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**TITLE 880 SPEECH-LANGUAGE PATHOLOGY
AND AUDIOLOGY BOARD**

Proposed Rule
LSA Document #05-224

DIGEST

Amends 880 IAC 1-1, 880 IAC 1-2.1, and 880 IAC 1-3.1 to implement rule changes based on House Enrolled Act 1098-2005 (P.L.212-2005) and Senate Enrolled Act 607 (P.L.206-2005), including defining the role of support personnel, revising the definitions, licensure, ethics, and continuing education requirements, revising and establishing the educational and clinical practice requirements for speech-language pathologists and audiologists, revising and establishing the educational and tasks requirements for speech-language aides, associates, and assistants, revising and establishing the registration and renewal requirements for speech language aides, associates, and assistants, and establishing the requirements for the collection and use of a Social Security number for applicants who apply for a license, certificate, or permit under IC 25-35.6-1. Effective 30 days after filing with the Secretary of State.

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

Estimated Number of Small Businesses Subject to This Rule:

NAICS 621340 Offices of Physical, Occupational and Speech Therapists, and Audiologists

The Speech-Language Pathology and Audiology Board (Board) estimates that no small businesses will be directly affected by this rule. The Speech-Language Pathology and Audiology Board has the authority to promulgate rules in accordance with IC 25-35.6-1-8 and IC 25-35.6-2-2 to implement changes in accordance with the requirements of HEA 1098-2005 (P.L.212-2005) and SEA 607-2005 (P.L.206-2005). This proposed rule defines the role of support personnel, establishes the standards for the competent practice of speech-language pathology and audiology, establishes the educational and experience requirements for registration for speech-language pathology aides, associates, and assistants and audiologists, establishes the duties of speech-language pathology aides, associates, and assistants, and brings the Board's rules in conformity with HEA 1098-2005 (P.L.212-2005) and SEA 607-2005 (P.L.206-2005). The proposed rule is needed as a matter of consumer protection to assure that the citizens of Indiana are receiving speech-language pathology services from qualified, licensed providers. The educational and experience requirements for licensure allow the Board and the state a method to verify that providers of such services are competent and available for education, service, and repair. This will also provide another avenue for the government to control the practice of speech-language pathology.

880 IAC 1-1-1

880 IAC 1-1-1.5

880 IAC 1-1-2

880 IAC 1-1-2.5

880 IAC 1-1-3.1

880 IAC 1-1-5

880 IAC 1-1-6

880 IAC 1-2.1-1

880 IAC 1-2.1-2

880 IAC 1-2.1-3

880 IAC 1-2.1-3.1

880 IAC 1-2.1-4

880 IAC 1-2.1-4.1

880 IAC 1-2.1-6

880 IAC 1-2.1-7

880 IAC 1-2.1-8

880 IAC 1-2.1-9

880 IAC 1-2.1-10

880 IAC 1-3.1-1

880 IAC 1-3.1-3

SECTION 1. 880 IAC 1-1-1 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-1-1 Definitions

Authority: IC 25-35.6-2-2

Affected: IC 25-35.6

Sec. 1. In addition to the definitions contained in IC 25-35.6, the following definitions apply **throughout this article**:

- (1) "ASHA" means the American Speech-Language Hearing Association.
- (2) "Board" means the ~~Indiana~~ speech-language pathology and audiology board.
- ~~(3) "Bureau" means the health professions bureau.~~
- (3) "Clinical experience intern" means an individual engaged in a clinical experience year.
- (4) "Clinical experience year" means a supervised professional experience obtained during a doctoral audiology program.
- (5) "Clinical fellow" means an individual who is registered to practice:
 - (A) speech-language pathology; or
 - (B) audiology;**under the supervision of a licensee approved by the board.**
- ~~(4) (6) "Clinical fellowship" means the a supervised professional experience requirements as set forth in IC 25-35.6-1-5(a)(5); obtained after confirmation of a graduate degree in speech-language pathology or audiology.~~
- ~~(5) (7) "Examination" means the National Examination in Speech-Language Pathology or the National Examination in Audiology administered by the Educational Testing Service of Princeton, New Jersey, or other suitable examination approved by the board.~~
- (8) "Licensee" means either of the following:
 - (A) A speech-language pathologist.
 - (B) An audiologist.
- (9) "Licensing agency" means the Indiana professional licensing agency.

(Speech-Language Pathology and Audiology Board; Reg PA-1, Ch I; filed Dec 4, 1974, 12:54 p.m.: Rules and Regs. 1975, p. 320; filed Jan 5, 1977, 3:30 p.m.: Rules and Regs. 1978, p. 316; filed Jan 5, 1977, 3:30 p.m.: Rules and Regs. 1978, p. 317; filed Dec 15, 1989, 5:00 p.m.: 13 IR 898; readopted filed Nov 9, 2001, 3:18 p.m.: 25 IR 1345)

SECTION 2. 880 IAC 1-1-1.5 IS ADDED TO READ AS FOLLOWS:

880 IAC 1-1-1.5 Accepted colleges and universities

Authority: IC 25-35.6-2-2

Affected: IC 25-35.6

Sec. 1.5. A college or university is recognized by the board if it is accredited by one (1) of the following regional accrediting associations:

- (1) Middle States Association of Colleges and Schools/Commission on Higher Education.
- (2) New England Association of Schools and Colleges.
- (3) North Central Association of Schools and Colleges.
- (4) Northwest Association of Schools and Colleges.
- (5) Southern Association of Colleges and Schools/Commission on Colleges.
- (6) Western Association of Schools and Colleges/Accrediting Commission for Senior Colleges.

