

SENATE FILE NO. SF0044

Speech pathology and audiology.

Sponsored by: Joint Corporations, Elections & Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to speech pathology and audiology;
2 modifying requirements for licensure; modifying provisions
3 for suspension, revocation and renewal of licenses;
4 expanding list of persons eligible to serve on the board of
5 speech pathology and audiology; providing for a vice
6 chairman of the board; specifying functions of the board;
7 modifying fees; modifying applicability of licensing
8 provisions; providing for and revising definitions; making
9 conforming amendments; removing obsolete language; and
10 providing for an effective date.

11

12 *Be It Enacted by the Legislature of the State of Wyoming:*

13

14 **Section 1.** W.S. 33-33-101, 33-33-102(a)(i), (iii)
15 through (viii) and by creating new paragraphs (ix) and (x),

1 33-33-103(a) and (b), 33-33-104(a)(i) through (v) and by
2 creating a new paragraph (viii), 33-33-105, 33-33-201(a)
3 through (d), 33-33-202, 33-33-203(b), 33-33-303(c) and
4 (d)(iii), 33-33-304, 33-33-305(a)(intro), (iii), (iv), by
5 creating a new paragraph (v), (b) and by creating a new
6 subsection (e), 33-33-306(b) and 33-33-307(a)(intro) are
7 amended to read:

8
9 **33-33-101. Short title.**

10
11 This act is cited as the "~~License Practice~~ Act for ~~Speech~~
12 Speech-Language Pathologists and Audiologists".

13
14 **33-33-102. Definitions.**

15
16 (a) As used in this act:

17
18 (i) "Board" means the state board of examiners
19 of ~~speech~~speech-language pathology and audiology;

20
21 (iii) "~~Speech~~Speech-language pathologist" means
22 an individual who ~~practices speech~~engages in the practice
23 of speech-language pathology;

1

2 (iv) "~~Speech~~Speech-language pathology" means
3 the application of principles, methods and procedures for
4 the measurement, ~~testing~~test administration, evaluation,
5 prediction, counseling, instruction, training, habilitation
6 or rehabilitation related to the development, acquisition
7 and disorders of ~~speech, voice or language~~communication,
8 literacy and swallowing including speech production and
9 fluency, language, cognition, voice, resonance and all
10 aspects of swallowing including related feeding behaviors
11 for the purpose of evaluating, preventing, ameliorating or
12 modifying such disorders and conditions in individuals or
13 groups of individuals;

14

15 (v) "Audiologist" means an individual who
16 ~~practices~~engages in the practice of audiology;

17

18 (vi) "Audiology" means the application of
19 principles, methods and procedures of measurement, ~~testing~~
20 test administration, evaluation, prediction, consultation,
21 counseling, instruction, habilitation or rehabilitation
22 related to ~~hearing and disorders of hearing~~the auditory
23 and vestibular system for the purpose of evaluating,

1 identifying, preventing, ameliorating or modifying such
2 disorders and conditions in individuals or groups of
3 individuals;~~For the purposes of this subsection the words~~
4 ~~"habilitation" and "rehabilitation" include, but are not~~
5 ~~limited to hearing aid evaluation and recommendation;~~

6
7 (vii) "~~Speech~~Speech-language pathology aide"
8 means an individual who meets minimum qualifications
9 established by ~~the~~ board rule for ~~speech~~speech-language
10 pathology aides, ~~which qualifications shall be less than~~
11 ~~those established for license as a speech pathologist,~~ and
12 who works under the direct supervision of a licensed ~~speech~~
13 speech-language pathologist.~~+~~ A speech-language pathology
14 aide may:

15
16 (A) Assist with clerical work, client
17 escort, preparation of therapeutic materials and equipment
18 maintenance;

19
20 (B) Provide bilingual translation during
21 screening and assessment activities exclusive of
22 interpretation; and

23

1 (C) Assist with other duties under the
2 direct supervision of a licensed speech-language
3 pathologist.

4
5 (viii) "~~Audiology aide~~ Audiometric technician"
6 means an individual who meets minimum qualifications
7 established by ~~the board~~ rule for ~~audiology aides, which~~
8 ~~qualifications shall be less than those established for~~
9 ~~license as an audiologist,~~ audiometric technicians and who
10 works under the direct supervision of a licensed
11 audiologist~~;-~~.

