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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 470

01/29/2015 Authored by Zerwas and Schoen

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health occupations; establishing a registration system for
1.3 speech-language pathology assistants; setting registration fees; amending
1.4 Minnesota Statutes 2014, sections 148.512, subdivision 4, by adding
1.5 subdivisions; 148.513, subdivision 2, by adding a subdivision; 148.519;
1.6 148.5191; 148.5194, subdivision 8, by adding a subdivision; 148.5195,
1.7 subdivisions 2, 3, 4; 148.5196, subdivisions 1, 3; proposing coding for new
1.8 law in Minnesota Statutes, chapter 148.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2014, section 148.512, subdivision 4, is amended to read:

1.11 Subd. 4. **Applicant.** "Applicant" means a person who applies to the commissioner
1.12 for licensure or licensure renewal, or registration or registration renewal.

1.13 **EFFECTIVE DATE.** This section is effective July 1, 2016.

1.14 Sec. 2. Minnesota Statutes 2014, section 148.512, is amended by adding a subdivision
1.15 to read:

1.16 Subd. 16a. **Register or registered.** "Register" or "registered" means the act or status
1.17 of a person who meets the requirements of section 148.5185.

1.18 **EFFECTIVE DATE.** This section is effective July 1, 2016.

1.19 Sec. 3. Minnesota Statutes 2014, section 148.512, is amended by adding a subdivision
1.20 to read:

1.21 Subd. 16b. **Registrant.** "Registrant" means a person who meets the requirements
1.22 of section 148.5185 and is authorized by the commissioner to use the titles in section
1.23 148.513, subdivision 2b, paragraph (a).

2.1 **EFFECTIVE DATE.** This section is effective July 1, 2016.

2.2 Sec. 4. Minnesota Statutes 2014, section 148.512, is amended by adding a subdivision
2.3 to read:

2.4 **Subd. 16c. Registration.** "Registration" is the system of regulation defined in
2.5 section 214.001, subdivision 3, clause (3), and is the process specified in section 148.5185.

2.6 **EFFECTIVE DATE.** This section is effective July 1, 2016.

2.7 Sec. 5. Minnesota Statutes 2014, section 148.513, subdivision 2, is amended to read:

2.8 **Subd. 2. Protected titles and restrictions on use; speech-language pathologists**
2.9 **and audiologists.** ~~(a) Notwithstanding paragraph (b),~~ Except as provided in subdivision
2.10 2b, the use of the following terms or initials which represent the following terms, alone or
2.11 in combination with any word or words, by any person to form an occupational title is
2.12 prohibited unless that person is licensed under sections 148.511 to 148.5198:

- 2.13 (1) speech-language;
- 2.14 (2) speech-language pathologist, S, SP, or SLP;
- 2.15 (3) speech pathologist;
- 2.16 (4) language pathologist;
- 2.17 (5) audiologist, A, or AUD;
- 2.18 (6) speech therapist;
- 2.19 (7) speech clinician;
- 2.20 (8) speech correctionist;
- 2.21 (9) language therapist;
- 2.22 (10) voice therapist;
- 2.23 (11) voice pathologist;
- 2.24 (12) logopedist;
- 2.25 (13) communicologist;
- 2.26 (14) aphasiologist;
- 2.27 (15) phoniatriest;
- 2.28 (16) audiometrist;
- 2.29 (17) audioprothologist;
- 2.30 (18) hearing therapist;
- 2.31 (19) hearing clinician; or
- 2.32 (20) hearing aid audiologist.

3.1 Use of the term "Minnesota licensed" in conjunction with the titles protected under
 3.2 this ~~paragraph~~ subdivision by any person is prohibited unless that person is licensed
 3.3 under sections 148.511 to 148.5198.

3.4 ~~(b) A speech-language pathology assistant practicing under section 148.5192~~
 3.5 ~~must not represent, indicate, or imply to the public that the assistant is a licensed~~
 3.6 ~~speech-language pathologist and shall only utilize one of the following titles:~~
 3.7 ~~"speech-language pathology assistant," "SLP assistant," or "SLP asst."~~

3.8 **EFFECTIVE DATE.** This section is effective July 1, 2016.