(Speech-Language Pathology and Audiology Board; 880 IAC 1-1-1.5)

SECTION 3. 880 IAC 1-1-2 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-1-2 Application for license as a speech-language pathologist

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-3; IC 25-35.6-1-5; IC 25-35.6-3-3

Sec. 2. (a) An application for a license as a speech-language pathologist ~~or an audiologist~~ shall be submitted to the board on a form provided by the ~~bureau~~ **licensing agency**. An application shall be typed or printed in ink, signed under the penalty of perjury, and accompanied by the following:

- (1) **The** fee required by section 5 of this rule.
- (2) **The** official transcript from an educational institution recognized by the board, certifying that the applicant possesses a master's degree or its equivalent **as approved by the board** from an accredited institution **listed under section 1.5 of this rule** in the area for which the applicant is applying for licensure. As used in this section, "equivalent" means having completed at least two (2) full years of study in a college of liberal arts or sciences. This college course must include at least the following:

(A) **A total of** six (6) semester credit hours in **any combination of the following**:

- (i) English.
- (ii) Biology.
- (iii) Chemistry.
- (iv) Mathematics. ~~and~~
- (v) Physics.

(B) Three (3) semester credits in **each of the following**:

- (i) Interpersonal communication.
- (ii) Psychology. ~~and~~
- (iii) Statistics.

(C) **A total of** nine (9) semester credits in humanities and social sciences.

~~Furthermore, the applicant must meet requirements as set forth in IC 25-35.6-1-5(3)(A) through IC 25-35.6-1-5(3)(D) and at least twenty-one (21) of at least forty-two (42) semester hours in courses providing information about and practical experience in the management of speech, hearing, and language disorders must be obtained from a single college or university; and none may have been completed more than ten (10) years prior to the date of application.~~

(3) Certification from the educational institution specified in subdivision (2) that the applicant has completed ~~three~~ **a minimum of four hundred (300) (400) clock hours of direct** supervised clinical experience ~~required by IC 25-35.6-1-5(4); in the practice of speech-language pathology.~~

(4) Certification of completion of a clinical fellowship ~~which that~~ meets the requirements of ~~IC 25-35.6-1-5(5)~~ **IC 25-35.6-1-5(2)(B)** and section 3.1 of this rule.

(5) **The** official score report from the Professional Examination Service certifying that the applicant has passed the examination in the area in which the applicant is applying for licensure, with a score of **at least** six hundred (600). ~~or above.~~

(6) A statement from the appropriate agency in each state where the applicant has been licensed, certifying whether or not disciplinary proceedings:

- (A) have ever been initiated; or
- (B) are presently pending;

against the applicant.

(b) ~~In lieu~~ **Instead** of the documents required by subsection (a)(2) through (a)(5), the board will accept a certificate of clinical competence issued by **either of the following**:

(1) ASHA. ~~or~~

(2) Another **board-approved** nationally recognized association for speech-language pathology ~~or audiology~~ **that meets the minimum requirements as stated in subsection (a)(2) through (a)(5)** in the area in which the applicant is applying for licensure. **Evidence of such certification shall be received by the board directly from the certifying agency with all fees borne by the applicant.**

(c) An applicant who applies for licensure under IC 25-35.6-3-3(a) bears the burden of proving that the requirements of the state or territory in which the applicant currently is licensed are equivalent to those requirements set forth in IC 25-35.6. The applicant shall submit **the following**:

(1) **The** documentation required by subsection (a). ~~as well as~~

(2) Any other information required by the board to make a determination as to whether the requirements of the other state or territory are equivalent to those set forth in IC 25-35.6.

(d) The applicant shall be notified in writing of the results of the evaluation of the applicant's application for license.

(e) An applicant who seeks licensure in both speech-language pathology and audiology must file an application in both areas as

provided by IC 25-35.6-1-3.

(f) An application shall be considered abandoned if the applicant does not complete the requirements for licensure 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.

(g) In addition to the requirements set forth in this section, an applicant for licensure must pass a written examination on the Indiana speech-language pathology ~~and audiology~~ statutes and rules. A score of **at least** seventy-five (75) ~~or above~~ is passing. (*Speech-Language Pathology and Audiology Board; Reg PA-1, Ch II; filed Dec 4, 1974, 12:54 p.m.: Rules and Regs. 1975, p. 320; filed Dec 15, 1989, 5:00 p.m.: 13 IR 899; errata filed Jun 7, 1990, 9:40 a.m.: 13 IR 1862; filed Aug 24, 1994, 1:40 p.m.: 18 IR 101; readopted filed Nov 9, 2001, 3:18 p.m.: 25 IR 1345*)

SECTION 4. 880 IAC 1-1-2.5 IS ADDED TO READ AS FOLLOWS:

880 IAC 1-1-2.5 Application for license as an audiologist

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-3; IC 25-35.6-1-5; IC 25-35.6-3-3

Sec 2.5. (a) An application for a license as an audiologist shall be submitted to the board on a form provided by the licensing agency. An application shall be typed or printed in ink, signed under penalty of perjury, and accompanied by the following:

- (1) The fee required by section 5 of this rule.
- (2) The official transcript from an educational institution recognized by the board, certifying that the applicant possesses a doctoral degree or its equivalent as approved by the board from an accredited institution listed under section 1.5 of this rule in the area for which the applicant is applying for licensure. As used in this section, “equivalent” means having completed a minimum of seventy-five (75) semester hours of graduate or professional study that includes academic course work in the following areas:
 - (A) Fundamentals of communication.
 - (B) Normal aspects and development of hearing and balance.
 - (C) Clinical evaluation of hearing and balance disorders.
 - (D) Habilitative/rehabilitative procedures for hearing and balance disorders.

The course work must be sufficient in depth and breadth to reflect achievement of appropriate knowledge and skills outcomes.

- (3) Certification from the educational institution specified in subdivision (2) that the applicant has completed a minimum of one thousand eight hundred twenty (1,820) clock hours of supervised clinical practicum, including a clinical experience that is equivalent to a minimum of twelve (12) months of full-time supervised experience obtained during completion of his or her audiology doctoral degree program. Supervised clinical practicum hours must be supervised by an individual meeting the requirements for Indiana licensure in audiology.

