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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- SPEECH-LANGUAGE PATHOLOGY
AND AUDIOLOGY

Introduced By: Representative Arthur Handy

Date Introduced: February 27, 2026

Referred To: House Health & Human Services

(Dept. of Health)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-48 of the General Laws entitled "Speech-Language Pathology and
2 Audiology" is hereby repealed in its entirety.

3 ~~CHAPTER 5-48~~

4 ~~Speech-Language Pathology and Audiology~~

5 ~~**5-48-1. Purpose and legislative intent — Definitions.**~~

6 ~~(a) It is declared to be a policy of this state that the practice of speech-language pathology~~
7 ~~and audiology is a privilege granted to qualified persons and that, in order to safeguard the public~~
8 ~~health, safety, and welfare; protect the public from being misled by incompetent, unscrupulous, and~~
9 ~~unauthorized persons; and protect the public from unprofessional conduct by qualified speech-~~
10 ~~language pathologists and audiologists, it is necessary to provide regulatory authority over persons~~
11 ~~offering speech-language pathology and audiology services to the public.~~

12 ~~(b) The following words and terms when used in this chapter have the following meaning~~
13 ~~unless otherwise indicated within the context:~~

14 ~~(1) "Audiologist" means an individual licensed by the board to practice audiology.~~

15 ~~(2) "Audiology" means the application of principles, methods, and procedures related to~~
16 ~~hearing and the disorders of the hearing and balance systems, to related language and speech~~
17 ~~disorders, and to aberrant behavior related to hearing loss. A hearing disorder in an individual is~~
18 ~~defined as altered sensitivity, acuity, function, processing, or damage to the integrity of the~~

1 ~~physiological auditory/vestibular systems.~~

2 ~~(3) "Board" means the state board of examiners of speech language pathology and~~
3 ~~audiology.~~

4 ~~(4) "Clinical fellow" means the person who is practicing speech language pathology under~~
5 ~~the supervision of a licensed speech language pathologist while completing the postgraduate~~
6 ~~professional experience as required by this chapter.~~

7 ~~(5) "Department" means the Rhode Island department of health.~~

8 ~~(6) "Director" means the director of the Rhode Island department of health.~~

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

11 ~~(8)(i) "Practice of audiology" means rendering or offering to render any service in~~
12 ~~audiology, including prevention, screening, and identification, evaluation, habilitation,~~
13 ~~rehabilitation; participating in environmental and occupational hearing conservation programs, and~~
14 ~~habilitation and rehabilitation programs including hearing aid and assistive listening device~~
15 ~~evaluation, prescription, preparation, dispensing, and/or selling and orientation; auditory training~~
16 ~~and speech reading; conducting and interpreting tests of vestibular function and nystagmus;~~
17 ~~conducting and interpreting electrophysiological measures of the auditory pathway; cerumen~~
18 ~~management; evaluating sound environment and equipment; calibrating instruments used in testing~~
19 ~~and supplementing auditory function; and planning, directing, conducting, or supervising programs~~
20 ~~that render or offer to render any service in audiology.~~

21 ~~(ii) The practice of audiology may include speech and/or language screening to a pass or~~
22 ~~fail determination, for the purpose of initial identification of individuals with other disorders of~~
23 ~~communication.~~

24 ~~(iii) A practice is deemed to be the "practice of audiology" if services are offered under~~
25 ~~any title incorporating such word as "audiology," "audiologist," "audiometry," "audiometrist,"~~
26 ~~"audiological," "audiometrics," "hearing therapy," "hearing therapist," "hearing clinic," "hearing~~
27 ~~clinician," "hearing conservation," "hearing conservationist," "hearing center," "hearing aid~~
28 ~~audiologist," or any similar title or description of services.~~

29 ~~(9)(i) "Practice of speech language pathology" means rendering or offering to render any~~
30 ~~service in speech language pathology including prevention, identification, evaluation, consultation,~~
31 ~~habilitation, rehabilitation; determining the need for augmentative communication systems,~~
32 ~~dispensing and selling these systems, and providing training in the use of these systems; and~~
33 ~~planning, directing, conducting, or supervising programs that render or offer to render any service~~
34 ~~in speech language pathology.~~

1 ~~(ii) The practice of speech language pathology may include nondiagnostic pure tone air~~
2 ~~conduction screening, screening tympanometry, and acoustic reflex screening, limited to a pass or~~
3 ~~fail determination, for the purpose of performing a speech and language evaluation or for the initial~~
4 ~~identification of individuals with other disorders of communication.~~

5 ~~(iii) The practice of speech language pathology also may include aural rehabilitation,~~
6 ~~which is defined as services and procedures for facilitating adequate receptive and expressive~~
7 ~~communication in individuals with hearing impairment.~~

8 ~~(iv) A practice is deemed to be the “practice of speech language pathology” if services are~~
9 ~~offered under any title incorporating such words as “speech pathology,” “speech pathologist,”~~
10 ~~“speech therapy,” “speech therapist,” “speech correction,” “speech correctionist,” “speech clinic,”~~
11 ~~“speech clinician,” “language pathology,” “language pathologist,” “voice therapy,” “voice~~
12 ~~therapist,” “voice pathology,” “voice pathologist,” “logopedics,” “logopedist,” “communicology,”~~
13 ~~“communicologist,” “aphasiology,” “aphasiologist,” “phoniatriest,” or any similar title or~~
14 ~~description of services.~~

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

18 ~~(11) “Speech language pathologist” means an individual who is licensed by the board to~~
19 ~~practice speech language pathology.~~

20 ~~(12) “Speech language pathology” means the application of principles, methods, and~~
21 ~~procedures for prevention, identification, evaluation, consultation, habilitation, rehabilitation,~~
22 ~~instruction, and research related to the development and disorders of human communication.~~
23 ~~Disorders are defined to include any and all conditions, whether of organic or non-organic origin,~~
24 ~~that impede the normal process of human communication in individuals or groups of individuals~~
25 ~~who have or are suspected of having these conditions, including, but not limited to, disorders and~~
26 ~~related disorders of:~~

27 ~~(i) Speech: articulation, fluency, voice (including respiration, phonation and resonance);~~

28 ~~(ii) Language (involving the parameters of phonology, morphology, syntax, semantics, and~~
29 ~~pragmatics; and including disorders of receptive and expressive communication in oral, written,~~
30 ~~graphic, and manual modalities);~~

31 ~~(iii) Oral, pharyngeal, laryngeal, cervical esophageal, and related functions (e.g.,~~
32 ~~dysphasia, including disorders of swallowing and oral function for feeding; oro facial~~
33 ~~myofunctional disorders);~~

34 ~~(iv) Cognitive aspects of communication (including communication disability and other~~

1 ~~functional disabilities associated with cognitive impairment); and~~

2 ~~(v) Social aspects of communication (including challenging behavior, ineffective social~~
3 ~~skills, lack of communication opportunities).~~

4 ~~**5-48-2. Board of examiners — Composition — Appointments, terms, and**~~
5 ~~**qualifications of members.**~~

6 ~~(a) There exists within the department of health a board of examiners of speech language~~
7 ~~pathology and audiology. The board shall consist of five (5) persons who are residents of the state~~
8 ~~and who have worked within the state for at least one year prior to their appointments.~~

9 ~~(1) Two (2) members shall be speech language pathologists who have practiced speech-~~
10 ~~language pathology for at least five (5) years preceding appointment, are currently practicing~~
11 ~~speech language pathology, and hold active and valid licensure for the practice of speech language~~
12 ~~pathology in this state.~~

13 ~~(2) One member shall be an audiologist who has practiced audiology for at least five (5)~~
14 ~~years immediately preceding appointment, is currently practicing audiology, and holds active and~~
15 ~~valid licensure for the practice of audiology in this state.~~

