

2016 Regular Session

SENATE BILL NO. 223

BY SENATOR CLAITOR

SPEECH/PATH/AUDIO. Provides relative the La. Board of Examiners for Speech-Language Pathology and Audiology. (8/1/16)

1 AN ACT

2 To amend and reenact R.S. 37:2659 and to enact R.S. 37:2659.1, relative to the Louisiana
3 Board of Examiners for Speech-Language Pathology and Audiology; to provide for
4 the powers and duties of the board; to provide relative to certain qualifications for
5 licensure by the board; to provide definitions; to require the board to request and
6 obtain certain state and national criminal history record information for eligibility
7 determination; to provide for confidentiality of certain information; to provide for
8 a compliance hearing; to provide terms, conditions, requirements, and procedures;
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 37:2659 is hereby amended and reenacted and R.S. 37:2659.1 is
12 hereby enacted to read as follows:

13 §2659. Qualifications for license

14 A. No individual shall be eligible for licensure by the board as ~~a speech-~~
15 ~~language pathologist, or an audiologist, or as both,~~ unless the individual:

16 (1) Is of good moral character.

17 (2) Holds a ~~master's~~ **doctoral** degree, or equivalent, in ~~speech-language~~

1 ~~pathology or~~ audiology from an accredited educational ~~institution~~ **program**, as
2 evidenced by the submission of an official transcript, which consists of course work
3 approved by the board ~~in the area in which licensure is sought~~.

4 (3) Has completed supervised clinical practicum ~~pertinent to the license being~~
5 ~~sought from~~ **through** an accredited educational ~~institution or its cooperating~~
6 ~~programs~~ **program**, as evidenced by official documentation from the institution, the
7 content of which shall be approved by the board.

8 (4) Has passed an examination approved by the board pertinent to the license
9 sought.

10 ~~(5) Presents written evidence from employers or supervisors of at least nine~~
11 ~~months of full-time supervised postgraduate professional employment, or its part-~~
12 ~~time equivalent, pertinent to the license being sought. This experience must follow~~
13 ~~the completion of the requirements set forth in Paragraphs (1) through (3) of this~~
14 ~~Section.~~

15 **B. No individual shall be eligible for licensure by the board as a**
16 **speech-language pathologist unless the individual:**

17 **(1) Is of good moral character.**

18 **(2) Holds a master's degree, or equivalent, in speech-language pathology**
19 **from an accredited educational program, as evidenced by the submission of an**
20 **official transcript which consists of course work approved by the board.**

21 **(3) Has completed supervised clinical practicum through an accredited**
22 **educational program, as evidenced by official documentation from the**
23 **institution, the content of which shall be approved by the board.**

24 **(4) Has passed an examination approved by the board pertinent to the**
25 **area of practice.**

26 **(5) Presents written evidence from an employer or supervisor of at least**
27 **thirty-six weeks of full-time supervised postgraduate professional employment,**
28 **or its part-time equivalent. This experience must follow the completion of the**
29 **requirements set forth in Paragraphs (2) and (3) of this Subsection.**

1 **(6) Individuals holding a baccalaureate degree in speech pathology and**
2 **a speech pathology license issued pursuant to the law in effect prior to August**
3 **15, 1995, may continue to renew such license as specified in the rules and**
4 **regulations as established by the board.**

5 **C. Individuals who apply for dual licensure in audiology and**
6 **speech-language pathology must meet the qualifications set forth in Subsections**
7 **A and B of this Section.**

8 **D.** The board may issue a provisional **speech-language pathology** license
9 to an individual who:

10 (1) Except for the supervised postgraduate professional experience, meets the
11 requirements for licensure as a speech-language pathologist ~~and/or audiologist~~ as
12 provided by Subsection ~~A~~ **B** of this Section. An individual may not hold such license
13 for more than three years from the date of original issuance.

14 (2) Except for the supervised postgraduate professional experience and the
15 examination requirement, meets the requirements for licensure as a speech-language
16 pathologist ~~and/or audiologist~~ as provided by Subsection ~~A~~ **B** of this Section. An
17 individual shall fulfill the examination requirement within one year from the date of
18 original issuance. An individual who has passed the examination may have two
19 additional years to complete the postgraduate professional experience.

20 ~~E.~~ **E.** The board may issue a restricted license to an individual who previously
21 held a restricted license, on or prior to August 15, 1995, and submits proof of such
22 licensure. Such individual may maintain a restricted license in accordance with the
23 requirements for renewal established in R.S. 37:2661.1.

24 ~~D.~~ **F.** No individual shall be eligible for licensure by the board as a speech-
25 language pathology assistant unless the individual:

26 (1) Is of good moral character.

27 (2) Holds at least a bachelor's degree from an accredited educational
28 institution, as evidenced by the submission of an official transcript and has
29 completed the course work specified by the board.

1 (3) Has completed required supervised clinical practicum from an accredited
2 educational institution or its cooperating programs, as evidenced by official
3 documentation from the institution, the content of which shall be approved by the
4 board, or has completed a combination of supervised clinical practicum from an
5 accredited educational institution or its cooperating program as evidenced by official
6 documentation from the institution, the content of which shall be approved by the
7 board, as well as supervised on-the-job training, the content of which shall be
8 approved by the board.

9 E. G. The board may issue a provisional speech-language pathology assistant
10 license to an individual who, except for the supervised on-the-job training, the
11 content of which shall be approved by the board, meets the requirements for
12 licensure as a speech-language pathology assistant as provided by Subsection ~~D~~ F
13 of this Section. An individual may not hold such provisional license for more than
14 three years from the date of original issuance.

