

BY REPRESENTATIVE HENRY

To amend and reenact R.S. 37:2651(1), (3), and (7)(a), (b), and (g), 2659(A)(introductory paragraph) and (1), 2660(3), 2662(C)(introductory paragraph) and (3), to enact R.S. 37:2651(13) through (18), and to repeal R.S. 37:2651(7)(e) and (f), relative to audiology and speech-language pathology; to provide for definitions; to provide for the qualifications of an applicant for licensure; to waive certain requirements for licensure; to provide for disciplinary actions; and to provide for related matters.

Section 1. R.S. 37:2651(1), (3), and (7)(a), (b), and (g), 2659(A)(introductory paragraph) and (1), 2660(3), 2662(C)(introductory paragraph) and (3) are hereby amended and reenacted and R.S. 37:2651(13) through (18) are hereby enacted to read as follows:

As used in this Chapter:

(1) "Audiologist" means any person who represents himself to the public by title or description of services, methods, or procedures as one who offers to provide or provides services involving the application of principles, methods, and procedures of the science and profession of audiology. An audiologist, by definition of scope of practice, may sell and dispense hearing aids, as defined by the United States Food and Drug Administration, under these provisions in accordance with this Chapter.

\* \* \*

(3) "Licensed audiologist" means an individual who meets the qualifications for licensure as an audiologist under ~~R.S. 37:2659(A)~~ in accordance with this

Chapter and who holds a current, unsuspended, and unrevoked license issued by the board. ~~Unless otherwise specified, "licensed audiologist" shall not mean a person who has a provisional or restricted license issued under this Chapter.~~

\* \* \*

(7)(a) "Practice of audiology" means providing; or offering to provide; to individuals or groups of individuals who have; or are suspected of having; disorders of the auditory system, which includes any service in audiology, including prevention, identification, evaluation, interpretation, counseling, consultation, habilitation, rehabilitation, instruction, supervision, ~~and~~ or research. The practice of audiology shall also include audiology services for disorders of the vestibular system upon referral of a physician.

(b) An audiologist may engage in any task, procedure, act, or practice,<sup>2</sup> including cerumen management, that is necessary for any of the following:

(i) For the The evaluation of hearing and the monitoring of auditory and vestibular neural functioning.

(ii) ~~For training~~ Training in the use of amplification, including classification of hearing aids and assistive listening devices.

(iii) ~~For the making~~ Making of earmolds.

(iv) ~~For the fitting~~ Fitting, dispensing, and selling of all classification of hearing aids.

(v) Conducting speech and language screening, which is limited to a pass or fail determination, for the purpose of identifying and referring individuals suspected of having disorders of communication.

~~(b) An individual who meets the requirements of this Chapter for licensure as an audiologist and who engages in the fitting and selling of hearing aids shall:~~

~~(i) Register with the board his intent to fit and dispense hearing aids.~~

~~(ii) Comply with federal Food and Drug Administration guidelines required for fitting and dispensing hearing aids.~~

(iii)(vi) Follow Following guidelines adopted by the board for a thirty-day trial period on hearing aids dispensed.

1                   ~~(iv) Comply with pre-purchase evaluation guidelines adopted by the board.~~

2                   ~~(v) Provide documentation of completion of at least thirty semester credit~~  
3                   ~~hours of professional coursework, twenty-one hours of which shall be in audiology.~~  
4                   ~~A minimum of six semester credit hours shall be in specific areas in amplification,~~  
5                   ~~including:~~

6                   ~~(aa) Physical and electroacoustic characteristics of hearing aids and other~~  
7                   ~~assistive amplification devices.~~

8                   ~~(bb) Earmold and in-the-ear hearing aid acoustics, materials, types, tubing,~~  
9                   ~~impressions techniques, and modifications.~~

10                  ~~(cc) Room acoustics, including the effects of noise on speech intelligibility,~~  
11                  ~~environmental modifications, and interaction with amplification devices.~~

12                  ~~(dd) Principles and methods of evaluation, including determination of need~~  
13                  ~~for and characteristics of appropriate amplification using case history, self-~~  
14                  ~~assessment inventories, and audiological assessment data.~~

15                  ~~(ee) Selection procedures and protocols, such as traditional and~~  
16                  ~~contemporary evaluations, prescriptive fittings, real ear measurements, and~~  
17                  ~~programmable hearing aids.~~

18                  ~~(ff) Rationale for selection of various hearing aid characteristics and types~~  
19                  ~~of fittings.~~

20                  ~~(gg) Procedural modifications for special populations, such as pediatric,~~  
21                  ~~geriatric, developmentally disabled, and physically disabled.~~

22                  ~~(hh) Rehabilitative procedures, such as hearing aid orientation, counseling~~  
23                  ~~of individuals who are deaf or hard of hearing and their families, speechreading, and~~  
24                  ~~auditory training.~~

