

MAINE STATE LEGISLATURE

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Report of the Committee on Business Legislation

Study of the Licensure of
Speech Pathologists and Audiologists

Senate

Sen. John L. Thomas, Jr., Chairman
Sen. Bruce M. Reeves
Sen. Peter W. Johnston

House

Rep. Nancy R. Clark, Chairwoman
Rep. Harvey E. DeVane
Rep. Richard H. Pierce
Rep. Linwood M. Higgins
Rep. Anne M. Boudreau
Rep. James L. Peakes
Rep. Leon G. Bowie
Rep. James E. Tierney
Rep. Harry F. Rideout
Rep. Charlotte Z. Byers

Legislative Assistant

Thomas P. Downing

Introduction

The 107th Maine Legislature, during its regular session in 1975, directed the Joint Standing Committee on Business Legislation to study the subject matter of L.D. 1669, "AN ACT to Provide for the Licensure of Speech Pathologists and Audiologists". This bill had been introduced in the session and withdrawn at the sponsors' request for the purpose for further study. The bill had been sponsored by Senator Theodore S. Curtis, Jr., and co-sponsored by Senator Peter W. Johnston. Senator Johnston was the sponsor of the study order, S.P. 542, a copy of which is attached to this report.

Committee Procedure

L.D. 1669 had been scheduled for a public hearing before the Business Legislation Committee during the regular session, but no hearing was actually held. The professional and business groups concerned with the bill had discussed their views on the day of the meeting and decided that it would be better for them to spend more time attempting to resolve their differences. The committee agreed to this approach and, as a result, the bill was withdrawn for further study.

The Business Legislation Committee held a meeting on the study in September. Invitations to testify were sent to the Maine Speech and Hearing Association, the principal supporters of the bill, and to the Maine Hearing Aid Dealers and to a group of physicians concerned with speech and hearing problems, the groups most concerned

with the extent of regulation proposed under the bill.

Representatives of the Maine Speech and Hearing Association discussed their two main purposes in requesting state regulation of their professions. The first is to protect clients and other persons from unqualified or unscrupulous practitioners by defining the limits of the professions, establishing licensing procedures and a regulatory mechanism. The second goal is to extend the availability of these services and to extend the sources of payment. If those professions are licensed by the State, then practitioners would be eligible for third-party payments under various federal and private health care programs and individuals eligible for these programs and in need of these professional services would then be covered.

The Speech and Hearing Association had met with representatives of the physicians' group. These parties worked out the terminology of the bill to their mutual satisfaction. The definitions of speech pathology and audiology were re-drafted so that there would be no infringement upon a physician's legal scope of practice. An amendment was proposed to make clearer that the bill would not permit an audiologist or speech pathologist to practice medicine. These proposals were presented to the committee at the September meeting.

Representatives of the Maine Hearing Aid Dealers' Association raised several questions and objections at the September meeting. At the committee's request, this group presented in writing several proposed amendments at a later meeting. The committee reviewed these and adopted several of them, in two principal areas.

The first amendment was to clarify the scope of practice allowed to these professions, so that there would be no infringement on the rights of the hearing aid dealers, which had been defined in previous legislation.

The second was to change the composition of the Board of Examiners on Speech Pathology and Audiology, the board proposed by the bill. The committee, by a divided vote, agreed to add a hearing aid dealer to the board. The reason for this change is to allow representation for the hearing aid dealers whose work is closely tied to that of the audiologists. There is an audiologist on the board to regulate hearing aid dealers (32 MRSA § 1660-A). After making this change, the committee agreed to add a physician to the board, to provide further balance.

Bill Analysis

The Committee on Business Legislation recommends passage of a bill which incorporates these proposed amendments as well as some technical wording changes and some changes to conform the bill to recent developments in the law applying to the regulation of professions and trades. A copy of the proposed draft bill is attached to this report as an appendix.

The bill is similar in form and structure to other Maine statutes on the various trades and professions.

The bill establishes a board to regulate the two professions. The board has been expanded from five members, in L.D. 1669, to seven, in the present draft. Four of the members must be licensed

speech pathologists and audiologists. As previously noted, there would also be a licensed hearing aid dealer and a licensed physician on the board. The seventh would be a member of the public, in line with the law passed by the regular session of the 107th Legislature which places a public member on most similar boards (Chapter 575, Public Laws of 1975).

The board is placed under the Administrative Code (5 MRSA, Part 6) and its decisions could be appealed to the Administrative Court.

