



# Certification Page Regular and Emergency Rules

Revised September 2016

Emergency Rules (After completing all of Sections 1 through 3, proceed to Section 5 below)

Regular Rules

## 1. General Information

a. Agency/Board Name <b>Board (of Examiners) of Speech(-Language) Pathology and Audiology</b>			
b. Agency/Board Address <b>2001 Capitol Ave Rm 103</b>		c. City <b>Cheyenne</b>	d. Zip Code <b>82002</b>
e. Name of Agency Liaison <b>Greg Searls</b>		f. Agency Liaison Telephone Number <b>307-777-7788</b>	
g. Agency Liaison Email Address <b>greg.searls@wyo.gov</b>		h. Adoption Date <b>September 20, 2017</b>	
i. Program <b>Board (of Examiners) of Speech(-Language) Pathology and Audiology</b>			

## 2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No.  Yes. Please provide the Enrolled Act Numbers and Years Enacted:

## 3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.  
(Please use the Additional Rule Information form for more than 10 chapters and attach it to this certification)

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
<b>1</b>	<b>General Provisions</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
<b>2</b>	Licensure and Renewal Requirements and Application Procedures	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
<b>5</b>	Speech Pathology and Audiology Aides (Speech-Language Pathology Aides and Audiometric Technicians)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
<b>7</b>	<b>Fees</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
<b>9</b>	Practice and Procedures for Disciplinary, Application, and Licensure Matters	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
<b>11</b>	Practice of Speech Pathology and Audiology (Practice of Speech-Language Pathology and Audiology)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
<b>12</b>	<b>Speech-Language Pathology Assistant</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

**3. State Government Notice of Intended Rulemaking**

a. Date on which the Proposed Rule Packet (consisting of the Notice of Intent as per W.S. 16-3-103(a), **July 20, 2017**

Statement of Principal Reasons, strike and underscore format and a clean copy of each chapter of rules were:

- approved as to form by the Registrar of Rules; and
- provided to the Legislative Service Office and Attorney General:

**4. Public Notice of Intended Rulemaking**

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice.  No.  Yes.  N/A

b. A public hearing was held on the proposed rules.  No.  Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

c. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

**5. Final Filing of Rules**

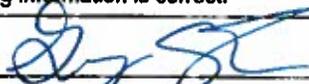
a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature: **September 25, 2017**

b. Date on which final rules were approved as to form by the Secretary of State and sent to the Legislative Service Office:

c.  The Statement of Reasons is attached to this certification.

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	
Printed Name of Signatory	<b>Greg Searls</b>
Signatory Title	<b>Executive Director</b>
Date of Signature	<b>September 25, 2017</b>

**7. Governor's Certification**

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

**STATEMENT OF PRINCIPAL REASONS**  
**FOR FORMAL ADOPTION OF REGULAR RULES**

Pursuant to authority granted under the Practice Act for Speech-Language Pathologists and Audiologists, W.S. 33-33-101 through W.S. 33-33-309, the Wyoming Board of Speech Pathology and Audiology (Wyoming State Board of Examiners of Speech Pathology-Language and Audiology) proposes the following rule changes. The name of the Board was changed on July 1, 2017 pursuant to Senate File 0044.

These rules are drafted to implement the Board's authority to protect the public by regulating the qualifications and establishing standards of performance of persons licensed as Speech-Language Pathologist and Audiologist.

These proposed amendments primarily:

- Create Chapter 12, which outlines the requirements, certification procedures, and scope of practice for Speech-Language Pathology Assistants as created by Enrolled Act 44, Senate which became effective on July 1, 2017;
- Update language from speech pathology to speech-language pathology and remove obsolete language to become more standardized with the professions on a national level; and
- Make adjustments in keeping with national trends and requirements in regulation of licensees.

Specifically, the Board adopted the following proposed amendments through the regular rulemaking process:

**Chapter 1 – General Provisions - Amended**

- Changes were made to correct grammatical errors and to better clarify existing language.
- In Section 3, added definitions for FERPA, HIPAA, SLP, and SLPA.
- In Section 3, corrected the definition of “Act” to reflect the changes made in EA 44, Senate.
- In Section 3, spelled out Wyoming Statute instead of using W.S. as required by the Rules on Rules.
- In Section 6, updated the location of rules incorporated by reference to be found on the Board's own webpage so they will all be found in one location.
- In Section 6, adopted A&I's Uniform Procedures, Fees, Costs and Charges for Inspection by incorporation to clarify procedure for public records requests.
- In Section 7, removed prior public records language to refer to the newly adopted A&I Rules instead.

**Chapter 2 – Licensure and Renewal Requirements and Application Procedures - Amended**

- Changes were made to correct grammatical errors and to better clarify existing language.
- In Section 4, spelled out Wyoming Statute instead of using WS as required in the Rules on Rules.

- In Section 4, clarified that a provisional license is only good for one year.
- In Section 6, separated the process for licensure to show the differences between the Speech-Language Pathologist and Audiologist.
- In Section 8(c)(v), clarified that continuing education units must be related to the scope of practice.
- In Section 8(c)(vii), clarified that the same course cannot be taken and used for continuing education units more than once in the same renewal period.
- In Section 9(a), changed that the application must be approved by the Board instead of the ARC before a license is granted.
- In Section 9(b), changed the administrative grace period from 2 years to 3 years.
- In Section 10, changed the relicensure process to give applicants two options on how to meet the qualifications. One is for someone that has maintained the ASHA or ABA certification and the other is for someone that has not been practicing.
- In Section 11, added that anyone who surrenders their license must wait a minimum of 12 months before applying for reinstatement.

#### Chapter 5 – Speech-Language Pathology Aides and Audiometric Technicians - **Amended**

- Changes were made to correct grammatical errors and to better clarify existing language.
- Changed all references of speech pathology aide to speech-language pathology aides
- Changed audiology aide to audiometric technician as is standard in the profession at this time.
- In Section 3, separated the requirements of speech-language pathology aides and audiometric technicians to clarify their individual requirements for registration.
- In Section 2, added the requirement of a high school diploma or GED equivalent to be eligible as an aide.
- In Section 3, added the requirement of a high school diploma or GED equivalent to be eligible as an audiometric technician.
- In Section 2 (f), added that the Board would not register Speech-Language Pathology Aides after June 30, 2022.
- In Section 2(c), changed the word aide to applicant to reflect they are not an aide until the application is approved.
- In Section 2(c), changed that the application must be approved by the Board instead of the ARC before a registration is approved.
- In Section 5, changed that the Board reviews and approves supervision agreements.
- In Section 5, added audiometric technicians to transfer or termination of supervision.

#### Chapter 7 – Fees - **Amended**

- In Section 3, added the fees for a speech-language pathology assistant for initial certification and annual renewal.
- In Section 3(h), reduced the request for roster fee.
- In Section 3(j), added or certificate for verification of an Speech-Language Pathology Assistant certificate.

#### Chapter 9 – Practice and Procedure for Disciplinary, Application, and Licensure Matters - **Amended**

- Changes were made to correct grammatical errors and to better clarify existing language.
- In Section 1, added the statutory authority for creating the disciplinary chapter.
- Added certificate holders and applicants to be included in the same manner as a licensee for discipline and resolution
- In Section 4, added requirement for applications that require investigation be assigned to the ARC.
- In Section 6, added a section on Summary Suspension to clarify the procedures and the Board’s authority to issue a Summary Suspension.
- In Section 7, added the requirements for the Notice of Intent in cases of disciplinary actions.

#### Chapter 11 – Practice of Speech-Language Pathology and Audiology - **Amended**

- Changes were made to correct grammatical errors and to better clarify existing language.
- In Section 2, modified the long scope of practice sections and outlined the requirements so they were easier to read but did not change the items in the list.
- In Section 4 and 5, clarified supervision to reflect the name change from audiology aide to audiometric technician
- In Section 5, clarified delegable duties to reflect the addition of the speech-language pathology assistant and what duties would change over time to allow for a grandfathering period for those that need to obtain the required education to become a speech-language pathology assistant.

#### Chapter 12 – Speech-Language Pathology Assistant - **Added**

- Changes were made to correct grammatical errors and to better clarify existing language.
- In Section 1, established the requirements for certification for a speech-language pathology assistant.
- In Section 2, outlined the responsibilities of a speech-language pathology assistant.
- In Section 3, created limitations for a speech-language pathology assistant.
- In Section 4, created annual renewal for certificate holders and the continuing education requirements to renew.
- In Section 5, created requirements for a speech-language pathology assistant to be supervised.
- In Section 6, created an administrative grace period for failure to timely renew.
- In Section 7, created the requirements for re-issuance of a certificate once it has lapsed.
- In Section 8, created a grandfathering clause to allow those aides currently performing duties that will fall in the scope of practice for a speech-language pathology assistant to continue to do those while obtaining the educational requirements of the speech-language pathology assistant position.

Wyoming Board of Examiners of Speech-Language Pathology and Audiology  
Comment Summary and Changes Based Upon Public Comment

The Wyoming Board of Examiners of Speech-Language Pathology and Audiology proposed changes to Chapters 1, 2, 5, 7, 9, and 11, and created Chapter 12. The Board held a public comment period from July 17, 2018 through September 12, 2017 and received comments from five (5) different people and entities. The Board reviewed and discussed comments at their subsequent meeting on September 20, 2017. The following is a summary of the changes the Board made following consideration of all of the comments. The Board believes these are non-substantive changes as they simply clarify certain provisions based upon specific comments.

**Comments from Sarah Schulte:** I have serious concerns about the proposed rule that is being considered for Speech Language Pathology Assistants in 2022 . The Rule as it states is that in order to become a Certified SLPA one needs to have the following: an Associates degree as a Speech Language Pathology Assistant or a Bachelor's degree in Communication disorders or Speech Language Pathology . This wording excludes numerous SLPA's including myself that have completed the Masters in Speech Language Pathology "Leveling coursework" route that most schools are offering to students that have received a bachelors degree in something other than Speech Language Pathology. The wording in the proposed rules excludes myself for keeping my SLPA status even though I have been a SLPA for 15 years, hold a Bachelors degree in Social Sciences, hold a associates degree as a Certified Occupational Therapy Assistant, and completed all of the "Leveling" Bachelor level courses to apply to Masters school when I am ready. SO even though I do not have a bachelors degree in Speech Language pathology I have all of the course work and documented observation hours that were required for leveling to apply to Masters school. It makes no sense to me that I would have to complete courses AGAIN that I passed in another "bachelor degree program" . I can list all of the courses I have taken and passed and if you compare they are all the same as what the bachelor students are completing. I just don't understand how these courses are good enough for me to apply to masters school but not good enough to practice as an SLPA?? There should be something in writing of the proposed rules stating that " to be come certified one needs the EQUIVALENT such as "Leveling Courses" (all completed and passed coursework) of a bachelors degree in or a bachelors degree in communication or speech language pathology.

**Response:** The Board agrees that they may have overlooked other degrees that would meet the required standards. The Board added “or equivalent,” in Chapter 12 Section 1 (a)(i) to allow for other similar degrees to qualify for certification.

**Comment 1 from ASHA:** While the regulations provide for certification of SLPAs, we believe that assistants should obtain a license. Licensure sets minimal standards of practice for assistants and assures the public that those standards are met before a license is granted. Insurers also rely on licensure to set reimbursement policies for services delivered by speech-language pathologists and SLPAs. In addition, ASHA has a highly recognized certification program for speech-language pathologists, the Certificate of Clinical Competence (CCC), and is presently considering the development of a certification program for SLPAs. While an ASHA certification program for assistants would help guide licensure standards set by states, duplicative certification by ASHA and the state would be confusing to the public.

**Response:** The Board does not believe it has the statutory authority to issue licenses to those applying to become SPLA.

**Comment 2 from ASHA:** On page 12-1, Section 1, (a) (ii) we recommend changing “supervised field work” to “work experience” for clarity purposes. Most undergraduate university communication sciences and disorders programs (CSD) do not offer a practicum or fieldwork, but provide student observation hours. Typically, clinical practicum experiences (fieldwork) are attained at the graduate level. Therefore, we recommend allowing SLPAs to obtain their fieldwork experience either while completing their associates or undergraduate degrees or during their first employment experience.

**Response:** The Board believes its language is in line with other states that already recognize SLPAs and recommend no change based upon this comment.

**Comment 3 from ASHA:** On page 12-5, Section 5, (iv), (D), we recommend reducing the number of SLPAs supervised by a speech-language pathologist from three to two, which would match the current ASHA standard. This will help ensure that the supervising speech-language pathologist has the appropriate amount of time and effort to guide the SLPA and meet the supervision standards.

