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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
12/12/2023	.	
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The Committee on Health Policy (Harrell) recommended the following:

Senate Amendment (with title amendment)

Between lines 3154 and 3155
insert:

Section 52. Section 468.1335, Florida Statutes, is created
to read:

468.1335 Audiology and Speech-Language Pathology Interstate
Compact.—The Audiology and Speech-Language Pathology Interstate
Compact is hereby enacted into law and entered into by this
state with all other states legally joining therein in the form



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11 substantially as follows:

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13

ARTICLE I

14

PURPOSE

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16 (1) The purpose of the compact is to facilitate the
17 interstate practice of audiology and speech-language pathology
18 with the goal of improving public access to audiology and
19 speech-language pathology services.

20 (2) The practice of audiology and speech-language pathology
21 occurs in the state where the patient, client, or student is
22 located at the time the services are provided.

23 (3) The compact preserves the regulatory authority of
24 states to protect the public health and safety through the
25 current system of state licensure.

26 (4) The compact is designed to achieve all of the following
27 objectives:

28 (a) Increase public access to audiology and speech-language
29 pathology services by providing for the mutual recognition of
30 other member state licenses.

31 (b) Enhance the states' abilities to protect public health
32 and safety.

33 (c) Encourage the cooperation of member states in
34 regulating multistate audiology and speech-language pathology
35 practices.

36 (d) Support spouses of relocating active duty military
37 personnel.

38 (e) Enhance the exchange of licensure, investigative, and
39 disciplinary information between member states.



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40 (f) Allow a remote state to hold a licensee with compact
41 privilege in that state accountable to that state's practice
42 standards.

43 (g) Allow for the use of telehealth technology to
44 facilitate increased access to audiology and speech-language
45 pathology services.

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47 ARTICLE II

48 DEFINITIONS

49
50 (1) As used in this section, the term:

51 (2) "Active duty military" means full-time duty status in
52 the active uniformed service of the United States, including
53 members of the National Guard and Reserve on active duty orders
54 pursuant to 10 U.S.C. chapters 1209 and 1211.

55 (3) "Adverse action" means any administrative, civil,
56 equitable, or criminal action permitted by a state's laws which
57 is imposed by a licensing board against a licensee, including
58 actions against an individual's license or privilege to
59 practice, such as revocation, suspension, probation, monitoring
60 of the licensee, or restriction on the licensee's practice.

61 (4) "Alternative program" means a nondisciplinary
62 monitoring process approved by an audiology licensing board or a
63 speech-language pathology licensing board to address impaired
64 licensees.

65 (5) "Audiologist" means an individual who is licensed by a
66 state to practice audiology.

67 (6) "Audiology" means the care and services provided by a
68 licensed audiologist as provided in the member state's rules and



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69 regulations.

70 (7) "Audiology and Speech-Language Pathology Interstate
71 Compact Commission" or "commission" means the national
72 administrative body whose membership consists of all states that
73 have enacted the compact.

74 (8) "Audiology licensing board" means the agency of a state
75 which is responsible for the licensing and regulation of
76 audiologists.

77 (9) "Compact privilege" means the authorization granted by
78 a remote state to allow a licensee from another member state to
79 practice as an audiologist or speech-language pathologist in the
80 remote state under its rules and regulations. The practice of
81 audiology or speech-language pathology occurs in the member
82 state where the patient, client, or student is located at the
83 time the services are provided.

84 (10) "Current significant investigative information,"
85 "investigative materials," "investigative records," or
86 "investigative reports" means information that a licensing
87 board, after an inquiry or investigation that includes
88 notification and an opportunity for the audiologist or speech-
89 language pathologist to respond, if required by state law, has
90 reason to believe is not groundless and, if proved true, would
91 indicate more than a minor infraction.

92 (11) "Data system" means a repository of information
93 relating to licensees, including, but not limited to, continuing
94 education, examination, licensure, investigative, compact
95 privilege, and adverse action information.

96 (12) "Encumbered license" means a license in which an
97 adverse action restricts the practice of audiology or speech-



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98 language pathology by the licensee and the adverse action has
99 been reported to the National Practitioner Data Bank.

100 (13) "Executive committee" means a group of directors
101 elected or appointed to act on behalf of, and within the powers
102 granted to them by, the commission.

103 (14) "Home state" means the member state that is the
104 licensee's primary state of residence.

105 (15) "Impaired licensee" means a licensee whose
106 professional practice is adversely affected by substance abuse,
107 addiction, or other health-related conditions.

108 (16) "Licensee" means a person who is licensed by his or
109 her home state to practice as an audiologist or speech-language
110 pathologist.

111 (17) "Licensing board" means the agency of a state which is
112 responsible for the licensing and regulation of audiologists or
113 speech-language pathologists.

114 (18) "Member state" means a state that has enacted the
115 compact.

116 (19) "Privilege to practice" means the legal authorization
117 to practice audiology or speech-language pathology in a remote
118 state.

119 (20) "Remote state" means a member state, other than the
120 home state, where a licensee is exercising or seeking to
121 exercise his or her compact privilege.

122 (21) "Rule" means a regulation, principle, or directive
123 adopted by the commission which has the force of law.

124 (22) "Single-state license" means an audiology or speech-
125 language pathology license issued by a member state which
126 authorizes practice only within the issuing state and does not



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127 include a privilege to practice in any other member state.

128 (23) "Speech-language pathologist" means an individual who
129 is licensed to practice speech-language pathology.

130 (24) "Speech-language pathology" means the care and
131 services provided by a licensed speech-language pathologist as
132 provided in the member state's rules and regulations.

133 (25) "Speech-language pathology licensing board" means the
134 agency of a state which is responsible for the licensing and
135 regulation of speech-language pathologists.

136 (26) "State" means any state, commonwealth, district, or
137 territory of the United States of America which regulates the
138 practice of audiology and speech-language pathology.

139 (27) "State practice laws" means a member state's laws,
140 rules, and regulations that govern the practice of audiology or
141 speech-language pathology, define the scope of audiology or
142 speech-language pathology practice, and create the methods and
143 grounds for imposing discipline.

144 (28) "Telehealth" means the application of
145 telecommunication technology to deliver audiology or speech-
146 language pathology services at a distance for assessment,
147 intervention, or consultation.

