

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

**Title of Rule:** Rule on Data System Reporting Requirements

**Drafted:** March 2023

**Meeting at which Rule will be discussed and voted on:** Special Commission Meeting on Monday, April 17, 2023.

**Public comment:** Interested persons may electronically submit written comments on the proposed rule to [ieliassen@csg.org](mailto:ieliassen@csg.org) with subject line “ASLP-IC Commission Rule Comment” or by attending the meeting at which the rule will be discussed and voted on. Written comments on the proposed rule must be submitted by **2 p.m. ET Sunday, April 16, 2023.**

**Effective:** 30 Days after Full Commission Approval.

**Reason for Rule:** To further define terms pursuant to Section 8.C.6, Section 9 and Section 10. of the ASLP-IC.

**History for Rule:** 02/9/2023: Rules Committee votes to forward to Executive Committee.  
03/16/2023: Executive Committee votes to forward to full Commission.

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**Chapter 2:** Rulemaking on Data System Reporting Requirements

**Authority:** Section 8: Establishment of the Audiology and Speech-Language Pathology Interstate Compact Commission

Section 9: Data System

Section 10: Rulemaking

**2.0 Purpose:** Pursuant to Section 8.C.6, Section 9 and Section 10, the Audiology and Speech-Language Pathology Interstate Compact Commission shall promulgate reasonable and lawful uniform rules to facilitate and coordinate implementation and administration of the Audiology and Speech-Language Pathology Interstate Compact. This rule will become effective upon passage by the Audiology and Speech-Language Pathology Interstate Compact Commission as provided in Section 10 of the Audiology and Speech-Language Pathology Interstate Compact.

**2.1 Definitions:**

A. “Joint Compact Commission” or “Compact Commissions Partnership” means the entity comprised of the Occupational Therapy Compact Commission, Audiology and Speech-Language Pathology Interstate Compact Commission, and Counseling Compact Commission for the

purpose of development, governance, future permissions, funding, maintenance, and insurance of a data system ("Data System").

B. "Member State Data" means any data provided by the member state as part of the Uniform Data Set as described in Section 2.2

C. "Staff Administrator" means the primary person of a Member State licensure board or agency authorized to carry out the requirements of the compact.

## **2.2 ~~2.1~~ Uniform Data Set:**

A. The Commission shall provide for the development, maintenance, and utilization of a ~~coordinated database~~ data system 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 but not limited to:

1. Identifying information – including but not limited to:
  - a. First Name
  - b. Middle Name
  - c. Last Name
  - d. Suffix, if applicable
  - e. Birth date; mm/dd/yyyy
  - f. **Personal Identifier**
    - i. **United States' Social Security Number or**
    - ii. **National Provider Identifier (NPI) (as the data system will accommodate);**
  - g. Home state address;
2. Licensure data – including but not limited to:
  - a. Jurisdiction of licensure;
  - b. License Type;
    - i. Audiologist or Speech Language Pathologist;
  - c. License Number;
  - d. Initial Issuance Date;
  - e. Most Recent Renewal Date;
  - f. Expiration Date
    - i. License status;
3. Adverse Action(s) against a license or compact privilege to practice including but is not limited to::
  - a. Type of Adverse Action;
  - b. Status and change in status of Adverse Action;
  - c. Effective dates of Adverse Action;
  - d. The existence of Current Significant Investigative Information;
  - e. Summary suspension and final disciplinary actions, as defined by the member state authority;
4. Non-confidential information related to alternative program participation including but not limited to current participation by the audiologist or speech-language pathologist in

- an alternative program;
5. Any denial of application for licensure, and the reason(s) for denial;
  6. Other information that may facilitate the administration of this Compact, as determined by the rules of the Commission including but not limited to a correction to a licensee's data.
- C. The member states shall have access, via the data system, to information including but not limited to the verification of compact privilege(s) to practice held by eligible licensees.
- D. The public shall have access, via the Commission's website, to information limited to the verification of compact privilege(s) held by individuals.
- E. The Home State shall be responsible for verification of uniform requirements for participation as described in Section 3 and 4 of the compact.
- F. Current Significant Investigative Information (CSII) pertaining to a Licensee in any Member State shall only be available to other Member States.
- G. Once probably cause is established, CSII should be flagged in the data system no later than ten (10) business days.
- H. States shall remove the flagging for CSII that is unfounded as soon as possible, but no later than five (5) business days.
- I. If a member state **encumbers a license**, ~~takes adverse action~~, it shall notify the administrator of the data system within **ten (10) business days** ~~thirty (30) days~~ of the date action was taken. The administrator of the data system shall notify the home state **and any other member state in which the licensee holds a privilege to practice** of any ~~adverse actions~~ **encumbrance within two (2) business days**. ~~by remote states~~.
- J. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.
- K. In the event an audiologist or speech-language pathologist asserts that any Coordinated Licensure Information System data is inaccurate, the burden shall be upon the audiologist or speech-language pathologist to provide evidence in a manner determined by the member state that substantiates such claim.
- L. Member states shall submit the data system information required above to the Commission at least one (1) time per week.
- M. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

### **2.3 Data System**

- A. Data System Ownership. The data system is operated, managed, and controlled by the Joint Compact Commission.

