

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 575 CS

Health Professionals Treating Speech or Hearing Disorders

SPONSOR(S): Garcia

TIED BILLS:

IDEN./SIM. BILLS: SB 518

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Health Care Regulation Committee	9 Y, 0 N, w/CS	Hamrick	Mitchell
2) PreK-12 Committee			
3) Education Appropriations Committee			
4) Health & Families Council			
5) _____			

SUMMARY ANALYSIS

HB 575 CS revises the requirements for the Department of Health and the Board of Speech-Language Pathology and Audiology to issue a provisional license to practice speech-language pathology and audiology.

The bill provides that applicants must meet certain requirements concerning education, practicum, and professional employment in order to be issued a provisional license as a speech-language pathologist or audiologist. The bill also provides exceptions for foreign trained and out-of-state applicants.

The bill requires as of January 1, 2007, that audiologists will have to earn a doctoral degree or complete the academic requirements for a doctoral degree.

The bill requires an audiologist or speech-language pathologist to provide speech-language pathology assistants and audiology assistants with a plan for on-the-job training approved by the board. The Board of Speech-Language Pathology and Audiology must maintain responsibility for all services provided by their assistants.

The bill takes effect July 1, 2005.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provides limited government-The bill provides the Board of Speech-Language Pathology and Audiology the authority to adopt rules to determine licensure requirements.

B. EFFECT OF PROPOSED CHANGES:

The bill revises the requirements for Department of Health and the Board of Speech-Language Pathology and Audiology to issue a provisional license to practice speech-language pathology and increases the educational requirements for a licensed audiologist to a doctoral degree.

Provisional Licensure for Speech-Language Pathologists

The bill provides that applicants must meet certain requirements concerning education, practicum, and professional employment in order to be issued a provisional license as a speech-language pathologist.

An applicant is issued a provisional license if they:

- Cannot provide documentation of at least 9 months of supervised professional employment experience and a passing score on the national examination, or
- Have received a master's degree or have completed the academic requirements which includes coursework that provides specific skills and knowledge, or laboratory or research activity and supervised clinical experience in an accredited doctoral degree program with major emphasis in speech-language pathology; or
- Received a professional education in another country and the board is satisfied that the applicant meets equivalent education and practicum requirements, and they pass the examination in speech-language pathology.

Provisional Licensure for Audiologists

The bill states that the department and board may issue a provisional license to an applicant:

- If they cannot demonstrate a minimum of 11 months of full-time or part-time equivalent of professional experience; or
- Effective January 1, 2007, they have earned a doctoral degree in audiology or have completed the academic requirements¹ of an accredited doctoral degree program with a major emphasis in audiology; or
- If they received a professional education in another country and the board is satisfied that the applicant meets equivalent education and practicum requirements, and they pass the examination in audiology. The bill provides that this provision will expire on January 1, 2012.

Academic, Clinical, Professional Employment Requirements

The bill *removes* the following specific academic and clinical requirements for speech-language pathology and audiology:

- 60 hours in specific coursework that provides fundamental information for the field, of which 24 semester hours must be in the field of study;
- 6 hours in audiology for speech-language pathologists; and

¹ The *academic requirements* must include specific coursework that provides the student with the knowledge, skills, and clinical experiences that encompass the entire scope of practice and must focus on the most current evidence-based practices.

- 300 supervised clinical clock hours, of which 200 hours must be in the field of study, or a number of clock hours, that meets the national certification standards.

The bill provides that an applicant for an audiologist license, who has obtained a doctoral degree, has met the education, supervised clinical experience, and professional experience requirements, and is eligible for licensure if they pass the exam.

The bill also recognizes board certification in audiology by the American Board of Audiology as a valid mechanism for certification of out-of-state licenses.

Certification requirements for speech-language pathology assistants and audiology assistants

The bill requires applicants for speech-language pathology assistant certification and audiology assistant certification to have earned a high school diploma or its equivalent. It requires an audiologist or speech-language pathologists to provide their assistants with a plan approved by the board for on-the-job training and maintain responsibility for all services provided by their assistants.

BACKGROUND

In 1995, approximately 46 million people in the United States of all ages, races and gender, experienced or lived with some type of communication disorder.² According to the American Speech-Language Hearing Association, 28 million individuals have a hearing loss.³

Audiologists, speech-language pathologists, and speech, language, and hearing scientists are professionals who evaluate, treat, and conduct research into human communication and its disorders.

Speech and language disorders are disabilities of individuals to understand and/or appropriately use the speech and language systems of society. Such disorders may range from simple sound repetitions or occasional misarticulations to the complete absence of the ability to use speech and language for communication.

