



DIGEST OF SB 123 (Updated February 1, 2021 2:12 pm - DI 110)

Citations Affected: IC 25-35.6.

Synopsis: Audiology and speech-language pathology compact. Enacts the audiology and speech-language pathology interstate compact. Establishes requirements regarding: (1) speech-language pathology assistants; and (2) the supervision of speech-language pathology support personnel. Requires the speech-language pathology and audiology board to adopt rules not later than June 30, 2022. Makes conforming amendments.

Effective: July 1, 2021.

Kruse, Raatz, Rogers, Zay

January 5, 2021, read first time and referred to Committee on Education and Career Development.

January 28, 2021, amended, reported favorably — Do Pass.
February 1, 2021, read second time, amended, ordered engrossed.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

SENATE BILL No. 123

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 25-35.6-1-3 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) Licensure shall
be granted either in speech-language pathology or audiology
independently. A person may be licensed in both areas if the person
meets the respective qualifications.

- (b) Except as provided in IC 25-35.6-5, no person shall practice or represent himself as a speech-language pathologist or audiologist in this state unless the person is licensed in accordance with the provisions of this article.
- SECTION 2. IC 25-35.6-1-4, AS AMENDED BY P.L.2-2007, SECTION 348, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. Nothing in this article shall be construed as preventing or restricting the following:
 - (1) A physician or surgeon from engaging in the practice of medicine in this state, or a person under the supervision and control of a physician or surgeon from conducting hearing testing, provided such a person is not called an audiologist.



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1	(2) Any hearing aid dealer from:
2	(A) engaging in the testing of hearing and other practices and
3	procedures necessary for the business for which the dealer is
4	registered in this state under IC 25-20-1; and
5	(B) using the title hearing aid specialist or any similar title or
6	description of service.
7	(3) Any person licensed or registered in this state by any other law
8	from engaging in the profession or occupation for which the
9	person is licensed or registered.
10	(4) A person employed as a speech-language pathologist or
11	audiologist by the government of the United States, if such person
12	performs speech-language pathology or audiology services solely
13	within the confines or under the jurisdiction of the governmental
14	organization by which the person is employed. However, such
15	person may, without obtaining a license under this article, consult
16	with or disseminate the person's research findings and other
17	scientific information to speech-language pathologists and
18	audiologists outside the jurisdiction of the organization by which
19	the person is employed. Such person may also offer instruction
20	and lectures to the public without being licensed under this
	article. Such person may additionally elect to be subject to this
22	article.
23	(5) The activities and services of persons pursuing a course of
24	study leading to a degree in speech-language pathology or
21 22 23 24 25 26	audiology at a postsecondary educational institution, if:
26	(A) such activities and services constitute a part of a
27	supervised course of study;
28	(B) such person is designated speech-language pathology or
29	audiology intern, speech-language pathology or audiology
30	trainee, or by other such titles clearly indicating the training
31	status appropriate to the person's level of training; and
32	(C) the person works only under the supervision of a
33	speech-language pathologist or audiologist licensed under this
34	article.
35	(6) The activities and services of persons fulfilling the clinical
36	experience requirement of section 5(2)(B)(ii) or 6(3)(B) of this
37	chapter, if such activities and services constitute a part of the
38	experience required for that section's fulfillment.
39	(7) The performance of pure tone air conduction testing by an
40	industrial audiometric technician, as defined by federal law, who
41	is working in an industrial hearing conservation program directed
42	by a physician or an audiologist.



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1	(8) The performance of speech-language pathology or audiology
2	services in this state by any person not a resident of this state who
3	is not licensed under this article, if such services are performed:
4	(A) under IC 25-35.6-5; or
5	(B) for no more than five (5) days in any calendar year and in
6	cooperation with a speech-language pathologist or audiologist
7	licensed under this article, and if such person meets the
8	qualifications and requirements for application for licensure
9	described in sections 5(1) and 5(2) or 6(1) and 6(2) of this
10	chapter.
11	However, a person not a resident of this state who is not licensed
12	under this article or practicing under IC 25-35.6-5, but who is
13	licensed under the law of another state which has established

under this article **or practicing under IC 25-35.6-5**, but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by section 5 or 6 of this chapter or who is the holder of a certificate of clinical competence in speech-language pathology or audiology or its equivalent issued by a nationally recognized association for speech-language or hearing, may offer speech-language pathology or audiology services in this state for no more than thirty (30) days in any calendar year, if such services are performed in cooperation with a speech-language pathologist or audiologist licensed under this article.

SECTION 3. IC 25-35.6-2-2, AS AMENDED BY P.L.212-2005, SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The board:

- (1) shall administer, coordinate, and enforce this article;
- (2) shall evaluate the qualifications and supervise the examinations of applicants for licensure under this article;
- (3) may issue subpoenas, examine witnesses, and administer oaths; and
- (4) shall, at its discretion, investigate allegations of practices violating this article, subject to IC 25-1-7.
- (b) The board shall adopt rules under IC 4-22-2 relating to professional conduct commensurate with the policy of this article, including rules that establish standards for the competent practice of speech-language pathology and audiology. Following their adoption, Except as provided in IC 25-35.6-5-14, the rules govern and control the professional conduct of every person who holds a license to practice speech-language pathology or audiology in this state.
- (c) The board shall conduct the hearings and keep the records and minutes necessary for the orderly dispatch of its functions. The board shall have notice provided to the appropriate persons in a manner it



