AN ACT

Amending the act of December 21, 1984 (P.L.1253, No.238),
entitled "An act regulating the practice of speech-language
pathologists, audiologists and teachers of the hearing
impaired; creating the State Board of Examiners in Speech-
Language and Hearing with certain powers and duties; and
prescribing penalties," further providing for definitions,
for the board, for licensure, for applications, for
examinations and for fees; providing for the use of a title;
and further providing for waivers, for enforcement and for
injunction.

The General Assembly of the Commonwealth of Pennsylvania
hereby enacts as follows:

Section 1. The title and sections 1, 2, 3 and 4 of the act
of December 21, 1984 (P.L.1253, No.238), known as the Speech-
Language and Hearing Licensure Act, are amended to read:

AN ACT

Regulating the practice of speech-language pathologists,
audiologists and teachers of the hearing impaired; creating
the State Board of Examiners in Speech-Language Pathology and
Audiology and Teaching the Hearing Impaired with certain
powers and duties; and prescribing penalties.
Section 1. Short title.

This act shall be known and may be cited as the [Speech-Language and Hearing Licensure Act] Speech-Language Pathologists, Audiologists and Teachers of the Hearing Impaired Licensure Act.

Section 2. Declaration of policy.

It is declared to be the policy of the Commonwealth that the practice of speech-language pathology and the practice of audiology are privileges granted to qualified persons and that, in order to safeguard the public health, safety and welfare; to protect the public from being misled or receiving treatment by incompetent, unscrupulous and unauthorized persons; to protect the public from unprofessional conduct [on the part of] by qualified speech-language pathologists, audiologists and teachers of the hearing impaired; and to assure the availability of the highest possible quality of speech-language pathology, audiology and hearing services to the [communicatively handicapped] people of this Commonwealth, it is necessary to [regulate persons offering speech-language and hearing services to the public and persons functioning under the direction of these specialists.] provide regulatory authority over persons offering speech-language pathology, audiology and teaching of the hearing impaired services to the public.

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Audiologist." Any person who is qualified by [training and experience] education, training and clinical experience and is licensed under this act to engage in the practice of [the
evaluation, counseling, habilitation and rehabilitation of
individuals whose communicative disorders center in whole or in
part in the hearing function. For the purposes of this paragraph
the words "habilitation" and "rehabilitation" include, but are
not limited to, hearing aid evaluation, fitting, recommendation,
speech reading, auditory training and similar activities. A
person is deemed to be or to hold himself out as being an
audiologist if he offers such services to the public under any
title incorporating the words audiology, audiologist,
audiological consultant, aural rehabilitationist, hearing
audiology. A person is deemed to be, or to hold himself out as
being, an audiologist if he offers such services to the public
under any title incorporating the terms "audiology,"
"audiologist," "audiological consultant," "hearing aid
audiologist," or any variation, synonym, coinage or similar
title that expresses, employs or implies these terms, names or
functions.

"Board." The State Board of Examiners in Speech-Language
and Hearing Pathology and Audiology and Teaching of the
Hearing Impaired.

"Person." Any individual, organization, association,
partnership, company, trust or corporate body, except that [any]
only individuals can be licensed under this act. Any reference
in this act to a licensed person shall mean a natural individual
person.

"Practice of audiology." The application of principles,
methods and procedures related to disorders of the auditory and
vestibular systems, including the following: facilitating the
conservation of auditory hearing function; developing and
implementing hearing conservation programs; preventing, identifying and diagnosis and treatment of auditory and vestibular disorders; selecting, fitting and dispensing of amplification systems, including hearing aids and related devices and providing training and counseling in their use; aural rehabilitation; providing speech and language screening limited to pass-fail; and determination for the purpose of identification, individuals with disorders of communication. The board shall further define the term "practice of audiology" according to the provisions of section 5. "Practice of speech-language pathology." The application of principles, methods and procedures of prevention, identification, assessment, counseling, consultation and follow-up services for persons with known or suspected language, cognitive/linguistic, social, speech, voice, swallowing or communication disorders, including, but not limited to, elective modification of communication behaviors and enhancement of communication; providing evaluation, diagnosis and treatment services for disorders of speech, language, swallowing, cognitive and social aspects of communication; establishing augmentative and alternative communication techniques and strategies, including selecting, prescribing and dispensing of augmentative aids and devices; the training of individuals, their families and other communication partners in their use; selecting, fitting and establishing effective use of appropriate prosthetic/adaptive devices for speaking and swallowing; using instrumental technology to observe, to assess and treat disorders of communication and swallowing; and providing aural rehabilitative and related counseling services to individuals with hearing loss and to their families. The board shall further
define the term "practice of speech-language pathology" according to the provisions of section 5.

