HLS 25RS-728 ORIGINAL

2025 Regular Session

HOUSE BILL NO. 442

1

BY REPRESENTATIVE HENRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SPEECH/PATH/AUDIO: Provides relative to the practice of audiology and speech-language pathology

AN ACT

2	To amend and reenact R.S. 37:2651(1), (3), and (7)(a), (b), and (g), 2659(A)(introductory
3	paragraph) and (1), 2660(3), 2662(C)(introductory paragraph) and (3), to enact R.S
4	37:2651(13) through (18), and to repeal R.S. 37:2651(7)(e) and (f), relative to
5	audiology and speech-language pathology; to provide for definitions; to provide for
6	the qualifications of an applicant for licensure; to waive certain requirements for
7	licensure; to provide for disciplinary actions; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 37:2651(1), (3), and (7)(a), (b), and (g), 2659(A)(introductory
10	paragraph) and (1), 2660(3), 2662(C)(introductory paragraph) and (3) are hereby amended
11	and reenacted and R.S. 37:2651(13) through (18) 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 in accordance with this Chapter.
20	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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, which includes any service in audiology, including
10	prevention, identification, evaluation, interpretation, counseling, consultation,
11	habilitation, rehabilitation, instruction, supervision, and or research. The practice of
12	audiology shall also include audiology services for disorders of the vestibular system
13	upon referral of a physician.
14	(b) An audiologist may engage in any task, procedure, act, or practice,
15	including cerumen management, that is necessary for any of the following:
16	(i) For the The evaluation of hearing and the monitoring of neural
17	functioning.
18	(ii) For training <u>Training</u> in the use of amplification, including <u>classification</u>
19	of hearing aids and assistive listening devices.
20	(iii) For the making Making of earmolds.
21	(iv) For the fitting Fitting, dispensing, and selling of all classification of
22	hearing aids.
23	(v) Conducting speech and language screening, which is limited to a pass or
24	fail determination, for the purpose of identifying and referring individuals suspected
25	of having disorders of communication.
26	(vi) Any basic health screening, for which one has been trained, with referral
27	to an appropriate healthcare professional.
28	(b) An individual who meets the requirements of this Chapter for licensure
29	as an audiologist and who engages in the fitting and selling of hearing aids shall:

1	(i) Register with the board his intent to fit and dispense hearing aids.
2	(ii) Comply with federal Food and Drug Administration guidelines required
3	for fitting and dispensing hearing aids.
4	(iii)(vii) Following guidelines adopted by the board for a thirty-day
5	trial period on hearing aids dispensed.
6	(iv) Comply with pre-purchase evaluation guidelines adopted by the board.
7	(v) Provide documentation of completion of at least thirty semester credit
8	hours of professional coursework, twenty-one hours of which shall be in audiology.
9	A minimum of six semester credit hours shall be in specific areas in amplification,
10	including:
1	(aa) Physical and electroacoustic characteristics of hearing aids and other
12	assistive amplification devices.
13	(bb) Earmold and in-the-ear hearing aid acoustics, materials, types, tubing,
14	impressions techniques, and modifications.
15	(cc) Room acoustics, including the effects of noise on speech intelligibility,
16	environmental modifications, and interaction with amplification devices.
17	(dd) Principles and methods of evaluation, including determination of need
18	for and characteristics of appropriate amplification using case history, self-
19	assessment inventories, and audiological assessment data.
20	(ee) Selection procedures and protocols, such as traditional and
21	contemporary evaluations, prescriptive fittings, real ear measurements, and
22	programmable hearing aids.
23	(ff) Rationale for selection of various hearing aid characteristics and types
24	of fittings.
25	(gg) Procedural modifications for special populations, such as pediatric,
26	geriatric, developmentally disabled, and physically disabled.
27	(hh) Rehabilitative procedures, such as hearing aid orientation, counseling
28	of individuals who are deaf or hard of hearing and their families, speechreading, and
29	auditory training.

1	(ii) Business management and marketing strategies.
2	(jj) Professional aspects of hearing aid services, such as recordkeeping and
3	documentation, risk management, quality assurance, professional liability, equipment
4	selection, and reimbursement systems.
5	(vi) Provide documentation of a minimum of three hundred fifty supervised
6	clock hours of clinical practicum obtained during graduate training with at least
7	eighty of those hours obtained in the evaluation, selection, and use of appropriate
8	amplification systems and their related components, including:
9	(aa) Making, fitting, and acoustic modification of earmolds.
10	(bb) Electroacoustic tests of amplification systems.
11	(cc) Maintenance of amplification systems, earmolds, and assistive devices.
12	(vii) Complete nine months of postgraduate professional experience, begun
13	after completion of the academic and clinical experiences, under the supervision of
14	a licensed dispensing audiologist.
15	* * *
16	(g) The practice of audiology may include speech and language screening,
17	limited to a pass/fail pass or fail determination for the purpose of identifying and
18	referring individuals suspected of having disorders of communication.
19	* * *
20	(13) "ABA" means the American Board of Audiology.
21	(14) "ASHA" means the American Speech-Language-Hearing Association.
22	(15) "Over-the-counter hearing aid" means a hearing instrument or hearing
23	aid that meets the current United States Food and Drug Administration's
24	requirements for this class of device and which may be dispensed or sold without a
25	hearing assessment, licensed hearing instrument professional fitting and dispensing
26	engagement, or return for credit privileges as provided by federal law.
27	(16) "Personal sound amplification product" means an amplification device,
28	as defined by the United States Food and Drug Administration or the Federal Trade