**Response:** Current standards in Wyoming allow for the supervision of three (3) aides that require direct supervision 100% of the time. The SLPA does not require 100% supervision and is actually lessening the workload to supervise three (3) people at one time. The sparse population of Wyoming and lower amounts of licensed SLPs lead to the necessity of allowing the supervision of three (3) SLPAs. No changes are recommended based up this comment.

**Comments from Anne Barrett Hazard:** My primary concerns with the proposed regulations is the limitations of SLPA in participating in team meetings and providing information regarding the client's status. Many times in our region, several team meetings are scheduled at the same times, so the SLPA and I each attend one on the meetings. Prior to the meetings, she & I discuss each kid's present levels and ares(sic) to work on. I feel comfortable with her sharing this information to the rest of the team and do not feel that this limitation needs to be in place.

Additionally, the increased supervision time is a bit excessive in addition to the new requirements for SLPA candidates to have an associates or bachelor's degree in SLP/Communicaiton(sic) Disorders & complete a minimum of 100 hours of supervised field work.

**Response:** Wyoming does not currently recognize SLPAs so they cannot be attending meetings. They would have needed to be registered as an aide with the State. It is also a violation of the current rules to have an aide participate in parent conferences, case conferences, or any other interdisciplinary team without the presence of the licensee (Chapter 11, Section 5 (d)(ii)). The proposed rules do not allow an SLPA to properly answer questions regarding diagnosis and outcomes and therefore SLPAs are not permitted to attend these conferences without the SLP. No change is recommended.

The one hundred (100) hour requirement is believed to be in line with other established programs and the requirements of other states that already regulate SLPAs. No change is recommended based upon this comment.

**Comment from Jacklyn Ruvalcaba:** My primary concern with the new proposal is the excessive requirements of SLPA candidates to have an associates or bachelor's degree and complete 100 hours of field work. I feel that will hurt our small town children who need speech by putting unnecessary stress on SLP's due to the fact that there will be a shortage of SLPA's if this proposal becomes law. I feel like SLPA's will go get their masters or get out of the field because of these new proposals.

**Response:** SLPA's are currently not recognized by Wyoming and are being created to ease the burden of SLP's because they do not require 100% supervision that the Aides currently do. The creation of this position with different supervision requirements and scopes of practice should actually ease the stress on SLP's. If more SLPA's go on to get their Master's Degree, the Board does not see it as a problem to have more SLP's in the state. No changes are recommended based upon this comment.

**Comment from Jim Peters, Board Attorney:** Recommended the removal of the proposed language in Chapter 9, Section 6 (d) through (g) as it was unnecessary based upon the current working Rules of other Boards.

**Response:** The Board agrees recommends removal of the mentioned areas.

## Chapter 1

### General Provisions

**Section 1. Authority.** The Board is authorized under the Act and the WAPA to promulgate rules and regulations related to the licensure and discipline of speech-language pathologists and audiologists and regulation of the practice of speech-language pathology and audiology in Wyoming.

**Section 2. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish administrative procedures.

**Section 3. Definitions.**

- (a) "AAA" means American Academy of Audiology.
- (b) "ABA" means American Board of Audiology.
- (c) "Act" means the Practice Act for Speech-Language Pathologists and Audiologists, Wyoming Statute 33-33-101 through -309.
- (d) "ARC" means Application Review Committee.
- (e) "ASHA" means the American Speech-Language-Hearing Association.
- (f) "Board Rules" means the administrative rules and regulations promulgated by the Board.
- (g) "CEU" means continuing education units.
- (h) "DC" means Disciplinary Committee which may be comprised of at least one (1) Board member or the Executive Director.
- (i) "Direct Supervision" means that a speech-language pathologist or audiologist provides procedural guidance for the services to be provided with initial direction and periodic inspection of the service performance and is present on the premises while the services are being provided.
- (j) "FERPA" means the Family Educational Rights and Privacy Act

- (k) “HIPAA” means the Health Insurance Portability and Accountability Act
- (l) “Licensee” means a speech-language pathologist or audiologist licensed in Wyoming.
- (m) “Praxis” means the National Examination in Speech-Language Pathology or the National Examination in Audiology administered by the Educational Testing Service or its successor.
- (n) “SLP” means a person licensed by the Board as a Speech-Language Pathologist
- (o) “SLPA” means a person certified by the Board as Speech-Language Pathology Assistant
- (p) “WAPA” means the Wyoming Administrative Procedure Act, W.S. 16-3-101 through -115.

**Section 4. Board Office.** The Board Office shall be located at 2001 Capitol Avenue, Cheyenne, Wyoming.

**Section 5. Board Meetings.** The Board shall set its regular meetings by resolution.

**Section 6. Reference by Incorporation.**

- (a) For any rule incorporated by reference in these Board Rules:
  - (i) The Board has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;
  - (ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section; and
  - (iii) The incorporated rule is maintained at Board Office and is available for public inspection and copying at cost at the same location.
- (b) Each rule incorporated by reference is further identified as follows:

(i) Referenced in Chapter 9, Section 9 is Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on October 17, 2014, found at: <http://speech.wyo.gov>.

(ii) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by AAA and effective in October 2011, found at: <http://speech.wyo.gov>.

(iii) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by ABA and effective in 1999, found at: <http://speech.wyo.gov>.

(iv) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by ASHA and effective in March 2016, found at: <http://speech.wyo.gov>.

(v) Referenced in this Chapter, Section 7 is the Uniform Procedures, Fees, Costs and Charges for Inspecting, Copying and Producing Public Records adopted by the Department of Administration and Information and effective on September 6, 2016, found at <http://hearingaid.wyo.gov>.

#### **Section 7. Public Records Inspection.**

(a) All public records requests are subject to the Uniform Procedures, Fees, Costs and Charges for Inspecting, Copying and Producing Public Records adopted by the Department of Administration and Information

(b) Public records inspection shall take place under the following conditions:

(i) An appointment shall be made to review the records between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state holidays, at the Board Office; and

(ii) Records inspection shall take place in the presence of Board staff.

**Section 8. Change of Name, Address, or Telephone Number.** Each applicant and licensee shall notify the Board in writing of any change to their legal name, home address, business address, e-mail address, or telephone number within thirty (30) days of the change.

**Section 9. Requests for Rosters.** Any person requesting a roster of licensees shall submit a completed request form and payment of a fee.

**Section 10. Duplicate Pocket Card and Wall Certificate.** A licensee may request a duplicate pocket card and/or wall certificate by submitting a form and payment of the fee.

**Section 11. License Verification.** A licensee may request verification of their Wyoming license by submitting a form and payment of the fee.

## Chapter 2

### Licensure and Renewal Requirements and Application Procedures

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish the requirements and procedures for licensure and annual license renewal.

**Section 2. Application Status.**

(a) For those applicants seeking licensure, all requirements shall be met during the timeframe identified immediately prior to submitting a completed application.

(b) Applications shall be deemed "complete" when all necessary documentation has been received by the Board office.

(c) Applications shall expire one (1) year after submission. If an application expires, an applicant shall submit a new application, including payment of fee.

**Section 3. Application Review Committee.**

(a) Every application shall be reviewed by the ARC.

(b) An applicant for licensure shall have committed no acts that are grounds for disciplinary action, or if the act was committed, the ARC has found after investigation that sufficient restitution has been made and the applicant no longer presents a threat to the public safety.

(c) If the ARC is unable to ascertain from documents submitted by the applicant that the applicant is eligible for licensure, the ARC may require the applicant to provide additional documentation, information, or meet informally with the ARC.

**Section 4. Speech-Language Pathology Provisional Licensure.**

(a) Eligibility. An applicant may seek a provisional license if the applicant has not completed a clinical fellowship year and has not practiced in another jurisdiction.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit transcripts complying with Wyoming Statute 33-33-105(a)(i) directly from the college, university, or institution;

(iii) Successfully pass Praxis; and

(iv) Submit executed supervisory agreement.

(c) Board Approval of Supervisory Agreement. The Board shall approve supervisory agreements that meet the qualifications identified in Chapter 11, Section 4.

(d) Provisional licenses shall be valid for one (1) year.

(e) Renewal. Provisional licenses may be renewed one (1) time.

**Section 5. Speech-Language Pathology Initial Licensure by Completing Provisional.**

(a) Eligibility. An applicant may seek initial licensure if the applicant completes their clinical fellowship year and meets the requirements for initial licensure.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees; and

(ii) Submit the supervisor verification documenting completion of the clinical fellowship year.

**Section 6. Initial Licensure.**

(a) Eligibility. An applicant may seek initial licensure if the applicant is not licensed to practice in another jurisdiction, or that jurisdiction's licensure requirements are not as stringent as Wyoming, or those that fail to meet other licensure methods.

(b) Application Requirements.

(i) Speech-Language Pathology License Applicants shall:

(A) Submit a completed application along with appropriate fee;

(B) Submit evidence of clinical competency by:

(I) Verifying current ASHA certification; or

(II) Complete the following:

(1.) Clinical fellowship

(2.) Education requirements identified in Section

4(b)(ii) of this chapter; and

(3.) Successful passage of the Praxis within the previous five (5) years.

(ii) Audiology License Applicants shall:

(A) Submit a completed application along with appropriate fee; and

(B) Submit evidence of clinical competency by verifying current ABA certification or ASHA Certification;

(iii) Submit license verification directly from every jurisdiction where the applicant held a license in the last fifteen (15) years, if applicable.

### **Section 7. Licensure by Endorsement.**

(a) Eligibility. An applicant may seek licensure by endorsement if the applicant is actively licensed to practice in another jurisdiction with licensure requirements as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Meet requirements identified in Section 4(b)(ii); and

(iii) Submit license verification directly from every jurisdiction where the applicant held a license in the last fifteen (15) years.

### **Section 8. Annual Licensure Renewal.**

(a) Licensure Expiration. Licenses shall expire December 31st of the year following the year of issue. After the initial licensure, licenses shall expire December 31st of each year. Licensees shall renew their license on or before December 31st. Licensees that fail to timely renew shall forfeit the right to practice.

(b) Renewal Procedure. A licensee seeking renewal shall:

(i) Submit a completed renewal application and payment of fee;

(ii) Submit evidence of completion of twelve (12) CEU that complies with subsection (c); and

(iii) Submit annual competency evaluation for any aides practicing under licensee's supervision

(iv) Submit proof of supervision as Specified in Chapter 12 for any SLPA under the licensee's supervision.

(c) CEU Requirements.

(i) All licensees shall maintain CEU requirements.

(ii) CEU shall be calculated as follows:

(A) One (1) semester credit equals fifteen (15) CEU;

(B) One (1) quarter credit equals ten (10) CEU; and

(C) One (1) contact hour equals one (1) CEU.

(iii) CEU shall be obtained January 1 to December 31 of the year of expiration.

(iv) CEU shall be directly related to the scopes of practice defined in W.S. 33-33-102.

(v) The Board shall accept CEU that is directly related to the scope of practice sponsored by national, regional, or state professional associations, such as AAA, ABA, ASHA, or Wyoming Speech-Language-Hearing Association;

(vi) CEU may be earned through:

(A) College or university courses taken for credit or through official audit;

(B) Online courses;

(C) Scientific and educational lectures, workshops, or seminars;

(D) Journals offered for CEU;

(E) Scientific and educational lectures, workshops, or seminars presented by the licensee (a maximum of three (3) CEU); and

(F) Articles published by the licensee in a nationally or state refereed journal if the article falls within the licensee's area of licensure (a maximum of three (3) CEU).

(vii) If a licensee takes the same course more than once in a renewal period, the CEUs from that course will only be counted towards the required hours once.

(viii) Acceptable CEU documentation shall include, but is not limited to, transcripts and certificates of completion.

(d) Waiver. The Board may grant a waiver for CEU requirements for licensees who have petitioned and demonstrated just cause based on extenuating circumstances.

**Section 9. Failure to Timely Renew.**

(a) Unlicensed Practice. Failure to timely renew may subject the licensee to disciplinary action for unlicensed practice. Licensees shall not practice until the Board approves their license.

(b) Administrative Grace Period.

(i) The administrative grace period shall be up to three (3) years after the expiration of the license. Licensees that failed to timely renew may apply for renewal during the administrative grace period.

(ii) Licensees shall meet the renewal requirements under Section 8(b) including payment of a late renewal fee.

(iii) Licensees that failed to timely renew shall submit twelve (12) hours of CEU for each calendar year that the license has been expired.