- (4) The official score report from the Professional Examination Service certifying that the applicant has passed the examination in the area in which the applicant is applying for licensure, with a score of at least six hundred (600).

- (5) A statement from the appropriate agency in each state where the applicant has been licensed, certifying whether or not disciplinary proceedings:

- (A) have ever been initiated; or
 - (B) are presently pending;
- against the applicant.

(b) Instead of the documents required in subsection (a)(2) through (a)(5), the board may accept a certificate of clinical competence issued by either of the following:

- (1) ASHA.
- (2) Another board-approved nationally recognized association for audiology in the area that meets the minimum requirements in subsection (a)(2) through (a)(5) in the area in which the applicant is applying for licensure.

Evidence of such certification shall be received by the board directly from the certifying agency with all fees borne by the applicant.

(c) An applicant who applies for licensure under IC 25-35.6-3-3(a) bears the burden of proving that the requirements of the state or territory in which the applicant currently is licensed are equivalent to those requirements set forth in IC 25-35.6. The applicant

shall submit the following:

- (1) The documentation required by subsection (a).
 - (2) Any other information required by the board to make a determination as to whether the requirements of the other state or territory are equivalent to those set forth in IC 25-35.6.
- (d) An applicant shall be notified in writing of the results of the evaluation of the applicant's application for license.
- (e) An applicant who seeks licensure in both speech-language pathology and audiology must file an application in both areas as provided by IC 25-35.6-1-3.
- (f) An application shall be considered abandoned if the applicant does not complete the requirements for licensure 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.
- (g) In addition to the requirements set forth in this section, an applicant for licensure shall pass a written examination on the Indiana audiology statutes and rules. A score of at least seventy-five (75) is passing. (*Speech-Language Pathology and Audiology Board; 880 IAC 1-1-2.5*)

SECTION 5. 880 IAC 1-1-3.1 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-1-3.1 Clinical fellowship

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 3.1. (a) An individual preparing to enter the clinical fellowship must notify the board by filing:

- (1) a form provided by the ~~bureau~~, **accompanied by licensing agency; and**
 - (2) the application fee provided by section 5 of this rule; ~~prior to~~
- before** the beginning date of the clinical fellowship.

(b) The clinical fellowship shall **consist of nine (9) months full-time employment or its equivalent** not to exceed a maximum period of eighteen (18) consecutive months.

(c) A clinical fellowship of ~~less~~ **fewer** than fifteen (15) hours per week will not fulfill any part of the supervised experience requirement.

(d) Clinical fellowship supervision must entail the personal and direct involvement of the supervisor in any and all ways that will permit the clinical fellowship supervisor to:

- (1) monitor;
 - (2) improve; and
 - (3) evaluate;
- the clinical fellow's performance in professional employment.

(e) A person completing the supervised professional experience shall practice only speech-language pathology using the designation clinical fellow.

(f) A clinical fellow shall not supervise support personnel.

(g) A clinical fellowship supervisor assumes professional responsibility for services provided by the clinical fellow under his or her supervision.

(h) A clinical fellow must do the following:

- (1) Report any change in supervision to the board within thirty (30) days of that change.
- (2) Submit the appropriate application.

(e) (i) A person who completes a clinical fellowship may not practice as a speech-language pathologist or an audiologist until the person has been:

- (1) approved for licensure by the board; and ~~has been~~
- (2) issued a license by the ~~bureau~~ **licensing agency**.

(f) (j) A person completing the clinical experience requirement may not hold himself or herself out as:

- (1) a speech-language pathologist as set forth in IC 25-35.6-1-2(c); or
- (2) an audiologist as set forth in IC 25-35.6-1-2(e).

(Speech-Language Pathology and Audiology Board; 880 IAC 1-1-3.1; filed Dec 15, 1989, 5:00 p.m.: 13 IR 900; filed Jun 9, 1994, 2:00 p.m.: 17 IR 2355; readopted filed Nov 9, 2001, 3:18 p.m.: 25 IR 1345)

SECTION 6. 880 IAC 1-1-5 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-1-5 Fees

Authority: IC 25-1-8-2; IC 25-35.6-2-2

Affected: IC 25-35.6-3-7

Sec. 5. The following fees apply to licensed speech-language pathologists and audiologists:

Application/issuance fee (nonrefundable)	\$150
License renewal (December 31 of each odd-numbered year)	\$100
Aide Support personnel registration	\$50
Renewal of aide support personnel registration (annually on December 31)	\$25
Registration of an individual participating in a supervised experience year	\$50
Duplicate license	\$10
Verification of licensure	\$10

(Speech-Language Pathology and Audiology Board; Reg PA-1, Ch V; filed Dec 4, 1974, 12:54 p.m.: Rules and Regs. 1975, p. 323; filed Jan 5, 1977, 3:30 p.m.: Rules and Regs. 1978, p. 317; filed May 30, 1985, 10:25 a.m.: 8 IR 1306; filed Apr 30, 1986, 9:42 a.m.: 9 IR 2206; filed Mar 8, 1988, 2:08 p.m.: 11 IR 2631; filed May 20, 1996, 3:00 p.m.: 19 IR 2881; readopted filed Dec 2, 2001, 12:35 p.m.: 25 IR 1345)

SECTION 7. 880 IAC 1-1-6 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-1-6 Denial, suspension, and revocation of licenses; unprofessional conduct; conviction of crime; disciplinary action

Authority: IC 25-1-9; IC 25-35.6-2-2

Affected: IC 25-1-9-4; IC 25-1-9-16; IC 25-35.6-3-5.1

Sec. 6. ~~Denial, Suspension, and Revocation of Licenses:~~ (a) ~~Unprofessional Conduct:~~ The board may refuse to issue a license to, or may suspend or revoke the license of, any person who has been guilty of unprofessional conduct within the meaning of ~~IC 1971, 25-35.6-3-5; IC 25-1-9-4~~. In addition to the general specifications encountered in ~~Section 5; IC 25-1-9-4~~, unprofessional conduct shall include, but is not limited to, the following:

- (1) Violating or conspiring to violate or aiding or abetting any person to violate the provisions of ~~the Act~~ **IC 25-35.6**.
- (2) Committing a dishonest or fraudulent act as a licensed ~~speech~~ **speech-language** pathologist or audiologist.
- (3) Diagnosing or treating individuals for speech or hearing disorders by mail or telephone unless the:
 - (A) individual has been previously examined by the licensee; and ~~the~~
 - (B) diagnosis or treatment is related to ~~such the~~ examination.
- (4) Incompetence or negligence in the practice of ~~speech~~ **speech-language** pathology or audiology ~~which that:~~
 - (A) has endangered; or
 - (B) is likely to endanger;the health, welfare, or safety of the public.

(b) ~~Conviction of Crime: Criteria for Rehabilitation:~~ The board may order a license suspended or revoked, or may decline to issue a license, if an applicant or licensee has been convicted of a crime within the meaning of ~~IC 1971, 25-35.6-3-5; IC 25-1-9-4 or IC 25-1-~~

9-16. (†) Upon the suspension or revocation of a license on the grounds that the licensee has been convicted of a crime, the board, in evaluating the rehabilitation of ~~such a~~ the person and his ~~or her~~ eligibility for licensure, will consider the following:

- (a) (1) The nature and severity of the ~~act or~~ acts ~~which that~~ resulted in the suspension or revocation of his ~~or her~~ license.
- (b) (2) The extent of time elapsed since the commission of the ~~act or~~ acts ~~which that~~ resulted in the suspension or revocation.
- (c) (3) Whether the person has committed any ~~act or~~ acts ~~which that~~ if done by a licensee would be grounds for suspension or revocation of a license since the date of suspension or revocation.
- (d) (4) Whether the person has done any ~~act or~~ acts involving dishonesty, fraud, or deceit with the intent to substantially:
 - (A) benefit himself ~~or herself~~ or another; or ~~substantially~~
 - (B) injure another;since the date of the suspension or revocation.
- (e) (5) Whether the person has complied with any or all conditions of:
 - (A) probation or restitution; or
 - (B) any other civil or criminal sanction;imposed against him ~~or her~~ as a result of the ~~act or~~ acts, including such administrative penalties and conditions of probation as have been imposed on him ~~or her~~ by the board. ~~and~~
- (f) ~~Such~~ (6) Any other evidence of rehabilitation and eligibility for licensure ~~as that the person may submit.~~ **submits.**

(c) **Disciplinary action taken by this board will be reported to the Indiana department of education.** (*Speech-Language Pathology and Audiology Board; Reg PA-I, Ch VI; filed Dec 4, 1974, 12:54 p.m.; Rules and Regs. 1975, p. 323; readopted filed Nov 9, 2001, 3:18 p.m.: 25 IR 1345*)

SECTION 8. 880 IAC 1-2.1-1 IS AMENDED TO READ AS FOLLOWS:

Rule 2.1. Support Personnel

880 IAC 1-2.1-1 Definitions pertaining to support personnel

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 1. The following definitions apply throughout this rule:

- (†) ~~“Aide” means a person employed as support personnel under the direction and authority of the supervising licensed speech-language pathologist. This rule applies to all support personnel when providing direct client services in the area of speech-language pathology intervention.~~
- (2) (1) ~~“Board” means the speech-language pathology and audiology board.~~
- (3) ~~“Bureau” means the health professions bureau.~~
- (4) (2) ~~“Direct supervision” of an SLP aide I and an SLP aide H support personnel means on-site, in-view observation and guidance by the supervising speech-language pathologist while an assigned therapeutic activity is being performed.~~
- (3) **“Licensing agency” means the Indiana professional licensing agency.**
- (4) **“SLP” means a speech-language pathologist.**
- (5) ~~“SLP aide” means a speech-language pathology aide. †~~
- (6) **“SLP assistant” means a speech-language pathology assistant.**
- (7) (7) ~~“SLP aide H” associate” means a speech-language pathology aide H: associate.~~
- (8) **“SLP support personnel” means the following:**
 - (A) **Speech-language pathology aides.**
 - (B) **Speech-language pathology associates.**
 - (C) **Speech-language pathology assistants.**
- (7) (9) ~~“Supervisor”, when referring to a speech-language pathology aide, support personnel, means a person who:~~
 - (A) holds a current Indiana license as a speech-language pathologist; and
 - (B) has been approved by the board to supervise ~~an aide~~ **support personnel** as provided by IC 25-35.6-1-2(g).
- (10) **“Support personnel” means a person employed under the direction and authority of the supervising licensed speech-language pathologist. This rule applies to all SLP aides, SLP associates, and SLP assistants when providing direct client services in the area of speech-language pathology intervention.**

(*Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-1; filed Oct 6, 2003, 5:15 p.m.: 27 IR 534*)

SECTION 9. 880 IAC 1-2.1-2 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-2.1-2 Educational requirements for SLP aide

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 2. The minimum educational requirement for an SLP aide ~~†~~ shall be a high school degree or equivalent. (*Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-2; filed Oct 6, 2003, 5:15 p.m.: 27 IR 534*)

SECTION 10. 880 IAC 1-2.1-3 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-2.1-3 Educational requirements for SLP associate

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 3. (a) The minimum educational requirement for an SLP ~~aide~~ **associate** is an associate degree or its equivalent from an accredited institution in the area for which the applicant is requesting to be registered.