1	Commission that is not labeled as a hearing aid and is not intended to treat hearing
2	<u>loss.</u>
3	(17) "Prescription hearing aid" means a hearing instrument or hearing aid
4	that meets the United States Food and Drug Administration's requirements for this
5	class of device and which requires both of the following:
6	(a) A hearing assessment and prescription for medically necessary hearing
7	aids prior to purchase.
8	(b) A prescribed fitting and dispensing by a licensed audiologist or hearing
9	instrument professional.
10	(18) "Telehealth" or "telepractice" means the mode of delivering audiology
11	and speech-language pathology services that utilizes information and communication
12	technologies to enable the diagnosis, consultation, treatment, education, care
13	management, and self-management of clients at a distance from the audiologist or
14	speech-language pathologist provider. Telehealth allows services to be accessed
15	when providers are at a distant site and patients are at the originating site. Telehealth
16	facilities self-management and caregiver support for patients and includes
17	synchronous interactions and asynchronous store and forward transfers.
18	* * *
19	§2659. Qualifications for license
20	A. No individual shall be eligible for licensure or provisional licensure by
21	the board as an audiologist, speech-language pathologist, speech-language pathology
22	assistant, or any manner of dual licensure thereof, as applicable, unless the
23	individual:
24	(1) Is of <u>Displays</u> good moral character. <u>For purposes of this Section</u> , "good
25	moral character" includes but is not limited to the qualities of honesty, fairness,
26	candor, trustworthiness, observance of fiduciary or other legal obligations, and a
27	respect for the rights of other persons and the laws of this state, such as if the
28	applicant has been convicted of a felony. Any determination and review of criminal

1	history records information shall be conducted in accordance with applicable state
2	<u>laws.</u>
3	* * *
4	§2660. Waiver of requirements Reciprocity; waivers
5	The board may issue licenses under the following special conditions:
6	* * *
7	(3) The board shall may waive, upon request, the examination requirements
8	for any applicant who is currently certified by the State Board of Elementary and
9	Secondary Education as a specialist of speech-language pathology and currently
10	employed in a school setting clinical practicum requirements pursuant to this Chapter
11	for applicants who hold certification from the ABA and have completed the national
12	examination requirement.
13	* * *
14	§2662. Disciplinary action; violations
15	* * *
16	C. When the The board is authorized to discipline an individual, the board
17	may impose, separately or in combination, any of the following disciplinary actions
18	when an individual violates the provisions of this Chapter:
19	* * *
20	(3) Require restitution of costs and expenses, not to include attorney fees, in
21	connection with the enforcement of this Chapter.
22	* * *
23	Section 2. R.S. 37:2651(7)(e) and (f) are hereby repealed in their entirety.
24	Section 3. The Louisiana State Law Institute is hereby authorized and directed to
25	alphabetize and renumber the definitions contained in R.S. 37:2651 and to correct any cross-
26	references to the renumbered paragraphs if necessary, consistent with the provisions of this
27	Act.

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 442 Original

2025 Regular Session

Henry

Abstract: Provides relative to qualifications and disciplinary measures for licensees of audiology and speech-language pathology.

<u>Present law</u> defines audiologist, board, licensed audiologist, licensed speech-language pathologist, licensed speech-language pathology assistant, person, practice of audiology, practice of speech-language pathology, provisional license, provisional speech-language pathology assistant license, restricted license, and speech-language pathologist.

<u>Proposed law</u> adds "ABA", "ASHA", "over-the-counter hearing aid", "personal sound amplification product", "prescription hearing aid", and "telehealth or telepractice" to the list of definitions and amends the definition of "practice of audiology". <u>Proposed law</u> otherwise retains <u>present law</u>.

<u>Present law</u> provides that no individual shall be eligible for licensure by the board as an audiologist, unless the individual is of good moral character.

Proposed law clarifies the definition of "good moral character".

<u>Present law</u> requires the board to issue licenses under certain special conditions. One of those conditions provided for in <u>present law</u> is that the board shall waive, upon request, the examination requirements for any applicant who is currently certified by the State Board of Elementary and Secondary Education as a specialist of speech-language pathology and currently employed in a school setting.

<u>Proposed law</u> instead allows the board to waive clinical practicum requirements for applicants who hold certification from the American Board of Audiology and have completed the national examination requirement.

<u>Present law</u> provides that when the board is authorized to discipline an individual, the board may impose, separately or in combination, any of the following disciplinary actions:

- (1) Refuse to issue or renew a license or registration.
- (2) Issue a public letter of reprimand or concern.
- (3) Require restitution of costs and expenses, not to include attorney fees, in connection with the enforcement of this present law.
- (4) Impose probationary conditions.
- (5) Impose a fine for each violation not to exceed \$1,000.
- (6) Suspend or revoke a license or registration.
- (7) Restrict the license by limiting or reducing the scope of practice.
- (8) Otherwise discipline a licensee or registrant upon proof of violations of any provisions of present law.

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(9) Issue a consent agreement and order.

<u>Proposed law</u> instead provides that the board is authorized to impose any of the aforementioned disciplinary actions if the individual violates the provisions of <u>present law</u>. <u>Proposed law</u> also allows for the collection of attorney fees if the board decides to require restitution of costs and expenses in connection with the enforcement of <u>present law</u>.

Proposed law otherwise retains present law.

Directs the La. State Law Institute to alphabetize and renumber the definitions contained in R.S. 37:2651 and to correct any cross-references that may need to be changed as a result of this renumbering.

(Amends R.S. 37:2651(1), (3), and (7)(a), (b), and (g), 2659(A)(intro. para.) and (1), 2660(3), 2662(C)(intro. para.) and (3); Adds R.S. 37:2651(13)-(18); Repeals R.S. 37:2651(7)(e) and (f))