History of the Speech-Language Pathology Practice Act

In 1997 the profession of Speech Language Pathology and Audiology became regulated. Frequent changes in the academic and clinical requirements for accreditation have led to the need for revisions of the speech-language pathology and audiology practice act. The Educational Testing Service completed national skills validation studies for both professions and concluded that the knowledge and skills of practitioners must be expanded to assure good quality care to the persons both professions serve.

By January 1, 2007, the audiology profession in Florida will transition to expanded educational requirements and requirement of a doctoral degree.

Speech-language pathology will remain at the master's entry-level for clinical practice, also with expanded knowledge and skills and competency-based assessment effective January 1, 2005.

Currently, the Board Speech-Language Pathology and Audiology accepts the certificate of clinical competence from the American Speech-Language and Hearing Association as meeting the requirements for licensure in Florida. No other certification entities are used for certification.

² American Speech-Language Pathology Association, *Speech-Language Disorders and the Speech-Language Pathologist*, <http://www.asha.org/students/professions/overview/sld.htm>

³ Source: *A Decade of Progress Ahead. 1990 Annual Report of the National Deafness and Other Communication Disorders Advisory Board*. <http://www.asha.org/students/professions/overview/hla.htm>

National Certification by the American Speech-Language and Hearing Association

The American Speech-Language Hearing Association provides voluntary certification for speech-language pathologists and audiologists. In 1997, the American Board for Audiology was founded to provide voluntary board certification for audiologists. The American Speech-Language Hearing Association has provided academic accreditation for speech-language pathology and audiology university programs through the Council for Academic Accreditation. The Council is recognized by the Council for Higher Education Accreditation and has received continuous recognition as an accrediting agency from the United States Department of Education since 1967. A relatively new accrediting body, the Accreditation Commission for Audiology Education, is in its third year of development.

American Speech-Language Hearing Association Requirements for the Certificate of Clinical Competence

Applicants for the American Speech-Language Hearing Association Certificate of Clinical Competence must have a master's or doctoral degree. Candidates for certification must have completed the following:

- **At least 27 semester credit hours in basic science course work.**
 - At least six semester credit hours must be in the biological/physical sciences and mathematics.
 - At least six semester credit hours must be in the behavioral and/or social sciences.
 - At least 15 semester credit hours must be in the basic human communication processes, to include course work in each of the following three areas of speech, language and hearing: the anatomic and physiologic bases, the physical and psychophysical bases, the linguistic and psycholinguistic aspects.

- **At least 36 semester credit hours in professional coursework.**
 - At least 30 of the 36 semester credit hours of professional course work must be in the major area of concentration (speech-language pathology or audiology).
 - At least 6 of the 36 semester credit hours of professional course work must be in the minor area of concentration (speech-language pathology or audiology).
 - At least 30 semester hours of professional course work must be completed at the graduate level and at least 21 of the 30 must be in the major area of concentration.

- **375 Clock Hours of Supervised Clinical Observation/Practice.**
 - These requirements consist of supervised clinical observation (25 clock hours) and supervised clinical practicum (350 clock hours), of which 250 must be completed at the graduate level.

- **Clinical Fellowship (CF)**
 - After completion of academic course work and clinical practicum, the applicant then must successfully complete a Clinical Fellowship. The Fellowship consists of at least 36 weeks of full-time professional experience or its part time equivalent. The Fellowship must be completed under the supervision of an individual who holds the CCCs in the area for which certification is sought.
 - During the CF, each clinical fellow is assessed at least three times by the CF supervisor using the Clinical Fellowship Skills Inventory Rating (CFSI) form. This form addresses the fellow's attainment of skills (18 for speech-language pathology or 21 for audiology) necessary for independent practice. Performance appraisals protect the public interest and serve as a clinical teaching and learning tool.

- **National Examination**

- The applicant must pass a national examination administered by the Educational Testing Service (ETS) and independently validated on an on-going basis. The national examination is taken within two years from the date course work and practicum is approved by the ASHA Clinical Certification Board.

American Speech-Language Hearing Association Requirements for Certification in Audiology

Demonstration of continued professional development is mandated for maintenance of the Certificate of Clinical Competence in Audiology. This standard took effect on January 1, 2003. The renewal period will be three years. This standard will apply to all certificate holders, regardless of the date of initial certification. Individuals who hold the Certificate of Clinical Competence in Audiology must accumulate 30 contact hours of professional development over the 3-year period in order to meet this standard.⁴

Provisional Licensure

Part I, Chapter 468, F.S., govern the practice of speech-language pathology and audiology by the Board of Speech-Language Pathology and Audiology at the Department of Health. It provides requirements for provisional licensure and licensure for persons to practice speech-language pathology and audiology in Florida, including education, professional employment experience, practicum, and examination.