1	considers appropriate of the times and places of all hearings authorized
2	by this subsection. Approval by a majority of a quorum of the board is
3	required for any action to be taken in actions for revocation or
4	suspension of a license issued under this article.
5	(d) The board may adopt rules under IC 4-22-2 to:
6	(1) administer or enforce this article;
7	(2) register persons in the process of fulfilling the clinical
8	experience required for a license under this article;
9	(3) establish fees in accordance with IC 25-1-8-2; and
10	(4) register speech-language pathology assistants, associates, and
11	aides and establish rules governing the duties of assistants,
12	associates, and aides.
13	(e) The conferral or enumeration of specific powers elsewhere in
14	this article shall not be construed as a limitation of the general
15	functions conferred by this section.
16	SECTION 4. IC 25-35.6-3-8.5 IS ADDED TO THE INDIANA
17	CODE AS A NEW SECTION TO READ AS FOLLOWS
18	[EFFECTIVE JULY 1, 2021]: Sec. 8.5. (a) As used in this section,
19	"supervisor" has the meaning set forth in 880 IAC 1-2.1-1(9).
20	(b) Notwithstanding any other law under this article or rule
21	adopted by the board, a speech-language pathology assistant may
22	do the following:
23 24	(1) Independently participate in parent conferences and case
24	conferences if the speech-language pathology assistant's
25	supervisor expressly consents to the speech-language
26	pathology assistant's independent participation.
27	(2) Help write a treatment plan for review by the
28	speech-language pathology assistant's supervisor if asked to
29	$\ do so by the speech-language pathology assistant's supervisor.$
30	(3) Sign formal documents, including treatment plans,
31	reimbursement forms, and reports, if asked to do so by the
32	speech-language pathology assistant's supervisor.
33	(4) Communicate with a client, family member of the client,
34	or other persons, as applicable, regarding any aspect of the
35	client's status or service. A speech-language pathology
36	assistant may communicate as described in this subdivision
37	without the consent of the speech-language pathology
38	assistant's supervisor.
39	(5) Counsel or consult with a client, family members of the
10	client, or other persons, as applicable, regarding the client's
11	status or service.

(c) The following applies to a supervisor of speech-language



1	pathology support personnel when speech-language pathology
2	personnel assist in providing treatment:
3	(1) Notwithstanding 880 IAC 1-2.1-9(b)(1), a supervisor of a
4	speech-language pathology aide shall:
5	(A) be physically present within the same building as the
6	speech-language pathology aide when direct client care is
7	provided; and
8	(B) alternate supervision days and times to ensure that al
9	clients receive direct treatment from the supervisor.
10	(2) Notwithstanding 880 IAC 1-2.1-9(b)(2), a supervisor of a
11	speech-language pathology associate shall provide direct
12	supervision a minimum of ten percent (10%) of the time each
13	week that the speech-language pathology associate has direct
14	contact with clients. A supervisor of a speech-language
15	pathology associate shall alternate supervision days and times
16	to ensure that all clients receive direct treatment from the
17	supervisor a minimum of three (3) times each quarter. A
18	speech-language pathology associate may not perform tasks
19	when a supervisor cannot be reached by:
20	(A) personal contact;
21	(B) telephone;
22	(C) pager; or
23	(D) other immediate means.
24	(3) Notwithstanding 880 IAC 1-2.1-9(b)(3), a supervisor of a
25	speech-language pathology assistant shall provide direct
26	supervision a minimum of ten percent (10%) of the time each
27	week that the speech-language pathology assistant has direct
28	contact with clients. A supervisor of a speech-language
29	pathology assistant shall alternate days and times to ensure
30	that all clients receive direct treatment from the supervisor a
31	minimum of three (3) times each quarter. A speech-language
32	pathology assistant may not perform tasks when a supervisor
33	cannot be reached by:
34	(A) personal contact;
35	(B) telephone;
36	(C) pager; or
37	(D) other immediate means.
38	(d) Any provisions in 880 IAC 1-2.1 that are not affected by this
39	section remain in effect unless otherwise amended or repealed by
40	the board.
41	(e) The board shall, not later than June 30, 2022, adopt rules to
42	implement this section.



1	(f) This section expires July 1, 2022.
2	SECTION 5. IC 25-35.6-5 IS ADDED TO THE INDIANA CODE
3	AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4	JULY 1, 2021]:
5	Chapter 5. Audiology and Speech-Language Pathology
6	Interstate Compact
7	Sec. 1. The purpose of this Compact is to facilitate interstate
8	practice of audiology and speech-language pathology with the goal
9	of improving public access to audiology and speech-language
10	pathology services. The practice of audiology and speech-language
1	pathology occurs in the state where the patient/client/student is
12	located at the time of the patient/client/student encounter. The
13	Compact preserves the regulatory authority of states to protect
14	public health and safety through the current system of state
15	licensure. This Compact is designed to achieve the following
16	objectives:
17	(1) increase public access to audiology and speech-language
18	pathology services by providing for the mutual recognition of
19	other member state licenses;
20	(2) enhance the states' ability to protect the public's health
21	and safety;
22	(3) encourage the cooperation of member states in regulating
23 24	multistate audiology and speech-language pathology practice;
24	(4) support spouses of relocating active duty military
25	personnel;
26	(5) enhance the exchange of licensure, investigative, and
27	disciplinary information between member states;
28	(6) allow a remote state to hold a provider of services with a
29	Compact privilege in that state accountable to that state's
30	practice standards; and
31	(7) allow for the use of telehealth technology to facilitate
32	increased access to audiology and speech-language pathology
33	services.
34	Sec. 2. As used in this Compact, and except as otherwise
35	provided, the following definitions shall apply:
36	(1) "Active duty military" means full-time duty status in the
37	active uniformed service of the United States, including
38	members of the National Guard and Reserve on active duty
39	orders pursuant to 10 U.S.C. Chapter 1209 and 10 U.S.C.
10	Chapter 1211.
11	(2) "Adverse action" means any administrative, civil,

equitable, or criminal action permitted by a state's laws which



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1	is imposed by a licensing board or other authority against an
2	audiologist or speech-language pathologist, including actions
3	against an individual's license or privilege to practice, such as
4	revocation, suspension, probation, monitoring of the licensee,
5	or restriction on the licensee's practice.
6	(3) "Alternative program" means a non-disciplinary
7	monitoring process approved by an audiology or
8	speech-language pathology licensing board to address
9	impaired practitioners.
10	(4) "Audiologist" means an individual who is licensed by a
11	state to practice audiology.
12	(5) "Audiology" means the care and services provided by a
13	licensed audiologist as set forth in the member state's statutes
14	and rules.
15	(6) "Audiology and Speech-Language Pathology Compact

