number within thirty (30) days of the change.

Section 9. Requests for Rosters. Any person requesting a roster of licensees shall submit a completed request form and payment of a fee.

Section 10. Duplicate Pocket Card and Wall Certificate. A licensee may request a duplicate pocket card and/or wall certificate by submitting a form and payment of the fee.

~~**Section 6.**~~**Section 11. License Verification.** A licensee may request verification of their Wyoming license by submitting a form and payment of the fee.

CHAPTER 2

LICENSURE AND RENEWAL REQUIREMENTS

AND APPLICATION PROCEDURES

Section 1. **Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish the requirements and procedures for licensure and annual license renewal.

Section 2. **Application Status.**

(a) For those applicants seeking licensure, all requirements shall be met during the timeframe identified immediately prior to submitting a completed application.

(b) Applications shall be deemed "complete" when all necessary documentation has been received by the Board office.

(c) Applications shall expire one year after submission. If an application expires, an applicant shall submit a new application, including payment of fee.

Section 3. **Application Review Committee.**

(a) Every application shall be reviewed by the ARC.

(b) An applicant for licensure shall have committed no acts which are grounds for disciplinary action, or if the act was committed, the ARC has found after investigation that sufficient restitution has been made and the applicant no longer presents a threat to the public safety.

(c) If the ARC is unable to ascertain from documents submitted by the applicant that the applicant is eligible for licensure, the ARC may require the applicant to provide additional documentation, information, or meet informally with the ARC.

Section 4. **Provisional Licensure.**

(a) Eligibility. An applicant may seek a provisional license if the applicant has not completed a clinical fellowship year and has not practiced in another jurisdiction.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit transcripts complying with W.S. 33-33-105(a)(i) directly from the college, university, or institution;

(iii) Successfully pass Praxis; and

(iv) Submit executed supervisory agreement.

(c) Board Approval of Supervisory Agreement. The Board shall review and approve supervisory agreements that meet the qualifications identified in Chapter 11.

(d) Renewal. Provisional licenses may be renewed one (1) time.

Section 5. Initial Licensure by Completing Provisional.

(a) Eligibility. An applicant may seek licensure if the applicant completes their clinical fellowship year and meets the requirements for initial licensure.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit the supervisor verification documenting completion of the clinical fellowship year.

Section 6. Initial Licensure.

(a) Eligibility. An applicant may seek licensure if the applicant is not licensed to practice in another jurisdiction, or that jurisdiction's licensure requirements are not as stringent as Wyoming, or those that fail to meet other licensure methods.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit evidence of clinical competency by:

(A) Verifying current ASHA or ABA certification; or

(B) Complete the following:

(I) Completion of clinical fellowship experience;

(II) Completion of education requirements identified in Section 4(b)(ii); and

(III) Successful passage of the Praxis within the previous five (5) years.

(iii) Submit license verification directly from every jurisdiction where the applicant held a license in the last fifteen (15) years, if necessary.

Section 7. Licensure by Endorsement.

(a) Eligibility. An applicant may seek licensure if the applicant is actively licensed to practice in another jurisdiction with licensure requirements as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Meet requirements identified in Section 4(b)(ii); and

(iii) Submit license verification directly from every jurisdiction where the applicant held a license in the last fifteen (15) years.

Section 8. Annual Licensure Renewal.

(a) Licensure Expiration. Licenses shall expire December 31st of the year following the year of issue. After the initial licensure, licenses shall expire December 31 of each year. Licensees shall renew their license on or before December 31st. Licensees that fail to timely renew shall forfeit the right to practice.

(b) Renewal Procedure. A licensee seeking renewal shall:

(i) Submit a completed renewal application and payment of fee;

(ii) Submit evidence of completion of twelve (12) actual CEU that complies with subsection (c); and

(iii) Submit annual competency evaluation for any aides practicing under licensee's supervision.

(c) CEU Requirements.

(i) All licensees shall maintain CEU requirements.

(ii) CEU shall be calculated as follows:

(A) One (1) semester credit equals fifteen (15) CEU;

(B) One (1) quarter credit equals ten (10) CEU; and

(C) One (1) contact hour equals one (1) CEU.

(iii) CEU shall be obtained January 1 to December 31 of the year of expiration.

(iv) CEU shall be directly related to the scopes of practice defined in W.S. 33-33-102.

(v) The Board shall accept CEU sponsored by national, regional, or state professional associations, such as AAA, ABA, ASHA, or Wyoming Speech-Language-Hearing Association;

(vi) CEU may be earned through:

(A) College or university courses taken for credit or through official audit;

(B) Online courses;

(C) Scientific and educational lectures, workshops, or seminars;

(D) Journals offered for CEU;

(E) Scientific and educational lectures, workshops, or seminars presented by the licensee (a maximum of three (3) CEU); and

(F) Articles published by the licensee in a nationally or state refereed journal if the article falls within the licensee's area of licensure (a maximum of three (3) CEU).

(vii) Acceptable CEU documentation shall include, but is not limited to, transcripts and certificates of completion.

(d) Waiver. The Board may grant a waiver for CEU requirements for licensees who have petitioned and demonstrated just cause based on extenuating circumstances.

Section 9. Failure to Timely Renew.

(a) Unlicensed Practice. Failure to timely renew may subject the licensee to disciplinary action for unlicensed practice. Licensees shall not practice until the ARC approves their license.

(b) Administrative Grace Period.

(i) The administrative grace period shall be up to two (2) years after the expiration of the license. Licensees that failed to timely renew may apply for renewal during the administrative grace period.

(ii) Licensees shall meet the renewal requirements under Section 8(b) including payment of a late renewal fee.

(iii) Licensees that failed to timely renew shall submit twelve (12) hours of CEU for each calendar year that the license has been expired.

(c) Lapsed Licensed. Any license not renewed within the administrative grace period shall lapse. If a license lapses, the applicant shall apply for relicensure.

Section 10. Relicensure.

(a) Eligibility. An applicant may seek relicensure if their license has lapsed due to failure to renew timely or return to active practice.

(b) Lapsed License Relicensure Requirements. An applicant whose license has been lapsed less than three (3) years shall:

(i) Submit a completed relicensure application and payment of fee; and

(ii) Submit evidence of clinical competency by:

(A) Verifying current ASHA or ABA certification; or

(B) Successful passage of the Praxis within five (5) years.

(c) Return to Practice Application Requirements. An applicant whose license has been lapsed more than three (3) years shall:

(i) Submit a completed relicensure application and payment of fee; and

(ii) Submit evidence of clinical competency by successful passage of the Praxis within five (5) years.

Section 11. Reinstatement of Licensure.

(a) Eligibility. An applicant may seek reinstatement of their license if that license has been revoked, surrendered, suspended, conditioned, restricted, or otherwise disciplined.

(b) Application Reinstatement Requirements. The applicant shall:

(i) Submit a completed reinstatement application and payment of fee;

(ii) Submit evidence of complying with the requirements of a previous Board order;

(iii) Submit evidence of applicant's ability to safely and competently practice; and

(iv) Submit evidence demonstrating just cause for reinstatement.

CHAPTER 2

LICENSURE AND RENEWAL REQUIREMENTS

AND APPLICATION PROCEDURES

~~Section 1. **Application for License.**~~

~~(a) An application for a license as a Speech-Language Pathologist and/or Audiologist shall be submitted to the Board at their principal office at the address of the chairperson on an application form provided by the Board and accompanied by the non-refundable application fee.~~

~~(b) Every application shall be typed or written in ink, signed under the penalty of perjury and accompanied by the appropriate application fee and by such evidence, statements, or documents as therein required.~~

~~(c) The applicant shall be notified, in writing, of the results of the evaluation of the application for license.~~

~~(d) Approved applications and all documents filed in support thereof, shall be retained by the Board with the provision that the Board may permit such documents to be withdrawn upon substitution of a true copy.~~

~~Section 2. **Abandonment of Application.** An applicant shall be deemed to have abandoned an application if the requirements for licensure are not completed within one (1) year from the date on which application was filed. An application submitted subsequent to an abandoned application shall be treated as a new application.~~

~~Section 3. **Renewal Application.** A renewal application shall be on a form provided by the Board, accompanied by the renewal fee and filed with the Board at its office or postmarked prior to the date of expiration.~~

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish the requirements and procedures for licensure and annual license renewal.

Section 2. Application Status.

(a) For those applicants seeking licensure, all requirements shall be met during the timeframe identified immediately prior to submitting a completed application.

(b) Applications shall be deemed "complete" when all necessary documentation has been received by the Board office.

(c) Applications shall expire one year after submission. If an application expires, an applicant shall submit a new application, including payment of fee.

Section 3. Application Review Committee.

(a) Every application shall be reviewed by the ARC.

(b) An applicant for licensure shall have committed no acts which are grounds for disciplinary action, or if the act was committed, the ARC has found after investigation that sufficient restitution has been made and the applicant no longer presents a threat to the public safety.

(c) If the ARC is unable to ascertain from documents submitted by the applicant that the applicant is eligible for licensure, the ARC may require the applicant to provide additional documentation, information, or meet informally with the ARC.

Section 4. Provisional Licensure.

(a) Eligibility. An applicant may seek a provisional license if the applicant has not completed a clinical fellowship year and has not practiced in another jurisdiction.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit transcripts complying with W.S. 33-33-105(a)(i) directly from the college, university, or institution;

(iii) Successfully pass Praxis; and

(iv) Submit executed supervisory agreement.

(c) Board Approval of Supervisory Agreement. The Board shall review and approve supervisory agreements that meet the qualifications identified in Chapter 11.

(d) Renewal. Provisional licenses may be renewed one (1) time.

Section 5. Initial Licensure by Completing Provisional.

(a) Eligibility. An applicant may seek licensure if the applicant completes their clinical fellowship year and meets the requirements for initial licensure.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit the supervisor verification documenting completion of the clinical fellowship year.

Section 6. Initial Licensure.

