

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

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**President of the Senate**

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

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved April 13, 2005.

CERTIFICATE

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

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**Secretary**

FILED

April 13, 2005 - 3:41 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**SENATE BILL 5358**

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Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By Senators Keiser and Parlette**

Read first time 01/21/2005. Referred to Committee on Health & Long-Term Care.

1            AN ACT Relating to speech-language pathologists and audiologists;  
2 and amending RCW 18.35.010, 18.35.020, 18.35.060, and 18.35.195.

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

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

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

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

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

17            (3) "Audiology" means the application of principles, methods, and  
18 procedures related to hearing and the disorders of hearing and to  
19 related language and speech disorders, whether of organic or nonorganic

1 origin, peripheral or central, that impede the normal process of human  
2 communication including, but not limited to, disorders of auditory  
3 sensitivity, acuity, function, processing, or vestibular function, the  
4 application of aural habilitation, rehabilitation, and appropriate  
5 devices including fitting and dispensing of hearing instruments, and  
6 cerumen management to treat such disorders.

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

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

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

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

19 (~~(+8)~~) (7) "Facility" means any permanent site housing a person  
20 engaging in the practice of speech-language pathology and/or audiology,  
21 excluding the sale, lease, or rental of hearing instruments.

22 (~~(+9)~~) (8) "Fitting and dispensing of hearing instruments" means  
23 the sale, lease, or rental or attempted sale, lease, or rental of  
24 hearing instruments together with the selection and modification of  
25 hearing instruments and the administration of nondiagnostic tests as  
26 specified by RCW 18.35.110 and the use of procedures essential to the  
27 performance of these functions; and includes recommending specific  
28 hearing instrument systems, specific hearing instruments, or specific  
29 hearing instrument characteristics, the taking of impressions for ear  
30 molds for these purposes, the use of nondiagnostic procedures and  
31 equipment to verify the appropriateness of the hearing instrument  
32 fitting, and hearing instrument orientation. The fitting and  
33 dispensing of hearing instruments as defined by this chapter may be  
34 equally provided by a licensed hearing instrument fitter/dispenser or  
35 licensed audiologist.

36 (~~(+10)~~) (9) "Good standing" means a licensed hearing instrument  
37 fitter/dispenser, licensed audiologist, or licensed speech-language

1 pathologist whose license has not been subject to sanctions pursuant to  
2 chapter 18.130 RCW or sanctions by other states, territories, or the  
3 District of Columbia in the last two years.

4 ~~((+11+))~~ (10) "Hearing instrument" means any wearable prosthetic  
5 instrument or device designed for or represented as aiding, improving,  
6 compensating for, or correcting defective human hearing and any parts,  
7 attachments, or accessories of such an instrument or device, excluding  
8 batteries and cords, ear molds, and assistive listening devices.

9 ~~((+12+))~~ (11) "Hearing instrument fitter/dispenser" means a person  
10 who is licensed to engage in the practice of fitting and dispensing of  
11 hearing instruments and meets the qualifications of this chapter.

12 ~~((+13+))~~ (12) "Interim permit holder" means a person who holds the  
13 permit created under RCW 18.35.060 and who practices under the  
14 ~~((direct))~~ supervision of a licensed hearing instrument  
15 fitter/dispenser, licensed speech-language pathologist, or licensed  
16 audiologist.

17 ~~((+14+))~~ (13) "Secretary" means the secretary of health.

18 ~~((+15+))~~ (14) "Licensed speech-language pathologist" means a person  
19 who is licensed by the department to engage in the practice of speech-  
20 language pathology and meets the qualifications of this chapter.

21 ~~((+16+))~~ (15) "Speech-language pathology" means the application of  
22 principles, methods, and procedures related to the development and  
23 disorders, whether of organic or nonorganic origin, that impede oral,  
24 pharyngeal, or laryngeal sensorimotor competencies and the normal  
25 process of human communication including, but not limited to, disorders  
26 and related disorders of speech, articulation, fluency, voice, verbal  
27 and written language, auditory comprehension, cognition/communication,  
28 and the application of augmentative communication treatment and devices  
29 for treatment of such disorders.

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

32 (1) No person shall engage in the fitting and dispensing of hearing  
33 instruments or imply or represent that he or she is engaged in the  
34 fitting and dispensing of hearing instruments unless he or she is a  
35 licensed hearing instrument fitter/dispenser or a licensed audiologist  
36 or holds an interim permit issued by the department as provided in this  
37 chapter and is an owner or employee of an establishment that is bonded

1 as provided by RCW 18.35.240. The owner or manager of an establishment  
2 that dispenses hearing instruments is responsible under this chapter  
3 for all transactions made in the establishment name or conducted on its  
4 premises by agents or persons employed by the establishment engaged in  
5 fitting and dispensing of hearing instruments. Every establishment  
6 that fits and dispenses shall have in its employ at least one licensed  
7 hearing instrument fitter/dispenser or licensed audiologist at all  
8 times, and shall annually submit proof that all testing equipment at  
9 that establishment that is required by the board to be calibrated has  
10 been properly calibrated.

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

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

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

34 The department, upon approval by the board, shall issue an interim  
35 permit authorizing an applicant for speech-language pathologist  
36 licensure or audiologist licensure who, except for the postgraduate  
37 professional experience and the examination requirements, meets the

1 academic and practicum requirements of RCW 18.35.040(2) to practice  
2 under (~~direct~~) supervision. The interim permit is valid for a period  
3 of one year from date of issuance. The board shall determine  
4 conditions for the interim permit.

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

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

9 (2) This chapter does not prohibit or regulate:

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

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

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

Passed by the Senate March 9, 2005.

Passed by the House April 5, 2005.

Approved by the Governor April 13, 2005.

Filed in Office of Secretary of State April 13, 2005.