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Overview

This bill establishes licensure requirements for speech-language pathology assistants, to be administered by the commissioner of health. Under a licensure system, only persons who meet predetermined qualifications and obtain a license are able to use protected titles and practice as a speech-language pathology assistant, and persons without those qualifications are prohibited from using protected titles and practicing as a speech-language pathology assistant. This bill establishes requirements for full licensure and restricted licensure. The licensing requirements become effective January 1, 2019.

Speech-language pathology assistants are persons who perform delegated speech-language pathology duties under the supervision of a licensed speech-language pathologist. Minnesota Statutes, section 148.5192, subdivision 2 lists the services a speech-language pathology assistant may perform, and services they cannot perform.

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- 1** **Speech-language pathology assistant.** Amends § 148.512, subd. 17a. Amends the definition of speech-language pathology assistant.
- 2** **Unlicensed practice prohibited.** Amends § 148.513, subd. 1. Prohibits a person from practicing as a speech-language pathology assistant unless the person is licensed. Strikes a reference to a subdivision specifying a speech-language pathology assistant's duties; similar language is found in new sections 148.5185 and 148.5186.

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- 3** **Protected titles and restrictions on use; speech-language pathologists and audiologists.** Amend § 148.513, subd. 2. In a subdivision listing protected titles, removes language specifying protected titles for speech-language pathology assistants (protected titles for this occupation are moved to a new subdivision 2b). Also makes technical changes.
- 4** **Protected titles and restrictions on use; speech-language pathology assistants.** Adds subd. 2b to § 148.513. Lists protected titles for licensed speech-language pathology assistants. Prohibits speech-language pathology assistants from representing to the public that they are licensed speech-language pathologists.
- 5** **Applicability.** Amends § 148.515, subd. 1. Clarifies that an existing section on qualifications for licensure applies only to licensure of speech-language pathologists and audiologists.
- 6** **Licensure by equivalency.** Amends § 148.516. Clarifies that an existing section on licensure by equivalency applies only to licensure of speech-language pathologists and audiologists.
- 7** **Restricted licensure; speech-language pathology assistants.** Adds § 148.5185. Establishes restricted licensure for speech-language pathology assistants with certain qualifications.

Subd. 1. Qualifications for a restricted license. To be eligible for a restricted license as a speech-language pathology assistant, requires a person to satisfy the requirements in subdivision 2, 3, or 4.

Subd. 2. Person practicing as a speech-language pathology assistant before January 1, 2019. Allows a person practicing as a speech-language pathology assistant before January 1, 2019, who does not meet the qualification requirements for a license under section 148.5186, to apply for a restricted license. Lists information an applicant must submit to the commissioner. Lists coursework and supervised field experience that a person with a restricted license must complete, in order to be eligible for full licensure.

Subd. 3. Person with a bachelor's degree in communication sciences or disorders and practicing as a speech-language pathology assistant before January 1, 2019. Allows a person with a bachelor's degree in communication sciences or disorders and who is practicing as a speech-language pathology assistant before January 1, 2019, but who does not meet the qualification requirements for a license under section 148.5186, to apply for a restricted license. Lists information an applicant must submit to the commissioner. Lists coursework and supervised field experience that a person with a restricted license must complete, in order to be eligible for full licensure.

Subd. 4. Person with an associate degree from a program that does not meet requirements in section 148.5186. Allows a person with an associate degree from a program that does not meet the requirements in section 148.5186, to apply for a restricted license. Lists information an applicant must submit to the commissioner. Requires a speech-language pathology assistant with a restricted license under this subdivision to complete any missing coursework or supervised field experience, as determined by the commissioner, in order to be eligible for full licensure.

Subd. 5. Additional requirements; restricted license. Allows a restricted license to be renewed biennially until January 1, 2025. Requires a speech-language pathology

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assistant with a restricted license and working as a speech-language pathology assistant before January 1, 2019, to only practice with the employer with whom the assistant was employed when the assistant applied for a restricted license.

Subd. 6. Continuing education. Requires a speech-language pathology assistant to comply with continuing education requirements for speech-language pathology assistants, in order to renew a restricted license.

Subd. 7. Scope of practice. Provides that scope of practice for speech-language pathology assistants with restricted licenses is governed by a subdivision that specifies duties that may and may not be performed by speech-language pathology assistants.

8 **Licensure, speech-language pathology assistants.** Adds § 148.5186. Establishes licensure for speech-language pathology assistants with certain qualifications.

Subd. 1. Requirements for licensure. Provides that to be eligible for licensure as a speech-language pathology assistant, an applicant must submit evidence of completing:

- an associate degree from an accredited speech-language pathology assistant program, which includes at least 100 hours of supervised field experience; or
- a bachelor's degree in communication sciences or disorders and a speech-language pathology assistant certificate program that includes specified coursework and at least 100 hours of supervised field experience.

Subd. 2. Licensure by equivalency. Requires an applicant who applies for licensure by equivalency as a speech-language pathology assistant to provide the commissioner with evidence of satisfying the requirement for licensure in subdivision 1.

Subd. 3. Scope of practice. Provides that scope of practice for speech-language pathology assistants licensed under this section is governed by a subdivision that specifies duties that may and may not be performed by speech-language pathology assistants.

9 **Applications for licensure; speech-language pathologists and audiologists.** Amends § 148.519, subd. 1. Clarifies that an existing subdivision on licensing procedures applies to applicants for licensure as a speech-language pathologist or audiologist.

10 **Applications for licensure; speech-language pathology assistants.** Adds subd. 1a to § 148.519. Lists information an applicant for licensure as a speech-language pathology assistant must submit to the commissioner.

11 **Delegation requirements.** Amends § 148.5192, subd. 1. Provides that a speech-language pathologist can only delegate duties to a speech-language pathology assistant who is licensed under section 148.5185 or 148.5186.

12 **Number of contact hours required.** Amends § 148.5193, subd. 1. Clarifies that an existing subdivision on continuing education requirements applies to licensed speech-language pathologists or audiologists.

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- 13 Continuing education; speech-language pathology assistants.** Adds subd. 1a to § 148.5193. Requires applicants renewing speech-language pathology assistant licenses to satisfy requirements for continuing education established by the commissioner.
- 14 Speech-language pathology assistant biennial licensure fee.** Adds subd. 3b to § 148.5194. Sets the fee for initial licensure and licensure renewal for speech-language pathology assistants at \$.....
- 15 Penalty fees.** Amends § 148.5194, subd. 8. Establishes penalty fees for a speech-language pathology assistant who uses a protected title or practices speech-language pathology assisting without a current license after a license has expired or who is not licensed. Also establishes a penalty fee for a speech-language pathology assistant who fails to submit a continuing education report by the due date.
- 16 Grounds for disciplinary action by commissioner.** Amends § 148.5195, subd. 3. Makes the following grounds for disciplinary action by the commissioner:
- performing services of a speech-language pathology assistant in an incompetent or negligent manner; or
 - violating a law which directly relates to the practice of speech-language pathology assisting, or an essential element of which is dishonesty.
- 17 Membership.** Amends § 148.5196, subd. 1. Expands the Speech-Language Pathologist and Audiologist Advisory Council from 12 to 13 persons, and adds a licensed speech-language pathology assistant to its membership.
- 18 Duties.** Amends § 148.5196, subd. 3. Adds to the duties of the Speech-Language Pathologist and Audiologist Advisory Council, to include advising the commissioner on speech-language pathology assistant licensure standards, and distributing information about speech-language pathology assistant licensure standards.