(a) Eligibility. An applicant may seek licensure if the applicant is not licensed to practice in another jurisdiction, or that jurisdiction's licensure requirements are not as stringent as Wyoming, or those that fail to meet other licensure methods.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit evidence of clinical competency by:

(A) Verifying current ASHA or ABA certification; or

(B) Complete the following:

(I) Completion of clinical fellowship experience;

(II) Completion of education requirements identified in Section 4(b)(ii); and

(III) Successful passage of the Praxis within the previous five (5) years.

(iii) Submit license verification directly from every jurisdiction where the applicant held a license in the last fifteen (15) years, if necessary.

Section 7. Licensure by Endorsement.

(a) Eligibility. An applicant may seek licensure if the applicant is actively licensed to practice in another jurisdiction with licensure requirements as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Meet requirements identified in Section 4(b)(ii); and

(iii) Submit license verification directly from every jurisdiction where the applicant held a license in the last fifteen (15) years.

Section 8. Annual Licensure Renewal.

(a) Licensure Expiration. Licenses shall expire December 31st of the year following the year of issue. After the initial licensure, licenses shall expire December 31 of each year. Licensees shall renew their license on or before December 31st. Licensees that fail to timely renew shall forfeit the right to practice.

(b) Renewal Procedure. A licensee seeking renewal shall:

(i) Submit a completed renewal application and payment of fee;

(ii) Submit evidence of completion of twelve (12) actual CEU that complies with subsection (c); and

(iii) Submit annual competency evaluation for any aides practicing under licensee's supervision.

(c) CEU Requirements.

(i) All licensees shall maintain CEU requirements.

(ii) CEU shall be calculated as follows:

(A) One (1) semester credit equals fifteen (15) CEU;

(B) One (1) quarter credit equals ten (10) CEU; and

(C) One (1) contact hour equals one (1) CEU.

(iii) CEU shall be obtained January 1 to December 31 of the year of expiration.

(iv) CEU shall be directly related to the scopes of practice defined in W.S. 33-33-102.

(v) The Board shall accept CEU sponsored by national, regional, or state professional associations, such as AAA, ABA, ASHA, or Wyoming Speech-Language-Hearing Association;

(vi) CEU may be earned through:

(A) College or university courses taken for credit or through official audit;

(B) Online courses;

(C) Scientific and educational lectures, workshops, or seminars;

(D) Journals offered for CEU;

(E) Scientific and educational lectures, workshops, or seminars presented by the licensee (a maximum of three (3) CEU); and

~~Section 9.~~(F) Articles published by the licensee in a nationally or state refereed journal if the article falls within the licensee's area of licensure (a maximum of three (3) CEU).

(vii) Acceptable CEU documentation shall include, but is not limited to, transcripts and certificates of completion.

(d) Waiver. The Board may grant a waiver for CEU requirements for licensees who have petitioned and demonstrated just cause based on extenuating circumstances.

Section 9. Failure to Timely Renew.

(a) Unlicensed Practice. Failure to timely renew may subject the licensee to disciplinary action for unlicensed practice. Licensees shall not practice until the ARC approves their license.

(b) Administrative Grace Period.

(i) The administrative grace period shall be up to two (2) years after the expiration of the license. Licensees that failed to timely renew may apply for renewal during the administrative grace period.

(ii) Licensees shall meet the renewal requirements under Section 8(b) including payment of a late renewal fee.

(iii) Licensees that failed to timely renew shall submit twelve (12) hours of CEU for each calendar year that the license has been expired.

(c) Lapsed Licensed. Any license not renewed within the administrative grace period shall lapse. If a license lapses, the applicant shall apply for relicensure.

Section 10. Relicensure.

(a) Eligibility. An applicant may seek relicensure if their license has lapsed due to failure to renew timely or return to active practice.

(b) Lapsed License Relicensure Requirements. An applicant whose license has been lapsed less than three (3) years shall:

(i) Submit a completed relicensure application and payment of fee; and

(ii) Submit evidence of clinical competency by:

(A) Verifying current ASHA or ABA certification; or

(B) Successful passage of the Praxis within five (5) years.

(c) Return to Practice Application Requirements. An applicant whose license has been lapsed more than three (3) years shall:

(i) Submit a completed relicensure application and payment of fee; and

(ii) Submit evidence of clinical competency by successful passage of the Praxis

within five (5) years.

Section 11. Reinstatement of Licensure.

(a) Eligibility. An applicant may seek reinstatement of their license if that license has been revoked, surrendered, suspended, conditioned, restricted, or otherwise disciplined.

(b) Application Reinstatement Requirements. The applicant shall:

(i) Submit a completed reinstatement application and payment of fee;

(ii) Submit evidence of complying with the requirements of a previous Board order;

(iii) Submit evidence of applicant's ability to safely and competently practice; and

(iv) Submit evidence demonstrating just cause for reinstatement.

CHAPTER 3

INFORMATION PRACTICES

REPEALED

CHAPTER 3

INFORMATION PRACTICES

REPEALED

~~Section 1. **Disclosure.**~~

~~(a) The information in files compiled by the Board concerning each Licensee, except for Board decisions concerning licensure, is confidential and shall be released only to the Licensee to whom the record pertains, to others upon the Licensee's notarized written consent or upon court order.~~

~~(b) Board decisions regarding licensure are considered public information, however, information supplied on and written on application for licensee is confidential.~~

~~(c) Disciplinary actions shall be reported as appropriate to the relevant disciplinary clearing house.~~

~~(d) Disclosure of confidential records and public records shall also be governed by W.S. 16-4-201 et seq., Public Records Act.~~

~~Section 2. **Access.**~~

~~(a) Any Licensee or others with the Licensee's notarized written consent may personally inspect the contents of pertinent Board files with the following exceptions:~~

~~(i) Personal recommendations.~~

~~(ii) Unofficial complaints.~~

~~(iii) State board examination and all documents relating to the grading thereof.~~

~~(b) Record inspection shall take place under the following conditions:~~

~~(i) An appointment must be made to review the file between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday at the offices of the Board.~~

~~(ii) Record inspection must take place in the presence of a member of the Board or a representative of its administrative staff.~~

~~(iii) Original documents must remain with the Board but may be copied at the Board offices for a reasonable fee. Such fee shall include cost of administrative time and copying.~~

~~Section 3. **Correction and Amendment.** Any License may clarify erroneous, inaccurate or misleading information in their file by submitting a written statement to the Board which will be~~

~~placed in the file.~~

~~Section 4. **Requests for Rosters.**~~

~~(a) The Roster of Licensees shall be made available to state agencies and Licensees upon request, free of charge.~~

~~(b) Any other organization may obtain a roster in the following manner:~~

~~(i) A money order or cashier's check in the amount of $100.00 must accompany a written request for a published list updated yearly.~~

~~(ii) A money order or cashier's check in the amount of $200.00 and a standard personal computer diskette must accompany a written request for an electronic copy of the roster. The data will be presented in the software format currently used by the Board.~~

~~(c) The Roster shall not be provided for nor utilized for commercial purposes.~~

CHAPTER 4

QUALIFICATIONS

REPEALED

CHAPTER 4

QUALIFICATIONS

REPEALED

~~Section 1. **Request for Licensure.** The Board shall consider on an individual basis, the request of each applicant for a provisional or a professional license as a Speech-Language Pathologist and/or Audiologist, under the criteria as set forth in W.S. 33-33-105. Individuals who have not completed all the requirements for professional licensure and are in their Clinical Fellowship Year for Speech Pathology may only apply for a provisional license.~~

~~Section 2. **Educational Preparation.** Educational qualifications are deemed equivalent to those specified in W.S. 33-33-105(a)(i) under the following criteria:~~

~~(a) The qualifications for licensure shall be certification by ASHA or ABA board certification.~~

~~(b) Each applicant shall submit;~~

~~(i) Bona fide copies of all documents required by ASHA for the Certificate of Clinical Competence or ABA board certification or other appropriate credentialing agency in the area for which the individual is applying for licensure,~~

~~(ii) A bona fide copy of the certification credential with any bona fide document showing current status may be submitted in lieu of the documents listed above in subparagraph (b)(i).~~

CHAPTER 5

SPEECH PATHOLOGY AND AUDIOLOGY AIDES

Section 1. **Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish the requirements and procedures for registration of aides.

Section 2. **Aides Registration.**

(a) Eligibility. An applicant may seek registration as an aide if the applicant practices under the supervision of a licensee.

(b) Application Packet for Aide Registration. The aide and the supervising licensee shall submit the following documentation to the ARC for approval:

(i) Completed application and payment of fees submitted by the applicant;

(ii) Supervision agreement executed by the aide and the supervising licensee; and

(iii) A training plan establishing competency for an aide submitted by the supervising licensee, which includes:

(A) Twenty-five (25) hours of direct supervised client contact; and

(B) Twenty-five (25) hours of direct observational training in:

(I) Overview of speech and/or language disorders relative to client-related care or hearing and balance relative to client-related assessment, disorders, and care;

(II) Ethical and legal responsibilities;

(III) Observing and data collection specific to site population; and

(IV) Record keeping.

(c) Aide Registration. Upon ARC approval, the supervising licensee may implement the training plan. Verification of completion shall be sent to the ARC within six (6) months of approval, otherwise the application shall expire. After completion, the applicant may identify themselves as an "aide," "technician," or "assistant" within the same professional setting as the supervising licensee.

(d) Aide Continued Practice. An aide's registration shall remain valid if the supervising licensee provides the required evaluation form with their annual renewal.

Section 3. **Notice of Transfer or Termination of Supervision.**

(a) An aide may change supervisors after the ARC reviews and approves an executed supervision agreement form.

(b) The supervising licensee may terminate supervision of an aide. The supervising licensee shall notify the Board in writing of termination within thirty (30) days.

CHAPTER 5

SPEECH-~~LANGUAGE~~ PATHOLOGY~~-ASSISTANT~~ AND AUDIOLOGY ~~TECHNICIAN~~AIDES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish the requirements and procedures for registration of aides.

