



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3498

Introduced 2/23/2005, by Rep. Angelo Saviano

SYNOPSIS AS INTRODUCED:

225 ILCS 110/3	from Ch. 111, par. 7903
225 ILCS 110/3.5	
225 ILCS 110/4	from Ch. 111, par. 7904
225 ILCS 110/5	from Ch. 111, par. 7905
225 ILCS 110/7.1	
225 ILCS 110/8	from Ch. 111, par. 7908

Amends the Illinois Speech-Language Pathology and Audiology Practice Act. Makes changes in the definition of "the practice of audiology". Provides that the Act does not prohibit the performance of balance testing (rather than vestibular function testing) by an appropriately trained person under the supervision of a physician licensed to practice medicine in all its branches. Provides that the Department of Financial and Professional Regulation has the power to discipline the supervisor of a graduate speech-language pathology student for the student's violation of the Act. Provides that the Secretary of Financial and Professional Regulation shall give consideration to the recommendations of the Illinois Academy of Audiology in making appointments to the Board of Speech-Language Pathology and Audiology. Removes the requirement that a graduate student enrolled in a program of audiology be a full-time student in order to engage in the dispensing of hearing instruments as part of the program without a license under the Act. Makes changes in provisions concerning the qualifications for licenses to practice speech-language pathology and audiology. Effective immediately.

LRB094 05056 RAS 35092 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Speech-Language Pathology and
5 Audiology Practice Act is amended by changing Sections 3, 3.5,
6 4, 5, 7.1, and 8 as follows:

7 (225 ILCS 110/3) (from Ch. 111, par. 7903)

8 (Section scheduled to be repealed on January 1, 2008)

9 Sec. 3. Definitions. The following words and phrases shall
10 have the meaning ascribed to them in this Section unless the
11 context clearly indicates otherwise:

12 (a) "Department" means the Department of Professional
13 Regulation.

14 (b) "Director" means the Director of Professional
15 Regulation.

16 (c) "Board" means the Board of Speech-Language Pathology
17 and Audiology established under Section 5 of this Act.

18 (d) "Speech-Language Pathologist" means a person who has
19 received a license pursuant to this Act and who engages in the
20 practice of speech-language pathology.

21 (e) "Audiologist" means a person who has received a license
22 pursuant to this Act and who engages in the practice of
23 audiology.

24 (f) "Public member" means a person who is not a health
25 professional. For purposes of board membership, any person with
26 a significant financial interest in a health service or
27 profession is not a public member.

28 (g) "The practice of audiology" is the application of
29 nonmedical methods and procedures for the identification,
30 measurement, testing, appraisal, prediction, habilitation,
31 rehabilitation, or instruction related to hearing and balance
32 and disorders of hearing and balance. These procedures are for

1 the purpose of counseling, consulting and rendering or offering
2 to render services or for participating in the planning,
3 directing or conducting of programs that are designed to modify
4 communicative disorders involving speech, language or auditory
5 function related to hearing loss. The practice of audiology may
6 include, but shall not be limited to, the following:

7 (1) any task, procedure, act, or practice that is
8 necessary for the evaluation of hearing or balance
9 ~~vestibular function~~;

10 (2) training in the use of amplification devices ~~7~~
11 ~~including hearing aids~~;

12 (3) the fitting, dispensing, or servicing of hearing
13 instruments; and

14 (4) ~~(3)~~ performing basic speech and language screening
15 tests and procedures consistent with audiology training.

16 (h) "The practice of speech-language pathology" is the
17 application of nonmedical methods and procedures for the
18 identification, measurement, testing, appraisal, prediction,
19 habilitation, rehabilitation, and modification related to
20 communication development, and disorders or disabilities of
21 speech, language, voice, swallowing, and other speech,
22 language and voice related disorders. These procedures are for
23 the purpose of counseling, consulting and rendering or offering
24 to render services, or for participating in the planning,
25 directing or conducting of programs that are designed to modify
26 communicative disorders and conditions in individuals or
27 groups of individuals involving speech, language, voice and
28 swallowing function.

