

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1938

DATE: February 20, 2004

Version: As introduced

Authors: Abeler and others

Subject: Creating Certification for Speech-Language Pathology Assistants

Analyst: Danyell A. Punelli

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

This bill creates certification for speech-language pathology assistants.

Section

- 1 **Scope.** Amends § 148.511. Creates a certification for speech-language pathology assistants and audiologists. Currently, the only option is licensure.
- 2 **Applicant.** Amends § 148.512, subd. 4. Amends the definition of "applicant" to include applicants for certification.
- 3 **Continuing education.** Amends § 148.512, subd. 9. Makes a technical change.
- 4 **Practice of audiology.** Amends § 148.512, subd. 12. Modifies the definition of "practice of audiology."
- 5 **Practice of speech-language pathology.** Amends § 148.512, subd. 13. Modifies the definition of "practice of speech-language pathology."
- 6 **License or licensed.** Amends § 148.512, subd. 14. Clarifies statutory references due to the creation of speech-language pathology assistant certification.
- 7 **Licensee.** Amends § 148.512, subd. 15. Clarifies statutory references due to the creation of speech-language pathology assistant certification.
- 8 **Licensure.** Amends § 148.512, subd. 16. Clarifies statutory references due to the creation of speech-language pathology assistant certification.
- 9 **Speech-language pathology assistant.** Amends § 148.512, by adding subd. 17a. Defines "speech-language pathology assistant."
- 10 **Supervision.** Amends § 148.512, subd. 19. Modifies the definition of "supervision" by adding a certified speech-language pathology assistant to the list of persons who may be

Section

supervised.

11 Unlicensed or uncertified practice prohibited. Amends § 148.513, subd. 1. Adds language referring to certified speech-language pathology assistants.

12 Protected titles and restrictions on use. Amends § 148.513, subd. 2. Clarifies statutory references due to the creation of speech-language pathology assistant certification. Makes technical changes. Prohibits the use of the terms or initials listed in this subdivision in combination with the word "assistant" by any person to form an occupational title, unless the person is certified. Prohibits assistants from representing, implying, or indicating to the public that the assistant is a licensed speech-language pathologist. Specifies the titles that assistants may use.

13 Application. Amends § 148.5161, subd. 1. Requires clinical fellowship and doctoral externship candidates to be licensed with a clinical fellowship or doctoral externship license.

14 Title used. Amends § 148.5161, subd. 6. Requires a licensee with a doctoral externship to be identified by a designation indicating doctoral externship status.

15 Licensure or certification reciprocity. Amends § 148.517.

Subd. 1. Applicability. Adds language referring to certification of speech-language pathology assistants.

Subd. 2. Current credentials required. Adds language referring to certification of speech-language pathology assistants. Makes technical changes.

Subd. 3. Verification of credentials required. Adds language referring to certification.

16 Temporary licensure or certification. Amends § 148.5175. Requires the commissioner to issue temporary certification as a speech-language pathology assistant to an applicant who has applied for certification and who meets certain criteria. Specifies that temporary certifications expire 90 days after issuance or on the day the commissioner grants or denies certification. Requires temporary certification to be renewed once to a person who is able to demonstrate good cause for failure to meet the requirements of certification within the initial temporary certification period.

17 Licensure or certification following lapse of licensure or certification status. Amends § 148.518. Adds language referring to certification. Current law only refers to licensure.

18 Action on applications. Amends § 148.519, subd. 2. Adds language referring to certification.

19 Change of address. Amends § 148.519, subd. 3. Adds language referring to certification.

20 Renewal requirements. Amends § 148.5191, subd. 1. Adds language referring to certification.

21 Renewal notice. Amends § 148.5191, subd. 3. Adds language referring to certification.

22 Renewal deadline. Amends § 148.5191, subd. 4. Adds language referring to certification. Makes technical changes.

23 Certification of speech-language pathology assistants. Adds § 148.5192.

Subd. 1. Certification requirements. Specifies the requirements an applicant for certification as a speech-language pathology assistant must meet.