~~Section 1. **Qualifications.** In order to work under the supervision of a licensed Speech-Language Pathologist or Audiologist, the Speech-Language Pathology Assistant or Audiometric Technician shall possess the following qualifications:~~

~~(a) Be at least 18 years old;~~

~~(b) Have a high school education or G.E.D. equivalent;~~

~~(c) Good moral character;~~

~~(d) Communication skills adequate for the tasks assigned;~~

~~(e) Ability to relate to the clinical population being served; and~~

~~(f) Additional qualifications may be established according to the needs of the program and the population being served.~~

Section 2. Aides Registration.

(a) Eligibility. An applicant may seek registration as an aide if the applicant practices under the supervision of a licensee.

(b) Application Packet for Aide Registration. The aide and the supervising licensee shall submit the following documentation to the ARC for approval:

(i) Completed application and payment of fees submitted by the applicant;

(ii) Supervision agreement executed by the aide and the supervising licensee; and

(iii) A training plan establishing competency for an aide submitted by the supervising licensee, which includes:

(A) Twenty-five (25) hours of direct supervised client contact; and

(B) Twenty-five (25) hours of direct observational training in:

(I) Overview of speech and/or language disorders relative to client-related care or hearing and balance relative to client-related assessment, disorders, and care;

(II) Ethical and legal responsibilities;

(III) Observing and data collection specific to site population; and

(IV) Record keeping.

(c) Aide Registration. Upon ARC approval, the supervising licensee may implement the training plan. Verification of completion shall be sent to the ARC within six (6) months of approval, otherwise the application shall expire. After completion, the applicant may identify themselves as an "aide," "technician," or "assistant" within the same professional setting as the supervising licensee.

(d) Aide Continued Practice. An aide's registration shall remain valid if the supervising licensee provides the required evaluation form with their annual renewal.

~~Section 2. **Speech-Language Pathology Assistant Training**~~

~~(a) Speech-Language Pathology training as specified in the Rules and Regulations by a Wyoming licensed Speech-Language Pathologist shall be completed for anyone seeking initial registration and/or who has not worked in the field in the last five (5) years. The training provided consists of minimum initial requirements.~~

~~(i) The training required shall, at a minimum, consist of 25 hours of observational training in:~~

~~1. An overview of speech and/or language disorders relative to client-related care;~~

~~2. Ethical and legal responsibilities;~~

~~3. Observing and data collection specific to site population;~~

~~4. Record keeping; and~~

~~(ii) 25 hours of direct supervised client contact.~~

Section 3. Notice of Transfer or Termination of Supervision.

(a) An aide may change supervisors after the ARC reviews and approves an executed supervision agreement form.

(b) The supervising licensee may terminate supervision of an aide. The supervising licensee shall notify the Board in writing of termination within thirty (30) days.

~~Section 3. **Duties of the Speech-Language Pathology Assistant**. After the initial period of intensive training, the Speech-Language Pathology Assistant may assume the following duties under the direct supervision of a licensed Speech-Language Pathologist:~~

~~(a) Conduct Speech-Language screenings (without interpretation) following specified screening protocols developed by the Licensee;~~

~~(b) Carry out prescriptive programming, set forth by the Licensee, for individuals and~~

~~groups;~~

~~(c) Provide direct treatment assistance to a caseload of identified clients by the Licensee;~~

~~(d) Assist with informal documentation such as tallying notes for Licensees to use, prepare materials, and assist with other clerical duties as directed by the Licensee;~~

~~(e) Chart and graph client's progress. Record progress and sign documents only that have been reviewed and co-signed by the Licensee;~~

~~(f) Keep daily log of specific problems;~~

~~(g) Report progress to the Licensee;~~

~~(h) Schedule activities, prepare charts, records, graphs, or otherwise display data. This shall not include report generation;~~

~~(i) Perform simple checks and maintenance of equipment;~~

~~(j) Participate with the Licensee in research projects, inservice training and public relations programs;~~

~~Section 4. **Duties Not Assumed by the Speech-Language Pathology Assistant.** The Speech-Language Pathology Assistant shall not perform any of the following actions:~~

~~(a) Any activity which violates the Board's Standards of Ethical Principles;~~

~~(b) Administer tests, interpret test results or perform diagnostic Speech-Language evaluations. A Speech-Language Pathology Assistant may serve as a translator when working with clients with limited English proficiency and may assist the Licensee during test administration;~~

~~(c) Conduct hearing screenings unless specially trained;~~

~~(d) Participate in parent conferences, case conferences or any interdisciplinary team without the presence of the Licensee;~~

~~(e) Client or family counseling;~~

~~(f) Write, develop or modify a client's treatment plan in any way without the recommendation, guidance and approval of the Licensee;~~

~~(g) Treat clients without following the treatment plan prepared by the Licensee;~~

~~(h) Sign any document without the co-signature of the Licensee;~~

~~(i) Select clients for services;~~

~~(j) Discharge a client from services;~~

~~(k) Disclose clinical or confidential information either orally or in writing to anyone not designated by the Licensee;~~

~~(l) Make referrals for additional services;~~

~~(m) Use the title "Speech-Language Pathologist" either verbally or in writing. "Speech-Language Assistant" or "Speech Pathology Aide" may be used.~~

~~Section 5. **Audiometric Technician Training**~~

~~(a) Audiometric training as specified in the Rules and Regulations by a Wyoming licensed Audiologist shall be completed for anyone seeking initial registration and/or who has not worked in the field in the last five (5) years. The training provided consists of minimum initial requirements.~~

~~(i) The training required shall, at a minimum, consist of 25 hours of observational training in:~~

~~1. An overview of hearing and balance relative to client-related assessment, disorders, and care;~~

~~2. Ethical and legal responsibilities;~~

~~3. Observing and data collection specific to site population;~~

~~4. Record keeping; and~~

~~(ii) 25 hours of direct supervised client contact.~~

~~(iii) Annual training to maintain proficiency in clinical management procedures must be conducted.~~

~~Section 6. **Duties of the Audiometric Technician.** After a period of intensive training, the Audiometric Technician may assume the following duties under the direct supervision of a licensed Audiologist:~~

~~(a) Conduct fixed intensity air conduction hearing screening, without interpretation following specified screening protocols developed by the Licensee;~~

~~(b) Perform automatic type tympanometry screening procedures following the specified screening protocols developed by the Licensee. The Audiometric Technician may not interpret tympanometry results;~~

~~(c) Carry out prescriptive aural rehabilitation programming set forth by the Licensee;~~

~~(d) Assist with informal documentation such as tallying notes for Licensee, prepare materials and assist with other clerical duties as directed by the Licensee;~~

~~(e) Keep a daily log of screenings performed;~~

~~(f) Perform checks on hearing aids and other assistive listening devices. Conduct routine trouble-shooting activities designed to assist the Licensee in the determination and resolution of malfunctions with hearing aids and assistive listening devices;~~

~~(g) Clean hearing aids;~~

~~(h) Instruct clients in the use of assistive listening devices;~~

~~(i) Schedule activities, prepare charts, records, graphs or otherwise display data. This shall not include report generation;~~

~~(j) Assist the Licensee in taking earmold impressions;~~

~~(k) Sign documents only that have been reviewed and co-signed by the Licensee;~~

~~(l) Perform simple checks and maintenance of equipment;~~

~~(m) Participate with the Licensee in research projects, inservice training and public relations programs.~~

~~Section 7. **Duties Not Assumed by the Audiometric Technician.** The Audiometric Technician shall not perform any of the following actions:~~

~~(a) Activity which violates the Board's Standards of Ethical Principles;~~

~~(b) Administer tests, interpret test results or perform diagnostic auditory or vestibular evaluations. An Audiometric Technician may serve as a translator when working with clients with limited English proficiency and may assist the Licensee during test administration;~~

~~(c) Conduct Speech-Language screenings unless specially trained;~~

~~(d) Discuss confidential information or test results, with the exception of indicating the data simply reveals normal or less than normal hearing sensitivity;~~

~~(e) Participate in parent conferences, case conferences or any interdisciplinary team without the presence of the Licensee;~~

~~(f) Do client or family counseling;~~

~~(g) Select, recommend or dispense a hearing aid or other assistive listening device;~~

~~(h) Work without following the specified protocol developed by the Licensee;~~

~~(i) Sign any document without the co-signature of the Licensee;~~

~~(j) Select clients for services;~~

~~(k) Discharge a client from services;~~

~~(l) Disclose clinical or confidential information either orally or in writing to anyone not designated by the Licensee;~~

~~(m) Make referrals for additional services, such as medical, hearing aids or other aural rehabilitation considerations;~~

~~(n) Use the title "Audiologist" either verbally or in writing. "Audiometric Technician" or "Audiology Aide" may be used.~~

~~Section 8. **Registration.** A Licensee supervising a Speech-Language Pathology Assistant or Audiometric Technician, shall register with the Board, on a form provided by the Board, providing the name of each individual working under supervision. Each Speech-Language Pathology Assistant or Audiometric Technician, working under the supervision of a Licensee, shall also register with the Board on a form provided by the Board. There shall be no fee for either of these registrations.~~

~~Section 9. **Supervision.** Supervision will be by a fully licensed Speech Pathologists or Audiologist with no less than two (2) years experience. The method of supervision shall be specified on registration. It is assumed that the Speech-Language Pathology Assistant or Audiometric Technician will work in the same professional setting as the supervising Licensee. The Board may determine if other arrangements are appropriate and whether supervision is adequate.~~

~~Section 10. **Maximum Number of Assistants or Technicians.** Licensee may not supervise more than three (3) Assistants or Technicians in the area for which they are licensed, unless it is demonstrated to the Board that:~~

~~(a) The public's health and safety would be served,~~

~~(b) The supervising Licensee has the need, and~~

~~(c) The Licensee can adequately supervise more than three (3) Assistants or Technicians.~~