3.9 Sec. 6. Minnesota Statutes 2014, section 148.513, is amended by adding a subdivision
 3.10 to read:

3.11 **Subd. 2b. Protected titles and restrictions on use; speech-language pathology**
 3.12 **assistants.** (a) Use of the following titles by a person is prohibited, unless that person
 3.13 is registered under section 148.5185: "registered speech-language pathology assistant,"
 3.14 "registered SLP assistant," or "registered SLP asst."

3.15 (b) A speech-language pathology assistant practicing under section 148.5192
 3.16 must not represent, indicate, or imply to the public that the assistant is a licensed
 3.17 speech-language pathologist and shall only utilize one of the following titles:
 3.18 "speech-language pathology assistant," "SLP assistant," or "SLP asst." A speech-language
 3.19 pathology assistant registered under section 148.5185 may use the term "registered" or
 3.20 "Minnesota-registered" in connection with a title listed in this paragraph.

3.21 **EFFECTIVE DATE.** This section is effective July 1, 2016.

3.22 Sec. 7. **[148.5185] REGISTRATION; SPEECH-LANGUAGE PATHOLOGY**
 3.23 **ASSISTANTS.**

3.24 Subdivision 1. Qualifications for registration. To be eligible for registration as a
 3.25 speech-language pathology assistant, an applicant must satisfy one of the qualifications
 3.26 listed in section 148.5192, subdivision 1, and must complete at least 100 hours of
 3.27 supervised field work experience that meets the requirements of section 148.5192,
 3.28 subdivisions 2 and 3.

3.29 Subd. 2. Scope of practice. Scope of practice for speech-language pathology
 3.30 assistants is governed by section 148.5192, subdivision 2.

3.31 Subd. 3. Application procedures. Application procedures for registration are
 3.32 governed by section 148.519, subdivision 1a.

4.1 Subd. 4. **Action on registration applications.** The commissioner's actions on
 4.2 registration applications are governed by section 148.519, subdivision 2.

4.3 Subd. 5. **Change of name, employment, and address.** Changes to a registered
 4.4 speech-language pathology assistant's name, employment, and address are governed by
 4.5 section 148.519, subdivision 3.

4.6 Subd. 6. **Registration renewal.** Renewal of a speech-language pathology assistant
 4.7 registration is governed by section 148.5191.

4.8 Subd. 7. **Continuing education.** An applicant for registration renewal must meet
 4.9 continuing education requirements established by the commissioner.

4.10 Subd. 8. **Investigation procedures and disciplinary actions.** Complaint
 4.11 investigations and disciplinary actions against registered speech-language pathology
 4.12 assistants are governed by section 148.5195.

4.13 **EFFECTIVE DATE.** This section is effective July 1, 2016.

4.14 Sec. 8. Minnesota Statutes 2014, section 148.519, is amended to read:

4.15 **148.519 LICENSURE AND REGISTRATION PROCEDURES.**

4.16 Subdivision 1. **Applications for licensure.** (a) An applicant for licensure must:

4.17 (1) submit a completed application for licensure on forms provided by the
 4.18 commissioner. The application must include the applicant's name, certification number
 4.19 under chapter 153A, if applicable, business address and telephone number, or home
 4.20 address and telephone number if the applicant practices speech-language pathology or
 4.21 audiology out of the home, and a description of the applicant's education, training, and
 4.22 experience, including previous work history for the five years immediately preceding
 4.23 the date of application. The commissioner may ask the applicant to provide additional
 4.24 information necessary to clarify information submitted in the application; and

4.25 (2) submit documentation of the certificate of clinical competence issued by the
 4.26 American Speech-Language-Hearing Association, board certification by the American
 4.27 Board of Audiology, or satisfy the following requirements:

4.28 (i) submit a transcript showing the completion of a master's or doctoral degree or its
 4.29 equivalent meeting the requirements of section 148.515, subdivision 2;

4.30 (ii) submit documentation of the required hours of supervised clinical training;

4.31 (iii) submit documentation of the postgraduate clinical or doctoral clinical experience
 4.32 meeting the requirements of section 148.515, subdivision 4; and

4.33 (iv) submit documentation of receiving a qualifying score on an examination
 4.34 meeting the requirements of section 148.515, subdivision 5.