"Practice of teaching of the hearing impaired." Providing evaluation and instruction in communication skills, speech reading, speech and language development and auditory training appropriate for individuals whose cognitive and educational development have been affected primarily by impaired hearing sensitivity. Providing out-of-school tutoring for hearing impaired students in academic subject matter shall not be considered to be the practice of teaching of the hearing impaired. A person is deemed to be or to hold himself out as being a teacher of the hearing impaired if he offers such services under any title incorporating the words teacher of the hearing impaired, teacher of the deaf or hard of hearing, teacher of the acoustically handicapped, teacher of the deaf, teacher of the acoustically impaired, hearing teacher, teacher of the aurally handicapped, hearing tutor, tutor of the auditorily impaired, educator of the deaf or any similar title or description of service.

"Speech-language pathologist." Any person who is qualified by [training and experience] education, training and clinical experience and is licensed under this act to engage in the practice of [the evaluation, counseling, habilitation and rehabilitation of individuals whose communicative disorders involve the function of speech, voice or language.] speech-language pathology. A person is deemed to be or to hold himself out as being a speech-language pathologist if he offers such services under any title incorporating the [words speech-language pathologist, speech consultant,] terms speech-language pathology, speech-language pathologist, speech therapist,
[speech correctionist, speech clinician, speech specialist, language pathologist, logopedist, communication therapist, voice therapist, aphasia therapist, aphasiologist, communicologist, or any similar title or description of service.] voice therapist, aphasiologist, dysphagia therapist or any variation, synonym, coinage or similar title that expresses, employs or implies these terms, names or functions.

"Teacher of the hearing impaired." Any person who is qualified [by training and experience to engage in the practice of providing] to provide evaluation and instruction in curriculum-based material [and communication skills] appropriate for individuals whose cognitive and educational development have been affected primarily by impaired hearing sensitivity. [A person is deemed to be or to hold himself out as being a teacher of the hearing impaired if he offers such services under any title incorporating the words teacher of the hearing impaired, teacher of the acoustically handicapped, teacher of the deaf, teacher of the acoustically impaired, hearing teacher, teacher of the aurally handicapped, hearing tutor, tutor of the auditorily impaired, educator of the deaf or any similar title or description of service.]

[Section 4. Creation of board; appointment and term of members; officers.

(a) Board created.--There is hereby created a departmental administrative board to be known as the State Board of Examiners in Speech-Language and Hearing which shall be in the Bureau of Professional and Occupational Affairs of the Department of State. It shall consist of ten members, nine of whom shall be appointed by the Governor, by and with the advice and consent of a majority of the members elected to the Senate, who shall be...
residents of Pennsylvania for a three-year period immediately prior to appointment. The Commissioner of Professional and Occupational Affairs shall serve in his official capacity as the tenth member of the board. At the first meeting, the appointed members shall determine, by lot, three members to serve three-year terms, three members to serve two-year terms and three members to serve one-year terms, with the exception of the commissioner.

(b) Vacancies.--When the term of each appointed member of the board ends, the Governor shall appoint his successor for a term of three years, by and with the advice and consent of a majority of the members elected to the Senate. Any appointive vacancy occurring on the board shall be filled by the Governor by appointment for the unexpired term, by and with the advice and consent of a majority of the members elected to the Senate. Board members shall continue to serve until their successors are appointed and qualified but not longer than six months beyond the three-year period.

(c) Qualifications of board.--The board shall consist of the Commissioner of the Bureau of Professional and Occupational Affairs, one member who at the time of appointment is engaged in rendering professional services in speech-language pathology, one member who at the time of appointment is engaged in rendering professional services in audiology, one member who at the time of appointment is engaged in rendering professional services as a teacher of the hearing impaired, two members at large who are either speech-language pathologists, audiologists or teachers of the hearing impaired, however, each profession shall not be represented by more than two board members, two members who are physicians licensed to practice medicine in this
Commonwealth, at least one of whom specializes in otolaryngology, and two members of the public appointed by the Governor from nominations submitted by the governing boards of groups advocating for the welfare of the speech-language and hearing handicapped. Of the initial members, the speech-language pathologists, audiologists and teachers of the hearing impaired shall possess the necessary qualifications for licensure under this act. Thereafter, the members of the board who are speech-language pathologists, audiologists and teachers of the hearing impaired shall be licensed under this act. No public member appointed under the provisions of this section shall be affiliated in any manner with professions or occupations providing health or corrective communications services or products to communicatively impaired persons. The public members shall be qualified pursuant to law, including section 813 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929. In addition, no member of the board shall at the same time be an officer or agent of any Statewide association or organization representing the professions or occupations under the jurisdiction of this board.