~~Section 11. **Supervisor's Responsibilities.** Each Licensee supervising an Assistant or Technician shall be responsible for the following:~~

~~(a) Instituting the required training for each Assistant or Technician under the Licensee's supervision, encompassing all the procedures to be performed. The training shall be specified upon registration and approved by the Board;~~

~~(b) Reporting to the Board the outcome of the training, and the reliability of the Assistant's or Technician's clinical performance following training and direct observation. A report will be submitted to the Board at the end of the training but no later than at the completion of one year service;~~

~~(c) Insuring that the extent, kind and quality of functions performed are consistent with the Assistant's or Technician's training and experience; and~~

~~(d) Annually report to the Board on a form provided at the time of renewal.~~

~~Section 12. **Miscellaneous**~~

~~(a) One hundred percent (100%) of the Assistant's and Technician's Clinical activities are the responsibility of the Licensee. Direct on-site observations of the Assistant and Technician shall be completed according to the following:~~

~~(i) The first ten (10) hours of direct client contact following initial training.~~

~~(ii) Ten percent (10%) of all clinical sessions after the first 10 hours to include at least one in every 10 consecutive clinical sessions and periodic direct observation of every client.~~

~~(b) Direct observation means on-site, visual observation of the Assistant and Technician as a clinical activity is performed. The direct observations shall be documented and include information on the quality of the Assistant's and Technician's performance. Information obtained during direct observations may include data relative to (i) agreement between the Assistant and Technician and the Licensee on judgment of target behavior, (ii) accuracy in implementation of assessment and management procedures, (iii) accuracy in recording data, and (iv) ability to interact effectively with the client. It is recommended that whenever performance observed in areas (i) through (iv) listed above falls below the high standard of reliability set by the Licensee in three consecutive observations that the Assistant or Technician receive further training and observations be increased until the reliability returns to the required level.~~

~~(c) The Licensee shall review each individualized treatment plan weekly so that treatment modifications are made on a timely basis.~~

~~(d) In some instances, it may be necessary to change an Assistant's and Technician's duties or relieve that person of all duties if a high standard of proficiency cannot be attained, or if that person repeatedly violates the guidelines.~~

~~Section 13. **Notice of Termination.** Within thirty (30) days after the termination of an Assistant or Technician, the supervising Licensee shall notify the Board in writing of the date of termination.~~

~~Section 14. **Noncompliance with Chapter.** Failure of a supervising Licensee to comply with the provisions of this Chapter may result in a forfeiture of the privilege of the Licensee to supervise an Assistant or Techn~~

CHAPTER 6

CONTINUING EDUCATION

REPEALED

CHAPTER 6

CONTINUING EDUCATION

REPEALED

~~Section 1. **Requirements**. After January 1, 2008 each Licensee upon application for renewal of license shall furnish evidence of completing 1.2 continuing education units in the preceding year approved by the Board. This is equivalent to twelve (12) actual contact hours. Continuing education units may include inservice provided by appropriate professional organizations, University coursework, activities or other related activities approved by the Board. These continuing education units must be in the area of licensure or in a directly related area.~~

~~(a) The Board may, for good cause shown, grant a grace period not to exceed ninety (90) days to an individual who has not completed the required continuing education prior to the renewal of their license.~~

~~(b) A Licensee may apply for approval of a continuing education program which has not been approved by the Board by contacting the Board for a prior approval form before the program is attended. This request shall be made sixty (60) days prior to the scheduled activity. It shall be the Board's responsibility to notify the individual within thirty (30) days as to whether the continuing education activity is approved.~~

~~(c) Any institution, organization, agency or individual may apply to the Board for approval of continuing education programs. The Board shall approve those programs which are directly related to the practice of Speech-Language Pathology or Audiology. The request shall be made sixty (60) days prior to the scheduled activity. It shall be the Board's responsibility to notify of any approval within thirty (30) days.~~

~~(d) The Board shall be the final authority on acceptance of any educational activity submitted to meet continuing education unit requirements. The Board shall request verification of clock hours submitted, including information regarding content, certification and attendance. It is the responsibility of the Licensee to submit records to substantiate continuing education units. Failure to substantiate continuing education units, when requested by the Board, may result in denial of renewal of a license.~~

~~(e) For obtaining the continuing education units, the Board will accept continuing education provided by the following:~~

~~(i) Sessions of the national or regional professional association conventions.~~

~~(ii) Scientific and educational sessions of state conventions.~~

~~(iii) College courses taken for credit or through official audit.~~

~~(iv) Scientific or educational lectures, workshops, or seminars.~~

~~(v) Scientific and educational lectures, workshops, or seminars presented by the Licensee (a maximum of three (3) contact hours).~~

~~(vi) Articles published in a nationally or state refereed journal if the article falls within the Licensee's area of certification (a maximum of three (3) contact hours).~~

~~(vii) Journals offered for continuing education units or contact hours (with appropriate documentation of completed activity).~~

~~(viii) Journal or study groups with prior authorization from the Board.~~

~~(f) Areas for continuing education units include information applicable to the normal development and use of speech, language, and hearing; information pertaining to disorders of speech, language, and hearing and/or the management thereof; computer courses involving actual application to the communicatively impaired population; and dysphagia courses provided by qualified instructors. At least 75 percent of CEUs should be in areas related to speech pathology or audiology. Additional CEUs can be related to worksite, educational or medical management of programs, ethics, billing, state and federal laws, rules, and regulations.~~

~~(g) Each Licensee shall file the report and provide documentation of continuing education units by December 31 preceding the license renewal date. Acceptable documentation shall include, but not be limited to:~~

~~1) Transcripts from college/university courses,~~

~~2) Certificates of attendance indicating contact hours attended,~~

~~3) Professional CEU Registry Transcripts and/or,~~

~~4) Evidence of workshop completion.~~

~~(h) A renewal application will be sent to all Licensees prior to December 1.~~

~~(i) Submission of a false report of continuing education units hours or failure to meet these requirements shall cause the license to lapse.~~

~~(j) Sponsors requesting Board approval may be required to submit a proposed calendar of events, including program descriptions or outlines.~~

~~(k) Board approved sponsors shall be issued a sponsor number which will enable the Board to more effectively process activities.~~

~~(l) Board approved sponsors shall be required to:~~

~~(i) Provide the Board with the name of agency, address, telephone number and contact person;~~

~~(ii) Provide the Board with a program of acceptable subject matter;~~

~~(iii) Submit, within 30 days of completion of activity, a program description and a list of Licensees attending each session; and~~

~~(iv) Reapply for sponsorship.~~

~~(m) Board approved sponsors may be reviewed periodically. This will be done to insure that activities being provided are relevant to Speech-Language Pathologists and Audiologists.~~

CHAPTER 7

FEES

Section 1. **Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to determine and collect reasonable fees.

Section 2. **General Information.**

(a) Fees shall be payable in the exact amount by money order, cashier's check, or certified check. Application fees and renewals may by personal check.

(b) All fees collected by the Board are non-refundable.

Section 3. **Fees.** Services for which the Board charges a fee shall include but is not limited to the following fee schedule.

(a)		Application Fee	
	(i)	Provisional	$200
	(ii)	Initial License by Completing Provisional	$100
	(iii)	Initial License	$300
	(iv)	Endorsement	$300
(b)		Annual License Renewal Fee	$100
(c)		Administrative Grace Period/Late Renewal Fee	$200
(d)		Relicensure Application Fee	$300
(e)		Reinstatement Application Fee	$350
(f)		Aide Registration Fee	$25
(g)		Roster	$200
(h)		Duplicate Pocket Card or Wall Certificate	$25
(j)		License Verification	$25
(k)		Non-sufficient Funds	$30
(l)		Copy Charge	20¢/page

CHAPTER 7

FEES

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to determine and collect reasonable fees.

Section 2. ~~Section 1.~~ **General Information.**

(a) Fees shall be payable in the exact amount by money order, cashier's check, or certified check. Application fees and renewals may by personal check.

~~(a) The current fee schedule shall appear in the official records of the Board's activities and shall be kept on file in the Board office.~~

~~(b) At the time of application, a copy of the current fee schedule shall be provided to applicants.~~

~~(c) Fees shall be payable in the exact amount, by money order or cashier's check, for all services and shall be paid in advance of the services rendered. Renewal fees may also be paid by personal check.~~

(b) ~~(d)~~ All fees collected by the Board are non-refundable.

Section 3. ~~Section 2.~~ **Fees.** Services for which the Board charges a fee shall include but is not limited to the following fee schedule.

(a)	Application Fee	
(i)	Provisional	$200
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(g)	Roster	$200
(h)	Duplicate Pocket Card or Wall Certificate	$25
(j)	License Verification	$25
(k)	Non-sufficient Funds	$30
(l)	Copy Charge	20¢/page

~~(a) Application for Speech-Language Pathology License: shall not exceed - $250.00~~

~~(b) Application for Audiology License: shall not exceed - $250.00~~

~~(c) Examination Fee for Speech-Language Pathology and/or Audiology License - Responsibility of applicant to pay directly to Educational Testing Service~~

~~(d) Initial License for Speech-Language Pathology or Audiology: shall not exceed - $250.00~~

~~(e) Renewal Fee - Speech Pathology or Audiology: shall not exceed - $250.00~~

~~(f) Late Renewal Fee - $20.00 per month for three months~~

~~Double the renewal fee thereafter within the two year period~~

~~Section 3. As provided by W.S. 33-33-306(a), all licenses expire at midnight on December 31 of each year. However, if the renewal fee is not paid by December 31, the license will expire and the Licensee may not practice until the fee is paid in full and the license renewed.~~

CHAPTER 8

DENIAL, SUSPENSION, REVOCATION AND OTHER DISCIPLINE

REPEALED

CHAPTER 8

DENIAL, SUSPENSION, REVOCATION AND OTHER DISCIPLINE

REPEALED

~~Section 1. **Unprofessional Conduct.** The Board may refuse to issue a license to an applicant or may suspend, or revoke a license or otherwise discipline any Licensee who has been guilty of unprofessional conduct within the meaning of W.S. 33-33-305(a). Unprofessional conduct includes, but is not limited to the following:~~

