

**Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC)**  
**Audiology and Speech-Language Pathology Interstate Compact Commission**

**Title of Rule:** Rule on Implementation of Criminal Background Check Requirement

**Original Rule Drafted:** August 10, 2023

**Amended Rule Drafted:** March 13, 2025

**Meeting at which Amended Rule was discussed and voted on:**

ASLP-IC Special Full Commission Meeting

June 30, 2025 via virtual teleconference (Zoom)

Meeting Link: <https://us06web.zoom.us/j/88319496998?pwd=o5zp8y4ABCKjqidFh6FwPmlv74DBbu.1>

**Effective:** 30 days after Full Commission Approval: July 30, 2025

**History for Rule:**

- August 10, 2023: Rules Committee voted to forward Original Rule to Executive Committee
- August 28, 2023: Executive Committee voted to forward Original Rule to Full Commission
- September 7, 2023: Original Rule posted to Commission Website
- October 7, 2023: Original Rule adopted by Full Commission
- Nov.6, 2023: Original Rule becomes effective
- March 13, 2025: Amended Rule introduced at Rules Committee Meeting
- April 10, 2025: Rules Committee voted to forward Amended Rule to Executive Committee
- May 19, 2025: Executive Committee voted to forward Amended Rule to Full Commission
- May 28, 2025: Amended Rule posted to Commission Website
- June 30, 2025: Amended Rule Adopted at Special Commission Meeting

**Chapter 3:** Rulemaking on Implementing Criminal Background Checks

**Authority:** Section 3: State Participation in the Compact  
Section 8: Establishment of the Audiology and Speech-Language Pathology Interstate Compact Commission  
Section 10: Rulemaking

40 **3.0 Definitions** “Initial Privilege to Practice” means the eligibility of an audiologist or speech-language  
41 pathologist to become authorized to practice in all member states upon the  
42 consideration of criminal history records which were used for purposes of making a  
43 licensure decision by the home state / and confirmation of an unencumbered home state  
44 license / issuing an unencumbered license by the home state and the issuance of an  
45 unencumbered home state license in a state which is a member of the compact.

46  
47 **3.1 Purpose:** Pursuant to Section 3.B.1, and Section 10, a Home State must implement or utilize  
48 procedures for considering the criminal history records of applicants licensed within that  
49 Home State prior to applying for the initial (i.e., very first time) privilege to practice in  
50 one or more states under the Audiology and Speech-Language Pathology Interstate  
51 Compact.

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53 **3.1 Requirements for Member States Implementing Criminal Background Checks:**

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55 (a) The Home state must implement or utilize procedures for considering the criminal history records of  
56 applicants licensed within their Home state who are applying for their initial, e.g., very first time, privilege  
57 to practice in one or more states under the Audiology and Speech-Language Pathology Interstate  
58 Compact.

59  
60 (b) These procedures shall include the submission of fingerprints or other biometric-based information by  
61 applicants for the purpose of obtaining an applicant’s criminal history record information from:  
62 (1) The Federal Bureau of Investigation (FBI); and  
63 (2) The agency responsible for retaining their Home state’s criminal records, as authorized by the  
64 member Home state’s laws.

65  
66 (c) Results of the criminal background check shall be reviewed solely by the member state in accordance  
67 with state law and shall not be shared, unless otherwise permitted under state law, with individuals, other  
68 member states, or the Commission.

69  
70 (d) The member state shall use the results of the background check in determining the applicant’s  
71 eligibility for a compact privilege in accordance with Section 3, paragraphs (B) and (B)(1) of the Audiology  
72 and Speech-Language Pathology Interstate Compact (ASLP-IC) statutes.

73  
74 (e) The home state shall report all persons not eligible to participate in the Audiology and Speech-  
75 Language Pathology Interstate Compact to the Commission.

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77 **3.2 Timeframe for Member States To Apply for Criminal Background Check**

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79 In accordance with Section 3, paragraph (B)(1), a member state must submit an ORI application within  
80 sixty (60) days of the member state’s effective date of the ASLP-IC in that state or within sixty (60) days of  
81 the effective date of this rule, whichever comes first.

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### 83 **3.3 Timeframe for Member States to Implement Criminal Background Checks and Exceptions**

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85 In accordance with Section 3, paragraph (B)(1), a member state must fully implement a criminal  
86 background check as demonstrated by receiving the results of criminal history record information from  
87 the FBI and the agency responsible for retaining their Home state’s criminal records, as authorized by the  
88 member Home state’s laws, within thirty (30) days of the member state’s approval of their ORI  
89 application.