5.1 (b) In addition, an applicant must:

5.2 (1) sign a statement that the information in the application is true and correct to the
5.3 best of the applicant's knowledge and belief;

5.4 (2) submit with the application all fees required by section 148.5194; and

5.5 (3) sign a waiver authorizing the commissioner to obtain access to the applicant's
5.6 records in this or any other state in which the applicant has engaged in the practice of
5.7 speech-language pathology or audiology.

5.8 Subd. 1a. **Applications for registration.** An applicant for registration must submit
5.9 to the commissioner:

5.10 (1) a completed registration application on forms provided by the commissioner. The
5.11 application must include the applicant's name, business address and telephone number,
5.12 home address and telephone number, and a description of the applicant's education,
5.13 training, and experience, including previous work history for the five years immediately
5.14 preceding the application date. The commissioner may ask the applicant to provide
5.15 additional information needed to clarify information submitted in the application;

5.16 (2) documentation that the applicant satisfied one of the qualifications listed in
5.17 section 148.5192, subdivision 1, and that the applicant completed at least 100 hours
5.18 of supervised field work experience that meets the requirements of section 149.5192,
5.19 subdivisions 2 and 3;

5.20 (3) a signed statement that the information in the application is true and correct to
5.21 the best of the applicant's knowledge and belief;

5.22 (4) all fees required under section 148.5194; and

5.23 (5) a signed waiver authorizing the commissioner to obtain access to the applicant's
5.24 records in this or any other state in which the applicant has worked as a speech-language
5.25 pathology assistant.

5.26 Subd. 2. **Action on applications for licensure or registration.** (a) The
5.27 commissioner shall act on an application for licensure or registration according to
5.28 paragraphs (b) to (d).

5.29 (b) The commissioner shall determine if the applicant meets the requirements
5.30 for licensure or registration. The commissioner or advisory council may investigate
5.31 information provided by an applicant to determine whether the information is accurate
5.32 and complete.

5.33 (c) The commissioner shall notify an applicant, via certified mail, of action taken
5.34 on the application and of the grounds for denying licensure or registration if licensure
5.35 or registration is denied.

6.1 (d) An applicant denied licensure or registration may make a written request to the
 6.2 commissioner, within 30 days of the date of notification to the applicant, for reconsideration
 6.3 of the denial. Individuals requesting reconsideration may submit information that
 6.4 the applicant wants considered in the reconsideration. After reconsideration of the
 6.5 commissioner's determination to deny licensure or registration, the commissioner shall
 6.6 determine whether the original determination should be affirmed or modified. An
 6.7 applicant may make only one request in any one biennial license or registration period for
 6.8 reconsideration of the commissioner's determination to deny licensure or registration.

6.9 Subd. 3. **Change of name, employment, and addresses.** A licensee or registrant
 6.10 who changes addresses must inform the commissioner, in writing, of the change of name,
 6.11 employment, or address within 30 days. A change in name must be accompanied by a
 6.12 copy of a marriage certificate or court order. All notices or other correspondence mailed to
 6.13 or served on a licensee or registrant by the commissioner at the licensee's or registrant's
 6.14 address on file with the commissioner shall be considered as having been received by
 6.15 the licensee or registrant.

6.16 **EFFECTIVE DATE.** This section is effective July 1, 2016.

6.17 Sec. 9. Minnesota Statutes 2014, section 148.5191, is amended to read:

6.18 **148.5191 LICENSURE AND REGISTRATION RENEWAL.**

6.19 Subdivision 1. **Renewal requirements.** To renew licensure or registration, an
 6.20 applicant must:

6.21 (1) biennially complete a renewal application on a form provided by the
 6.22 commissioner and submit the biennial renewal fee;

6.23 (2) for license renewal, meet the continuing education requirements of section
 6.24 148.5193 and submit evidence of attending continuing education courses, as required
 6.25 in section 148.5193, subdivision 6, and for registration renewal, meet the continuing
 6.26 education requirements of section 148.5185, subdivision 7, and submit evidence of
 6.27 attending continuing education courses; and

6.28 (3) submit additional information if requested by the commissioner to clarify
 6.29 information presented in the renewal application. The information must be submitted
 6.30 within 30 days after the commissioner's request.