16 ~~(3) One member shall be an otolaryngologist who holds certification by the American~~
17 ~~Academy of Otolaryngology — head and neck surgery, who is currently practicing otolaryngology,~~
18 ~~and holds active and valid licensure as a physician within this state.~~

19 ~~(4) One member shall be a representative of the consumer public who is not associated~~
20 ~~with or financially interested in the practice or business of speech language pathology or audiology.~~

21 ~~(b) All appointments to the board shall be for the term of three (3) years. Members shall~~
22 ~~serve until the expiration of the term for which they have been appointed or until their appointed~~
23 ~~successors are qualified.~~

24 ~~(c) When a vacancy upon the board occurs, the director of the department of health shall,~~
25 ~~with the approval of the governor, appoint persons who are working within the state to fill the~~
26 ~~remainder of the vacant term.~~

27 ~~(d) The board shall reorganize annually during the month of January and shall select a~~
28 ~~chairperson.~~

29 ~~(e) A majority of currently filled positions shall constitute a quorum to do business.~~

30 ~~(f) No person shall be appointed to serve more than two (2) consecutive terms.~~

31 ~~(g) The first board and all future members shall be appointed by the director of the~~
32 ~~department of health, with the approval of the governor.~~

33 ~~(h) The director of the department of health, with the approval of the governor, may remove~~
34 ~~any member of the board for dishonorable conduct, incompetency, or neglect of duty.~~

1 ~~**5-48-3. Board of examiners — Duties and powers — Meetings — Compensation of**~~
2 ~~**members.**~~

3 ~~(a) The board shall administer, coordinate, and enforce the provisions of this chapter;~~
4 ~~evaluate the qualifications of applicants; and may issue subpoenas, examine witnesses, and~~
5 ~~administer oaths, conduct hearings, and at its discretion investigate allegations of violations of this~~
6 ~~chapter and impose penalties if any violations of the chapter have occurred.~~

7 ~~(b) The board shall conduct hearings and keep records and minutes as necessary to an~~
8 ~~orderly dispatch of business.~~

9 ~~(c) The board shall, with the approval of the director of the department of health, adopt,~~
10 ~~amend, or repeal rules and regulations, including, but not limited to, regulations that delineate~~
11 ~~qualifications for licensure and establish standards of professional conduct. Following their~~
12 ~~adoption, the rules and regulations shall govern and control the professional conduct of every~~
13 ~~person who holds a license to practice speech language pathology or audiology in this state.~~

14 ~~(d) The board shall make available complete lists of the names and addresses of all licensed~~
15 ~~speech language pathologists and audiologists.~~

16 ~~(e) The board may request legal advice and assistance from the appropriate state legal~~
17 ~~officer.~~

18 ~~(f) Regular meetings of the board shall be held at the times and places that it prescribes,~~
19 ~~and special meetings may be held upon the call of the chairperson; provided, that at least one regular~~
20 ~~meeting shall be held each year.~~

21 ~~(g) The conferral or enumeration of specific powers in this chapter shall not be construed~~
22 ~~as a limitation of the general powers conferred by this section. No member of the board shall be~~
23 ~~liable to civil action for any act performed in good faith in the performance of his or her duties as~~
24 ~~prescribed by this chapter.~~

25 ~~(h) Board members shall serve without compensation.~~

26 ~~(i) The board may suspend the authority of any registered speech language pathologist or~~
27 ~~audiologist to practice speech language pathology or audiology for failure to comply with any of~~
28 ~~the requirements of this chapter.~~

29 ~~**5-48-4. Board examiners — Seal — Authentication of records.**~~

30 ~~The board shall adopt the state seal by which it authenticates its proceedings. Copies of the~~
31 ~~proceedings, records, and acts of the board, and certificates purporting to relate the facts concerning~~
32 ~~those proceedings, records, and acts, signed by the secretary and authenticated by that seal, shall~~
33 ~~be evidence in all courts of this state.~~

34 ~~**5-48-5. Receipts.**~~

1 ~~The proceeds of any fees collected pursuant to the provisions of this chapter shall be~~
2 ~~deposited as general revenues.~~

3 ~~**5-48-6. Licensure and regulation of speech-language pathologists and audiologists.**~~

4 ~~(a) Licensure shall be granted in either speech-language pathology or audiology~~
5 ~~independently. A person may be licensed in both areas if he or she meets the respective~~
6 ~~qualifications.~~

7 ~~(b) No person shall practice as, advertise as, or use the title of speech pathologist or~~
8 ~~audiologist as defined in § 5-48-1 in this state unless he or she is licensed in accordance with the~~
9 ~~provisions of the laws of the state.~~

10 ~~(c) Registered speech-language pathologists or audiologists may render services under the~~
11 ~~terms and provisions of the workers' compensation and rehabilitation laws.~~

12 ~~(d) A provisional license for the clinical fellow (defined in § 5-48-1(b)(4)) shall be required~~
13 ~~in speech-language pathology for that period of postgraduate professional experience as required~~
14 ~~in § 5-48-7.1. A provisional license shall authorize an individual to practice speech-language~~
15 ~~pathology solely in connection with the completion of the supervised postgraduate professional~~
16 ~~experience.~~

17 ~~**5-48-7. Qualifications of applicants for a license as a speech-language pathologist.**~~

18 ~~To be eligible for licensure by the board as a speech-language pathologist the applicant~~
19 ~~must:~~

20 ~~(1) Be of good moral character;~~

21 ~~(2) Apply to the department, upon a form prescribed by the department;~~

22 ~~(3) Submit the appropriate application fee;~~

23 ~~(4) Submit an official transcript indicating possession of a master's degree or a doctorate~~
24 ~~degree or equivalent in speech-language pathology from an educational institution accredited by~~
25 ~~the Council on Academic Accreditation (CAA) of the American Speech-Language-Hearing~~
26 ~~Association (ASHA) or other national accrediting association as may be approved by the board.~~
27 ~~The degree shall consist of course work in accordance with the current, minimum requirements for~~
28 ~~the certificate of clinical competence issued by the American Speech-Language-Hearing~~
29 ~~Association (ASHA) or other national accrediting association as may be approved by the board and~~
30 ~~delineated in the rules and regulations;~~

31 ~~(5) Complete supervised clinical practicum experiences from an educational institution or~~
32 ~~its cooperating programs. The content of the practicum shall be in accordance with the current,~~
33 ~~minimum requirements for the certificate of clinical competence issued by the American Speech-~~
34 ~~Language-Hearing Association (ASHA) or other national accrediting association as may be~~

1 ~~approved by the board and delineated in the rules and regulations;~~

2 ~~(6) Pass a national examination in speech language pathology as required by the American~~
3 ~~Speech Language Hearing Association (ASHA) or other national accrediting association as may~~
4 ~~be approved by the board and delineated in the rules and regulations;~~

5 ~~(7) Present verification of a certificate of clinical competence from the American Speech-~~
6 ~~Language Hearing Association (ASHA) or other national accrediting association as may be~~
7 ~~approved by the board; and~~

8 ~~(8) If applicable, present evidence from the board of speech language pathology in each~~
9 ~~state in which the applicant has held or holds licensure to be submitted to the board of this state,~~
10 ~~attesting to the licensure status of the applicant during the time period the applicant held licensure~~
11 ~~in the state.~~

12 **5-48-7.1. Qualifications for a provisional license for a speech language pathologist.**

13 ~~(a) To be eligible for provisional licensure by the board, the speech language pathologist~~
14 ~~applicant must submit an application with the required application fee and be in compliance with~~
15 ~~the requirements of § 5-48-7(1), (4), (5), and (6).~~

