
HOUSE BILL 2372

State of Washington

60th Legislature

2007 Regular Session

By Representative Linville

Read first time 02/28/2007. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to speech-language pathologists assistants;
2 amending RCW 18.35.010, 18.35.040, 18.35.095, 18.35.150, 18.35.205, and
3 18.35.260; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** It is declared to be the policy of this
6 state that, in order to safeguard the public health, safety, and
7 welfare, to protect the public from incompetent, unscrupulous,
8 unauthorized persons and unprofessional conduct, and to ensure the
9 availability of the highest possible standards of speech-language
10 pathology services to the communicatively impaired people of this
11 state, it is necessary to provide regulatory authority over persons
12 offering speech-language pathology services as speech-language
13 pathologist assistants.

14 **Sec. 2.** RCW 18.35.010 and 2005 c 45 s 1 are each amended to read
15 as follows:

16 ((As used in)) The definitions in this section apply throughout
17 this chapter((~~τ~~)) unless the context clearly requires otherwise((+)).

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

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

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

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

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

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

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

31 (8) "Fitting and dispensing of hearing instruments" means the sale,
32 lease, or rental or attempted sale, lease, or rental of hearing
33 instruments together with the selection and modification of hearing
34 instruments and the administration of nondiagnostic tests as specified
35 by RCW 18.35.110 and the use of procedures essential to the performance
36 of these functions; and includes recommending specific hearing
37 instrument systems, specific hearing instruments, or specific hearing
38 instrument characteristics, the taking of impressions for ear molds for

1 these purposes, the use of nondiagnostic procedures and equipment to
2 verify the appropriateness of the hearing instrument fitting, and
3 hearing instrument orientation. The fitting and dispensing of hearing
4 instruments as defined by this chapter may be equally provided by a
5 licensed hearing instrument fitter/dispenser or licensed audiologist.

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

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

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

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

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

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

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

36 (16) "Speech-language pathologist assistant" means a person who
37 meets all the requirements of this chapter and who provides speech-

1 language pathology services under the direction and supervision of a
2 speech-language pathologist.

3 (17) "Direct supervision" means on-site, in-view observation and
4 guidance by a speech-language pathologist while an assigned clinical
5 activity is performed by a speech-language pathologist assistant.

6 (18) "Indirect supervision" means those activities other than
7 direct observation and guidance conducted by a speech-language
8 pathologist that may include consultation, record review, review, and
9 evaluation of audio or videotaped sessions.

10 **Sec. 3.** RCW 18.35.040 and 2002 c 310 s 4 are each amended to read
11 as follows:

12 (1)(a) An applicant for licensure as a hearing instrument
13 fitter/dispenser must have the following minimum qualifications and
14 shall pay a fee determined by the secretary as provided in RCW
15 43.70.250. An applicant shall be issued a license under the provisions
16 of this chapter if the applicant:

17 ~~((a))~~(i)(A) Satisfactorily completes the hearing instrument
18 fitter/dispenser examination required by this chapter; or

19 ~~((ii))~~ (B) Holds a current, unsuspended, unrevoked license from
20 another jurisdiction if the standards for licensing in such other
21 jurisdiction are substantially equivalent to those prevailing in this
22 state;

23 ~~((b))~~ (ii) Satisfactorily completes a minimum of a two-year
24 degree program in hearing instrument fitter/dispenser instruction. The
25 program must be approved by the board; and

26 ~~((c))~~ (iii) Has not committed unprofessional conduct as specified
27 by the uniform disciplinary act.

28 (b) The applicant must present proof of qualifications to the board
29 in the manner and on forms prescribed by the secretary and proof of
30 completion of a minimum of four clock hours of AIDS education and
31 training pursuant to rules adopted by the board.

32 (2)(a) An applicant for licensure as a speech-language pathologist
33 or audiologist must have the following minimum qualifications:

34 ~~((a))~~ (i) Has not committed unprofessional conduct as specified
35 by the uniform disciplinary act;

36 ~~((b))~~ (ii) Has a master's degree or the equivalent, or a
37 doctorate degree or the equivalent, from a program at a board-approved

1 institution of higher learning, which includes completion of a
2 supervised clinical practicum experience as defined by rules adopted by
3 the board; and

4 ~~((e))~~ (iii) Has completed postgraduate professional work
5 experience approved by the board.

6 (b) All qualified applicants must satisfactorily complete the
7 speech-language pathology or audiology examinations required by this
8 chapter.

9 (c) The applicant must present proof of qualifications to the board
10 in the manner and on forms prescribed by the secretary and proof of
11 completion of a minimum of four clock hours of AIDS education and
12 training pursuant to rules adopted by the board.

