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SENATE BILL 181

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Sander Rue

AN ACT

RELATING TO PROFESSIONAL LICENSES; AMENDING THE SPEECH-LANGUAGE
PATHOLOGY, AUDIOLOGY AND HEARING AID DISPENSING PRACTICES ACT
TO ADD A SCOPE OF PRACTICE FOR CLINICAL FELLOWS, INCREASE BOARD
MEMBERSHIP, CONFORM STATE LICENSURE TO NATIONAL STANDARDS,
CHANGE RENEWAL TERMS AND INCREASE LICENSE FEES; PROVIDING FOR
BILINGUAL-MULTICULTURAL LICENSURE ENDORSEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-14B-2 NMSA 1978 (being Laws 1996,
Chapter 57, Section 2, as amended) is amended to read:

"61-14B-2. DEFINITIONS.--As used in the Speech-Language
Pathology, Audiology and Hearing Aid Dispensing Practices Act:

A. "apprentice" means a person working toward full
licensure in speech-language pathology who meets the
requirements for licensure as an apprentice in speech and

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1 language pursuant to the Speech-Language Pathology, Audiology
2 and Hearing Aid Dispensing Practices Act;

3 B. "appropriate supervisor" means a person licensed
4 pursuant to the provisions of the Speech-Language Pathology,
5 Audiology and Hearing Aid Dispensing Practices Act who has a
6 minimum of two years' experience as a speech-language
7 pathologist after the clinical fellowship year;

8 [~~B-~~] C. "auditory trainer" means a custom-fitted FM
9 amplifying instrument other than a hearing aid designed to
10 enhance signal-to-noise ratios;

11 [~~G-~~] D. "audiologist" means a person who engages in
12 the practice of audiology, who may or may not dispense hearing
13 aids and who meets the qualifications set forth in the Speech-
14 Language Pathology, Audiology and Hearing Aid Dispensing
15 Practices Act;

16 [~~D-~~] E. "board" means the speech-language
17 pathology, audiology and hearing aid dispensing practices
18 board;

19 [~~E-~~] F. "business location" means a permanent
20 physical business location in New Mexico where records can be
21 examined and process served;

22 [~~F-~~] G. "clinical fellow" means a person who has
23 completed all academic course work and practicum requirements
24 for a master's degree or the equivalent in speech-language
25 pathology [~~or audiology or both~~] and engages in the practice of

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1 speech-language pathology [~~or audiology~~] as set forth in the
2 provisions of the Speech-Language Pathology, Audiology and
3 Hearing Aid Dispensing Practices Act;

4 [G.] H. "clinical fellowship year" or "CFY" means
5 the time following the completion of all academic course work
6 and practicum requirements for a master's degree in speech-
7 language pathology [~~or audiology or both~~] and during which a
8 clinical fellow is working [~~towards~~] toward a certificate of
9 clinical competence from a nationally recognized speech-
10 language or hearing association or the equivalent;

11 [~~H. "CFY supervisor" means a person licensed~~
12 ~~pursuant to the provisions of the Speech-Language Pathology,~~
13 ~~Audiology and Hearing Aid Dispensing Practices Act who oversees~~
14 ~~the work of a clinical fellow and is so designated in the CFY~~
15 ~~plan that is approved by the board;~~]

16 I. "department" means the regulation and licensing
17 department;

18 J. "hearing aid" means [~~any~~] a wearable instrument
19 or device designed or offered for the purpose of aiding or
20 compensating for impaired human hearing and any parts,
21 attachments or accessories, including earmolds but excluding
22 batteries and cords;

23 K. "hearing aid dispenser" means [~~any~~] a person
24 other than [~~a~~] an audiologist or an otolaryngologist who is
25 licensed to sell, fit and service hearing aids [~~under~~] pursuant

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1 to the Speech-Language Pathology, Audiology and Hearing Aid
2 Dispensing Practices Act and maintains or occupies a permanent
3 physical business location in New Mexico where records can be
4 examined and process can be served;

5 L. "otolaryngologist" means a licensed physician
6 who has completed a recognized residency in otolaryngology and
7 is certified by the American board of otolaryngology;

8 M. "paraprofessional" means a person who provides
9 adjunct speech-pathology or audiology services under the direct
10 supervision of a licensed speech-language pathologist or
11 audiologist;