The board is also placed within the Central Professional and Occupation Licensing Bureau of the Department of Business Regulation. This bureau, established under Chapter 556 of the Public Laws of 1975, provides for centralized administration of the licensing functions of more than twenty similar boards. Chapter 556 called for the State Government Committee, in cooperation with the Commissioner of Business Regulation, to draft a plan for the operation of the bureau. The attached bill may have to be amended later to conform to the legislation that will be introduced to implement the proposed plan of operation.

Like other such boards, the board under this bill would operate solely on dedicated revenues derived from the examination and licensing fees.

The bill defines and limits the practice of the professions of speech pathology and audiology, in section 6003. Section 6005 spells out the persons and practices not affected by the bill, including physicians, hearing aid dealers, students in these fields, certain persons licensed by the Department of Educational and Cultural Services and by the U.S. Government, and non-residents who

work less than five days a year in these professions in this State. Section 6020 details the educational and training background and the examination required for licensure. Section 6023 provides that the examination may be waived for persons with certain specific types of experience and training. The bill includes, in section 6030, a requirement for continuing professional education as a condition of continued licensure.

TPD/sym

STATE OF MAINE

In Senate May 29, 1975

~~Amended~~

Whereas, the professions of speech pathology and audiology provide important services to many Maine people; and

Whereas, these professions are now undefined and unregulated by Maine law and there is therefore no means to protect Maine people from unqualified practitioners; and

Whereas, legislation to accomplish these purposes, S.P. 454, L.D. 1669, "AN ACT to Provide for the Licensure of Speech Pathologists and Audiologists," was introduced at the regular session of the 107th Legislature, but it was felt there was a possibility of conflict between this bill and the statutes regulating other professions and businesses, especially that of hearing aid dealers; now, therefore, be it

Ordered, the House concurring, that the Legislative Council be authorized through the Joint Standing Committee on Business Legislation to examine the subject matter of L.D. 1669 and to report its findings, together with any proposed legislation, to the next special or regular session of the Legislature; and be it further

Ordered, that the Council report the results of its findings together with any proposed recommendations and necessary implementing legislation to the next special or regular session of the Legislature; and be it further

Ordered, upon passage in concurrence, that suitable
copies of this Order be transmitted forthwith to said agencies
as notice of this directive.

SP 542

IN SENATE CHAMBER *Read*
TABLED BY SEN. SEN. SPEERS
OF OF KENNEBEC

MAY 29 1975

PENDING *Amended*

HARRY N. STARBRANCH, Secretary

(Johnston)
NAME:

COUNTY: Aroostook

AN ACT to Provide for the Licensure of Speech Pathologists and Audiologists.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 5 MRSA §151, 1st sentence, as last amended by PL 1973, c. 558, §2, is further amended to read:

All money received by the Treasurer of State from the Board of Registration in Medicine, the Board of Examiners in Physical Therapy, the Board of Examiners of Psychologists, the State Board of Nursing, the Board of Examiners of Applicants for Admission to the Bar, the Board of Accountancy, the Board of Veterinary Examiners, the Board of Osteopathic Examination and Registration, the State Board of Funeral Service, the State Board of Registration and Examination in Optometry, the Board of Dental Examiners, the State Board of Registration for Professional Engineers, the State Board of Certification for Geologists and Soil Scientists, the State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals, the State Board of Architects, the Electricians' Examining Board, the Oil Burnermen's Burner Men's Licensing Board, the Penobscot Bay and River Pilotage Commission, the State Board of Barbers, State Board of Cosmetology, State Board of Registration for Land Surveyors, State Board of Social Worker Registration, the Examiners of Podiatrists, the Board of Chiropractic Examination and Registration, the Board of Examiners on Speech Pathology and Audiology and the Board of Commissioners of the Profession of Pharmacy shall constitute a fund which shall be a continuous carrying account for the payment of the compensation and expenses of the members, the expense of the board and for executing the law relating to each board respectively and so much thereof as may be required is appropriated for said purposes.