- Commission" or "Commission" means the national administrative body whose membership consists of all states that have enacted the Compact.
- (7) "Audiology and speech-language pathology licensing board", "audiology licensing board", "speech-language pathology licensing board", or "licensing board" means the agency of a state that is responsible for the licensing and regulation of audiologists and/or speech-language pathologists.
- (8) "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as an audiologist or speech-language pathologist in the remote state under its laws and rules. The practice of audiology or speech-language pathology occurs in the member state where the patient/client/student is located at the time of the patient/client/student encounter.
- (9) "Current significant investigative information" means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the audiologist or speech-language pathologist to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.
- (10) "Data system" means a repository of information about licensees, including, but not limited to, continuing education, examination, licensure, investigative, Compact privilege, and adverse action.



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1	(11) "Encumbered license" means a license in which an
2	adverse action restricts the practice of audiology or
3	speech-language pathology by the licensee and said adverse
4	action has been reported to the National Practitioner Data
5	Bank (NPDB).
6	(12) "Executive Committee" means a group of directors
7	elected or appointed to act on behalf of, and within the powers
8	granted to them by, the Commission.
9	(13) "Home state" means the member state that is the
10	licensee's primary state of residence.
11	(14) "Impaired practitioner" means individuals whose
12	professional practice is adversely affected by substance abuse,
13	addiction, or other health-related conditions.
14	(15) "Licensee" means an individual who currently holds an
15	authorization from the state licensing board to practice as an
16	audiologist or speech-language pathologist.
17	(16) "Member state" means a state that has enacted the
18	Compact.
19	(17) "Privilege to practice" means a legal authorization
20	permitting the practice of audiology or speech-language
21	pathology in a remote state.
22	(18) "Remote state" means a member state other than the
23	home state where a licensee is exercising or seeking to exercise
24	the Compact privilege.
25	(19) "Rule" means a regulation, principle, or directive
26	promulgated by the Commission that has the force of law.
27	(20) "Single-state license" means an audiology or
28	speech-language pathology license issued by a member state
29	that authorizes practice only within the issuing state and does
30	not include a privilege to practice in any other member state.
31	(21) "Speech-language pathologist" means an individual who
32	is licensed by a state to practice speech-language pathology.
33	(22) "Speech-language pathology" means the care and
34	services provided by a licensed speech-language pathologist
35	as set forth in the member state's statutes and rules.
36	(23) "State" means any state, commonwealth, district, or
37	territory of the United States of America that regulates the
38	practice of audiology and speech-language pathology.
39	(24) "State practice laws" means a member state's laws, rules,
40	and regulations that govern the practice of audiology or
41	speech-language pathology, define the scope of audiology or

speech-language pathology practice, and create the methods



1	and grounds for imposing discipline.
2	(25) "Telehealth" means the application of telecommunication
3	technology to deliver audiology or speech-language pathology
4	services at a distance for assessment, intervention, and/or
5	consultation.
6	Sec. 3. (a) A license issued to an audiologist or speech-language
7	pathologist by a home state to a resident in that state shall be
8	recognized by each member state as authorizing an audiologist or
9	speech-language pathologist to practice audiology or
10	speech-language pathology, under a privilege to practice, in each
11	member state.
12	(b) A state must implement or utilize procedures for considering
13	the criminal history records of applicants for initial privilege to
14	practice. These procedures shall include the submission of
15	fingerprints or other biometric-based information by applicants
16	for the purpose of obtaining an applicant's criminal history record
17	information from the Federal Bureau of Investigation and the
18	agency responsible for retaining that state's criminal records.
19	(1) A member state must fully implement a criminal
20	background check requirement, within a time frame
21	established by rule, by receiving the results of the Federal
22	Bureau of Investigation record search on criminal
23	background checks and use the results in making licensure
24	decisions.
25	(2) Communication between a member state, the Commission,
26	and among member states regarding the verification of
27	eligibility for licensure through the Compact shall not include
28	any information received from the Federal Bureau of
29	Investigation relating to a federal criminal records check
30	performed by a member state under Public Law 92-544.
31	(c) Upon application for a privilege to practice, the licensing
32	board in the issuing remote state shall ascertain, through the data
33	system, whether the applicant has ever held, or is the holder of, a
34	license issued by any other state, whether there are any
35	encumbrances on any license or privilege to practice held by the
36	applicant, and whether any adverse action has been taken against
37	any license or privilege to practice held by the applicant.
38	(d) Each member state shall require an applicant to obtain or
39	retain a license in the home state and meet the home state's

qualifications for licensure or renewal of licensure, as well as all



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other applicable state laws.

