

HOUSE BILL NO. 270

INTRODUCED BY M. FUNK

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR LICENSURE OF SPEECH-LANGUAGE
5 PATHOLOGY AND AUDIOLOGY ASSISTANTS; REMOVING THE TERM "AIDES" BUT PROVIDING AN
6 OPTION FOR LICENSING; EXTENDING RULEMAKING AUTHORITY; AMENDING SECTIONS 37-15-102,
7 37-15-301, 37-15-302, 37-15-303, 37-15-307, 37-15-311, AND 37-15-314, MCA; AND REPEALING SECTION
8 37-15-313, MCA."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 37-15-102, MCA, is amended to read:

13 **"37-15-102. Definitions.** As used in this chapter, the following definitions apply:

14 (1) "Audiologist" means a person who practices audiology and who meets the qualifications set forth in
15 this chapter. A person represents to the public that the person is an audiologist by incorporating in any title or
16 description of services or functions that the person directly or indirectly performs the words "audiologist",
17 "audiology", "audiometrist", "audiometry", "audiological", "audiometrics", "hearing clinician", "hearing clinic",
18 "hearing therapist", "hearing therapy", "hearing center", "hearing aid audiologist", or any similar title or description
19 of services.

20 (2) "Audiology ~~aide~~ or assistant" means any person meeting the minimum requirements established by
21 the board of speech-language pathologists and audiologists who works directly under the supervision of a
22 licensed audiologist.

23 (3) "Board" means the board of speech-language pathologists and audiologists provided for in
24 2-15-1739.

25 (4) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.

26 (5) "Facilitator" means a trained individual who is physically present with the patient and facilitates
27 telepractice at the direction of an audiologist or speech-language pathologist. A facilitator may be but is not limited
28 to an audiology assistant or a speech-language pathology ~~aide~~ or assistant.

29 (6) "Patient" means a consumer of services from an audiologist, ~~or a~~ a speech-language pathologist, an
30 audiology assistant, or a speech-language pathology assistant, including a consumer of those services provided

1 through telepractice.

2 (7) "Practice of audiology" means nonmedical diagnosis, assessment, and treatment services relating
3 to auditory and vestibular disorders as provided by board rule and includes the selling, dispensing, and fitting of
4 hearing aids.

5 (8) "Practice of speech-language pathology" means nonmedical diagnosis, assessment, and treatment
6 services relating to speech-language pathology as provided by board rule.

7 (9) "Speech-language pathologist" means a person who practices speech-language pathology and who
8 meets the qualifications set forth in this chapter. A person represents to the public that the person is a
9 speech-language pathologist by incorporating in any title or description of services or functions that the person
10 directly or indirectly performs the words "speech pathologist", "speech pathology", "speech correctionist", "speech
11 corrections", "speech therapist", "speech therapy", "speech clinician", "speech clinic", "language pathologist",
12 "language pathology", "voice therapist", "voice therapy", "voice pathologist", "voice pathology", "logopedist",
13 "logopedics", "communicologist", "communicology", "aphasiologist", "aphasiology", "phoniatriest", "language
14 therapist", "language clinician", or any similar title or description of services or functions.

15 (10) "Speech-language pathology aide or assistant" means a person meeting the minimum requirements
16 established by the board who works directly under the supervision of a licensed speech-language pathologist.

17 (11) "Telepractice" means the practice of audiology or speech-language pathology by an audiologist or
18 speech-language pathologist at a distance through any means, method, device, or instrumentality for the
19 purposes of assessment, intervention, and consultation."
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21 **Section 2.** Section 37-15-301, MCA, is amended to read:

22 **"37-15-301. License required.** (1) A license must be issued to qualified persons either in
23 speech-language pathology or audiology. A person may be licensed in both areas if the person meets the
24 respective qualifications, and in those instances, the license fee must be as though for one license.