16 ~~(b) In addition to the requirements of subsection (a) of this section, content of the~~
17 ~~supervised postgraduate professional experience shall meet the standards of a trainee or fellow of~~
18 ~~speech pathology as required by the American Speech Language Hearing Association (ASHA) or~~
19 ~~other national accrediting association as may be approved by the board.~~

20 ~~(c) If the postgraduate professional experience extends beyond one year, provisional~~
21 ~~licensure must be renewed annually and not exceed thirty six (36) months past the initiation of the~~
22 ~~professional experience.~~

23 ~~(d) The provisional licensure shall expire ninety (90) days after the end of the postgraduate~~
24 ~~professional experience.~~

25 **5-48-7.2. Qualifications for license as an audiologist.**

26 ~~Persons seeking initial licensure as an audiologist on or after January 1, 2008, shall meet~~
27 ~~the following requirements:~~

28 ~~(1) Be of good moral character;~~

29 ~~(2) Apply to the board, upon a form prescribed by the board;~~

30 ~~(3) Submit the appropriate application fee;~~

31 ~~(4) Submit an official transcript indicating possession of an earned doctorate degree in~~
32 ~~audiology from a regionally accredited educational institution as delineated in the rules and~~
33 ~~regulations;~~

34 ~~(5) Pass a national examination in audiology approved by the board and delineated in the~~

1 rules and regulations;

2 ~~(6) Present evidence of practicum experience that is equivalent to a minimum of twelve~~
3 ~~(12) months of full-time, supervised experience, that may be completed as part of the graduate~~
4 ~~degree, as delineated in the rules and regulations;~~

5 ~~(7) If applicable, present evidence from the board of audiology in each state in which the~~
6 ~~applicant has held or holds licensure to be submitted to the board of this state, attesting to the~~
7 ~~licensure status of the applicant during the time period the applicant held licensure in the state;~~

8 ~~(8) Any other requirements as set forth in the rules and regulations.~~

9 **5-48-7.3. Qualifications for audiologists licensed in alternate jurisdictions.**

10 ~~Persons licensed as an audiologist in alternate jurisdictions on or before January 1, 2008,~~
11 ~~shall meet the requirements of this state that were in effect at the time of initial licensure in the~~
12 ~~alternate jurisdiction.~~

13 **5-48-8. [Repealed.]**

14 **5-48-9. Fees — Late filing — Inactive status.**

15 ~~(a) The board may charge an application fee; a biennial license renewal fee payable before~~
16 ~~July 1 of even years (biennially); or a provisional license renewal fee as set forth in § 23-1-54~~
17 ~~payable annually from the date of issue.~~

18 ~~(b) Any person who allows his or her license to lapse by failing to renew it on or before~~
19 ~~the thirtieth (30th) day of June of even years (biennially), may be reinstated by the board on~~
20 ~~payment of the current renewal fee plus an additional late filing fee as set forth in § 23-1-54.~~

21 ~~(c) An individual licensed as a speech language pathologist or audiologist in this state, not~~
22 ~~in the active practice of speech language pathology or audiology within this state during any year,~~
23 ~~may upon request to the board, have his or her name transferred to an inactive status and shall not~~
24 ~~be required to register biennially or pay any fee as long as he or she remains inactive. Inactive status~~
25 ~~may be maintained for no longer than two (2) consecutive licensing periods, after which period~~
26 ~~licensure shall be terminated and reapplication to the board shall be required to resume practice.~~

27 ~~(d) Any individual whose name has been transferred to an inactive status may be restored~~
28 ~~to active status within two (2) licensing periods without a penalty fee upon the filing of:~~

29 ~~(1) An application for licensure renewal, with a licensure renewal fee as set forth in § 23-~~
30 ~~1-54 made payable by check to the general treasurer of the state of Rhode Island; and~~

31 ~~(2) Any other information that the board may request.~~

32 ~~(e) [Deleted by P.L. 2015, ch. 141, art. 20, § 9].~~

33 **5-48-9.1. Continuing education.**

34 ~~(a)(1) On or before the thirtieth (30th) day of June of even years, every person licensed to~~

1 ~~practice speech language pathology or audiology within this state shall complete not less than~~
2 ~~twenty (20) clock hours of continuing education within the preceding two (2) years and be able to~~
3 ~~present satisfactory evidence of completion to the board.~~

4 (2) ~~Those persons holding licensure in both speech language pathology and audiology must~~
5 ~~have completed and have evidence of completion of not less than thirty (30) clock hours of~~
6 ~~continuing education within the preceding two (2) years.~~

7 (b) ~~Continuing education hours may not be carried over from one renewal period to the~~
8 ~~next.~~

9 (c) ~~The board at its discretion may extend, reduce, or waive the requirement for continuing~~
10 ~~education for hardship or other extenuating circumstances as the board deems appropriate.~~

11 **5-48-10. Persons and practices exempted.**

12 The provisions of this chapter do not apply to:

13 (1) ~~A qualified person licensed, registered, certified, or credentialed in this state under any~~
14 ~~other law who is practicing the profession or business for which he or she is licensed, registered,~~
15 ~~certified, or credentialed, in the setting for which the licensure, registration, certification, or~~
16 ~~credential pertains and performs services within their authorized scope of practice.~~

17 (2) ~~This chapter specifically excludes those persons who commercially fit and sell hearing~~
18 ~~aids; provided, that those persons do not receive a separate or additional fee for testing or~~
19 ~~interpreting tests of hearing; and provided, that those persons do not represent themselves as~~
20 ~~audiologists as defined in this chapter. This subsection does not preclude remuneration for any~~
21 ~~other service offered solely in conjunction with the fitting or maintaining of a hearing aid.~~

22 (3) ~~No one shall be exempt under subsection (1) for that portion of his or her time spent as~~
23 ~~a private practitioner. If he or she performs any work as a speech language pathologist or~~
24 ~~audiologist for which a fee may be paid by the recipient of the service as part of a private practice~~
25 ~~apart from his or her position with the government, a license must be held.~~

26 **5-48-11. Grounds for suspension or revocation of licenses.**

27 The license of any speech language pathologist or audiologist may be suspended or
28 ~~revoked by the board upon proof that he or she:~~

29 (1) ~~Fraudulently or deceptively obtained or attempted to obtain a license for the applicant,~~
30 ~~licensee, holder, or for another;~~

31 (2) ~~Fraudulently or deceptively used a license;~~

32 (3) ~~Altered a license;~~

33 (4) ~~Aided or abetted unlicensed practice;~~

34 (5) ~~Committed fraud and deceit in the practice of speech language pathology or of~~

- 1 ~~audiology, including, but not limited to:~~
- 2 ~~(i) Using or promoting, or causing the use of, any misleading, deceiving, or untruthful~~
- 3 ~~advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia,~~
- 4 ~~or any other representation;~~
- 5 ~~(ii) Falsely representing the use or availability of services or advice of a physician;~~
- 6 ~~(iii) Misrepresenting the applicant, licensee, or holder by using the word “doctor” or any~~
- 7 ~~similar word, abbreviation, or symbol, if the use is not accurate or if the degree was not obtained~~
- 8 ~~from an accredited institution;~~
- 9 ~~(iv) Making or filing a false report or record in the practice of speech language pathology~~
- 10 ~~or audiology;~~
- 11 ~~(v) Submitting a false statement to collect a fee; and~~
- 12 ~~(vi) Obtaining a fee through fraud or misrepresentation;~~
- 13 ~~(6) Providing services while mentally incompetent;~~
- 14 ~~(7) Engaging in illegal, incompetent, or habitually negligent practice;~~
- 15 ~~(8) Providing professional services while:~~
- 16 ~~(i) Under the influence of alcohol; or~~
- 17 ~~(ii) Using any narcotic or controlled dangerous substance or other drug that is in excess of~~
- 18 ~~therapeutic amounts or without valid medical indication;~~
- 19 ~~(9) Promoting the sale of devices, appliances, or products to a patient who cannot benefit~~
- 20 ~~from these devices, appliances, or products;~~
- 21 ~~(10) Violating any provision of this chapter, any lawful order given, or rule or regulation~~
- 22 ~~adopted by the board or departure from or failure to conform to the current standards of acceptable~~
- 23 ~~prevailing practice and code of ethics of speech language pathology or audiology;~~
- 24 ~~(11) Being convicted of, or pleading guilty or nolo contendere to, a felony, whether or not~~
- 25 ~~any appeal or another proceeding is pending to have the conviction or plea set aside;~~
- 26 ~~(12) Incompetent or negligent misconduct in the practice of speech language pathology or~~
- 27 ~~audiology;~~
- 28 ~~(13) Is habitually intemperate or is addicted to the use of habit forming drugs;~~
- 29 ~~(14) Being disciplined by a licensing or disciplinary authority of any other state or country,~~
- 30 ~~or convicted or disciplined by a court of any state or country, for an act that would be grounds for~~
- 31 ~~disciplinary action under this section; or~~
- 32 ~~(15) Failing to maintain continuing education requirements.~~