6.31 Subd. 2. **Late fee.** An application submitted after the renewal deadline date must be
 6.32 accompanied by a late fee as provided in section 148.5194, subdivision 4.

6.33 Subd. 3. **Licensure and registration renewal notice.** Licensure renewal and
 6.34 registration renewal is on a biennial basis. At least 60 days before the licensure or

7.1 registration expiration date, the commissioner shall send out a renewal notice to the
 7.2 licensee's or registrant's last known address. The notice shall include a renewal application
 7.3 and notice of fees required for renewal. If the licensee or registrant does not receive the
 7.4 renewal notice, the licensee or registrant is still required to meet the deadline for renewal
 7.5 to qualify for continuous licensure or registration status.

7.6 Subd. 4. **Renewal deadline.** Each license or registration, including a temporary
 7.7 license provided under section 148.5161, must state an expiration date. An application for
 7.8 licensure renewal or registration renewal must be received by the Department of Health or
 7.9 postmarked at least 30 days before the expiration date. If the postmark is illegible, the
 7.10 application shall be considered timely if received at least 21 days before the expiration date.

7.11 When the commissioner establishes the renewal schedule for an applicant, licensee,
 7.12 ~~or~~ temporary licensee, or registrant, if the period before the expiration date is less than two
 7.13 years, the fee shall be prorated.

7.14 **EFFECTIVE DATE.** This section is effective July 1, 2016.

7.15 Sec. 10. Minnesota Statutes 2014, section 148.5194, is amended by adding a
 7.16 subdivision to read:

7.17 Subd. 3b. **Registered speech-language pathology assistant biennial**
 7.18 **registration fee.** The fee for initial registration and biennial registration or renewal for a
 7.19 speech-language pathology assistant is \$.....

7.20 **EFFECTIVE DATE.** This section is effective July 1, 2016.

7.21 Sec. 11. Minnesota Statutes 2014, section 148.5194, subdivision 8, is amended to read:

7.22 Subd. 8. **Penalty fees.** (a) The penalty fee for practicing speech-language pathology
 7.23 or audiology or using protected titles without a current license after the credential has
 7.24 expired and before it is renewed is the amount of the license renewal fee for any part of
 7.25 the first month, plus the license renewal fee for any part of any subsequent month up to 36
 7.26 months. The penalty fee for a speech-language pathology assistant who uses protected
 7.27 titles without a current registration after the registration has expired and before it is
 7.28 renewed is the amount of the registration renewal fee for any part of the first month, plus
 7.29 the registration renewal fee for any part of any subsequent month up to 36 months.

7.30 (b) The penalty fee for applicants who engage in the unauthorized practice of
 7.31 speech-language pathology or audiology or using protected titles before being issued a
 7.32 license is the amount of the license application fee for any part of the first month, plus
 7.33 the license application fee for any part of any subsequent month up to 36 months. The

8.1 penalty fee for a speech-language pathology assistant who uses protected titles without
 8.2 being issued a registration is the amount of the registration application fee for any part of
 8.3 the first month, plus the registration application fee for any part of any subsequent month
 8.4 up to 36 months. This paragraph does not apply to applicants not qualifying for a license
 8.5 who engage in the unauthorized practice of speech language pathology or audiology.

8.6 (c) The penalty fee for practicing speech-language pathology or audiology and
 8.7 failing to submit a continuing education report by the due date with the correct number
 8.8 or type of hours in the correct time period is \$100 plus \$20 for each missing clock hour.
 8.9 The penalty fee for a registered speech-language pathology assistant who fails to submit a
 8.10 continuing education report by the due date with the correct number or type of hours in the
 8.11 correct time period is \$100 plus \$20 for each missing clock hour. "Missing" means not
 8.12 obtained between the effective and expiration dates of the certificate, the one-month period
 8.13 following the certificate expiration date, or the 30 days following notice of a penalty fee
 8.14 for failing to report all continuing education hours. The licensee or registrant must obtain
 8.15 the missing number of continuing education hours by the next reporting due date.

