

House Research Act Summary

CHAPTER: 87

SESSION: 2003 Regular Session

TOPIC: Extension of expiration dates for certain health-related advisory councils, modification of certain nursing requirements, and modification of scope of practice for speech-language pathology and audiology

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Section

- 1 **Acupuncture advisory council.** Extends the council's expiration date from June 30, 2003 until June 30, 2007.
- 2 **Respiratory care practitioner advisory council.** Extends the council's expiration date from June 30, 2003 until June 30, 2007.
- 3 **Advisory council on licensed traditional midwifery.** Extends the council's expiration date from June 30, 2003 until June 30, 2007.
- 4 **Revocation and release of information.** Provides that a temporary nursing permit may be revoked if the applicant is the subject of investigation or disciplinary action or otherwise disqualified. Also permits the board of nursing to release information regarding the granting or revocation of temporary permits.
- 5 **Administration of medications.** Permits administration of medications in a nursing facility by a graduate of a foreign nursing school who has completed a competency evaluation and a specified medication training program.
- 6 **Use of title prohibited.** Adds use of the professional title nurse unless duly licensed to list of violations of licensure statute. Permits board of nursing to authorize such use by rule.
- 7 **Conforming language.** Changes "registration" to "licensure."
- 8 **Definition amended.** Definition of accredited institution changed to eliminate post secondary institutions other than universities or colleges that offer graduate degrees in speech-language pathology or audiology. Changes the required accrediting body.
- 9 **Conforming language.**
- 10 **Conforming language.**
- 11 **Reference changed.** Adopts preferred form of reference to commissioner of health.

Section

- 12 **Hour defined.** Changes definition of a contact hour from 50 to 60 minutes, for purposes of continuing education required for license renewal.
- 13 **Scope of audiology practice amended.** Eliminates screening from scope of audiology practice. Clarifies that practice of audiology does not include practice of medicine.
- 14 **Scope of speech-language pathology practice amended.** Eliminates screening from scope of practice for licensed speech-language pathologists. Clarifies that practice of speech-language pathology does not include practice of medicine.
- 15 **Conforming language.**
- 16 **Conforming language.**
- 17 **Conforming language.**
- 18 **Conforming language.**
- 19 **Doctoral clinical experience.** Language change from “individual” to person, and adds doctoral clinical experience to a list of positions held by supervisees.
- 20 **Additional back-up supervisors.** Conforming language change and adds persons board certified in audiology as permitted back-up supervisors.
- 21 **Unlicensed practice prohibited; additional protected titles.** Prohibits the practice of speech-language pathology or audiology without a license and adds 13 new protected titles. Allows practice of speech-language pathology or audiology by other professionals to the extent that it is within the scope of their license, certification, or registration. Allows practice by students in supervised fieldwork if their title clearly indicates “student trainee.” Provides an exemption from the title use restrictions for persons visiting the state for no more than 30 days as part of a professional activity.
- 22 **Conforming language.**
- 23 **Educational requirements amended.** Replaces specific coursework requirements with requirement that applicant must have a master’s or doctoral degree from an institution with an accredited program.
- 24 **Clinical experience requirements amended.** Replaces specific clinical experience requirements with requirement that applicant must meet the clinical experience requirements of either the American Speech-Language-Hearing Association or the American Board of Audiology and pass the appropriate national examination.
- 25 **Licensure by equivalency.** Conforming language and adds board certification by the American Board of Audiology as a basis for licensure by equivalency.
- 26 **Temporary registration replaced.** Replaces temporary registration with clinical fellowship licensure or doctoral internship licensure.
- 27 **Licensure by reciprocity.** Requires current credentials that have been held for at least five years for licensure by reciprocity. Current law includes no time requirement. Includes conforming language.
- 28 **Lapsed license.** Eliminates the distinction in current law between licenses lapsed for three years or less and those lapsed for more than three years. The retesting provision now applicable to licenses lapsed for more than three years no longer applies. The coursework requirement applies to all lapsed licenses under this bill. Includes conforming language.
- 29 **Application procedures.** Adds requirement that application for licensure include a certificate of clinical competence. Requires notification of denial of license to be sent by certified mail. Provides for review of denials by commissioner prior to appeal of denials to the advisory council. Conforming language.
- 30 **Conforming language.**
- 31 **Conforming language.**

Section

- 32 **Conforming language.**
- 33 **Alternative continuing education.** License renewal continuing education requirements may be met by demonstrating compliance with the requirements of either the American Speech-Language-Hearing Association or the American Board of Audiology. Conforming language.
- 34 **Alternative means of demonstrating compliance.** Permits proof of attendance at continuing education programs by other means if certificate not available. Conforming language.
- 35 **Conforming language.**
- 36 **Conforming language.**
- 37 **Conforming language.**
- 38 **Conforming language.**
- 39 **Conforming language.**
- 40 **Conforming language.**
- 41 **Conforming language.**
- 42 **Disciplinary action.** Requires that the request for information by the commissioner or the advisory council be made by certified mail. Changes accrediting entity of institutions whose graduates are permitted to use specified titles.
- 43 **Civil penalty added.** Provides a civil penalty up to \$10,000 plus costs of investigation and proceedings for violations.
- 44 **Conforming language.**
- 45 **Conforming language.**
- 46 **Advisory council expanded.** Increases size of speech-language pathologist and audiologist advisory council from seven to eight. Provides that one member must be a physician certified by the American Board of Otolaryngology.
- 47 **Exemption from written exam for hearing instrument dispensers.** Amends exemption to include licensed audiologists and persons board certified in audiology or holding certificates of clinical competence from the American Speech-Language-Hearing Association.
- 48 **Conforming language.**
- 49 **Conforming language.**
- 50 **Conforming language.**
- 51 **Advisory committee to the health professionals services program committee.** Extends the committee's expiration date from June 30, 2003 until June 30, 2007.
- 52 **Revisor instruction.**
- 53 **Repealer.** Repeals definition of "individual" and specific clinical training requirements.
- 54 **Effective date.** Provides that sections 1 to 3 and 51 are effective July 1, 2003.