(c) Lapsed Licensed. Any license not renewed within the administrative grace period shall lapse. If a license lapses, the applicant shall apply for relicensure.

**Section 10. Relicensure.**

(a) Eligibility. An applicant may seek relicensure if their license has lapsed.

(b) Lapsed License Relicensure Requirements. An applicant shall:

(i) Submit a completed relicensure application and payment of fee; and

(ii) Submit evidence of clinical competency by:

(A) Verifying current ASHA or ABA certification; or

(B) Successful completion of:

(I) The Praxis within five (5) years; and

(II) Completion of twelve (12) CEUs for each year or portion thereof that the license was lapsed up to a maximum of one hundred and twenty (120) CEUs.

**Section 11. Reinstatement of Licensure.**

(a) Eligibility. An applicant may seek reinstatement of their license if that license has been revoked, surrendered, suspended, conditioned, restricted, or otherwise disciplined. For a license that has been surrendered, an applicant must wait a minimum of twelve (12) months before applying for reinstatement.

(b) Application Reinstatement Requirements. The applicant shall:

- (i) Submit a completed reinstatement application and payment of fee;
- (ii) Submit evidence of complying with the requirements of a previous Board order;
- (iii) Submit evidence of applicant's ability to safely and competently practice; and
- (iv) Submit evidence demonstrating just cause for reinstatement.

## Chapter 5

### Speech-Language Pathology Aides and Audiometric Technicians

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish the requirements and procedures for registration of aides and audiometric technicians.

**Section 2. Speech-Language Pathology Aides Registration.**

(a) An applicant may seek registration as a speech-language pathology aide to practices under the direct supervision of a licensee.

(b) Education requirement. An applicant must have a high school diploma or a GED equivalent.

(c) Application Packet for Speech-Language Pathology Aide Registration. The applicant shall submit the following documentation to the Board for approval:

(i) Completed application and payment of fees;

(ii) Supervision agreement executed by the applicant and the supervising licensee; and

(iii) A training plan establishing competency for the applicant submitted by the supervising licensee, which includes:

(A) Twenty-five (25) hours of direct supervised client contact; and

(B) Twenty-five (25) hours of direct observational training in the following:

(I) Overview of speech and/or language disorders relative to client-related care or hearing and balance relative to client-related assessment, disorders, and care;

(II) Ethical and legal responsibilities;

(III) Observing and data collection specific to site population;

and

(IV) Record keeping.

(d) Aide Registration. Upon Board approval, the supervising licensee may implement the training plan. Verification of completion shall be sent to the Board within six (6) months of

approval, otherwise the application shall expire. After completion, the applicant may identify themselves as an “aide.”

(e) Aide Continued Practice. An aide's registration shall remain valid if the supervising licensee provides the required evaluation form with their annual renewal.

(f) After June 30, 2022, the Board will no longer register Speech-Language Pathology Aides and the requirements of this section will no longer be applicable.

### **Section 3. Audiometric Technician Registration**

(a) An applicant may seek registration as an audiometric technician to practice under the direct supervision of a licensee.

(b) Education requirement. An applicant shall have a high school diploma or GED Equivalent.

(c) Application Packet. The applicant shall submit the following documentation to the Board for approval:

(i) Completed application and payment of fees;

(ii) Supervision agreement executed by the applicant and the supervising licensee; and

(iii) A training plan establishing competency for an audiometric technician submitted by the supervising licensee, which includes:

(A) Twenty-five (25) hours of direct supervised client contact; and

(B) Twenty-five (25) hours of direct observational training in:

(I) Overview of hearing and hearing disorders relative to client-related assessments, disorders, and care;

(II) Basic training in screening for hearing, including audiometry, tympanometry, and otoacoustic emissions, as needed;

(III) Ethical and legal responsibilities;

(IV) Observing and data collection specific to site population;

and

(V) Record keeping.

(d) Audiometric Technician Registration. Upon Board approval, the supervising licensee may implement the training plan. Verification of completion shall be sent to the Board, using the Board approved form, within six (6) months of approval, otherwise the application shall expire. After completion, the applicant may identify themselves as an “audiometric technician.”

(e) Audiometric Technician Continued Practice. An aide's registration shall remain valid if the supervising licensee provides the required evaluation form with their annual renewal.

**Section (4) Notice of Transfer or Termination of Supervision.**

(a) An aide or audiometric technician may change supervisors after the Board reviews and approves an executed supervision agreement form.

(b) The supervising licensee may terminate supervision of an aide or audiometric technician. The supervising licensee shall notify the Board in writing of termination within thirty (30) days.

## Chapter 7

### Fees

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to determine and collect reasonable fees.

**Section 2. General Information.**

(a) Fees shall be payable in the exact amount by money order, cashier's check, or certified check. Application fees and renewals may be paid by personal check.

(b) All fees collected by the Board are non-refundable.

**Section 3. Fees.** Services for which the Board charges a fee shall include but is not limited to the following fee schedule.

- (a) Application Fee
  - (i) Provisional \$200
  - (ii) Initial License by Completing Provisional \$100
  - (iii) Initial License \$300
  - (iv) Endorsement \$300
- (b) Annual License Renewal Fee \$100
- (c) Administrative Grace Period/Late Renewal Fee \$200
- (d) Relicensure Application Fee \$300
- (e) Reinstatement Application Fee \$350
- (f) Certification as an SLPA
  - (i) Initial \$100
  - (ii) Annual Renewal \$50
- (g) Aide or Audiometric Technician Registration Fee \$25
- (h) Roster \$100

- (i) Duplicate Pocket Card or Wall Certificate \$25
- (j) License or Certificate Verification \$25
- (k) Non-sufficient Funds \$30
- (l) Copy Charge 20¢/page

## Chapter 9

### Practice and Procedures for Disciplinary, Application, and Licensure Matters

**Section 1. Authority.** These rules are adopted under the Board's authority granted by Wyoming Statute § 33-35-101.

**Section 2. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to:

- (a) Conduct investigations, hearings, and proceedings concerning:
  - (i) Actions relating to an application for a license including granting or denying; or
  - (ii) Alleged violations of the Act or the Board Rules.
- (b) Determine and administer appropriate disciplinary action against an applicant or licensee.

**Section 3. Grounds for Discipline.** The Board may refuse to issue a license, certificate or registration to an applicant or may suspend, revoke, or otherwise discipline any licensee or certificate holder who has been guilty of unprofessional conduct within the meaning of W.S. 33-33-305(a). Unprofessional conduct includes, but is not limited to:

- (a) Violating or conspiring to violate or aiding or abetting any person in violating the provision(s) of the Act or any provision of the Board rules and regulations;
- (b) Committing a dishonest or fraudulent act related to practice;
- (c) Diagnosing or treating individuals for speech or hearing disorders by mail, telephone, video, or other electronic means unless the individual has been previously examined by a licensee and the diagnosis or treatment is related to such examination;
- (d) Being incompetent or negligent in the practice of Speech-Language Pathology or Audiology which has endangered or is likely to endanger the health, welfare, or safety of the public;
- (e) Attempting to procure a license by bribery, fraudulent misrepresentation, or through an error in information provided to the Board;
- (f) Making or filing a report or record signed as a Speech-Language Pathologist or Audiologist which the licensee knows to be false, intentionally or negligently failing to file a report or records required by state or federal law, willfully impeding or obstructing such a filing, or inducing another person to impede or obstruct such a filing;

- (g) Improperly supervising an aide, audiometric technician, or a SLPA;
- (h) Violating a lawful order of the Board entered in a disciplinary matter, or failing to comply with a lawfully issued subpoena of the Board;
- (i) Practicing while a license is revoked, suspended, or expired;
- (j) Exercising influence on a client in such a manner as to exploit the client for financial gain of the Licensee or of a third party;
- (k) Failing to comply with the Board's request for production of documents not otherwise protected by law;
- (l) Failing to adequately refer or transfer care; or
- (m) Abandoning a client.

#### **Section 4. Application Review and Investigation Process.**

- (a) **Application Review.** Every application for a license, certificate, or registration shall be subject to investigation to determine if the requirements set forth in the Act and Board Rules are satisfied. Every application that reveals information that merits further investigation shall be assigned to the ARC.
- (b) **ARC Action.** Following investigation, the ARC may recommend:
  - (i) A license or certificate be issued, renewed, relicensed, or reinstated;
  - (ii) A license or certificate be issued, renewed, reactivated or reinstated subject to conditions, restrictions, or other disciplinary action;
  - (iii) Approval of a settlement agreement, which may include the issuance, renewal, reactivation or reinstatement of a license or certificate with the imposition of a reprimand, conditions, restrictions, suspension, other discipline or a combination thereof; or
  - (iv) Denial of the application.
- (c) **Notice of Intent.** The ARC shall notify the applicant of its intent to recommend approval subject to conditions, restrictions, other disciplinary action or denial. Such notification shall contain:
  - (i) A brief description of the facts or conduct that warrant the issuance of a license or certification subject to conditions, restrictions, or other disciplinary action or denial of a license or certificate;

(ii) A statement of the nature of the actions that warrant the approval subject to conditions, restrictions, other disciplinary action, or denial, the facts upon which the action is based, the specific statutory provisions or the specific Board Rules involved; and

(iii) Notice of the right to a hearing if a written request is received by the Board office within thirty (30) days of the date of mailing the notice of intent.

(d) Applicant's Request for Hearing.

(i) If the ARC recommends an issuance of a license or certificate subject to conditions, restrictions, other disciplinary action or denial, the applicant may request a contested case hearing in writing with thirty (30) days of the mailing of the notification.

### **Section 5. Complaint Review and Investigation Process.**

(a) Complaint Review. Every complaint submitted to the Board or initiated on behalf of the Board shall be investigated by a DC.

(b) Voluntary Surrender. A licensee may petition the Board, in writing, to surrender his or her license voluntarily. The Board shall hold an expedited meeting at its earliest convenience to consider the petition. The Board may accept or reject the petition for voluntary surrender and may consider whether the licensee is under investigation.

(c) Disciplinary Committee Action. The DC may recommend:

(i) Dismissal of a complaint;

(ii) Issuance of an advisory letter;

(iii) A settlement agreement which may include voluntary surrender, suspension, imposition of restrictions or conditions, reprimand or other discipline;

(iv) Disciplinary action against the licensee including revocation, suspension, reprimand, restrictions or conditions, or other discipline; or

(v) Summary suspension.

### **Section 6. Summary Suspension**

(a) Recommendation. If the DC recommends summary suspension, the Board shall conduct an expedited proceeding to determine whether the public health, safety, or welfare imperatively requires emergency action.

(b) Notice of Intent to Recommend Summary Suspension.

- suspension;
- (i) The DC shall notify the licensee of its intent to recommend summary suspension;
  - (ii) The Notice of Intent shall contain:
    - (A) Copy of the complaint; and
    - (B) Notice that an expedited summary suspension proceeding shall be set at the earliest opportunity a quorum of Board members may be assembled;
  - (c) Notice of Expedited Proceeding. Upon confirmation of the date and time of the expedited proceeding, the DC shall notify the licensee in writing of the date and time of the proceeding.

**Section 7. Formal Proceedings for Disciplinary Action.**

- (a) Notice of Intent to Recommend Disciplinary Action.
  - (i) The DC shall notify the licensee of its intent to recommend disciplinary action.
  - (ii) The Notice of Intent shall:
    - (A) Include a brief description of the facts or conduct that warrants the intended action; and
    - (B) Provide the licensee an opportunity to show compliance or respond to the allegations for disciplinary action within fifteen (15) days of the date of the mailing.
- (b) Informal Conference. The licensee may request an informal conference with the DC to provide any additional information or to resolve an administrative complaint without a hearing.

**Section 8. Petition.** The DC shall initiate formal proceedings for disciplinary action by serving a Petition to the last known address of the licensee by certified mail or by regular mail at least thirty (30) days prior to the date set for hearing.

**Section 9. Notice of Hearing.** The Notice of Hearing shall contain:

- (a) The name and last known address of the applicant or licensee;
- (b) A brief statement of the matters asserted relating to:
  - (i) The recommendation to deny the application, the facts upon which the recommendation to deny is based, the statutory provisions and/or the Board Rules the applicant is alleged to have violated; or

(ii) The nature of the Petition, the facts upon which the Petition is based, the statutory provisions and/or the Board Rules the licensee is alleged to have violated;

(c) The time, place, and nature of the hearing;

(d) The legal authority and jurisdiction; and

(e) A statement indicating:

(i) The applicant's failure to appear at a noticed hearing or pursue proceedings may result in a dismissal; or

(ii) The licensee's failure to answer the allegations contained in the Petition within twenty (20) days of the date of mailing and failure to appear at a noticed hearing may result in a default judgment.