149 ARTICLE III

150 STATE PARTICIPATION

151
152 (1) A license issued to an audiologist or speech-language
153 pathologist by a home state to a resident in that state must be
154 recognized by each member state as authorizing an audiologist or
155 speech-language pathologist to practice audiology or speech-



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156 language pathology, under a privilege to practice, in each
157 member state.

158 (2) A state must implement procedures for considering the
159 criminal history records of applicants for initial privilege to
160 practice. These procedures must include the submission of
161 fingerprints or other biometric-based information by applicants
162 for the purpose of obtaining an applicant's criminal history
163 records from the Federal Bureau of Investigation and the agency
164 responsible for retaining that state's criminal history records.

165 (a) A member state must fully implement a criminal history
166 records check procedure, within a timeframe established by rule,
167 which requires the member state to receive an applicant's
168 criminal history records from the Federal Bureau of
169 Investigation and the agency responsible for retaining the
170 member state's criminal history records and use such records in
171 making licensure decisions.

172 (b) Communication between a member state, the commission,
173 and other member states regarding the verification of
174 eligibility for licensure through the compact may not include
175 any information received from the Federal Bureau of
176 Investigation relating to a criminal history records check
177 performed by a member state under Pub. L. No. 92-544.

178 (3) Upon application for a privilege to practice, the
179 licensing board in the issuing remote state must determine,
180 through the data system, whether the applicant has ever held, or
181 is the holder of, a license issued by any other state, whether
182 there are any encumbrances on any license or privilege to
183 practice held by the applicant, and whether any adverse action
184 has been taken against any license or privilege to practice held



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185 by the applicant.

186 (4) Each member state must require an applicant to obtain
187 or retain a license in his or her home state and meet the home
188 state's qualifications for licensure or renewal of licensure and
189 all other applicable state laws.

190 (5) Each member state must require that an applicant meet
191 all of the following criteria to receive the privilege to
192 practice as an audiologist in the member state:

193 (a) One of the following educational requirements:

194 1. On or before December 31, 2007, has graduated with a
195 master's degree or doctoral degree in audiology, or an
196 equivalent degree, regardless of the name of such degree, from a
197 program that is accredited by an accrediting agency recognized
198 by the Council for Higher Education Accreditation, or its
199 successor, or by the United States Department of Education and
200 operated by a college or university accredited by a regional or
201 national accrediting organization recognized by the board;

202 2. On or after January 1, 2008, has graduated with a
203 doctoral degree in audiology, or an equivalent degree,
204 regardless of the name of such degree, from a program that is
205 accredited by an accrediting agency recognized by the Council
206 for Higher Education Accreditation, or its successor, or by the
207 United States Department of Education and operated by a college
208 or university accredited by a regional or national accrediting
209 organization recognized by the board; or

210 3. Has graduated from an audiology program that is housed
211 in an institution of higher education outside of the United
212 States for which the degree program and institution have been
213 approved by the authorized accrediting body in the applicable



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214 country and the degree program has been verified by an
215 independent credentials review agency to be comparable to a
216 state licensing board-approved program.

217 (b) Has completed a supervised clinical practicum
218 experience from an accredited educational institution or its
219 cooperating programs as required by the commission.

220 (c) Has successfully passed a national examination approved
221 by the commission.

222 (d) Holds an active, unencumbered license.

223 (e) Has not been convicted or found guilty of, or entered a
224 plea of guilty or nolo contendere to, regardless of
225 adjudication, a felony in any jurisdiction which directly
226 relates to the practice of his or her profession or the ability
227 to practice his or her profession.

228 (f) Has a valid United States social security number or a
229 national provider identifier.

230 (6) Each member state must require that an applicant meet
231 all of the following criteria to receive the privilege to
232 practice as a speech-language pathologist in the member state:

233 (a) One of the following educational requirements:

234 1. Has graduated with a master's degree from a speech-
235 language pathology program that is accredited by an organization
236 recognized by the United States Department of Education and
237 operated by a college or university accredited by a regional or
238 national accrediting organization recognized by the board; or

239 2. Has graduated from a speech-language pathology program
240 that is housed in an institution of higher education outside of
241 the United States for which the degree program and institution
242 have been approved by the authorized accrediting body in the



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243 applicable country and the degree program has been verified by
244 an independent credentials review agency to be comparable to a
245 state licensing board-approved program.

246 (b) Has completed a supervised clinical practicum
247 experience from an educational institution or its cooperating
248 programs as required by the commission.

249 (c) Has completed a supervised postgraduate professional
250 experience as required by the commission.

251 (d) Has successfully passed a national examination approved
252 by the commission.

253 (e) Holds an active, unencumbered license.

254 (f) Has not been convicted or found guilty of, or entered a
255 plea of guilty or nolo contendere to, regardless of
256 adjudication, a felony in any jurisdiction which directly
257 relates to the practice of his or her profession or the ability
258 to practice his or her profession.

259 (g) Has a valid United States social security number or
260 national provider identifier.

261 (7) The privilege to practice is derived from the home
262 state license.

263 (8) An audiologist or speech-language pathologist
264 practicing in a member state must comply with the state practice
265 laws of the member state where the client is located at the time
266 service is provided. The practice of audiology and speech-
267 language pathology includes all audiology and speech-language
268 pathology practices as defined by the state practice laws of the
269 member state where the client is located. The practice of
270 audiology and speech-language pathology in a member state under
271 a privilege to practice subjects an audiologist or speech-



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272 language pathologist to the jurisdiction of the licensing
273 boards, courts, and laws of the member state where the client is
274 located at the time service is provided.

275 (9) Individuals not residing in a member state shall
276 continue to be able to apply for a member state's single-state
277 license as provided under the laws of each member state.

278 However, the single-state license granted to these individuals
279 may not be recognized as granting the privilege to practice
280 audiology or speech-language pathology in any other member
281 state. The compact does not affect the requirements established
282 by a member state for the issuance of a single-state license.

283 (10) Member states must comply with the bylaws and rules of
284 the commission.

285
286 ARTICLE IV

287 COMPACT PRIVILEGE

288
289 (1) To exercise compact privilege under the compact, the
290 audiologist or speech-language pathologist must meet all of the
291 following criteria:

292 (a) Hold an active license in the home state.

293 (b) Have no encumbrance on any state license.

294 (c) Be eligible for compact privilege in any member state
295 in accordance with Article III.