(b) As used in this section, “equivalent” means having completed the following:

(1) A minimum of a sixty (60) semester credit hours in a program of study that includes **the following:**

(A) General education. ~~and~~

(B) The specific knowledge and skills for a speech-language pathology ~~assistant~~ **associate**.

(2) A minimum of twenty-four (24) credit hours of the sixty (60) semester hours required must be completed in general education. The general education curriculum shall include, but is not ~~be~~ limited to, the following:

(A) Oral and written communication.

(B) Mathematics.

(C) Computer applications.

(D) Social sciences.

(E) Natural sciences.

(3) A minimum of twenty-four (24) credit hours of the sixty (60) semester credit hours required must be completed in technical content areas. Technical content course work provides students with knowledge and skills to assume the job responsibilities and core technical skills for the speech-language pathology ~~assistant~~ **associate** and must include the following:

(A) Instruction about normal processes of communication.

(B) Instruction targeting the practices and methods of service delivery ~~which that~~ are specific to speech-language pathology ~~assistants~~ **associates**.

(C) Instruction regarding the treatment of communication disorders.

(D) Instruction targeting the following workplace behavior and skills:

(i) Working with clients or patients in a supportive manner.

(ii) Following supervisor’s instructions.

(iii) Maintaining confidentiality.

(iv) Communicating with oral and written forms. ~~and~~

(v) Following established health and safety precautions.

(E) Clinical observation.

(F) A minimum of one hundred (100) clock hours of supervised field experience that provides the applicant with appropriate experience for learning speech-language pathology ~~assistant-specific~~ **associate-specific:**

(i) job responsibilities; and ~~speech-language pathology assistant-specific~~

(ii) workplace behaviors;

of the speech-language pathology ~~assistant~~ **associate**.

(*Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-3; filed Oct 6, 2003, 5:15 p.m.: 27 IR 534*)

SECTION 11. 880 IAC 1-2.1-3.1 IS ADDED TO READ AS FOLLOWS:

880 IAC 1-2.1-3.1 Educational requirements for SLP assistant

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec 3.1. (a) The minimum educational requirement for an SLP assistant is a bachelor's degree or its equivalent in communication disorders from an accredited institution in the area for which the applicant is requesting to be registered.

(b) One hundred (100) hours of clinical practicum is required and must be supervised by an SLP licensed by the board. These hours may be completed before the degree is conferred or during a paid experience. Of the one hundred (100) hours obtained, seventy-five (75) shall be obtained with direct face-to-face patient/client contact, and the remaining twenty-five (25) hours may be obtained through observation of assessment and therapy. The direct face-to-face patient/client contact hours must be obtained in the following categories:

- (1) A minimum of twenty (20) hours in speech disorders.**
- (2) A minimum of twenty (20) hours in language disorders.**
- (3) The remaining hours may be obtained in any of the following areas:**
 - (A) Speech disorders.**
 - (B) Language disorders.**
 - (C) Hearing disorders.**

(Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-3.1)

SECTION 12. 880 IAC 1-2.1-4 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-2.1-4 Application for registration

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 4. (a) The application for approval of ~~an SLP aide I or SLP aide H~~ support personnel must be:

- (1) made on a form provided by the ~~bureau~~ licensing agency; and**
- (2) submitted to the board by the supervisor under whose direct supervision the ~~SLP aide I or SLP aide H~~ support personnel will work, with all documentation as requested.**

(b) The application must contain the following information:

- (1) The supervisor's:**
 - (A) name;**
 - (B) address;**
 - (C) phone number; and**
 - (D) current Indiana license number.**
- (2) The name and location of where services will be performed.**
- (3) A detailed description of the responsibilities assigned to the ~~SLP aide I or SLP aide H~~ support personnel.**
- (4) A certified statement from the supervisor that the ~~SLP aide I and SLP aide H~~ support personnel will be supervised as required by IC 25-35.6-1-2 and this rule.**
- (5) A certified statement from the ~~SLP aide I or SLP aide H~~ support personnel that he or she may not perform any activity as specified in section 7 of this rule.**
- (6) A certified statement ~~that the SLP aide I or SLP aide H may perform~~ from the supervisor listing which of the tasks as specified in section 8 of this rule ~~if delegated by the supervisor~~. **SLP support personnel may perform.****
- (7) An application fee as specified in section 5 of this rule.**
- (8) Official transcripts from an educational institution **documenting the following:****
 - (A) SLP aide: I: Proof of a high school degree or equivalent.**
 - (B) ~~SLP aide H: associate:~~ Official transcript from an educational institution recognized by the board certifying that the applicant possesses **Proof of an associate degree in communication disorders** or its equivalent from an accredited institution. ~~in the area for which the applicant is requesting to be registered.~~**
 - (C) SLP assistant: **Proof of a bachelor's degree in communication disorders or its equivalent from an accredited institution.****
- (9) Any other information as required by the board.**

(c) When an application has been approved by the board, a certificate of registration will be issued by the ~~bureau~~ **licensing agency**.

(d) ~~☆ An SLP aide, I and SLP aide H associate, or SLP assistant~~ may not begin work before his or her application has been approved by the board. (*Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-4; filed Oct 6, 2003, 5:15 p.m.: 27 IR 534*)

SECTION 13. 880 IAC 1-2.1-4.1 IS ADDED TO READ AS FOLLOWS:

880 IAC 1-2.1-4.1 Social Security numbers

Authority: IC 4-1-8-1; IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 4.1. (a) An applicant who applies for a license, certificate, or permit under IC 25-35.6-1 must submit to the board the applicant's United States Social Security number.

(b) No application for a license, certificate, or permit will be approved before the Social Security number is submitted to the board.

(c) The licensing agency and the board will release the applicant's Social Security number as provided in state or federal law.

(d) The licensing agency and the board may allow access to the Social Security number of each person who holds a license, certificate, or permit issued under IC 35.6-1 or has applied for a license, certificate, or permit under IC 25-35.6-1 to the following:

(1) A testing service that provides the examination for licensure to the licensing agency or the boards.