(e) For an audiologist:

1	(1) Must meet one (1) of the following educational
2	requirements:
3	(A) on or before December 31, 2007, has graduated with a
4	master's degree or doctorate in audiology or equivalent
5	degree regardless of degree name, from a program that is
6	accredited by an accrediting agency recognized by the
7	Council for Higher Education Accreditation, or its
8	successor, or by the United States Department of
9	Education and operated by a college or university
10	accredited by a regional or national accrediting
11	organization recognized by the board;
12	(B) on or after January 1, 2008, has graduated with a
13	Doctoral degree in audiology or equivalent degree,
14	regardless of degree name, from a program that is
15	accredited by an accrediting agency recognized by the
16	Council for Higher Education Accreditation or its
17	successor, or by the United States Department of
18	Education and operated by a college or university
19	accredited by a regional or national accrediting
20	organization recognized by the board; or
21	(C) has graduated from an audiology program that is
22	housed in an institution of higher education outside of the
23	United States:
24	(i) for which the program and institution have been
25	approved by the authorized accrediting body in the
26	applicable country; and
27	(ii) the degree program has been verified by an
28	independent credentials review agency to be comparable
29	to a state licensing board-approved program.
30	(2) Has completed a supervised clinical practicum experience
31	from an accredited educational institution or its cooperating
32	programs as required by the Commission.
33	(3) Has successfully passed a national examination approved
34	by the Commission.
35	(4) Holds an active, unencumbered license.
36	(5) Has not been convicted or found guilty, and has not
37	entered into an agreed disposition, of a felony related to the
38	practice of audiology, under applicable state or federal
39	criminal law.
40	(6) Has a valid United States Social Security or National



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Practitioner Identification number.

(f) For a speech-language pathologist:

1	(1) Must meet one (1) of the following educational
2	requirements:
3	(A) has graduated with a master's degree from a
4	speech-language pathology program that is accredited by
5	an organization recognized by the United States
6	Department of Education and operated by a college or
7	university accredited by a regional or national accrediting
8	organization recognized by the board; or
9	(B) has graduated from a speech-language pathology
10	program that is housed in an institution of higher
11	education outside of the United States:
12	(i) for which the program and institution have been
13	approved by the authorized accrediting body in the
14	applicable country; and
15	(ii) the degree program has been verified by an
16	independent credentials review agency to be comparable
17	to a state licensing board-approved program.
18	(2) Has completed a supervised clinical practicum experience
19	from an educational institution or its cooperating programs
20	as required by the Commission.
21	(3) Has completed a supervised postgraduate professional
22	experience as required by the Commission.
23	(4) Has successfully passed a national examination approved
24	by the Commission.
25	(5) Holds an active, unencumbered license.
26	(6) Has not been convicted or found guilty, and has not
27	entered into an agreed disposition, of a felony related to the
28	practice of speech-language pathology, under applicable state
29	or federal criminal law.
30	(7) Has a valid United States Social Security or National
31	Practitioner Identification number.
32	(g) The privilege to practice is derived from the home state
33	license.
34	(h) An audiologist or speech-language pathologist practicing in
35	a member state must comply with the state practice laws of the
36	state in which the client is located at the time service is provided.
37	The practice of audiology and speech-language pathology shall
38	include all audiology and speech-language pathology practice as
39	defined by the state practice laws of the member state in which the
40	client is located. The practice of audiology and speech-language
41	pathology in a member state under a privilege to practice shall

subject an audiologist or speech-language pathologist to the



- jurisdiction of the licensing board, the courts, and the laws of the member state in which the client is located at the time service is provided.
- (i) Individuals not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals shall not be recognized as granting the privilege to practice audiology or speech-language pathology in any other member state. Nothing in this Compact shall affect the requirements established by a member state for the issuance of a single-state license.
- (j) Member states may charge a fee for granting a Compact privilege.
- (k) Member states must comply with the bylaws and rules and regulations of the Commission.
- Sec. 4. (a) To exercise the Compact privilege under the terms and provisions of the Compact, the audiologist or speech-language pathologist shall:
 - (1) Hold an active license in the home state.
 - (2) Have no encumbrance on any state license.
 - (3) Be eligible for a Compact privilege in any member state in accordance with section 3 of this chapter.
 - (4) Have not had any adverse action against any license or Compact privilege within the previous two (2) years from date of application.
 - (5) Notify the Commission that the licensee is seeking the Compact privilege within a remote state(s).
 - (6) Pay any applicable fees, including any state fee, for the Compact privilege.
 - (7) Report to the Commission adverse action taken by any non-member state within thirty (30) days from the date the adverse action is taken.
- (b) For the purposes of the Compact privilege, an audiologist or speech-language pathologist shall only hold one (1) home state license at a time.
- (c) Except as provided in section 6 of this chapter, if an audiologist or speech-language pathologist changes primary state of residence by moving between two member states, the audiologist or speech-language pathologist must apply for licensure in the new home state, and the license issued by the prior home state shall be deactivated in accordance with applicable rules adopted by the Commission.



- 13 (d) The audiologist or speech-language pathologist may apply for licensure in advance of a change in primary state of residence. (e) A license shall not be issued by the new home state until the audiologist or speech-language pathologist provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a license from the new home state. (f) If an audiologist or speech-language pathologist changes primary state of residence by moving from a member state to a non-member state, the license issued by the prior home state shall convert to a single-state license, valid only in the former home state. (g) The Compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection (a) to maintain the Compact privilege in the remote state. (h) A licensee providing audiology or speech-language pathology services in a remote state under the Compact privilege shall function within the laws and regulations of the remote state. (i) A licensee providing audiology or speech-language pathology services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's Compact privilege in the remote state for a specific period of time, impose fines, and/or take
 - citizens.