12
13 (ix) "Speech-language pathology assistant" means
14 an individual who meets minimum qualifications established
15 by board rule for speech-language pathology assistants and
16 who works under the supervision of a licensed
17 speech-language pathologist. A speech-language pathology
18 assistant may:

19
20 (A) Assist with speech, language and
21 hearing screenings without clinical interpretation;

22

1 (B) Provide bilingual translation during
2 screening and assessment activities exclusive of
3 interpretation;

4
5 (C) Follow documented treatment plans or
6 protocols developed by the speech-language pathologist;

7
8 (D) Document client performance; and

9
10 (E) Report information to the supervising
11 speech-language pathologist.

12
13 (x) "Telepractice" means the practice of
14 speech-language pathology or audiology by electronic or
15 other means by a speech-language pathologist or audiologist
16 in one (1) location to a patient in another location, with
17 or without an intervening health care provider.

18
19 **33-33-103. Persons and practices affected.**

20
21 (a) License shall be granted either in ~~speech~~
22 speech-language pathology or audiology independently, or
23 both.

1

2 (b) No person shall practice or represent himself as
3 a ~~speech~~speech-language pathologist or audiologist unless
4 licensed pursuant to this act.

5

6 **33-33-104. Persons and practices not affected.**

7

8 (a) Nothing in this chapter prevents or restricts:

9

10 (i) A physician or surgeon from engaging in the
11 practice of medicine in this state, or a person under the
12 supervision and control of a physician ~~or surgeon~~ from
13 conducting hearing testing, provided the person is not
14 called an audiologist;

15

16 (ii) A hearing aid dealer or ~~certified hearing~~
17 ~~aid audiologist~~hearing aid specialist from engaging in the
18 practice of fitting, ~~and selling~~dealing or dispensing of
19 hearing aids including testing of hearing for the purpose
20 of such fitting;

21

22 (iii) A person who holds a valid and current
23 certificate as a speech or hearing specialist, issued by

1 the ~~department of education~~ professional teaching standards
2 board from performing ~~speech~~ speech-language pathology or
3 audiology services solely in the public schools or in
4 programs for the developmentally disabled funded by the
5 department of health. However, the person may, without
6 obtaining a license under this act, consult with or
7 disseminate his research findings and other scientific
8 information to ~~speech~~ speech-language pathologists and
9 audiologists outside the jurisdiction of the organization
10 by which he is employed;

11

12 (iv) The activities and services of a person
13 pursuing a course of study leading to a degree in ~~speech~~
14 speech-language pathology at a college or university, if
15 such activities and services constitute a part of a
16 supervised course of study and the person is designated
17 ~~speech~~ speech-language pathology intern, ~~speech~~
18 speech-language pathology ~~trainee~~ student or other title
19 appropriate to his level of training;

20

21 (v) The activities and services of a person
22 pursuing a course of study leading to a degree in audiology
23 at a college or university, if such activities and services

1 constitute a part of a supervised course of study and the
2 person is designated audiology intern, audiology ~~trainee~~
3 student or other title appropriate to his level of
4 training;~~or~~

5
6 (viii) The activities of any other person
7 licensed or certified permitted within the scope of their
8 profession.

9
10 **33-33-105. Eligibility for licensing.**

11
12 (a) To be eligible for licensing by the board as a
13 ~~speech~~speech-language pathologist or audiologist, a person
14 shall:

15
16 (i) Possess at least a :

17
18 (A) Master's degree or its equivalent in
19 the area of ~~speech~~speech-language pathology ~~or audiology~~
20 from an educational institution recognized by the board;~~;~~
21 ~~Effective July 1, 2012, all new applicants for audiology~~
22 ~~licensing shall possess at least a~~ or

1 (B) Doctor of audiology degree or master's
2 degree in audiology or equivalent granted before July 1,
3 2012 from an educational institution recognized by the
4 board.✚

5
6 (ii) Submit to the board evidence of the
7 completion of educational, clinical experience, examination
8 and employment requirements prescribed by the rules and
9 regulations adopted by the board; and

10
11 (iii) Pass an examination approved by the board.
12 The board ~~shall determine the subject and scope of the~~
13 ~~examinations. Written examinations may be supplemented by~~
14 ~~such oral examinations as the board shall determine~~ may
15 waive the examination requirement under this paragraph as
16 provided in W.S. 33-33-303 or rules of the board.