296 (d) Not have any adverse action against any license or
297 compact privilege within the 2 years preceding the date of
298 application.

299 (e) Notify the commission that he or she is seeking compact
300 privilege within a remote state or states.



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301 (f) Report to the commission any adverse action taken by
302 any nonmember state within 30 days after the date the adverse
303 action is taken.

304 (2) For the purposes of compact privilege, an audiologist
305 or speech-language pathologist may hold only one home state
306 license at a time.

307 (3) Except as provided in Article VI, if an audiologist or
308 speech-language pathologist changes his or her primary state of
309 residence by moving between two member states, the audiologist
310 or speech-language pathologist must apply for licensure in the
311 new home state, and the license issued by the prior home state
312 shall be deactivated in accordance with applicable rules adopted
313 by the commission.

314 (4) The audiologist or speech-language pathologist may
315 apply for licensure in advance of a change in his or her primary
316 state of residence.

317 (5) A license may not be issued by the new home state until
318 the audiologist or speech-language pathologist provides
319 satisfactory evidence of a change in his or her primary state of
320 residence to the new home state and satisfies all applicable
321 requirements to obtain a license from the new home state.

322 (6) If an audiologist or speech-language pathologist
323 changes his or her primary state of residence by moving from a
324 member state to a nonmember state, the license issued by the
325 prior home state shall convert to a single-state license, valid
326 only in the former home state.

327 (7) Compact privilege is valid until the expiration date of
328 the home state license. The licensee must comply with the
329 requirements of subsection (1) to maintain compact privilege in



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330 the remote state.

331 (8) A licensee providing audiology or speech-language
332 pathology services in a remote state under compact privilege
333 shall function within the laws and regulations of the remote
334 state.

335 (9) A remote state may, in accordance with due process and
336 state law, remove a licensee's compact privilege in the remote
337 state for a specific period of time, impose fines, or take any
338 other necessary actions to protect the health and safety of its
339 residents.

340 (10) If a home state license is encumbered, the licensee
341 shall lose compact privilege in all remote states until both of
342 the following occur:

343 (a) The home state license is no longer encumbered.

344 (b) Two years have lapsed from the date of the adverse
345 action.

346 (11) Once an encumbered license in the home state is
347 restored to good standing, the licensee must meet the
348 requirements of subsection (1) to obtain compact privilege in
349 any remote state.

350 (12) Once the requirements of subsection (10) have been
351 met, the licensee must meet the requirements in subsection (1)
352 to obtain compact privilege in a remote state.

354 ARTICLE V

355 COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

356
357 Member states shall recognize the right of an audiologist
358 or speech-language pathologist, licensed by a home state in



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359 accordance with Article III and under rules adopted by the
360 commission, to practice audiology or speech-language pathology
361 in any member state through the use of telehealth under
362 privilege to practice as provided in the compact and rules
363 adopted by the commission.

364
365 ARTICLE VI

366 ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES

367
368 Active duty military personnel, or their spouses, as
369 applicable, shall designate a home state where the individual
370 has a current license in good standing. The individual may
371 retain the home state designation during the period the
372 servicemember is on active duty. Subsequent to designating a
373 home state, the individual shall change his or her home state
374 only through application for licensure in the new state.

375
376 ARTICLE VII

377 ADVERSE ACTIONS

378
379 (1) In addition to the other powers conferred by state law,
380 a remote state may:

381 (a) Take adverse action against an audiologist's or speech-
382 language pathologist's privilege to practice within that member
383 state.

384 1. Only the home state has the power to take adverse action
385 against an audiologist's or a speech-language pathologist's
386 license issued by the home state.

387 2. For purposes of taking adverse action, the home state



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388 shall give the same priority and effect to reported conduct
389 received from a member state as it would if the conduct had
390 occurred within the home state. In so doing, the home state
391 shall apply its own state laws to determine appropriate action.

392 (b) Issue subpoenas for both hearings and investigations
393 that require the attendance and testimony of witnesses as well
394 as the production of evidence. Subpoenas issued by a licensing
395 board in a member state for the attendance and testimony of
396 witnesses or the production of evidence from another member
397 state must be enforced in the latter state by any court of
398 competent jurisdiction according to the practice and procedure
399 of that court applicable to subpoenas issued in proceedings
400 pending before it. The issuing authority shall pay any witness
401 fees, travel expenses, mileage, and other fees required by the
402 service statutes of the state in which the witnesses or evidence
403 are located.

404 (c) Complete any pending investigations of an audiologist
405 or speech-language pathologist who changes his or her primary
406 state of residence during the course of the investigations. The
407 home state also has the authority to take appropriate actions
408 and shall promptly report the conclusions of the investigations
409 to the administrator of the data system. The administrator of
410 the data system shall promptly notify the new home state of any
411 adverse actions.

412 (d) If otherwise allowed by state law, recover from the
413 affected audiologist or speech-language pathologist the costs of
414 investigations and disposition of cases resulting from any
415 adverse action taken against that audiologist or speech-language
416 pathologist.



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417 (e) Take adverse action based on the factual findings of
418 the remote state, provided that the member state follows the
419 member state's own procedures for taking the adverse action.

420 (2) (a) In addition to the authority granted to a member
421 state by its respective audiology or speech-language pathology
422 practice act or other applicable state law, any member state may
423 participate with other member states in joint investigations of
424 licensees.

425 (b) Member states shall share any investigative,
426 litigation, or compliance materials in furtherance of any joint
427 or individual investigation initiated under the compact.

428 (3) If adverse action is taken by the home state against an
429 audiologist's or a speech language pathologist's license, the
430 audiologist's or speech-language pathologist's privilege to
431 practice in all other member states shall be deactivated until
432 all encumbrances have been removed from the home state license.
433 All home state disciplinary orders that impose adverse action
434 against an audiologist's or a speech language pathologist's
435 license must include a statement that the audiologist's or
436 speech-language pathologist's privilege to practice is
437 deactivated in all member states during the pendency of the
438 order.

439 (4) If a member state takes adverse action, it must
440 promptly notify the administrator of the data system. The
441 administrator of the data system shall promptly notify the home
442 state of any adverse actions by remote states.

443 (5) The compact does not override a member state's decision
444 that participation in an alternative program may be used in lieu
445 of adverse action.