 (j) If a home state license is encumbered, the licensee shall lose the Compact privilege in any remote state until the following occur:

any other necessary actions to protect the health and safety of its

- (1) the home state license is no longer encumbered; and
- (2) two (2) years have elapsed from the date of the adverse action.
- (k) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection (a) to obtain a Compact privilege in any remote state.
- (l) Once the requirements of subsection (j) are met, the licensee must meet the requirements in subsection (a) to obtain a Compact privilege in a remote state.
- Sec. 5. (a) Member states shall recognize the right of an audiologist or speech-language pathologist, licensed by a home state in accordance with section 3 of this chapter and under rules promulgated by the Commission, to practice audiology or



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- speech-language pathology in any member state via telehealth under a privilege to practice as provided in the Compact and rules promulgated by the Commission.
- (b) A licensee providing audiology or speech-language pathology services in a remote state under the Compact shall function within the laws and regulations of the remote state.
- Sec. 6. Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state.
- Sec. 7. (a) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:
 - (1) Take adverse action against an audiologist's or speech-language pathologist's privilege to practice within that member state.
 - (2) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.
 - (3) Only the home state shall have the power to take adverse action against an audiologist's or speech-language pathologist's license issued by the home state.
- (b) For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.
- (c) The home state shall complete any pending investigations of an audiologist or speech-language pathologist who changes primary state of residence during the course of the investigations.



The home state shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any adverse actions.

- (d) If otherwise permitted by state law, a member state may recover from the affected audiologist or speech-language pathologist the costs of investigations and disposition of cases resulting from any adverse action taken against that audiologist or speech-language pathologist.
- (e) A member state may take adverse action based on the factual findings of the remote state, provided that the member state follows the member state's own procedures for taking the adverse action.

(f) Joint Investigations

- (1) In addition to the authority granted to a member state by its respective audiology or speech-language pathology practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.
- (2) Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the Compact.
- (g) If adverse action is taken by the home state against an audiologist's or speech-language pathologist's license, the audiologist's or speech-language pathologist's privilege to practice in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against an audiologist's or speech-language pathologist's license shall include a statement that the audiologist's or speech-language pathologist's privilege to practice is deactivated in all member states during the pendency of the order.
- (h) If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.
- (i) Nothing in this Compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.
- Sec. 8. (a) The Compact member states hereby create and establish a joint public agency known as the Audiology and



1	Speech-Language Pathology Compact Commission:
2	(1) The Commission is an instrumentality of the Compact
3	states.
4	(2) Venue is proper and judicial proceedings by or against the
5	Commission shall be brought solely and exclusively in a court
6	of competent jurisdiction where the principal office of the
7	Commission is located. The Commission may waive venue and
8	jurisdictional defenses to the extent it adopts or consents to
9	participate in alternative dispute resolution proceedings.
10	(3) Nothing in this Compact shall be construed to be a waiver
11	of sovereign immunity.
12	(b) Membership, Voting, and Meetings
13	(1) Each member state shall have two (2) delegates selected by
14	that member state's licensing board. The delegates shall be
15	current members of the licensing board. One (1) shall be an
16	audiologist and one (1) shall be a speech-language pathologist
17	(2) An additional five (5) delegates, who are either a public
18	member or board administrator from a state licensing board
19	shall be chosen by the Executive Committee from a pool of
20	nominees provided by the Commission at Large.
21	(3) Any delegate may be removed or suspended from office as
22	provided by the law of the state from which the delegate is
23	appointed.
24	(4) The member state board shall fill any vacancy occurring
25	on the Commission, within ninety (90) days.
26	(5) Each delegate shall be entitled to one (1) vote with regard
27	to the promulgation of rules and creation of bylaws and shall
28	otherwise have an opportunity to participate in the business
29	and affairs of the Commission.
30	(6) A delegate shall vote in person or by other means as
31	provided in the bylaws. The bylaws may provide for
32	delegates' participation in meetings by telephone or other
33	means of communication.
34	(7) The Commission shall meet at least once during each
35	calendar year. Additional meetings shall be held as set forth
36	in the bylaws.
37	(c) The Commission shall have the following powers and duties
38	(1) establish the fiscal year of the Commission;
39	(2) establish bylaws;
40	(3) establish a code of ethics;
41	(4) maintain its financial records in accordance with the
42	bylaws;



1	(5) meet and take actions as are consistent with the provisions
2	of this Compact and the bylaws;
3	(6) promulgate uniform rules to facilitate and coordinate
4	implementation and administration of this Compact. The
5	rules shall have the force and effect of law and shall be
6	binding in all member states;
7	(7) bring and prosecute legal proceedings or actions in the
8	name of the Commission, provided that the standing of any
9	state audiology or speech-language pathology licensing board
10	to sue or be sued under applicable law shall not be affected;
11	(8) purchase and maintain insurance and bonds;
12	(9) borrow, accept, or contract for services of personnel,
13	including, but not limited to, employees of a member state;
14	(10) hire employees, elect or appoint officers, fix
15	compensation, define duties, grant individuals appropriate
16	authority to carry out the purposes of the Compact, and
17	establish the Commission's personnel policies and programs
18	relating to conflicts of interest, qualifications of personnel,
19	and other related personnel matters;
20	(11) accept any and all appropriate donations and grants of
21	money, equipment, supplies, materials, and services, and to
22	receive, utilize, and dispose of the same, provided that at all
23	times the Commission shall avoid any appearance of
24	impropriety and/or conflict of interest;
25	(12) lease, purchase, accept appropriate gifts or donations of,
26	or otherwise own, hold, improve, or use any property, real,
27	personal, or mixed, provided that at all times the Commission
28	shall avoid any appearance of impropriety;
29	(13) sell convey, mortgage, pledge, lease, exchange, abandon,
30	or otherwise dispose of any property real, personal, or mixed;
31	(14) establish a budget and make expenditures;
32	(15) borrow money;
33	(16) appoint committees, including standing committees
34	composed of members, and other interested persons as may be
35	designated in this Compact and the bylaws;
36	(17) provide and receive information from, and cooperate
37	with, law enforcement agencies;
38	(18) establish and elect an executive committee; and
39	(19) perform other functions as may be necessary or
40	appropriate to achieve the purposes of this Compact
41	consistent with the state regulation of audiology and
42	speech-language pathology licensure and practice.