(d) Reappointment.--A member of the board shall be eligible for reappointment. A member shall not be appointed to serve more than two consecutive terms.

(e) Compensation; expenses.--The members of the board, other than the Commissioner of Professional and Occupational Affairs, shall receive reimbursement for reasonable travel, hotel and other necessary expenses and $60 per diem when actually engaged in the performance of their official duties.

(f) Meetings of board.--The board shall hold a meeting within 150 days after the effective date of this act and
annually thereafter in the month prescribed by the board and
elect a chairman, vice chairman and secretary who shall be
members of the board. The board shall meet at such other times
as deemed necessary and advisable by the chairman or by a
majority of its members. Reasonable notice of all meetings shall
be given in the manner prescribed by the board. A majority of
the board shall constitute a quorum at any meeting or hearing.]

Section 4. Creation of board; appointment and term of members;
officers.

(a) Board created.--There is hereby created a departmental
administrative board to be known as the State Board of Examiners
in Speech-Language Pathology and Audiology which shall be in the
Bureau of Professional and Occupational Affairs of the
Department of State. The board shall consist of eleven members,
ten of whom shall be appointed by the Governor, by and with the
advice and consent of a majority of the members elected to the
Senate, who shall be residents of Pennsylvania for a three-year
period immediately prior to their appointment. The Commissioner
of Professional and Occupational Affairs shall serve in his
official capacity as the eleventh member of the board.

(b) Composition.--The board shall consist of three
audiologists who are currently practicing audiology, have had
five years' experience practicing audiology and who hold active
and valid licensure for the practice of audiology in this
Commonwealth, three speech-language pathologists who are
currently practicing speech-language pathology, have had five
years' experience practicing speech-language pathology and who
hold active and valid licensure for the practice of speech-
language pathology in this Commonwealth, one teacher of the
hearing impaired who holds an active and valid licensure for the
practice of teaching the hearing impaired in this Commonwealth, one physician licensed to practice medicine in this Commonwealth, two representatives of the public who are not associated with or financially interested in the practice or business of audiology, of speech-language pathology or of medicine and who are not members of allied or related professions or occupations, and the Commissioner of the Bureau of Professional and Occupational Affairs. The public members shall be qualified pursuant to law, including section 813 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929. In addition, no member of the board shall at the same time be an officer or agent of any Statewide association or organization representing the professions or occupations under the jurisdiction of the board.

(c) Appointments.--Appointments of audiologists to the board shall be made by the Governor from a list of qualified audiologists submitted jointly by the Pennsylvania Academy of Audiology (PAA) and the Pennsylvania Speech-Language Hearing Association (PSHA) and names submitted by other interested organizations or persons in this Commonwealth. Appointments of speech-language pathologists shall be made by the Governor from a list of qualified speech-language pathologists submitted by the Pennsylvania Speech-Language Hearing Association (PSHA) and names submitted by other interested organizations or persons in this Commonwealth. No member of the board shall at the same time serve in an elected, appointed or employed position in any national, State or local-level organization representing audiologists, speech-language pathologists or physicians, which present or may present a conflict of interest.

(d) Terms.--Appointments to the board shall be for a period
of three years. Members shall serve until the expiration of the
term for which they have been appointed or until their
successors have been appointed and are deemed to be qualified to
serve on the board. The Governor may remove any member of the
board for unprofessional conduct, incompetence or neglect of
duty.

(e) Vacancies.--When the term of each appointed member of
the board ends, the Governor shall appoint his successor for a
term of three years, by and with the advice and consent of a
majority of the members elected to the Senate. In the event of a
vacancy in the office of an appointed member of the board other
than by expiration of a term, the Governor shall appoint a
qualified person to fill the vacancy for the unexpired term, by
and with the advice and consent of a majority of the members
elected to the Senate. Board members shall continue to serve
until their successors are appointed and qualified but not
longer than six months beyond the three-year period.