Sec. 2. 5MRSA §2301, sub-§1, as last amended by PL 1973, c. 788, §24, is further amended by inserting after the 9th paragraph the following:

Board of Examiners on Speech Pathology and Audiology;

Sec. 3. 10 MRSA §8003, 2nd sentence, as enacted by PL 1975, c. 556, §I, is amended to read:

The licensing bureau shall include the Board of Accountancy; the Arborist Examining Board; the Board of Registration of Architects; the Board of Barbers; the Board of Chiropractic Examination and Registration; the Board of Cosmetology; the Board of Dental Examiners; the Electricians' Examining Board; the State Board of Registration for Professional Engineers; the State Board of Funeral Service; the State Board of Certification of Geologists and Soil Scientists; the State Board of Registration of Land Surveyors; the State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals; the Board of Registration in Medicine; the Board of Nursing; the Oil Burner Men's Licensing Board; the State Board of Optometry; the Board of Osteopathic Examination and Registration; the Board of Commissioners of the Profession of Pharmacy; the Board

of Examiners in Physical Therapy; the Examiners of Podiatrists; the Board of Examiners of Psychologists and; the Board of Social Work Registration and the Board of Examiners on Speech Pathology and Audiology.

Sec. 4. 32 MRSA c. 77 is enacted to read:

CHAPTER 77

SPEECH PATHOLOGISTS AND AUDIOLOGISTS

SUBCHAPTER I

GENERAL PROVISIONS

§6001. Title

This chapter may be cited as the "Licensure Act for Speech Pathologists and Audiologists."

§6002. Statement of Purpose.

It is declared to be a policy of the State of Maine that in order to safeguard the public health, safety and welfare; to protect the public from being misled by incompetent, unscrupulous and unauthorized persons and from unprofessional conduct on the part of qualified speech pathologists and audiologists; and to help assure the availability of the highest possible quality speech pathology and audiology services to the communicatively handicapped people of this State, it is necessary to provide regulatory authority over persons offering speech pathology and audiology services to the public.

§6003. Definitions

As used in this chapter, unless a different meaning clearly appears from the context, the following words shall have the following meanings.

1. Audiologist. "Audiologist" means an individual who practices audiology and who by virtue of academic and practical training presents himself to the public by any title or description of services incorporating the words audiologist, hearing clinician, hearing therapist or any similar title or description of service.

2. Audiology. "Audiology" is the application of theories, principles, and procedures to hearing and hearing disorders for the purposes of assessment and treatment.

3. Board. "Board" means the Board of Examiners on Speech Pathology and Audiology, established under section 6010.

4. Person. "Person" means any individual, organization or corporate body, except that only an individual may be licensed under this chapter.

5 Speech pathologist. "Speech pathologist" means an individual who practices speech pathology and who by virtue of academic and practical training presents himself to the public by any title or description of services incorporating the words speech pathologist, speech therapist, speech correctionist, speech clinician, language pathologist, language therapist, logopedist, communicologist, voice therapist, voice pathologist or any similar title or description of service.

6. Speech Pathology. "Speech Pathology" means the application of theories, principles and procedures related to development and disorders of language and speech for purposes of assessment and treatment.

7 Speech pathology aide. "Speech pathology aide" means an individual who meets minimum qualifications which the board may establish for speech pathology aides, which qualifications shall be less than those established by this chapter as necessary for licensure as a speech pathologist, and less than those established by the Department of Educational and Cultural Services for school personnel, and who works under the supervision of a licensed speech pathologist.

8. Supervision. "Supervision" means the direct observation of work and the assessment of written records of service by a licensed speech pathologist, licensed audiologist, or licensed physician commensurate with the skills of the person as determined by the supervisor.

§6.004. Persons and practices affected

Licensure shall be granted either in speech pathology or audiology independently. A person may be licensed in both areas if he meets the respective qualifications. No person shall practice or represent himself as a speech pathologist or audiologist in this State, unless such person is licensed in accordance with the laws of this State.

§6.005. Persons and practices not affected

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

1. Physicians. A physician or osteopathic physician licensed by this State from testing, diagnosing and treating medical problems related to disorders of language, speech or hearing, nor as permitting a speech pathologist or audiologist to practice medicine, surgery or other healing arts.

2. Hearing aid dealers. A hearing aid dealer licensed under chapter 23-A or the holder of a trainee permit under chapter 23-A from the fitting of hearing aids or the testing of hearing for the purpose of fitting hearing aids.

3. Person holding valid and current credential. A person who holds a valid and current credential as a speech or hearing clinician, issued by the Department of Educational and Cultural Services, from providing such services within a local educational agency, or a person employed as a speech pathologist or audiologist by the Government of the United States, if such person performs speech pathology or audiology services solely within the confines or under the jurisdiction of the organization by which he is employed. However, such person may, without obtaining a license under this chapter, consult with or disseminate his research findings and other scientific information to speech pathologists and audiologists outside the jurisdiction of the organization by which he is employed. Such person may also offer lectures to the public for a fee, monetary or other, without being licensed under this chapter. Such person may additionally elect to be subject to this chapter.