33 **5-48-12. Penalty for violations.**

- 34 (a) ~~The board is granted the authority to impose the following disciplinary actions in those~~

1 ~~instances in which an applicant for a license or a licensee has been guilty of conduct that has~~
2 ~~endangered, or is likely to endanger, the health, welfare, or safety of the public:~~

3 ~~(1) Refuse to issue or renew a license.~~

4 ~~(2) Issue a letter of reprimand or concern.~~

5 ~~(3) Require restitution of fees.~~

6 ~~(4) Impose probationary conditions.~~

7 ~~(5) Suspend or revoke a license.~~

8 ~~(b) Any person found to be in violation of any provision of this chapter, upon conviction,~~
9 ~~shall be guilty of a misdemeanor and punished by a fine of not more than one thousand dollars~~
10 ~~(\$1,000).~~

11 ~~**5-48-13. Revocation and suspension procedure — Reinstatement.**~~

12 ~~(a)(1) Notice, in writing, of a contemplated revocation or suspension of a license, of this~~
13 ~~particular cause, and of the date of a hearing, shall be sent by registered or certified mail to the~~
14 ~~licensee at his or her last known address at least fifteen (15) days before the date of the hearing.~~

15 ~~(2) The individual against whom a charge is filed has the right to appear before the board~~
16 ~~in person or by counsel, or both; may produce witnesses and evidence on his or her behalf; and~~
17 ~~may question witnesses.~~

18 ~~(3) No license shall be revoked or suspended without a hearing, but the nonappearance of~~
19 ~~the licensee, after notice, shall not prevent a hearing.~~

20 ~~(4) All matters upon which the decision is based shall be introduced in evidence at the~~
21 ~~proceeding.~~

22 ~~(5) The licensee shall be notified, in writing, of the board's decision.~~

23 ~~(6) The board may make any rules and regulations that it deems proper for the filing of~~
24 ~~charges and the conduct of hearings.~~

25 ~~(b) After issuing an order of revocation or suspension, the board may also file a petition in~~
26 ~~equity in the superior court in a county in which the respondent resides or transacts business, to~~
27 ~~ensure appropriate injunctive relief to expedite and secure the enforcement of its order, pending the~~
28 ~~final determination.~~

29 ~~(c) An application for reinstatement may be made to the board, which may, upon the~~
30 ~~affirmative vote of at least the majority of its members, grant a reinstatement.~~

31 ~~**5-48-14. [Obsolete.]**~~

32 ~~**5-48-15. Severability.**~~

33 ~~If any provision of this chapter or of any rule or regulation made under this chapter, or their~~
34 ~~application to any person or circumstances, is held invalid by a court of competent jurisdiction, the~~

1 ~~remainder of the chapter, rule, or regulation, and the application of that provision to other persons~~
2 ~~or circumstances, shall not be affected.~~

3 SECTION 2. Sections 5-48.2-3, 5-48.2-4, 5-48.2-5, 5-48.2-6, 5-48.2-7, 5-48.2-8 and 5-
4 48.2-13 of the General Laws in Chapter 5-48.2 entitled "Professional Licensing and Regulation of
5 Speech-Language Pathologists and Audiologists" are hereby amended to read as follows:

6 **5-48.2-3. Definitions.**

7 As used in this chapter, the following words and terms shall have the following meanings,
8 except where the context clearly indicates otherwise:

9 (1) "Accredited/approved" means that an institution/program holds regional accreditation
10 from one of six (6) regional accrediting bodies: Middle States Association of Colleges and Schools,
11 New England Association of Schools and Colleges, North Central Association of Colleges and
12 Schools, Northwest Association of Schools and Colleges, Southern Association of Colleges and
13 Schools, and Western Association of Schools and Colleges.

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

16 ~~(3)~~(2) "Audiologist" means an individual who is licensed by the board to practice
17 audiology either in person or via telepractice.

18 ~~(4)~~(3) "Audiology" means the audiologist applies the principles, methods, and procedures
19 related to hearing and the disorders of the hearing and balance systems, to related language and
20 speech disorders, and to aberrant behavior related to hearing loss. A hearing disorder is defined as
21 altered sensitivity, acuity, function, processing, and/or damage to the integrity of the physiological
22 auditory/vestibular systems, in individuals or groups of individuals who have or are suspected of
23 having such disorders.

24 ~~(5)~~(4) "Audiology support personnel" shall operate under the title "audiometric aide" or
25 "audiology assistant" and means an individual who meets minimum qualifications established by
26 the board, which are less than those established by ~~the act~~ [this chapter](#) as necessary for licensing as
27 an audiologist; does not act independently; is limited to hearing screening with pass/fail criteria;
28 and works under the direction and supervision of an audiologist licensed under ~~the act~~ [this chapter](#)
29 who has been actively working in the field for twenty-four (24) months after completion of the
30 postgraduate professional experience and who accepts the responsibility for the acts and
31 performances of the audiometric aide or audiology assistant while working under the act.

32 ~~(6)~~(5) "Board" means the state board of examiners of speech-language pathology and
33 audiology ~~established pursuant to § 5-48-2.~~

34 ~~(7) "Clinical fellow" means the person who is practicing speech language pathology under~~

1 ~~the supervision of a licensed speech language pathologist while completing the postgraduate~~
2 ~~professional experience as required by the act and who holds a current provisional license in~~
3 ~~accordance with the requirements described in this chapter.~~

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

9 ~~(9)~~(6) “Department” means the Rhode Island department of health.

10 ~~(10)~~(7) “Director” means the director of the Rhode Island department of health.

11 ~~(11)~~(8) “Graduate program” means a post-baccalaureate accredited program leading to a
12 master’s or doctoral degree, including a professional doctoral degree, whether offered through an
13 accredited graduate or professional school.

14 ~~(12)~~(9) “Newborn hearing screener” means an audiometric aide or audiology assistant
15 working in a hospital-based newborn hearing screening program under the direction of the
16 department of health newborn hearing screening program, or its appointee.

17 ~~(13)~~(10) “Person” means an individual, partnership organization, or corporation, except
18 that only individuals can be licensed under this chapter.

19 ~~(14)~~(11) “The practice of audiology” means ~~an audiologist rendering or offering to render~~
20 ~~any service in audiology either in person or via telepractice as defined in § 5-48-1 and in this section~~
21 rendering or offering to render any service in audiology, including prevention, screening, and
22 identification, evaluation, habilitation, rehabilitation; participating in environmental and
23 occupational hearing-conservation programs, and habilitation and rehabilitation programs
24 including hearing aid and assistive-listening-device evaluation, prescription, preparation,
25 dispensing, and/or selling and orientation; auditory training and speech reading; conducting and
26 interpreting tests of vestibular function and nystagmus; conducting and interpreting
27 electrophysiological measures of the auditory pathway; cerumen management; evaluating sound
28 environment and equipment; calibrating instruments used in testing and supplementing auditory
29 function; and planning, directing, conducting, or supervising programs that render or offer to render
30 any service in audiology.