17
18 ARTICLE 2

19 BOARD OF EXAMINERS OF SPEECH-LANGUAGE PATHOLOGY AND

20 AUDIOLOGY

21
22 **33-33-201. Establishment.**

1 (a) There is established the board of examiners of
2 ~~speech~~speech-language pathology and audiology.

3
4 (b) The board shall be comprised of five (5) members
5 appointed by the governor. Board members shall have been
6 residents of this state for at least one (1) year
7 immediately preceding their appointment, and shall have
8 been engaged in rendering services to the public, teaching
9 or research in ~~speech~~speech-language pathology or
10 audiology for at least five (5) years immediately preceding
11 their appointment. At least one (1) board member shall be
12 an audiologist, one (1) shall be a consumer, at least two
13 (2) shall be ~~speech~~speech-language pathologists, and the
14 fifth member shall be a ~~licensed physician, surgeon or~~
15 ~~dentist~~health care professional licensed pursuant to title
16 33 of the Wyoming statutes. All board members except the
17 consumer and ~~physician, surgeon or dentist~~licensed health
18 care professional shall at all times be holders of active
19 and valid licenses ~~for the practice of speech pathology or~~
20 ~~audiology~~and be in good standing as a speech-language
21 pathologist or audiologist in this state. The governor may
22 remove any board member as provided in W.S. 9-1-202.

23

1 (c) ~~The governor shall, within ninety (90) days~~
2 ~~following enactment of this act, appoint two (2) board~~
3 ~~members for a term of one (1) year; two (2) for a term of~~
4 ~~two (2) years; and one (1) for a term of three (3) years.~~
5 Appointments ~~made thereafter~~ shall be for three (3) year
6 terms, with no person being eligible to serve more than two
7 (2) full consecutive terms. Terms shall begin on the first
8 day of the calendar year and end on the last day of the
9 calendar year. ~~, except for the first appointed members, who~~
10 ~~shall serve through the last calendar day of the year in~~
11 ~~which they are appointed before commencing the terms~~
12 ~~prescribed by this subsection.~~

13
14 (d) The board shall meet during each calendar year to
15 select a chairman and vice chairman and for other business.
16 At least one (1) additional meeting shall be held before
17 the end of each calendar year. Further meetings may be
18 convened at the call of the chairman or the written request
19 of any three (3) board members.

20

21 **33-33-202. Functions of the board.**

22

1 (a) The board ~~shall administer, coordinate and~~
2 ~~enforce the provisions of this act, evaluate the~~
3 ~~qualifications and supervise the examinations of applicants~~
4 ~~for license under this act. It may issue subpoenas, examine~~
5 ~~witnesses, administer oaths, and shall investigate~~
6 ~~allegations of practices violating the provisions of this~~
7 ~~act~~ may administer oaths, take affidavits, summon witnesses
8 and take testimony as to matters coming within the scope of
9 its duties.

10
11 (b) The board shall adopt rules and regulations
12 ~~relating to professional conduct, which establish ethical~~
13 ~~and professional standards of practice, and for other~~
14 ~~purposes. The board may amend or repeal the same in~~
15 ~~accordance with the Wyoming Administrative Procedure Act~~ to
16 implement and enforce the provisions of this act.

17
18 (c) The board shall adopt a seal to be affixed to all
19 licenses issued in accordance with this act and to
20 authenticate its proceedings.

21
22 **33-33-203. Administrative provisions.**
23

1 (b) ~~The board may adopt a seal by which it shall~~
2 ~~authenticate its proceedings.~~ Copies of the proceedings,
3 records and acts of the board, and certificates purporting
4 to relate the facts concerning such proceedings, records
5 and acts, signed by the chairman or the executive secretary
6 and authenticated by the board's seal, shall be prima facie
7 evidence in all courts of this state.

