

# Section-by-Section



## PURPOSE

- Increase public access to audiology and speech-language pathology services by providing for the mutual recognition of other member state licenses;
- Enhance the states' ability to protect the public's health and safety;
- Encourage the cooperation of member states in regulating multistate audiology and speech-language pathology practice;
- Support spouses of relocating active duty military personnel;
- Enhance the exchange of licensure, investigative and disciplinary information between member states;
- Allow a remote state to hold a provider of services with a Compact privilege in that state accountable to that state's practice standards; and
- Allow for the use of telehealth technology to facilitate increased access to audiology and speech-language pathology services.

## SECTION 2 DEFINITIONS

This section is used to define the terms as used throughout the compact. This was done in an effort to alleviate confusion on the part of the states and practitioners.

## SECTION 3 STATE PARTICIPATION IN THE COMPACT

This section explains what requirements must be met by states to join the compact. To provide the services allowed by this compact the professional must hold a home state license in a compact state. Section B. Requires a FBI finger-print based criminal background check. Section E. & F. set out licensure requirements that states must meet.

### For an audiologist:

- Must meet one of the following educational requirements:
  - On or before, Dec. 31, 2007, has graduated with a Master's or Doctoral degree in audiology, or equivalent degree regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or
  - On or after, Jan. 1, 2008, has graduated with a Doctoral degree in audiology, or equivalent degree regardless of degree, name from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or
  - Has graduated from an audiology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country and (b) the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program.

### **For an audiologist (continued):**

- Has completed a supervised clinical practicum experience from an accredited educational institution or its cooperating programs as required by the Board;
- Has successfully passed a national examination approved by the Commission;
- Holds an active, unencumbered license;
- Has not been convicted or found guilty, or has entered into an agreed disposition, of a felony related to the practice of audiology, under applicable state or federal criminal law;
- Has a valid United States Social Security or National Practitioner Identification number.

### **For a speech-language pathologist:**

- Must meet one of the following educational requirements:
  - Has graduated with a Master's degree from a speech-language pathology program that is accredited by an organization recognized by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or
  - Has graduated from a speech-language pathology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country and (b) the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program.
- Has completed a supervised clinical practicum experience from an educational institution or its cooperating programs as required by the Commission;
- Has completed a supervised postgraduate professional experience as required by the Commission
- Has successfully passed a national examination approved by the Commission;
- Holds an active, unencumbered license;
- Has not been convicted or found guilty, or has entered into an agreed disposition, of a felony related to the practice of speech-language pathology, under applicable state or federal criminal law;
- Has a valid United States Social Security or National Practitioner Identification number.

## **SECTION 4 COMPACT PRIVILEGE**

This section describes the requirements for gaining a privilege to practice.

- An audiologist or speech-language pathologist may only have one home state license at a time.
- A privilege to practice is renewable upon the renewal of the home state license.
- The audiologist or speech-language pathologist must function within the laws and regulations of the remote state.
- If the home state license is encumbered, the licensee shall lose the compact privilege in all remote states until the home state license is no longer encumbered and two years have passed since the adverse action.

## **SECTION 5 COMPACT PRIVILEGE TO PRACTICE TELEHEALTH**

By accepting the compact the jurisdiction will allow for the practice of telehealth.

## **SECTION 6 ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES**

Active duty military personnel, or their spouse, may 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.

## **SECTION 7 ADVERSE ACTIONS**

This section explains how the compact, home and remote states will conduct and report adverse actions. As well as the consequences for an audiologist or speech-language pathologist who receives adverse actions.

- The home state may take adverse actions against an audiologist or speech-language pathologist license. A remote state may take adverse action on an audiologist or speech-language pathologist privilege to practice within that remote state.
- If the home state does take adverse action and audiologist or speech-language pathologist license is terminated and the privilege to practice in all remote states is revoked.
- All adverse actions taken should be reported to the Commission, in accordance to the rules of the Commission.
- If discipline is reported against an audiologist or speech-language pathologist, the audiologist or speech-language pathologist will not be eligible for a privilege to practice in accordance with the rules of the Commission.
- Other actions may be imposed as determined by the rules promulgated by the Commission.
- A home state's audiology or speech-language pathology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a licensee which occurred in a remote state as it would if such conduct had occurred by a licensee within the home state. In such cases, the home state's law shall control in determining any adverse action against an audiologist or speech-language pathologist license.
- A license revoked, surrendered in lieu of discipline or suspended following investigation of all services granted through the compact would be terminated.
- Nothing in the compact will override a compact state's decision that an audiologist or speech-language pathologist participation in an alternative program may be used in lieu of adverse action and that such participation shall remain non-public if required by the compact state's law.

## **SECTION 8 ESTABLISHMENT OF THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION**

This section establishes the ruling commission of the compact. The compact is not a waiver of sovereign immunity.

- The commission shall consist of two voting delegates (one audiologist and one speech-language pathologist) appointed by each compact state who shall serve as that state's commissioner. The delegates are appointed by each states regulatory Board.
- An additional five (5) delegates, who are either a public member or board administrator from a state licensing board, shall be chosen by the Executive Committee from a pool of nominees provided by the Commission at Large.
- Vacancies of Commissioners must be filled in accordance of the laws of the compact state.
- Each commissioner is granted (1) vote in regard to creation of rules and bylaws and shall otherwise have the opportunity to participate in the business and affairs of the Commission.

## **SECTION 9 DATA SYSTEM**

This section denotes the requirement of sharing licensee information for all compact states. Notwithstanding any other provision of state law to the contrary, a compact state shall submit a uniform dataset to the Coordinated Database on all ASLP-IC audiologists and speech-language pathologists to whom this compact is applicable as required by the rules of the commission. This database will allow for the expedited sharing of adverse action against compact audiologists and speech-language pathologists. The coordinated database information will be expunged by the law of the reporting compact state.

## **SECTION 10 RULEMAKING**

This section describes the process for creating rules that will govern compact operations once the compact accepted by the first ten states.

## **SECTION 11 OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT**

This section details the oversight and enforcement of the compact by member states.

## **SECTION 12 DATE OF IMPLEMENTATION OF THE INTERSTATE COMPACT COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY AND ASSOCIATED RULES, WITHDRAWAL AND AMENDMENT**

The compact becomes effective on the date of enactment in the tenth state. States that join after the adoption of the rules shall be subject to the rules as they exist on the date which the compact becomes law in that state. This section further describes the process for withdrawal from the compact and notes that amendments to the compact must be unanimous.

## **SECTION 13 CONSTRUCTION AND SEVERABILITY**

This compact shall be liberally construed so as to effectuate the purposes thereof. If this Compact shall be held contrary to the constitution of any state member thereto, the compact shall remain in full force and effect as to the remaining compact states.

## **SECTION 14 BINDING EFFECT OF COMPACT AND OTHER LAWS**

This compact shall be binding among and upon all member states and shall supersede any conflict with state law.

**FOR ADDITIONAL INFORMATION**

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