12 N. "practice of audiology" means the application of
13 principles, methods and procedures of measurement, testing,
14 appraisal, prognostication, aural rehabilitation, aural
15 habilitation, consultation, hearing aid selection and fitting,
16 counseling, instruction and research related to hearing and
17 disorders of hearing for the purpose of nonmedical diagnosis,
18 prevention, identification, amelioration or the modification of
19 communicative disorders involving speech, language auditory
20 function or other aberrant behavior related to hearing
21 disorders;

22 O. "practice of hearing aid dispensing" means the
23 behavioral measurement of human hearing for the purpose of the
24 selection and fitting of hearing aids or other rehabilitative
25 devices to ameliorate the dysfunction of hearing sensitivity;

1 this may include otoscopic inspection of the ear, fabrication
2 of ear impressions and earmolds, instruction, consultation and
3 counseling on the use and care of these instruments, medical
4 referral when appropriate and the analysis of function and
5 servicing of these instruments involving their modification or
6 adjustment;

7 P. "practice of speech-language pathology" means
8 the rendering or offering to render to individuals, groups,
9 organizations or the public any service in speech or language
10 pathology involving the nonmedical application of principles,
11 methods and procedures for the measurement, testing, diagnosis,
12 prognostication, counseling and instruction related to the
13 development and disorders of communications, speech, fluency,
14 voice, verbal and written language, auditory comprehension,
15 cognition, dysphagia, oral pharyngeal or laryngeal sensorimotor
16 competencies and treatment of persons requiring use of an
17 augmentative communication device for the purpose of nonmedical
18 diagnosing, preventing, treating and ameliorating such
19 disorders and conditions in individuals and groups of
20 individuals;

21 Q. "screening" means a pass-fail procedure to
22 identify individuals who may require further assessment in the
23 areas of speech-language pathology, audiology or hearing aid
24 dispensing;

25 R. "speech-language pathologist" means a person who

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1 engages in the practice of speech-language pathology and who
2 meets the qualifications set forth in the Speech-Language
3 Pathology, Audiology and Hearing Aid Dispensing Practices Act;

4 S. "sponsor" means a licensed hearing aid
5 dispenser, audiologist or otolaryngologist who has an
6 endorsement to dispense hearing aids and:

7 (1) is employed in the same business location
8 where the trainee is being trained; and

9 (2) has been actively engaged in the
10 dispensing of hearing aids during three of the past five years;

11 T. "student" means ~~[any]~~ a person who is a full- or
12 part-time student enrolled in an accredited college or
13 university program in speech-language pathology, audiology or
14 communicative disorders;

15 U. "supervisor" means a speech-language pathologist
16 or audiologist licensed pursuant to the provisions of the
17 Speech-Language Pathology, Audiology and Hearing Aid Dispensing
18 Practices Act who provides supervision in the area of speech-
19 language pathology or audiology; and

20 V. "trainee" means a person working toward full
21 licensure as a hearing aid dispenser under the direct
22 supervision of a sponsor."

23 SECTION 2. A new section of the Speech-Language
24 Pathology, Audiology and Hearing Aid Dispensing Practices Act
25 is enacted to read:

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1 "[NEW MATERIAL] SCOPE OF PRACTICE--CLINICAL FELLOW OF
2 SPEECH-LANGUAGE PATHOLOGY.--

3 A. The scope of practice for a clinical fellow of
4 speech-language pathology under supervision by an appropriate
5 supervisor shall include:

6 (1) rendering or offering to render
7 professional services, including diagnosis, prevention,
8 identification, evaluation, consultation, habilitation,
9 rehabilitation, instruction, counseling, prognostication,
10 training and research, to individuals or groups of individuals
11 who have or are suspected of having disorders of communication,
12 including speech comprehension; voice fluency; language in all
13 its expressive and receptive forms, including oral expression,
14 reading, writing and comprehension; oral pharyngeal function;
15 oral motor function; dysphagia; functional maintenance therapy;
16 or cognitive-communicative processes; and

17 (2) determining the need for personal
18 augmentative and alternative communication systems, computer
19 access systems or assistive technology systems; recommending
20 such systems; and providing setup modification, training,
21 troubleshooting and follow-up in the utilization of such
22 systems.

23 B. The scope of practice for a clinical fellow of
24 speech-language pathology under supervision by an appropriate
25 supervisor may include:

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1 (1) conducting pure-tone air conduction
2 hearing screening or tympanometry screening, limited to a pass
3 or fail determination, for the purpose of performing a speech
4 and language evaluation or for the initial identification of
5 individuals with other disorders of communication; and

6 (2) aural rehabilitation that is defined as
7 services and procedures for facilitation of adequate receptive
8 and expressive communication in individuals with hearing
9 impairment."

