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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- NURSES

Introduced By: Representative Susan R. Donovan

Date Introduced: February 26, 2025

Referred To: House Health & Human Services

(Dept. of Health)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-34-31 of the General Laws in Chapter 5-34 entitled "Nurses" is
2 hereby amended to read as follows:

3 **5-34-31. Practices and persons exempt.**

4 No provisions of this chapter shall be construed as prohibiting:

5 (1) Gratuitous nursing by friends or members of the family or as prohibiting the care of the
6 sick by domestic servants, housekeepers, nursemaids, companions, or household aides of any type,
7 whether employed regularly or because of an emergency of illness, provided that person is
8 employed primarily in a domestic capacity and does not hold themselves out or accept employment
9 as a person licensed to practice nursing for hire under the provisions of this chapter or as prohibiting
10 nursing assistants in the case of any emergency;

11 (2) The practice of nursing by students enrolled in approved educational programs of
12 professional nursing or practical-nursing educational programs ~~nor by graduates of those schools~~
13 ~~or courses before taking and receiving results of the National Council Licensure Examination~~
14 ~~(NCLEX), provided that they are licensed in this state within ninety (90) days from the date on the~~
15 ~~department's licensing application fee receipt, in accordance with regulations prescribed by the~~
16 ~~board;~~

17 (3) The supervised practice of nursing by graduates of approved educational programs of
18 professional nursing or practical-nursing educational programs before taking and receiving results
19 of the National Council Licensure Examination (NCLEX); provided that, they are licensed in this

1 state within ninety (90) days of graduation. This temporary privilege will not be renewed and will
2 automatically cease upon notification that the graduate nurse has failed the NCLEX;

3 ~~(3)~~(4) The practice of nursing in this state by any legally qualified nurse of another state
4 whose engagement requires him or her to accompany and care for a patient temporarily residing in
5 this state during the period of this engagement not to exceed six (6) months in length, provided that
6 person does not represent or hold themselves out as a nurse licensed to practice in this state;

7 ~~(4)~~(5) The practice of any legally qualified nurse of another state who is employed by the
8 United States government or any bureau, division, or agency of the government while in the
9 discharge of their official duties;

10 ~~(5)~~(6) Persons employed in state and licensed healthcare facilities, licensed homes for the
11 aged and/or convalescent persons, and recognized public-health agencies from assisting in the
12 nursing care of patients if adequate medical or nursing supervision is provided;

13 ~~(6)~~(7) Nursing care of the sick with or without compensation or personal profit when done
14 in connection with the practice of the religious tenets of any recognized or established church by
15 adherents as long as they do not engage in the practice of nursing as defined in this chapter;

16 ~~(7)~~(8) Persons who provide acceptable evidence of being currently licensed by examination
17 or endorsement under the laws of other states of the United States and the District of Columbia
18 from practicing nursing in this state for a period of ninety (90) days from the date on the application
19 fee receipt, provided that they are licensed in this state within ninety (90) days from the date on the
20 application fee receipt. The original privilege to work ninety (90) days from the date on the
21 application fee receipt shall not be extended or renewed.

22 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, 5-48.2-9
23 and 5-48.2-13 of the General Laws in Chapter 5-48.2 entitled "Professional Licensing and
24 Regulation of Speech-Language Pathologists and Audiologists" are hereby amended to read as
25 follows:

26 **5-48.2-3. Definitions.**

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

29 (1) "Accredited/approved" means that an institution/program holds regional accreditation
30 from one of six (6) regional accrediting bodies: Middle States Association of Colleges and Schools,
31 New England Association of Schools and Colleges, North Central Association of Colleges and
32 Schools, Northwest Association of Schools and Colleges, Southern Association of Colleges and
33 Schools, and Western Association of Schools and Colleges.

34 (2) ~~"Act" means chapter 48 of this title entitled, "speech language pathology and~~

1 ~~audiology,” as well as the provisions of this chapter, where the context so indicates.~~

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

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

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

18 (6) “Board” means the state board of examiners of speech-language pathology and
19 audiology established pursuant to § 5-48-2.

20 ~~(7) “Clinical fellow” means the person who is practicing speech language pathology under
21 the supervision of a licensed speech language pathologist while completing the postgraduate
22 professional experience as required by the act and who holds a current provisional license in
23 accordance with the requirements described in this chapter.~~

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

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

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

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

34 (12) “Newborn hearing screener” means an audiometric aide or audiology assistant

1 working in a hospital-based newborn hearing screening program under the direction of the
2 department of health newborn hearing screening program, or its appointee.