25 (2) A person may not practice or represent to the public that the person is a speech-language
26 pathologist, ~~or an audiologist, a speech-language pathology assistant, or an audiology assistant~~ in this state
27 unless the person is licensed in accordance with the provisions of this chapter.

28 (3) The board may issue a limited license to qualified individuals engaged in supervised professional
29 experience, as defined by board rule."
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1 **Section 3.** Section 37-15-302, MCA, is amended to read:

2 **"37-15-302. Application forms.** An application ~~for examination for licensing~~ to be licensed as a
3 speech-language pathologist, or an audiologist, a speech-language pathology assistant, or an audiology assistant
4 must be made upon on forms prescribed by the department."

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6 **Section 4.** Section 37-15-303, MCA, is amended to read:

7 **"37-15-303. Qualifications.** (1) To be eligible for licensing by the board as a speech-language
8 pathologist or audiologist, the applicant:

9 (a) must meet the current academic, supervised clinical practicum, and supervised professional
10 experience requirements as defined by board rule; and

11 (b) shall pass an examination approved by the board.

12 (2) To be eligible for licensing by the board as a speech-language pathology assistant or audiology
13 assistant, the applicant:

14 (a) must meet both the current academic, supervised clinical practicum and the supervised professional
15 experience requirement, as each is defined by board rule; or

16 (b) shall provide evidence to the board that the applicant has served as an unlicensed speech-language
17 pathology aide or assistant or an unlicensed audiology aide or assistant under conditions similar to those required
18 under subsection (2)(a) for a period prior to October 1, 2019. The board shall provide by rule the type of evidence
19 and conditions plus the length of the period required under this subsection (2)(b).

20 ~~(2)(3)~~ The board shall determine the subject and scope of the any examination.

21 ~~(3)(4)~~ The standards defined by the board must be equal to or greater than the standards generally
22 accepted as the national norm."

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24 **Section 5.** Section 37-15-307, MCA, is amended to read:

25 **~~"37-15-307. Application and examination fee -- license fee -- registration fee Fees.~~** The board shall
26 determine the amount of fees, which may be adjusted annually by rule, that are necessary to meet costs and
27 projected expenditures for:

28 (1) a renewed license as a speech-language pathologist, ~~or an audiologist, a speech-language pathology~~
29 assistant, or an audiology assistant;

30 (2) a limited license for a person engaged in supervised professional experience; and

1 (3) an initial application for a license ~~or registration~~;
 2 ~~(4) examinations; and~~
 3 ~~(5) registration as a speech-language pathology aide or assistant or audiology aide or assistant."~~

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 5 **Section 6.** Section 37-15-311, MCA, is amended to read:
 6 **"37-15-311. Municipal tax prohibited.** ~~No~~ A municipality or any other subdivision of the state may not
 7 impose a license tax shall be imposed upon on speech-language pathologists, ~~or audiologists, by a municipality~~
 8 ~~or any other subdivision of the state~~ speech-language pathology assistants, or audiology assistants."

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 10 **Section 7.** Section 37-15-314, MCA, is amended to read:
 11 **"37-15-314. Telepractice -- authorization -- licensure.** (1) An audiologist or speech-language
 12 pathologist who is licensed under and meets the requirements of this chapter may engage in telepractice in
 13 Montana without obtaining a separate or additional license from the board.

14 (2) Except as provided in 37-15-103, an audiologist or speech-language pathologist who is not a resident
 15 of Montana and who is not licensed under this chapter may not provide services to patients in Montana through
 16 telepractice without first obtaining a license from the board in accordance with this part.

17 (3) An audiology ~~aide~~ or assistant or a speech-language pathology ~~aide~~ or assistant may not engage
 18 in telepractice. This section does not prohibit an audiology ~~aide~~ or assistant or a speech-language pathology ~~aide~~
 19 ~~or assistant~~ from serving as a facilitator."

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 21 NEW SECTION. **Section 8. Repealer.** The following section of the Montana Code Annotated is
 22 repealed:

23 37-15-313. Registration of aides or assistants.

24 - END -