15 **§2659.1. Authorization to obtain criminal history record information**

16 **A. As used in this Section, the following terms shall have the following**
17 **meanings:**

18 **(1) "Applicant" means an individual who has made application to the**
19 **board for the issuance, renewal, or reinstatement of any form of licensure or**
20 **registration which the board is authorized by law to issue.**

21 **(2) "Board" means the Louisiana Board of Examiners for**
22 **Speech-Language Pathology and Audiology.**

23 **(3) "Bureau" means the Louisiana Bureau of Criminal Identification and**
24 **Information of the office of state police within the Department of Public Safety**
25 **and Corrections.**

26 **(4) "Criminal history record information" means information collected**
27 **by state and federal criminal justice agencies on individuals consisting of**
28 **identifiable descriptions and notations of arrests, detentions, indictments, bills**
29 **of information, or any formal criminal charges, and any disposition arising**

1 therefrom, including sentencing, criminal correctional supervision, and release.

2 It shall not include intelligence information gathered for investigatory purposes
3 or any identification information which does not indicate involvement of the
4 individual in the criminal justice system.

5 (5) "FBI" means the Federal Bureau of Investigation of the United States
6 Department of Justice.

7 (6) "Licensure" means any license, provisional license, certification, or
8 registration that the board is authorized to issue.

9 B. In addition to any other requirements established by board rules, the
10 board shall require an applicant, as a condition of eligibility for licensure:

11 (1) To submit a full set of fingerprints, in a form and manner prescribed
12 by the board.

13 (2) To permit the board to request and obtain state and national criminal
14 history record information on the applicant.

15 (3) To pay the reasonable costs to be incurred by the board in requesting
16 and obtaining state and national criminal history record information on the
17 applicant.

18 C. In accordance with the provisions and procedure prescribed by this
19 Section, the board shall request and obtain state and national criminal history
20 record information from the bureau and the FBI relative to any applicant for
21 licensure or registration whose fingerprints the board has obtained pursuant to
22 this Section for the purpose of determining the applicant's suitability and
23 eligibility for licensure.

24 D. Upon request by the board and upon the board's submission of an
25 applicant's fingerprints, and such other identifying information as may be
26 required, the bureau shall survey its criminal history records and identification
27 files and make a simultaneous request of the FBI for like information from
28 other jurisdictions. The bureau may charge the board a reasonable processing
29 fee for conducting and reporting on any such search.

1 **E. Any and all state or national criminal history record information**
 2 **obtained by the board from the bureau or FBI which is not already a matter of**
 3 **public record shall be deemed nonpublic and confidential information restricted**
 4 **to the exclusive use by the board, its members, officers, investigators, agents,**
 5 **and attorneys in evaluating the applicant's eligibility or disqualification for**
 6 **licensure. No such information or records related thereto shall, except with the**
 7 **written consent of the applicant or by order of a court of competent jurisdiction,**
 8 **be released or otherwise disclosed by the board to any other person or agency.**

9 **F. Upon investigation of the application and other evidence submitted,**
 10 **the board shall notify each applicant that the application and evidence**
 11 **submitted for consideration is satisfactory and accepted, or is unsatisfactory**
 12 **and rejected. If an application is rejected, such notice shall state the reasons for**
 13 **the rejection and the applicant's right to a compliance hearing in accordance**
 14 **with the rules and regulations promulgated by the board.**

The original instrument was prepared by J. W. Wiley. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

SB 223 Reengrossed

2016 Regular Session

Claitor

Present law provides relative to the La. Board of Examiners for Speech-Language Pathology and Audiology.

Present law provides relative to qualifications for licensure of audiologists and speech-language pathologists. Proposed law revises certain qualifications, including that audiologist hold doctoral degree or equivalent.

Present law provides for board's duties and powers. Proposed law retains present law and adds additional powers.

Proposed law provides certain definitions.

Proposed law authorizes the board to require an applicant, as a condition of eligibility for licensure, to do the following:

- (1) To submit a full set of fingerprints, in a form and manner prescribed by the board.
- (2) To permit the board to request and obtain state and national criminal history record information on the applicant.
- (3) To pay the reasonable costs to be incurred by the board in requesting and obtaining state and national criminal history record information on the applicant.

Proposed law requires the board to request and obtain state and national criminal history record information from the Louisiana Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections ("bureau") and the Federal Bureau of Investigation ("FBI") relative to any applicant for licensure whose fingerprints the board has obtained pursuant to law for the purpose of determining the applicant's suitability and eligibility for licensure.

Proposed law provides that upon request by the board and upon the board's submission of an applicant's fingerprints, and such other identifying information as may be required, the bureau must survey its criminal history records and identification files and make a simultaneous request of the FBI for like information from other jurisdictions. The bureau may charge the board a reasonable processing fee for conducting and reporting on any such search.

Proposed law provides that any and all state or national criminal history record information obtained by the board from the bureau or FBI which is not already a matter of public record will be deemed nonpublic and confidential information restricted to the exclusive use by the board, its members, officers, investigators, agents, and attorneys in evaluating the applicant's eligibility or disqualification for licensure. No such information or records related thereto will, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

Proposed law provides that upon investigation of the application and other evidence submitted, the board will notify each applicant that the application and evidence submitted for consideration is satisfactory and accepted, or unsatisfactory and rejected. If an application is rejected, such notice will state the reasons for such rejection and the applicant's right to a compliance hearing in accordance with the rules and regulations promulgated by the board.

Effective August 1, 2016.

(Amends R.S. 37:2659; adds R.S. 37:2659.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Added revisions to certain qualifications for licensure.

Senate Floor Amendments to engrossed bill

1. Technical amendment.