(2) An individual state regulatory board or an organization composed of state regulatory boards for the applicant's or licensee's profession for the purpose of coordinating licensure and disciplinary activities between the individual states.

(*Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-4.1*)

SECTION 14. 880 IAC 1-2.1-6 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-2.1-6 Renewal of registration

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 6. (a) A registration issued under section 2 of this rule expires on December 31 of each year. A supervisor must renew the registration by submitting the following:

(1) A renewal form provided by the ~~bureau~~ and licensing agency.

(2) A fee as specified in 880 IAC 1-1-5.

(b) In order to avoid any interruption of work activity, a registration must be renewed ~~prior to~~ before December 31 of each year.

(c) Information submitted with the renewal form shall include the following:

(1) The nature and extent of the:

(A) functions performed; ~~by the aide during the preceding year: and~~

(2) ~~The nature and extent of the~~ (B) training completed;

by the ~~aide~~ SLP support personnel during the preceding year.

(3) ~~(2)~~ Any other information required by the board.

(d) The supervisor must report any change in information required by subsection (a) to the board at the time the change occurs by submitting the following:

(1) A new application. ~~and~~

(2) ~~The~~ fee as specified in 880 IAC 1-1-5.

(e) ~~An SLP aide I and SLP aide H~~ support personnel may not continue working after ~~his or her~~ their registration has expired. Any

such continuation will constitute a violation of this section.

(f) If a supervisor does not renew the SLP ~~aid~~ **I** or SLP ~~aid~~ **H support personnel** registration on or before December 31, the registration becomes invalid. The supervisor must submit **the following**:

(1) A new application. ~~and~~

(2) The fee as specified in section 4 of this rule.

(Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-6; filed Oct 6, 2003, 5:15 p.m.: 27 IR 535)

SECTION 15. 880 IAC 1-2.1-7 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-2.1-7 Activities prohibited by the SLP support personnel

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 7. ~~An SLP aid~~ **I and/or SLP aid** **H support personnel** may not perform any of the following activities:

(1) **Administer:**

(A) standardized or nonstandardized diagnostic tests; **or**

(B) formal or informal evaluations;

or interpret test results.

(2) ~~May not~~ Participate in:

(A) parent conferences;

(B) case conferences; or

(C) any interdisciplinary team;

without the presence of the supervisor or other licensed speech-language pathologist designated by the supervisor.

(3) ~~May not~~ Provide patient/client or family counseling.

(4) ~~May not~~ Write, develop, or modify a patient's or client's individualized treatment plan in any way.

(5) ~~May not~~ Assist with a patient or client without:

(A) following the individualized treatment plans prepared by the supervisor; or ~~without~~

(B) access to supervision.

(6) ~~May not~~ Sign any formal documents, for example, **any of the following**:

(A) Treatment plans.

(B) Reimbursement forms. ~~or~~

(C) Reports.

However, the SLP ~~aid~~ **I and/or SLP aid** **H support personnel** may sign or initial informal treatment notes for review and cosignature by the supervisor if specifically asked to do so by the supervisor.

(7) ~~May not~~ Select patients or clients for services.

(8) ~~May not~~ Discharge a patient or client from services.

(9) ~~May not~~ Disclose clinical or confidential information either orally or in writing to anyone other than the supervisor.

(10) ~~May not~~ Make referrals for additional service outside the scope of the intervention setting.

(11) ~~May not~~ Communicate with:

(A) the patient;

(B) the client;

(C) the family; or

(D) others;

regarding any aspect of the patient or client status or service without the specific consent of the supervisor.

(12) ~~May not~~ Counsel or consult with:

(A) the patient;

(B) the client;

(C) the family; or

(D) others;

regarding the patient or client status or service.

(13) ~~May not~~ Represent himself or herself as a speech-language pathologist.

(Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-7; filed Oct 6, 2003, 5:15 p.m.: 27 IR 535)

SECTION 16. 880 IAC 1-2.1-8 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-2.1-8 Tasks that may be delegated to the SLP support personnel

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 8. The following tasks may be delegated to ~~an SLP aide I and/or SLP aide H~~ **support personnel** if the tasks have been planned by the supervisor and the ~~SLP aide I and/or SLP aide H~~ **support personnel** have been provided with adequate training to perform the task competently:

- (1) Assist the supervisor with speech-language and hearing screenings (without interpretation).
- (2) Follow documented treatment plans or protocols developed by the supervisor.
- (3) Document patient or client performance **and report information to the supervising SLP**, for example, **the following**:
 - (A) Tallying data for the speech-language pathologist. ~~to use; and~~
 - (B) Preparing **the following**:
 - (i) Charts.
 - (ii) Records. ~~and~~
 - (iii) Graphs.~~and report this information to the supervising speech-language pathologists.~~
- (4) Assist the supervisor during assessment of patients or clients.
- (5) Assist with informal documentation as directed by the supervisor.
- (6) Assist with clerical duties, such as:
 - (A) preparing materials; and
 - (B) scheduling activities;as directed by the supervisor.
- (7) Perform checks and maintenance of equipment.
- (8) Support the supervisor in **the following**:
 - (A) Research projects.
 - (B) Inservice training. ~~and~~
 - (C) Public relations programs.
- (9) Assist with **the following** departmental operations:
 - (A) Scheduling.
 - (B) Record keeping. ~~and~~
 - (C) Safety and maintenance of supplies and equipment.
- (10) ~~Correct~~ **Collect** data for quality improvement.
- (11) Exhibit compliance with **the following**:
 - (A) Regulations.
 - (B) Reimbursement requirements. ~~and~~
 - (C) SLP aide, I ~~and~~ SLP aide H ~~associate~~, and SLP assistant job responsibilities.

(Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-8; filed Oct 6, 2003, 5:15 p.m.: 27 IR 536)

SECTION 17. 880 IAC 1-2.1-9 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-2.1-9 Supervisors; responsibilities

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 9. (a) ~~Prior to~~ **Before** utilizing ~~an aide~~, **SLP support personnel**, the supervisor shall carefully delineate the role and tasks of the SLP ~~aide I and/or SLP aide H~~, **support personnel**, including the following:

- (1) Specific lines of responsibility and authority.
- (2) Assurance that the SLP ~~aide I and/or SLP aide H~~ **is support personnel** are responsible only to the supervisor in all patient/client activities. The supervisor must assess individual ~~client~~ **patient/client** needs when deciding the appropriateness of a support personnel service delivery model.

(b) When ~~an aide assists~~ **SLP support personnel assist** in providing treatment, the supervisor of the SLP ~~aide I and/or SLP aide H~~ **support personnel** shall do the following:

(1) The supervisor of the SLP ~~aide I~~ shall provide direct supervision a minimum of twenty percent (20%) weekly for the first ninety (90) days of work and ten percent (10%) weekly ~~after the initial work period; thereafter.~~ The supervisor must **do the following:**

(A) Be physically present within the same building as the SLP ~~aide I~~ whenever direct client care is provided. ~~The supervisor must~~

(B) Directly provide a minimum of thirty-three percent (33%) of the patient's or client's treatment weekly.

(2) The supervisor of the SLP ~~aide H~~ **associate** shall provide direct supervision a minimum of twenty percent (20%) weekly for the first ninety (90) days of work and ten percent (10%) weekly ~~after the initial work period; thereafter.~~ Supervision days and times should be alternated to ensure that all ~~individuals~~ **patients/clients** receive direct ~~contact with treatment from~~ the supervisor at least once every two (2) weeks. At no time should an SLP ~~aide H~~ **associate** perform tasks when a supervisor cannot be reached by:

(A) personal contact;

(B) telephone;

(C) pager; or

(D) other immediate means.

(3) **The supervisor for the SLP assistant shall provide direct supervision a minimum of twenty percent (20%) weekly for the first ninety (90) days of work and ten percent (10%) weekly thereafter. Supervision days and times should be alternated to ensure that all patients/clients receive direct treatment from the supervisor at least once every two (2) weeks. At no time should an SLP assistant perform tasks when a supervisor cannot be reached by:**

(A) personal contact;

(B) telephone;

(C) pager; or

(D) other immediate means.

~~(3)~~ (4) **The supervisor must determine supervision needs.** The amount of supervision may be ~~adjusted~~ **increased** depending on the:

(A) competency of the SLP ~~aide I or SLP aide H;~~ **the support personnel;**

(B) needs of the patients or clients served; and ~~the~~

(C) nature of the assigned tasks.

However, the minimum standard must be maintained. ~~The supervisor must determine supervision needs.~~ Indirect supervision activities may include, but are not limited to, record review, phone conferences, or audio/video tape review.

~~(4)~~ (5) Determine the responsibilities assigned to the SLP ~~aide I and/or SLP Aide H~~ **support personnel** based upon the:

(A) educational level;

(B) training; and

(C) experience;

of the ~~aide;~~ **support personnel.**

~~(5)~~ (6) Evaluate each patient or client ~~prior to~~ **before** treatment.

~~(6)~~ (7) Outline and direct the specific program for the clinical management of each client ~~assigned to~~ **served by** the SLP ~~aide I and/or SLP aide H;~~ **support personnel.**

~~(7)~~ (8) Every five (5) working days, review all data and documentation on clients seen for treatment by the SLP ~~aide I and/or SLP aide H;~~ **support personnel.**

~~(8)~~ (9) Ensure that, at the termination of services, the case is reviewed by the speech-language ~~pathologists~~ **pathologist** responsible for the client.

(c) The supervisor shall not permit ~~an SLP aide I and/or SLP aide H~~ **support personnel** to make decisions regarding the:

(1) diagnosis;

(2) management; or

(3) future disposition;

of clients.

(d) The supervisor must officially designate ~~an SLP aide I and/or SLP aide H;~~ **support personnel** as such on all clinical records.

(e) The supervisor must be present when the SLP ~~aide I and/or SLP aide H~~ **provides** ~~support personnel~~ **provide** direct client treatment outside the designated practice setting.

(f) The supervisor may designate a licensed speech-language pathologist to supervise ~~a SLP aide I and/or SLP aide H support personnel~~ under his or her supervision during vacation periods or illness, but for ~~no~~ not longer than a thirty (30) day period.

(g) Within ten (10) days after the termination of the supervision of ~~an SLP aide I and SLP aide H; support personnel~~, the supervisor:

(1) shall notify the board, in writing, of the:

(A) termination; and ~~the~~

(B) date of the termination; and

(2) may designate a licensee to serve as an interim supervisor for a period not to exceed thirty (30) days upon approval of the board.

An interim supervisor is not required to pay a fee for the thirty (30) day period.

(h) A supervisor may not supervise more than ~~three (3) aides~~ **two (2) SLP support personnel** at one (1) time.

(i) ~~A supervisor must be~~ **In order to supervise SLP support personnel, a licensed speech-language pathologist must:**

(1) hold a current license as a speech-language pathologist as issued by the board for a minimum of two (2) years prior to before registering and supervising ~~an SLP aide I and/or SLP aide H; support personnel; and~~

(2) have at least three (3) years of clinical experience.