4. Persons pursuing course of study in speech pathology. The activities and services of persons pursuing a course of study leading to a degree in speech pathology at an accredited college or accredited university, if such activities and services constitute a part of the course of study and such person is designated speech pathology intern, speech pathology trainee or by other such title clearly indicating the training status appropriate to his level of training.

5. Persons pursuing course of study in audiology. The activities and services of a person pursuing a course or study leading to a degree in audiology at an accredited college or accredited university, if such activities and services constitute a part of the course of study and such person is designated audiology intern, audiology trainee or by any other title clearly indicating the training status appropriate to such person's level of training.

6. Person not a resident of this State. The performance of speech pathology or audiology services in this State by any person not a resident of this State who is not licensed under this chapter, if such services are performed for no more than 5 days in any calendar year and in cooperation with a speech pathologist or audiologist licensed under this chapter; and if such person meets the qualifications and requirements for application for licensure described in section 6020, subsections I to 3. However, a person not a resident of this State who is not licensed under this chapter, but who is licensed under the laws of another state which has established licensure requirements at least equivalent to those established by section 6020 or who is the holder of the American Speech and Hearing Association Certificate of Clinical Competency in Speech Pathology or Audiology or its equivalent, may offer speech pathology or audiology services in this State for not more than 60 days in any calendar year, if such services are performed in cooperation with a speech pathologist or audiologist licensed under this chapter.

SUBCHAPTER II

BOARD OF EXAMINERS ON SPEECH

PATHOLOGY AND AUDIOLOGY

§6010. Membership; terms

There is created the Board of Examiners on Speech Pathology and Audiology to consist of members who shall be appointed by the Governor. All members shall have been residents of this State for at least one year immediately preceding their appointment, 4 members shall have been engaged full time in the practice of speech pathology or audiology for at least one year immediately preceding their appointment. At least 2 of these members shall be actively engaged in the practice of speech pathology, and at least one of these members shall be actively engaged in the practice of audiology, with the 4th professional member being either a speech pathologist or audiologist. All professional members shall at all times be holders of valid licenses for the practice of speech pathology or audiology, except for the 4 members first appointed, who shall be the holders of a nationally recognized certificate of clinical competence in speech pathology or audiology or its equivalent. The additional members shall consist of a hearing aid dealer and fitter licensed pursuant to Chapter 23-A, a physician licensed pursuant to Chapter 48 and with specialized training in the field of otolaryngology, and a representative of the public.

The Governor shall appoint, within 60 days of the effective date of this chapter, 3 board members for a term of one year; 3 board members for a term of 2 years and one board member for a term of 3 years. Appointments thereafter shall be for 3-year terms, with no person being eligible to serve more than 2 full consecutive terms. Any vacancy in the board shall be filled by the appointment by the Governor of a person, qualified as was the board member being replaced, to hold office during the unexpired term of the member whose place is thus filled.

§6011. Meetings, chairperson, quorum

The board shall meet during the first month of each calendar year to select a chairperson and a secretary and for other appropriate purposes. At least one additional meeting shall be held before the end of each calendar year. Further meetings may be convened at the call of the chairperson or the written request, of any 2 board members. All meetings of the board shall be open to the public, except that the board may hold closed sessions to prepare, approve, grade or administer examinations, or upon request of an applicant who fails an examination to prepare a response indicating any reason for the applicants failure. Four members of the board shall constitute a quorum for all purposes.

§ 6012. Expenses

Members of the board shall receive a per diem of \$25 for each day actually spent in carrying out the duties of the office and shall be reimbursed for travel expenses incurred in coming from their residences in the State to attend board meetings. Such reimbursement shall be at the rates provided for state employees.

§6013. Powers and duties

The Board of Examiners on Speech Pathology and Audiology shall have the following powers and duties:

1. Board to administer, coordinate and enforce. The board shall administer, coordinate and enforce this chapter, evaluate the qualifications and supervise the examinations of applicants for licensure under this chapter and shall, at its discretion, investigate allegations of practices violating this chapter.

2. Board to adopt rules and regulations. The board shall adopt rules and regulations relating to professional conduct commensurate with the policy of this chapter including, but not limited to, regulations which establish ethical standards of practice and for other purposes, and may amend or repeal the same in accordance with the purposes of this chapter. Following their adoption, such rules and regulations shall govern and control the professional conduct of every person who holds a license to practice speech pathology and audiology in this state.