8.16 (d) Civil penalties and discipline incurred by licensees prior to August 1, 2005, for
 8.17 conduct described in paragraph (a), (b), or (c) shall be recorded as nondisciplinary penalty
 8.18 fees. For conduct described in paragraph (a) or (b) occurring after August 1, 2005, and
 8.19 exceeding six months, payment of a penalty fee does not preclude any disciplinary action
 8.20 reasonably justified by the individual case.

8.21 **EFFECTIVE DATE.** This section is effective July 1, 2016.

8.22 Sec. 12. Minnesota Statutes 2014, section 148.5195, subdivision 2, is amended to read:

8.23 Subd. 2. **Rights of applicants ~~and~~, licensees, and registrants.** The rights of an
 8.24 applicant denied licensure or registration are stated in section 148.519, subdivision 2,
 8.25 paragraph (d). A licensee or registrant shall not be subjected to disciplinary action under
 8.26 this section without first having an opportunity for a contested case hearing under chapter
 8.27 14.

8.28 **EFFECTIVE DATE.** This section is effective July 1, 2016.

8.29 Sec. 13. Minnesota Statutes 2014, section 148.5195, subdivision 3, is amended to read:

8.30 Subd. 3. **Grounds for disciplinary action by commissioner.** The commissioner
 8.31 may take any of the disciplinary actions listed in subdivision 4 on proof that the individual
 8.32 has:

- 9.1 (1) intentionally submitted false or misleading information to the commissioner
9.2 or the advisory council;
- 9.3 (2) failed, within 30 days, to provide information in response to a written request
9.4 by the commissioner or advisory council;
- 9.5 (3) performed services of a speech-language pathologist ~~or~~, audiologist, or
9.6 speech-language pathology assistant in an incompetent or negligent manner;
- 9.7 (4) violated sections 148.511 to 148.5198;
- 9.8 (5) failed to perform services with reasonable judgment, skill, or safety due to the
9.9 use of alcohol or drugs, or other physical or mental impairment;
- 9.10 (6) violated any state or federal law, rule, or regulation, and the violation is a felony
9.11 or misdemeanor, an essential element of which is dishonesty, or which relates directly or
9.12 indirectly to the practice of speech-language pathology ~~or~~, audiology, or speech-language
9.13 pathology assisting. Conviction for violating any state or federal law which relates
9.14 to speech-language pathology ~~or~~, audiology, or speech-language pathology assisting is
9.15 necessarily considered to constitute a violation, except as provided in chapter 364;
- 9.16 (7) aided or abetted another person in violating any provision of sections 148.511 to
9.17 148.5198;
- 9.18 (8) been or is being disciplined by another jurisdiction, if any of the grounds for
9.19 the discipline is the same or substantially equivalent to those under sections 148.511 to
9.20 148.5198;
- 9.21 (9) not cooperated with the commissioner or advisory council in an investigation
9.22 conducted according to subdivision 1;
- 9.23 (10) advertised in a manner that is false or misleading;
- 9.24 (11) engaged in conduct likely to deceive, defraud, or harm the public; or
9.25 demonstrated a willful or careless disregard for the health, welfare, or safety of a client;
- 9.26 (12) failed to disclose to the consumer any fee splitting or any promise to pay a
9.27 portion of a fee to any other professional other than a fee for services rendered by the
9.28 other professional to the client;
- 9.29 (13) engaged in abusive or fraudulent billing practices, including violations of
9.30 federal Medicare and Medicaid laws, Food and Drug Administration regulations, or state
9.31 medical assistance laws;
- 9.32 (14) obtained money, property, or services from a consumer through the use of
9.33 undue influence, high pressure sales tactics, harassment, duress, deception, or fraud;
- 9.34 (15) performed services for a client who had no possibility of benefiting from the
9.35 services;