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

5 (14) "The practice of audiology" means ~~an audiologist rendering or offering to render any~~
6 ~~service in audiology either in person or via telepractice as defined in § 5-48-1 and in this section~~
7 rendering or offering to render any service in audiology, including prevention, screening, and
8 identification, evaluation, habilitation, rehabilitation; participating in environmental and
9 occupational hearing-conservation programs, and habilitation and rehabilitation programs
10 including hearing aid and assistive-listening-device evaluation, prescription, preparation,
11 dispensing, and/or selling and orientation; auditory training and speech reading; conducting and
12 interpreting tests of vestibular function and nystagmus; conducting and interpreting
13 electrophysiological measures of the auditory pathway; cerumen management; evaluating sound
14 environment and equipment; calibrating instruments used in testing and supplementing auditory
15 function; and planning, directing, conducting, or supervising programs that render or offer to render
16 any service in audiology.

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

20 (ii) A practice is deemed to be the "practice of audiology" if services are offered under any
21 title incorporating such word as "audiology," "audiologist," "audiometry," "audiometrist,"
22 "audiological," "audiometrics," "hearing therapy," "hearing therapist," "hearing clinic," "hearing
23 clinician," "hearing conservation," "hearing conservationist," "hearing center," "hearing aid
24 audiologist," or any similar title or description of services.

25 (15) "The practice of speech-language pathology" means rendering or offering to render
26 any service in speech-language pathology ~~either in person or via telepractice as defined in this~~
27 ~~section~~ including prevention, identification, evaluation, consultation, habilitation, rehabilitation;
28 determining the need for augmentative communication systems, dispensing and selling these
29 systems, and providing training in the use of these systems; and planning, directing, conducting, or
30 supervising programs that render or offer to render any service in speech-language pathology.

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

1 (ii) The practice of speech-language pathology also may include aural rehabilitation, which
2 for purposes of this subsection, means services and procedures for facilitating adequate receptive
3 and expressive communication in individuals with hearing impairment.

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

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

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

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

19 (19) “Speech-language pathology” means ~~the activities defined in § 5-48-1 and in this~~
20 ~~section~~ the application of principles, methods, and procedures for prevention, identification,
21 evaluation, consultation, habilitation, rehabilitation, instruction, and research related to the
22 development and disorders of human communication. Disorders are defined to include any and all
23 conditions, whether of organic or non-organic origin, that impede the normal process of human
24 communication in individuals or groups of individuals who have or are suspected of having these
25 conditions, including, but not limited to, disorders and related disorders of:

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

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

30 (iii) Oral, pharyngeal, laryngeal, cervical esophageal, and related functions (such as
31 dysphasia, including disorders of swallowing and oral function for feeding; oro-facial
32 myofunctional disorders);

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

1 [\(v\) Social aspects of communication \(including challenging behavior, ineffective social](#)
2 [skills, and lack of communication opportunities\).](#)

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

11 (21) “Telepractice” means the use of telecommunication technology to deliver speech-
12 language pathology and audiology services remotely. Other terms such as teleaudiology,
13 telespeech, and speech teletherapy are also used in addition to telepractice. Use of telepractice
14 should be of equal quality to services provided in person and consistent with adherence to the
15 American Speech-Language-Hearing Association (ASHA)’s Code of Ethics (ASHA, 2016a),
16 Scope of Practice in Audiology (ASHA, 2018), Scope of Practice in Speech-Language Pathology
17 (ASHA, 2016b), and Assistants Code of Conduct (ASHA, 2020), [and as further provided in](#)
18 [regulation.](#)

19 **5-48.2-4. License requirements.**

20 (a) No person shall practice as, advertise as, or use the title of speech-language pathologist
21 or audiologist [in this state](#) unless licensed in accordance with the provisions of ~~the act and~~
22 ~~section~~ [chapter](#). The provisions of ~~the act and~~ this ~~section~~ [chapter](#) shall not apply to ~~individuals~~
23 ~~specifically exempt from the provisions thereof by § 5-48-10.;~~

24 [\(1\) A qualified person licensed, registered, certified, or credentialed in this state under any](#)
25 [other law who is practicing the profession or business for which they are licensed, registered,](#)
26 [certified, or credentialed, in the setting for which the licensure, registration, certification, or](#)
27 [credential pertains and performs services within their authorized scope of practice;](#)

28 [\(2\) This chapter specifically excludes those persons who commercially fit and sell hearing](#)
29 [aids; provided that, those persons do not receive a separate or additional fee for testing or](#)
30 [interpreting tests of hearing; and provided that, those persons do not represent themselves as](#)
31 [audiologists as defined in this chapter. This subsection does not preclude remuneration for any](#)
32 [other service offered solely in conjunction with the fitting or maintaining of a hearing aid; and](#)

33 [\(3\) No one shall be exempt under subsection \(a\)\(1\) of this section for that portion of their](#)
34 [time spent as a private practitioner. If they perform any work as a speech-language pathologist or](#)

1 [audiologist for which a fee may be paid by the recipient of the service as part of a private practice](#)
2 [apart from their position with the government, a license must be held.](#)

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

8 (c) Any person residing in and/or licensed in another state who provides telepractice
9 services in the area of speech-language pathology and audiology within the State of Rhode Island
10 regardless of their legal residence must be licensed in the state in accordance with the provisions
11 of ~~the act and~~ this chapter. The provisions of ~~the act and~~ this chapter shall not apply to individuals
12 specifically exempt from the provisions thereof by ~~§ 5-48-10~~ [§ 5-48.2-6\(a\)\(2\)](#).