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447 ARTICLE VIII

448 ESTABLISHMENT OF THE AUDIOLOGY

449 AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT COMMISSION

450
451 (1) The member states hereby create and establish a joint
452 public agency known as the Audiology and Speech-language
453 Pathology Interstate Compact Commission.

454 (a) The commission is an instrumentality of the compact
455 states.

456 (b) Venue is proper, and judicial proceedings by or against
457 the commission must be brought solely and exclusively in a court
458 of competent jurisdiction where the principal office of the
459 commission is located. The commission may waive venue and
460 jurisdictional defenses to the extent it adopts or consents to
461 participate in alternative dispute resolution proceedings.

462 (c) The compact does not waive sovereign immunity except to
463 the extent sovereign immunity is waived in the member states.

464 (2) (a) Each member state must have two delegates selected
465 by that member state's licensing boards. The delegates must be
466 current members of the licensing boards. One delegate must be an
467 audiologist and one delegate must be a speech-language
468 pathologist.

469 (b) An additional five delegates, who are either public
470 members or board administrators from licensing boards, must be
471 chosen by the executive committee from a pool of nominees
472 provided by the commission at large.

473 (c) A delegate may be removed or suspended from office as
474 provided by the state law from which the delegate is appointed.



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475 (d) The member state board shall fill any vacancy occurring
476 on the commission within 90 days after the vacancy occurs.

477 (e) Each delegate is entitled to one vote with regard to
478 the adoption of rules and creation of bylaws and shall otherwise
479 have an opportunity to participate in the business and affairs
480 of the commission.

481 (f) A delegate shall vote in person or by other means as
482 provided in the bylaws. The bylaws may provide for delegates'
483 participation in meetings by telephone or other means of
484 communication.

485 (g) The commission shall meet at least once during each
486 calendar year. Additional meetings must be held as provided in
487 the bylaws and rules.

488 (3) The commission has the following powers and duties:

489 (a) Establish the commission's fiscal year.

490 (b) Establish bylaws.

491 (c) Establish a code of ethics.

492 (d) Maintain its financial records in accordance with the
493 bylaws.

494 (e) Meet and take actions as are consistent with the
495 compact and the bylaws.

496 (f) Adopt uniform rules to facilitate and coordinate
497 implementation and administration of the compact. The rules have
498 the force and effect of law and are binding on all member
499 states.

500 (g) Bring and prosecute legal proceedings or actions in the
501 name of the commission, provided that the standing of an
502 audiology licensing board or a speech-language pathology
503 licensing board to sue or be sued under applicable law is not



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504 affected.

505 (h) Purchase and maintain insurance and bonds.

506 (i) Borrow, accept, or contract for services of personnel,
507 including, but not limited to, employees of a member state.

508 (j) Hire employees, elect or appoint officers, fix
509 compensation, define duties, grant individuals appropriate
510 authority to carry out the purposes of the compact, and
511 establish the commission's personnel policies and programs
512 relating to conflicts of interest, qualifications of personnel,
513 and other related personnel matters.

514 (k) Accept any appropriate donations and grants of money,
515 equipment, supplies, and materials and services, and receive,
516 use, and dispose of the same, provided that at all times the
517 commission must avoid any appearance of impropriety or conflict
518 of interest.

519 (l) Lease, purchase, accept appropriate gifts or donations
520 of, or otherwise own, hold, improve, or use any property, real,
521 personal, or mixed, provided that at all times the commission
522 shall avoid any appearance of impropriety.

523 (m) Sell, convey, mortgage, pledge, lease, exchange,
524 abandon, or otherwise dispose of any property real, personal, or
525 mixed.

526 (n) Establish a budget and make expenditures.

527 (o) Borrow money.

528 (p) Appoint committees, including standing committees,
529 composed of members and other interested persons as may be
530 designated in the compact and the bylaws.

531 (q) Provide and receive information from, and cooperate
532 with, law enforcement agencies.



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533 (r) Establish and elect an executive committee.
534 (s) Perform other functions as may be necessary or
535 appropriate to achieve the purposes of the compact consistent
536 with the state regulation of audiology and speech-language
537 pathology licensure and practice.
538 (4) The executive committee shall have the power to act on
539 behalf of the commission according to the terms of the compact.
540 (a) The executive committee must be composed of 10 members
541 as follows:
542 1. Seven voting members who are elected by the commission
543 from the current membership of the commission.
544 2. Two ex officio members, consisting of one nonvoting
545 member from a recognized national audiology professional
546 association and one nonvoting member from a recognized national
547 speech-language pathology association.
548 3. One ex officio, nonvoting member from the recognized
549 membership organization of the audiology and speech-language
550 pathology licensing boards.
551 (b) The ex officio members must be selected by their
552 respective organizations.
553 (c) The commission may remove any member of the executive
554 committee as provided in the bylaws.
555 (d) The executive committee shall meet at least annually.
556 (e) The executive committee has the following duties and
557 responsibilities:
558 1. Recommend to the entire commission changes to the rules
559 or bylaws and changes to this compact legislation.
560 2. Ensure compact administration services are appropriately
561 provided, contractual or otherwise.



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562 3. Prepare and recommend the budget.

563 4. Maintain financial records on behalf of the commission.

564 5. Monitor compact compliance of member states and provide
565 compliance reports to the commission.

566 6. Establish additional committees as necessary.

567 7. Other duties as provided by rule or bylaw.

568 (f) All meetings must be open to the public, and public
569 notice of meetings must be given in the same manner as required
570 under the rulemaking provisions in Article X.

571 (g) If a meeting or any portion of a meeting is closed
572 under this subsection, the commission's legal counsel or
573 designee must certify that the meeting may be closed and must
574 reference each relevant exempting provision.

575 (h) The commission shall keep minutes that fully and
576 clearly describe all matters discussed in a meeting and shall
577 provide a full and accurate summary of actions taken, and the
578 reasons therefore, including a description of the views
579 expressed. All documents considered in connection with an action
580 must be identified in minutes. All minutes and documents of a
581 closed meeting must remain under seal, subject to release by a
582 majority vote of the commission or order of a court of competent
583 jurisdiction.

584 (5) Relating to the financing of the commission, the
585 commission:

586 (a) Shall pay, or provide for the payment of, the
587 reasonable expenses of its establishment, organization, and
588 ongoing activities.

589 (b) May accept any and all appropriate revenue sources,
590 donations, and grants of money, equipment, supplies, materials,



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591 and services.