~~(a) Violating or conspiring to violate or aiding or abetting any person in violating the provision(s) of the Act or any provision of the Board rules and regulations.~~

~~(b) Committing a dishonest or fraudulent act as a licensed Speech-Language Pathologist or Audiologist.~~

~~(c) Diagnosing or treating individuals for speech or hearing disorders by mail or telephone, unless the individual has been previously examined by the licensee and the diagnosis or treatment is related to such examination.~~

~~(d) Incompetence or negligence in the practice of Speech-Language Pathology or Audiology which has endangered or is likely to endanger the health, welfare, or safety of the public.~~

~~(e) Attempting to procure a license by bribery, fraudulent misrepresentation, or through an error in information provided to the Board.~~

~~(f) Making or filing a report or record signed as a Speech Pathologist or Audiologist which the licensee knows to be false, intentionally or negligently failing to file a report or records required by state or federal law, willfully impeding or obstructing such a filing, or inducing another person to impede or obstruct such a filing.~~

~~(g) Improper supervision of an Assistant or Technician;~~

~~(h) Violating a lawful order of the Board entered in a disciplinary matter, or failing to comply with a lawfully issued subpoena of the Board.~~

~~(i) Practicing while a license is revoked, suspended, or expired.~~

~~(j) Exercising influence on a client in such a manner as to exploit the client for financial gain of the Licensee or of a third party.~~

~~(k) Failure to comply with the Board's request for production of documents not otherwise protected by law.~~

CHAPTER 9

PRACTICE AND PROCEDURES FOR

DISCIPLINARY, APPLICATION, AND LICENSURE MATTERS

Section 1. **Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to:

(a) Conduct investigations, hearings, and proceedings concerning:

(i) Actions relating to an application for a license including granting or denying; or

(ii) Alleged violations of the Act or the Board Rules.

(b) Determine and administer appropriate disciplinary action against an applicant or licensee.

Section 2. **Grounds for Discipline.** The Board may refuse to issue a license to an applicant or may suspend, revoke, or otherwise discipline any licensee who has been guilty of unprofessional conduct within the meaning of W.S. 33-33-305(a). Unprofessional conduct includes, but is not limited to:

(a) Violating or conspiring to violate or aiding or abetting any person in violating the provision(s) of the Act or any provision of the Board rules and regulations;

(b) Committing a dishonest or fraudulent act related to practice;

(c) Diagnosing or treating individuals for speech or hearing disorders by mail, telephone, video, or other electronic means unless the individual has been previously examined by the licensee and the diagnosis or treatment is related to such examination;

(d) Incompetence or negligence in the practice of Speech-Language Pathology or Audiology which has endangered or is likely to endanger the health, welfare, or safety of the public;

(e) Attempting to procure a license by bribery, fraudulent misrepresentation, or through an error in information provided to the Board;

(f) Making or filing a report or record signed as a Speech Pathologist or Audiologist which the licensee knows to be false, intentionally or negligently failing to file a report or records required by state or federal law, willfully impeding or obstructing such a filing, or inducing another person to impede or obstruct such a filing;

(g) Improper supervision of an aide;

(h) Violating a lawful order of the Board entered in a disciplinary matter, or failing to comply with a lawfully issued subpoena of the Board;

(j) Practicing while a license is revoked, suspended, or expired;

(k) Exercising influence on a client in such a manner as to exploit the client for financial gain of the Licensee or of a third party;

(l) Failure to comply with the Board's request for production of documents not otherwise protected by law;

(m) Failure to adequately refer or transfer care; or

(n) Client abandonment.

Section 3. <u>Application Review and Investigation Process</u>.

(a) <u>Application Review.</u> Every application for a license or registration shall be subject to investigation by the ARC to determine whether the requirements set forth in the Act and Board Rules are satisfied.

(b) <u>Application Review Committee Action.</u> Following investigation, the ARC may recommend:

(i) A license be issued, renewed, relicensed, or reinstated;

(ii) A license be issued, renewed, reactivated or reinstated subject to conditions, restrictions, or other disciplinary action;

(iii) Approval of a settlement agreement, which may include the issuance, renewal, reactivation or reinstatement of a license with the imposition of a reprimand, conditions, restrictions, suspension, other discipline or a combination thereof; or

(iv) Denial of the application.

(c) <u>Application Review Committee Action.</u> The ARC may:

(i) Recommend a license or registration be issued, renewed, relicensed, or reinstated;

(ii) Recommend a settlement agreement which may include the issuance of a license or renewal with the imposition of restrictions, conditions, reprimand or a combination thereof; or

(iii) Recommend denial of the application.

(d) <u>Notice of Intent to Recommend Approval Subject to Conditions, Restrictions, Other Disciplinary Action or Denial of License.</u>

(i) The ARC shall notify the applicant of its intent to recommend:

(A) A license subject to conditions, restrictions, or other disciplinary action; or

(B) Denial of the application.

(ii) The notice of intent shall contain:

(A) A brief description of the facts or conduct which warrant the issuance of a license subject to conditions, restrictions, or other disciplinary action or denial of a license;

(B) A citation to the applicable statutory provisions in the Act or the Board Rules; and

(C) Notice of the right to a hearing if a written request is received by the Board office within thirty (30) days of the date of mailing the notice of intent.

(e) Applicant's Request for Hearing.

(i) If the ARC recommends a license subject to conditions, restrictions, or other disciplinary action or denial, the applicant may request a contested case hearing.

(ii) The applicant shall submit a written request for hearing to the Board office within thirty (30) days of the date of the notice of intent.

(iii) Failure of the applicant to pursue proceedings related to the application after requesting a hearing may result in dismissal.

Section 4. Complaint Review and Investigation Process.

(a) Complaint Review. Every complaint submitted to the Board or initiated on behalf of the Board shall be investigated by a DC.

(b) Voluntary Surrender. A licensee may petition the Board, in writing, to voluntarily surrender their license. The Board shall hold an expedited meeting at its earliest convenience to consider the petition. The Board may accept or reject the petition for voluntary surrender and may consider whether the licensee is under investigation.

(c) Disciplinary Committee Action. The DC may:

(i) Recommend dismissal of a complaint;

(ii) Recommend issuance of an advisory letter;

(iii) Recommend a settlement agreement which may include voluntary surrender, suspension, imposition of restrictions or conditions, reprimand or other discipline;

(iv) Recommend disciplinary action against the licensee including revocation, suspension, reprimand, restrictions or conditions, or other discipline; or

(v) Recommend summary suspension.

(d) Summary Suspension. The Board may conduct an expedited hearing if the DC believes that the licensee's continued practice presents a danger to the public health, safety or welfare and recommends summary suspension.

Section 5. Petition. The DC shall initiate formal proceedings for disciplinary action by serving a Petition to the last known address of the licensee by certified mail or by regular mail at least thirty (30) days prior to the date set for hearing.

Section 6. Notice of Hearing. The Notice of Hearing shall contain:

(a) The name and last known address of the applicant or licensee;

(b) A brief statement of the matters asserted relating to:

(i) The recommendation to deny the application, the facts upon which the recommendation to deny is based, the statutory provisions and/or the Board Rules the applicant is alleged to have violated; or

(ii) The nature of the Petition, the facts upon which the Petition is based, the statutory provisions and/or the Board Rules the licensee is alleged to have violated;

(c) The time, place, and nature of the hearing;

(d) The legal authority and jurisdiction; and

(e) A statement indicating:

(i) The applicant's failure to appear at a noticed hearing or pursue proceedings may result in a dismissal; or

(ii) The licensee's failure to answer the allegations contained in the Petition within twenty (20) days of the date of mailing and failure to appear at a noticed hearing may result in a default judgment.

Section 7. Lawful Service. There shall be a presumption of lawful service of a Petition, Notice of Hearing, or any other communication required by these Board Rules if sent to the last known address of the licensee or applicant by certified or regular mail.

Section 8. Dismissal or Default.

(a) Dismissal. The Board may enter an order of dismissal based on the allegations contained in the recommendation to deny in any case where the applicant or the applicant's representative has not appeared at a noticed hearing or pursued proceedings.

(b) Default. The Board may enter an order of default judgment based on the allegations contained in the Petition in any case where the licensee or the licensee's representative has not answered the allegations contained in the Petition and has not appeared at a noticed hearing.

Section 9. **Contested Case Hearing.** The hearing officer shall preside over the contested case hearing which shall be conducted pursuant to the WAPA and the Office of Administrative Hearings rules concerning contested case proceedings incorporated by reference in Chapter 1.

Section 10. **Burden and Standard of Proof.**

(a) Summary Suspension. The DC shall bear the burden to prove by a preponderance of evidence that the licensee presents a clear and immediate danger to the public health, safety, and welfare if allowed to continue to practice.

(b) Application/Licensure Matters. The applicant shall bear the burden to prove by a preponderance of evidence that they meet the qualifications for licensure. The burden shall shift to the ARC or DC to prove by clear and convincing evidence that applicant should be denied a license. The burden shall shift to the applicant to persuade the Board that the ARC or DC's grounds for denial are insufficient.

(c) Discipline Matters. The DC shall bear the burden to prove by clear and convincing evidence that a licensee violated the Act or the Board's Rules.

Section 11. **Board Decision and Order.**

(a) Board Action. The Board may resolve an application matter, complaint, or Petition by:

(i) Approving the recommendations of the ARC or DC; or

(ii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the Board may:

(A) Issue, renew, relicense, or reinstate a license;

(B) Issue, renew, relicense, or reinstate a license subject to conditions, restrictions, or other disciplinary action;

(C) Deny a license, renewal, relicensure, or reinstatement;

(D) Dismiss the complaint or Petition due to lack of clear and convincing evidence;

(E) Issue an advisory letter; and/or

(F) Impose a reprimand, conditions, restrictions, non-renewal, suspension, revocation, other discipline or a combination thereof.