Subd. 2. Delegated duties; prohibitions. Lists the duties that may be performed by a

Section

certified speech-language pathology assistant, as delegated by the supervising speech-language pathologist. Lists the duties certified speech-language pathology assistants are prohibited from performing. Lists documents a certified speech-language pathology assistant is required to sign or initial and the documents a certified assistant is prohibited from signing.

Subd. 3. Supervision requirements. Specifies the requirements a supervising speech-language pathologist must meet in order to supervise a certified speech-language pathology assistant. Specifies the supervision schedule for speech-language pathology assistants that must be met. Defines "direct supervision." Requires supervising speech-language pathologists to be available to communicate with a speech-language pathology assistant at any time the assistant is in direct contact with a client. Requires supervising speech-language pathologists to document activities performed by their assistant. Lists the documentation that must be included. Requires supervising speech-language pathologists to review and co-sign all informal treatment notes signed or initialed by the assistant. Allows full-time speech-language pathologists to supervise no more than one full-time assistant, or the equivalent of one full-time assistant.

Subd. 4. Notification. Requires any agency that intends to utilize the services of a certified speech-language pathology assistant to provide written notification to the client, or the client's parent or guardian before a certified speech-language pathology assistant performs any duties.

- 24 **Number of contact hours required.** Amends § 148.5193, subd. 1. Makes technical changes. Requires applicants for certification renewal to provide evidence to the commissioner of a minimum of 10 contact hours of continuing education within the two years immediately preceding certification renewal. Prohibits contact hours from being accumulated in advance and transferred to a future continuing education period.
- 25 **Earning continuing education contact hours through contact hour equivalents.** Amends § 148.5193, subd. 4. Adds language referring to certification. Prohibits certification holders from obtaining more than two contact hours in any two-year continuing education period by teaching continuing education courses.
- 26 **Records of attendance.** Amends § 148.5193, subd. 6. Adds language referring to certification holders.
- 27 **Verification of attendance.** Amends § 148.5193, subd. 6a. Adds language referring to certification and certification holder. Makes technical changes.
- 28 **Verification of continuing education reports.** Amends § 148.5193, subd. 7. Adds language referring to certification holder. Makes technical changes.
- 29 **Waiver of continuing education requirements.** Amends § 148.5193, subd. 8. Adds language referring to certification holder.
- 30 **Fee proration.** Amends § 148.5194, subd. 1. Allows certification fees to be prorated according to the number of months that have elapsed between the date the certification is issued and the date the certification expires or must be renewed.
- 31 **Biennial licensure and certification fee.** Amends § 148.5194, subd. 2. Sets the fee for initial certification and biennial certification or renewal at \$100.
- 32 **Rights of applicants and licensees.** Amends § 148.5195, subd. 2. Adds language referring to certification and certification holders.
- 33 **Grounds for disciplinary action by the commissioner.** Amends § 148.5195, subd. 3.

Section

Allows the commissioner to take disciplinary action against a speech-language pathology assistant if there is proof that the individual has performed services in an incompetent or negligent manner.

34 **Disciplinary actions.** Amends § 148.5195, subd. 4. Specifies disciplinary actions the commissioner may take. Includes references to certification. Current law only references licensure.

35 **Consequences of disciplinary actions.** Amends § 148.5195, subd. 5. Upon the suspension or revocation of certification, requires speech-language pathology assistants to cease to practice speech-language pathology or audiology, to use protected titles, and to represent to the public that the speech-language pathology assistant is certified by the commissioner.

36 **Reinstatement requirements after disciplinary actions.** Amends § 148.5195, subd. 6. Specifies the requirements that must be met in order for a speech-language pathology assistant who has had a certification suspended to petition for reinstatement.

37 **Duties.** Amends § 148.5196, subd. 3. Requires an advisory council to advise the commissioner regarding speech-language pathology assistant certification standards and scope of practice and to distribute information regarding certification standards. Adds language referring to certification. Makes technical changes.