3. Board to conduct hearings. The board shall conduct such hearings and keep such records and minutes as are necessary to the ordinary dispatch of its functions. The board shall provide written notice of the time, place and subject of such hearing to all parties whose interests are to be dealt with at such hearings at least seven days in advance of such hearing.

SUBCHAPTER III

LICENSE

§6020. Eligibility for license

To be eligible for licensure by the board as a speech pathologist or audiologist, a person shall:

I. Possess Master's Degree. Possess at least a Master's Degree or its equivalent in the area of speech pathology or audiology, as the case may be, from an educational institution recognized by the board; and

2. Submit transcripts to board. Submit to the board transcripts from one or more of the educational institutions described in subsection 1 evidencing completion of at least 12 semester hours in courses providing fundamental information applicable to the normal development of speech, hearing and language, and at least 42 semester hours in courses providing information about and practical experience in the management of speech, hearing and language disorders, of which 42 semester hours;

A. No fewer than 6 shall be in audiology for a person applying for licensure in speech pathology;

B. No fewer than 6 shall be in speech pathology for a person applying for licensure in audiology;

C. No more than 6 shall be in courses providing academic credit for clinical practice;

D. At least 24, not including credits for thesis or dissertation requirements, shall be in the field for which the license is sought; and

E. At least 30 shall be in courses considered by the educational institution in which they are conducted as acceptable for application toward a graduate degree;

3. Submit evidence of completion of hours to the board. Submit to the board evidence of the completion of at least 275 hours of supervised, direct clinical experience with a variety of communication disorders, which experience is received within the educational institution itself or in a training program with which it cooperates;

4. Submit evidence of completion of months to the board. Submit to the board evidence of the completion of at least 9 consecutive months, at no less than 30 hours per week, of clinical experience in the professional area, speech pathology and audiology, for which a license is sought. This requirement may also be fulfilled by part-time clinical experience as follows: 15-19 hours per week over 18 months, or 20-24 hours per week over 15 months or 25-29 hours per week over 12 months. Such clinical experience must be under the direct supervision of and attested to in a notarized statement by a person licensed in the area, speech pathology or audiology, for which a license is being sought. Such clinical experience must additionally follow the completion of the requirements described in subsections 1, 2 and 3; and

5. Pass a written examination approved by the board.

§6021. Application

A person eligible for licensure under section 5020 shall make application for examination to the board at least 30 days prior to the date of examination, upon a form and in such manner as the board shall prescribe. Any application shall be accompanied by the fee prescribed by section 5028, which fee shall in no case be refunded. A person who fails an examination may make application for reexamination.

A person certified by the American Speech and Hearing Association or licensed under the laws of another state, a territory of the United States or the District of Columbia, which has established licensure requirements at least equivalent to those established by section 5020 as a speech pathologist or audiologist, who has applied for examination under this section, may perform speech pathology and audiology services in this State prior to a determination by the board that such person has successfully completed examination for licensure or is eligible for waiver of the examination in accordance with section 6023.

§6022. Examination

Each applicant for licensure under this chapter shall be examined by the board in written examination. Standards for acceptable performance shall be established by the board. Applicants for licensure shall be examined at the time and place and under such supervision as the board may determine. Examinations shall be given at such places within this State as the board may determine at least twice each year and the board shall make public, in a manner it considers appropriate, notice of such examinations at least 60 days prior to their administration, and shall appropriately notify all individual examination applicants of the time and place of their administration. The board may examine in whatever theoretical or applied fields of speech pathology and audiology it considers appropriate and may examine with regard to a person's professional skills and judgement in the utilization of speech pathology or audiology techniques and methods. The board shall maintain a permanent record of all examination scores.

§6023. Waiver of examination.

The board may waive the examination and grant licensure to any applicant who shall present proof of current licensure in another state, including the District of Columbia or a territory of the United States which maintains professional standards considered by the board to be equivalent to those set forth in this chapter.

The board shall waive the examination and grant licensure to any person who possesses credentials equivalent to the Certificate of Clinical Competency of the American Speech and Hearing Association in the area for which such person is applying for licensure. Application for such licensure must be made within 180 days after the effective date of this Act.