A provisional license is required for each applicant who cannot document 9 months of supervised professional employment experience and a passing score on the national examination.

The department must issue a provisional license to practice speech language pathology to an applicant who has received a master's degree or is currently enrolled in a doctoral degree program with a major emphasis in speech-language pathology at an institution of higher learning that is, or at the time the applicant was enrolled and graduated was, accredited by an accrediting agency recognized by the Council for Higher Education Accreditation or from an institution that is a member in good standing with the Association of Universities and Colleges of Canada.

Similarly, an applicant seeking a provisional license in audiology must have received a master's degree or is currently enrolled in a doctoral degree program with a major emphasis in audiology at an institution of higher learning that is, or at the time the applicant was enrolled and graduated was, accredited by an accrediting agency recognized by the Council for Higher Education Accreditation or from an institution that is a member in good standing with the Association of Universities and Colleges of Canada.

Section 468.1155(3), F.S., requires persons seeking provisional licensure and licensure in speech-language pathology or audiology to obtain 60 semester hours of specified coursework and 300 supervised clinical clock hours, which are comparable to the 1993 academic and clinical requirements for the certificate of competence issued by the American Speech-Language Hearing Association.

The board must certify for licensure any applicant who has satisfied the education and supervised clinical clock hour requirements for provisional licensure, completed the 9 months of supervised professional experience, and passed the required licensure examination pertinent to the license being sought. In addition, the board must certify as qualified for licensure by endorsement any applicant who holds a valid license or certificate in another state or territory of the United States if the criteria for issuance of the license were substantially equivalent to or more stringent than those in Florida at the time the license was issued or to any applicant who has received the certificate of clinical competence

⁴ American Speech-Language Pathology Association, *Certification Maintenance Guidelines for Audiology*, http://www.asha.org/about/membership-certification/certification/standard6_aud_guide.htm

of the American Speech-Language and Hearing Association. The part provides certification requirements for speech-language pathology assistants and audiology assistants.

College Programs

Florida universities were the first in the nation to transition all accredited university training programs to the Doctor of Audiology degree. The University of Florida (UF), University of South Florida (USF), and Nova Southeastern University are the only universities in Florida with audiology programs and each offer the Doctor of Audiology degree. The programs at UF and USF were approved by the former Florida Board of Regents, which recommended approval of the Doctor of Audiology degree programs to the State Legislature. Speech-language pathology master's degree programs in Florida meet the new accreditation standards that became effective January 1, 2005.

C. SECTION DIRECTORY:

Section 1. Amends s. 468.1155, F.S., to revise the requirements of issuing provisional licenses to speech-language pathologists and audiologists.

Section 2. Amends s. 468.1165, F.S., to provide a specific time requirement for professional employment experience for a speech-language pathologist or audiologist.

Section 3. Amends s. 468.1185, F.S., to revise requirements for licensure.

Section 4. Amends s. 468.1215, F.S., to revise the requirements for certification as a speech-language pathology assistant or audiology assistant.

Section 5. Provides the bill will take effect July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

There may be costs associated with the additional education requirement. The practitioners will be better educated to provide the appropriate care.

D. FISCAL COMMENTS:

The Department of Health may incur costs relating to rulemaking under the bill. Such costs are expected to be minimal.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

No additional rulemaking authority is required to implement the provisions of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The Board of Speech-Language Pathology and Audiology created a review panel to look at any needed changes to the current statutory provisions, specifically focusing on educational standards. The recommendations from this panel and the board as a whole are encompassed in this bill.

According to the Board of Speech-Language Pathology and Audiology, the intent of the language is to provide the board with authority to increase the educational standards concurrent with the national trends that are and will continue to evolve over the next several years. These changes include requiring more education and clinical experience prior to licensure.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On April 13, 2004, the Health Care Regulation Committee considered the bill and adopted a strike-all amendment sponsored by Representative Garcia. The Committee Substitute differs from the original bill as filed in that the Committee Substitute includes several technical changes and removes the boards' authority to establish licensure requirements by rule; such as:

- The authority to determine by rule the period that a provisional license may not exceed; and
- The authority to create by rule the standards for verifying the required professional employment experience.

The Committee Substitute also removed the provision that an applicant for a speech-language pathology assistant license must possess a bachelor's degree from an accredited college or university, which includes at least 24 semester hours of coursework as approved by the board. The similar provision for audiology assistants was also removed.

The bill, as amended, was reported favorably as a committee substitute.

This analysis is drafted to the committee substitute.