592 (c) May not incur obligations of any kind before securing
593 the funds adequate to meet the same and may not pledge the
594 credit of any of the member states, except by and with the
595 authority of the member state.

596 (d) Shall keep accurate accounts of all receipts and
597 disbursements of funds. The receipts and disbursements of funds
598 of the commission are subject to the audit and accounting
599 procedures established under its bylaws. However, all receipts
600 and disbursements of funds handled by the commission must be
601 audited yearly by a certified or licensed public accountant, and
602 the report of the audit must be included in and become part of
603 the annual report of the commission.

604 (6) Relating to qualified immunity, defense, and
605 indemnification:

606 (a) The members, officers, executive director, employees,
607 and representatives of the commission are immune from suit and
608 liability, either personally or in their official capacity, for
609 any claim for damage to or loss of property or personal injury
610 or other civil liability caused by or arising out of any actual
611 or alleged act, error, or omission that occurred, or that the
612 person against whom the claim is made had a reasonable basis for
613 believing occurred, within the scope of commission employment,
614 duties, or responsibilities; provided that this paragraph may
615 not be construed to protect any person from suit or liability
616 for any damage, loss, injury, or liability caused by the
617 intentional or willful or wanton misconduct of that person.

618 (b) The commission shall defend any member, officer,
619 executive director, employee, or representative of the



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620 commission in any civil action seeking to impose liability
621 arising out of any actual or alleged act, error, or omission
622 that occurred within the scope of commission employment, duties,
623 or responsibilities, or that the person against whom the claim
624 is made had a reasonable basis for believing occurred within the
625 scope of commission employment, duties, or responsibilities;
626 provided that this paragraph may not be construed to prohibit
627 that person from retaining his or her own counsel; and provided
628 further that the actual or alleged act, error, or omission did
629 not result from that person's intentional or willful or wanton
630 misconduct.

631 (c) The commission shall indemnify and hold harmless any
632 member, officer, executive director, employee, or representative
633 of the commission for the amount of any settlement or judgment
634 obtained against that person arising out of any actual or
635 alleged act, error, or omission that occurred within the scope
636 of commission employment, duties, or responsibilities, or that
637 the person had a reasonable basis for believing occurred within
638 the scope of commission employment, duties, or responsibilities,
639 provided that the actual or alleged act, error, or omission did
640 not result from the intentional or willful or wanton misconduct
641 of that person.

642
643 ARTICLE IX
644 DATA SYSTEM
645

646 (1) The commission shall provide for the development,
647 maintenance, and use of a coordinated database and reporting
648 system containing licensure, adverse action, and current



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649 significant investigative information on all licensed
650 individuals in member states.

651 (2) Notwithstanding any other law to the contrary, a member
652 state shall submit a uniform data set to the data system on all
653 individuals to whom the compact is applicable as required by the
654 rules of the commission, including all of the following
655 information:

656 (a) Identifying information.

657 (b) Licensure data.

658 (c) Adverse actions against a license or compact privilege.

659 (d) Nonconfidential information related to alternative
660 program participation.

661 (e) Any denial of application for licensure, and the reason
662 for such denial.

663 (f) Other information that may facilitate the
664 administration of the compact, as determined by the rules of the
665 commission.

666 (3) Current significant investigative information
667 pertaining to a licensee in a member state must be available
668 only to other member states.

669 (4) The commission shall promptly notify all member states
670 of any adverse action taken against a licensee or an individual
671 applying for a license. Adverse action information pertaining to
672 a licensee or an individual applying for a license in any member
673 state must be available to any other member state.

674 (5) Member states contributing information to the data
675 system may designate information that may not be shared with the
676 public without the express permission of the contributing state.

677 (6) Any information submitted to the data system that is



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678 subsequently required to be expunged by the laws of the member
679 state contributing the information must be removed from the data
680 system.

681
682 ARTICLE X
683 RULEMAKING
684

685 (1) The commission shall exercise its rulemaking powers
686 pursuant to the criteria provided in this article and the rules
687 adopted thereunder. Rules and amendments become binding as of
688 the date specified in each rule or amendment.

689 (2) If a majority of the legislatures of the member states
690 rejects a rule by enactment of a statute or resolution in the
691 same manner used to adopt the compact within 4 years after the
692 date of adoption of the rule, the rule has no further force and
693 effect in any member state.

694 (3) Rules or amendments to the rules must be adopted at a
695 regular or special meeting of the commission.

696 (4) Before adoption of a final rule or rules by the
697 commission, and at least 30 days before the meeting at which the
698 rule shall be considered and voted upon, the commission shall
699 file a notice of proposed rulemaking:

700 (a) On the website of the commission or other publicly
701 accessible platform; and

702 (b) On the website of each member state audiology licensing
703 board and speech-language pathology licensing board or other
704 publicly accessible platform or the publication where each state
705 would otherwise publish proposed rules.

706 (5) The notice of proposed rulemaking must include all of



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707 the following:

708 (a) The proposed time, date, and location of the meeting in
709 which the rule will be considered and voted upon.

710 (b) The text of and reason for the proposed rule or
711 amendment.

712 (c) A request for comments on the proposed rule from any
713 interested person.

714 (d) The manner in which interested persons may submit
715 notice to the commission of their intention to attend the public
716 hearing and any written comments.

717 (6) Before the adoption of a proposed rule, the commission
718 shall allow persons to submit written data, facts, opinions, and
719 arguments, which shall be made available to the public.

720 (a) The commission shall grant an opportunity for a public
721 hearing before it adopts a rule or amendment if a hearing is
722 requested by:

723 1. At least 25 persons;

724 2. A state or federal governmental subdivision or agency;

725 or

726 3. An association having at least 25 members.

727 (b) If a hearing is held on the proposed rule or amendment,
728 the commission must publish the place, time, and date of the
729 scheduled public hearing. If the hearing is held via electronic
730 means, the commission must publish the mechanism for access to
731 the electronic hearing.

732 (c) All persons wishing to be heard at the hearing shall
733 notify the executive director of the commission or other
734 designated member in writing of their desire to appear and
735 testify at the hearing not less than 5 business days before the



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736 scheduled date of the hearing.

737 (d) Hearings must be conducted in a manner providing each
738 person who wishes to comment a fair and reasonable opportunity
739 to comment orally or in writing.

