

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**

# **A Bill**

**ACT 826 OF 1995**  
**HOUSE BILL 1624**

4 **By: Representatives Wren and Flanagin**

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## **For An Act To Be Entitled**

8 "AN ACT TO AMEND THE ARKANSAS CODE TO AUTHORIZE THE BOARD  
9 OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY TO  
10 PROMULGATE REGULATIONS REGARDING THE USE OF SPEECH-  
11 LANGUAGE PATHOLOGY SUPPORT PERSONNEL BY PRACTITIONERS OF  
12 SPEECH-LANGUAGE PATHOLOGY; AND FOR OTHER PURPOSES."

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### **Subtitle**

15 "TO AUTHORIZE THE BOARD OF EXAMINERS IN  
16 SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY  
17 TO PROMULGATE REGULATIONS REGARDING THE  
18 USE OF SPEECH-LANGUAGE PATHOLOGY SUPPORT  
19 PERSONNEL BY PRACTITIONERS OF SPEECH-  
20 LANGUAGE PATHOLOGY."

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code 17-97-103 is amended to read as follows:

25 "17-97-103. Definitions.

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

27 (1) ASHA means the American Speech-Language-Hearing Association;

28 (2) Association means the Arkansas Speech-Language-Hearing

29 Association, Incorporated;

30 (3) Audiologist means an individual who practices audiology by any  
31 title or description of services incorporating the words audiologist,  
32 hearing clinician, hearing therapist, or any similar title or description  
33 of services;

34 (4) Audiology means the application of principles, methods, and  
35 procedures of measurement, testing, evaluation, prediction, consultation,  
36 counseling, instruction, habilitation, or rehabilitation related to hearing

1 and disorders of hearing for the purpose of evaluating, identifying,  
2 preventing, ameliorating, or modifying such disorders and conditions in  
3 individuals and groups of individuals. For the purposes of this subdivision,  
4 the words habilitation and rehabilitation include, but are not limited to,  
5 hearing aid evaluation and recommendations, auditory training, and speech  
6 reading;

7 (5) Board means the State Board of Examiners in Speech-Language  
8 Pathology and Audiology, established under § 17-97-201;

9 (6) Person means any individual, organization, or corporate body,  
10 except that only an individual may be licensed under this chapter;

11 (7) Speech-language pathologist means an individual who practices  
12 speech-language pathology by any title or description of services  
13 incorporating the words speech-language pathologist, speech therapist,  
14 speech correctionist, speech clinician, language pathologist, language  
15 therapist, logopedist, communicologist, voice therapist, voice  
16 pathologist, or any similar title or description of service;

17 (8) Speech-language pathology means the application of principles,  
18 methods, and procedures for the measurement, testing, evaluation, prediction,  
19 counseling, instruction, habilitation, or rehabilitation related to the  
20 development and disorders of speech, voice, or language for the purpose of  
21 evaluating, preventing, ameliorating, or modifying such disorders and  
22 conditions in individuals and groups of individuals;

23 (9) Speech-Language Pathology Support Personnel, or any variation,  
24 synonym, or coinage of the term means an *individual who holds a Bachelor's*  
25 *Degree in Speech Pathology* or any other individual who meets minimum  
26 qualifications established by the board, which are less than those established  
27 by this chapter as necessary for licensing as a speech-language pathologist  
28 and who provides services as prescribed, directed and supervised by a speech-  
29 language pathologist licensed under this chapter.