### **2.4 Data Submission and Validation**

- A. Method of data submission. Member states shall submit the Uniform Data Set described in Section 2.2 of these rules to the data system.

- B. Implementation. A new member state shall provide the uniform data set to the data system in the form and format specified by the Commission. In the event a member state does not submit a uniform data set, the member state shall be in default of the requirements of the Compact and the Commission. The default shall follow the requirements in Section 11 regarding Oversight, Dispute Resolution and Enforcement.
- C. Maintenance of the uniform data set. The accuracy and timeliness of member state data submitted to and maintained in the data system shall be the responsibility of member states.
- D. Correction of records. In the event a Licensed Audiologist or Speech-Language Pathologist asserts that the individual's uniform data set information is inaccurate, the Commission shall direct the licensed practitioner to the data owner to research the claim, and if necessary, modify the disputed record(s). The Commission shall not modify member state data. Corrections should be submitted with the next weekly upload from the member state.

## **2.5 Conditions and procedures for authorized users of the Data System**

### **A. Member State Access**

- 1. Access Rights: Staff Administrator, and delegated user(s) authorized by the Staff Administrator, shall only have access to the uniform data set and data reporting for their member state and those who hold a privilege to practice in their state.
- 2. Control and Authorization: Member state delegated user(s) access shall be controlled by the Staff Administrator. The Staff Administrator is responsible for designating members of the executive branch of government with a bona fide need-to-know requirement to have access to the data system. The Staff Administrator will have the ability to create additional user accounts for the member state. The Staff Administrator will remove any user within 24 hours if any delegated user is no longer employed by the member state or should have access removed.
- 3. Review Process: Staff Administrators shall review the delegated accounts on a quarterly basis or when notified of suspicious behavior by the Executive Director of the compact commission.
- 4. Staff Administrators shall cooperate with the Executive Director to ensure the security of the Data system.
- 5. Usage Limitation: Access to the data system is for official, government use only.

### **B. Public Access**

- 1. Query Capabilities: The public shall have the ability to query the data system via a secure website.
- 2. Displayed Information: The Commission may display the following information:
  - a. First Name
  - b. Last Name
  - c. Jurisdictions in which a Privilege has been issued
  - d. Privilege to Practice Status
  - e. Privilege to Practice Identifier/Number
  - f. Privilege to Practice Expiration date(s)

### **C. General Provisions**

- 1. Authorization: All requests for access and permissions must be made in accordance with the rules, polices, and procedures of the Commission.
- 2. Review and Audit: The Commission reserves the right to review and audit access logs to ensure compliance with established rules and regulations.

## **2.6 Data Disclosure, Inspection of Records, and Requests.**

- A. Exemption From Disclosure. The following Commission records shall be exempt from public inspection or public disclosure requests:

1. The following licensee information:
    - a. personal identifying information;
    - b. personal contact information; and
    - c. any data elements labeled as confidential by the data owner.
  2. The following internal Commission records:
    - a. personnel records of Commission staff;
    - b. commission personnel practice and procedures;
    - c. matters specifically exempted from disclosure by federal statute
    - d. trade secrets, commercial, or financial information that is privileged or confidential;
    - e. censures and accusations of a crime;
    - f. personal information where disclosure would constitute an unwarranted invasion of personal privacy;
    - g. investigative records compiled for law enforcement purposes;
    - h. that specifically relate to a civil action or other legal proceeding;
    - i. closed session records related to any of the above topics;
    - j. records that contain legal advice or attorney-client communications or attorney work product;
    - k. confidential mediation or arbitration documents.
  3. After consultation with counsel, the Commission may designate records not designated exempt under sections (1) or (2) to be confidential and not available to the public for inspection.
- B. Restriction on Release of Personally Identifiable Information and Sensitive Data: The Commission shall not release or generate public reports that contain Personally Identifiable Information or sensitive data. All measures shall be taken to ensure that such information remains confidential and secure.
- C. Security and Protection: The Commission shall take all necessary precautions to protect the security and integrity of the information pertaining to the nation's counseling workforce. This includes implementing robust security measures and protocols to prevent unauthorized access, disclosure, or misuse of data.
- D. Generation of Public Reports: The Commission may, as accommodated by the data system, and as appropriate under statute and rule, generate public reports that include summarized statistics and analytics on the counseling workforce. These reports shall not contain personal identifying information or sensitive data and will be designed to provide valuable insights and trends without compromising individual privacy.