13 **5-48.2-5. Qualifications for licensure** **Qualifications for licensure as a speech-language**
14 **pathologist.**

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

18 ~~(1) Submit an official transcript indicating possession of an earned doctorate degree in~~
19 ~~audiology from a regionally accredited educational institution or other national accrediting~~
20 ~~organization as may be approved by the board;~~

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

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

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

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

31 ~~(c) **Speech-language pathologists.** In addition to the requirements set forth in § 5-48-7, an~~
32 ~~applicant seeking licensure to practice as a speech-language pathologist who provides in-person or~~
33 ~~telepractice services in Rhode Island must have attained [To be eligible for licensure by the board](#)~~
34 ~~[as a speech-language pathologist the applicant must:](#)~~

- 1 (1) Be of good moral character;
- 2 (2) Apply to the department, upon a form prescribed by the department;
- 3 (3) Submit the appropriate application fee;
- 4 (4) Complete supervised clinical-practicum experiences from an educational institution or
5 its cooperating programs. The content of the practicum shall be in accordance with the current,
6 minimum requirements for the certificate of clinical competence issued by the American Speech-
7 Language-Hearing Association (ASHA) or other national accrediting association as may be
8 approved by the board and delineated in the rules and regulations;
- 9 (5) Pass a national examination in speech-language pathology as required by the American
10 Speech-Language-Hearing Association (ASHA) or other national accrediting association as may
11 be approved by the board and delineated in the rules and regulations;
- 12 (6) Present verification of a certificate of clinical competence from the American Speech-
13 Language-Hearing Association (ASHA) or other national accrediting association as may be
14 approved by the board; and
- 15 (7) If applicable, present evidence from the board of speech-language pathology in each
16 state in which the applicant has held or holds licensure to be submitted to the board of this state,
17 attesting to the licensure status of the applicant during the time period the applicant held licensure
18 in the state.

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

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

30 **5-48.2-6. Issuance and renewal of license and fee.**

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

1 statutory provisions of the act. The licensee must maintain their certificate of clinical competence
2 in their practicing area (speech-language pathology or audiology) in order to renew their license.

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

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

12 (d)(1) Any licensee who allows their license to lapse by failing to renew it on or before the
13 thirtieth day of June of even years (biennially), may have the license ~~renewed~~ reinstated by
14 submitting to the department an application, ~~and~~ renewal fee plus an additional late fee as set forth
15 in ~~the fee structure for licensing, laboratory, and administrative services provided by the department~~
16 ~~of health~~ § 23-1-54, and documentation of completion of continuing education units (CEUs) as
17 required in this chapter taken during the previous two (2) years.

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

20 (i) A reinstatement application for licensure;

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

24 (iii) Documentation of completion of continuing education units (CEUs) as required in this
25 chapter taken during the previous two (2) years.

26 (e) **Inactive status.**

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

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

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

4 (i) An application for licensure renewal with a licensure renewal fee as set forth in ~~the fee~~
5 ~~structure for licensing, laboratory, and administrative services provided by the department of health~~
6 § 23-1-54; and

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

8 (f) Any non-provisional, active license may be renewed biennially by submission of the
9 renewal application and renewal fee as set forth in regulations payable before July 1 of even years.

10 **5-48.2-7. Denial, suspension, and revocation of license.**

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

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

16 (2) Fraudulently or deceptively used a license;

17 (3) Altered a license;

18 (4) Aided or abetted unlicensed practice;

19 (5) Committed fraud and deceit in the practice of speech-language pathology or of
20 audiology including, but not limited to:

21 (i) Using or promoting, or causing the use of, any misleading, deceiving, or untruthful
22 advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia,
23 or any other representation;

24 (ii) Falsely representing the use or availability of services or advice of a physician;

25 (iii) Misrepresenting the applicant, licensee, or holder by using the word “doctor” or any
26 similar word, abbreviation, or symbol, if the use is not accurate or if the degree was not obtained
27 from an accredited institution;

28 (iv) Making or filing a false report or record in the practice of speech-language pathology
29 or audiology;

30 (v) Submitting a false statement to collect a fee; and

31 (vi) Obtaining a fee through fraud or misrepresentation;

32 (6) Providing services while mentally incompetent;

33 (7) Engaging in illegal, incompetent, or habitually negligent practice;

34 (8) Providing professional services while:

- 1 (i) Under the influence of alcohol; or
- 2 (ii) Using any narcotic or controlled dangerous substance or other drug that is in excess of
3 therapeutic amounts or without valid medical indication;
- 4 (9) Promoting the sale of devices, appliances, or products to a patient who cannot benefit
5 from these devices, appliances, or products;
- 6 (10) Violating any provision of this chapter, any lawful order given, or rule or regulation
7 adopted by the board or departure from or failure to conform to the current standards of acceptable
8 prevailing practice and code of ethics of speech-language pathology or audiology;
- 9 (11) Being convicted of, or pleading guilty or nolo contendere to, a felony, whether or not
10 any appeal or another proceeding is pending to have the conviction or plea set aside;
- 11 (12) Incompetent or negligent misconduct in the practice of speech-language pathology or
12 audiology;
- 13 (13) Is habitually intemperate or is addicted to the use of habit-forming drugs;
- 14 (14) Being disciplined by a licensing or disciplinary authority of any other state or country,
15 or convicted or disciplined by a court of any state or country, for an act that would be grounds for
16 disciplinary action under this section; or
- 17 (15) Failing to maintain continuing education requirements.
- 18 ~~(16)~~ (16) Violating any provision of ~~the act~~ this chapter, any lawful order given, or rule or
19 regulation adopted by the board or departure from or failure to conform to the current standards of
20 acceptable prevailing practice and code of ethics of speech-language pathology or audiology as
21 adopted by the board and as contained in the “American Speech-Language-Hearing Association
22 Code of Ethics” as incorporated in this chapter. The board need not establish actual injury to clients
23 in order to adjudge a speech-language pathologist or audiologist of the above-named conduct.
- 24 ~~(b)~~ (b) The procedure for denial, revocation, or suspension of a license or discipline of a
25 licensee shall be as that set forth in ~~§ 5-48-13~~, § 5-48.2-11(b)(1) through (8):
- 26 (1) Notice, in writing, of a contemplated revocation or suspension of a license, of this
27 particular cause, and of the date of a hearing, shall be sent by registered or certified mail to the
28 licensee at his or her last known address at least fifteen (15) days before the date of the hearing.
- 29 (2) The individual against whom a charge is filed has the right to appear before the board
30 in person or by counsel, or both; may produce witnesses and evidence on their behalf; and may
31 question witnesses.
- 32 (3) No license shall be revoked or suspended without a hearing, but the nonappearance of
33 the licensee, after notice, shall not prevent a hearing.
- 34 (4) All matters upon which the decision is based shall be introduced in evidence at the

1 [proceeding.](#)

2 [\(5\) The licensee shall be notified, in writing, of the board's decision.](#)

3 [\(6\) The board may make any rules and regulations that it deems proper for the filing of](#)
4 [charges and the conduct of hearings.](#)

5 [\(7\) After issuing an order of revocation or suspension, the board may also file a petition in](#)
6 [equity in the superior court in a county in which the respondent resides or transacts business, to](#)
7 [ensure appropriate injunctive relief to expedite and secure the enforcement of its order, pending the](#)
8 [final determination.](#)

9 [\(8\) An application for reinstatement may be made to the board, which may, upon the](#)
10 [affirmative vote of at least the majority of its members, grant a reinstatement.](#)

11 **5-48.2-8. Support personnel.**

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

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

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

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

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

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

23 (2) A speech-language pathology assistant (SLPA) shall be ~~registered~~ [licensed](#) at the
24 department and be required to ~~re-register~~ [renew the license](#) every two (2) years.

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

27 (1) Hold a high school diploma;

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

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

1 **5-48.2-9. Supervision and responsibility.**

2 (a)(1) A supervising professional must be a speech-language pathologist or audiologist who
3 is licensed under ~~the act and~~ this chapter; has attained and maintained their certificate of clinical
4 competency and who has been actively working in the field for twenty-four (24) months after
5 completion of the postgraduate professional experience; and must be responsible for the acts and
6 performances, patient screening, and specific tasks assigned by the licensee to the speech-language
7 pathology assistant (SLPA)/audiometric aide or audiology assistant.

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

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

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

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

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

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

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

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

29 **5-48.2-13. Rules governing practices and procedures.**

30 All hearings and reviews required under the provisions of ~~the act~~ [this chapter](#) shall be held
31 in accordance with the provisions of the rules and regulations regarding practices and procedures
32 before the department of health.

33 SECTION 3. Chapter 5-48.2 of the General Laws entitled "Professional Licensing and
34 Regulation of Speech-Language Pathologists and Audiologists" is hereby amended by adding

1 thereto the following sections:

2 **5-48.2-14. Board of examiners -- Composition -- Appointments, terms, and**
3 **qualifications of members.**

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

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

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

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

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

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

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

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

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

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

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

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

33 **5-48.2-15. Board of examiners -- Duties and powers -- Meetings -- Compensation of**
34 **members.**

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

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

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

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

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

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

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

23 (h) Board members shall serve without compensation.