30 (10) *Services provided by Speech-Language Pathology Support Personnel*  
31 *which are prescribed, directed and supervised by a speech language pathologist*  
32 *licensed under this chapter may be billed to third parties as Speech Language*  
33 *Services/Therapies. The billings may be in the name of the licensed speech*  
34 *language pathologist or clinic of licensed speech-language pathologist or a*  
35 *Developmental Disability Day Treatment Clinic Services community provider*

1 *licensed or certified by the Division of Developmental Disability Services,*  
2 *who employs the speech-language pathology support personnel."*

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4 SECTION 2. Arkansas Code 17-97-202(b) is amended to read as follows:

5 "(b) The board shall adopt rules and regulations relating to  
6 professional conduct commensurate with the policy of this chapter, including,  
7 but not limited to, regulations which establish ethical standards of practice  
8 necessary to the enforcement and orderly administration of this chapter and,  
9 for other purposes, may amend or repeal the same in accordance with the  
10 Arkansas Administrative Procedure Act, as amended, § 25-15-201 et seq. The  
11 board shall promulgate regulations regarding the use of speech-language  
12 pathology support personnel by practitioners of speech-language pathology by  
13 January 1, 1996. All rules and regulations promulgated pursuant to this  
14 section shall be reviewed by the Joint Interim Committee on Public Health,  
15 Welfare and Labor or an appropriate subcommittee thereof. Following their  
16 adoption, the rules and regulations shall govern and control the professional  
17 conduct of every person who holds a license to practice speech-language  
18 pathology or audiology in this state."

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20 SECTION 3. Arkansas Code 17-94-104 is amended to read as follows:

21 "§ 17-97-104. Exemptions.

22 Nothing in this chapter shall be construed as preventing or  
23 restricting:

24 (1) A physician or surgeon from engaging in the practice of medicine in  
25 this state;

26 (2) A hearing aid dealer from engaging in the business of fitting and  
27 selling hearing aids in this state in accordance with § 17-83-101 et seq.;

28 (3) Any person licensed in this state by any other law from engaging in  
29 the profession or occupation for which he is licensed;

30 (4) A person from performing speech-language pathology or audiology  
31 services solely within the confines or under the jurisdiction of a public  
32 school system if that person holds a valid and current certificate as a speech  
33 therapist or speech-language pathologist issued by the Department of  
34 Education.

35 (A) However, without obtaining a license under this chapter, such

1 person may consult with or disseminate his research findings and other  
2 specific information to speech-language pathologists and audiologists outside  
3 the jurisdiction of the school district by which he is employed. Such person  
4 may also offer lectures to the public for a fee, monetary or other, without  
5 being licensed under this chapter.

6 (B) The person may additionally elect to be subject to this  
7 chapter;

8 (5) The activities and services of persons pursuing a course of study  
9 leading to a degree in speech-language pathology or audiology at a college or  
10 university, if the activities and services constitute a part of a supervised  
11 course of study and if the persons are designated as speech-language pathology  
12 interns, speech-language pathology trainees, audiology interns, audiology  
13 trainees, or by other such titles clearly indicating the training status  
14 appropriate to their level of training;

15 (6) (A) The performance of speech-language pathology or audiology  
16 services in this state by any person not a resident of this state who is not  
17 licensed under this chapter, if the services are performed for no more than  
18 five (5) days in any calendar year and in cooperation with a speech-language  
19 pathologist or audiologist licensed under this chapter and if the person meets  
20 the qualifications and requirements for application for licensure described in  
21 § 17-97-302(b).

22 (B) The performance of speech-language pathology or audiology  
23 services in this state by a person not a resident of this state who is not  
24 licensed under this chapter, but who is licensed under the law of another  
25 state which has established licensure requirements at least equivalent to  
26 those established by § 17-97-302(b), or who is the holder of the ASHA  
27 certificate of clinical competence in speech-language pathology or audiology  
28 or its equivalent, if such services are performed in the state for no more  
29 than thirty (30) days in any fiscal year and are performed in cooperation with  
30 a speech-language pathologist or audiologist licensed under this chapter; or

31 (7) (A) A person from performing speech-language pathology or audiology  
32 services solely within the confines of the person's duties as an employee of  
33 the State of Arkansas, provided that the person was an employee of the State  
34 of Arkansas on January 1, 1993, and, furthermore, this exemption applies to  
35 such state employees who subsequently transfer to another agency of the state.



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