(f) Reappointment.--A member of the board shall be eligible
for reappointment. No member may serve more than two consecutive
three-year terms.

(g) Compensation; expenses.--The members of the board, other
than the Commissioner of Professional and Occupational Affairs,
shall receive reimbursement for reasonable travel, hotel and
other necessary expenses and $100 per diem when actually engaged
in the performance of their official duties.

(h) Meetings of board.--The board shall hold a meeting
within 150 days after the effective date of this act and
annually thereafter in the month prescribed by the board to
elect a chairman, vice chairman and secretary who shall be
members of the board. The board shall meet at such other times
as deemed necessary and advisable by the chairman or by a
majority of its members. Reasonable notice of all meetings shall
be given in the manner prescribed by the board. Six members of
the board shall constitute a quorum to do business, provided
that the majority of members present are audiologists and
speech-language pathologists, and that at least one audiologist,
one speech-language pathologist and one public representative
are present at any meeting or hearing. The board shall conduct
its meetings and keep records of its proceedings in accordance
with the provisions of 1 Pa. Code Pt. II (relating to general
rules of administrative practice and procedure).

Section 2. Section 5 of the act, amended October 18, 2000
(P.L.536, No.71), is amended to read:

Section 5. Powers and duties of board.

The board shall have the power and its duties shall be:

(1) To approve the qualifications and fitness of
applicants for licensure, and to adopt and revise rules and
regulations [requiring applicants to pass examinations]
relating to their qualifications as a prerequisite to the
issuance of a license.

(2) To adopt and revise rules and regulations consistent
with the law as may be necessary to implement the provisions
of this act. These rules and regulations shall include, but
not be limited to, codes of ethics for speech-language
pathologists, audiologists and teachers of the hearing
impaired. The codes of ethics shall provide further that,
whereas speech-language pathologists, audiologists and
teachers of the hearing impaired provide nonmedical and
nonsurgical services, medical diagnosis and medical treatment
by these persons are specifically to be considered unethical
and illegal.

(3) To examine for, deny, approve, issue, revoke, suspend or renew the licenses of speech-language pathologist, audiologist and teacher of the hearing impaired applicants.

(4) To conduct hearings upon complaints of violations of this act and the rules and regulations adopted pursuant to this act, and to prosecute and enjoin all such violations.

(5) To spend funds necessary for the proper performance of its assigned duties in accordance with the fiscal and other laws of this Commonwealth and upon approval by the Commissioner of Professional and Occupational Affairs.

(6) To waive examination and educational requirements and grant a license as provided in sections 6 and 7.

(7) To establish standards of eligibility for license renewal. These standards shall include, but not be limited to, the demonstration of satisfactory completion of 20 clock hours of continuing education related to the practice of speech-language pathology, audiology or teaching the hearing impaired in accordance with board regulations. No credit may be given for courses in office management or practice building. The board may waive all or part of the continuing education requirement to a licensee who shows to the satisfaction of the board that the licensee was unable to complete the requirement due to illness, emergency or hardship. The request for a waiver must be made in writing, with appropriate documentation, and must include a description of the circumstances sufficient to show why a licensee is unable to comply with the continuing education requirement. Waiver requests shall be evaluated by the board on a case-by-case basis. The board shall send the licensee...
written notification of its approval or denial of a waiver
request. The requirement to demonstrate the satisfactory
completion of continuing education shall begin with the
biennial renewal period to be designated by regulation of the
board and following written notice to licensees.

(8) To promulgate rules and regulations regarding
persons functioning under the direction of audiologists,
speech-language pathologists and teachers of the hearing
impaired.

(9) To recognize national professional organizations in
audiology that have established definitions of the practice
of audiology, and to recognize a national professional
organization in speech-language pathology that has
established a definition of the practice of speech-language
pathology. These organizations shall be the same as those
recognized by the board under the provisions of section
7(b)(2). The board shall then adopt those definitions to be
the practical definitions of the practice of audiology and
the practice of speech-language pathology for licensees under
the board. If either of the recognized national professional
organizations amends its definition, the amended definition
cannot be added to the practice of audiology or to the
practice of speech-language pathology until it has been
adopted by the board.

(10) To recognize national accrediting agencies which
accredit programs of audiology as specified in section
7(a)(2).

