

1 AN ACT relating to licensed audiologists.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 334A.020 is amended to read as follows:

4 As used in this chapter, unless the context otherwise requires:

- 5 (1) "Board" means the Kentucky Board of Speech-Language Pathology and Audiology;
- 6 (2) "Person" means any individual, organization, or corporate body, except that only  
7 individuals can be licensed under this chapter;
- 8 (3) "Speech-language pathologist" means one who practices speech-language  
9 pathology. A speech-language pathologist may describe himself to the public by any  
10 title or description of services incorporating the words "speech-language  
11 pathologist," "speech-language pathology," "speech-language therapy," "speech-  
12 language correction," "speech-language correctionist," "speech-language therapist,"  
13 "speech clinic," "speech clinician," "speech pathologist," "language pathologist,"  
14 "language pathology," "language therapist," "logopedics," "logopedist,"  
15 "communicology," "communicologist," "aphasiologist," "voice therapy," "voice  
16 therapist," "voice pathology," "voice pathologist," "phoniatriest," "communication  
17 disorders," or "verbal therapist";
- 18 (4) "The practice of speech pathology" means the application of principles, methods,  
19 and procedures for the measurement, testing, audiometric screening, identification,  
20 appraisal, determination of prognosis, evaluation, consultation, remediation,  
21 counseling, instruction, and research related to the development and disorders of  
22 speech, voice, verbal and written language, cognition/communication, or oral and  
23 pharyngeal sensori-motor competencies for the purpose of designing and  
24 implementing programs for the amelioration of these disorders and conditions. Any  
25 representation to the public by title or by description of services, methods, or  
26 procedures for the evaluation, counseling, remediation consultation, measurement,  
27 testing, audiometric screening, identification, appraisal, instruction, and research of

- 1 persons diagnosed with conditions or disorders affecting speech, voice, verbal and  
2 written language, cognition/communication, or oral and pharyngeal sensori-motor  
3 competencies shall be considered to be the practice of speech-language pathology;
- 4 (5) "Audiologist" is defined as one who practices audiology. An audiologist may  
5 describe himself to the public by any title or description of services incorporating  
6 the words "audiologist," "audiology," "audiological," "hearing center," "hearing  
7 clinic," "hearing clinician," "hearing therapist," "audiometry," "audiometrist,"  
8 "audiometrics," "otometry," "otometrist," "aural rehabilitationist," or "hearing  
9 conservationist";
- 10 (6) "The practice of audiology" means the application of principles, methods, and  
11 procedures of measurement, testing, appraisal, prediction, consultation, counseling,  
12 and instruction related to hearing and disorders of hearing for the purpose of  
13 modifying communicative disorders involving speech, language, auditory behavior,  
14 or other aberrant behavior related to hearing loss; planning, directing, conducting,  
15 or participating in identification and hearing conservation programs; and  
16 habilitative and rehabilitative programs, including hearing aid recommendations  
17 and evaluation, selling or fitting of hearing instruments, auditory training, or  
18 speech reading;
- 19 (7) "Continuing professional education" in speech-language pathology and audiology  
20 consists of planned learning experiences beyond a basic educational program  
21 leading to a degree. These experiences are designed to promote knowledge, skills,  
22 and attitudes of speech-language pathology and audiology practitioners to enable  
23 them to provide professional services in their areas of training that are based on  
24 current research and best practices;
- 25 (8) "Speech-language pathology assistant" means one who assists in the practice of  
26 speech-language pathology only under the supervision and direction of an  
27 appropriately qualified supervisor and only within the public school system in the

1 Commonwealth. Any speech pathology services provided without appropriate  
2 supervision or outside the public school system shall be deemed to be the  
3 unlicensed practice of speech pathology and shall subject the offending party to  
4 penalties established pursuant to KRS 334A.990;

5 (9) "Assisting in the practice of speech pathology" means the provision of certain  
6 specific components of a speech or language service program provided by a speech-  
7 language pathology assistant under the supervision and direction of an appropriately  
8 qualified supervisor.