**Section 10. Lawful Service.** There shall be a presumption of lawful service of a Petition, Notice of Hearing, or any other communication required by these Board Rules if sent to the last known address of the licensee or applicant by email, certified, or regular mail.

**Section 11. Dismissal or Default.**

(a) Dismissal. The Board may enter an order of dismissal based on the allegations contained in the recommendation to deny in any case where the applicant or the applicant's representative has not appeared at a noticed hearing or pursued proceedings.

(b) Default. The Board may enter an order of default judgment based on the allegations contained in the Petition in any case where the licensee or the licensee's representative has not answered the allegations contained in the Petition and has not appeared at a noticed hearing.

**Section 12. Contested Case Hearing.** The hearing officer shall preside over the contested case hearing which shall be conducted pursuant to the WAPA and the Office of Administrative Hearings rules concerning contested case proceedings incorporated by reference in Chapter 1.

**Section 13. Burden and Standard of Proof.**

(a) Application/Licensure Matters. The applicant shall bear the burden to prove by a preponderance of evidence that they meet the qualifications for licensure. The burden shall shift to the ARC or DC to prove by clear and convincing evidence that the Board should deny the applicant a license or certificate. The burden shall shift to the applicant to persuade the Board that the ARC or DC's grounds for denial are insufficient.

(b) Discipline Matters. The DC shall bear the burden to prove by clear and convincing evidence that a licensee violated the Act or the Board's Rules.

**Section 14. Board Decision and Order.**

(a) Board Action. The Board may resolve an application matter, complaint, or Petition by:

(i) Approving the recommendations of the ARC or DC;

(ii) Dismissing or issuing an advisory letter; or

(iii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the Board may:

(A) Issue, renew, relicense, or reinstate a license or certificate;

(B) Issue, renew, relicense, or reinstate a license or certificate subject to conditions, restrictions, or other disciplinary action;

(C) Deny a license, certificate, renewal, relicensure, or reinstatement;

(D) Dismiss the complaint or Petition due to lack of clear and convincing evidence;

(E) Issue an advisory letter; and/or

(F) Impose a reprimand, conditions, restrictions, non-renewal, suspension, revocation, other discipline or a combination thereof.

(b) Board Order. The Board shall issue a written decision and order. The decision and order shall be sent to the applicant, licensee, or their representative, or their attorneys by certified or regular mail.

**Section 15. Judicial Review.**

(a) Appeals from decisions of the Board are governed by the WAPA and Wyoming Rules of Appellate Procedure.

(b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal.

## Chapter 11

### Practice of Speech-Language Pathology and Audiology

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to regulate the practice of speech-language pathology and audiology in Wyoming.

**Section 2. Dual Licensure.**

(a) To practice in both areas of licensure, speech-language pathology and audiology, a licensee shall obtain licensure as a speech-language pathologist and audiologist.

(b) A speech-language pathologist may perform non-diagnostic audiometric screening either for the purposes of performing a speech and language evaluation or for initial identification of individuals with other communicative disorders.

(c) An audiologist may perform non-diagnostic speech and language screening either for purposes of performing an audiologic evaluation or for initial identification of individuals with other communicative disorders.

(d) Any licensee may provide aural habilitation, aural rehabilitation services, and auditory processing services, for which they have been properly trained.

**Section 3. Practice of Speech-Language Pathology and Audiology.**

(a) Each licensee shall comply with the provisions of AAA, ABA, and ASHA's Codes of Ethics as referenced in Chapter 1.

(b) For a speech-language pathologist, the development and disorders of speech, voice, language or swallowing includes, but is not limited to:

(i) Screening, identifying, assessing and interpreting, diagnosing, habilitating, rehabilitating, and preventing disorders of speech such as

(A) Articulation;

(B) Pragmatics;

(C) Literacy;

(D) Phonology;

(E) Fluency;

- (F) Voice, resonance and nasal airflow;
  - (G) Oral motor speech and orofacial myofunctional function;
  - (H) Oral-pharyngeal function, such as swallowing/dysphagia and related disorders;
  - (I) Language to include verbal and written and related non-oral/nonverbal forms;
  - (J) Cognitive/communication disorders;
  - (K) Memory and comprehension; and
  - (L) Auditory processing.
- (ii) Assessing, selecting and developing augmentative and alternative communication systems and providing training in their use;
  - (iii) Providing aural habilitation or rehabilitation and related training and instructional services;
  - (iv) Enhancing speech-language proficiency and communication effectiveness, such as accent reduction; and
  - (v) Screening of hearing and other factors for the purpose of speech-language evaluation or the initial identification of individuals with other communication disorders.
- (c) For an audiologist, practice includes, but is not limited to,
    - (i) Facilitating where applicable the conservation of auditory system function;
    - (ii) Developing and implementing environmental and occupational hearing conservation programs;
    - (iii) Cerumen management;
    - (iv) Screening, identifying, assessing and interpreting, diagnosing, preventing, and rehabilitating peripheral and central auditory system dysfunction;
    - (v) Providing and interpreting behavioral and electro-physiological measurements of auditory and vestibular functions, such as:
      - (A) Auditory evoked potential assessment;

- (B) Neurophysiologic intraoperative monitoring; or
- (C) Balance system assessment.

(vi) Providing aural habilitation or rehabilitation and related training and instructional services to individuals with hearing loss and their families; and

(vii) Screening of speech-language and other factors affecting communication function for the purposes of an audiologic evaluation and/or the identification of individuals with other communication disorders.

(d) The practice of speech-language pathology and audiology occurs where the patient is located or receives services.

(e) All licensees shall report to the Board known or suspected violations of the laws and regulations governing the practice of speech-language pathology and audiology.

**Section 4. Principles of Supervision of Provisional License Holders, Audiometric Technicians and Aides.**

(a) Eligibility for Supervision.

(i) A licensee who has practiced for three (3) years may supervise audiometric technicians or speech-language pathology aides within the same professional setting.

(ii) A licensee who has practiced for three (3) years may supervise a provisional license holder.

(b) Accountability. The licensee shall be responsible for the activities of the provisional license holder, audiometric technicians and speech-language pathology aides under their supervision. Licensee may be subject to disciplinary action for failure to adequately supervise provisional license holder, speech-language pathology, and audiometric technicians.

**Section 5. Supervision of Aides and Audiometric Technicians.**

(a) Limitation on Number of Supervisees. A licensee shall not supervise more than three (3) audiometric technicians or speech-language pathology aides combined, at one time. The licensee may apply for an exception to this requirement by submitting a written request to the Board demonstrating just cause for the exception.

(b) Renewal of Aides and Audiometric Technicians. In order to renew the aide's or audiometric technician's registration, the supervising licensee shall submit an annual competency evaluation for any speech-language pathology aides or audiometric technicians practicing under the licensee's supervision.

(c) Delegable Duties. Until June 30, 2022, a speech-language pathology aide may assume the duties listed in items (i) to (viii). After June 30, 2022 a speech-language pathology aide may only assume the duties listed in items (vi) and (vii).

- (i) Carry out prescriptive programming for individuals and groups;
- (ii) Provide direct treatment assistance to a caseload of identified clients as prescribed by the licensee;
- (iii) Assist with informal documentation such as tallying notes, preparing materials, and assisting with other clerical duties;
- (iv) Chart and graph clients' progress, record progress, and sign documents only that have been reviewed and co-signed by the licensee;
- (v) Keep daily log of specific problems;
- (vi) Perform simple checks and maintenance of equipment;
- (vii) Participate with the licensee in research projects, in-service training and public relations programs; and
- (viii) Speech-language pathology aides may conduct speech-language screenings (without interpretation) following specified screening protocols developed by the licensee.

(d) Audiometric Technicians may:

- (i) Conduct fixed intensity air conduction hearing screening, without interpretation following specified screening protocols developed by the licensee;
- (ii) Perform automatic type tympanometry screening procedures following the specified screening protocols developed by the licensee. The audiometric technician may not interpret tympanometry results;
- (iii) Carry out prescriptive aural habilitation and rehabilitation programming;
- (iv) Perform checks on hearing aids and other assistive listening devices. Conduct routine trouble-shooting activities designed to assist the licensee in the determination and resolution of malfunctions with hearing aids and assistive listening devices;
- (v) Clean hearing aids;
- (vi) Instruct clients in the use of assistive listening devices; and
- (vii) Assist the licensee in taking earmold impressions.

(e) Non-delegable Duties. The aide or audiometric technician shall not perform any of the following actions:

- (i) Any activity that violates AAA, ABA, or ASHA's Codes of Ethics as referenced in Chapter 1;
- (ii) Participate in parent conferences, case conferences, or any interdisciplinary team without the presence of the licensee;
- (iii) Client or family counseling;
- (iv) Write, develop or modify a client's treatment plan in any way without the recommendation, guidance and approval of the licensee;
- (v) Select clients for or discharge clients from services;
- (vi) Make referrals for additional services; or
- (vii) Disclose clinical or confidential information either orally or in writing to anyone not designated by the licensee;

(f) Speech-language pathology aides shall not:

- (i) Administer tests, interpret test results or perform diagnostic speech-language evaluations. An aide may serve as a translator when working with clients with limited English proficiency and may assist the licensee during test administration; or
- (ii) Conduct hearing screenings unless specially trained.

(g) Audiometric Technicians shall not:

- (i) Administer tests, interpret test results or perform diagnostic auditory or vestibular evaluations. An audiometric technician may serve as a translator when working with clients with limited English proficiency and may assist the licensee during test administration;
- (ii) Conduct speech-language screenings unless specially trained;
- (iii) Discuss confidential information or test results, with the exception of indicating the data simply reveals normal or less than normal hearing sensitivity; or
- (iv) Select, recommend, or dispense a hearing aid or other assistive listening device.

## Chapter 12

### Speech-Language Pathology Assistant

#### Section 1. Requirements for Certification

- (a) Education. The applicant must:
  - (i) Have an Associate's Degree as a Speech-Language Pathology Assistant or a Bachelor's Degree in Communication Disorders or Speech-Language Pathology or equivalent, including a minimum of 15 credit hours in clinical related coursework from an accredited college or university; and
  - (ii) Successfully complete a minimum of one hundred (100) hours of supervised field work or its equivalent clinical practicum.
- (b) Application. An applicant must submit the following:
  - (i) Completed application packet payment of appropriate fees;
  - (ii) Official Transcripts;
  - (iii) Documentation of completion of supervised field experience; and
  - (iv) Signed Supervision agreement.
- (c) Upon Board approval of the application for certification, the applicant may identify themselves as a "SLPA" within the same professional setting as the supervising licensee.

#### Section 2. SLPA Responsibilities.

- (a) Service Delivery. A SLPA may perform the following tasks based upon his or her training and competency:
  - (i) Assist the SLP with speech, language, and hearing screenings without clinical interpretation;
  - (ii) Assist the SLP with other tasks as directed;
  - (iii) Assist the SLP with the bilingual translation or interpretation during screening and assessment activities exclusive of data interpretation;

(iv) Follow documented treatment plans or protocols developed by the supervising SLP;

(v) Document student, patient and client performance and report this information to the supervising SLP; and

(vi) Program and provide instruction in the use of augmentative and alternative communication devices developed and directed by the SLP.

(b) Administrative Support. A SLPA may perform the following tasks based upon his or her training and competency:

(i) Assist with clerical duties and departmental operations such as preparing materials and scheduling activities, as directed by the SLP; and

(ii) Perform checks and maintenance of equipment.

(c) Prevention and Advocacy. A SLPA may perform the following tasks based upon his or her training and competency:

(i) Provide information to emergency response agencies for individuals who have communication or swallowing disorders; and

(ii) Support the supervising SLP in research projects, in-service trainings, public relation programs, and marketing programs.