25                  ~~(ii) Business management and marketing strategies.~~

26                  ~~(jj) Professional aspects of hearing aid services, such as recordkeeping and~~  
27                  ~~documentation, risk management, quality assurance, professional liability, equipment~~  
28                  ~~selection, and reimbursement systems.~~

29                  ~~(vi) Provide documentation of a minimum of three hundred fifty supervised~~  
30                  ~~clock hours of clinical practicum obtained during graduate training with at least~~

1 ~~eighty of those hours obtained in the evaluation, selection, and use of appropriate~~  
2 ~~amplification systems and their related components, including:~~

3 ~~(aa) Making, fitting, and acoustic modification of earmolds.~~

4 ~~(bb) Electroacoustic tests of amplification systems.~~

5 ~~(cc) Maintenance of amplification systems, earmolds, and assistive devices.~~

6 ~~(vii) Complete nine months of postgraduate professional experience, begun~~  
7 ~~after completion of the academic and clinical experiences, under the supervision of~~  
8 ~~a licensed dispensing audiologist.~~

9 \* \* \*

10 (g) The practice of audiology may include speech and language screening,  
11 limited to a ~~pass/fail~~ pass or fail determination for the purpose of identifying and  
12 referring individuals suspected of having disorders of communication.

13 \* \* \*

14 (13) "ABA" means the American Board of Audiology.

15 (14) "ASHA" means the American Speech-Language-Hearing Association.

16 (15) "Over-the-counter hearing aid" means a hearing instrument or hearing  
17 aid that meets the current United States Food and Drug Administration's  
18 requirements for this class of device and which may be dispensed or sold without a  
19 hearing assessment, licensed hearing instrument professional fitting and dispensing  
20 engagement, or return for credit privileges as provided by federal law.

21 (16) "Personal sound amplification product" means an amplification device,  
22 as defined by the United States Food and Drug Administration or the Federal Trade  
23 Commission that is not labeled as a hearing aid and is not intended to treat hearing  
24 loss.

25 (17) "Prescription hearing aid" means a hearing instrument or hearing aid  
26 that meets the United States Food and Drug Administration's requirements for this  
27 class of device and which requires both of the following:

28 (a) A hearing assessment and prescription for medically necessary hearing  
29 aids prior to purchase.

1                   **(b) A prescribed fitting and dispensing by a licensed audiologist or hearing**  
2                   **instrument professional.**

3                   **(18) "Telehealth" or "telepractice" means the use of telehealth in the delivery**  
4                   **of speech-language pathology or audiology services, regardless of where the services**  
5                   **are rendered or delivered, constitutes the practice of speech-language pathology or**  
6                   **audiology and shall require Louisiana licensure for in-state practitioners and**  
7                   **telehealth registration for out-of-state practitioners.**

8   \*           \*           \*

9                   §2659. Qualifications for license

10                   A. No individual shall be eligible for licensure or provisional licensure by  
11                   the board as an audiologist, speech-language pathologist, speech-language pathology  
12                   assistant, or any manner of dual licensure thereof, as applicable, unless the  
13                   individual:

14                   (1) ~~Is of Displays~~ good moral character. For purposes of this Section, "good  
15                   moral character" includes but is not limited to the qualities of honesty, fairness,  
16                   candor, trustworthiness, observance of fiduciary or other legal obligations, and a  
17                   respect for the rights of other persons and the laws of this state, such as if the  
18                   applicant has been convicted of a felony. Any determination and review of criminal  
19                   history records information shall be conducted in accordance with applicable state  
20                   laws.

21   \*           \*           \*

22                   §2660. ~~Waiver of requirements~~ Reciprocity; waivers

23                   The board may issue licenses under the following special conditions:

24   \*           \*           \*

25                   (3) The board shall may waive, ~~upon request, the examination requirements~~  
26                   ~~for any applicant who is currently certified by the State Board of Elementary and~~  
27                   ~~Secondary Education as a specialist of speech-language pathology and currently~~  
28                   ~~employed in a school setting~~ clinical practicum requirements pursuant to this Chapter

for applicants who hold certification from the ABA and have completed the national examination requirement.

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## §2662. Disciplinary action; violations

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C. ~~When the~~ The board is authorized to discipline an individual, the board may impose, separately or in combination, any of the following disciplinary actions when an individual violates the provisions of this Chapter:

\* \* \*

(3) Require restitution of costs and expenses, ~~not to include attorney fees,~~ in connection with the enforcement of this Chapter.

\* \* \*

Section 2. R.S. 37:2651(7)(e) and (f) are hereby repealed in their entirety.

Section 3. The Louisiana State Law Institute is hereby authorized and directed to alphabetize and renumber the definitions contained in R.S. 37:2651 and to correct any cross-references to the renumbered paragraphs if necessary, consistent with the provisions of this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_