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

26 **5-48.2-16. Receipts.**

27 The proceeds of any fees collected pursuant to the provisions of this chapter shall be
28 deposited as general revenues.

29 **5-48.2-17. Qualifications for provisional licensure.**

30 (a) To be eligible for provisional licensure by the board, the speech-language pathologist
31 applicant must submit an application with the required application fee and be in compliance with
32 the requirements of § 5-48.2-7(a)(1), (4), (5), and (8).

33 (b) In addition to the requirements of subsection (a) of this section, content of the
34 supervised postgraduate professional experience shall meet the standards of a trainee or fellow of

1 speech pathology as required by the American Speech-Language-Hearing Association (ASHA) or
2 other national accrediting association as may be approved by the board.

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

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

8 **5-48.2-18. Qualifications for licensure as an audiologist.**

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

11 (1) Be of good moral character;

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

13 (3) Submit the appropriate application fee;

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

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

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

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

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

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

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

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

34 **5-48.2-2. Incorporated materials.**

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

5 SECTION 5. Section 5-95-9 of the General Laws in Chapter 5-95 entitled "Licensing of
6 Massage Therapists" is hereby amended to read as follows:

7 **5-95-9. Licensing — Qualifications for licensure (initial and endorsement); Issuance**
8 **or denial of license.**

9 (a) Every person desiring to begin the practice of massage therapy, except persons with
10 special provisions as provided in this chapter, shall present satisfactory evidence to the division of
11 professional regulation of the department that the person:

12 (1) Is over eighteen (18) years of age;

13 (2) Has submitted to a national criminal background check in accordance with this chapter;

14 (3) Effective January 1, 2025:

15 (i) For an applicant for licensure pursuing a first massage therapist license:

16 Has successfully completed an approved massage therapy education program, meeting the
17 minimum requirements established by the board, including at least eight hundred (800) hours of
18 supervised in-class, hands-on coursework and clinical work, ~~and~~ has successfully completed an
19 approved massage therapy education program, meeting the minimum requirements established by
20 the board including at least six hundred fifty (650) hours of supervised in-class, hands-on
21 coursework and clinical work prior to December 31, ~~2024~~ 2025;

22 (ii) For an applicant for licensure by endorsement, holding a massage therapist license in
23 another state:

24 Has successfully completed a massage therapy education program that meets the approved
25 massage therapy education program definition in § 5-95-3, including eight hundred (800) hours of
26 supervised in-class, hands-on coursework and clinical work or its equivalent.

27 (iii) Hour equivalents may be granted in the following manner:

28 (A) Each fifty (50) to sixty (60) minutes obtained from a course of study in massage therapy
29 equals one hour;

30 (B) Each one semester credit hour of massage therapy-related college/university study
31 equals fifteen (15) hours;

32 (C) Each year of full-time practice as a massage therapist equals one hundred (100) hours;

33 (D) Up to one hundred (100) hours may be granted for completion of continuing education
34 programs related to the massage therapy scope of practice described in § 5-95-4; and

1 (4) Has successfully completed an examination approved by the board. Any examination
2 approved by the board must meet generally recognized standards including development through
3 the use of a job-task analysis and must meet appropriate psychometric standards.

4 (b) The department may grant a license to any applicant who has satisfied the requirements
5 of subsection (a) of this section, has completed all appropriate forms, paid all appropriate fees, and
6 has met substantially equivalent standards in obtaining a valid license, permit, certificate, or
7 registration issued by any other state or territory of the United States or by a foreign country.

8 (c) The department shall, within sixty (60) days from the time any application for a license
9 is received, grant the application and issue a license to practice massage therapy for the remaining
10 two-year (2) cycle from that date if the department is satisfied that the applicant complies with the
11 rules and regulations promulgated in accordance with this chapter. An applicant, whose national
12 criminal background check reveals a conviction for any sexual offense, including, but not limited
13 to, those offenses defined in chapters 34 and 37 of title 11, shall be denied a license under this
14 chapter.

15 (d) The fee for original application for licensure as a massage therapist and the fee for
16 annual license renewal every two (2) years shall be determined by the department.

17 (e) Any person applying for a license under this chapter shall undergo a national criminal
18 background check. Such persons shall apply to the bureau of criminal identification of the state
19 police or local police department for a national criminal background check. Fingerprinting shall be
20 required. Upon the discovery of any disqualifying information as defined in subsection (f) of this
21 section, the bureau of criminal identification of the state police or the local police department shall
22 inform the applicant, in writing, of the nature of the disqualifying information and, without
23 disclosing the nature of the disqualifying information, shall notify the board, in writing, that
24 disqualifying information has been found. In those situations in which no disqualifying information
25 has been found, the bureau of criminal identification shall inform the applicant and the board in
26 writing of this fact. An applicant against whom disqualifying information has been found may
27 request that a copy of the national criminal background report be sent to the board, which shall
28 make a judgment regarding the licensure of the applicant. The applicant shall be responsible for
29 payment of the costs of the national criminal background check.