**Section 3. SLPA Limitations.** SLPAs shall not engage in any of the following:

(a) Represent himself or herself as an SLP (nor allow others to presume his or her standing as an SLP);

(b) Perform standardized or non-standardized diagnostic tests, formal or informal evaluations, or swallowing screenings/checklists;

(c) Perform procedures that require a high level of clinical acumen and technical skill (e.g., vocal tract prosthesis shaping or fitting, vocal tract imaging and oral pharyngeal swallow therapy with bolus material);

- (d) Tabulate or interpret results and observations of feeding and swallowing evaluations performed by SLPs;
- (e) Participate in formal parent conferences, case conferences, or any interdisciplinary team without the presence of the supervising SLP or other designated SLP;
- (f) Provide interpretative information to the student/patient/client, family, or others regarding the patient/client status or service;
- (g) Write, develop, or modify a student's, patient's, or client's treatment plan in any way;
- (h) Assist with students, patients, or clients without following the individualized treatment plan prepared by the certified SLP and/or without access to supervision;
- (i) Sign any formal documents (e.g., treatment plans, reimbursement forms, or reports; the SLPA should sign or initial informal treatment notes for review and co-sign with the supervising SLP as requested);
- (j) Select students, patients, or clients for service;
- (k) Discharge a student, patient, or client from services;
- (l) Make referrals for additional service;
- (m) Disclose clinical or confidential information either orally or in writing to anyone other than the supervising SLP (the SLPA must comply with current HIPPA and FERPA guidelines) unless mandated by law;
- (n) Develop or determine the swallowing strategies or precautions for patients, family, or staff;
- (o) Treat medically fragile students/patients/clients independently; or
- (p) Design or select augmentative and alternative communication systems or device.

#### **Section 4. Annual Certification Renewal**

- (a) Certification Expiration. Initial certifications shall expire December 31st of the year following the year of issue. After the initial certification, certificates shall expire December 31st of each year. Certificate holders shall renew their certificate on or before December 31st.

Certificate holders that fail to timely renew shall forfeit the right to practice.

- (b) Renewal Procedure. A certificate holder seeking renewal shall:
  - (i) Submit a completed renewal application and payment of fee;
  - (ii) Submit documentation of hourly supervision by the supervising SLP; and
  - (iii) Submit evidence of completion of twelve (12) CEU that complies with subsection Chapter 2 Section 8(c).
  - (iv) Acceptable CEU documentation shall include, but is not limited to, transcripts and certificates of completion.
  - (v) Waiver. The Board may grant a waiver for CEU requirements for certificate holders who have petitioned and demonstrated just cause based on extenuating circumstances.

## **Section 5. Supervision**

- (a) Each SLPA must be supervised by an SLP licensed in Wyoming. A written Supervision Agreement approved by the Board must be in place to include a record of all supervision, both direct and indirect. The agreement must be signed by both parties with agreement as to responsibility for this documentation. Information to be included using the following supervision schedule:
  - (i) First ninety (90) days – minimum of thirty (30) percent weekly supervision shall be provided with at least twenty (20) percent being direct contact supervision of client, student, or individual and ten (10) percent of indirect contact. Weekly supervision should be arranged so that every client, student, or individual is observed at least once every two weeks. Direct contact means face to face, either through tele practice or onsite supervision.
  - (ii) After successful completion of first ninety (90) days, minimum of one hour of direct supervision each week shall be provided. In addition, direct supervision shall include direct contact supervision of every client, student, or individual every sixty (60) days with as much indirect supervision as needed.
  - (iii) Indirect supervision may include review of data, lesson plans, schedules, and any other issues related to the individual clients, students, and individuals.
  - (iv) Supervising SLP – Requirements for supervising SLP.
    - (A) Must have been licensed SLP practicing for a minimum of three (3) years;
    - (B) Hold an Speech-Language Pathology license in good standing

from the Board;

(C) Must have completed at least a minimum of two (2) hours of continuing education hours in supervision prior to beginning supervision. These will count towards CEUs for licensure renewal; and

(D) Cannot supervise more than three (3) SLPAs.

(b) Each supervising SLP shall uphold the ethics and professionalism of ASHA

**Section 6. Failure to Timely Renew.** A certificate holder who fails to timely renew may apply for renewal during the administrative grace period detailed in Chapter 2 Section 9.

**Section 7. Certificate Re-issuance**

(a) Eligibility. An applicant may seek re-issuance if his or her certificate has lapsed.

(b) Lapsed Certificate Re-issuance Requirements. An applicant shall:

(i) Submit a completed re-issuance application and pay the required fee; and

(ii) Submit evidence of clinical competency by submitting proof of completion of twelve (12) CEUs for each year or portion thereof that the certificate was lapsed up to a maximum of one hundred and twenty (120) CEUs.

**Section 8. Grandfathering Clause.** Speech-language pathology aides that are currently providing direct services will have until July 1, 2022 to become certified by the Board as an SLPA. If an aide continues providing direct services after July 1, 2022, he or she may be subject to disciplinary action.

## Chapter 1

### General Provisions

**Section 1. Authority.** The Board is authorized under the Act and the WAPA to promulgate rules and regulations related to the licensure and discipline of speech-language pathologists and audiologists and regulation of the practice of speech-language pathology and audiology in Wyoming.

**Section 2. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish administrative procedures.

#### **Section 3. Definitions.**

- (a) "AAA" means American Academy of Audiology.
- (b) "ABA" means American Board of Audiology.
- (c) "Act" means the License Practice Act for Speech-Language Pathologists and Audiologists, W.S. Wyoming Statute 33-33-101 through -309.
- (d) "ARC" means Application Review Committee.
- (e) "ASHA" means the American Speech-Language-Hearing Association.
- (f) "Board Rules" means the administrative rules and regulations promulgated by the Board.
- (g) "CEU" means continuing education units.
- (h) "DC" means Disciplinary Committee which may be comprised of at least one (1) Board member or the Executive Director.
- (i) "Direct Supervision" means that a speech-language pathologist or audiologist provides procedural guidance for the services to be provided with initial direction and periodic inspection of the service performance and is present on the premises while the services are being provided.
- (j) "FERPA" means The Family Educational Rights and Privacy Act

(k) “HIPAA” means the Health Insurance Portability and Accountability Act

~~(k)~~(l) “Licensee” means a speech-language pathologist or audiologist licensed in Wyoming.

~~(l)~~(m) “Praxis” means the National Examination in Speech-Language Pathology or the National Examination in Audiology administered by the Educational Testing Service or its successor.

(n) “SLP” means a person licensed by the Board as a Speech-Language Pathologist

(o) “SLPA” means a person certified by the Board as Speech-Language Pathology Assistant

~~(m)~~(p) “WAPA” means the Wyoming Administrative Procedure Act, W.S. 16-3-101 through -115.

**Section 4. Board Office.** The Board Office shall be located at 2001 Capitol Avenue, Cheyenne, Wyoming.

**Section 5. Board Meetings.** The Board shall set its regular meetings by resolution.

**Section 6. Reference by Incorporation.**

(j) For any rule incorporated by reference in these Board Rules:

(i) The Board has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section; and

(iii) The incorporated rule is maintained at Board Office and is available for public inspection and copying at cost at the same location.

(k) Each rule incorporated by reference is further identified as follows:

(i) Referenced in Chapter 9, Section 9 is Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and

effective on October 17, 2014, found at:  
<http://speech.wyo.gov> ~~<http://soswy.state.wy.us/Rules/RULES/9644.pdf>~~.

(ii) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by AAA and effective in October 2011, found at: <http://speech.wyo.gov> ~~<http://www.audiology.org/publications-resources/document-library/code-ethics>~~.

(iii) Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by ABA and effective in 1999, found at: <http://speech.wyo.gov> ~~[http://www.boardofaudiology.org/pdf/ABA\\_Code\\_of\\_Ethics.pdf](http://www.boardofaudiology.org/pdf/ABA_Code_of_Ethics.pdf)~~.

~~(iv)~~ Referenced in Chapter 11, Section 3 is Code of Ethics, adopted by ASHA and effective in ~~2010~~ March 2016, found at: <http://speech.wyo.gov>. ~~<http://www.asha.org/uploadedFiles/ET2010-00309.pdf>~~.

(v) Referenced in this Chapter, Section 7 is the Uniform Procedures, Fees, Costs and Charges for Inspecting, Copying and Producing Public Records adopted by the Department of Administration and Information and effective on September 6, 2016, found at <http://speech.wyo.gov>.

## **Section 7. Public Records Inspection.**

~~(j) If a member of public requests an electronic or hard copy of public records, then that individual shall pay a fee. Such fee shall include cost of administrative time and producing a copy of the public record. All public records requests are subject to the Uniform Procedures, Fees, Costs and Charges for Inspecting, Copying and Producing Public Records adopted by the Department of Administration and Information~~

(k) Public records inspection shall take place under the following conditions:

(i) An appointment shall be made to review the records between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state holidays, at the Board Office; and

(ii) Records inspection shall take place in the presence of Board staff; ~~and,~~

~~(iii) A member of the public may request copies upon payment of a fee.~~

**Section 8. Change of Name, Address, or Telephone Number.** Each applicant and licensee shall notify the Board in writing of any change to their legal name, home address, business address, e-mail address, or telephone number within thirty (30) days of the change.

**Section 9. Requests for Rosters.** Any person requesting a roster of licensees shall submit a completed request form and payment of a fee.

**Section 10. Duplicate Pocket Card and Wall Certificate.** A licensee may request a duplicate pocket card and/or wall certificate by submitting a form and payment of the fee.

**Section 11. License Verification.** A licensee may request verification of their Wyoming license by submitting a form and payment of the fee.

## Chapter 2

### Licensure and Renewal Requirements and Application Procedures

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish the requirements and procedures for licensure and annual license renewal.

#### **Section 2. Application Status.**

(a) For those applicants seeking licensure, all requirements shall be met during the timeframe identified immediately prior to submitting a completed application.

(b) Applications shall be deemed "complete" when all necessary documentation has been received by the Board office.

(c) Applications shall expire one (1) year after submission. If an application expires, an applicant shall submit a new application, including payment of fee.

#### **Section 3. Application Review Committee.**

(a) Every application shall be reviewed by the ARC.

(b) An applicant for licensure shall have committed no acts ~~which~~that are grounds for disciplinary action, or if the act was committed, the ARC has found after investigation that sufficient restitution has been made and the applicant no longer presents a threat to the public safety.

(c) If the ARC is unable to ascertain from documents submitted by the applicant that the applicant is eligible for licensure, the ARC may require the applicant to provide additional documentation, information, or meet informally with the ARC.

#### **Section 4. Speech-Language Pathology Provisional Licensure.**

(a) Eligibility. An applicant may seek a provisional license if the applicant has not completed a clinical fellowship year and has not practiced in another jurisdiction.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Submit transcripts complying with ~~W.S.~~ Wyoming Statute 33-33-105(a)(i) directly from the college, university, or institution;

(iii) Successfully pass Praxis; and

(iv) Submit executed supervisory agreement.

(c) Board Approval of Supervisory Agreement. The Board shall ~~review and~~ approve supervisory agreements that meet the qualifications identified in Chapter 11, Section 4.

(d) Provisional licenses shall be valid for one (1) year.

~~(d)~~(e) Renewal. Provisional licenses may be renewed one (1) time.

**Section 5. Speech-Language Pathology Initial Licensure by Completing Provisional.**

(a) Eligibility. An applicant may seek initial licensure if the applicant completes their clinical fellowship year and meets the requirements for initial licensure.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees; and

(ii) Submit the supervisor verification documenting completion of the clinical fellowship year.

**Section 6. Initial Licensure.**

(a) Eligibility. An applicant may seek initial licensure if the applicant is not licensed to practice in another jurisdiction, or that jurisdiction's licensure requirements are not as stringent as Wyoming, or those that fail to meet other licensure methods.

(b) Application Requirements. ~~Applicant shall:~~

(i) Speech-Language Pathology License Applicants shall: ~~Submit a completed application and payment of fees;~~

(A) Submit a completed application along with appropriate fee;

(B) Submit evidence of clinical competency by:

(I) Verifying current ASHA certification; or

(II) Complete the following:

(1.) Clinical fellowship

(2.) Education requirements identified in Section

4(b)(ii) of this chapter; and

(3.) Successful passage of the Praxis within the previous five (5) years.

(ii) Audiology License Applicants shall:~~Submit evidence of clinical competency by:~~

(A) Submit a completed application along with appropriate fee; and

(B) Submit evidence of clinical competency by verifying current ABA certification or ASHA Certification;

~~(C) Verifying current ASHA or ABA certification; or~~

~~(D) Complete the following:~~

~~(I) Completion of clinical fellowship experience;~~

~~(II) Completion of education requirements identified in Section 4(b)(ii); and~~

~~(III) Successful passage of the Praxis within the previous five (5) years.~~

(iii) Submit license verification directly from every jurisdiction where the applicant held a license in the last fifteen (15) years, if ~~necessary~~ applicable.

#### **Section 7. Licensure by Endorsement.**

(a) Eligibility. An applicant may seek licensure by endorsement if the applicant is actively licensed to practice in another jurisdiction with licensure requirements as stringent as Wyoming.