(b) Board Order. The Board shall make and enter a written decision and order. The decision and order shall be sent to the applicant, licensee, or their attorneys by certified or regular mail.

Section 12. **Judicial Review.**

(a) Appeals from decisions of the Board are governed by the WAPA and Wyoming Rules of Appellate Procedure.

(b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal.

CHAPTER 9

~~COMPLAINT~~ PRACTICE AND PROCEDURES FOR

DISCIPLINARY, APPLICATION, AND LICENSURE MATTERS

Section 1. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to:

(a) Conduct investigations, hearings, and proceedings concerning:

(i) Actions relating to an application for a license including granting or denying; or

(ii) Alleged violations of the Act or the Board Rules.

(b) Determine and administer appropriate disciplinary action against an applicant or licensee. ~~Section 1. **Complaints.** All complaints against a Licensee shall be filed with the Board in writing and shall contain:~~

~~(a) Name and address of Licensee;~~

~~(b) Name, address and telephone number of complainant;~~

~~(c) Nature of alleged violation(s);~~

~~(d) A short and concise statement of facts relating to the alleged violations; and~~

~~(e) Signature of complainant.~~

Section 2. Grounds for Discipline. ~~Section 2. **Investigation.**~~ The Board may refuse to issue a license to an applicant or may suspend, revoke, or otherwise discipline any licensee who has been guilty of unprofessional conduct within the meaning of W.S. 33-33-305(a). Unprofessional conduct includes, but is not limited to:

(a) Violating or conspiring to violate or aiding or abetting any person in violating the provision(s) of the Act or any provision of the Board rules and regulations;

(b) Committing a dishonest or fraudulent act related to practice;

(c) Diagnosing or treating individuals for speech or hearing disorders by mail, telephone, video, or other electronic means unless the individual has been previously examined by the licensee and the diagnosis or treatment is related to such examination;

(d) Incompetence or negligence in the practice of Speech-Language Pathology or Audiology which has endangered or is likely to endanger the health, welfare, or safety of the public;

(e) Attempting to procure a license by bribery, fraudulent misrepresentation, or through an error in information provided to the Board;

(f) Making or filing a report or record signed as a Speech Pathologist or Audiologist which the licensee knows to be false, intentionally or negligently failing to file a report or records required by state or federal law, willfully impeding or obstructing such a filing, or inducing another person to impede or obstruct such a filing;

(g) Improper supervision of an aide;

(h) Violating a lawful order of the Board entered in a disciplinary matter, or failing to comply with a lawfully issued subpoena of the Board;

(j) Practicing while a license is revoked, suspended, or expired;

(k) Exercising influence on a client in such a manner as to exploit the client for financial gain of the Licensee or of a third party;

(l) Failure to comply with the Board's request for production of documents not otherwise protected by law;

(m) Failure to adequately refer or transfer care; or

(n) Client abandonment.

Application Review and Investigation Process ~~(a) The Board shall consider the complaint to determine if further investigation of the matter is warranted. If further investigation is deemed necessary, the Board shall assign a Board member to investigate, or the Board may hire an independent investigator to assist the Board member and a representative of the Attorney General's Office.~~

~~(b) Upon completion of the investigation, the Board member may:~~

~~(i) Prepare and file a petition and complaint and Notice of Hearing with the Board, setting the matter for a contested case hearing;~~

~~(ii) Recommend to the Board that a letter of reprimand be issued to the Licensee;~~

~~(iii) Recommend settlement in the matter; or~~

~~(iv) Recommend to the Board that the complaint be dismissed.~~

~~(c) The Board may resolve a complaint at any time by:~~

~~(i) Sending a written letter of advice to the Licensee;~~

~~(ii) Accepting a voluntary surrender of a license;~~

~~(iii) Accepting conditional terms for settlement;~~

~~(iv) Dispensing with it an informal manner; or~~

~~(v) Dismissal.~~

Section 3. ~~Section 3. **Docket**. A contested case shall be assigned a number when a complaint is filed with the Board. A separate file shall be established for each docketed case, in which all papers, pleadings, documen transcripts, evidence and exhibits shall be placed.~~

(a) Application Review. Every application for a license or registration shall be subject to investigation by the ARC to determine whether the requirements set forth in the Act and Board Rules are satisfied.

(b) Application Review Committee Action. Following investigation, the ARC may recommend:

(i) A license be issued, renewed, relicensed, or reinstated;

(ii) A license be issued, renewed, reactivated or reinstated subject to conditions, restrictions, or other disciplinary action;

(iii) Approval of a settlement agreement, which may include the issuance, renewal, reactivation or reinstatement of a license with the imposition of a reprimand, conditions, restrictions, suspension, other discipline or a combination thereof; or

(iv) Denial of the application.

(c) Application Review Committee Action. The ARC may:

(i) Recommend a license or registration be issued, renewed, relicensed, or reinstated;

(ii) Recommend a settlement agreement which may include the issuance of a license or renewal with the imposition of restrictions, conditions, reprimand or a combination thereof; or

(iii) Recommend denial of the application.

(d) Notice of Intent to Recommend Approval Subject to Conditions, Restrictions, Other Disciplinary Action or Denial of License.

(i) The ARC shall notify the applicant of its intent to recommend:

(A) A license subject to conditions, restrictions, or other disciplinary action; or

(B) Denial of the application.

(ii) The notice of intent shall contain:

(A) A brief description of the facts or conduct which warrant the issuance of a license subject to conditions, restrictions, or other disciplinary action or denial of a license;

(B) A citation to the applicable statutory provisions in the Act or the Board Rules;

and

(C) Notice of the right to a hearing if a written request is received by the Board office within thirty (30) days of the date of mailing the notice of intent.

(e) Applicant's Request for Hearing.

(i) If the ARC recommends a license subject to conditions, restrictions, or other disciplinary action or denial, the applicant may request a contested case hearing.

(ii) The applicant shall submit a written request for hearing to the Board office within thirty (30) days of the date of the notice of intent.

(iii) Failure of the applicant to pursue proceedings related to the application after requesting a hearing may result in dismissal.

Section 4. Complaint Review and Investigation Process. ~~**Section 4. Notice and Opportunity to Show Compliance. Prior to commencing formal proceedings or taking disciplinary action, the Board shall give notice by mail to the licensee of the facts or conduct which warrant the intended action. The notice shall give the licensee an opportunity to show compliance with all lawful requirements for retention of the license within fifteen (15) days of the mailing of the notice. Service on the licensee shall be deemed complete and effective if the notice is sent by certified mail and regular mail to the licensee at the last known address provided to the Board by the licensee.**~~

(a) Complaint Review. Every complaint submitted to the Board or initiated on behalf of the Board shall be investigated by a DC.

(b) Voluntary Surrender. A licensee may petition the Board, in writing, to voluntarily surrender their license. The Board shall hold an expedited meeting at its earliest convenience to consider the petition. The Board may accept or reject the petition for voluntary surrender and may consider whether the licensee is under investigation.

(c) Disciplinary Committee Action. The DC may:

(i) Recommend dismissal of a complaint;

(ii) Recommend issuance of an advisory letter;

(iii) Recommend a settlement agreement which may include voluntary surrender, suspension, imposition of restrictions or conditions, reprimand or other discipline;

(iv) Recommend disciplinary action against the licensee including revocation, suspension, reprimand, restrictions or conditions, or other discipline; or

(v) Recommend summary suspension.

(d) Summary Suspension. The Board may conduct an expedited hearing if the DC believes that the licensee's continued practice presents a danger to the public health, safety or welfare

and recommends summary suspension.

Section 5. **Petition.** The DC shall initiate formal proceedings for disciplinary action by serving a Petition to the last known address of the licensee by certified mail or by regular mail at least thirty (30) days prior to the date set for hearing. Section (5). **Service of Notice and Formal Complaint.** The Petition and Complaint and Notice of Hearing shall be served personally or by mail at least thirty (30) days prior to the date set for hearing. Service shall be deemed complete and effective when sent by certified mail with return receipt requested and by regular mail to the address provided the Board by the licensee or the last known address for the licensee.

Notice of Hearing. The Notice of Hearing shall contain:

Section 6. Section 6. **Answer or Appearance.** The Licensee shall file an Answer or Notice of Appearance, which shall be received by the Board at least three (3) working days prior to the date set for hearing in the matter.

(a) The name and last known address of the applicant or licensee;

(b) A brief statement of the matters asserted relating to:

(i) The recommendation to deny the application, the facts upon which the recommendation to deny is based, the statutory provisions and/or the Board Rules the applicant is alleged to have violated; or

(ii) The nature of the Petition, the facts upon which the Petition is based, the statutory provisions and/or the Board Rules the licensee is alleged to have violated;

(c) The time, place, and nature of the hearing;

(d) The legal authority and jurisdiction; and

(e) A statement indicating:

(i) The applicant's failure to appear at a noticed hearing or pursue proceedings may result in a dismissal; or

(ii) The licensee's failure to answer the allegations contained in the Petition within twenty (20) days of the date of mailing and failure to appear at a noticed hearing may result in a default judgment.

Lawful Service. There shall be a presumption of lawful service of a Petition, Notice of Hearing, or any other communication required by these Board Rules if sent to the last known address of the licensee or applicant by certified or regular mail.

Section 7. Section 7. **Default in Licensee Answering or Appearing.** In the event of the failure of the Licensee to answer or otherwise appear within the time allowed, a default shall be entered and the allegations as set forth in the Petition and Complaint shall be taken as true and an

Order of the Board entered accordingly.

Dismissal or Default.

Section 8. Section 8. **Discovery.** In all contested cases coming before the Board, the taking of depositions and discovery shall be available to the parties.

(a) Dismissal. The Board may enter an order of dismissal based on the allegations contained in the recommendation to deny in any case where the applicant or the applicant's representative has not appeared at a noticed hearing or pursued proceedings.