(j) A supervisor assumes professional responsibility for services provided under their supervision. (*Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-9; filed Oct 6, 2003, 5:15 p.m.: 27 IR 536*)

SECTION 18. 880 IAC 1-2.1-10 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-2.1-10 SLP aides previously registered under 880 IAC 1-2

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-1-2

Sec. 10. ~~(a) SLP aides previously registered under 880 IAC 1-2, which meet the educational requirements of: 880 IAC 1-2.1-2;~~

(1) section 2 of this rule, shall be registered as an SLP aide; I ~~without the necessity of filing an additional application under 880 IAC 1-2.1-4.~~

~~(b) SLP aides previously registered under 880 IAC 1-2, which meet the educational requirements of 880 IAC 1-2.1-3; (2) section 3 of this rule,~~ shall be registered as an SLP aide H ~~without the necessity of filing an additional application under 880 IAC 1-2.1-4.~~ **associate; and**

(3) section 3.1 of this rule, shall be registered as an SLP assistant;

without the necessity of filing an additional application under section 4 of this rule. (*Speech-Language Pathology and Audiology Board; 880 IAC 1-2.1-10; filed Oct 6, 2003, 5:15 p.m.: 27 IR 537*)

SECTION 19. 880 IAC 1-3.1-1 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-3.1-1 Renewal of license

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-3-6

Sec. 1. (a) A renewal application shall be submitted to the ~~bureau~~ **licensing agency** on or before December 31 of each odd-numbered year on a form provided by the ~~bureau~~ **licensing agency**. The application shall be accompanied by **the following:**

(1) The renewal fee required by 880 IAC 1-1-5. and

(2) Evidence of the continuing education required by section 2 of this rule.

(b) A person who holds a license in speech-language pathology ~~and/or or~~ **audiology, or both**, must renew each license biennially as required by IC 25-35.6-3-6.

(c) A license ~~which that~~ is not renewed on or before December 31 of each odd-numbered year becomes invalid. The license may be reinstated within ~~two (2)~~ **three (3)** years of the date of expiration by:

- (1) submitting the renewal fee and penalty fee required by 880 IAC 1-1-5; and
- (2) the continuing education required by section 2 of this rule.

(d) A license ~~which~~ **that** has been invalid for more than ~~two (2)~~ **three (3)** years may not be reinstated. (*Speech-Language Pathology and Audiology Board; 880 IAC 1-3.1-1; filed Dec 15, 1989, 5:00 p.m.: 13 IR 900; readopted filed Nov 9, 2001, 3:18 p.m.: 25 IR 1345*)

SECTION 20. 880 IAC 1-3.1-3 IS AMENDED TO READ AS FOLLOWS:

880 IAC 1-3.1-3 Responsibilities

Authority: IC 25-35.6-1-8; IC 25-35.6-2-2

Affected: IC 25-35.6-3-6

Sec. 3. ~~(a)~~ A licensee must **report do the following:**

(1) Confirm the continuing education required by section 2 of this rule at the time of license renewal on a form provided by the ~~bureau~~ **licensing agency**.

~~(b) A licensee must~~ **(2)** Retain a record of completion of **the** continuing education required by section 2 of this rule for four (4) years.

~~(c) A licensee must~~ **(3)** Present verification of completion of **the** continuing education required by section 2 of this rule upon request by the board.

(*Speech-Language Pathology and Audiology Board; 880 IAC 1-3.1-3; filed Dec 15, 1989, 5:00 p.m.: 13 IR 901; readopted filed Nov 9, 2001, 3:18 p.m.: 25 IR 1345*)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on May 9, 2006 at 10:35 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Room 130, Indianapolis, Indiana the Speech-Language Pathology and Audiology Board will hold a public hearing on proposed amendments and new rules to implement rule changes based on House Enrolled Act 1098-2005 (P.L.212-2005) and Senate Enrolled Act 607 (P.L.206-2005), including defining the role of support personnel, revising the definitions, licensure, ethics, and continuing education requirements, revising and establishing the educational and clinical practice requirements for speech-language pathologists and audiologists, revising and establishing the educational and tasks requirements for speech-language aides, associates, and assistants, revising and establishing the registration and renewal requirements for speech language aides, associates, and assistants, and establishing the requirements for the collection and use of a Social Security number for applicants who apply for a license, certificate, or permit under IC 25-35.6-1.

The Speech-Language Pathology and Audiology Board has the authority to promulgate rules in accordance with IC 25-35.6-1-8 and IC 25-35.6-2-2 to implement changes in accordance with the requirements of HEA 1098-2005 (P.L.212-2005) and SEA 607-2005 (P.L.206-2005). This proposed rule defines the role of support personnel, establishes the standards for the competent practice of speech-language pathology and audiology, establishes the educational and experience requirements for registration for speech-language pathology aides, associates, and assistants and audiologists, establishes the duties of speech-language pathology aides, associates, and assistants, and brings the Board's rules in conformity with HEA 1098-2005 (P.L.212-2005) and SEA 607-2005 (P.L.206-2005). The proposed rule is needed as a matter of consumer protection to assure that the citizens of Indiana are receiving speech-language pathology services from qualified, licensed providers. The educational and experience requirements for licensure allow the Board and the state a method to verify that providers of such services are competent and available for education, service, and repair. This will also provide another avenue for the government to control the practice of speech-language pathology. This proposed rule will have costs on the regulated entities; however, the fiscal impact of this proposed rule is dependent on the number of applicants that seek licensure, which might vary. Both the educational and experience requirements for speech-language aides, associates, and assistants and audiologists could affect the numbers of licenses that an applicant applies for. Currently, the Speech-Language Pathology and Audiology Board charges \$150 for speech-language pathologists and audiologists licenses and \$50 for the speech-language pathology aides license. There are approximately 1,569 speech-language pathologists and 30 speech-language aides licensed by the Board. Based on the statutory changes and the Board's proposed rule changes, approximately 2,101 individuals working at educational institution will be required to obtain a speech-language pathologist license. The revenue generated by the additional licensees is \$315,150 (2,101 applicants × \$150 application/issuance fee). Of the 30 speech-language pathology aides, all but one will remain aides. One

speech-language pathology aide will be eligible to obtain speech-language pathology associate license with no additional fee charged.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W072 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency