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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PROFESSIONAL LICENSING AND
REGULATION OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

Introduced By: Representatives Handy, and Corvese

Date Introduced: June 07, 2023

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 5 of the General Laws entitled "BUSINESSES AND PROFESSIONS"
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 48.2

4 PROFESSIONAL LICENSING AND REGULATION OF SPEECH-LANGUAGE

5 PATHOLOGISTS AND AUDIOLOGISTS

6 **5-48.2-1. Purpose.**

7 The purpose of this chapter is to establish and codify prevailing standards and procedures
8 for licensing speech-language pathologists and audiologists in Rhode Island.

9 **5-48.2-2. Incorporated materials.**

10 This chapter hereby adopts and incorporates the American Speech-Language-Hearing
11 Association's "American Speech-Language-Hearing Association Code of Ethics" (2016) by
12 reference, not including any further editions or amendments thereof and only to the extent that the
13 provisions therein are not inconsistent with these regulations.

14 **5-48.2-3. Definitions.**

15 (a) As used in this chapter, the following words and terms shall have the following
16 meanings, except where the context clearly indicates otherwise.

17 (1) "Accredited/approved" means that an institution/program holds regional accreditation
18 from one of six (6) regional accrediting bodies: Middle States Association of Colleges and Schools,

1 New England Association of Schools and Colleges, North Central Association of Colleges and
2 Schools, Northwest Association of Schools and Colleges, Southern Association of Colleges and
3 Schools, and Western Association of Schools and Colleges.

4 (2) "Act" means chapter 48 of title 5 entitled, "speech-language pathology and audiology,"
5 as well as the provisions of this chapter, where the context so indicates.

6 (3) "Audiologist" means an individual who is licensed by the board to practice audiology
7 either in person or via telepractice.

8 (4) "Audiology" means the audiologist applies the principles, methods, and procedures
9 related to hearing and the disorders of the hearing and balance systems, to related language and
10 speech disorders, and to aberrant behavior related to hearing loss. A hearing disorder is defined as
11 altered sensitivity, acuity, function, processing, and/or damage to the integrity of the physiological
12 auditory/vestibular systems, in individuals or groups of individuals who have or are suspected of
13 having such disorders.

14 (5) "Audiology support personnel" shall operate under the title "audiometric aide" or
15 "audiology assistant" and means an individual who meets minimum qualifications established by
16 the board, which are less than those established by the act as necessary for licensing as an
17 audiologist; does not act independently; is limited to hearing screening with pass/fail criteria, and
18 works under the direction and supervision of an audiologist licensed under the act who has been
19 actively working in the field for twenty-four (24) months after completion of the postgraduate
20 professional experience and who accepts the responsibility for the acts and performances of the
21 audiometric aide or audiology assistant while working under the act .

22 (6) "Board" means the state board of examiners for speech-language pathology and
23 audiology established pursuant to § 5-48-2.

24 (7) "Clinical fellowship or traineeship" means the direct clinical work, consultation or other
25 duties relevant to clinical speech-language pathology work with individuals presenting disorders in
26 communication, for a cumulative or equivalent total of nine (9) months of full-time employment
27 following completion of professional speech-language pathology education under supervision
28 pursuant to § 5-48-7 and the provisions of this chapter.

29 (8) "Clinical fellow" means the person who is practicing speech-language pathology under
30 the supervision of a licensed speech-language pathologist while completing the postgraduate
31 professional experience as required by the act and who holds a current provisional license in
32 accordance with the requirements described in this chapter.

33 (9) "Department" means the Rhode Island department of health.

34 (10) "Director" means the director of the Rhode Island department of health.

1 (11) "Graduate program" means a post-baccalaureate accredited program leading to a
2 master's or doctoral degree, including a professional doctoral degree, whether offered through an
3 accredited graduate or professional school.

4 (12) "Newborn hearing screener" means an audiometric aide or audiology assistant
5 working in a hospital-based newborn hearing screening program under the direction of the
6 department of health newborn hearing screening program, or its appointee.

7 (13) "Person" means an individual, partnership organization or corporation, except that
8 only individuals can be licensed under this chapter.

9 (14) "The practice of audiology" means an audiologist rendering or offering to render any
10 service in audiology either in person or via telepractice as defined in § 5-48-1 and in this section.

11 (15) "The practice of speech-language pathology" means rendering or offering to render
12 any service in speech-language pathology either in person or via telepractice as defined in this
13 section.

14 (16) "Regionally accredited" means the official guarantee that a college or university or
15 other educational institution is in conformity with the standards of education prescribed by a
16 regional accrediting commission recognized by the United States Secretary of Education.

17 (17) "School hearing screener" means an audiometric aide or audiology assistant working
18 in a school-based hearing screening program under the direction of the Rhode Island department
19 of elementary and secondary education or its appointee.

20 (18) "Speech-language pathologist" means an individual who is licensed by the board to
21 practice speech-language pathology either in person or via telepractice.

22 (19) "Speech-language pathology" means the activities defined in § 5-48-1 and in this
23 section.

24 (20) "Speech-language pathology assistant (SLPA) support personnel" means an individual
25 who meets minimum qualifications established by the board, which are less than those established
26 by the act as necessary for licensing as a speech-language pathologist; does not act independently;
27 and works under the direction and supervision of a speech-language pathologist licensed under the
28 act who has been actively working in the field for twenty-four (24) months after completion of the
29 postgraduate professional experience and who accepts the responsibility for the acts and
30 performances of the speech language speech-language pathology assistant while working under
31 this chapter.

32 (21) "Telepractice" means the use of telecommunication technology to deliver speech-
33 language pathology and audiology services remotely. Other terms such as teleaudiology, telespeech
34 and speech teletherapy are also used in addition to telepractice. Use of telepractice should be of

1 equal quality to services provided in person and consistent with adherence to ASHA’s Code of
2 Ethics (ASHA, 2016a), Scope of Practice in Audiology (ASHA, 2018), Scope of Practice in
3 Speech-Language Pathology (ASHA, 2016b), and Assistants Code of Conduct (ASHA, 2020)

4 **5-48.2-4. License requirements.**

5 (a) No person shall practice as, advertise as, or use the title of speech-language pathologist
6 or audiologist unless licensed in accordance with the provisions of the act and this section. The
7 provisions of the act and this section shall not apply to individuals specifically exempt from the
8 provisions thereof by § 5-48-10.

9 (b) A provisional license for the clinical fellow as defined in this chapter shall be required
10 in speech-language pathology for that period of postgraduate professional experience as required
11 in §§ 5-48-7 and 5-48.2-5. A provisional license shall authorize an individual to practice speech-
12 language pathology solely in connection with the completion of the supervised postgraduate
13 professional experience.

14 (c) Any person residing in and/or licensed in another state who provides telepractice
15 services in the area of speech-language pathology and audiology within the State of Rhode Island
16 regardless of their legal residence must be licensed in the state in accordance with the provisions
17 of the act and this chapter. The provisions of the act and this chapter shall not apply to individua ls
18 specifically exempt from the provisions thereof by § 5-48-10.

19 **5-48.2-5. Qualifications for licensure.**

20 (a) Audiologists.

21 (1) In addition to the requirements set forth in § 5-48-7.2, persons seeking initial licensure
22 as an audiologist providing in-person or telepractice services shall meet the following requirements:

23 (i) Submit an official transcript indicating possession of an earned doctorate degree in
24 audiology from a regionally accredited educational institution or other national accrediting
25 organization as may be approved by the board;

26 (ii) Pass a national examination in audiology approved by the board;

27 (iii) Present evidence of practicum experience that is equivalent to a minimum of twelve
28 (12) months of full-time, supervised experience, that may be completed as part of the graduate
29 degree, as delineated in this chapter;

30 (iv) Applicants with a master’s degree holding licensure from another state must present
31 verification of a Certificate of Clinical Competence from the American Speech-Language-Hearing
32 Association (ASHA) or other national accrediting association as may be approved by the board.

33 (b) Qualifications for audiologists licensed in alternate jurisdictions.

34 (1) Persons licensed as an audiologist in alternate jurisdictions on or before January 1,

1 2008, shall meet the requirements of Rhode Island that were in effect at the time of initial licensure
2 in the alternate jurisdiction.

3 (c) Speech-language pathologists.

4 (1) In addition to the requirements set forth in § 5-48-7, an applicant seeking licensure to
5 practice as a speech-language pathologist who provides in person or telepractice services in Rhode
6 Island must:

7 (i) Have attained a master's degree or a doctoral degree or equivalent in speech-language
8 pathology from an accredited educational institution accredited by the Council on Academic
9 Accreditation (CAA) of the American Speech-Language-Hearing Association (ASHA) or other
10 national accrediting association as may be approved by the board. The degree shall consist of course
11 work in accordance with the current minimum requirements for the Certificate of Clinical
12 Competence issued by the American Speech-Language-Hearing Association (ASHA) or other
13 national accrediting association as may be approved by the board.

14 (d) Qualifications for a provisional license for speech-language pathologists.

15 (1) To be eligible for provisional licensure by the department, the speech-language
16 pathologist must submit an application with the required application fee and be in compliance with
17 the requirements of this chapter and § 5-48-7.1.

18 **5-48.2-6. Issuance and renewal of license and fee.**

19 (a) The department shall issue a license as an audiologist or speech-language pathologist,
20 or renewal thereof, for a period of two (2) years. The license, unless sooner suspended or revoked,
21 shall expire on the first day of July, two (2) years following its issuance, and may be renewed
22 biennially (in even years); provided the applicant meets the requirements of this chapter and the
23 statutory provisions of the act. The licensee must maintain their certificate of clinical competence
24 in their practicing area (speech-language pathology or audiology) in order to renew their license.

25 (b) A license may be renewed by submission of the renewal application and renewal fee as
26 set forth in the fee structure for licensing, laboratory and administrative services provided by the
27 department of health in their regulations payable before July 1 of even years (biennially).

28 (c) A provisional license may be renewed annually from the date of issue, if the post-
29 graduate professional experience has exceeded one year, by submission of the renewal application
30 and renewal fee as set forth in the fee structure for licensing, laboratory and administrative services
31 provided by the department of health. A provisional license shall not exceed thirty-six (36) months
32 past the initiation of the professional experience and will expire ninety (90) days after the end of
33 the postgraduate professional experience.

34 (d) Any licensee who allows his or her license to lapse by failing to renew it on or before

1 the thirtieth day of June of even years (biennially), may have the license renewed by submitting to
2 the department an application and renewal fee plus an additional late fee as set forth in the fee
3 structure for licensing, laboratory and administrative services provided by the department of health.

4 (1) Any person who allows his or her license to lapse longer than two (2) consecutive
5 licensing periods may be reinstated by the department, upon the filing of:

6 (i) A reinstatement application for licensure;

7 (ii) Payment of the current licensure renewal fee plus an additional late fee as set forth in
8 the fee structure for licensing, laboratory and administrative services provided by the department
9 of health; and

10 (iii) Documentation of completion of CEUs as required in this chapter taken during the
11 previous two (2) years.

12 (e) Inactive status.

13 (1) An individual licensed as a speech-language pathologist and/or audiologist in Rhode
14 Island, not in the active practice of speech-language pathology or audiology within Rhode Island
15 during any year, may upon request to the department, have his or her name transferred to an inactive
16 status and shall not be required to register biennially or pay any fee as long as he or she remains
17 inactive.

18 (2) Inactive status may be maintained for no longer than two (2) consecutive licensing
19 periods, after which period licensure will be terminated and a reinstatement application submitted
20 to the department will be required to resume practice.

21 (3) Any individual whose name has been transferred to an inactive status may be restored
22 to active status within two (2) licensing periods to practice speech-language pathology or audiology
23 without a penalty fee, upon the filing of:

24 (i) An application for licensure renewal with a licensure renewal fee as set forth in the fee
25 structure for licensing, laboratory and administrative services provided by the department of health;
26 and

27 (ii) Such other information as may be requested by the board.

28 **5-48.2-7. Denial, suspension and revocation of license.**

29 (a) The board is authorized to suspend or revoke any license to practice speech-language
30 pathology and/or audiology upon finding by the board that the person is guilty of conduct as set
31 forth in § 5-48-11, and in addition:

32 (1) Violating any provision of the act, any lawful order given, or rule or regulation adopted
33 by the board or departure from or failure to conform to the current standards of acceptable
34 prevailing practice and code of ethics of speech-language pathology or audiology as adopted by the

1 board and as contained in the "American Speech-Language-Hearing Association Code of Ethics"
2 as incorporated in this chapter. The board need not establish actual injury to clients in order to
3 adjudge a speech-language pathologist or audiologist of the above named conduct.

4 (2) The procedure for denial, revocation or suspension shall be as that set forth § 5-48-13.

5 **5-48.2-8. Support personnel.**

6 (a) A speech-language pathology assistant (SLPA) for speech-language pathologists shall
7 meet the following requirements:

8 (1) Hold a bachelor's degree from an accredited college or university and have successfully
9 completed no less than eighteen (18) hours of graduate credit in the areas of speech-language
10 pathology to include the following:

11 (i) Normal processes in speech, language and hearing three (3) hours;

12 (ii) Disorders of speech, language and hearing nine (9) hours;

13 (iii) Equipment, materials, procedures and data collection used in assessment and/or
14 management of speech, language and hearing disorders six (6) hours; and

15 (iv) Completion of twenty-five percent (25%) of those practicum hours required for
16 professional personnel by the American Speech-Language-Hearing Association.

17 (2) A speech-language pathology assistant (SLPA) shall be registered at the department
18 and be required to re-register every two (2) years.

19 (b) Support personnel for audiologists (audiometric aide) or audiology assistants must meet
20 the following requirements:

21 (1) Hold a high school diploma;

22 (2) Receive intensive on-the-job training in accordance with the American Speech-
23 Language-Hearing Association (ASHA) or American Academy of Audiology (AAA) guidelines
24 for support personnel by the supervising licensed audiologist prior to providing services. Any
25 subsequent supervising licensed audiologist may require retraining of an audiometric aide or
26 audiology assistants under his/her supervision.

27 (3) Audiometric aides or audiology assistants shall be registered at the department and be
28 required to re-register every two (2) years.

29 **5-48.2-9. Supervision and responsibility.**

30 (a) A supervising professional must be a speech-language pathologist or audiologist who
31 is licensed under the act and this chapter, has attained and maintained their certificate of clinical
32 competency and who has been actively working in the field for twenty-four (24) months after
33 completion of the postgraduate professional experience, and must be responsible for the acts and
34 performances, patient screening, and specific tasks assigned by the licensee to the speech-language

1 pathology assistant (SLPA)/audiometric aide or audiology assistant.

2 (1) A licensee who supervises support personnel must:

3 (i) Utilize the services of only those who meet the minimum requirements enumerated
4 under this chapter;

5 (ii) Ensure that the support personnel are assigned only those duties and responsibilities for
6 which the person has been specifically trained and which the assistant is qualified to perform;

7 (iii) Ensure that persons who will be receiving services from support personnel, or the
8 person's legal representative, are informed that services are being rendered by support personnel;

9 (iv) Provide supervision of the support personnel (other than newborn hearing screeners
10 and school hearing screeners); and

11 (v) Complete of a minimum of two (2) hours of professional development in clinical
12 instruction/supervision.

13 (b) A speech-language pathologist supervisor may only supervise one full-time equivalent
14 speech-language pathology assistant (SLPA) support personnel and an audiologist supervisor may
15 only supervise three (3) full-time equivalent audiometric aides or audiology assistants unless
16 otherwise approved by the board.

17 (c) Observations of support audiometric aides must be completed and documented as to
18 date, amount of time, and accuracy and efficacy of service according to the following: Direct on-
19 site observations of the first ten (10) hours of direct client contact; and five percent (5%) of all
20 clinical sessions after the first ten (10) hours for every forty (40) consecutive hours worked; and
21 Indirect supervision (e.g. home, interactive television, audio/video review or patient record review)
22 of five percent (5%) of each forty (40) consecutive hours worked.

23 **5-48.2-10. Supervision of the support personnel -- newborn hearing screeners and**
24 **school hearing screeners.**

25 (a) Hospital-based newborn hearing screeners and school-based hearing screeners shall be
26 trained by a licensed audiologist working in the newborn hearing or school screening program
27 according to training guidelines established by the programs.

28 (b) Supervision shall include a method of evaluation and documenting the competency of
29 each screener upon completion of the initial training and at least annually thereafter by a licensed
30 audiologist working in the newborn hearing or school screening program.

31 (c) Observations of a speech-language pathology assistant (SLPA) pathology support
32 personnel must be completed and documented as to date, amount of time, and accuracy and efficacy
33 of service according to the following:

34 (1) Direct on-site observations of the first ten (10) hours of direct client contact; and ten

1 percent (10%) of clinical sessions after the first ten (10) hours of each forty (40) consecutive hours
2 worked; and

3 (2) Indirect supervision (e.g. phone, interactive television, audio/video review) of ten
4 percent (10%) of each forty (40) consecutive hours worked.

5 (d) Supervisors must observe all provisions of the ASHA policy regarding support
6 personnel unless a specific policy is addressed in this chapter, including, but not limited to, that the
7 licensee must maintain records which document the frequency and type of supervision of support
8 personnel, such records to be available for audit upon request by the board.

9 **5-48.2-11. Continuing education requirements.**

10 (a) On or before the thirtieth day of June of even years, every person licensed to practice
11 speech-language pathology and/or audiology within Rhode Island shall complete not less than
12 twenty (20) clock hours of continuing education within the preceding two (2) years and be able to
13 present satisfactory evidence of completion to the department.

14 (1) Course descriptions, proof of attendance, or other documentation of completion shall
15 be retained by the licensee for a minimum of four (4) years and is subject to random audit by the
16 department.

17 (2) Activities approved by the board for continuing education credit are those sponsored
18 by the American Speech-Language Hearing Association (ASHA), the American Academy of
19 Audiology (AAA), a state department of education, other International Association for Continuing
20 Education and Training (IACET)-authorized providers, and/or continuing medical education units
21 (CMEs) from the Accreditation Council for Continuing Medical Education (ACCME). Approved
22 activities may include conferences, seminars, self-study programs, courses, or workshops
23 sponsored by the organizations noted above, or course work from an accredited institution.

24 (b) Those persons holding licensure in both speech-language pathology and audiology must
25 have completed and have evidence of completion of not less than thirty (30) clock hours of
26 continuing education within the preceding two (2) years.

27 (c) Continuing education hours may not be carried over from one renewal period to the
28 next.

29 (d) Continuing education hours must be in accordance with the American-Speech-
30 Language-Hearing Association's requirements including at least two (2) hours in cultural
31 competency, cultural humility, culturally responsive practice or diversity, equity, and inclusion
32 (DEI) and at least one hour in the area of ethics.

33 (1) If the licensee is acting as a clinical supervisor a minimum of two (2) hours of
34 professional development in clinical instruction/supervision is required.

1 (e) Speech-language pathologists or audiologists initially licensed by examination after the
2 July 1 renewal date shall be exempt from the continuing education requirements stated in this
3 section until the date of the next renewal cycle (i.e., June 30 of the second year following its
4 issuance).

5 (f) The board, at its discretion, may extend, reduce, or waive for a person the requirement
6 for continuing education for hardship or other extenuating circumstances as the board deems
7 appropriate.

8 **5-48.2-12. Rules governing the dispensing and/or selling of hearing aids.**

9 An audiologist who engages in the dispensing and/or selling of hearing aids shall comply
10 with any and all federal and state laws and regulations governing the sale of hearing aids.

11 **5-48.2-13. Rules governing practices and procedures.**

12 All hearings and reviews required under the provisions of the act shall be held in
13 accordance with the provisions of the rules and regulations regarding practices and procedures
14 before the department of health.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PROFESSIONAL LICENSING AND
REGULATION OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

- 1 This act would establish prevailing standards and procedures for licensing speech-language
- 2 pathologists and audiologists in Rhode Island.
- 3 This act would take effect upon passage.

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