740 (e) All hearings must be recorded. A copy of the recording
741 must be made available on request.

742 (7) This article does not require a separate hearing on
743 each rule. Rules may be grouped for the convenience of the
744 commission at hearings required by this article.

745 (8) Following the scheduled hearing date, or by the close
746 of business on the scheduled hearing date if the hearing was not
747 held, the commission shall consider all written and oral
748 comments received.

749 (9) If no written notice of intent to attend the public
750 hearing by interested parties is received, the commission may
751 proceed with adoption of the proposed rule without a public
752 hearing.

753 (10) The commission shall, by majority vote of all members,
754 take final action on the proposed rule and shall determine the
755 effective date of the rule, if any, based on the rulemaking
756 record and the full text of the rule.

757 (11) Upon determination that an emergency exists, the
758 commission may consider and adopt an emergency rule without
759 prior notice, opportunity for comment, or hearing, provided that
760 the usual rulemaking procedures provided in the compact and in
761 this article retroactively apply to the rule as soon as
762 reasonably possible, but in no event later than 90 days after
763 the effective date of the rule. For purposes of this subsection,
764 an emergency rule is one that must be adopted immediately in



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765 order to:

766 (a) Meet an imminent threat to public health, safety, or
767 welfare;

768 (b) Prevent a loss of commission or member state funds; or

769 (c) Meet a deadline for the promulgation of an
770 administrative rule that is established by federal law or rule.

771 (12) The commission or an authorized committee of the
772 commission may direct revisions to a previously adopted rule or
773 amendment for purposes of correcting typographical errors,
774 errors in format, errors in consistency, or grammatical errors.
775 Public notice of any revisions must be posted on the website of
776 the commission. The revisions are subject to challenge by any
777 person for a period of 30 days after posting. A revision may be
778 challenged only on grounds that it results in a material change
779 to a rule. A challenge must be made in writing and delivered to
780 the chair of the commission before the end of the notice period.
781 If no challenge is made, the revision takes effect without
782 further action. If the revision is challenged, the revision may
783 not take effect without the approval of the commission.

784

785 ARTICLE XI

786 DISPUTE RESOLUTION

787 AND ENFORCEMENT

788

789 (1) (a) Upon request by a member state, the commission shall
790 attempt to resolve disputes related to the compact which arise
791 among member states and between member and nonmember states.

792 (b) The commission shall adopt a rule providing for both
793 mediation and binding dispute resolution for disputes as



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794 appropriate.

795 (2) (a) The commission, in the reasonable exercise of its
796 discretion, shall enforce the compact.

797 (b) By majority vote, the commission may initiate legal
798 action in the United States District Court for the District of
799 Columbia or the federal district where the commission has its
800 principal offices against a member state in default to enforce
801 compliance with the compact and its adopted rules and bylaws.
802 The relief sought may include both injunctive relief and
803 damages. In the event judicial enforcement is necessary, the
804 prevailing member must be awarded all costs of litigation,
805 including reasonable attorney fees.

806 (c) The remedies provided in this subsection are not the
807 exclusive remedies of the commission. The commission may pursue
808 any other remedies available under federal or state law.

810 ARTICLE XII

811 EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

812
813 (1) The compact becomes effective and binding on the date
814 of legislative enactment of the compact by no fewer than 10
815 member states. The provisions, which become effective at that
816 time, shall be limited to the powers granted to the commission
817 relating to assembly and the adoption of rules. Thereafter, the
818 commission shall meet and exercise rulemaking powers as
819 necessary to implement and administer the compact.

820 (2) Any state that joins the compact subsequent to the
821 commission's initial adoption of the rules is subject to the
822 rules as they exist on the date on which the compact becomes law



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823 in that state. Any rule that has been previously adopted by the
824 commission has the full force and effect of law on the day the
825 compact becomes law in that state.

826 (3) A member state may withdraw from the compact by
827 enacting a statute repealing the compact.

828 (a) A member state's withdrawal does not take effect until
829 6 months after enactment of the repealing statute.

830 (b) Withdrawal does not affect the continuing requirement
831 of the withdrawing state's audiology licensing board or speech-
832 language pathology licensing board to comply with the
833 investigative and adverse action reporting requirements of the
834 compact before the effective date of withdrawal.

835 (4) The compact does not invalidate or prevent any
836 audiology or speech-language pathology licensure agreement or
837 other cooperative arrangement between a member state and a
838 nonmember state which does not conflict with the compact.

839 (5) The compact may be amended by the member states. An
840 amendment to the compact does not become effective and binding
841 upon any member state until it is enacted into the laws of all
842 member states.

844 ARTICLE XIII

845 CONSTRUCTION AND SEVERABILITY

846
847 The compact must be liberally construed so as to effectuate
848 its purposes. The provisions of the compact are severable and if
849 any phrase, clause, sentence, or provision of the compact is
850 declared to be contrary to the constitution of any member state
851 or of the United States or the applicability thereof to any



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852 government, agency, person, or circumstance is held invalid, the
853 validity of the remainder of the compact and the applicability
854 thereof to any government, agency, person, or circumstance is
855 not be affected. If the compact is held contrary to the
856 constitution of any member state, it shall remain in full force
857 and effect as to the remaining member states and in full force
858 and effect as to the member state affected as to all severable
859 matters.

861 ARTICLE XIV

862 BINDING EFFECT OF COMPACT AND OTHER LAWS

863
864 (1) This compact does not prevent the enforcement of any
865 other law of a member state which is not inconsistent with the
866 compact.

867 (2) All laws of a member state in conflict with the compact
868 are superseded to the extent of the conflict.

869 (3) All lawful actions of the commission, including all
870 rules and bylaws adopted by the commission, are binding upon the
871 member states.

872 (4) All agreements between the commission and the member
873 states are binding in accordance with their terms.

874 (5) In the event any provision of the compact exceeds the
875 constitutional limits imposed on the legislature of any member
876 state, the provision is ineffective to the extent of the
877 conflict with the constitutional provision in question in that
878 member state.

879 Section 53. Subsection (10) of section 456.073, Florida
880 Statutes, is amended to read:



881 456.073 Disciplinary proceedings.—Disciplinary proceedings
882 for each board shall be within the jurisdiction of the
883 department.