10 SECTION 3. Section 61-14B-5 NMSA 1978 (being Laws 1996,
11 Chapter 57, Section 5, as amended) is amended to read:

12 "61-14B-5. SCOPE OF PRACTICE--AUDIOLOGISTS.--~~[A.]~~ The
13 scope of practice for audiologists shall include:

14 ~~[(1)]~~ A. the rendering or offering to render
15 professional services, including nonmedical diagnosis,
16 prevention, identification, evaluation, consultation,
17 counseling, habilitation, rehabilitation and instruction on and
18 prognostication of individuals having or suspected of having
19 disorders of hearing, balance or central auditory processing;

20 ~~[(2)]~~ B. identification and evaluation of auditory
21 function through the performance and interpretation of
22 appropriate behavioral or electrophysiological tests for this
23 purpose;

24 ~~[(3)]~~ C. making ear impressions for use with
25 auditory trainers or for non-amplified devices such as swim

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1 molds or ear protectors;

2 [~~(4)~~] D. cerumen management; [~~and~~

3 ~~(5)~~] E. evaluation and management of tinnitus;

4 [~~B. The scope of practice for audiologists may~~
5 ~~include]~~

6 F. the scope of practice for hearing aid
7 dispensers;

8 [~~(1)~~] G. consultation regarding noise control or
9 environmental noise evaluation;

10 [~~(2)~~] H. hearing conservation;

11 [~~(3)~~] I. calibration of equipment used in hearing
12 testing and environmental evaluation;

13 [~~(4)~~] J. fitting and management of auditory
14 trainers, including their general service, adjustment and
15 analysis of function, as well as instruction, orientation and
16 counseling in the use and care of these instruments;

17 [~~(5)~~] K. speech or language screening for the
18 purposes of audiological evaluation or initial identification
19 for referral of individuals with disorders of communication
20 other than hearing; [~~and~~

21 ~~(6)~~] L. supervision of students, clinical fellows
22 and paraprofessionals;

23 [~~G. The scope of practice for audiologists may be~~
24 ~~expanded by special endorsement to include the dispensing of~~
25 ~~hearing aids. This expanded scope:~~

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1 ~~(1) shall include the scope of practice for~~
2 ~~audiologists as specified in Subsections A and B of this~~
3 ~~section;~~

4 ~~(2) shall include the scope of practice for~~
5 ~~hearing aid dispenser] and~~

6 ~~[(3) may include the] M.~~ sponsorship of hearing
7 aid dispenser trainees."

8 SECTION 4. Section 61-14B-7 NMSA 1978 (being Laws 1996,
9 Chapter 57, Section 7) is amended to read:

10 "61-14B-7. LICENSE REQUIRED.--

11 A. Unless licensed to practice speech-language
12 pathology, audiology or hearing aid dispensing under the
13 Speech-Language Pathology, Audiology and Hearing Aid Dispensing
14 Practices Act, no person shall:

15 (1) practice as a speech-language pathologist,
16 audiologist or hearing aid dispenser;

17 (2) use the title or ~~[represent himself as]~~
18 make any representation as being a licensed speech-language
19 pathologist, audiologist or hearing aid dispenser or use any
20 other title, abbreviation, letters, figures, signs or devices
21 that indicate the person is licensed to practice as a speech-
22 language pathologist, audiologist or hearing aid dispenser; or

23 (3) advertise, hold out to the public or
24 represent in any manner that one is authorized to practice
25 speech-language pathology, audiology or hearing aid dispensing.

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1 B. No person shall [~~represent himself to be~~] make
2 any representation as being a speech-language pathologist or
3 hold out to the public by any means or by any service or
4 function perform, directly or indirectly, or by using the terms
5 "speech pathology", "speech pathologist", "speech therapy",
6 "speech therapist", "speech correction", "speech
7 correctionist", "speech clinic", "speech clinician", "language
8 pathology", "language pathologist", "voice therapy", "voice
9 therapist", "voice pathology", "voice pathologist",
10 "logopedics", "logopedist", "communicology", "communicologist",
11 "aphasiology", "aphasiologist", "phoniatriest" or "swallowing
12 therapist" unless licensed as such under the provisions of the
13 Speech-Language Pathology, Audiology and Hearing Aid Dispensing
14 Practices Act.