29 "The practice of speech-language pathology" shall include,
30 but shall not be limited to, the following:

31 (1) hearing screening tests and aural rehabilitation
32 procedures consistent with speech-language pathology
33 training;

34 (2) tasks, procedures, acts or practices that are
35 necessary for the evaluation of, and training in the use
36 of, augmentative communication systems, communication

1 variation, cognitive rehabilitation, non-spoken language
2 production and comprehension.

3 (i) "Speech-language pathology assistant" means a person
4 who has received a license pursuant to this Act to assist a
5 speech-language pathologist in the manner provided in this Act.
6 (Source: P.A. 92-510, eff. 6-1-02.)

7 (225 ILCS 110/3.5)

8 (Section scheduled to be repealed on January 1, 2008)

9 Sec. 3.5. Exemptions. This Act does not prohibit:

10 (a) The practice of speech-language pathology or
11 audiology by students in their course of study in programs
12 approved by the Department when acting under the direction
13 and supervision of licensed speech-language pathologists
14 or audiologists.

15 (b) The performance of any speech-language pathology
16 service by a speech-language pathology assistant or a
17 speech-language pathology paraprofessional if such service
18 is performed under the supervision and full responsibility
19 of a licensed speech-language pathologist. A speech
20 language pathology assistant may perform only those duties
21 authorized by Section 8.7 under the supervision of a
22 speech-language pathologist as provided in Section 8.8.

23 (b-5) The performance of an audiology service by an
24 appropriately trained person if that service is performed
25 under the supervision and full responsibility of a licensed
26 audiologist.

27 (c) The performance of audiometric testing for the
28 purpose of industrial hearing conservation by an
29 audiometric technician certified by the Council of
30 Accreditation for Occupational Hearing Conservation
31 (CAOHC).

32 (d) The performance of an audiometric screening by an
33 audiometric screenings technician certified by the
34 Department of Public Health.

35 (e) The selling or practice of fitting, dispensing, or

1 servicing hearing instruments by a hearing instrument
2 dispenser licensed under the Hearing Instrument Consumer
3 Protection Act.

4 (f) A person licensed in this State under any other Act
5 from engaging in the practice for which he or she is
6 licensed.

7 (g) The performance of balance ~~vestibular function~~
8 testing by an appropriately trained person under the
9 supervision of a physician licensed to practice medicine in
10 all its branches.

11 (Source: P.A. 92-510, eff. 6-1-02.)

12 (225 ILCS 110/4) (from Ch. 111, par. 7904)

13 (Section scheduled to be repealed on January 1, 2008)

14 Sec. 4. Powers and duties of the Department. Subject to the
15 provisions of this Act, the Department shall exercise the
16 following functions, powers and duties:

17 (a) Conduct or authorize examinations to ascertain the
18 fitness and qualifications of applicants for license and issue
19 licenses to those who are found to be fit and qualified.

20 (b) Prescribe rules and regulations for a method of
21 examination of candidates.

22 (c) Prescribe rules and regulations defining what shall
23 constitute an approved school, college or department of a
24 university, except that no school, college or department of a
25 university that refuses admittance to applicants solely on
26 account of race, color, creed, sex or national origin shall be
27 approved.

28 (d) Conduct hearings on proceedings to revoke, suspend, or
29 refusal to issue such licenses.

30 (e) Promulgate rules and regulations required for the
31 administration of this Act.

32 (f) Discipline the supervisor of a graduate audiology or
33 speech-language pathology student as provided in this Act for a
34 violation by the graduate audiology or speech-language
35 pathology student.

1 (Source: P.A. 91-932, eff. 1-1-01; 91-949, eff. 2-9-01.)

2 (225 ILCS 110/5) (from Ch. 111, par. 7905)

3 (Section scheduled to be repealed on January 1, 2008)

4 Sec. 5. Board of Speech-Language Pathology and Audiology.
5 There is created a Board of Speech-Language Pathology and
6 Audiology to be composed of persons designated from time to
7 time by the Director, as follows:

8 (a) Five persons, 2 of whom have been licensed
9 speech-language pathologists for a period of 5 years or
10 more, 2 of whom have been licensed audiologists for a
11 period of 5 years or more, and one public member. The board
12 shall annually elect a chairperson and a vice-chairperson.

13 (b) Terms for all members shall be for 3 years. Partial
14 terms over 2 years in length shall be considered as full
15 terms. A member may be reappointed for a successive term,
16 but no member shall serve more than 2 full terms.