884 (10) (a) The complaint and all information obtained pursuant
885 to the investigation by the department are confidential and
886 exempt from s. 119.07(1) until 10 days after probable cause has
887 been found to exist by the probable cause panel or by the
888 department, or until the regulated professional or subject of
889 the investigation waives his or her privilege of
890 confidentiality, whichever occurs first.

891 (b) The department shall report any significant
892 investigation information relating to a nurse holding a
893 multistate license to the coordinated licensure information
894 system pursuant to s. 464.0095; any investigative information
895 relating to an audiologist or a speech-language pathologist
896 holding a compact privilege under the Audiology and Speech-
897 Language Pathology Interstate Compact to the data system
898 pursuant to s. 468.1335; any significant investigatory
899 information relating to a psychologist practicing under the
900 Psychology Interjurisdictional Compact to the coordinated
901 licensure information system pursuant to s. 490.0075; and any
902 significant investigatory information relating to a health care
903 practitioner practicing under the Professional Counselors
904 Licensure Compact to the data system pursuant to s. 491.017, ~~and~~
905 ~~any significant investigatory information relating to a~~
906 ~~psychologist practicing under the Psychology Interjurisdictional~~
907 ~~Compact to the coordinated licensure information system pursuant~~
908 ~~to s. 490.0075.~~

909 (c) Upon completion of the investigation and a



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910 recommendation by the department to find probable cause, and
911 pursuant to a written request by the subject or the subject's
912 attorney, the department shall provide the subject an
913 opportunity to inspect the investigative file or, at the
914 subject's expense, forward to the subject a copy of the
915 investigative file. Notwithstanding s. 456.057, the subject may
916 inspect or receive a copy of any expert witness report or
917 patient record connected with the investigation if the subject
918 agrees in writing to maintain the confidentiality of any
919 information received under this subsection until 10 days after
920 probable cause is found and to maintain the confidentiality of
921 patient records pursuant to s. 456.057. The subject may file a
922 written response to the information contained in the
923 investigative file. Such response must be filed within 20 days
924 of mailing by the department, unless an extension of time has
925 been granted by the department.

926 (d) This subsection does not prohibit the department from
927 providing the complaint and any information obtained pursuant to
928 the department's investigation ~~such information~~ to any law
929 enforcement agency or to any other regulatory agency.

930 Section 54. Subsection (5) of section 456.076, Florida
931 Statutes, is amended to read:

932 456.076 Impaired practitioner programs.—

933 (5) A consultant shall enter into a participant contract
934 with an impaired practitioner and shall establish the terms of
935 monitoring and shall include the terms in a participant
936 contract. In establishing the terms of monitoring, the
937 consultant may consider the recommendations of one or more
938 approved evaluators, treatment programs, or treatment providers.



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939 A consultant may modify the terms of monitoring if the
940 consultant concludes, through the course of monitoring, that
941 extended, additional, or amended terms of monitoring are
942 required for the protection of the health, safety, and welfare
943 of the public. If the impaired practitioner is an audiologist or
944 a speech-language pathologist practicing under the Audiology and
945 Speech-Language Pathology Interstate Compact pursuant to s.
946 468.1335, a psychologist practicing under the Psychology
947 Interjurisdictional Compact pursuant to s. 490.0075, or a health
948 care practitioner practicing under the Professional Counselors
949 Licensure Compact pursuant to s. 491.017, the terms of the
950 monitoring contract must include the impaired practitioner's
951 withdrawal from all practice under the compact unless authorized
952 by a member state. ~~If the impaired practitioner is a~~
953 ~~psychologist practicing under the Psychology Interjurisdictional~~
954 ~~Compact pursuant to s. 490.0075, the terms of the monitoring~~
955 ~~contract must include the impaired practitioner's withdrawal~~
956 ~~from all practice under the compact.~~

957 Section 55. Present subsections (4), (5), and (6) of
958 section 468.1135, Florida Statutes, are redesignated as
959 subsections (5), (6), and (7), respectively, and a new
960 subsection (4) is added to that section, to read:

961 468.1135 Board of Speech-Language Pathology and Audiology.—

962 (4) The board shall appoint two of its members to serve as
963 the state's delegates on the Speech-Language Pathology
964 Interstate Compact Commission, as required under s. 468.1335,
965 one of whom must be an audiologist and one of whom must be a
966 speech-language pathologist.

967 Section 56. Subsection (6) is added to section 468.1185,



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968 Florida Statutes, to read:

969 468.1185 Licensure.—

970 (6) A person licensed as an audiologist or a speech-
971 language pathologist in another state who is practicing under
972 the Audiology and Speech-Language Pathology Interstate Compact
973 pursuant to s. 468.1335, and only within the scope provided
974 therein, is exempt from the licensure requirements of this
975 section.

976 Section 57. Subsections (1) and (2) of section 468.1295,
977 Florida Statutes, are amended to read:

978 468.1295 Disciplinary proceedings.—

979 (1) The following acts constitute grounds for denial of a
980 license or disciplinary action, as specified in s. 456.072(2) or
981 s. 468.1335:

982 (a) Procuring, or attempting to procure, a license by
983 bribery, by fraudulent misrepresentation, or through an error of
984 the department or the board.

985 (b) Having a license revoked, suspended, or otherwise acted
986 against, including denial of licensure, by the licensing
987 authority of another state, territory, or country.

988 (c) Being convicted or found guilty of, or entering a plea
989 of nolo contendere to, regardless of adjudication, a crime in
990 any jurisdiction which directly relates to the practice of
991 speech-language pathology or audiology.

992 (d) Making or filing a report or record which the licensee
993 knows to be false, intentionally or negligently failing to file
994 a report or records required by state or federal law, willfully
995 impeding or obstructing such filing, or inducing another person
996 to impede or obstruct such filing. Such report or record shall



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997 include only those reports or records which are signed in one's
998 capacity as a licensed speech-language pathologist or
999 audiologist.

1000 (e) Advertising goods or services in a manner which is
1001 fraudulent, false, deceptive, or misleading in form or content.

1002 (f) Being proven guilty of fraud or deceit or of
1003 negligence, incompetency, or misconduct in the practice of
1004 speech-language pathology or audiology.

1005 (g) Violating a lawful order of the board or department
1006 previously entered in a disciplinary hearing, or failing to
1007 comply with a lawfully issued subpoena of the board or
1008 department.