1	(d) The Commission does not have authority to change or
2	modify the laws of the member states that define the practice of
3	audiology and speech-language pathology in the respective member
4	states.
5	(e) The executive committee shall have the power to act on
6	behalf of the Commission according to the terms of this Compact:
7	(1) The executive committee shall be composed of ten (10)
8	members:
9	(A) seven (7) voting members who are elected by the
10	Commission from the current membership of the
11	Commission;
12	(B) two (2) ex-officios, consisting of one (1) nonvoting
13	member from a recognized national audiology professional
14	association and one (1) nonvoting member from a
15	recognized national speech-language pathology
16	association; and
17	(C) one (1) ex-officio, nonvoting member from the
18	recognized membership organization of the audiology and
19	speech-language pathology licensing boards.
20	(f) The ex-officio members shall be selected by their respective
21	organizations.
22	(1) The Commission may remove any member of the executive
23	committee as provided in bylaws.
24	(2) The executive committee shall meet at least annually.
25	(3) The executive committee shall have the following duties
26	and responsibilities:
27	(A) recommend to the entire Commission changes to the
28	rules or bylaws, changes to this Compact legislation, fees
29	paid by Compact member states such as annual dues, and
30	any commission Compact fee charged to licensees for the
31	Compact privilege;
32	(B) ensure Compact administration services are
33	appropriately provided, contractual or otherwise;
34	(C) prepare and recommend the budget;
35	(D) maintain financial records on behalf of the
36	Commission;
37	(E) monitor Compact compliance of member states and
38	provide compliance reports to the Commission;
39	(F) establish additional committees as necessary; and
40	(G) other duties as provided in rules or bylaws.
41	(4) Meetings of the Commission
42	All meetings shall be open to the public, and public notice of



1	meetings shall be given in the same manner as required under
2	the rulemaking provisions in section 10 of this chapter.
3	(5) The Commission or the executive committee or other
4	committees of the Commission may convene in a closed,
5	non-public meeting if the Commission or executive committee
6	or other committees of the Commission must discuss:
7	(A) non-compliance of a member state with its obligations
8	under the Compact;
9	(B) the employment, compensation, discipline, or other
10	matters, practices, or procedures related to specific
11	employees or other matters related to the Commission's
12	internal personnel practices and procedures;
13	(C) current, threatened, or reasonably anticipated
14	litigation;
15	(D) negotiation of contracts for the purchase, lease, or sale
16	of goods, services, or real estate;
17	(E) accusing any person of a crime or formally censuring
18	any person;
19	(F) disclosure of trade secrets or commercial or financial
20	information that is privileged or confidential;
21	(G) disclosure of information of a personal nature where
22	disclosure would constitute a clearly unwarranted invasion
23	of personal privacy;
24	(H) disclosure of investigative records compiled for law
25	enforcement purposes;
26	(I) disclosure of information related to any investigative
27	reports prepared by or on behalf of or for use of the
28	Commission or other committee charged with
29	responsibility of investigation or determination of
30	compliance issues pursuant to the Compact; or
31	(J) matters specifically exempted from disclosure by
32	federal or member state statute.
33	(6) If a meeting, or portion of a meeting, is closed pursuant to
34	this provision, the Commission's legal counsel or designee
35	shall certify that the meeting may be closed and shall
36	reference each relevant exempting provision.
37	(7) The Commission shall keep minutes that fully and clearly
38	describe all matters discussed in a meeting and shall provide
39	a full and accurate summary of actions taken, and the reasons
40	therefore, including a description of the views expressed. All
41	documents considered in connection with an action shall be
42	identified in minutes. All minutes and documents of meetings



20 other than closed meetings shall be made available to members of the public upon request and at the requesting person's expense. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction. (8) Financing of the Commission (A) The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities. (B) The Commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services. (C) The Commission may levy on and collect an annual

- assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.
- (9) The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same, nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state. (10) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Commission.
- (g) Qualified Immunity, Defense, and Indemnification
 - (1) The members, officers, executive director, employees, and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or



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alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis
for believing occurred, within the scope of Commission employment, duties, or responsibilities, provided that nothing
in this subdivision shall be construed to protect any person from suit and/or liability for any damage, loss, injury, or
liability caused by the intentional or willful or wanton misconduct of that person.
(2) The Commission shall defend any member, officer executive director, employee, or representative of the
Commission in any civil action seeking to impose liability
arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties
or recognition or that the person against whom the claim

- arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel, and provided further that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

 (3) The Commission shall indemnify and hold harmless any member, officer, executive director, employee, or
- (3) The Commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.
- Sec. 9. (a) The Commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.
- (b) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable as required by the rules of the Commission, including:
 - (1) identifying information;