90

91 The ASLP-IC Executive Committee has the discretion to grant member states additional time to fully  
92 implement a criminal background check based on the member state demonstrating their due diligence to  
93 implement a criminal background check or demonstrating a legal impossibility to implement a criminal  
94 background check.

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### 96 **3.4 Legal Impossibility for States Meeting the Criminal Background Check Requirement**

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98 Due to the legal impossibility of a member state’s ability to comply with the FBI CBC requirement as  
99 outlined in Section 3, paragraph (B)(1) of the ASLP-IC and the resulting prevention of the Compact to  
100 become operational in the member state, the member state who does not already require a FBI CBC may  
101 also issue and accept privileges from applicants that have not yet had a member state board reviewed FBI  
102 CBC under the following conditions:

103

104 a. The Member State board can provide evidence to the Executive Committee that it has  
105 attempted and been refused the assignment of an ORI number for the purpose of receiving and reviewing  
106 CBCs of those interested in compact participation; and

107 b. The licensee who is applying for entry into the Compact meets all other statutory requirements  
108 and has attested to the fact they have no FBI Criminal Background History and acknowledges and accepts  
109 that they may be subject to an FBI CBC once their member state has the ability to perform an FBI CBC (or  
110 at the compact applicant’s first renewal cycle after their home state has been given the permission to  
111 conduct FBI CBCs); and

112 c. The Member State Board agrees to immediately reapply for an ORI number upon a change of  
113 position by the FBI, or passage of the SHARE Act, whichever comes first, and provides evidence to the  
114 Executive Committee of same and requires all new license applicants to undergo an FBI CBC if they apply  
115 for the Compact.

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### 117 **3.5 Criminal Background Check Requirements for Compact Privilege Applicants**

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- 119 (a). To be able to obtain a compact privilege under the Audiology and Speech-Language Pathology  
120 Interstate Compact, a compact privilege seeker shall submit to a criminal background check, including  
121 fingerprint-based state and federal background checks, as required by the Compact and authorized by the  
122 member state's laws.
- 123 1. The applicant shall provide a full set of fingerprints to the home state's designated agency for the  
124 purpose of conducting a criminal history record check through;
  - 125 2. The Federal Bureau of Investigation (FBI); and
  - 126 3. The state agency responsible for retaining the criminal records in the applicant's home state.  
127
- 128 (b). Results of the criminal background check shall be reviewed solely by the member state in accordance  
129 with state law and shall not be shared, unless otherwise permitted under state law, with individuals, other  
130 member states, or the Commission.
- 131 1. The member state shall use the results of the background check in determining the applicant's  
132 eligibility for a compact privilege in accordance with Section 3, paragraph (B)(1) of the Audiology  
133 and Speech-Language Pathology Interstate Compact statutes.
  - 134 2. An applicant who does not submit to an FBI fingerprint-based criminal background check or whose  
135 background check reveals disqualifying offenses, as determined by the home state and in  
136 accordance with Compact statutes and rules, shall be deemed ineligible to obtain a compact  
137 privilege.  
138
- 139 (c). An applicant who is unable to submit to an FBI fingerprint-based criminal background check due to  
140 legal impossibility in the home state, as defined under section 3.4 of this rule, shall be required to do the  
141 following:
- 142 1. Attest to the non-existence of any criminal history record;
  - 143 2. Submit to a state based criminal background check for review by the home state board; and
  - 144 3. Submit to an FBI fingerprint-based criminal background check for review by the home state board  
145 within 60 days of receiving notification from the state that it has become legally possible for the  
146 state to comply with Section 3, paragraph (B)(1) to conduct FBI CBCs of any privileges obtained  
147 under the home state license. Failure to comply with this requirement within the timeframe may  
148 result in the removal of compact privileges to practice.  
149
- 150 (d). An applicant who does not submit to an FBI fingerprint-based criminal background check or whose  
151 background check reveals disqualifying offenses, as determined by the home state and in accordance with  
152 Compact statutes and rules, shall be deemed ineligible to obtain a compact privilege or whose state or FBI  
153 background check reveals disqualifying offenses, as determined by the home state and in accordance with  
154 compact statutes and rules, shall be deemed ineligible to obtain or renew a compact privilege.  
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- 156 (e). If the home state deems any person no longer eligible to participate in the Compact, it shall report

157 those persons to the Compact Commission as defined in the *Rule on Data System Reporting Requirements*.

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159 (f). The requirement for a criminal background check shall apply to all compact privilege applicants.