30 (f) "Disqualifying information" means those offenses, including, but not limited to, those
31 defined in chapters 34, 34.1, and 37 of title 11, and § 23-17-37.

32 (g) Notwithstanding the provisions of this section, any city or town may, by ordinance,
33 regulate the opening, the presence, the location, and the operation of any bodyworks business or
34 any business providing bodyworks services. Provided, however, no ordinance may impose

1 additional qualifications beyond those adopted by the department pursuant to this chapter
2 respecting national criminal background checks for persons applying for a license.

3 SECTION 6. Chapter 5-48 of the General Laws entitled "Speech-Language Pathology and
4 Audiology" is hereby repealed in its entirety.

5 ~~CHAPTER 5-48~~

6 ~~Speech-Language Pathology and Audiology~~

7 ~~**5-48-1. Purpose and legislative intent — Definitions.**~~

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

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

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

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

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

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

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

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

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

31 ~~(8)(i) "Practice of audiology" means rendering or offering to render any service in~~
32 ~~audiology, including prevention, screening, and identification, evaluation, habilitation,~~
33 ~~rehabilitation; participating in environmental and occupational hearing conservation programs, and~~
34 ~~habilitation and rehabilitation programs including hearing aid and assistive listening device~~

1 ~~evaluation, prescription, preparation, dispensing, and/or selling and orientation; auditory training~~
2 ~~and speech reading; conducting and interpreting tests of vestibular function and nystagmus;~~
3 ~~conducting and interpreting electrophysiological measures of the auditory pathway; cerumen~~
4 ~~management; evaluating sound environment and equipment; calibrating instruments used in testing~~
5 ~~and supplementing auditory function; and planning, directing, conducting, or supervising programs~~
6 ~~that render or offer to render any service in audiology.~~

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

10 (iii) ~~A practice is deemed to be the “practice of audiology” if services are offered under~~
11 ~~any title incorporating such word as “audiology,” “audiologist,” “audiometry,” “audiometrist,”~~
12 ~~“audiological,” “audiometrics,” “hearing therapy,” “hearing therapist,” “hearing clinic,” “hearing~~
13 ~~clinician,” “hearing conservation,” “hearing conservationist,” “hearing center,” “hearing aid~~
14 ~~audiologist,” or any similar title or description of services.~~

15 (9)(i) ~~“Practice of speech language pathology” means rendering or offering to render any~~
16 ~~service in speech language pathology including prevention, identification, evaluation, consultation,~~
17 ~~habilitation, rehabilitation; determining the need for augmentative communication systems,~~
18 ~~dispensing and selling these systems, and providing training in the use of these systems; and~~
19 ~~planning, directing, conducting, or supervising programs that render or offer to render any service~~
20 ~~in speech language pathology.~~

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

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

28 (iv) ~~A practice is deemed to be the “practice of speech language pathology” if services are~~
29 ~~offered under any title incorporating such words as “speech pathology,” “speech pathologist,”~~
30 ~~“speech therapy,” “speech therapist,” “speech correction,” “speech correctionist,” “speech clinic,”~~
31 ~~“speech clinician,” “language pathology,” “language pathologist,” “voice therapy,” “voice~~
32 ~~therapist,” “voice pathology,” “voice pathologist,” “logopedics,” “logopedist,” “communicology,”~~
33 ~~“communicologist,” “aphasiology,” “aphasiologist,” “phoniatriest,” or any similar title or~~
34 ~~description of services.~~

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

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

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

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

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

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

20 ~~(iv) Cognitive aspects of communication (including communication disability and other~~
21 ~~functional disabilities associated with cognitive impairment); and~~

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

24 ~~**5-48-2. Board of examiners — Composition — Appointments, terms, and**~~
25 ~~**qualifications of members.**~~

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

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

33 ~~(2) One member shall be an audiologist who has practiced audiology for at least five (5)~~
34 ~~years immediately preceding appointment, is currently practicing audiology, and holds active and~~

1 ~~valid licensure for the practice of audiology in this state.~~

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

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

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

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

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

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

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

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

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

21 ~~**5-48-3. Board of examiners—Duties and powers—Meetings—Compensation of**~~
22 ~~**members.**~~

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

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

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

34 ~~(d) The board shall make available complete lists of the names and addresses of all licensed~~

1 ~~speech language pathologists and audiologists.~~

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

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

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

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

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

15 ~~**5-48-4. Board examiners — Seal — Authentication of records.**~~

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

20 ~~**5-48-5. Receipts.**~~

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

23 ~~**5-48-6. Licensure and regulation of speech language pathologists and audiologists.**~~