(b) Application Requirements. Applicant shall:

(i) Submit a completed application and payment of fees;

(ii) Meet requirements identified in Section 4(b)(ii); and

(iii) Submit license verification directly from every jurisdiction where the applicant held a license in the last fifteen (15) years.

#### **Section 8. Annual Licensure Renewal.**

(a) Licensure Expiration. Licenses shall expire December 31st of the year following the year of issue. After the initial licensure, licenses shall expire December 31<sup>st</sup> of each year.

Licenses shall renew their license on or before December 31st. Licensees that fail to timely renew shall forfeit the right to practice.

(b) Renewal Procedure. A licensee seeking renewal shall:

- (i) Submit a completed renewal application and payment of fee;
- (ii) Submit evidence of completion of twelve (12) ~~actual~~-CEU that complies with subsection (c); and
- (iii) Submit annual competency evaluation for any aides practicing under licensee's supervision
- (iv) Submit proof of supervision as Specified in Chapter 12 for any SLPA under the licensee's supervision.

(c) CEU Requirements.

- (i) All licensees shall maintain CEU requirements.
- (ii) CEU shall be calculated as follows:
  - (A) One (1) semester credit equals fifteen (15) CEU;
  - (B) One (1) quarter credit equals ten (10) CEU; and
  - (C) One (1) contact hour equals one (1) CEU.
- (iii) CEU shall be obtained January 1 to December 31 of the year of expiration.
- (iv) CEU shall be directly related to the scopes of practice defined in W.S. 33-33-102.
- (v) The Board shall accept CEU that is directly related to the scope of practice sponsored by national, regional, or state professional associations, such as AAA, ABA, ASHA, or Wyoming Speech-Language-Hearing Association;
- (vi) CEU may be earned through:
  - (A) College or university courses taken for credit or through official audit;
  - (B) Online courses;
  - (C) Scientific and educational lectures, workshops, or seminars;

(D) Journals offered for CEU;

(E) Scientific and educational lectures, workshops, or seminars presented by the licensee (a maximum of three (3) CEU); and

(F) Articles published by the licensee in a nationally or state refereed journal if the article falls within the licensee's area of licensure (a maximum of three (3) CEU).

(vii) If a licensee takes the same course more than once in a renewal period, the CEUs from that course will only be counted towards the required hours once.

~~(vii)~~(viii) Acceptable CEU documentation shall include, but is not limited to, transcripts and certificates of completion.

(d) Waiver. The Board may grant a waiver for CEU requirements for licensees who have petitioned and demonstrated just cause based on extenuating circumstances.

### **Section 9. Failure to Timely Renew.**

(a) Unlicensed Practice. Failure to timely renew may subject the licensee to disciplinary action for unlicensed practice. Licensees shall not practice until the ~~ARC~~Board approves their license.

(b) Administrative Grace Period.

(i) The administrative grace period shall be up to ~~two (2)~~ three (3) years after the expiration of the license. Licensees that failed to timely renew may apply for renewal during the administrative grace period.

(ii) Licensees shall meet the renewal requirements under Section 8(b) including payment of a late renewal fee.

(iii) Licensees that failed to timely renew shall submit twelve (12) hours of CEU for each calendar year that the license has been expired.

(c) Lapsed Licensed. Any license not renewed within the administrative grace period shall lapse. If a license lapses, the applicant shall apply for relicensure.

### **Section 10. Relicensure.**

(a) Eligibility. An applicant may seek relicensure if their license has lapsed ~~due to failure to renew timely or return to active practice.~~

(b) Lapsed License Relicensure Requirements. An applicant ~~whose license has been lapsed less than three (3) years~~ shall:

- (i) Submit a completed relicensure application and payment of fee; and
- (ii) Submit evidence of clinical competency by:
  - (A) Verifying current ASHA or ABA certification; or
  - (B) Successful completion of passage of the Praxis within five (5) years

- (I) The Praxis within five (5) years and

- (II) Completion of twelve (12) CEUs for each year or portion thereof that the license was lapsed up to a maximum of one hundred and twenty (120) CEUs.

~~(e) Return to Practice Application Requirements. An applicant whose license has been lapsed more than three (3) years shall:~~

- ~~(i) Submit a completed relicensure application and payment of fee; and~~

- ~~(ii) Submit evidence of clinical competency by successful passage of the Praxis within five (5) years.~~

**Section 11. Reinstatement of Licensure.**

(a) Eligibility. An applicant may seek reinstatement of their license if that license has been revoked, surrendered, suspended, conditioned, restricted, or otherwise disciplined. For a license that has been surrendered, an applicant must wait a minimum of twelve (12) months before applying for reinstatement.

(b) Application Reinstatement Requirements. The applicant shall:

- (i) Submit a completed reinstatement application and payment of fee;

- (ii) Submit evidence of complying with the requirements of a previous Board order;

- (iii) Submit evidence of applicant's ability to safely and competently practice; and

- (iv) Submit evidence demonstrating just cause for reinstatement.

## Chapter 5

### Speech-Language Pathology Aides and Audiology Aides Audiometric Technicians

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish the requirements and procedures for registration of aides and audiometric technicians.

#### **Section 2. Speech-Language Pathology Aides Registration.**

(a) ~~Eligibility.~~ An applicant may seek registration as a speech-language pathology aide ~~if the applicant~~ to practices under the direct supervision of a licensee.

(b) Education requirement. An applicant must have a high school diploma or a GED equivalent.

~~(b)(c)~~ Application Packet for Speech-Language Pathology Aide Registration. The applicant ~~aide and the supervising licensee~~ shall submit the following documentation to the ~~ARC~~ Board for approval:

(i) Completed application and payment of fees ~~submitted by the applicant;~~

(ii) Supervision agreement executed by the ~~aide~~ applicant and the supervising licensee; and

(iii) A training plan establishing competency for an ~~aide~~ the applicant submitted by the supervising licensee, which includes:

(A) Twenty-five (25) hours of direct supervised client contact; and

(B) Twenty-five (25) hours of direct observational training in the following:

(I) Overview of speech and/or language disorders relative to client-related care or hearing and balance relative to client-related assessment, disorders, and care;

(II) Ethical and legal responsibilities;

(III) Observing and data collection specific to site population;

and

(IV) Record keeping.

~~(e)~~(d) Aide Registration. Upon ~~ARC~~ Board approval, the supervising licensee may implement the training plan. Verification of completion shall be sent to the ~~ARC~~ Board within six (6) months of approval, otherwise the application shall expire. After completion, the applicant may identify themselves as an “aide,” “~~technician,~~” or “~~assistant~~” ~~within the same professional setting as the supervising licensee.~~

~~(d)~~(e) Aide Continued Practice. An aide's registration shall remain valid if the supervising licensee provides the required evaluation form with their annual renewal.

(f) After June 30, 2022, the Board will no longer register Speech-Language Pathology Aides and the requirements of this section will no longer be applicable.

### Section 3. Audiometric Technician Registration

(a) An applicant may seek registration as an audiometric technician to practice under the direct supervision of a licensee.

(b) Education requirement. An applicant shall have a high school diploma or GED Equivalent.

(c) Application Pack for Audiometric Technician Registration. The applicant shall submit the following documentation to the Board for approval:

(i) Completed application and payment of fees;

(ii) Supervision agreement executed by the applicant and the supervising licensee; and

(iii) A training plan establishing competency for an audiometric technician submitted by the supervising licensee, which includes:

(A) Twenty-five (25) hours of direct supervised client contact; and

(B) Twenty-five (25) hours of direct observational training in:

(I) Overview of hearing and hearing disorders relative to client-related assessments, disorders, and care;

(II) Basic training in screening for hearing, including audiometry, tympanometry, and otoacoustic emissions, as needed;

(III) Ethical and legal responsibilities;

(IV) Observing and data collection specific to site population;

and

(V) Record keeping.

(d) Audiometric Technician Registration. Upon Board approval, the supervising licensee may implement the training plan. Verification of completion shall be sent to the Board, using the Board approved form, within six (6) months of approval, otherwise the application shall expire. After completion, the applicant may identify themselves as an “audiometric technician.”

(e) Audiometric Technician Continued Practice. An audiometric technician registration shall remain valid if the supervising licensee provides the required evaluation form with their annual renewal.

**Section ~~(3)~~(4) Notice of Transfer or Termination of Supervision.**

(a) An aide or audiometric technician may change supervisors after the ~~ARC~~ Board reviews and approves an executed supervision agreement form.

(b) The supervising licensee may terminate supervision of an aide or audiometric technician. The supervising licensee shall notify the Board in writing of termination within thirty (30) days.

## Chapter 7

### Fees

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to determine and collect reasonable fees.

**Section 2. General Information.**

(a) Fees shall be payable in the exact amount by money order, cashier's check, or certified check. Application fees and renewals may by be paid by personal check.

(b) All fees collected by the Board are non-refundable.

**Section 3. Fees.** Services for which the Board charges a fee shall include but is not limited to the following fee schedule.

(a) Application Fee

(i) Provisional \$200

(ii) Initial License by Completing Provisional \$100

(iii) Initial License \$300

(iv) Endorsement \$300

(b) Annual License Renewal Fee \$100

(c) Administrative Grace Period/Late Renewal Fee \$200

(d) Relicensure Application Fee \$300

(e) Reinstatement Application Fee \$350

(f) Certification as an SLPA

(i) Initial \$100

(ii) Annual Renewal \$50

~~(f)~~(g) Aide or Audiometric Technician Registration Fee \$25

~~(g)~~(h) Roster \$200~~100~~

~~(h)~~(i) Duplicate Pocket Card or Wall Certificate \$25

(j) License or Certificate Verification \$25

(k) Non-sufficient Funds \$30

(l) Copy Charge 20¢/page

## Chapter 9

### Practice and Procedures for Disciplinary, Application, and Licensure Matters

**Section 1. Authority.** These rules are adopted under the Board's authority granted by Wyoming Statute § 33-35-101.

**Section 12 Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to:

- (a) Conduct investigations, hearings, and proceedings concerning:
  - (i) Actions relating to an application for a license including granting or denying; or
  - (ii) Alleged violations of the Act or the Board Rules.
- (b) Determine and administer appropriate disciplinary action against an applicant or licensee.

**Section 23 Grounds for Discipline.** The Board may refuse to issue a license, certificate or registration to an applicant or may suspend, revoke, or otherwise discipline any licensee or certificate holder who has been guilty of unprofessional conduct within the meaning of W.S. 33-33-305(a). Unprofessional conduct includes, but is not limited to:

- (a) Violating or conspiring to violate or aiding or abetting any person in violating the provision(s) of the Act or any provision of the Board rules and regulations;
- (b) Committing a dishonest or fraudulent act related to practice;
- (c) Diagnosing or treating individuals for speech or hearing disorders by mail, telephone, video, or other electronic means unless the individual has been previously examined by a ~~the~~ licensee and the diagnosis or treatment is related to such examination;
- (d) Being incompetent or negligent ~~Incompetence or negligence~~ in the practice of Speech-Language Pathology or Audiology which has endangered or is likely to endanger the health, welfare, or safety of the public;
- (e) Attempting to procure a license by bribery, fraudulent misrepresentation, or through an error in information provided to the Board;
- (f) Making or filing a report or record signed as a Speech-Language Pathologist or Audiologist which the licensee knows to be false, intentionally or negligently failing to file a report or records required by state or federal law, willfully impeding or obstructing such a filing, or inducing another person to impede or obstruct such a filing;

(g) ~~Improper supervision~~ Improperly supervising of an aide, audiometric technician, or SLPA;

(h) Violating a lawful order of the Board entered in a disciplinary matter, or failing to comply with a lawfully issued subpoena of the Board;

~~(i)~~(i) Practicing while a license is revoked, suspended, or expired;

~~(k)~~(j) Exercising influence on a client in such a manner as to exploit the client for financial gain of the Licensee or of a third party;

~~(k)~~(k) ~~Failure~~Failing to comply with the Board's request for production of documents not otherwise protected by law;

~~(m)~~(l) ~~Failure~~Failing to adequately refer or transfer care; or

~~(n)~~(m) ~~Client abandonment~~Abandoning a client.

### **Section 34 Application Review and Investigation Process.**

(a) Application Review. Every application for a license, certificate, or registration shall be subject to investigation ~~by the ARC~~ to determine ~~whether~~ if the requirements set forth in the Act and Board Rules are satisfied. Every application that reveals information that merits further investigation shall be assigned to the ARC.