(b) Default. The Board may enter an order of default judgment based on the allegations contained in the Petition in any case where the licensee or the licensee's representative has not answered the allegations contained in the Petition and has not appeared at a noticed hearing.

Section 9. **Subpoenas.** Subpoenas for appearance and to produce testimony, books, papers, documents or exhibits may be issued by the Board or hearing officer on behalf of any party to the contested case.

Section 9. Section 10. **Contested Case Hearing.** The hearing officer shall preside over the contested case hearing which shall be conducted pursuant to the WAPA and the Office of Administrative Hearings rules concerning contested case proceedings incorporated by reference in Chapter 1.All issues and matters set forth in the Notice and Complaint shall be presented to the Board. A Licensee may be represented by an attorney, licensed to practice law in this State or is otherwise associated at the hearing with an attorney licensed to practice law in this State.

Section 10. Burden and Standard of Proof. Section 11. **Hearing Officer.** The Board may employ and secure a hearing officer to assist and advise the Board in the conduct of a hearing and the preparation of recommended findings of fact, conclusions of law and order.

(a) Summary Suspension. The DC shall bear the burden to prove by a preponderance of evidence that the licensee presents a clear and immediate danger to the public health, safety, and welfare if allowed to continue to practice.

(b) Application/Licensure Matters. The applicant shall bear the burden to prove by a preponderance of evidence that they meet the qualifications for licensure. The burden shall shift to the ARC or DC to prove by clear and convincing evidence that applicant should be denied a license. The burden shall shift to the applicant to persuade the Board that the ARC or DC's grounds for denial are insufficient.

(c) Discipline Matters. The DC shall bear the burden to prove by clear and convincing evidence that a licensee violated the Act or the Board's Rules.

Section 11. Board Decision and Order. Section 12. **Order of Procedure at Hearing.** As nearly as may be, hearings shall be conducted in accordance with the following order of procedure:

(a) Board Action. The Board may resolve an application matter, complaint, or Petition

by:

(i) Approving the recommendations of the ARC or DC; or

(ii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the Board may:

(A) Issue, renew, relicense, or reinstate a license;

(B) Issue, renew, relicense, or reinstate a license subject to conditions, restrictions, or other disciplinary action;

(C) Deny a license, renewal, relicensure, or reinstatement;

(D) Dismiss the complaint or Petition due to lack of clear and convincing evidence;

(E) Issue an advisory letter; and/or

(F) Impose a reprimand, conditions, restrictions, non-renewal, suspension, revocation, other discipline or a combination thereof.

(b) Board Order. The Board shall make and enter a written decision and order. The decision and order shall be sent to the applicant, licensee, or their attorneys by certified or regular mail.

~~(a) The Board or hearing officer shall announce that the hearing is convened upon the call of the docket number and title of the matter and case to be heard, and thereupon the Board or hearing officer shall incorporate all pleadings into the record and shall note for the record all subpoenas issued and all appearances of record;~~

~~(b) All persons testifying at the hearing shall be administered the standard oath;~~

~~(c) The attorney or representative of the State shall thereupon proceed to present State's evidence. Witnesses may be cross-examined by the Licensee or attorney if represented. Redirect examination may be permitted;~~

~~(d) The Licensee shall be heard in the same manner as the State's evidence. The State shall have the opportunity of crossexamination and redirect examination may be permitted;~~

~~(e) Opening statements may be made.~~

~~(f) Closing statements, at the conclusion of the presentation of evidence, may be made by the parties or attorneys. A rebuttal statement may be made by the State. The time for oral argument may be limited by the Board or hearing officer;~~

~~(g) After all proceedings have been concluded, the Board or hearing officer shall dismiss and excuse all witnesses and declare the hearing closed. Any party who may wish or desire to tender~~

~~written briefs of law unto the Board may do so. The Board may take the case under advisement and shall declare unto each of the parties that the decision of the Board shall be announced within due and proper time following consideration of all of the matters presented at the hearing; and~~

~~(h) The Board and hearing officer shall retain the right and opportunity to examine any witness upon the conclusion of all testimony offered by a particular witness.~~

Section 12. Judicial Review. ~~Section 13. **Rules of Civil Procedure to Apply.** The rules of practice and procedure contained in the Wyoming Rules of Civil Procedure insofar as they are applicable and not inconsistent with the matters before the Board and applicable to the rules and orders promulgated by the Board shall apply.~~

(a) Appeals from decisions of the Board are governed by the WAPA and Wyoming Rules of Appellate Procedure.

(b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal.

~~Section 14. **Attorneys.** The filing of an answer or other appearance by an attorney constitutes an appearance for the party for whom the pleading is filed. The Board and all parties shall be notified in writing of any withdrawal. Any person appearing before the Board at a hearing in a representative capacity shall be precluded from examining or cross-examining any witness unless the person is an attorney licensed to practice law in this State, or associated with an attorney licensed to practice law in this State. This rule shall not be construed to prohibit any Licensee from representing themselves in any hearing before the Board, but any Licensee appearing in their own behalf shall not be relieved of abiding by all rules established for the hearing proceedings.~~

~~Section 15. **Attorney General to be Present.** In all hearings held upon formal action brought before the Board, a representative of the Office of the Attorney General of Wyoming shall appear on behalf of the Investigative Board Member, and shall present all evidence, testimony and legal authority in support of the Petition and Complaint to be considered by the Board.~~

~~Section 16. **Record of Proceedings.** When the denial, revocation or suspension of any license is the subject for hearing, it shall be regarded as a contested case and the proceedings, including all testimony, shall be reported verbatim by a court reporter or other adequate recording device.~~

~~Section 17. **Decision, Findings of Fact and Conclusions of Law and Order.**~~

~~(a) The Board shall, with the assistance of the hearing officer, following the full and complete hearing, make and enter a written decision and order containing findings of fact and conclusions of law. The decision and order shall be filed with the Board and shall, without further action, become the decision and order as a result of the hearing.~~

~~(b) No member, staff or agent of the Board who participated or advised in the investigation or presentation of evidence at the hearing shall participate or advise in the decision.~~

~~(c) Upon entry and filing, the Board shall mail copies of the decision to the Licensee and each attorney of record.~~

~~Section 18. **Appeals to District Court.** Appeals from Board decisions shall be taken to the district court having jurisdiction and proper venue in accordance with applicable statutes and the Wyoming Rules of Appellate Procedure.~~

~~Section 19. **Transcript in Case of Appeal.** In the case of an appeal to the district court, the appellant shall pay and arrange for the transcript of the testimony or reimburse the Board for the cost of the transcript. The transcript shall be verified by the oath of the reporter who took the testimony as a true and correct transcript of the testimony and other evidence in the case.~~

~~Section 20. **Stay of Decision.** Board decisions shall become final and enforceable upon their execution. There shall be no stay of a Board decision unless agreed to by the Board or properly granted by the district court.~~

~~Section 21. **Applicability of Chapter.** This Chapter shall also apply to registrations held by Assistants and Technicians.~~

CHAPTER 10

STANDARDS OF ETHICAL PRINCIPLES

REPEALED

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STANDARDS OF ETHICAL PRINCIPLES

REPEALED

~~Section 1. **Principle of Ethics I.** Licensees shall honor their responsibility to hold paramount the welfare of persons they serve professionally. The preservation of the highest standards of integrity and ethical principles is vital to the successful discharge of the responsibilities of all Licensees. These standards of ethical practice have been promulgated by the Board in an effort to highlight the fundamental rules considered essential to this basic purpose. The failure to specify any particular responsibility or practice in this Chapter should not be construed as denial of the existence of other responsibilities or practices that are equally important. Any act that is in violation of the spirit and purpose of this Chapter shall be unethical practice. It is the responsibility of each licensee to advise the Board of instances of violation of the principles incorporated in this Chapter.~~

~~(a) Licensees shall provide all services competently. The Licensee who engages in clinical work shall possess appropriate qualifications. Qualifications are provided by W.S. 33-33-105(a) (i), (ii), (iii) and Chapter 3 of this regulation.~~

~~(b) Licensees shall use every resource, including referral when appropriate, to insure that high quality service is provided.~~

~~(c) Licensees shall not discriminate in the delivery of professional services on the basis of race, sex, age, religion, national origin, sexual orientation, or handicapping condition.~~

~~(d) Licensees shall fully inform the persons they serve of the nature and possible effects of services rendered and products dispensed.~~

~~(e) Licensees shall evaluate the effectiveness of services rendered and of products dispensed and shall provide services or dispense products only when benefit can reasonably be expected. Licensees shall not exploit persons professionally, by accepting them for treatment where benefit cannot reasonably be expected to accrue, by continuing treatment unnecessarily, or by charging exorbitant fees.~~

~~(f) Licensees shall not guarantee the results of any treatment or procedure, directly or by implication; however, they may make a reasonable statement of prognosis.~~

~~(g) Licensees shall not evaluate or treat speech, language, or hearing disorders solely by correspondence. This does not preclude follow-up by correspondence of individuals previously seen, nor does it preclude providing the persons served professionally with general information of an educational nature.~~

~~(h) Licensees shall maintain adequate records of professional services rendered and products dispensed and shall allow access to these records when appropriately authorized.~~

~~(i) Licensees shall not reveal, without authorization, any professional or personal information about the person served professionally, unless required by law to do so, or unless doing so is necessary to protect the welfare of the person or of the community.~~

~~(j) Licensees shall not charge for services not rendered, nor shall they misrepresent, in any fashion, services rendered or products dispensed.~~

~~(k) Licensees shall use persons in research or as subjects of teaching demonstrations only with their informed consent.~~

~~(l) Licensees shall withdraw from professional practice when substance abuse or an emotional or mental disability may adversely affect the quality of services they render.~~

~~(m) Licensees shall take every precaution to avoid injury to persons served professionally.~~

~~Section 2. **Principle of Ethics II.** Licensees shall honor their responsibility to achieve and maintain the highest level of professional competence.~~