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

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

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

32 ~~(d) A provisional license for the clinical fellow (defined in § 5-48-1(b)(4)) shall be required~~
33 ~~in speech language pathology for that period of postgraduate professional experience as required~~
34 ~~in § 5-48-7.1. A provisional license shall authorize an individual to practice speech language~~

1 ~~pathology solely in connection with the completion of the supervised postgraduate professional~~
2 ~~experience.~~

3 ~~**5-48-7. Qualifications of applicants for a license as a speech-language pathologist.**~~

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

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

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

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

9 ~~(4) Submit an official transcript indicating possession of a master's degree or a doctorate~~
10 ~~degree or equivalent in speech-language pathology from an educational institution accredited by~~
11 ~~the Council on Academic Accreditation (CAA) of the American Speech-Language-Hearing~~
12 ~~Association (ASHA) or other national accrediting association as may be approved by the board.~~

13 ~~The degree shall consist of course work in accordance with the current, minimum requirements for~~
14 ~~the certificate of clinical competence issued by the American Speech-Language-Hearing~~
15 ~~Association (ASHA) or other national accrediting association as may be approved by the board and~~
16 ~~delineated in the rules and regulations;~~

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

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

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

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

32 ~~**5-48-7.1. Qualifications for a provisional license for a speech-language pathologist.**~~

33 ~~(a) To be eligible for provisional licensure by the board, the speech-language pathologist~~
34 ~~applicant must submit an application with the required application fee and be in compliance with~~

1 ~~the requirements of § 5-48-7(1), (4), (5), and (6).~~

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

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

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

11 **5-48-7.2. Qualifications for license as an audiologist.**

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

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

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

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

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

20 ~~(5) Pass a national examination in audiology approved by the board and delineated in the~~
21 ~~rules and regulations;~~

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

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

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

29 **5-48-7.3. Qualifications for audiologists licensed in alternate jurisdictions.**

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

33 **5-48-8. [Repealed.]**

34 **5-48-9. Fees — Late filing — Inactive status.**

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

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

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

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

15 (1) ~~An application for licensure renewal, with a licensure renewal fee as set forth in § 23-~~
16 ~~1-54 made payable by check to the general treasurer of the state of Rhode Island; and~~

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

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

19 **5-48-9.1. Continuing education.**

20 (a)(1) ~~On or before the thirtieth (30th) day of June of even years, every person licensed to~~
21 ~~practice speech language pathology or audiology within this state shall complete not less than~~
22 ~~twenty (20) clock hours of continuing education within the preceding two (2) years and be able to~~
23 ~~present satisfactory evidence of completion to the board.~~

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

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

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

31 **5-48-10. Persons and practices exempted.**

32 The provisions of this chapter do not apply to:

33 (1) ~~A qualified person licensed, registered, certified, or credentialed in this state under any~~
34 ~~other law who is practicing the profession or business for which he or she is licensed, registered,~~

1 ~~certified, or credentialed, in the setting for which the licensure, registration, certification, or~~
2 ~~credential pertains and performs services within their authorized scope of practice.~~

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

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

12 **5-48-11. Grounds for suspension or revocation of licenses.**

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

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

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

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

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

20 ~~(5) Committed fraud and deceit in the practice of speech language pathology or of~~
21 ~~audiology, including, but not limited to:~~

22 ~~(i) Using or promoting, or causing the use of, any misleading, deceiving, or untruthful~~
23 ~~advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia,~~
24 ~~or any other representation;~~

25 ~~(ii) Falsely representing the use or availability of services or advice of a physician;~~

26 ~~(iii) Misrepresenting the applicant, licensee, or holder by using the word "doctor" or any~~
27 ~~similar word, abbreviation, or symbol, if the use is not accurate or if the degree was not obtained~~
28 ~~from an accredited institution;~~

29 ~~(iv) Making or filing a false report or record in the practice of speech language pathology~~
30 ~~or audiology;~~