15 C. No person shall [~~represent himself to be~~] make
16 any representation as being an audiologist or hold out to the
17 public by any means, or by any service or function perform
18 directly or indirectly, or by using the terms "audiology",
19 "audiologist", "audiometry", "audiometrist", "audiological",
20 "audiometrics", "hearing therapy", "hearing therapist",
21 "hearing clinic", "hearing clinician", "hearing center",
22 "hearing aid audiologist" or "audioprosthologist" unless
23 licensed as such under the provisions of the Speech-Language
24 Pathology, Audiology and Hearing Aid Dispensing Practices Act.

25 D. No person shall [~~represent himself to be~~] make

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1 any representation as being a hearing aid dispenser or use the
2 terms "hearing aid dealer", "hearing aid fitter", "hearing aid
3 sales", "hearing aid center" or "hearing aid service center"
4 unless licensed as such under the provisions of the Speech-
5 Language Pathology, Audiology and Hearing Aid Dispensing
6 Practices Act."

7 SECTION 5. Section 61-14B-8 NMSA 1978 (being Laws 1996,
8 Chapter 57, Section 8) is amended to read:

9 "61-14B-8. EXEMPTIONS.--

10 A. Nothing in the Speech-Language Pathology,
11 Audiology and Hearing Aid Dispensing Practices Act shall be
12 construed to prevent qualified members of other recognized
13 professions that are licensed, certified or registered under
14 New Mexico law or regulation from rendering services within the
15 scope of their [~~license, certificate or registration~~] licenses,
16 certificates or registrations, provided that they do not
17 represent themselves as holding [~~a license~~] licenses in speech-
18 language pathology, audiology or hearing aid dispensing.

19 B. [~~Any~~] A person not meeting the requirements for
20 licensure as a speech-language pathologist or audiologist under
21 the provisions of the Speech-Language Pathology, Audiology and
22 Hearing Aid Dispensing Practices Act may practice as a speech
23 pathologist or audiologist until July 1, 1997 if:

24 (1) [~~he~~] the person is employed as a speech
25 pathologist or audiologist on a waiver license issued by the

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1 ~~[state department of]~~ public education department prior to the
2 effective date of that act; and

3 (2) ~~[he]~~ the person is actively seeking the
4 educational requirements for licensure under that act.

5 C. Nothing in the Speech-Language Pathology,
6 Audiology and Hearing Aid Dispensing Practices Act prevents
7 qualified members of other recognized professional groups, such
8 as licensed physicians, dentists or teachers of the deaf, from
9 doing appropriate work in the area of communication disorders
10 consistent with the standards and ethics of their respective
11 professions.

12 D. Nothing in the Speech-Language Pathology,
13 Audiology and Hearing Aid Dispensing Practices Act restricts
14 the activities and services of a speech-language pathology or
15 audiology graduate student at an accredited or approved college
16 or university or an approved clinical training facility;
17 provided that these activities and services constitute part of
18 ~~[his]~~ the student's supervised course of study and that ~~[he]~~
19 the student is designated as a speech-language pathology or
20 audiology graduate student or other title clearly indicating
21 the training status appropriate to ~~[his]~~ the student's level of
22 training."

23 **SECTION 6.** Section 61-14B-9 NMSA 1978 (being Laws 1996,
24 Chapter 57, Section 9) is amended to read:

25 "61-14B-9. BOARD CREATED.--

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1 A. There is created the "speech-language pathology,
2 audiology and hearing aid dispensing practices board" that
3 shall be administratively attached to the department.

4 B. The board shall consist of [~~ten~~] eleven members
5 who have been New Mexico residents for at least five years
6 prior to their appointment. Among the membership, [~~two~~] three
7 members shall be licensed speech-language pathologists, two
8 members shall be licensed audiologists, two members shall be
9 licensed hearing aid dispensers, one member shall be a licensed
10 otolaryngologist and three members shall represent the public
11 and have no interest, direct or indirect, in the profession
12 regulated.

13 C. [~~The~~] A licensed [~~members~~] member of the board
14 shall not hold any elected or appointed office in any related
15 professional organization."

16 **SECTION 7.** Section 61-14B-10 NMSA 1978 (being Laws 1996,
17 Chapter 57, Section 10) is amended to read:

18 "61-14B-10. TERMS--REIMBURSEMENT--MEETINGS.--

19 A. Members of the board shall be appointed by the
20 governor for staggered terms of three years. Each member shall
21 hold office until [~~successors are~~] the member's successor is
22 appointed. Vacancies shall be filled for the unexpired term in
23 the same manner as original appointments.

24 B. A majority of the board members serving
25 constitutes a quorum of the board. The board shall meet at

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1 least once a year and at such other times as it deems
2 necessary.