Section 3. Sections 6, 7 and 8 of the act are amended to
read:

Section 6. License required; persons and practices not
[(a) Licenses.--Except as provided in subsection (b), no person may practice or hold himself out as being able to practice as an audiologist, speech-language pathologist or teacher of the hearing impaired in this Commonwealth unless he holds a current, unsuspended, unrevoked license issued by the board. Licensure shall be granted separately in speech-language pathology, audiology and teaching of the hearing impaired.]

(a) Licenses.--Except as provided in subsection (b), no person may practice or hold himself out as being able to practice as an audiologist, speech-language pathologist, or teacher of the hearing impaired, or may engage in the practice of speech-language pathology, the practice of audiology or the practice of teaching the hearing impaired in this Commonwealth unless he holds a current, unsuspended, unrevoked license issued by the board. Licensure shall be granted separately in speech-language pathology, audiology and teaching of the hearing impaired. Terminology that approximates speech-language pathology or audiology without a current, unsuspended, unrevoked license issued by the board that may confuse the public or falsify the credentials of the individual or company shall constitute a violation of this act.

(b) Exclusions.--Nothing in this act shall be construed as preventing or restricting:

(1) Any person licensed or registered in this Commonwealth from engaging in the profession or occupation for which he is licensed or registered, including:

(i) A physician or surgeon engaged in the practice of medicine.

(ii) A licensed physician or surgeon or a trained
individual under the direction of a licensed physician
doing hearing testing in the office or clinic of the
physician.

  (iii) A hearing aid fitter engaged in the business
of selling and fitting hearing aids, and a hearing aid
dealer engaged in the sale of hearing aids, as provided
in the act of November 24, 1976 (P.L.1182, No.262), known
as the Hearing Aid Sales Registration Law.
(2) A person who holds a valid credential issued by the
Department of Education in the area of speech or hearing and
who is employed in public or private elementary and secondary
schools or institutions chartered by the Commonwealth[, or
a]. Beginning two years after the effective date of this act,
all persons newly employed by a public school district, a
private elementary or secondary school, or an institution
chartered by the Commonwealth must hold a valid license
issued by the board. Beginning with the start of the next
school year two years after the effective date of this act,
caseload size for all persons employed as speech-language
pathologists in a public school district, in a private
elementary or secondary school or in an institution chartered
shall be in accordance with the workload formula established
by the school district or the governing board of the private
school or institution.

  (3) A person who is employed by the Commonwealth or the
Federal Government as a speech-language pathologist,
audiologist or teacher of the hearing impaired from engaging
in his profession or occupation, if the person performs his
services solely within the scope of his employment, or a
person performing hearing testing under section 1402 of the
act of March 10, 1949 (P.L.30, No.14), known as the Public

[(3)] (4) The activities of a student or trainee who is
pursuing a program of study supervised by a person licensed
under this act or otherwise exempt by this section which lead
to a degree in speech-language pathology, audiology[,] or
teaching the hearing impaired [or speech-language pathology
at] from an accredited college or university, if such
individual is designated by a title clearly indicating his
student or training status.

[(4)] (5) The practice of speech-language pathology,
audiology or teaching the hearing impaired in this
Commonwealth by any person not a resident of this
Commonwealth who is not licensed under this act if the person
meets the qualifications and requirements for licensure
described in section 7, or who is licensed under the law of
another state having licensure requirements determined by the
board to be at least equivalent to those established by
section 7, and if the services are performed for no more than
five days in any calendar year in cooperation with a speech-
language pathologist, audiologist or teacher of the hearing
impaired licensed under this act.

[(5)] (6) A corporation, partnership, trust,
association, company or other similar form of organization
from engaging in the practice of speech-language pathology,
audiology or teaching the hearing impaired without a license
if it employs licensed individuals in the direct practice of
speech-language pathology, audiology or teaching the hearing
impaired licensed under this act.

Section 7. Requirements for licensure.
(a) In general.--Except as provided in subsections (b) and (c), to be eligible for licensure by the board as a speech-language pathologist, audiologist or teacher of the hearing impaired, an applicant shall pay a fee as established by the board in accordance with section 8(a), be of good moral character to the satisfaction of the board[, pass an examination] and:

(1) For the license in speech-language pathology, possess a master's degree in speech-language pathology or its equivalent from an [accredited academic institution] academic program accredited by the Council of Academic Accreditation in Audiology and Speech-Language Pathology. In addition, the applicant must have at least one year of supervised professional experience in the field of speech-language pathology.