The board shall waive the examination and grant licensure as a speech pathologist to any person who possesses a current certificate issued by the State Department of Educational and Cultural Services on the effective date of this Act. Application for licensure must be made within 180 days after the effective date of this Act, providing such person has been engaged in private practice as a speech pathologist for at least 24 months prior to the effective date of this Act. Private practice, for purposes of this section, is defined as a minimum of 120 hours per year of professional services for pay outside of school employment as a speech pathologist. Application for such licensure must be made within 180 days after the effective date of this Act.

§6024. License

The board shall issue a license to any person who meets the requirements of this chapter and who pays to the board the license fee established in section 6028.

§6025. Temporary license

An applicant, who fulfills all the requirements for licensure except professional employment or examination, may apply to the board for a temporary license. Upon receiving an application, accompanied by the fee established in section 6028, the board shall issue a temporary license, which entitles the applicant to practice speech pathology or audiology under supervision while completing the requirements for licensure. No temporary license shall be issued by the board under this section unless the applicant shows to the satisfaction of the board that she or he is or will be supervised and trained by a person who holds a license or the Certificate of Clinical Competency of the American Speech and Hearing Association in the appropriate specialty. The temporary license shall be effective for one year and may be renewed upon board approval.

§6026. License; refund to issue or renew, suspension, revocation

The board shall investigate or cause to be investigated all complaints made to it and all cases of noncompliance with or violation of this chapter. The board shall have the authority, after hearing, to refuse to issue or renew a license, or to suspend a license until said complaint can be heard by the Administrative Court Judge. The Administrative Court Judge shall have the power to suspend or revoke the license of any licensed speech pathologist or audiologist who is found guilty of:

1. Obtaining license by fraud. Obtaining a license by means of fraud, misrepresentation or concealment of material facts;

2. Guilty of unprofessional conduct. Being guilty of unprofessional conduct as defined by the rules established by the board or violating the Code of Ethics adopted and published by the board;

3. Violation of any lawful order, rule, etc. Violating any lawful order, rule or regulation rendered and adopted by the board;

4. Conviction of a felony. Being convicted of a felony in any court of the United States if the acts for which she or he is convicted are found by the board to have a direct bearing on whether she or he should be entrusted to serve the public in the capacity of a speech pathologist or audiologist; or

5. Violations. Violating any provision of this chapter.

The board, for reasons it may deem sufficient, may re-issue a license to any person whose license has been revoked, providing 4 or more members of the board vote in favor of such reissuance.

§6027. License, renewal

Licenses issued under this chapter expire and become invalid at midnight, December 31st of each year if not renewed. Every person licensed under this chapter shall, on or before December 31st of each year, pay a fee for renewal of license to the board. No person who requests renewal of license, whose license has expired, shall be required to submit to examination as a condition to renewal, if such renewal application is made within 2 years from the date of such expiration. Renewals are contingent upon evidence of participation in continuing professional education, such as attending professional meetings and regional inservice programs, as determined by the board.

A suspended license is subject to expiration and may be renewed as provided in this section, but such renewal shall not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity. A license revoked on disciplinary grounds is subject to expiration as provided in this section, and it may not be renewed.

§6028. Fees

Every person to whom an initial license is issued pursuant to this chapter shall pay a license fee of \$25. The fee for renewal of a license or for a temporary license shall be \$25. The board may, by regulation, provide for the waiver of all or part of the fee for an initial license if it is issued less than 120 days before the date on which it will expire. The fee for an examination shall be an amount established by the board, not to exceed \$25.

All fees received by the board shall be paid to the

Treasurer of State to be used for carrying out the purpose of this chapter. Any balance of such fees shall not lapse but shall be carried forward as a continuing account to be expended for the same purposes in the following fiscal years.

§6029. Notice

The board shall publish, in an appropriate manner, the licensure standards prescribed by this chapter, any amendments thereto and such rules and regulations as it may promulgate under the authority vested by section 5012.

§6030. Continuing professional education

The board shall require the applicant for license renewal to present evidence of the satisfactory completion of continuing professional education of persons subject to this chapter.

§6031. Penalty

Every person found guilty of violating a provision of this chapter shall be punished by a fine of not more than \$500 or by imprisonment for not more than 3 months or by both.

STATEMENT OF FACT

This bill is the result of the Business Legislation Committee's study of L.D. 1669, which was introduced in the Regular Session of the 107th Legislature and is a new draft of that L.D.

The primary purposes of the bill are to protect persons with speech and hearing disabilities by requiring the licensing, according to certain standards, of speech pathologists and audiologists and by therefore making such professionals eligible for third-party payments for their services to such persons. The background of the bill is more fully set forth in the Business Legislation Committee's report on its study.