

## HOUSE AMENDMENTS TO SENATE BILL 141

By COMMITTEE ON HEALTH CARE

May 3

- 1 On page 1 of the printed bill, line 3, after “ORS” insert “681.205,”.
- 2 Delete lines 6 through 30 and insert:
- 3 **“SECTION 1.** ORS 681.230 is amended to read:
- 4 *“681.230. [(1) Nothing in this chapter prevents a person licensed in this state under any other law*
- 5 *from engaging in the profession for which the person is licensed.]*
- 6 *“[(2) Nothing in this chapter restricts or prevents a person from engaging in speech-language*
- 7 *pathology or audiology activities or from using the official title of the position for which the person is*
- 8 *employed if the person:]*
- 9 *“[(a)(A) Holds a valid and current teaching license with a communications disorder endorsement*
- 10 *issued by the Teacher Standards and Practices Commission; and]*
- 11 *“[(B) Is employed by an education service district, a school district or a charter school; or]*
- 12 *“[(b) Is a speech-language pathologist or audiologist who is:]*
- 13 *“[(A) Employed by a federal agency; or]*
- 14 *“[(B) Employed by an approved college or university.]*
- 15 *“[(3) A person who performs activities described in subsection (2) of this section who is not licensed*
- 16 *under this chapter must do so solely within the confines of or under the jurisdiction of the organization*
- 17 *in which the person is employed and may not offer to render speech-language pathology or audiology*
- 18 *services to the public for compensation over and above the salary the person receives for performance*
- 19 *of the person’s official duties with organizations in which the person is employed. However,]*
- 20 **“(1) Without obtaining a license under this chapter, a person may use any procedure in-**
- 21 **cluded in the practice of speech-language pathology or audiology if the procedure is within**
- 22 **the scope of practice of the person and the person is:**
- 23 **“(a) Licensed by a health professional regulatory board as defined in ORS 676.160;**
- 24 **“(b) Performing basic audiometric testing under the supervision of a physician licensed**
- 25 **under ORS chapter 677 and representing that the person is a medical assistant or audiology**
- 26 **assistant;**
- 27 **“(c) A teacher licensed by the Teacher Standards and Practices Commission and holding**
- 28 **a hearing impaired endorsement; or**
- 29 **“(d) A student participating in supervised field work or supervised course work in**
- 30 **speech-language pathology or audiology as part of a college or university program approved**
- 31 **by the State Board of Examiners for Speech-Language Pathology and Audiology or an**
- 32 **undergraduate course in speech-language pathology approved by the board.**
- 33 **“(2) A person practicing speech-language pathology or audiology without a license under**
- 34 **subsection (1) of this section may not represent or imply that the person is a speech-**
- 35 **language pathologist, speech-language pathology assistant or audiologist.**

1       “(3) A person practicing speech-language pathology or audiology without a license under  
2 subsection (1)(d) of this section:

3       “(a) Must use a title that indicates that the person is a student trainee.

4       “(b) May not be paid for speech-language pathology or audiology services provided by the  
5 person, except that the person may be provided a reasonable educational stipend.

6       “(4) Without obtaining a license under this chapter, a teacher licensed by the Teacher  
7 Standards and Practices Commission and holding a communications disorders or speech im-  
8 paired endorsement issued by the commission may practice speech-language pathology if the  
9 person:

10       “(a) Practices speech-language pathology solely in the course and scope of the person’s  
11 duties as an employee of an education service district, a school district or a charter school;  
12 and

13       “(b) Complies with ORS 681.360 to 681.375 and rules adopted under ORS 681.360 to 681.375  
14 when supervising speech-language pathology assistants.

15       “(5) Without obtaining a license under this chapter, a person may:

16       “(a) Consult **with** or disseminate the person’s research findings and scientific information to  
17 [other] accredited academic institutions or governmental agencies[. *The person also may*]; **and**

18       “(b) Offer lectures to the public for a fee, monetary or otherwise[, *without being licensed under*  
19 *this chapter*].

20       “[(4) *Nothing in this chapter restricts the activities and services of a student of speech-language*  
21 *pathology pursuing a course of study in speech-language pathology at an approved college or university*  
22 *or an approved clinical training facility. However, these activities and services must constitute a part*  
23 *of the supervised course of study of the student and a fee may not accrue directly or indirectly to the*  
24 *student. A student shall be designated by a title such as ‘Speech-Language Pathology Intern,’*  
25 *‘Speech-Language Pathology Trainee’ or other title clearly indicating the training status appropriate*  
26 *to the level of training of the student.*]