(2) For the license in audiology, possess a master's degree or doctoral degree in audiology or its equivalent from an [accredited academic institution] academic program accredited by an accrediting agency approved by the board under standards pursuant to this act. [In addition, the applicant] Master's degree applicants must have at least one year of supervised professional experience in the field of audiology. Beginning January 1, 2012, all new applicants must possess a doctoral degree in audiology or its equivalent as determined by the board.

(3) For licensure as a teacher of the hearing impaired, possess a master's degree in education of the hearing impaired or its equivalent from an accredited academic institution. In addition, the applicant must have at least one year of supervised professional experience in the field
of teaching the hearing impaired.

(b) Waivers.--The board may waive the examination and educational requirements for any of the following:

(1) Applicants who present proof of [current certification or licensure] a currently valid license to practice speech-language pathology or audiology in a state which has standards determined by the board to be at least equal to those for licensure in this Commonwealth.

(2) Applicants who hold a currently valid and appropriate Certificate of Clinical Competence from the Council [of Professional Standards] for Clinical Certification of the American Speech-Language [and] Hearing Association[.] or certification from a national credentialing organization that is recognized by the board from standards pursuant to this act. Notice of standards shall be published in the Pennsylvania Bulletin.

(3) Applicants who hold a currently valid professional certificate issued by the Council on Education of the Deaf in compliance with its standards for the certification of teachers of the hearing impaired and who have completed an additional ten graduate academic credits established by the board to be appropriate for licensure as a teacher of the hearing impaired.

[(c) Requirements for current practitioners.--The board shall waive the examination and educational requirements for any applicant who, on the effective date of this act:

(1) has at least a bachelor's degree with a major in speech-language pathology, audiology or teaching the hearing impaired from an accredited college or university, and who has been employed as a speech-language pathologist,
audiologist or teacher of the hearing impaired for at least nine consecutive months within three years prior to the effective date of this act; and

(2) files an application with the board providing bona fide proof of the degree and employment together with the application fee prescribed in section 8.]

(c) Provisional licenses.—

(1) The board may, in accordance with the provisions of this section, issue a provisional license in speech-language pathology or audiology to applicants who have met all of the requirements for licensure under this act except for the completion of the clinical fellowship necessary to receive either the Certificate of Clinical Competence from the Council for Clinical Certification of the American Speech-Language Hearing Association, or certification from another national credentialing organization as recognized by the board pursuant to section 7(b)(2). In order to receive the license, the applicant must submit an application for the provisional license to the board on a form prescribed by the board. The form must indicate the applicant's plans for completing the clinical fellowship, and must be accompanied by an application fee determined by the board. A provisional license issued under this section shall be valid for a maximum of 18 months and cannot be renewed. The purpose of the provisional license is solely to allow individuals to practice speech-language pathology or audiology under appropriate supervision while completing the postgraduate professional experience required for certification under section 7(b)(2). A person holding a provisional license is authorized to practice speech-language pathology, audiology
or teaching of the hearing impaired only while working under
the supervision of a person fully licensed in this
Commonwealth in accordance with this act.

(2) Any person who is qualified by education, training
and clinical experience by completing all educational
requirements, including the externship of an Au.D. program
will hold a provisional license provided that such exclusion
shall only be valid for six months from the time of
application for the permanent license.

(3) A person holding a valid license in another state
may practice speech-language pathology, audiology or teaching
of the hearing impaired and who has applied for a license in
Pennsylvania under the provisions of this act may practice
speech-language pathology, audiology or teaching of the
hearing impaired while working under the supervision of a
person fully licensed in this Commonwealth for no more than
90 days while awaiting approval of the license application.

Section 8. Application and fees.

(a) Fee.--An application for [examination and] license shall
be accompanied by a nonrefundable application [and examination]
fee in an amount established by the board by regulation and
shall be subject to review in accordance with the act of June
If the revenues generated by fees, fines and civil penalties
imposed in accordance with the provisions of this act are not
sufficient to match expenditures over a two-year period, the
board shall increase those fees by regulation, subject to review
in accordance with the Regulatory Review Act, such that the
projected revenues will meet or exceed projected expenditures.

If the Bureau of Professional and Occupational Affairs
determines that fees established by the board are inadequate to
meet the minimum enforcement efforts required, then the bureau,
after consultation with the board, shall increase the fees by
regulation, subject to review in accordance with the Regulatory
Review Act, such that adequate revenues are raised to meet the
required enforcement effort.

