

2024 Regular Session

HOUSE BILL NO. 867

BY REPRESENTATIVE HENRY

HEALTH CARE: Provides for the practice of audiology and speech-language pathology

1 AN ACT

2 To amend and reenact R.S. 37:2651(1), (3), (7)(a) and (g), and 2662(C)(introductory
3 paragraph) and (3), to enact R.S. 37:2651(13), (14), and (15) and 2660(4), and to
4 repeal R.S. 37:2651(7)(b), (e), and (f), relative to the practice of speech-language
5 pathology and audiology; to provide for definitions; to provide for the qualifications
6 of an applicant for licensure; to discipline a licensee; to waive certain requirements
7 for licensure; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:2651(1), (3), (7)(a) and (g), and 2662(C)(introductory paragraph)
10 and (3) are hereby amended and reenacted and R.S. 37:2651(13), (14), and (15) and 2660(4)
11 are hereby enacted to read as follows:

12 §2651. Definitions

13 As used in this Chapter:

14 (1) "Audiologist" means any person who represents himself to the public by
15 title or description of services, methods, or procedures as one who offers to provide
16 or provides services involving the application of principles, methods, and procedures
17 of the science and profession of audiology. An audiologist, by definition of scope
18 of practice, may sell and dispense hearing aids as defined by the United States Food
19 and Drug Administration under these provisions.

20 * * *

1 (3) "Licensed audiologist" means an individual who meets the qualifications
2 for licensure as an audiologist ~~under R.S. 37:2659(A)~~ in accordance with this
3 Chapter and who holds a current, unsuspended, and unrevoked license issued by the
4 board. ~~Unless otherwise specified, "licensed audiologist" shall not mean a person~~
5 ~~who has a provisional or restricted license issued under this Chapter.~~

6 * * *

7 (7)(a) "Practice of audiology" means providing, or offering to provide, to
8 individuals or groups of individuals who have, or are suspected of having, disorders
9 of the auditory system, any service in audiology, including prevention, identification,
10 evaluation, interpretation, counseling, consultation, habilitation, rehabilitation,
11 instruction, supervision, and research. The practice of audiology shall also include
12 audiology services for disorders of the vestibular system upon referral of a physician.
13 An audiologist may engage in any task, procedure, act, or practice that is necessary
14 including but not limited to any of the following:

15 (i) ~~For the evaluation~~ Evaluation of hearing and the monitoring of neural
16 functioning.

17 (ii) ~~For training~~ Training in the use of amplification, including hearing aids
18 and assistive listening devices.

19 (iii) ~~For the making~~ Making of earmolds.

20 (iv) ~~For the fitting,~~ Fitting, dispensing, and selling of hearing aids.

21 (v) Conducting speech and language screening limited to a pass or fail
22 determination for the purpose of identifying and referring individuals suspected of
23 having disorders of communication.

24 (vi) Managing of cerumen which refers to the removal of wax-like secretions
25 from the cartilaginous portion of the external ear in otherwise healthy ears.

26 (vii) Any basic health screening with a referral to an appropriate healthcare
27 professional.

28 * * *

1 (g) ~~The practice of audiology may include speech and language screening,~~
2 ~~limited to a pass/fail determination for the purpose of identifying and referring~~
3 ~~individuals suspected of having disorders of communication.~~ A licensed audiologist
4 who fits and sells hearing aids shall follow rules adopted by the board regarding
5 hearing aid trial periods.

6 * * *

7 (13) "Over-the-counter hearing aid" means a hearing instrument or hearing
8 aid that meets the United States Food and Drug Administration's requirements for
9 this class of device and which may be dispensed or sold without a hearing
10 assessment, licensed hearing instrument professional fitting and dispensing
11 engagement, or returned for credit privileges as provided by federal law.

12 (14) "Personal sound amplification product" means an amplification device,
13 as defined by the United States Food and Drug Administration or Federal Trade
14 Commission, that is not labeled as a hearing aid and is not intended to treat hearing
15 loss.

16 (15) "Prescription hearing aid" means a hearing instrument or hearing aid
17 that meets the United States Food and Drug Administration's requirements for this
18 class of device and requires a hearing assessment and prescription prior to purchase
19 and a prescribed fitting and dispensing by a licensed audiologist or hearing
20 instrument professional.

21 * * *

22 §2660. Waiver of requirements; reciprocity

23 * * *

24 (4) The board may waive clinical practicum requirements of this Chapter for
25 applicants who hold a certification from the American Board of Audiology and have
26 completed the national examination requirement.

27 * * *

1 §2662. Disciplinary action

2 * * *

3 C. ~~When the board is authorized to discipline an individual, the~~ The board
4 may impose, separately or in combination, any of the following disciplinary actions:

5 * * *

6 (3) Require restitution of costs and expenses, ~~not to include attorney fees,~~ in
7 connection with the enforcement of this Chapter.

8 * * *

9 Section 2. R.S. 37:2651(7)(b), (e), and (f) are hereby repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 867 Reengrossed

2024 Regular Session

Henry

Abstract: Modifies professional requirements of audiologists and speech-language pathologists.

Present law provides that a "licensed audiologist" shall not mean a person who has a provisional or restricted license issued in accordance with present law.

Proposed law repeals present law.

Present law defines the "practice of audiology" to authorize an audiologist to engage in any task, procedure, act, or practice necessary including but not limited to the following:

- (1) Evaluation of hearing and monitoring of neural functioning.
- (2) Training in the use of amplification, including hearing aids and assistive listening devices.
- (3) Making of earmolds.

Proposed law retains present law and adds that the practice of audiology includes all of the following:

- (1) Conducting speech and language screening.
- (2) Managing of cerumen.
- (3) Any basic health screening with a referral from an appropriate healthcare professional.

Present law provides that an audiologist may sell and fit hearing aids under certain circumstances and with certain restrictions.

Proposed law repeals present law and provides that a licensed audiologist who fits and sells hearing aids shall follow rules established by the La. Board of Examiners for Speech-Language Pathology and Audiology (board) regarding hearing aid trial periods.

Present law requires an audiologist to obtain education course credits in certain areas of study to fit and sell hearing aids.

Proposed law repeals present law.

Proposed law adds definitions of "over-the-counter hearing aid", "personal sound amplification device", and "prescription hearing aid".

Present law allows a waiver of licensing requirements for audiologists and speech-language pathologists in certain circumstances.

Proposed law adds that the board may waive clinical practicum requirements of present law for applicants who hold a certification from the American Board of Audiology and have completed the national examination requirement.

Present law provides that the board may seek restitution of costs and expenses, not including attorney fees, when enforcing the provisions of present law.

Proposed law retains present law and adds that the board may seek attorney fees when enforcing provisions of present law.

(Amends R.S. 37:2651(1), (3), (7)(a) and (g), and 2662(C)(intro. para.) and (3); Adds R.S. 37:2651(13), (14), and (15) and 2660(4); Repeals R.S. 37:2651(7)(b), (e), and (f))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Add speech and language screening, cerumen management, and any basic health screening to the definition of the practice of audiology.
2. Remove provisions relative to the fitting and selling of hearing aids.
3. Remove provisions relative to educational requirements for an audiologist to fit and sell hearing aids.
4. Add that an audiologist who fits and sells hearing aids shall follow rules promulgated by the La. Board of Examiners of Speech-Language Pathology and Audiology (board).
5. Add that the board may waive licensing requirements in certain circumstances.
6. Add that the board may seek restitution of attorney fees when enforcing present law to discipline licensees.
7. Make technical changes.