13 (3) An applicant for licensure as a speech-language pathologist
14 assistant must have the following minimum qualifications:

15 (a) An associate of arts or sciences degree, or a certificate of
16 proficiency, from a speech-language pathologist assistant program from
17 an institution of higher education that is approved by the board, as is
18 evidenced by the following:

19 (i) Transcripts showing forty-five quarter hours or thirty semester
20 hours of speech-language pathology technical coursework; and

21 (ii) Transcripts showing forty-five quarter hours or thirty
22 semester hours of general education credit; or

23 (b) A bachelor of arts or bachelor of sciences degree, as evidenced
24 by transcripts, from a speech and hearing language pathology program
25 from an institution of higher education that is approved by the board.

26 **Sec. 4.** RCW 18.35.095 and 2002 c 310 s 9 are each amended to read
27 as follows:

28 (1) A hearing instrument fitter/dispenser licensed under this
29 chapter and not actively practicing may be placed on inactive status by
30 the department at the written request of the licensee. The board shall
31 define by rule the conditions for inactive status licensure. In
32 addition to the requirements of RCW 43.24.086, the licensing fee for a
33 licensee on inactive status shall be directly related to the costs of
34 administering an inactive license by the department. A hearing
35 instrument fitter/dispenser on inactive status may be voluntarily
36 placed on active status by notifying the department in writing, paying

1 the remainder of the licensing fee for the licensing year, and
2 complying with subsection (2) of this section.

3 (2) Hearing instrument fitter/dispenser inactive licensees applying
4 for active licensure shall comply with the following: A licensee who
5 has not fitted or dispensed hearing instruments for more than five
6 years from the expiration of the licensee's full fee license shall
7 retake the practical or the written, or both, hearing instrument
8 fitter/dispenser examinations required under this chapter and other
9 requirements as determined by the board. Persons who have inactive
10 status in this state but who are actively licensed and in good standing
11 in any other state shall not be required to take the hearing instrument
12 fitter/dispenser practical examination, but must submit an affidavit
13 attesting to their knowledge of the current Washington Administrative
14 Code rules and Revised Code of Washington statutes pertaining to the
15 fitting and dispensing of hearing instruments.

16 (3) A speech-language pathologist, speech-language pathologist
17 assistant, or audiologist licensed under this chapter and not actively
18 practicing either speech-language pathology or audiology may be placed
19 on inactive status by the department at the written request of the
20 license holder. The board shall define by rule the conditions for
21 inactive status licensure. In addition to the requirements of RCW
22 43.24.086, the fee for a license on inactive status shall be directly
23 related to the cost of administering an inactive license by the
24 department. A person on inactive status may be voluntarily placed on
25 active status by notifying the department in writing, paying the
26 remainder of the fee for the year, and complying with subsection (4) of
27 this section.

28 (4) Speech-language pathologist, speech-language pathologist
29 assistant, or audiologist inactive license holders applying for active
30 licensure shall comply with requirements set forth by the board, which
31 may include completion of continuing competency requirements and taking
32 an examination.

33 **Sec. 5.** RCW 18.35.150 and 2002 c 310 s 15 are each amended to read
34 as follows:

35 (1) There is created hereby the board of hearing and speech to
36 govern the three separate professions: Hearing instrument

1 fitting/dispensing, audiology, and speech-language pathology. The
2 board shall consist of (~~ten~~) eleven members to be appointed by the
3 governor.

4 (2) Members of the board shall be residents of this state. Three
5 members shall represent the public and shall have an interest in the
6 rights of consumers of health services, and shall not be or have been
7 a member of, or married to a member of, another licensing board, a
8 licensee of a health occupation board, an employee of a health
9 facility, nor derive his or her primary livelihood from the provision
10 of health services at any level of responsibility. Two members shall
11 be hearing instrument fitter/dispensers who are licensed under this
12 chapter, have at least five years of experience in the practice of
13 hearing instrument fitting and dispensing, and must be actively engaged
14 in fitting and dispensing within two years of appointment. Two members
15 of the board shall be audiologists licensed under this chapter who have
16 at least five years of experience in the practice of audiology and must
17 be actively engaged in practice within two years of appointment. Two
18 members of the board shall be speech-language pathologists licensed
19 under this chapter who have at least five years of experience in the
20 practice of speech-language pathology and must be actively engaged in
21 practice within two years of appointment. One member of the board
22 shall be a speech-language pathologist assistant licensed under this
23 chapter who has at least five years of experience as a speech-language
24 pathologist assistant and must be actively engaged in practice within
25 two years of appointment. One advisory nonvoting member shall be a
26 medical physician licensed in the state of Washington.

27 (3) The term of office of a member is three years. Of the initial
28 appointments, one hearing instrument fitter/dispenser, one speech-
29 language pathologist, one audiologist, and one consumer shall be
30 appointed for a term of two years, and one hearing instrument
31 fitter/dispenser, one speech-language pathologist, one audiologist, and
32 two consumers shall be appointed for a term of three years.
33 Thereafter, all appointments shall be made for expired terms. No
34 member shall be appointed to serve more than two consecutive terms. A
35 member shall continue to serve until a successor has been appointed.
36 The governor shall either reappoint the member or appoint a successor
37 to assume the member's duties at the expiration of his or her

1 predecessor's term. A vacancy in the office of a member shall be
2 filled by appointment for the unexpired term.