(b) ~~Application Review Committee~~ ARC Action. Following investigation, the ARC may recommend:

(i) A license or certificate be issued, renewed, relicensed, or reinstated;

(ii) A license or certificate be issued, renewed, reactivated or reinstated subject to conditions, restrictions, or other disciplinary action;

(iii) Approval of a settlement agreement, which may include the issuance, renewal, reactivation or reinstatement of a license or certificate with the imposition of a reprimand, conditions, restrictions, suspension, other discipline or a combination thereof; or

(iv) Denial of the application.

~~(c)~~ ~~Application Review Committee Action.~~ The ARC may recommend:

~~(i)~~ Recommend a license or registration be issued, renewed, relicensed, or reinstated;

~~(ii) Recommend a settlement agreement which may include the issuance of a license or renewal with the imposition of restrictions, conditions, reprimand or a combination thereof; or~~

~~(iii) Recommend denial of the application.~~

~~(d)(c) Notice of Intent to Recommend Approval Subject to Conditions, Restrictions, Other Disciplinary Action or Denial of License. The ARC shall notify the applicant of its intent to recommend approval subject to conditions, restrictions, other disciplinary action or denial. Such notification shall contain:~~

~~(i) The ARC shall notify the applicant of its intent to recommend:~~

~~(A) A license subject to conditions, restrictions, or other disciplinary action; or~~

~~(B) Denial of the application.~~

~~(ii) The notice of intent shall contain:~~

~~(i) (A) A brief description of the facts or conduct ~~which~~ that warrant the issuance of a license or certification subject to conditions, restrictions, or other disciplinary action or denial of a license or certificate;~~

~~(ii) A statement of the nature of the actions that warrant the approval subject to conditions, restrictions, other disciplinary action, or denial, the facts upon which the action is based, the specific statutory provisions or the specific Board Rules involved; and~~

~~(A) A citation to the applicable statutory provisions in the Act or the Board Rules; and~~

~~(iii) (B) Notice of the right to a hearing if a written request is received by the Board office within thirty (30) days of the date of mailing the notice of intent.~~

(d) Applicant's Request for Hearing.

~~(i) If the ARC recommends an issuance of a license or certificate subject to conditions, restrictions, or other disciplinary action or denial, the applicant may request a contested case hearing in writing with thirty (30) days of the mailing of the notification.~~

~~(ii) The applicant shall submit a written request for hearing to the Board office within thirty (30) days of the date of the notice of intent.~~

~~(iii) Failure of the applicant to pursue proceedings related to the application after requesting a hearing may result in dismissal.~~

**Section 45. Complaint Review and Investigation Process.**

(a) Complaint Review. Every complaint submitted to the Board or initiated on behalf of the Board shall be investigated by a DC.

(b) Voluntary Surrender. A licensee may petition the Board, in writing, to ~~voluntarily~~ surrender ~~their~~ ~~his~~ or ~~her~~ license voluntarily. The Board shall hold an expedited meeting at its earliest convenience to consider the petition. The Board may accept or reject the petition for voluntary surrender and may consider whether the licensee is under investigation.

(c) Disciplinary Committee Action. The DC may recommend:

(i) ~~Recommend-d~~ Dismissal of a complaint;

(ii) ~~Recommend-i~~ Issuance of an advisory letter;

(iii) ~~Recommend-a~~ A settlement agreement which may include voluntary surrender, suspension, imposition of restrictions or conditions, reprimand or other discipline;

(iv) ~~Recommend-d~~ Disciplinary action against the licensee including revocation, suspension, reprimand, restrictions or conditions, or other discipline; or

(v) ~~Recommend-s~~ Summary suspension.

(d) ~~Summary Suspension. The Board may conduct an expedited hearing if the DC believes that the licensee's continued practice presents a danger to the public health, safety or welfare and recommends summary suspension.~~

**Section 56. Summary Suspension**

(a) Recommendation. If the DC recommends summary suspension, the Board shall conduct an expedited proceeding to determine whether the public health, safety, or welfare imperatively requires emergency action.

(b) Notice of Intent to Recommend Summary Suspension.

(i) The DC shall notify the licensee of its intent to recommend summary suspension;

(ii) The Notice of Intent shall contain:

(A) Copy of the complaint; and

(B) Notice that an expedited summary suspension proceeding shall be set at the earliest opportunity a quorum of Board members may be assembled;

(c) Notice of Expedited Proceeding. Upon confirmation of the date and time of the expedited proceeding, the DC shall notify the licensee in writing of the date and time of the proceeding.

**Section 7. Formal Proceedings for Disciplinary Action.**

(a) Notice of Intent to Recommend Disciplinary Action.

(i) The DC shall notify the licensee of its intent to recommend disciplinary action.

(ii) The Notice of Intent shall:

(A) Include a brief description of the facts or conduct that warrants the intended action; and

(B) Provide the licensee an opportunity to show compliance or respond to the allegations for disciplinary action within fifteen (15) days of the date of the mailing.

(b) Informal Conference. The licensee may request an informal conference with the DC to provide any additional information or to resolve an administrative complaint without a hearing.

**Section ~~(5)~~(8) Petition.** The DC shall initiate formal proceedings for disciplinary action by serving a Petition to the last known address of the licensee by certified mail or by regular mail at least thirty (30) days prior to the date set for hearing.

**Section ~~(6)~~(9) Notice of Hearing.** The Notice of Hearing shall contain:

(a) The name and last known address of the applicant or licensee;

(b) A brief statement of the matters asserted relating to:

(i) The recommendation to deny the application, the facts upon which the recommendation to deny is based, the statutory provisions and/or the Board Rules the applicant is alleged to have violated; or

(ii) The nature of the Petition, the facts upon which the Petition is based, the statutory provisions and/or the Board Rules the licensee is alleged to have violated;

(c) The time, place, and nature of the hearing;

(d) The legal authority and jurisdiction; and

(e) A statement indicating:

(i) The applicant's failure to appear at a noticed hearing or pursue proceedings may result in a dismissal; or

(ii) The licensee's failure to answer the allegations contained in the Petition within twenty (20) days of the date of mailing and failure to appear at a noticed hearing may result in a default judgment.

**Section ~~(7)~~(10) Lawful Service.** There shall be a presumption of lawful service of a Petition, Notice of Hearing, or any other communication required by these Board Rules if sent to the last known address of the licensee or applicant by email, certified, or regular mail.

**Section ~~(8)~~(11) Dismissal or Default.**

(a) Dismissal. The Board may enter an order of dismissal based on the allegations contained in the recommendation to deny in any case where the applicant or the applicant's representative has not appeared at a noticed hearing or pursued proceedings.

(b) Default. The Board may enter an order of default judgment based on the allegations contained in the Petition in any case where the licensee or the licensee's representative has not answered the allegations contained in the Petition and has not appeared at a noticed hearing.

**Section ~~(9)~~(12) Contested Case Hearing.** The hearing officer shall preside over the contested case hearing which shall be conducted pursuant to the WAPA and the Office of Administrative Hearings rules concerning contested case proceedings incorporated by reference in Chapter 1.

**Section ~~(10)~~(13) Burden and Standard of Proof.**

~~(a) Summary Suspension. The DC shall bear the burden to prove by a preponderance of evidence that the licensee presents a clear and immediate danger to the public health, safety, and welfare if allowed to continue to practice.~~

~~(b)(a) Application/Licensure Matters.~~ The applicant shall bear the burden to prove by a preponderance of evidence that they meet the qualifications for licensure. The burden shall shift to the ARC or DC to prove by clear and convincing evidence that the Board should deny the applicant should be denied a license or certificate. The burden shall shift to the applicant to persuade the Board that the ARC or DC's grounds for denial are insufficient.

~~(b)(b) Discipline Matters.~~ The DC shall bear the burden to prove by clear and convincing evidence that a licensee violated the Act or the Board's Rules.

**Section ~~(11)~~(14) Board Decision and Order.**

(a) Board Action. The Board may resolve an application matter, complaint, or Petition by:

(i) Approving the recommendations of the ARC or DC; ~~or~~

~~(ii)~~ Dismissing or issuing an advisory letter; or

~~(ii)~~(iii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the Board may:

(A) Issue, renew, relicense, or reinstate a license or certificate;

(B) Issue, renew, relicense, or reinstate a license or certificate subject to conditions, restrictions, or other disciplinary action;

(C) Deny a license, certificate, renewal, relicensure, or reinstatement;

(D) Dismiss the complaint or Petition due to lack of clear and convincing evidence;

(E) Issue an advisory letter; ~~and/or~~

(F) Impose a reprimand, conditions, restrictions, non-renewal, suspension, revocation, other discipline or a combination thereof.

(b) Board Order. The Board shall ~~make and enter issue~~ a written decision and order. The decision and order shall be sent to the applicant, licensee, or their representative, or their attorneys by certified or regular mail.

#### **Section ~~(12)~~(15)Judicial Review.**

(a) Appeals from decisions of the Board are governed by the WAPA and Wyoming Rules of Appellate Procedure.

(b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal.

## Chapter 11

### Practice of Speech-Language Pathology and Audiology

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to regulate the practice of speech-language pathology and audiology in Wyoming.

#### **Section 2. Dual Licensure.**

(a) To practice in both areas of licensure, speech-language pathology and audiology, a licensee shall obtain licensure as a speech-language pathologist and audiologist.

(b) A speech-language pathologist may perform non-diagnostic audiometric screening either for the purposes of performing a speech and language evaluation or for initial identification of individuals with other communicative disorders.

(c) An audiologist may perform non-diagnostic speech and language screening either for purposes of performing an audiologic evaluation or for initial identification of individuals with other communicative disorders.

(d) Any licensee may provide aural habilitation, aural rehabilitation services, and auditory processing services, for which they have been properly trained.

#### **Section 3. Practice of Speech-Language Pathology and Audiology.**

(a) Each licensee shall comply with the provisions of AAA, ABA, and ASHA's Codes of Ethics as referenced in Chapter 1.

(b) ~~For a speech pathologist, the development and disorders of speech, voice, language or swallowing includes, but is not limited to, screening, identifying, assessing and interpreting, diagnosing, habilitating, rehabilitating, and preventing disorders of speech such as articulation, pragmatics, literacy, phonology, fluency, voice, resonance and nasal airflow, oral motor speech and orofacial myofunctional function, oral pharyngeal function, such as swallowing/dysphagia and related disorders, language to include verbal and written and related non-oral/nonverbal forms, cognitive/communication disorders, memory and comprehension, auditory processing; assessing, selecting and developing augmentative and alternative communication systems and providing training in their use; providing aural habilitation or rehabilitation and related training and instructional services; enhancing Speech-Language proficiency and communication effectiveness, such as accent reduction; and screening of hearing and other factors for the purpose of Speech-Language evaluation or the initial identification of individuals with other communication disorders.~~ For a speech-language pathologist, the development and disorders of speech, voice, language or swallowing includes, but is not limited to:

(i) Screening, identifying, assessing and interpreting, diagnosing, habilitating, rehabilitating, and preventing disorders of speech such as

(A) Articulation;

(B) Pragmatics;

(C) Literacy;

(D) Phonology;

(E) Fluency;

(F) Voice, resonance and nasal airflow;

(G) Oral motor speech and orofacial myofunctional function;

(H) Oral-pharyngeal function, such as swallowing/dysphagia and related disorders;

(I) Language to include verbal and written and related non-oral/nonverbal forms;

(J) Cognitive/communication disorders;

(K) Memory and comprehension; and

(L) Auditory processing.

(ii) Assessing, selecting and developing augmentative and alternative communication systems and providing training in their use;

(iii) Providing aural habilitation or rehabilitation and related training and instructional services;

(iv) Enhancing speech-language proficiency and communication effectiveness, such as accent reduction; and

(v) Screening of hearing and other factors for the purpose of speech-language evaluation or the initial identification of individuals with other communication disorders.

(c) ~~For an audiologist, practice includes, but is not limited to, facilitating where applicable the conservation of auditory system function; developing and implementing environmental and occupational hearing conservation programs; cerumen management; screening, identifying, assessing and interpreting, diagnosing, preventing, and rehabilitating~~

~~peripheral and central auditory system dysfunction; providing and interpreting behavioral and electro-physiological measurements of auditory and vestibular functions, such as auditory evoked potential assessment, neurophysiologic intraoperative monitoring or balance system assessment; providing aural habilitation or rehabilitation and related training and instructional services to individuals with hearing loss and their families; and screening of speech language and other factors affecting communication function for the purposes of an audiologic evaluation and/or the identification of individuals with other communication disorders. For an audiologist, practice includes, but is not limited to,~~

- (i) Facilitating where applicable the conservation of auditory system function;
  - (ii) Developing and implementing environmental and occupational hearing conservation programs;
  - (iii) Cerumen management;
  - (iv) Screening, identifying, assessing and interpreting, diagnosing, preventing, and rehabilitating peripheral and central auditory system dysfunction;
  - (v) Providing and interpreting behavioral and electro-physiological measurements of auditory and vestibular functions, such as:
    - (A) Auditory evoked potential assessment;
    - (B) Neurophysiologic intraoperative monitoring; or
    - (C) Balance system assessment.
  - (vi) Providing aural habilitation or rehabilitation and related training and instructional services to individuals with hearing loss and their families; and
  - (vii) Screening of speech-language and other factors affecting communication function for the purposes of an audiologic evaluation and/or the identification of individuals with other communication disorders.
- (d) The practice of speech-language pathology and audiology occurs where the patient is located or receives services.
- (e) All licensees shall report to the Board known or suspected violations of the laws and regulations governing the practice of speech-language pathology and audiology.