31 (i) The practice of audiology may include speech and/or language screening to a pass or
32 fail determination, for the purpose of initial identification of individuals with other disorders of
33 communication.

34 (ii) A practice is deemed to be the “practice of audiology” if services are offered under any

1 title incorporating such word as “audiology,” “audiologist,” “audiometry,” “audiometrist,”
2 “audiological,” “audiometrics,” “hearing therapy,” “hearing therapist,” “hearing clinic,” “hearing
3 clinician,” “hearing conservation,” “hearing conservationist,” “hearing center,” “hearing aid
4 audiologist,” or any similar title or description of services.

5 ~~(15)~~(12) “The practice of speech-language pathology” means ~~rendering or offering to~~
6 ~~render any service in speech-language pathology either in person or via telepractice as defined in~~
7 ~~this section~~ rendering or offering to render any service in speech-language pathology including
8 prevention, identification, evaluation, consultation, habilitation, rehabilitation; determining the
9 need for augmentative communication systems, dispensing and selling these systems, and
10 providing training in the use of these systems; and planning, directing, conducting, or supervising
11 programs that render or offer to render any service in speech-language pathology.

12 (i) The practice of speech-language pathology may include nondiagnostic pure-tone air
13 conduction screening, screening tympanometry, and acoustic reflex screening, limited to a pass or
14 fail determination, for the purpose of performing a speech and language evaluation or for the initial
15 identification of individuals with other disorders of communication.

16 (ii) The practice of speech-language pathology also may include aural rehabilitation, which
17 is defined as services and procedures for facilitating adequate receptive and expressive
18 communication in individuals with hearing impairment.

19 (iii) A practice is deemed to be the “practice of speech-language pathology” if services are
20 offered under any title incorporating such words as “speech pathology,” “speech pathologist,”
21 “speech therapy,” “speech therapist,” “speech correction,” “speech correctionist,” “speech clinic,”
22 “speech clinician,” “language pathology,” “language pathologist,” “voice therapy,” “voice
23 therapist,” “voice pathology,” “voice pathologist,” “logopedics,” “logopedist,” “communicology,”
24 “communicologist,” “aphasiology,” “aphasiologist,” “phoniatriest,” or any similar title or
25 description of services..

26 ~~(16)~~(13) “Regionally accredited” means the official guarantee that a college or university
27 or other educational institution is in conformity with the standards of education prescribed by a
28 regional accrediting commission recognized by the United States Secretary of Education.

29 ~~(17)~~(14) “School hearing screener” means an audiometric aide or audiology assistant
30 working in a school-based hearing screening program under the direction of the Rhode Island
31 department of elementary and secondary education or its appointee.

32 ~~(18)~~(15) “Speech-language pathologist” means an individual who is licensed by the board
33 to practice speech-language pathology either in person or via telepractice.

34 ~~(19)~~(16) “Speech-language pathology” means ~~the activities defined in § 5-48-1 and in this~~

1 ~~section~~ the application of principles, methods, and procedures for prevention, identification,
2 evaluation, consultation, habilitation, rehabilitation, instruction, and research related to the
3 development and disorders of human communication. Disorders are defined to include any and all
4 conditions, whether of organic or non-organic origin, that impede the normal process of human
5 communication in individuals or groups of individuals who have or are suspected of having these
6 conditions including, but not limited to, disorders and related disorders of:

7 (i) Speech: articulation, fluency, voice (including respiration, phonation and resonance);

8 (ii) Language (involving the parameters of phonology, morphology, syntax, semantics, and
9 pragmatics; and including disorders of receptive and expressive communication in oral, written,
10 graphic, and manual modalities);

11 (iii) Oral, pharyngeal, laryngeal, cervical esophageal, and related functions (e.g.,
12 dysphasia, including disorders of swallowing and oral function for feeding; oro-facial
13 myofunctional disorders);

14 (iv) Cognitive aspects of communication (including communication disability and other
15 functional disabilities associated with cognitive impairment); and

16 (v) Social aspects of communication (including challenging behavior, ineffective social
17 skills, lack of communication opportunities).

18 ~~(20)~~(17) “Speech-language pathology assistant (SLPA) support personnel” means an
19 individual who meets minimum qualifications established by the board, which are less than those
20 established by ~~the act~~ this chapter as necessary for licensing as a speech-language pathologist; does
21 not act independently; and works under the direction and supervision of a speech-language
22 pathologist licensed under ~~the act~~ this chapter who has been actively working in the field for twenty-
23 four (24) months after completion of the postgraduate professional experience and who accepts the
24 responsibility for the acts and performances of the speech-language pathology assistant while
25 working under this chapter.

26 ~~(21)~~(18) “Telepractice” means the use of telecommunication technology to deliver speech-
27 language pathology and audiology services remotely. Other terms such as teleaudiology,
28 telespeech, and speech teletherapy are also used in addition to telepractice. Use of telepractice
29 should be of equal quality to services provided in person and consistent with adherence to the
30 American Speech-Language-Hearing Association (ASHA)’s Code of Ethics (ASHA, 2016a),
31 Scope of Practice in Audiology (ASHA, 2018), Scope of Practice in Speech-Language Pathology
32 (ASHA, 2016b), and Assistants Code of Conduct (ASHA, 2020) and as further provided in
33 regulation.

34 **5-48.2-4. License requirements.**

1 (a) No person shall practice as, advertise as, or use the title of speech-language pathologist
2 or audiologist in this state unless licensed in accordance with the provisions of ~~the act and~~ this
3 ~~section chapter~~. The provisions of ~~the act and~~ this ~~section chapter~~ shall not apply to ~~individuals~~
4 ~~specifically exempt from the provisions thereof by § 5-48-10~~ a qualified person licensed, registered,
5 certified, or credentialed in this state under any other law who is practicing the profession or
6 business for which they are licensed, registered, certified, or credentialed, in the setting for which
7 the licensure, registration, certification, or credential pertains and performs services within their
8 authorized scope of practice.

9 (b) This chapter specifically excludes those persons who commercially fit and sell hearing
10 aids; provided that, those persons do not receive a separate or additional fee for testing or
11 interpreting tests of hearing; and provided that, those persons do not represent themselves as
12 audiologists as defined in this chapter . This subsection does not preclude remuneration for any
13 other service offered solely in conjunction with the fitting or maintaining of hearing aids.

14 (c) No one shall be exempt under subsection (a) of this section for that portion of their time
15 spent as a private practitioner. If they perform any work as a speech-language pathologist or
16 audiologist for which a fee may be paid by the recipient of the service as part of a private practice
17 apart from their position with the government, a license must be held.

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

23 ~~(e)~~(d) Any person residing in and/or licensed in another state who provides telepractice
24 services in the area of speech-language pathology and audiology within the State of Rhode Island
25 regardless of their legal residence must be licensed in the state in accordance with the provisions
26 of ~~the act and~~ this chapter. The provisions of the act and this chapter shall not apply to individuals
27 specifically exempt from the provisions thereof by § ~~5-48-10~~ 5-48.2-4(b).