3 C. The board shall elect a ~~[chairman]~~ chair and
4 other officers as deemed necessary to administer its duties.

5 D. No board member shall serve more than two full
6 consecutive terms, and ~~[any]~~ a member failing to attend three
7 meetings after proper notice shall automatically be recommended
8 for removal as a board member unless excused for reasons set
9 forth in board regulations.

10 E. Members of the board shall be reimbursed as
11 provided in the Per Diem and Mileage Act and shall receive no
12 other compensation, perquisite or allowance.

13 F. No member of the board shall be liable in a
14 civil action for any act performed in good faith in the
15 performance of ~~[his]~~ the member's duties."

16 SECTION 8. Section 61-14B-12.1 NMSA 1978 (being Laws
17 2005, Chapter 250, Section 3) is amended to read:

18 "61-14B-12.1. REQUIREMENTS FOR LICENSURE--
19 AUDIOLOGIST.--

20 A. A license to practice as an audiologist shall be
21 issued to any person who:

22 ~~[A.]~~ (1) files a completed application,
23 accompanied by the required fees and documentation;

24 (2) certifies that the applicant is not guilty
25 of any of the activities listed in Section 61-14B-21 NMSA 1978;

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1 [and]

2 (3) submits satisfactory evidence that the
3 applicant:

4 ~~(1)~~ (a) holds a ~~master's degree in~~
5 doctor of audiology degree or ~~communication disorders; or~~ an
6 equivalent degree ~~awarded prior to January 1, 2007~~ regardless
7 of degree name and meets the academic requirements for
8 certification by a nationally recognized ~~speech-language or~~
9 hearing association, as determined by the board by rule; and
10 ~~currently holds a certificate of clinical competence from a~~
11 ~~nationally recognized speech-language or hearing association in~~
12 ~~the area that the applicant is seeking licensure; or~~

13 ~~(2)~~ (b) has ~~completed the current~~
14 ~~academic, practicum and employment experience requirements for~~
15 ~~a certificate of clinical competence in audiology from a~~
16 ~~nationally recognized speech-language or hearing association~~
17 ~~and has~~ passed a nationally recognized standard examination
18 ~~or~~ in audiology, if required by rule;

19 (4) provides official documentation from a
20 nationally recognized hearing association, as determined by the
21 board by rule, as evidence that the applicant meets the
22 clinical experience and examination requirements of the Speech-
23 Language Pathology, Audiology and Hearing Aid Dispensing
24 Practices Act; and

25 (5) maintains or occupies a business location,

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1 hospital, clinical medical practice or other facility in which
2 hearing aids are regularly dispensed.

3 B. A license to practice as an audiologist shall be
4 issued to a person who:

5 (1) files a completed application, accompanied
6 by the required fees and documentation;

7 (2) certifies that the applicant is not guilty
8 of any of the activities listed in Section 61-14B-21 NMSA 1978;
9 and

10 (3) submits satisfactory evidence that the
11 applicant:

12 [~~(1)~~] (a) holds a [~~doctoral~~] master's
13 degree in audiology or communication disorders or an equivalent
14 degree [~~regardless of degree name and~~] in audiology or
15 communication disorders or an equivalent degree awarded prior
16 to January 1, 2007; meets the academic requirements for
17 certification by a nationally recognized [~~speech-language or~~]
18 hearing association; and has earned a certificate of clinical
19 competence from a nationally recognized hearing association in
20 the area in which the applicant is seeking licensure; or

21 [~~(2)~~] (b) has completed the current
22 academic, practicum and employment experience requirements for
23 a certificate of competence in audiology from a nationally
24 recognized [~~speech-language or~~] hearing association and has
25 passed a nationally recognized standard examination in

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1 audiology; and

2 (c) provides evidence satisfactory to
3 the board of at least six months' experience in the dispensing
4 of hearing aids through practical examination or other methods
5 as determined by the board in either a graduate training
6 program or in a work or training experience; and

7 (d) maintains or occupies a business
8 location, hospital, clinical medical practice or other facility
9 in which hearing aids are regularly dispensed."

