CERTIFICATION OF ENROLLMENT

SENATE BILL 5358

Chapter 45, Laws of 2005

59th Legislature
2005 Regular Session

SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

EFFECTIVE DATE: 7/24/05

Passed by the Senate March 9, 2005
YEAS 47  NAYS 0

BRAD OWEN
President of the Senate

Passed by the House April 5, 2005
YEAS 93  NAYS 1

FRANK CHOPP
Speaker of the House of Representatives

Approved April 13, 2005.

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is SENATE BILL 5358 as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN
Secretary

FILED

April 13, 2005 – 3:41 p.m.

CHRISTINE GREGOIRE
Governor of the State of Washington

Secretary of State
State of Washington
AN ACT Relating to speech-language pathologists and audiologists; and amending RCW 18.35.010, 18.35.020, 18.35.060, and 18.35.195.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 18.35.010 and 2002 c 310 s 1 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise:

(1) "Assistive listening device or system" means an amplification system that is specifically designed to improve the signal to noise ratio for the listener, reduce interference from noise in the background, and enhance hearing levels at a distance by picking up sound from as close to source as possible and sending it directly to the ear of the listener, excluding hearing instruments as defined in this chapter.

(2) "Licensed audiologist" means a person who is licensed by the department to engage in the practice of audiology and meets the qualifications in this chapter.

(3) "Audiology" means the application of principles, methods, and procedures related to hearing and the disorders of hearing and to related language and speech disorders, whether of organic or nonorganic
origin, peripheral or central, that impede the normal process of human communication including, but not limited to, disorders of auditory sensitivity, acuity, function, processing, or vestibular function, the application of aural habilitation, rehabilitation, and appropriate devices including fitting and dispensing of hearing instruments, and cerumen management to treat such disorders.

(4) "Board" means the board of hearing and speech.

(5) "Department" means the department of health.

(6) "Direct supervision" means that the supervisor is physically present and in the same room with the interim permit holder, observing the nondiagnostic testing, fitting, and dispensing activities at all times.

(7) "Establishment" means any permanent site housing a person engaging in the practice of fitting and dispensing of hearing instruments by a hearing instrument fitter/dispenser or audiologist; where the client can have personal contact and counsel during the firm's business hours; where business is conducted; and the address of which is given to the state for the purpose of bonding.

(8) "Facility" means any permanent site housing a person engaging in the practice of speech-language pathology and/or audiology, excluding the sale, lease, or rental of hearing instruments.

(9) "Fitting and dispensing of hearing instruments" means the sale, lease, or rental or attempted sale, lease, or rental of hearing instruments together with the selection and modification of hearing instruments and the administration of nondiagnostic tests as specified by RCW 18.35.110 and the use of procedures essential to the performance of these functions; and includes recommending specific hearing instrument systems, specific hearing instruments, or specific hearing instrument characteristics, the taking of impressions for ear molds for these purposes, the use of nondiagnostic procedures and equipment to verify the appropriateness of the hearing instrument fitting, and hearing instrument orientation. The fitting and dispensing of hearing instruments as defined by this chapter may be equally provided by a licensed hearing instrument fitter/dispenser or licensed audiologist.

(10) "Good standing" means a licensed hearing instrument fitter/dispenser, licensed audiologist, or licensed speech-language
pathologist whose license has not been subject to sanctions pursuant to chapter 18.130 RCW or sanctions by other states, territories, or the District of Columbia in the last two years.

(10) "Hearing instrument" means any wearable prosthetic instrument or device designed for or represented as aiding, improving, compensating for, or correcting defective human hearing and any parts, attachments, or accessories of such an instrument or device, excluding batteries and cords, ear molds, and assistive listening devices.

(11) "Hearing instrument fitter/dispenser" means a person who is licensed to engage in the practice of fitting and dispensing of hearing instruments and meets the qualifications of this chapter.

(12) "Interim permit holder" means a person who holds the permit created under RCW 18.35.060 and who practices under the supervision of a licensed hearing instrument fitter/dispenser, licensed speech-language pathologist, or licensed audiologist.

(13) "Secretary" means the secretary of health.