8
9 ARTICLE 3

10 LICENSE OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

11
12 **33-33-303. Waiver of examination or parts thereof.**

13
14 (c) The board may waive the examination and grant a
15 license to any person certified as clinically competent by
16 a nationally recognized association for ~~speech~~
17 speech-language and hearing in the area for which such
18 person is applying for license.

19
20 (d) The board may issue a provisional license to
21 practice for twelve (12) months and renewal for one (1)
22 additional period of twelve (12) months, to an applicant

1 who has obtained clinical fellowship year status, subject
2 to the following:

3
4 (iii) The applicant is seeking or has accepted
5 employment in Wyoming as a ~~speech~~ speech-language
6 pathologist or audiologist; and

7
8 **33-33-304. Issuance of license.**

9
10 The board shall issue a license to any person who meets the
11 requirements of this act and who pays to the board the
12 ~~initial~~ application ~~and licensing~~ fee ~~prescribed in~~
13 authorized by W.S. 33-33-307.

14
15 **33-33-305. Suspension and revocation of license.**

16
17 (a) The board may after hearing, deny, refuse to
18 ~~issue or~~ renew , ~~a license, or may~~ suspend or revoke a
19 license ~~where the licensee or applicant for license has~~
20 ~~been guilty of unprofessional conduct which has endangered~~
21 ~~or is likely to endanger the health, welfare or safety of~~
22 ~~the public. Such unprofessional conduct may result from~~ or

1 impose probationary conditions upon a licensee for any one
2 (1) of the following:

3
4 (iii) ~~Being convicted of a felony in any court~~
5 ~~of the United States~~ A plea or verdict of guilty, or a
6 conviction following a plea of nolo contendere, made to a
7 charge of a felony, if the acts for which he is convicted
8 are found by the board to have a direct bearing on whether
9 he should be entrusted to serve the public in that
10 particular capacity; ~~or~~

11
12 (iv) Violating any provisions of this act; ~~÷~~ or

13
14 (v) Knowingly submitting false or misleading
15 information to the board.

16
17 (b) ~~The board may, after hearing, deny an~~
18 ~~application, or suspend, or revoke a license, or impose~~
19 ~~probationary conditions upon a licensee.~~ One (1) year from
20 the date of revocation of a license, application may be
21 made to the board for reinstatement. The board may accept
22 or reject an application for reinstatement and may require
23 an examination for such reinstatement.

1

2 (e) In addition to any other remedies, the board may
3 assess part or all of the costs of the proceeding against a
4 disciplined licensee.

5

6 **33-33-306. Renewal of license.**

7

8 (b) Every person licensed under this act shall
9 annually, on or before December 31, pay a license renewal
10 fee to the board. ~~The board may, in the event payment of~~
11 ~~the renewal fee is rendered after December 31 of any given~~
12 ~~year, renew a license upon payment of the renewal of~~
13 ~~license fee plus a late renewal fee prescribed by the~~
14 ~~board.~~—No person who requests renewal of an expired
15 license shall be required to submit to examination as a
16 condition to ~~renewal~~ relicensure if ~~renewal~~ application is
17 made within two (2) years from the date of ~~such~~ the
18 expiration or longer as provided by board rule. ~~Renewal~~
19 Relicensure applications shall include proof that the
20 applicant has complied with any continuing education
21 requirements or refresher training, as prescribed by rule
22 and regulation of the board, accruing during the time the
23 license was expired.

1

2 33-33-307. Fees.

3

(a) The board ~~shall~~ may prescribe, ~~and publish in a~~
~~manner it deems appropriate,~~ application fees and fees for
examination, licensing, certification, specialty
examination designation, renewal and other services in
amounts determined by the board. ~~for the following~~
~~purposes:~~

10

11 **Section 2.** W.S. 33-33-103 (c), 33-33-104 (a) (vi),
12 33-33-203 (c), 33-33-301, 33-33-302, 33-33-305 (c) and
13 33-33-307 (a) (i) through (v) and (b) are repealed.

14

15 **Section 3.** This act is effective July 1, 2017.

16

17 (END)