31 ~~(v) Submitting a false statement to collect a fee; and~~

32 ~~(vi) Obtaining a fee through fraud or misrepresentation;~~

33 ~~(6) Providing services while mentally incompetent;~~

34 ~~(7) Engaging in illegal, incompetent, or habitually negligent practice;~~

- 1 ~~(8) Providing professional services while:~~
- 2 ~~(i) Under the influence of alcohol; or~~
- 3 ~~(ii) Using any narcotic or controlled dangerous substance or other drug that is in excess of~~
- 4 ~~therapeutic amounts or without valid medical indication;~~
- 5 ~~(9) Promoting the sale of devices, appliances, or products to a patient who cannot benefit~~
- 6 ~~from these devices, appliances, or products;~~
- 7 ~~(10) Violating any provision of this chapter, any lawful order given, or rule or regulation~~
- 8 ~~adopted by the board or departure from or failure to conform to the current standards of acceptable~~
- 9 ~~prevailing practice and code of ethics of speech language pathology or audiology;~~
- 10 ~~(11) Being convicted of, or pleading guilty or nolo contendere to, a felony, whether or not~~
- 11 ~~any appeal or another proceeding is pending to have the conviction or plea set aside;~~
- 12 ~~(12) Incompetent or negligent misconduct in the practice of speech language pathology or~~
- 13 ~~audiology;~~
- 14 ~~(13) Is habitually intemperate or is addicted to the use of habit forming drugs;~~
- 15 ~~(14) Being disciplined by a licensing or disciplinary authority of any other state or country,~~
- 16 ~~or convicted or disciplined by a court of any state or country, for an act that would be grounds for~~
- 17 ~~disciplinary action under this section; or~~
- 18 ~~(15) Failing to maintain continuing education requirements.~~

19 ~~**5-48-12. Penalty for violations.**~~

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

21 ~~instances in which an applicant for a license or a licensee has been guilty of conduct that has~~

22 ~~endangered, or is likely to endanger, the health, welfare, or safety of the public:~~

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

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

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

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

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

28 ~~(b) Any person found to be in violation of any provision of this chapter, upon conviction,~~

29 ~~shall be guilty of a misdemeanor and punished by a fine of not more than one thousand dollars~~

30 ~~(\$1,000).~~

31 ~~**5-48-13. Revocation and suspension procedure — Reinstatement.**~~

32 ~~(a)(1) Notice, in writing, of a contemplated revocation or suspension of a license, of this~~

33 ~~particular cause, and of the date of a hearing, shall be sent by registered or certified mail to the~~

34 ~~licensee at his or her last known address at least fifteen (15) days before the date of the hearing.~~

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

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

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

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

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

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

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

17 ~~**5-48-14. [Obsolete.]**~~

18 ~~**5-48-15. Severability.**~~

19 ~~If any provision of this chapter or of any rule or regulation made under this chapter, or their~~
20 ~~application to any person or circumstances, is held invalid by a court of competent jurisdiction, the~~
21 ~~remainder of the chapter, rule, or regulation, and the application of that provision to other persons~~
22 ~~or circumstances, shall not be affected.~~

23 SECTION 7. Section 46-13-18 of the General Laws in Chapter 46-13 entitled "Public
24 Drinking Water Supply" is hereby amended to read as follows:

25 **46-13-18. Adoption of regulations.**

26 ~~(a)~~ The director is hereby authorized to adopt regulations consistent with the provisions of
27 this chapter, the federal Safe Drinking Water Act, 42 U.S.C. § 300f et seq., and the federal
28 regulations adopted under that act. All new and existing public water supply systems subject to the
29 provisions of this chapter must comply with the provisions of this chapter and with all the
30 regulations adopted under this chapter in order to obtain and/or maintain approval by the director
31 as a public water supply system. The director is further authorized to establish by regulation a
32 schedule of fees for applications, approvals, and renewals required by this chapter.

33 ~~(b)(1) Any community water system serving a population of ten thousand (10,000) or more~~
34 ~~shall directly deliver a full copy of the consumer confidence report, which is required by the U.S.~~

1 ~~Environmental Protection Agency under the federal Safe Drinking Water Act, 42 U.S.C. § 300f et~~
2 ~~seq., to each household within the water system's service area that receives water from that system.~~

3 ~~The method of delivery shall be determined by the water system, but can include delivery via either:~~

4 ~~(i) Postal patron mailing;~~

5 ~~(ii) A community newsletter that is directly delivered to each household;~~

6 ~~(iii) A community calendar that is directly delivered to each household; or~~

7 ~~(iv) Any other method that will directly reach each household within the water system's~~
8 ~~service area that receives water from that system.~~

9 ~~(2) In the event that within the service area there are buildings with five (5) or more~~
10 ~~residential units, the system will not be required to deliver directly to each of these units. Instead,~~
11 ~~the water system shall mail multiple copies of the report to the building manager or other~~
12 ~~appropriate individual, noting that the reports should be distributed to residents and/or posted in a~~
13 ~~common area. Additionally, colleges and universities will be exempted from this requirement but~~
14 ~~are still responsible for meeting all federal requirements.~~

15 ~~(3) The department of health shall serve as the repository for all consumer confidence~~
16 ~~reports and shall direct inquiries for copies of the report to the appropriate water system in order to~~
17 ~~obtain a copy of the report.~~

18 SECTION 8. This act shall take effect upon passage.

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LC001413
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO BUSINESSES AND PROFESSIONS -- NURSES

- 1 This act would make a series of amendments to several statutes regarding businesses and
- 2 professions to provide clarity or align with new federal requirements.
- 3 This act would take effect upon passage.

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LC001413
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