10 SECTION 9. Section 61-14B-14 NMSA 1978 (being Laws 1996,
11 Chapter 57, Section 14, as amended) is amended to read:

12 "61-14B-14. REQUIREMENTS FOR LICENSURE BY EXAMINATION--
13 HEARING AID DISPENSER.--

14 A. A license to practice as a hearing aid dispenser
15 shall be issued to ~~[any]~~ a person who files a completed
16 application, passes the examination approved by the board, pays
17 the required fees, provides required documentation and submits
18 satisfactory evidence that the person:

19 (1) is an audiologist, a clinical fellow in
20 audiology or an otolaryngologist; or

21 (2) is a person other than an audiologist [~~a~~
22 ~~clinical fellow in audiology~~] or an otolaryngologist applying
23 for a license [~~under~~] pursuant to the Speech-Language
24 Pathology, Audiology and Hearing Aid Dispensing Practices Act
25 [~~and who~~];

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1 [~~(a)~~] (3) has reached the age of majority and
2 has at least a high school education or the equivalent;

3 (4) has met any additional educational
4 requirements of the board;

5 [~~(b)~~] (5) has worked for no less than seven
6 months under a training permit; [~~and~~

7 ~~(c)~~] (6) certifies that [~~he~~] the person is not
8 guilty of any of the activities listed in Section 61-14B-21
9 NMSA 1978; and

10 (7) maintains a surety bond in the amount of
11 ten thousand dollars (\$10,000).

12 B. The examination for hearing aid dispenser shall
13 be conducted by the board quarterly unless there are no
14 applicants for examination.

15 C. The board:

16 (1) shall provide procedures to [~~assure~~]
17 ensure that examinations for licensure are offered as needed;

18 (2) shall establish rules regarding the
19 examination application deadline and other rules relating to
20 the taking and retaking of licensure examinations;

21 (3) shall determine a passing grade for the
22 examination; and

23 (4) may accept an applicant's examination
24 scores used for national certification or other examination
25 approved by the board."

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1 SECTION 10. Section 61-14B-15 NMSA 1978 (being Laws 1996,
2 Chapter 57, Section 15) is amended to read:

3 "61-14B-15. REQUIREMENTS FOR LICENSURE--CLINICAL FELLOW
4 OF SPEECH-LANGUAGE PATHOLOGY [~~CLINICAL FELLOW OF AUDIOLOGY~~].--A
5 license to practice as a clinical fellow of speech-language
6 pathology [~~or audiology~~] shall be issued to [~~any~~] a person who
7 files a completed application, [~~passes the examination approved~~
8 ~~by the board prior to or within one year of applying for the~~
9 ~~examination~~] pays the required fees, provides documentation and
10 submits satisfactory evidence that the person:

11 A. has met all academic course work and practicum
12 requirements for a master's degree in speech-language
13 pathology, speech pathology or communication disorders [~~or~~
14 ~~audiology or both~~] for certification by a nationally recognized
15 speech-language or hearing association;

16 [~~B. has filed a CFY plan that meets with board~~
17 ~~approval;~~

18 [~~E.~~] B. certifies that [~~he~~] the person has received
19 no reprimands of unprofessional conduct or incompetency;

20 [~~D.~~] C. applies for licensure under Section [~~12 of~~
21 ~~the Speech Language Pathology, Audiology and Hearing Aid~~
22 ~~Dispensing Practices Act~~] 61-14B-12 NMSA 1978 after completing
23 the clinical fellowship year; and

24 [~~E.~~] D. has [~~a CFY~~] an appropriate supervisor,
25 [~~who:~~

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1 ~~(1) is a speech-language pathologist or~~
2 ~~audiologist licensed under the provisions of the Speech~~
3 ~~Language Pathology, Audiology and Hearing Aid Dispensing~~
4 ~~Practices Act; and~~

5 ~~(2) has registered with the board as a CFY~~
6 ~~supervisor for the clinical fellowship year] as defined in~~
7 ~~Section 61-14B-2 NMSA 1978."~~

8 SECTION 11. Section 61-14B-15.1 NMSA 1978 (being Laws
9 1999, Chapter 128, Section 8, as amended) is amended to read:

10 "61-14B-15.1. REQUIREMENTS FOR LICENSURE--APPRENTICE IN
11 SPEECH AND LANGUAGE.--A license to practice as an apprentice in
12 speech and language shall be issued by the board to a person
13 who files a completed application accompanied by the required
14 fees and documentation and provides satisfactory evidence that
15 the applicant:

16 A. is working toward full licensure pursuant to the
17 provisions of the Speech-Language Pathology, Audiology and
18 Hearing Aid Dispensing Practices Act;

19 B. has a baccalaureate degree in speech-language
20 pathology or communicative disorders or an equivalent degree or
21 a baccalaureate degree in another field with thirty semester
22 hours of credit in speech-language pathology or communicative
23 disorder;