10.1 (16) failed to refer a client for medical evaluation or to other health care professionals
10.2 when appropriate or when a client indicated symptoms associated with diseases that
10.3 could be medically or surgically treated;

10.4 (17) had the certification required by chapter 153A denied, suspended, or revoked
10.5 according to chapter 153A;

10.6 (18) used the term doctor of audiology, doctor of speech-language pathology,
10.7 AuD, or SLPD without having obtained the degree from an institution accredited by
10.8 the North Central Association of Colleges and Secondary Schools, the Council on
10.9 Academic Accreditation in Audiology and Speech-Language Pathology, the United States
10.10 Department of Education, or an equivalent;

10.11 (19) failed to comply with the requirements of section 148.5192 regarding
10.12 supervision of speech-language pathology assistants; or

10.13 (20) if the individual is an audiologist or certified hearing instrument dispenser:

10.14 (i) prescribed or otherwise recommended to a consumer or potential consumer the
10.15 use of a hearing instrument, unless the prescription from a physician or recommendation
10.16 from an audiologist or certified dispenser is in writing, is based on an audiogram that is
10.17 delivered to the consumer or potential consumer when the prescription or recommendation
10.18 is made, and bears the following information in all capital letters of 12-point or
10.19 larger boldface type: "THIS PRESCRIPTION OR RECOMMENDATION MAY BE
10.20 FILLED BY, AND HEARING INSTRUMENTS MAY BE PURCHASED FROM, THE
10.21 LICENSED AUDIOLOGIST OR CERTIFIED DISPENSER OF YOUR CHOICE";

10.22 (ii) failed to give a copy of the audiogram, upon which the prescription or
10.23 recommendation is based, to the consumer when the consumer requests a copy;

10.24 (iii) failed to provide the consumer rights brochure required by section 148.5197,
10.25 subdivision 3;

10.26 (iv) failed to comply with restrictions on sales of hearing instruments in sections
10.27 148.5197, subdivision 3, and 148.5198;

10.28 (v) failed to return a consumer's hearing instrument used as a trade-in or for a
10.29 discount in the price of a new hearing instrument when requested by the consumer upon
10.30 cancellation of the purchase agreement;

10.31 (vi) failed to follow Food and Drug Administration or Federal Trade Commission
10.32 regulations relating to dispensing hearing instruments;

10.33 (vii) failed to dispense a hearing instrument in a competent manner or without
10.34 appropriate training;

10.35 (viii) delegated hearing instrument dispensing authority to a person not authorized to
10.36 dispense a hearing instrument under this chapter or chapter 153A;

11.1 (ix) failed to comply with the requirements of an employer or supervisor of a
 11.2 hearing instrument dispenser trainee;

11.3 (x) violated a state or federal court order or judgment, including a conciliation court
 11.4 judgment, relating to the activities of the individual's hearing instrument dispensing; or

11.5 (xi) failed to include on the audiogram the practitioner's printed name, credential
 11.6 type, credential number, signature, and date.

11.7 **EFFECTIVE DATE.** This section is effective July 1, 2016.

11.8 Sec. 14. Minnesota Statutes 2014, section 148.5195, subdivision 4, is amended to read:

11.9 Subd. 4. **Disciplinary actions.** If the commissioner finds that an individual should
 11.10 be disciplined according to subdivision 3, the commissioner may take any one or more
 11.11 of the following actions:

11.12 (1) refuse to grant or renew licensure or registration;

11.13 (2) suspend licensure or registration for a period not exceeding one year;

11.14 (3) revoke licensure or registration;

11.15 (4) take any reasonable lesser action against an individual upon proof that the
 11.16 individual has violated sections 148.511 to 148.5198; or

11.17 (5) impose, for each violation, a civil penalty not exceeding \$10,000 that deprives
 11.18 the licensee or registrant of any economic advantage gained by the violation and that
 11.19 reimburses the Department of Health for costs of the investigation and proceedings
 11.20 resulting in disciplinary action, including the amount paid for services of the administrative
 11.21 hearings, the amount paid for services of the Office of the Attorney General, attorney
 11.22 fees, court reporters, witnesses, reproduction of records, advisory council members' per
 11.23 diem compensation, department staff time, and expenses incurred by advisory council
 11.24 members and department staff.