~~(a) Licensees shall engage in the provision of clinical services for which they are licensed.~~

~~(b) Licensees shall engage in only those aspects of the professions that are within the scope of their competence, considering their level of education, training, and experience. Any Licensee who has not completed proper professional preparation shall not provide speech, language or hearing services except in a supervised clinical practicum situation as a part of training. A Licensee holding a clinical position and involved in graduate work is not regarded as a student in training.~~

~~(c) Licensees shall continue their professional development throughout their careers.~~

~~(d) Licensees shall prohibit any of their professional staff from providing services that exceed the staff member's competence, considering the staff member's level of education, training, and experience.~~

~~(e) Licensees shall insure that all equipment used in the provision of services is in proper working order and is properly calibrated.~~

~~Section 3. **Principle of Ethics III.** Licensees shall honor their responsibility to the public by promoting public understanding of the professions, by supporting the development of services designed to fulfill the unmet needs of the public, and by providing accurate information in all communications involving any aspect of the professions.~~

~~(a) Licensees shall not misrepresent their credentials, competence, education, training, or experience.~~

~~(b) Licensees shall not participate in professional activities that constitute a conflict of~~

~~interest.~~

~~(c) Licensees shall not misrepresent diagnostic information, services rendered, or products dispensed or engage in any scheme or artifice to defraud in connection with obtaining payment or reimbursement for such services or products.~~

~~(d) Licensees' statements to the public shall provide accurate information about the nature and management of communication disorders, about the professions, and about professional services.~~

~~(e) Licensees' statements to the public--advertising, announcing, and marketing their professional services, reporting research results, and promoting products--shall adhere to prevailing professional standards and shall not contain misrepresentations.~~

~~(f) Licensees should help in education of the public regarding speech, language and hearing problems and other matters within the scope of their professional competence.~~

~~(g) Licensees should seek to provide and expand services to persons with speech, language and hearing handicaps, and to assist in establishing high professional standards for such programs.~~

~~Section 4. **Principle of Ethics IV.** Licensees shall honor their responsibilities to the professions and their relationships with colleagues, students, and members of allied professions. Licensees shall uphold the dignity and autonomy of the professions, maintain harmonious interprofessional and intraprofessional relationships, and accept the professions' self-imposed standards.~~

~~(a) Licensees shall prohibit anyone under their supervision from engaging in any practice that violates the Code of Ethics.~~

~~(b) Licensees shall not engage in dishonesty, fraud, deceit, misrepresentation, or any form of conduct that adversely reflects on the professions or on the individual's fitness to serve persons professionally.~~

~~(c) Licensees shall assign credit only to those who have contributed to a publication, presentation, or product. Credit shall be assigned in proportion to the contribution and only with the contributor's consent.~~

~~(d) Licensees' statements to colleagues about professional services, research results, and products shall adhere to prevailing professional standards and shall contain no misrepresentations.~~

~~(e) Licensees shall not provide professional services without exercising independent professional judgment, regardless of referral source or prescription.~~
~~(f) Licensees who have reason to believe that the Code of Ethics has been violated shall inform the Board.~~

~~(g) Licensees shall cooperate fully with the Board in its investigation and adjudication of matters related to this Code of Ethics.~~

~~(h) Licensees shall not discriminate in their relationships with colleagues, students, and members of allied professions on the basis of race, sex, age, religion, national origin, sexual orientation, or handicapping condition.~~

~~(i) The duties owed by the Licensee to other professional workers are many. The Licensee should:~~

~~(i) Seek professional discussion of all theoretical and practical issues but avoid personal invective directed toward professional colleagues or members of allied professions.~~

~~(ii) Establish harmonious relations with members of other professions, and endeavor to inform others concerning the services that can be rendered by members of the speech, language and hearing profession and in turn should seek information from members of related professions.~~

~~(iii) Strive to increase knowledge within the field of speech, language and hearing.~~

CHAPTER 11

PRACTICE OF SPEECH PATHOLOGY AND AUDIOLOGY

Section 1. **Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to regulate the practice of speech pathology and audiology in Wyoming.

Section 2. **Dual Licensure.**

(a) To practice in both areas of licensure, speech pathology and audiology, a licensee shall obtain licensure as a speech pathologist and audiologist.

(b) A speech pathologist may perform nondiagnostic audiometric screening either for the purposes of performing a speech and language evaluation or for initial identification of individuals with other communicative disorders.

(c) An audiologist may perform nondiagnostic speech and language screening either for purposes of performing an audiologic evaluation or for initial identification of individuals with other communicative disorders.

(d) Any licensee may provide aural habilitation, aural rehabilitation services, and auditory processing services, for which they have been properly trained.

Section 3. **Practice of Speech Pathology and Audiology.**

(a) Each licensee shall comply with the provisions of AAA, ABA, and ASHA's Codes of Ethics as referenced in Chapter 1.

(b) For a speech pathologist, the development and disorders of speech, voice, language or swallowing includes, but is not limited to, screening, identifying, assessing and interpreting, diagnosing, habilitating, rehabilitating, and preventing disorders of speech such as articulation, pragmatics, literacy, phonology, fluency, voice, resonance and nasal airflow, oral motor speech and orofacial myofunctional function, oral-pharyngeal function, such as swallowing/dysphagia and related disorders, language to include verbal and written and related non-oral/nonverbal forms, cognitive/communication disorders, memory and comprehension, auditory processing; assessing, selecting and developing augmentative and alternative communication systems and providing training in their use; providing aural habilitation or rehabilitation and related training and instructional services; enhancing Speech-Language proficiency and communication effectiveness, such as accent reduction; and screening of hearing and other factors for the purpose of Speech-Language evaluation or the initial identification of individuals with other communication disorders.

(c) For an audiologist, practice includes, but is not limited to, facilitating where applicable the conservation of auditory system function; developing and implementing environmental and occupational hearing conservation programs; cerumen management; screening, identifying, assessing and interpreting, diagnosing, preventing, and rehabilitating peripheral and central auditory system dysfunction; providing and interpreting behavioral and electro-physiological measurements of auditory and vestibular functions, such as auditory evoked potential assessment, neurophysiologic intraoperative monitoring or balance system assessment; providing aural habilitation or rehabilitation and related training and instructional services to individuals with hearing loss and their families; and screening of speech-language and other factors affecting communication function for the purposes of an audiologic evaluation and/or the identification of individuals with other communication disorders.

(d) The practice of speech pathology and audiology occurs where the patient is located or receives services.

(e) All licensees shall report to the Board known or suspected violations of the laws and regulations governing the practice of speech pathology and audiology.

Section 4. Principles of Supervision of Provisional License Holders and Aides.

(a) Eligibility for Supervision. A licensee that has practiced for three (3) years may supervise provisional license holders or aides within the same professional setting.

(b) Accountability. The licensee shall be responsible for the activities of the provisional license holder and/or aides. Licensee may be subject to disciplinary action for failure to adequately supervise provisional license holder and/or aides.

Section 5. Supervision of Aides.

(a) Limitation on Number of Aides. A licensee shall not supervise more than three (3) aides. The licensee may apply for an exception to this requirement by submitting a written request to the Board demonstrating just cause for the exception.

(b) Renewal of Aides. In order to renew the aide's registration, the supervisor shall submit an annual competency evaluation for any aides practicing under licensee's supervision.

(c) Delegable Duties. An aide may assume the following duties under direct supervision of the licensee:

(i) Carry out prescriptive programming for individuals and groups;

(ii) Provide direct treatment assistance to a caseload of identified clients as prescribed by the licensee;

(iii) Assist with informal documentation such as tallying notes, prepare materials, and assist with other clerical duties;

(iv) Chart and graph client's progress, record progress, and sign documents only that have been reviewed and co-signed by the licensee;

(v) Keep daily log of specific problems;

(vi) Perform simple checks and maintenance of equipment;

(vii) Participate with the licensee in research projects, in-service training and public relations programs.

(viii) Speech aides may conduct speech-language screenings (without interpretation) following specified screening protocols developed by the licensee.

(ix) Audiology aides may:

(A) Conduct fixed intensity air conduction hearing screening, without interpretation following specified screening protocols developed by the licensee;

(B) Perform automatic type tympanometry screening procedures following the specified screening protocols developed by the licensee. The aide may not interpret tympanometry results;

(C) Carry out prescriptive aural habilitation and rehabilitation programming;

(D) Perform checks on hearing aids and other assistive listening devices. Conduct routine trouble-shooting activities designed to assist the licensee in the determination and resolution of malfunctions with hearing aids and assistive listening devices;

(E) Clean hearing aids;

(F) Instruct clients in the use of assistive listening devices; and

(G) Assist the licensee in taking earmold impressions.

(d) Non-delegable Duties. The aide shall not perform any of the following actions:

(i) Any activity which violates AAA, ABA, or ASHA's Codes of Ethics as referenced in Chapter 1;

(ii) Participate in parent conferences, case conferences, or any interdisciplinary team without the presence of the licensee;

(iii) Client or family counseling;

(iv) Write, develop or modify a client's treatment plan in any way without the recommendation, guidance and approval of the licensee;

(v) Select clients for or discharge clients from services;

(vi) Make referrals for additional services;

(vii) Disclose clinical or confidential information either orally or in writing to anyone not designated by the licensee;

(viii) Speech pathology aide shall not:

(A) Administer tests, interpret test results or perform diagnostic speech-language evaluations. An aide may serve as a translator when working with clients with limited English proficiency and may assist the licensee during test administration; and

(B) Conduct hearing screenings unless specially trained.

(ix) Audiology aide shall not:

(A) Administer tests, interpret test results or perform diagnostic auditory or vestibular evaluations. An audiology aide may serve as a translator when working with clients with limited English proficiency and may assist the licensee during test administration;

(B) Conduct speech-language screenings unless specially trained;

(C) Discuss confidential information or test results, with the exception of indicating the data simply reveals normal or less than normal hearing sensitivity; and

(D) Select, recommend or dispense a hearing aid or other assistive listening device.

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