#### **Section 4. Principles of Supervision of Provisional License Holders, Audiometric Technicians and Aides.**

- (a) Eligibility for Supervision.

(i) A licensee ~~who~~ that has practiced for three (3) years may supervise ~~provisional license holders~~ audiometric technicians or speech-language pathology aides within the same professional setting.

(ii) A licensee who has practiced for three (3) years may supervise a provisional license holder.

(b) Accountability. The licensee shall be responsible for the activities of the provisional license holder, audiometric technicians and/or speech-language pathology aides under their supervision. Licensee may be subject to disciplinary action for failure to adequately supervise ~~provisional license holder, and/or speech-language pathology, and audiometric technicians.~~

### **Section 5. Supervision of Aides and Audiometric Technicians.**

(a) ~~Limitation on Number of Aides~~Supervisees. A licensee shall not supervise more than three (3) audiometric technicians or speech-language pathology aides combined, at one time. The licensee may apply for an exception to this requirement by submitting a written request to the Board demonstrating just cause for the exception.

(b) Renewal of Aides and Audiometric Technicians. In order to renew the aide's or audiometric technician's registration, the ~~supervisor~~ supervising licensee shall submit an annual competency evaluation for any speech-language pathology aides or audiometric technicians practicing under the licensee's supervision.

(c) Delegable Duties. Until June 30, 2022, An a speech-language pathology aide may assume the following duties listed in items (i) to (viii). ~~under direct supervision of the licensee.~~ After June 30, 2022 a speech-language pathology aide may only assume the duties listed in items (vi) and (vii).

(i) Carry out prescriptive programming for individuals and groups;

(ii) Provide direct treatment assistance to a caseload of identified clients as prescribed by the licensee;

(iii) Assist with informal documentation such as tallying notes, ~~prepare~~ preparing materials, and assisting with other clerical duties;

(iv) Chart and graph clients' progress, record progress, and sign documents only that have been reviewed and co-signed by the licensee;

(v) Keep daily log of specific problems;

(vi) Perform simple checks and maintenance of equipment;

(vii) Participate with the licensee in research projects, in-service training and public relations programs; and

(viii) Speech-language pathology aides may conduct speech-language screenings (without interpretation) following specified screening protocols developed by the licensee.

(d) ~~(ix)~~ Audiology aides Audiometric Technicians may:

(i) ~~(A)~~—Conduct fixed intensity air conduction hearing screening, without interpretation following specified screening protocols developed by the licensee;

(ii) ~~(B)~~—Perform automatic type tympanometry screening procedures following the specified screening protocols developed by the licensee. The ~~aide~~ audiometric technician may not interpret tympanometry results;

(iii) ~~(C)~~—Carry out prescriptive aural habilitation and rehabilitation programming;

(iv) ~~(D)~~—Perform checks on hearing aids and other assistive listening devices. Conduct routine trouble-shooting activities designed to assist the licensee in the determination and resolution of malfunctions with hearing aids and assistive listening devices;

(v) ~~(E)~~—Clean hearing aids;

(vi) ~~(F)~~—Instruct clients in the use of assistive listening devices; and

(vii) ~~(G)~~—Assist the licensee in taking earmold impressions.

~~(d)~~(e) Non-delegable Duties. The aide or audiometric technician shall not perform any of the following actions:

(i) Any activity ~~which~~ that violates AAA, ABA, or ASHA's Codes of Ethics as referenced in Chapter 1;

(ii) Participate in parent conferences, case conferences, or any interdisciplinary team without the presence of the licensee;

(iii) Client or family counseling;

(iv) Write, develop or modify a client's treatment plan in any way without the recommendation, guidance and approval of the licensee;

(v) Select clients for or discharge clients from services;

(vi) Make referrals for additional services; or

(vii) Disclose clinical or confidential information either orally or in writing to anyone not designated by the licensee;

(f) ~~(viii)~~ Speech-language pathology aides shall not:

(i) ~~(A)~~—Administer tests, interpret test results or perform diagnostic speech-language evaluations. An aide may serve as a translator when working with clients with limited English proficiency and may assist the licensee during test administration; ~~and or~~

(ii) ~~(B)~~—Conduct hearing screenings unless specially trained.

(g) ~~(ix)~~ Audiology Audiometric Technicians ~~aide~~ shall not:

(i) ~~(A)~~—Administer tests, interpret test results or perform diagnostic auditory or vestibular evaluations. An ~~audiology aide~~ audiometric technician may serve as a translator when working with clients with limited English proficiency and may assist the licensee during test administration;

(ii) ~~(B)~~—Conduct speech-language screenings unless specially trained;

(iii) ~~(C)~~—Discuss confidential information or test results, with the exception of indicating the data simply reveals normal or less than normal hearing sensitivity; ~~and or~~

(iv) ~~(D)~~—Select, recommend or dispense a hearing aid or other assistive listening device.

## Chapter 12

### Speech-Language Pathology Assistant

#### **Section 1. Requirements for Certification**

- (a) Education. The applicant must:
  - (i) Have an Associate's Degree as a Speech-Language Pathology Assistant, or a Bachelor's Degree in Communication Disorders or Speech-Language Pathology or equivalent, including a minimum of 15 credit hours in clinical related coursework from an accredited college or university; and
  - (ii) Successfully complete a minimum of one hundred (100) hours of supervised field work or its equivalent clinical practicum.
- (b) Application. An applicant must submit the following:
  - (i) Completed application packet payment of appropriate fees;
  - (ii) Official Transcripts;
  - (iii) Documentation of completion of supervised field experience; and
  - (iv) Signed Supervision agreement.
- (c) Upon Board approval of the application for certification, the applicant may identify themselves as a "SLPA" within the same professional setting as the supervising licensee.

#### **Section 2. SLPA Responsibilities.**

- (a) Service Delivery. A SLPA may perform the following tasks based upon his or her training and competency:
  - (i) Assist the SLP with speech, language, and hearing screenings without clinical interpretation;
  - (ii) Assist the SLP with other tasks as directed;
  - (iii) Assist the SLP with the bilingual translation or interpretation during screening and assessment activities exclusive of data interpretation;

- (iv) Follow documented treatment plans or protocols developed by the supervising SLP;
- (v) Document student, patient and client performance and report this information to the supervising SLP; and
- (vi) Program and provide instruction in the use of augmentative and alternative communication devices developed and directed by the SLP.

(b) Administrative Support. A SLPA may perform the following tasks based upon his or her training and competency:

- (i) Assist with clerical duties and departmental operations such as preparing materials and scheduling activities, as directed by the SLP; and
- (ii) Perform checks and maintenance of equipment.

(c) Prevention and Advocacy. A SLPA may perform the following tasks based upon his or her training and competency:

- (i) Provide information to emergency response agencies for individuals who have communication or swallowing disorders; and
- (ii) Support the supervising SLP in research projects, in-service trainings, public relation programs, and marketing programs.

**Section 3. SLPA Limitations. SLPAs shall not engage in any of the following:**

- (a) Represent himself or herself as an SLP (nor allow others to presume his or her standing as an SLP);
- (b) Perform standardized or non-standardized diagnostic tests, formal or informal evaluations, or swallowing screenings/checklists;
- (c) Perform procedures that require a high level of clinical acumen and technical skill (e.g., vocal tract prosthesis shaping or fitting, vocal tract imaging and oral pharyngeal swallow therapy with bolus material);

- (d) Tabulate or interpret results and observations of feeding and swallowing evaluations performed by SLPs;
- (e) Participate in formal parent conferences, case conferences, or any interdisciplinary team without the presence of the supervising SLP or other designated SLP;
- (f) Provide interpretative information to the student/patient/client, family, or others regarding the patient/client status or service;
- (g) Write, develop, or modify a student's, patient's, or client's treatment plan in any way;
- (h) Assist with students, patients, or clients without following the individualized treatment plan prepared by the certified SLP and/or without access to supervision;
- (i) Sign any formal documents (e.g., treatment plans, reimbursement forms, or reports; the SLPA should sign or initial informal treatment notes for review and co-sign with the supervising SLP as requested);
- (j) Select students, patients, or clients for service;
- (k) Discharge a student, patient, or client from services;
- (l) Make referrals for additional service;
- (m) Disclose clinical or confidential information either orally or in writing to anyone other than the supervising SLP (the SLPA must comply with current HIPPA and FERPA guidelines) unless mandated by law;
- (n) Develop or determine the swallowing strategies or precautions for patients, family, or staff;
- (o) Treat medically fragile students/patients/clients independently; or
- (p) Design or select augmentative and alternative communication systems or device.

#### **Section 4. Annual Certification Renewal**

- (a) Certification Expiration. Initial certifications shall expire December 31st of the year following the year of issue. After the initial certification, certificates shall expire December 31st of each year. Certificate holders shall renew their certificate on or before December 31st.

Certificate holders that fail to timely renew shall forfeit the right to practice.

(b) Renewal Procedure. A certificate holder seeking renewal shall:

(i) Submit a completed renewal application and payment of fee;

(ii) Submit documentation of hourly supervision by the supervising SLP; and

(iii) Submit evidence of completion of twelve (12) CEU that complies with subsection Chapter 2 Section 8(c).

(iv) Acceptable CEU documentation shall include, but is not limited to, transcripts and certificates of completion.

(v) Waiver. The Board may grant a waiver for CEU requirements for certificate holders who have petitioned and demonstrated just cause based on extenuating circumstances.

## **Section 5. Supervision**

(a) Each SLPA must be supervised by an SLP licensed in Wyoming. A written Supervision Agreement approved by the Board must be in place to include a record of all supervision, both direct and indirect. The agreement must be signed by both parties with agreement as to responsibility for this documentation. Information to be included using the following supervision schedule:

(i) First ninety (90) days – minimum of thirty (30) percent weekly supervision shall be provided with at least twenty (20) percent being direct contact supervision of client, student, or individual and ten (10) percent of indirect contact. Weekly supervision should be arranged so that every client, student, or individual is observed at least once every two weeks. Direct contact means face to face, either through tele practice or onsite supervision.

(ii) After successful completion of first ninety (90) days, minimum of one hour of direct supervision each week shall be provided. In addition, direct supervision shall include direct contact supervision of every client, student, or individual every sixty (60) days with as much indirect supervision as needed.

(iii) Indirect supervision may include review of data, lesson plans, schedules, and any other issues related to the individual clients, students, and individuals.

(iv) Supervising SLP – Requirements for supervising SLP.

(A) Must have been licensed SLP practicing for a minimum of three (3) years;

(B) Hold an Speech-Language Pathology license in good standing

from the Board;

(C) Must have completed at least a minimum of two (2) hours of continuing education hours in supervision prior to beginning supervision. These will count towards CEUs for licensure renewal; and

(D) Cannot supervise more than three (3) SLPAs.

(b) Each supervising SLP shall uphold the ethics and professionalism of ASHA

**Section 6. Failure to Timely Renew.** A certificate holder who fails to timely renew may apply for renewal during the administrative grace period detailed in Chapter 2 Section 9.

**Section 7. Certificate Re-issuance**

(a) Eligibility. An applicant may seek re-issuance if his or her certificate has lapsed.

(b) Lapsed Certificate Re-issuance Requirements. An applicant shall:

(i) Submit a completed re-issuance application and pay the required fee; and

(ii) Submit evidence of clinical competency by submitting proof of completion of twelve (12) CEUs for each year or portion thereof that the certificate was lapsed up to a maximum of one hundred and twenty (120) CEUs.

**Section 8. Grandfathering Clause.** Speech-language pathology aides that are currently providing direct services will have until July 1, 2022 to become certified by the Board as an SLPA. If an aide continues providing direct services after July 1, 2022, he or she may be subject to disciplinary action.