11.25 **EFFECTIVE DATE.** This section is effective July 1, 2016.

11.26 Sec. 15. Minnesota Statutes 2014, section 148.5196, subdivision 1, is amended to read:

11.27 Subdivision 1. **Membership.** The commissioner shall appoint ~~12~~ 13 persons to a
 11.28 Speech-Language Pathologist and Audiologist Advisory Council. The ~~12~~ 13 persons
 11.29 must include:

11.30 (1) three public members, as defined in section 214.02. Two of the public members
 11.31 shall be either persons receiving services of a speech-language pathologist or audiologist,
 11.32 or family members of or caregivers to such persons, and at least one of the public members
 11.33 shall be either a hearing instrument user or an advocate of one;

12.1 (2) three speech-language pathologists licensed under sections 148.511 to 148.5198,
 12.2 one of whom is currently and has been, for the five years immediately preceding the
 12.3 appointment, engaged in the practice of speech-language pathology in Minnesota and each
 12.4 of whom is employed in a different employment setting including, but not limited to, private
 12.5 practice, hospitals, rehabilitation settings, educational settings, and government agencies;

12.6 (3) one speech-language pathologist licensed under sections 148.511 to 148.5198,
 12.7 who is currently and has been, for the five years immediately preceding the appointment,
 12.8 employed by a Minnesota public school district or a Minnesota public school
 12.9 district consortium that is authorized by Minnesota Statutes and who is licensed in
 12.10 speech-language pathology by the Minnesota Board of Teaching;

12.11 (4) three audiologists licensed under sections 148.511 to 148.5198, two of whom
 12.12 are currently and have been, for the five years immediately preceding the appointment,
 12.13 engaged in the practice of audiology and the dispensing of hearing instruments in
 12.14 Minnesota and each of whom is employed in a different employment setting including,
 12.15 but not limited to, private practice, hospitals, rehabilitation settings, educational settings,
 12.16 industry, and government agencies;

12.17 (5) one nonaudiologist hearing instrument dispenser recommended by a professional
 12.18 association representing hearing instrument dispensers; ~~and~~

12.19 (6) one physician licensed under chapter 147 and certified by the American Board of
 12.20 Otolaryngology, Head and Neck Surgery; and

12.21 (7) one speech-language pathology assistant registered under section 148.5185.

12.22 **EFFECTIVE DATE.** This section is effective July 1, 2016.

12.23 Sec. 16. Minnesota Statutes 2014, section 148.5196, subdivision 3, is amended to read:

12.24 Subd. 3. **Duties.** The advisory council shall:

12.25 (1) advise the commissioner regarding speech-language pathologist and audiologist
 12.26 licensure standards;

12.27 (2) advise the commissioner regarding speech-language pathology assistant
 12.28 registration standards and the delegation of duties to and the training required for
 12.29 speech-language pathology assistants;

12.30 (3) advise the commissioner on enforcement of sections 148.511 to 148.5198;

12.31 (4) provide for distribution of information regarding speech-language pathologist
 12.32 and audiologist licensure standards and speech-language pathology assistant registration
 12.33 standards;

13.1 (5) review applications and make recommendations to the commissioner on
13.2 granting or denying licensure or licensure renewal, and granting or denying registration
13.3 or registration renewal;

13.4 (6) review reports of investigations relating to individuals and make
13.5 recommendations to the commissioner as to whether licensure or registration should be
13.6 denied or disciplinary action taken against the individual;

13.7 (7) advise the commissioner regarding approval of continuing education activities
13.8 provided by sponsors using the criteria in section 148.5193, subdivision 2; and

13.9 (8) perform other duties authorized for advisory councils under chapter 214, or
13.10 as directed by the commissioner.

13.11 **EFFECTIVE DATE.** This section is effective July 1, 2016.