17 (c) The membership of the Board should reasonably
18 reflect representation from the various geographic areas
19 of the State.

20 (d) In making appointments to the Board, the Director
21 shall give due consideration to recommendations by
22 organizations of the speech-language pathology and
23 audiology professions in Illinois, including the Illinois
24 Speech-Language-Hearing Association and the Illinois
25 Academy of Audiology, and shall promptly give due notice to
26 such organizations of any vacancy in the membership of the
27 Board. The Director may terminate the appointment of any
28 member for any cause, which in the opinion of the Director,
29 reasonably justifies such termination.

30 (e) A majority of the Board members currently appointed
31 shall constitute a quorum. A vacancy in the membership of
32 the Board shall not impair the right of a quorum to
33 exercise all the rights and perform all the duties of the
34 Board.

35 (f) The members of the Board shall each receive as

1 compensation a reasonable sum as determined by the Director
2 for each day actually engaged in the duties of the office,
3 and all legitimate and necessary expenses incurred in
4 attending the meetings of the Board.

5 (g) Members of the Board shall be immune from suit in
6 any action based upon any disciplinary proceedings or other
7 activities performed in good faith as members of the Board.

8 (h) The Director may consider the recommendations of
9 the Board in establishing guidelines for professional
10 conduct, the conduct of formal disciplinary proceedings
11 brought under this Act, and qualifications of applicants.
12 Notice of proposed rulemaking shall be transmitted to the
13 Board and the Department shall review the response of the
14 Board and any recommendations made in the response. The
15 Department, at any time, may seek the expert advice and
16 knowledge of the Board on any matter relating to the
17 administration or enforcement of this Act.

18 (i) Whenever the Director is satisfied that
19 substantial justice has not been done either in an
20 examination or in the revocation, suspension, or refusal of
21 a license, or other disciplinary action relating to a
22 license, the Director may order a reexamination or
23 rehearing.

24 (Source: P.A. 90-69, eff. 7-8-97.)

25 (225 ILCS 110/7.1)

26 (Section scheduled to be repealed on January 1, 2008)

27 Sec. 7.1. Graduate audiology students. ~~Full-time~~ Graduate
28 students enrolled in a program of audiology in an accredited
29 college or university may engage in the dispensing of hearing
30 instruments as a part of a program of audiology without a
31 license under the supervision of an audiologist licensed under
32 this Act.

33 The supervisor and the supervisor's employer shall be
34 jointly and severally liable for any acts of the student
35 relating to the practice of fitting or dispensing hearing

1 instruments as defined in the rules promulgated under this Act.
2 (Source: P.A. 91-932, eff. 1-1-01.)

3 (225 ILCS 110/8) (from Ch. 111, par. 7908)

4 (Section scheduled to be repealed on January 1, 2008)

5 Sec. 8. Qualifications for licenses to practice
6 speech-language pathology or audiology. The Department shall
7 require that each applicant for a license to practice
8 speech-language pathology or audiology shall:

9 (a) (Blank);

10 (b) be at least 21 years of age;

11 (c) not have violated any provisions of Section 16 of
12 this Act;

13 (d) present satisfactory evidence of receiving a
14 master's or doctoral degree in speech-language pathology
15 or audiology from a program approved by the Department.
16 Nothing in this Act shall be construed to prevent any
17 program from establishing higher standards than specified
18 in this Act;

19 (e) pass a national ~~an~~ examination recognized
20 ~~authorized~~ by the Department in the theory and practice of
21 the profession, ~~provided that the Department may recognize~~
22 ~~a certificate granted by the American~~
23 ~~Speech-Language-Hearing Association in lieu of such~~
24 ~~examination; and~~

25 (f) for a license as a speech-language pathologist,
26 have completed the equivalent of 9 months of ~~full-time,~~
27 supervised ~~professional~~ experience; and -

28 (g) for a license as an audiologist, have completed a
29 minimum of 1,500 clock hours of supervised experience.

30 Applicants have 3 years from the date of application to
31 complete the application process. If the process has not been
32 completed within 3 years, the application shall be denied, the
33 fee shall be forfeited, and the applicant must reapply and meet
34 the requirements in effect at the time of reapplication.

35 (Source: P.A. 92-510, eff. 6-1-02.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.