(b) Affidavit.--Each application shall be accompanied by an
affidavit or affirmation of the applicant as to its verity. Any
applicant who knowingly or willfully makes a false statement in
his application shall be subject to prosecution for perjury.

(c) Examinations.--The board shall offer at least two
examinations for licensure each year. Notice of examinations
shall be given at least 60 days prior to their administration.

(d) Record of examination scores.--The board shall maintain
a permanent record of all examination scores.

(e) Disposition and use of fees.--Fees shall be collected
by the board through the Bureau of Professional and Occupational
Affairs and shall be paid into the Professional Licensure
Augmentation Account established pursuant to and for use in
accordance with the act of July 1, 1978 (P.L.700, No.124), known
as the Bureau of Professional and Occupational Affairs Fee Act.

Section 4. Section 9 of the act is repealed:

[Section 9. Examinations.

(a) Preparation of examinations.--All written examinations
shall be prepared and administered by a qualified professional
testing organization under contract with the Bureau of
Professional and Occupational Affairs and approved by the board,
except that national uniform examinations or grading services or
both shall be used if available. No board member shall have a
financial interest in a professional testing organization. This
section shall not apply to any oral, practical or other
nonwritten examination which may be required by the board.

(b) Cost of examinations.--The purpose of the examination
fee which is to be established in accordance with section 8(a)
is to insure that the applicant's fees cover the entire cost of
the examination and administration. Cost is all contractual
charges relating to the preparing, administering, grading and
recording of the examination.]

Section 5. Section 12 of the act is amended to read:

Section 12. Requirement of a medical examination.

[(a) Medical examination.--Before an audiologist initiates
aural rehabilitation for an individual, there shall be a medical
examination verifying that there are no diseases of the ear
requiring medical or surgical treatment.

(b) Waiver.--This section does not apply if an individual
signs a written waiver as set forth in this section. The waiver
must be read and explained in such a manner that the individual
will be thoroughly aware of the consequences of signing the
waiver. The waiver form shall read as follows:

I have been advised by (audiologist's name) that the
Commonwealth of Pennsylvania has determined that my best
health interest would be served if I had a medical
examination by a licensed physician before the initiation of
aural rehabilitation. I do not wish a medical examination
before the initiation of aural rehabilitation.

________________________________________________________
Signature                      Date

A speech-language pathologist, audiologist or teacher of
the hearing impaired shall refer patients who present
with suspected medical or surgical conditions for medical
Section 6. The act is amended by adding a section to read:

Section 16.1. Title.

A licensed speech-language pathologist, or a licensed audiologist who holds a doctoral degree in audiology, may use the title "Doctor" or "Dr." on written materials only if the abbreviations "Au.D.," "Ed.D. or "Ph.D." also accompany the licensee's name. A licensee who is not also licensed to practice medicine or osteopathy in this Commonwealth may not attach to his name or use as a title the words or abbreviations "Doctor" or "Dr." in contravention of this section, "M.D.," "physician," "surgeon," "D.O." or any word or abbreviation that suggests that the licensee practices medicine or osteopathy.

Section 7. Section 19 of the act is amended to read:

Section 19. Injunction against unlawful practice.

[After 12 months from the effective date of this act, it] It shall be unlawful for any person to practice or attempt to offer to practice audiology, speech-language pathology or teaching the hearing impaired without holding a valid unrevoked and unsuspended license issued under this act. The unlawful practice of audiology, speech-language pathology or teaching the hearing impaired may be enjoined by the courts on petition of the board or its agents. In any proceeding it shall not be necessary to show that any person is individually injured by the complained of actions. If the respondent is found guilty of the unlawful practice, the court shall enjoin him from practicing until he has been duly licensed. Procedure in these cases shall be the same as in any other injunction suit. The remedy by injunction is in addition to criminal prosecution and punishment.
Section 8. Section 20 of the act is repealed:

Section 20. Appropriation.

The sum of $75,000, or as much thereof as may be necessary, is hereby appropriated from the Professional Licensure Augmentation Account within the General Fund to the Bureau of Professional and Occupational Affairs in the Department of State for the establishment and operation of the State Board of Examiners in Speech-Language and Hearing. The appropriation granted shall be repaid by the board within three years of the beginning of issuance of licenses by the board.

Section 9. This act shall take effect in 60 days.