9 (a) If the training, supervision, documentation, and planning are appropriate, the  
10 following tasks may be delegated to a speech-language pathology assistant:

- 11 1. Conduct speech-language and hearing screenings without interpretation  
12 following specified screening protocols developed by a speech-language  
13 pathologist and audiologist, respectively;
- 14 2. Follow documented treatment plans or protocols as prescribed by the  
15 supervisor;
- 16 3. Document student progress toward meeting established objectives as  
17 stated in the treatment plan;
- 18 4. Provide direct treatment assistance to identified students under the  
19 supervision of the supervisor;
- 20 5. Assist with clerical and other related duties as directed by the  
21 supervisor;
- 22 6. Report to the supervisor about the treatment plan based on a student's  
23 performance;
- 24 7. Schedule activities, prepare charts, records, graphs, or otherwise display  
25 data. This shall not include report generation;
- 26 8. Perform simple checks and maintenance of equipment;
- 27 9. Participate with the supervisor in research projects, inservice training,

- 1                   and public relations programs;
- 2           10. Assist in the development and maintenance of an appropriate schedule
- 3                   for service delivery;
- 4           11. Assist in implementing collaborative activities with other professionals;
- 5           12. Assist in administering tests for diagnostic evaluations and progress
- 6                   monitoring; and
- 7           13. Participate in parent conferences, case conferences, or any
- 8                   interdisciplinary team in consultation with, or in the presence of, the
- 9                   supervisor.
- 10       (b) The following activities shall be outside the scope of practice of the speech-
- 11           language pathology assistant:
- 12           1. Performing any activity which violates the code of ethics promulgated
- 13                   by the board by administrative regulation;
- 14           2. Interpreting test results, or performing diagnostic evaluations without
- 15                   supervision;
- 16           3. Conducting client or family counseling without the recommendation,
- 17                   guidance, and approval of the supervisor;
- 18           4. Writing, developing, or modifying a student's individualized treatment
- 19                   plan in any way without the recommendation, guidance, and approval of
- 20                   the supervisor;
- 21           5. Treating students without following the individualized treatment plan
- 22                   prepared by the supervisor or without access to supervision;
- 23           6. Signing any due process document without the co-signature of the
- 24                   supervisor;
- 25           7. Selecting or discharging students;
- 26           8. Disclosing clinical or confidential information, either orally or in
- 27                   writing, to anyone not designated by the supervisor;

- 1           9. Making referrals for additional services; and
- 2           10. Representing himself or herself as something other than a speech-
- 3           language pathology assistant;
- 4 (10) "Supervisor" means a person who holds a Kentucky license as a speech-language
- 5           pathologist or who holds Education Professional Standards Board master's level
- 6           certification as a teacher of exceptional children in the areas of speech and
- 7           communication disorders as established by administrative regulation;
- 8 (11) "Interim license" means a license issued by the board pursuant to KRS 334A.035 to
- 9           a person for the purpose of completing the supervised postgraduate professional
- 10          experience required under that section prior to an application for licensure as a
- 11          speech-language pathologist or a speech-language pathology assistant; and
- 12 (12) "Temporary license" means a license that may be issued by the board administrator
- 13          pursuant to KRS 334A.183 to any applicant who has met all the requirements for
- 14          permanent licensure in accordance with that section.

15          ➔Section 2. KRS 334.020 is amended to read as follows:

16 No person shall engage in the sale or practice of fitting hearing instruments or display a

17 sign or in any other way advertise or represent himself ***or herself*** as a person who

18 practices the sale or fitting of hearing instruments unless he ***or she*** holds:

19 **(1) An~~[-an]~~ unsuspended, unrevoked license issued by the board pursuant to KRS**

20 **334.080;**

21 **(2) A~~[-, or unless he holds a]~~ current, unsuspended, unrevoked apprentice permit**

22 **pursuant to KRS 334.090;** ***or***

23 **(3) A license to practice as an audiologist issued by the Kentucky Board of Speech-**

24 **Language Pathology and Audiology pursuant to KRS Chapter 334A.**

25 The license or permit shall be conspicuously posted in each office or place of business.