1	(2) licensure data;
2	(3) adverse actions against a license or Compact privilege;
3	(4) non-confidential information related to alternative
4	program participation;
5	(5) any denial of application for licensure, and the reason(s)
6	for denial; and
7	(6) other information that may facilitate the administration of
8	this Compact, as determined by the rules of the Commission.
9	(c) Investigative information pertaining to a licensee in any
10	member state shall only be available to other member states.
11	(d) The Commission shall promptly notify all member states of
12	any adverse action taken against a licensee or an individual
13	applying for a license. Adverse action information pertaining to a
14	licensee in any member state shall be available to any other
15	member state.
16	(e) Member states contributing information to the data system
17	may designate information that may not be shared with the public
18	without the express permission of the contributing state.
19	(f) Any information submitted to the data system that is
20	subsequently required to be expunged by the laws of the member
21	state contributing the information shall be removed from the data
22	system.
23	Sec. 10. (a) The Commission shall exercise its rulemaking
24	powers pursuant to the criteria set forth in this section and the
25	rules adopted thereunder. Rules and amendments shall become
26	binding as of the date specified in each rule or amendment.
27	(b) If a majority of the legislatures of the member states rejects
28	a rule, by enactment of a statute or resolution in the same manner
29	used to adopt the Compact, within four (4) years of the date of
30	adoption of the rule, the rule shall have no further force and effect
31	in any member state.
32	(c) Rules or amendments to the rules shall be adopted at a
33	regular or special meeting of the Commission.
34	(d) Prior to promulgation and adoption of a final rule or rules
35	by the Commission, and at least thirty (30) days in advance of the
36	meeting at which the rule shall be considered and voted upon, the
37	Commission shall file a notice of proposed rulemaking:
38	(1) on the website of the Commission or other publicly
39	accessible platform; and
40	(2) on the website of each member state audiology or
41	speech-language pathology licensing board or other publicly

accessible platform or the publication in which each state



1	would otherwise publish proposed rules.
2	(e) The notice of proposed rulemaking shall include:
3	(1) the proposed time, date, and location of the meeting in
4	which the rule shall be considered and voted upon;
5	(2) the text of the proposed rule or amendment and the reason
6	for the proposed rule;
7	(3) a request for comments on the proposed rule from any
8	interested person; and
9	(4) the manner in which interested persons may submit notice
10	to the Commission of their intention to attend the public
11	hearing and any written comments.
12	(f) Prior to the adoption of a proposed rule, the Commission
13	shall allow persons to submit written data, facts, opinions, and
14	arguments, which shall be made available to the public.
15	(g) The Commission shall grant an opportunity for a public
16	hearing before it adopts a rule or amendment if a hearing is
17	requested by:
18	(1) at least twenty-five (25) persons;
19	(2) a state or federal governmental subdivision or agency; or
20	(3) an association having at least twenty-five (25) members.
21	(h) If a hearing is held on the proposed rule or amendment, the
22	Commission shall publish the place, time, and date of the scheduled
23	public hearing. If the hearing is held via electronic means, the
24	Commission shall publish the mechanism for access to the
25	electronic hearing.
26	(1) All persons wishing to be heard at the hearing shall notify
27	the executive director of the Commission or other designated
28	member in writing of their desire to appear and testify at the
29	hearing not less than five (5) business days before the
30	scheduled date of the hearing.
31	(2) Hearings shall be conducted in a manner providing each
32	person who wishes to comment a fair and reasonable
33	opportunity to comment orally or in writing.
34	(3) All hearings shall be recorded. A copy of the recording
35	shall be made available to any person upon request and at the
36	requesting person's expense.
37	(4) Nothing in this section shall be construed as requiring a
38	separate hearing on each rule. Rules may be grouped for the
39	convenience of the Commission at hearings required by this
40	section.
41	(i) Following the scheduled hearing date, or by the close of

business on the scheduled hearing date if the hearing was not held,



the Commission shall consider all written and oral comments received.

- (j) If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed rule without a public hearing.
- (k) The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
- (1) Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this subsection, an emergency rule is one that must be adopted immediately in order to:
 - (1) meet an imminent threat to public health, safety, or welfare;
 - (2) prevent a loss of Commission or member state funds; or
 - (3) meet a deadline for the promulgation of an administrative rule that is established by federal law or rule.
- (m) The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the Commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

Sec. 11. (a) Dispute Resolution

- (1) Upon request by a member state, the Commission shall attempt to resolve disputes related to the Compact that arise among member states and between member and non-member states.
- (2) The Commission shall promulgate a rule providing for



1	both mediation and binding dispute resolution for disputes, a
2	appropriate.
3	(b) Enforcement
4	(1) The Commission, in the reasonable exercise of it
5	discretion, shall enforce the provisions and rules of thi
6	Compact.
7	(2) By majority vote, the Commission may initiate legal action
8	in the United States District Court for the District o
9	Columbia or the federal district where the Commission has it
0	principal offices against a member state in default to enforce
1	compliance with the provisions of the Compact and it
2	promulgated rules and bylaws. The relief sought may include
3	both injunctive relief and damages. In the event judicia
4	enforcement is necessary, the prevailing member shall be
5	awarded all costs of litigation, including reasonable attorney'
6	fees.
7	(3) The remedies herein shall not be the exclusive remedies o
8	the Commission. The Commission may pursue any other
9	remedies available under federal or state law.
0.	Sec. 12. (a) The Compact shall come into effect on the date of
21	which the Compact statute is enacted into law in the tenth member
22	state. The provisions, which become effective at that time, shall be
23	limited to the powers granted to the Commission relating to
4	assembly and the promulgation of rules. Thereafter, the
25	Commission shall meet and exercise rulemaking powers necessary
26	to the implementation and administration of the Compact.
27	(b) Any state that joins the Compact subsequent to the
28	Commission's initial adoption of the rules shall be subject to the
.9	rules as they exist on the date on which the Compact becomes law
0	in that state. Any rule that has been previously adopted by the
1	Commission shall have the full force and effect of law on the day
2	the Compact becomes law in that state.
3	(c) Any member state may withdraw from this Compact by
4	enacting a statute repealing the same.
5	(1) A member state's withdrawal shall not take effect until six
6	(6) months after enactment of the repealing statute.
7	(2) Withdrawal shall not affect the continuing requirement o
8	the withdrawing state's audiology or speech-languag
9	pathology licensing board to comply with the investigative
-0	and adverse action reporting requirements of this act prior to
.1	the effective date of withdrawal

(d) Nothing contained in this Compact shall be construed to



invalidate or prevent any audiology or speech-language pathology licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with the provisions of this Compact.