24 C. is enrolled in and successfully completes
25 graduate classes in speech-language pathology, [~~or~~]

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1 communicative disorders or a related field at a minimum rate of
2 nine semester hours per year and is accepted into a master's
3 level program in speech-language pathology or communicative
4 disorders within two years of initial licensing;

5 D. maintains a minimum of a 3.0 grade point average
6 in the master's degree course and other work;

7 E. is supervised by [~~a person licensed as a speech-~~
8 ~~language pathologist who has a minimum of two years experience~~
9 ~~as a speech-language pathologist~~] an appropriate supervisor, as
10 defined in Section 61-14B-2 NMSA 1978; and

11 F. [~~receives a minimum of ten percent direct~~
12 ~~supervision and ten percent indirect supervision~~] has arranged
13 for appropriate supervision to meet the supervision requirement
14 defined by rule."

15 SECTION 12. Section 61-14B-17 NMSA 1978 (being Laws 1996,
16 Chapter 57, Section 17, as amended) is amended to read:

17 "61-14B-17. HEARING AID DISPENSING TEMPORARY TRAINEE
18 PERMITS--ISSUANCE.--

19 A. [~~Any~~] A person who does not meet the
20 requirements for licensure without examination as an
21 audiologist or otolaryngologist as set forth in Section
22 61-14B-13 NMSA 1978 or as a hearing aid dispenser as set forth
23 in Section 61-14B-14 NMSA 1978 may apply for a temporary
24 trainee permit. A temporary trainee permit shall be issued to
25 a person who:

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1 (1) has reached the age of majority and has a
2 high school education or the equivalent;

3 (2) has identified a sponsor;

4 (3) pays an application fee as determined by
5 the board;

6 (4) has not failed the licensing examination
7 twice within a five-year period; and

8 (5) certifies that [~~he~~] the person is not
9 guilty of any of the activities listed in Section 61-14B-21
10 NMSA 1978.

11 B. A temporary trainee permit shall:

12 (1) be valid for one year from the date of its
13 issuance and is nonrenewable for a period of one year following
14 its expiration; and

15 (2) allow the person to complete a training
16 period.

17 C. A person issued a temporary trainee permit may
18 be eligible for licensure as a hearing aid dispenser upon:

19 (1) the completion of a minimum of three
20 hundred twenty hours of training, to be completed within a
21 three-month period under the direct supervision of the sponsor;

22 (2) the completion of five continuous months
23 of full-time dispensing work, during which time all sales are
24 approved by the sponsor prior to delivery; and

25 (3) the sponsor approving all fittings,

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1 adjustments, modifications or repairs to hearing aids and
2 earmolds.

3 D. An audiologist [~~clinical fellow in audiology~~] or
4 otolaryngologist issued a temporary trainee permit may be
5 eligible for licensure without examination as a hearing aid
6 dispenser upon the sponsor providing direct supervision for a
7 minimum of three months of all fittings, adjustments,
8 modifications or repairs to hearing aids and earmolds."

9 SECTION 13. Section 61-14B-18 NMSA 1978 (being Laws 1996,
10 Chapter 57, Section 18) is amended to read:

11 "61-14B-18. SCOPE OF HEARING AID DISPENSING
12 EXAMINATION.--In preparing the hearing aid dispensing
13 examination, the board shall use tests that demonstrate:

14 A. knowledge in the fitting and sale of hearing
15 aids, including basic physics of sound, anatomy and physiology
16 of the ear and the function of hearing aids; and

17 B. proficient use of techniques for the fitting of
18 hearing aids, including:

19 (1) pure-tone audiometry, including air
20 conduction and bone conduction testing;

21 (2) live voice or recorded voice speech
22 audiometry, including speech reception threshold and speech
23 recognition score tests;

24 (3) masking when indicated;

25 (4) recording and evaluation of audiograms and

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1 speech audiometry for determining proper selection, fitting and
2 adjustment of hearing aids;

3 (5) taking earmold impressions; and

4 (6) analyzing hearing aid function,
5 modification and general service."

6 SECTION 14. Section 61-14B-19 NMSA 1978 (being Laws 1996,
7 Chapter 57, Section 19) is amended to read:

8 "61-14B-19. LICENSE RENEWAL.--

9 A. Each licensee shall renew [~~his~~] the licensee's
10 license [~~every year~~] biennially by submitting a renewal
11 application as provided for in the board's regulations. The
12 board may require proof of continuing education as a
13 requirement for renewal. The board may establish a method to
14 provide for staggered biennial terms. The board may authorize
15 license renewal for one year to establish the renewal cycle.