28 ~~**5-48.2-5. Qualifications for licensure**~~ **Qualifications for licensure as a speech**
29 **language pathologist.**

30 (a) ~~**Audiologists.** In addition to the requirements set forth in § 5-48-7.2, persons seeking~~
31 ~~initial licensure as an audiologist providing in-person or telepractice services shall meet the~~
32 ~~following requirements:~~

33 ~~(1) Submit an official transcript indicating possession of an earned doctorate degree in~~
34 ~~audiology from a regionally accredited educational institution or other national accrediting~~

1 ~~organization as may be approved by the board;~~

2 ~~(2) Pass a national examination in audiology approved by the board;~~

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

6 ~~(4) Applicants with a master's degree holding licensure from another state must present~~
7 ~~verification of a Certificate of Clinical Competence from the American Speech Language Hearing~~
8 ~~Association (ASHA) or other national accrediting association as may be approved by the board.~~

9 ~~(b) **Qualifications for audiologists licensed in alternate jurisdictions.** Persons licensed~~
10 ~~as an audiologist in alternate jurisdictions on or before January 1, 2008, shall meet the requirements~~
11 ~~of Rhode Island that were in effect at the time of initial licensure in the alternate jurisdiction.~~

12 ~~(c) **Speech language pathologists.** In addition to the requirements set forth in § 5-48-7, an~~
13 ~~applicant seeking licensure to practice as a speech language pathologist who provides in person or~~
14 ~~telepractice services in Rhode Island must have attained~~

15 Speech language pathologists.

16 To be eligible for licensure by the board as a speech-language pathologist the applicant
17 must:

18 (1) Be of good moral character;

19 (2) Apply to the department, upon a form prescribed by the department;

20 (3) Submit the appropriate application fee;

21 (4) Complete supervised clinical-practicum experiences from an educational institution or
22 its cooperating programs. The content of the practicum shall be in accordance with the current,
23 minimum requirement for the certificate of clinical competence issued by the American Speech-
24 Language-Hearing Association (ASHA) or other national accrediting association as may be
25 approved by the board delineated in the rules and regulations;

26 (5) Pass a national examination in speech-language pathology as required by ASHA or
27 other national accrediting association as may be approved by the board and delineated in the rules
28 and regulations;

29 (6) Present verification of a certificate of clinical competence from ASHA or other national
30 accrediting association as may be approved by the board;

31 (7) If applicable, present evidence from the board of speech-language pathology in each
32 state in which the applicant has held or holds licensure to be submitted to the board of this state,
33 attesting to the licensure status of the applicant during the time period the applicant held licensure
34 in the state; and

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

8 ~~(d) Qualifications for a provisional license for speech-language pathologists. To be~~
9 ~~eligible for provisional licensure by the department, the speech-language pathologist must submit~~
10 ~~an application with the required application fee and be in compliance with the requirements of this~~
11 ~~chapter and § 5-48-7.1.~~

12 **5-48.2-6. Issuance and renewal of license and fee.**

13 (a) The department shall issue a license as an audiologist or speech-language pathologist,
14 or renewal thereof, for a period of two (2) years. The license, unless sooner suspended or revoked,
15 shall expire on the first day of July, two (2) years following its issuance, and may be renewed
16 biennially (in even years); provided the applicant meets the requirements of this chapter.

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

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

26 (d)(1) Any licensee who allows their license to lapse by failing to renew it on or before the
27 thirtieth day of June of even years (biennially), may have the license ~~renewed~~ reinstated by
28 submitting to the department an application, ~~and~~ renewal fee plus an additional late fee as set forth
29 in ~~the fee structure for licensing, laboratory, and administrative services provided by the department~~
30 ~~of health.~~

31 ~~(2) Any person who allows their license to lapse longer than two (2) consecutive licensing~~
32 ~~periods may be reinstated by the department, upon the filing of:~~

33 ~~(i) A reinstatement application for licensure;~~

34 ~~(ii) Payment of the current licensure renewal fee plus an additional late fee as set forth in~~

1 ~~the fee structure for licensing, laboratory, and administrative services provided by the department~~
2 ~~of health; and~~

3 ~~(iii) Documentation of completion of continuing education units (CEUs) as required in this~~
4 ~~chapter taken during the previous two (2) years [§ 23-1-54](#), and documentation of completion of~~
5 ~~[continuing education units \(CEUs\) as required in this chapter taken during the previous two \(2\)](#)~~
6 ~~[years.](#)~~

7 (e) **Inactive status.**

8 (1) An individual licensed as a speech-language pathologist and/or audiologist in Rhode
9 Island, not in the active practice of speech-language pathology or audiology within Rhode Island
10 during any year, may upon request to the department have their name transferred to an inactive
11 status and shall not be required to register biennially or pay any fee as long as the individual remains
12 inactive.

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

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

19 (i) An application for licensure renewal with a licensure renewal fee as set forth in ~~the fee~~
20 ~~structure for licensing, laboratory, and administrative services provided by the department of health~~
21 ~~[§ 23-1-54](#)~~; and

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

23 ~~(f) [Any non-provisional, active license may be renewed by submission of the renewal](#)~~
24 ~~[application and renewal fee as set forth in regulations payable before July 1 of even years](#)~~
25 ~~[\(biennially\).](#)~~

26 **5-48.2-7. Denial, suspension, and revocation of license.**

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

30 ~~(1) [Fraudulently or deceptively obtained or attempted to obtain a license for the applicant,](#)~~
31 ~~[licensee, holder, or for another;](#)~~

32 ~~(2) [Fraudulently or deceptively used a license;](#)~~

33 ~~(3) [Altered a license;](#)~~

34 ~~(4) [Aided or abetted unlicensed practice;](#)~~

- 1 (5) Committed fraud and deceit in the practice of speech-language pathology or of
2 audiology including, but not limited to:
- 3 (i) Using or promoting, or causing the use of, any misleading, deceiving, or untruthful
4 advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia,
5 or any other representation;
- 6 (ii) Falsely representing the use or availability of services or advice of a physician;
7 (iii) Misrepresenting the applicant, licensee, or holder by using the word “doctor” or any
8 similar word, abbreviation, or symbol, if the use is not accurate or if the degree was not obtained
9 from an accredited institution;
- 10 (iv) Making or filing a false report or record in the practice of speech-language pathology
11 or audiology;
- 12 (v) Submitting a false statement to collect a fee; and
13 (vi) Obtaining a fee through fraud or misrepresentation;
- 14 (6) Providing services while mentally incompetent;
15 (7) Engaging in illegal, incompetent, or habitually negligent practice;
16 (8) Providing professional services while:
17 (i) Under the influence of alcohol; or
18 (ii) Using any narcotic or controlled dangerous substance or other drug that is in excess of
19 therapeutic amounts or without valid medical indication;
- 20 (9) Promoting the sale of devices, appliances, or products to a patient who cannot benefit
21 from these devices, appliances, or products;
- 22 (10) Violating any provision of this chapter, any lawful order given, or rule or regulation
23 adopted by the board or departure from or failure to conform to the current standards of acceptable
24 prevailing practice and code of ethics of speech-language pathology or audiology;
- 25 (11) Being convicted of, or pleading guilty or nolo contendere to, a felony, whether or not
26 any appeal or another proceeding is pending to have the conviction or plea set aside;
- 27 (12) Incompetent or negligent misconduct in the practice of speech-language pathology or
28 audiology;
- 29 (13) Is habitually intemperate or is addicted to the use of habit-forming drugs;
30 (14) Being disciplined by a licensing or disciplinary authority of any other state or country,
31 or convicted or disciplined by a court of any state or country, for an act that would be grounds for
32 disciplinary action under this section; or
- 33 (15) Failing to maintain continuing education requirements.
34 (+)(16) Violating any provision of ~~the act~~ this chapter, any lawful order given, or rule or

1 regulation adopted by the board or departure from or failure to conform to the current standards of
2 acceptable prevailing practice and code of ethics of speech-language pathology or audiology as
3 adopted by the board and as contained in the “American Speech-Language-Hearing Association
4 Code of Ethics” as incorporated in this chapter. The board need not establish actual injury to clients
5 in order to adjudge a speech-language pathologist or audiologist of the above-named conduct.