3 (4) The chair shall rotate annually among the hearing instrument
4 fitter/dispensers, speech-language pathologists, speech-language
5 pathologist assistant, audiologists, and public members serving on the
6 board. In the absence of the chair, the board shall appoint an interim
7 chair. In event of a tie vote, the issue shall be brought to a second
8 vote and the chair shall refrain from voting.

9 (5) The board shall meet at least once each year, at a place, day
10 and hour determined by the board, unless otherwise directed by a
11 majority of board members. The board shall also meet at such other
12 times and places as are requested by the department or by three members
13 of the board. A quorum is a majority of the board. A hearing
14 instrument fitter/dispenser, speech-language pathologist, and
15 audiologist must be represented. Meetings of the board shall be open
16 and public, except the board may hold executive sessions to the extent
17 permitted by chapter 42.30 RCW.

18 (6) Members of the board shall be compensated in accordance with
19 RCW 43.03.240 and shall be reimbursed for their travel expenses in
20 accordance with RCW 43.03.050 and 43.03.060.

21 (7) The governor may remove a member of the board for cause at the
22 recommendation of a majority of the board.

23 **Sec. 6.** RCW 18.35.205 and 2002 c 310 s 22 are each amended to read
24 as follows:

25 The legislature finds that the public health, safety, and welfare
26 would best be protected by uniform regulation of hearing instrument
27 fitter/dispensers, speech-language pathologists, speech-language
28 pathologist assistants, audiologists, and interim permit holders
29 throughout the state. Therefore, the provisions of this chapter
30 relating to the licensing of hearing instrument fitter/dispensers,
31 speech-language pathologists, speech-language pathologist assistants,
32 and audiologists and regulation of interim permit holders and their
33 respective establishments or facilities is exclusive. No political
34 subdivision of the state of Washington within whose jurisdiction a
35 hearing instrument fitter/dispenser, audiologist, or speech-language
36 pathologist establishment or facility is located may require any
37 registrations, bonds, licenses, certificates, or interim permits of the

1 establishment or facility or its employees or charge any fee for the
2 same or similar purposes: PROVIDED, HOWEVER, That nothing herein shall
3 limit or abridge the authority of any political subdivision to levy and
4 collect a general and nondiscriminatory license fee levied on all
5 businesses, or to levy a tax based upon the gross business conducted by
6 any firm within the political subdivision.

7 **Sec. 7.** RCW 18.35.260 and 2002 c 310 s 26 are each amended to read
8 as follows:

9 (1) A person who is not a licensed hearing instrument
10 fitter/dispenser may not represent himself or herself as being so
11 licensed and may not use in connection with his or her name the words
12 "licensed hearing instrument fitter/dispenser," "hearing instrument
13 specialist," or "hearing aid fitter/dispenser," or a variation,
14 synonym, word, sign, number, insignia, coinage, or whatever expresses,
15 employs, or implies these terms, names, or functions of a licensed
16 hearing instrument fitter/dispenser.

17 (2) A person who is not a licensed speech-language pathologist may
18 not represent himself or herself as being so licensed and may not use
19 in connection with his or her name the words including "licensed
20 speech-language pathologist" or a variation, synonym, word, sign,
21 number, insignia, coinage, or whatever expresses, employs, or implies
22 these terms, names, or functions as a licensed speech-language
23 pathologist.

24 (3) A person who is not a licensed speech-language pathologist
25 assistant may not represent himself or herself as being so licensed and
26 may not use in connection with his or her name the words including
27 "licensed speech-language pathologist assistant" or a variation,
28 synonym, word, sign, number, insignia, coinage, or whatever expresses,
29 employs, or implies these terms, names, or functions as a licensed
30 speech-language pathologist assistant.

31 (4) A person who is not a licensed audiologist may not represent
32 himself or herself as being so licensed and may not use in connection
33 with his or her name the words "licensed audiologist" or a variation,
34 synonym, letter, word, sign, number, insignia, coinage, or whatever
35 expresses, employs, or implies these terms, names, or functions of a
36 licensed audiologist.

1 (~~(4)~~) (5) Nothing in this chapter prohibits a person credentialed
2 in this state under another act from engaging in the practice for which
3 he or she is credentialed.

4 NEW SECTION. **Sec. 8.** An applicant for licensure as a speech-
5 language pathologist assistant may meet the requirements for a license
6 to practice as a speech-language pathologist assistant if, within one
7 year of the effective date of this section, he or she submits a
8 competency checklist to the board of hearing and speech, as defined by
9 the board by rule.

10 NEW SECTION. **Sec. 9.** The code reviser is directed to put the
11 defined terms in RCW 18.35.010 in alphabetical order.

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