27       “[(5) *Nothing in this chapter restricts the activities and services of a student of audiology pursuing*  
28 *a course of study in audiology at an approved college or university or an approved clinical training*  
29 *facility. However, these activities and services must constitute a part of the supervised course of study*  
30 *of the student and a fee may not accrue directly or indirectly to the student. The student shall be des-*  
31 *ignated by a title such as ‘Audiology Intern,’ ‘Audiology Trainee’ or other title clearly indicating the*  
32 *training status appropriate to the level of training of the student.*]

33       “[(6) *Nothing in this chapter restricts a person holding a Class A certificate issued by the Confer-*  
34 *ence of Executives of American Schools of the Deaf from performing the functions for which the person*  
35 *qualifies.*]

36       “[(7) *Nothing in this chapter restricts a person holding a license in this state as a hearing aid*  
37 *specialist from consulting with respect to the selling of hearing aids under ORS chapter 694.*]

38       “[(8) *Notwithstanding subsections (4) and (5) of this section, the State Board of Examiners for*  
39 *Speech-Language Pathology and Audiology may adopt rules authorizing payment of a stipend to stu-*  
40 *dents of speech-language pathology and students of audiology who are pursuing a course of study at*  
41 *an approved college or university or an approved clinical training facility.*”].

42       On page 2, delete lines 1 through 30.

43       On page 7, after line 2, insert:

44       “**SECTION 11.** ORS 681.205 is amended to read:

45       “681.205. As used in this chapter, unless the context requires otherwise:

1 “(1) ‘Approved college or university’ means [*any*] a college or university offering a [*full-time*  
2 *resident*] **graduate** program of study in speech-language pathology or audiology, leading to a  
3 master’s **or doctoral** degree [*or equivalent, the program having been*], **that is** fully accredited or  
4 conditionally approved by the American Speech-Language-Hearing Association, or its successor  
5 agency, or [*having*] **has** been otherwise determined by the State Board of Examiners for Speech-  
6 Language Pathology and Audiology to meet the association standards as [*specifically*] incorporated  
7 into board rules.

8 “(2) ‘Audiologist’ means a person who practices audiology and who uses publicly any title or  
9 description of services incorporating the words ‘audiologist,’ ‘hearing clinician,’ ‘hearing therapist’  
10 or any similar titles or descriptions of service.

11 “(3) ‘Conditional license’ means a license issued to an applicant under ORS 681.325.

12 “(4) ‘Practice audiology’ means:

13 “(a) To apply the principles, methods and procedures of measurement, prediction, evaluation,  
14 testing, counseling, consultation and instruction that relate to the development and disorders of  
15 hearing, vestibular functions and related language and speech disorders to prevent or modify the  
16 disorders or to assist individuals in auditory and related skills for communication.

17 “(b) To fit or sell hearing aids.

18 “(5) ‘Practice speech-language pathology’ means to apply the principles, methods and procedures  
19 of measurement, prediction, evaluation, testing, counseling, consultation and instruction that relate  
20 to the development and disorders of speech, voice, swallowing and related language and hearing  
21 disorders to prevent or modify the disorders or to assist individuals in cognition-language and com-  
22 munication skills.

23 “(6) ‘Speech-language pathologist’ means a person who practices speech-language pathology and  
24 who uses publicly any title or description of services including but not limited to the words  
25 ‘speech-language pathologist,’ ‘speech correctionist,’ ‘speech therapist,’ ‘speech clinician,’ ‘language  
26 pathologist,’ ‘language therapist’ or any similar titles or descriptions of services.

27 “(7) ‘Speech-language pathology assistant’ means a person who provides speech-language  
28 pathology services under the direction and supervision of a speech-language pathologist licensed  
29 under ORS 681.250.

30 “(8) ‘Unethical conduct’ means:

31 “(a) Obtaining any fee by fraud or misrepresentation.

32 “(b) Employing directly or indirectly any person who is unlicensed or whose license is suspended  
33 to perform any work covered by this chapter.

34 “(c) Using or causing or promoting the use of any advertising matter, promotional literature,  
35 testimonial, guarantee, warranty, label, brand, insignia, or any other representation, however dis-  
36 seminated or published, that is misleading, deceiving, improbable or untruthful.

37 “(d) Representing that the services or advice of a person licensed to practice medicine will be  
38 used or made available in the practice of speech-language pathology or audiology if that is not true,  
39 or using the word ‘doctor’ or ‘professor’ or other like words, abbreviations, or symbols inaccurately.

40 “(e) Permitting a person other than the license or conditional license holder to use the license  
41 or conditional license.

42 “(f) Violating the ethical standards of practice adopted by the board under ORS 681.420.”.

43 In line 3, delete “11” and insert “12”.

44 In line 4, delete “12” and insert “13”.

45 In line 11, delete “13” and insert “14”.

1 In line 14, delete "14" and insert "15".

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