6 ~~(2)~~(b) The procedure for denial, revocation, or suspension of a license or discipline of a
7 licensee shall be as ~~that~~ set forth in ~~§ 5-48-13~~, §§ 5-48.2-7(b)(1) through 5-48.2-7(b)(8):

8 (1) Notice, in writing, of a contemplated revocation or suspension of a license, of this
9 particular cause, and of the date of a hearing, shall be sent by registered or certified mail to the
10 licensee at his or her last known address at least fifteen (15) days before the date of the hearing.

11 (2) The individual against whom a charge is filed has the right to appear before the board
12 in person or by counsel, or both; may produce witnesses and evidence on his or her behalf; and
13 may question witnesses.

14 (3) No license shall be revoked or suspended without a hearing, but the nonappearance of
15 the licensee, after notice, shall not prevent a hearing.

16 (4) All matters upon which the decision is based shall be introduced in evidence at the
17 proceeding.

18 (5) The licensee shall be notified, in writing, of the board’s decision.

19 (6) The board may make any rules and regulations that it deems proper for the filing of
20 charges and the conduct of hearings.

21 (7) After issuing an order of revocation or suspension, the board may also file a petition in
22 equity in the superior court in the county in which the respondent resides or transacts business, to
23 ensure appropriate injunctive relief to expedite and secure the enforcement of its order, pending the
24 final determination.

25 (8) An application for reinstatement may be made to the board, which may, upon the
26 affirmative vote of at least the majority of its members, grant a reinstatement.

27 **5-48.2-8. Support personnel.**

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

30 (1) Possess at minimum a:

31 (i) Two-year (2) speech-language pathology assistant program degree from an accredited
32 institution; or

33 (ii) Bachelor’s degree in communication sciences and disorders from an accredited
34 institution; or

1 (iii) Bachelor's degree and a certificate from a board approved speech-language pathology
2 assistant program; or

3 (iv) Associate's, bachelor's, or advanced degree from an accredited institution in a related
4 field to include, but not limited to, human development and family sciences, education, or
5 psychology and complete at least eighteen (18) credit hours in coursework in speech-language
6 pathology in the following areas: introductory or overview course in communication disorders,
7 phonetics, anatomy and physiology of speech and hearing mechanisms, language development,
8 speech and language disorders, and clinical methods in speech-language pathology.

9 (2) Complete:

10 (i) Twenty-five (25) hours of documented observation of a licensed speech-language
11 pathologist, which may be accomplished within an undergraduate program of study; and

12 (ii) One hundred (100) clinical hours under the supervision of a licensed speech-language
13 pathologist.

14 (b) Scope of practice of speech-language pathology assistants. A licensed speech-language
15 pathology assistant shall only engage in those duties that adhere to the code of ethics of the board
16 and are planned, designed, and supervised by a licensed speech-language pathologist, including:

17 (1) Developing low-tech augmentative and alternative communication materials for
18 students, patients, and clients;

19 (2) Assisting with speech, language, and hearing screenings without clinical interpretation
20 of results;

21 (3) Administering and scoring screenings for clinical interpretation by the supervising
22 speech-language pathologist;

23 (4) Assisting with, but not administering or interpreting the results of, client assessments,
24 including setting up the testing environment, gathering and preparing materials, and taking notes;

25 (5) Administering and scoring assessments and progress monitoring tools without clinical
26 interpretation of results, if the licensed speech-language pathology assistant meets the examiner
27 requirements for such tools and the supervising speech-language pathologist has verified that such
28 examiner requirements have been met;

29 (6) Performing routine activities for therapy sessions in accordance with a plan developed
30 and directed by the speech-language pathologist who retains the professional responsibility for such
31 client, including:

32 (i) Implementing documented care plans or protocols;

33 (ii) Providing direct therapy services to address treatment goals;

34 (iii) Adjusting and documenting the amount and type of support or scaffolding provided to

- 1 the client in treatment to facilitate progress; and
- 2 (iv) Developing and implementing activities and materials for teaching and practice of
- 3 skills to address the goals of the client;
- 4 (7) Providing treatment through a variety of service delivery models as directed by the
- 5 supervising speech-language pathologist;
- 6 (8) Utilizing telecommunications technology to provide services remotely to clients as
- 7 directed by the supervising speech-language pathologist;
- 8 (9) Documenting client performance and reporting such performance information to the
- 9 supervising speech-language pathologist;
- 10 (10) Providing caregiver coaching, including modeling and teaching communication
- 11 strategies and providing feedback regarding caregiver-client interactions for facilitation and
- 12 carryover of skills;
- 13 (11) Sharing objective information regarding client performance without interpretation or
- 14 recommendations as directed by the supervising speech-language pathologist;
- 15 (12) Assisting with programming augmentative and alternative communication devices
- 16 and assisting and training clients with using such devices;
- 17 (13) Demonstrating strategies and assisting clients with skills included in the feeding and
- 18 swallowing plan developed by the supervising speech-language pathologist;
- 19 (14) Signing or initialing informal treatment notes and, upon request, co-signing formal
- 20 documents with the supervising speech-language pathologist;
- 21 (15) Assisting with clerical duties and site operations, including preparing materials,
- 22 scheduling appointments and activities, preparing charts, records, or graphs, and performing checks
- 23 and maintenance of equipment;
- 24 (16) Assisting clients with transitioning to and from therapy sessions; and
- 25 (17) Performing duties not otherwise restricted to the practice of speech-language
- 26 pathology.
- 27 (c) A speech-language pathologist assistant shall not hold themselves out to be, or use the
- 28 title speech-language pathology assistant unless licensed pursuant to this chapter and shall not
- 29 engage in the practice of speech-language pathology, including the following:
- 30 (1) Representing themselves as a speech-language pathologist;
- 31 (2) Performing diagnostic tests or evaluations;
- 32 (3) Performing procedures that require a professional level of clinical judgment and
- 33 technical skill;
- 34 (4) Interpreting results and observations of feeding and swallowing evaluations or

- 1 screenings performed by a speech-language pathologist;
- 2 (5) Participating in formal conferences or meetings without the presence of the supervising
3 speech-language pathologist;
- 4 (6) Providing interpretative information to a client, the family of a client, or any other
5 individual;
- 6 (7) Writing, developing, or modifying a client's treatment plan;
- 7 (8) Assisting in or providing services described in subsection (a) of this section unless
8 directed by the supervising speech-language pathologist;
- 9 (9) Signing any formal documents in place of the supervising speech-language pathologist;
- 10 (10) Selecting a client for service or discharging a client from service;
- 11 (11) Making a decision regarding the need for additional services or making a referral for
12 service;
- 13 (12) Disclosing clinical or confidential information either orally or in writing to anyone
14 other than the supervising speech-language pathologist, unless mandated by law or authorized by
15 the supervising speech-language pathologist;
- 16 (13) Developing or determining the swallowing or feeding strategies or precautions for a
17 client or providing feeding or swallowing treatment;
- 18 (14) Selecting augmentative and alternative communication systems or devices; or
- 19 (15) Treating medically fragile students, patients, and clients without one hundred percent
20 (100%) direct supervision by a licensed speech-language pathologist.

21 (d) A speech-language pathology assistant (SLPA) shall be licensed at the department and
22 be required to renew their license every two (2) years.