- (e) This Compact may be amended by the member states. No amendment to this Compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.
- Sec. 13. This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence, or provision of this Compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any member state, the Compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.
- Sec. 14. (a) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the Compact.
- (b) All laws in a member state in conflict with the Compact are superseded to the extent of the conflict.
- (c) All lawful actions of the Commission, including all rules and bylaws promulgated by the Commission, are binding upon the member states.
- (d) All agreements between the Commission and the member states are binding in accordance with their terms.
- (e) In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.



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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 123, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 4, between lines 15 and 16, begin a new paragraph and insert: "SECTION 4. IC 25-35.6-3-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 8.5.** (a) As used in this section, "supervisor" has the meaning set forth in 880 IAC 1-2.1-1(9).

- (b) Notwithstanding any other law under this article or rule adopted by the board, a speech-language pathology assistant may do the following:
 - (1) Independently participate in parent conferences and case conferences if the speech-language pathology assistant's supervisor expressly consents to the speech-language pathology assistant's independent participation.
 - (2) Help write a treatment plan for review by the speech-language pathology assistant's supervisor if asked to do so by the speech-language pathology assistant's supervisor.
 - (3) Sign formal documents, including treatment plans, reimbursement forms, and reports, if asked to do so by the speech-language pathology assistant's supervisor.
 - (4) Communicate with a client, family member of the client, or other persons, as applicable, regarding any aspect of the client's status or service. A speech-language pathology assistant may communicate as described in this subdivision without the consent of the speech-language pathology assistant's supervisor.
 - (5) Counsel or consult with a client, family members of the client, or other persons, as applicable, regarding the client's status or service.
- (c) The following applies to a supervisor of speech-language pathology support personnel when speech-language pathology personnel assist in providing treatment:
 - (1) Notwithstanding 880 IAC 1-2.1-9(b)(1), a supervisor of a speech-language pathology aide shall provide direct supervision a minimum of twenty percent (20%) weekly for the first ninety (90) days that the speech-language pathology aide works with the supervisor and ten percent (10%) weekly after the first ninety (90) days. The supervisor shall:



- (A) be physically present within the same building as the speech-language pathology aide when direct client care is provided; and
- (B) alternate supervision days and times to ensure that all clients receive direct treatment from the supervisor.
- (2) Notwithstanding 880 IAC 1-2.1-9(b)(2), a supervisor of a speech-language pathology associate shall provide direct supervision a minimum of twenty percent (20%) weekly for the first ninety (90) days that the speech-language pathology associate works with the supervisor and ten percent (10%) weekly after the first ninety (90) days. A supervisor of a speech-language pathology associate shall alternate supervision days and times to ensure that all clients receive direct treatment from the supervisor a minimum of three (3) times each quarter. A speech-language pathology associate may not perform tasks when a supervisor cannot be reached by:
 - (A) personal contact;
 - (B) telephone;
 - (C) pager; or
 - (D) other immediate means.
- (3) Notwithstanding 880 IAC 1-2.1-9(b)(3), a supervisor of a speech-language pathology assistant shall provide direct supervision a minimum of ten percent (10%) weekly. A supervisor of a speech-language pathology assistant shall alternate days and times to ensure that all clients receive direct treatment from the supervisor a minimum of three (3) times each quarter. A speech-language pathology assistant may not perform tasks when a supervisor cannot be reached by:
 - (A) personal contact;
 - (B) telephone;
 - (C) pager; or
 - (D) other immediate means.
- (d) Any provisions in 880 IAC 1-2.1 that are not affected by this section remain in effect unless otherwise amended or repealed by the board.
- (e) The board shall, not later than June 30, 2022, adopt rules to implement this section.
 - (f) This section expires July 1, 2022.".

Page 9, line 4, delete "board." and insert "Commission.".

Page 12, line 11, after "Sec. 5." insert "(a)".



Page 12, between lines 17 and 18, begin a new paragraph and insert:

"(b) A licensee providing audiology or speech-language pathology services in a remote state under the Compact shall function within the laws and regulations of the remote state.".

Page 13, line 17, after "law," insert "a member state may".

Page 13, line 22, delete "Take" and insert "A member state may take".

Page 13, line 23, delete "home" and insert "member".

Page 13, line 23, delete "its" and insert "the member state's".

Page 16, between lines 10 and 11, begin a new paragraph and insert:

"(d) The Commission does not have authority to change or modify the laws of the member states that define the practice of audiology and speech-language pathology in the respective member states.".

Page 16, line 11, delete "(d)" and insert "(e)".

Page 16, line 26, delete "(e)" and insert "(f)".

Page 18, line 6, after "in minutes." insert "All minutes and documents of meetings other than closed meetings shall be made available to members of the public upon request and at the requesting person's expense."

Page 18, line 40, delete "(f)" and insert "(g)".

Page 21, line 38, delete "on request." and insert "to any person upon request and at the requesting person's expense.".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 123 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 11, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 123 be amended to read as follows:

Page 5, line 4, delete "shall provide direct".

Page 5, delete lines 5 through 7.

Page 5, line 8, delete "after the first ninety (90) days. The supervisor".



Page 5, line 16, delete "twenty percent (20%) weekly for".

Page 5, delete line 17.

Page 5, line 18, delete "associate works with the supervisor and".

Page 5, line 19, delete "weekly after the first ninety (90) days." and insert "of the time each week that the speech-language pathology associate has direct contact with clients."

Page 5, line 32, delete "weekly." and insert "of the time each week that the speech-language pathology assistant has direct contact with clients."

(Reference is to SB 123 as printed January 29, 2021.)

KRUSE