(14) "Licensed speech-language pathologist" means a person who is licensed by the department to engage in the practice of speech-language pathology and meets the qualifications of this chapter.

(15) "Speech-language pathology" means the application of principles, methods, and procedures related to the development and disorders, whether of organic or nonorganic origin, that impede oral, pharyngeal, or laryngeal sensorimotor competencies and the normal process of human communication including, but not limited to, disorders and related disorders of speech, articulation, fluency, voice, verbal and written language, auditory comprehension, cognition/communication, and the application of augmentative communication treatment and devices for treatment of such disorders.

Sec. 2. RCW 18.35.020 and 2002 c 310 s 2 are each amended to read as follows:

(1) No person shall engage in the fitting and dispensing of hearing instruments or imply or represent that he or she is engaged in the fitting and dispensing of hearing instruments unless he or she is a licensed hearing instrument fitter/dispenser or a licensed audiologist or holds an interim permit issued by the department as provided in this chapter and is an owner or employee of an establishment that is bonded
as provided by RCW 18.35.240. The owner or manager of an establishment
that dispenses hearing instruments is responsible under this chapter
for all transactions made in the establishment name or conducted on its
premises by agents or persons employed by the establishment engaged in
fitting and dispensing of hearing instruments. Every establishment
that fits and dispenses shall have in its employ at least one licensed
hearing instrument fitter/dispenser or licensed audiologist at all
times, and shall annually submit proof that all testing equipment at
that establishment that is required by the board to be calibrated has
been properly calibrated.

(2) Effective January 1, 2003, no person shall engage in the
practice of audiology or imply or represent that he or she is engaged
in the practice of audiology unless he or she is a licensed audiologist
or holds an audiology interim permit issued by the department as
provided in this chapter. Audiologists who are certified as
educational staff associates by the state board of education are
excluded unless they elect to become licensed under this chapter.
However, a person certified by the state board of education as an
educational staff associate who practices outside the school setting
must be a licensed audiologist.

(3) Effective January 1, 2003, no person shall engage in the
practice of speech-language pathology or imply or represent that he or
she is engaged in the practice of speech-language pathology unless he
or she is a licensed speech-language pathologist or holds a speech-
language pathology interim permit issued by the department as provided
in this chapter. Speech-language pathologists who are certified as
educational staff associates by the state board of education are
excluded unless they elect to become licensed under this chapter.
However, a person certified by the state board of education as an
educational staff associate who practices outside the school setting
must be a licensed speech-language pathologist.

Sec. 3. RCW 18.35.060 and 2002 c 310 s 6 are each amended to read
as follows:

The department, upon approval by the board, shall issue an interim
permit authorizing an applicant for speech-language pathologist
licensure or audiologist licensure who, except for the postgraduate
professional experience and the examination requirements, meets the
academic and practicum requirements of RCW 18.35.040(2) to practice under ((direct)) supervision. The interim permit is valid for a period of one year from date of issuance. The board shall determine conditions for the interim permit.

Sec. 4. RCW 18.35.195 and 2002 c 310 s 21 are each amended to read as follows:

(1) This chapter shall not apply to military or federal government employees.

(2) This chapter does not prohibit or regulate:

(a) Fitting or dispensing by students enrolled in a board-approved program who are directly supervised by a licensed hearing instrument fitter/dispenser, a licensed audiologist under the provisions of this chapter, or an instructor at a two-year hearing instrument fitter/dispenser degree program that is approved by the board;

(b) Hearing instrument fitter/dispensers, speech-language pathologists, or audiologists of other states, territories, or countries, or the District of Columbia while appearing as clinicians of bona fide educational seminars sponsored by speech-language pathology, audiology, hearing instrument fitter/dispenser, medical, or other healing art professional associations so long as such activities do not go beyond the scope of practice defined by this chapter; and

(c) The practice of audiology or speech-language pathology by persons certified by the state board of education as educational staff associates, except for those persons electing to be licensed under this chapter. However, a person certified by the state board of education as an educational staff associate who practices outside the school setting must be a licensed audiologist or licensed speech-language pathologist.

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