16 B. A sixty-day grace period shall be allowed to
17 each licensee after each licensing period. A license may be
18 renewed during the grace period upon payment of a renewal fee
19 and a late fee as prescribed by the board.

20 C. Any license not renewed by the end of the grace
21 period will be considered expired and the licensee shall not be
22 eligible to practice within the state until the license is
23 renewed. The board shall develop rules regarding requirements
24 for renewal of an expired license and may require the licensee
25 to reapply as a new applicant.

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1 D. Clinical fellow licenses may be renewed annually
2 for no more than three years; provided the clinical fellow has
3 submitted evidence of passing a recognized standard national
4 examination in [~~either~~] speech-language pathology [~~or audiology~~
5 ~~or both~~] prior to or within [~~his first~~] the clinical fellow's
6 second year of the CFY. The CFY license [~~will~~] shall not be
7 renewed for a second year without evidence of passing a
8 recognized standard national examination in [~~either~~] speech-
9 language pathology [~~or audiology or both~~].

10 E. An apprentice in speech-language pathology shall
11 renew the apprentice's license annually; provided that the
12 apprentice is accepted into a master's-level program in speech-
13 language pathology or communicative disorders within two years
14 of initial licensing.

15 [~~E.~~] F. The board may issue rules providing for
16 inactive status of licenses."

17 SECTION 15. Section 61-14B-20 NMSA 1978 (being Laws 1996,
18 Chapter 57, Section 20, as amended) is amended to read:

19 "61-14B-20. FEES.--The board shall establish a schedule
20 of reasonable fees for applications, licenses, renewal of
21 licenses, exams, penalties and administrative fees. The
22 license and license renewal fees shall not exceed:

23 A. [~~fifty dollars (\$50.00)~~] one hundred dollars
24 (\$100) for clinical fellows and apprentices in speech and
25 language;

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1 B. [~~one hundred dollars (\$100)~~] two hundred dollars
2 (\$200) for audiologists or speech-language pathologists;

3 C. [~~three hundred dollars (\$300)~~] six hundred
4 dollars (\$600) for hearing aid dispensers;

5 D. [~~two hundred dollars (\$200)~~] four hundred
6 dollars (\$400) for examinations;

7 E. one hundred dollars (\$100) for late renewal
8 fees;

9 F. [~~two hundred dollars (\$200)~~] four hundred
10 dollars (\$400) for hearing aid dispensing endorsement;

11 G. five hundred dollars (\$500) for a hearing aid
12 dispenser trainee license, which fee includes examination, both
13 written and practical; [~~and~~]

14 H. one hundred dollars (\$100) for bilingual-
15 multicultural endorsement; and

16 [~~H.~~] I. reasonable administrative fees."

17 SECTION 16. A new section of the Speech-Language
18 Pathology, Audiology and Hearing Aid Dispensing Practices Act
19 is enacted to read:

20 "[NEW MATERIAL] REQUIREMENTS FOR BILINGUAL-MULTICULTURAL
21 ENDORSEMENT.--A bilingual-multicultural endorsement shall be
22 issued to any person who:

23 A. files a completed application, accompanied by
24 the required fees and documentation; certifies that the
25 applicant is not guilty of any of the activities listed in

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1 Section 61-14B-21 NMSA 1978; and submits satisfactory evidence
2 that the applicant:

3 (1) is eligible for and in the process of
4 obtaining a license;

5 (2) has completed the required education as
6 determined by rule;

7 (3) has met experience requirements approved
8 by the board; and

9 (4) has demonstrated proficiency in the
10 specified language as determined by the board;

11 B. files a completed application accompanied by the
12 required fees and documentation; certifies that the applicant
13 is not guilty of any of the activities listed in Section
14 61-14B-21 NMSA; and submits satisfactory evidence that the
15 applicant:

16 (1) has an active license in good standing in
17 the state of New Mexico as a speech-language pathologist;

18 (2) has a current bilingual endorsement from
19 the public education department;

20 (3) has a minimum of five years practicing
21 with clients who utilize a language other than English; and

22 (4) has demonstrated proficiency in the
23 specified language as determined by the board; or

24 C. files a completed application, accompanied by
25 the required fees and documentation; certifies that the

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1 applicant is not guilty of any of the activities listed in
2 Section 61-14B-21 NMSA; and submits satisfactory evidence that
3 the applicant:

4 (1) has an active license in good standing in
5 another state or country as a speech-language pathologist;

6 (2) has a minimum of five years practicing
7 with clients who utilize a language other than English; and

8 (3) has demonstrated proficiency in the
9 specified language as determined by the board."

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