23 (e) Support personnel for audiologists (audiometric aide) or audiology assistants must meet
24 the following requirements:

- 25 (1) Hold a high school diploma;
- 26 (2) Receive intensive on-the-job training in accordance with the American Speech-
27 Language-Hearing Association (ASHA) or American Academy of Audiology (AAA) guidelines
28 for support personnel by the supervising licensed audiologist prior to providing services. Any
29 subsequent supervising licensed audiologist may require retraining of an audiometric aide or
30 audiology assistant under the supervising licensed audiologist's supervision.

31 (3) Audiometric aides or audiology assistants shall be ~~registered~~ [licensed](#) at the department
32 and be required to ~~re-register~~ [renew the license](#) every two (2) years.

33 **5-48.2-13. Rules governing practices and procedures.**

34 All hearings and reviews required under the provisions of ~~the act~~ [this chapter](#) shall be held

1 in accordance with the provisions of the rules and regulations regarding practices and procedures
2 before the department of health.

3 SECTION 3. Chapter 5-48.2 of the General Laws entitled "Professional Licensing and
4 Regulation of Speech-Language Pathologists and Audiologists" is hereby amended by adding
5 thereto the following sections:

6 **5-48.2-3.1. Board of examiners -- Composition -- Appointments, terms, and**
7 **qualifications of members.**

8 (a) There exists within the department of health a board of examiners of speech-language
9 pathology and audiology. The board shall consist of five (5) persons who are residents of the state
10 and who have worked within the state for at least one year prior to their appointments.

11 (1) Two (2) members shall be speech-language pathologists who have practiced speech-
12 language pathology for at least five (5) years preceding appointment, are currently practicing
13 speech-language pathology, and hold active and valid licensure for the practice of speech-language
14 pathology in this state.

15 (2) One member shall be an audiologist who has practiced audiology for at least five (5)
16 years immediately preceding appointment, is currently practicing audiology, and holds active and
17 valid licensure for the practice of audiology in this state.

18 (3) One member shall be an otolaryngologist who holds certification by the American
19 Academy of Otolaryngology -- head and neck surgery, who is currently practicing otolaryngology,
20 and holds active and valid licensure as a physician within this state.

21 (4) One member shall be a representative of the consumer public who is not associated
22 with or financially interested in the practice or business of speech-language pathology or audiology.

23 (b) All appointments to the board shall be for the term of three (3) years. Members shall
24 serve until the expiration of the term for which they have been appointed or until their appointed
25 successors are qualified.

26 (c) When a vacancy upon the board occurs, the director of the department of health shall,
27 with the approval of the governor, appoint persons who are working within the state to fill the
28 remainder of the vacant term.

29 (d) The board shall reorganize annually during the month of January and shall select a
30 chairperson.

31 (e) A majority of currently filled positions shall constitute a quorum to do business.

32 (f) No person shall be appointed to serve more than two (2) consecutive terms.

33 (g) The first board and all future members shall be appointed by the director of the
34 department of health, with the approval of the governor.

1 (h) The director of the department of health, with the approval of the governor, may remove
2 any member of the board for dishonorable conduct, incompetency, or neglect of duty.

3 **5-48.2-3.2. Board of examiners -- Duties and powers -- Meetings -- Compensation of**
4 **members.**

5 (a) The board shall administer, coordinate, and enforce the provisions of this chapter;
6 evaluate the qualifications of applicants; and may issue subpoenas, examine witnesses, and
7 administer oaths, conduct hearings, and at its discretion investigate allegations of violations of this
8 chapter and impose penalties if any violations of the chapter have occurred.

9 (b) The board shall conduct hearings and keep records and minutes as necessary to an
10 orderly dispatch of business.

11 (c) The board shall, with the approval of the director of the department of health, adopt,
12 amend, or repeal rules and regulations including, but not limited to, regulations that delineate
13 qualifications for licensure and establish standards of professional conduct. Following their
14 adoption, the rules and regulations shall govern and control the professional conduct of every
15 person who holds a license to practice speech-language pathology or audiology in this state.

16 (d) The board shall make available complete lists of the names and addresses of all licensed
17 speech-language pathologists and audiologists.

18 (e) The board may request legal advice and assistance from the appropriate state legal
19 officer.

20 (f) Regular meetings of the board shall be held at the times and places that it prescribes,
21 and special meetings may be held upon the call of the chairperson; provided that, at least one regular
22 meeting shall be held each year.

23 (g) The conferral or enumeration of specific powers in this chapter shall not be construed
24 as a limitation of the general powers conferred by this section. No member of the board shall be
25 liable to civil action for any act performed in good faith in the performance of his or her duties as
26 prescribed by this chapter.

27 (h) Board members shall serve without compensation.

28 (i) The board may deny, revoke, or suspend licenses or discipline licensees in accordance
29 with the provisions of this chapter subject to the approval of the director.

30 **5-48.2-14. Qualifications for provisional licensure.**

31 (a) To be eligible for provisional licensure by the board, the speech-language pathologist
32 applicant must submit an application with the required application fee and be in compliance with
33 the requirements of §§ 5-48.2-5(a)(1), 5-48.2-5(a)(4), 5-48.2-5(a)(5), and 5-48.2-5(a)(8).

34 (b) In addition to the requirements of subsection (a) of this section, content of the

1 supervised postgraduate professional experience shall meet the standards of a trainee or fellow of
2 speech pathology as required by the American Speech-Language-Hearing Association (ASHA) or
3 other national accrediting association as may be approved by the board.

4 (c) If the postgraduate professional experience extends beyond one year, provisional
5 licensure must be renewed annually and not exceed thirty-six (36) months past the initiation of the
6 professional experience.

7 (d) The provisional licensure shall expire ninety (90) days after the end of the postgraduate
8 professional experience.

9 **5-48.2-15. Qualifications for licensure as an audiologist.**

10 Persons seeking initial licensure as an audiologist on or after January 1, 2008, shall meet
11 the following requirements:

12 (1) Be of good moral character;

13 (2) Apply to the board, upon a form prescribed by the board;

14 (3) Submit the appropriate application fee;

15 (4) Submit an official transcript indicating possession of an earned doctorate degree in
16 audiology from a regionally accredited educational institution as delineated in the rules and
17 regulations;

18 (5) Pass a national examination in audiology approved by the board and delineated in the
19 rules and regulations;

20 (6) Present evidence of practicum experience that is equivalent to a minimum of twelve
21 (12) months of full-time, supervised experience, that may be completed as part of the graduate
22 degree, as delineated in the rules and regulations;

23 (7) If applicable, present evidence from the board of audiology in each state in which the
24 applicant has held or holds licensure to be submitted to the board of this state, attesting to the
25 licensure status of the applicant during the time period the applicant held licensure in the state;

26 (8) Any other requirements as set forth in the rules and regulations.

27 (9) Applicants with a master's degree holding licensure from another state must present
28 verification of a Certificate of Clinical Competence from the American Academy of Audiology
29 (AAA) or other national accrediting association as may be approved by the board.

30 (10) Qualifications for audiologists licensed in alternate jurisdictions. Persons licensed as
31 an audiologist in alternate jurisdictions on or before January 1, 2008, shall meet the requirements
32 of Rhode Island that were in effect at the time of initial licensure in the alternate jurisdiction.

33 **5-48.2-16. Receipts.**

34 The proceeds of any fees collected pursuant to the provisions of this chapter shall be

1 [deposited as general revenues.](#)

2 SECTION 4. Section 5-48.2-2 of the General Laws in Chapter 5-48.2 entitled "Professional
3 Licensing and Regulation of Speech-Language Pathologists and Audiologists" is hereby repealed.

4 **5-48.2-2. Incorporated materials.**

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

9 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- SPEECH-LANGUAGE PATHOLOGY
AND AUDIOLOGY

1 This act would repeal the older of the two existing chapters related to speech-language
2 pathologists and audiologists and would make several amendments to reconcile the two statutes
3 into one.

4 This act would take effect upon passage.

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LC005260
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