1009 (h) Practicing with a revoked, suspended, inactive, or
1010 delinquent license.

1011 (i) Using, or causing or promoting the use of, any
1012 advertising matter, promotional literature, testimonial,
1013 guarantee, warranty, label, brand, insignia, or other
1014 representation, however disseminated or published, which is
1015 misleading, deceiving, or untruthful.

1016 (j) Showing or demonstrating or, in the event of sale,
1017 delivery of a product unusable or impractical for the purpose
1018 represented or implied by such action.

1019 (k) Failing to submit to the board on an annual basis, or
1020 such other basis as may be provided by rule, certification of
1021 testing and calibration of such equipment as designated by the
1022 board and on the form approved by the board.

1023 (l) Aiding, assisting, procuring, employing, or advising
1024 any licensee or business entity to practice speech-language
1025 pathology or audiology contrary to this part, chapter 456, or



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1026 any rule adopted pursuant thereto.

1027 (m) Misrepresenting the professional services available in
1028 the fitting, sale, adjustment, service, or repair of a hearing
1029 aid, or using any other term or title which might connote the
1030 availability of professional services when such use is not
1031 accurate.

1032 (n) Representing, advertising, or implying that a hearing
1033 aid or its repair is guaranteed without providing full
1034 disclosure of the identity of the guarantor; the nature, extent,
1035 and duration of the guarantee; and the existence of conditions
1036 or limitations imposed upon the guarantee.

1037 (o) Representing, directly or by implication, that a
1038 hearing aid utilizing bone conduction has certain specified
1039 features, such as the absence of anything in the ear or leading
1040 to the ear, or the like, without disclosing clearly and
1041 conspicuously that the instrument operates on the bone
1042 conduction principle and that in many cases of hearing loss this
1043 type of instrument may not be suitable.

1044 (p) Stating or implying that the use of any hearing aid
1045 will improve or preserve hearing or prevent or retard the
1046 progression of a hearing impairment or that it will have any
1047 similar or opposite effect.

1048 (q) Making any statement regarding the cure of the cause of
1049 a hearing impairment by the use of a hearing aid.

1050 (r) Representing or implying that a hearing aid is or will
1051 be "custom-made," "made to order," or "prescription-made," or in
1052 any other sense specially fabricated for an individual, when
1053 such is not the case.

1054 (s) Canvassing from house to house or by telephone, either



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1055 in person or by an agent, for the purpose of selling a hearing
1056 aid, except that contacting persons who have evidenced an
1057 interest in hearing aids, or have been referred as in need of
1058 hearing aids, shall not be considered canvassing.

1059 (t) Failing to notify the department in writing of a change
1060 in current mailing and place-of-practice address within 30 days
1061 after such change.

1062 (u) Failing to provide all information as described in ss.
1063 468.1225(5)(b), 468.1245(1), and 468.1246.

1064 (v) Exercising influence on a client in such a manner as to
1065 exploit the client for financial gain of the licensee or of a
1066 third party.

1067 (w) Practicing or offering to practice beyond the scope
1068 permitted by law or accepting and performing professional
1069 responsibilities the licensee or certificateholder knows, or has
1070 reason to know, the licensee or certificateholder is not
1071 competent to perform.

1072 (x) Aiding, assisting, procuring, or employing any
1073 unlicensed person to practice speech-language pathology or
1074 audiology.

1075 (y) Delegating or contracting for the performance of
1076 professional responsibilities by a person when the licensee
1077 delegating or contracting for performance of such
1078 responsibilities knows, or has reason to know, such person is
1079 not qualified by training, experience, and authorization to
1080 perform them.

1081 (z) Committing any act upon a patient or client which would
1082 constitute sexual battery or which would constitute sexual
1083 misconduct as defined pursuant to s. 468.1296.



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1084 (aa) Being unable to practice the profession for which he
1085 or she is licensed or certified under this chapter with
1086 reasonable skill or competence as a result of any mental or
1087 physical condition or by reason of illness, drunkenness, or use
1088 of drugs, narcotics, chemicals, or any other substance. In
1089 enforcing this paragraph, upon a finding by the State Surgeon
1090 General, his or her designee, or the board that probable cause
1091 exists to believe that the licensee or certificateholder is
1092 unable to practice the profession because of the reasons stated
1093 in this paragraph, the department shall have the authority to
1094 compel a licensee or certificateholder to submit to a mental or
1095 physical examination by a physician, psychologist, clinical
1096 social worker, marriage and family therapist, or mental health
1097 counselor designated by the department or board. If the licensee
1098 or certificateholder refuses to comply with the department's
1099 order directing the examination, such order may be enforced by
1100 filing a petition for enforcement in the circuit court in the
1101 circuit in which the licensee or certificateholder resides or
1102 does business. The department shall be entitled to the summary
1103 procedure provided in s. 51.011. A licensee or certificateholder
1104 affected under this paragraph shall at reasonable intervals be
1105 afforded an opportunity to demonstrate that he or she can resume
1106 the competent practice for which he or she is licensed or
1107 certified with reasonable skill and safety to patients.

1108 (bb) Violating any provision of this chapter or chapter
1109 456, or any rules adopted pursuant thereto.

1110 (2) (a) The board may enter an order denying licensure or
1111 imposing any of the penalties in s. 456.072(2) against any
1112 applicant for licensure or licensee who is found guilty of



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1113 violating any provision of subsection (1) of this section or who
1114 is found guilty of violating any provision of s. 456.072(1).

1115 (b) The board may take adverse action against an
1116 audiologist's or a speech-language pathologist's compact
1117 privilege under the Audiology and Speech-Language Pathology
1118 Interstate Compact pursuant to s. 468.1335 and may impose any of
1119 the penalties in s. 456.072(2), if an audiologist or a speech-
1120 language pathologist commits an act specified in subsection (1)
1121 or s. 456.072(1).

1122 Section 58. Paragraph (j) is added to subsection (10) of
1123 section 768.28, Florida Statutes, to read:

1124 768.28 Waiver of sovereign immunity in tort actions;
1125 recovery limits; civil liability for damages caused during a
1126 riot; limitation on attorney fees; statute of limitations;
1127 exclusions; indemnification; risk management programs.—

1128 (10)

1129 (j) For purposes of this section, the individuals appointed
1130 under s. 468.1135(4) as the state's delegates on the Audiology
1131 and Speech-Language Pathology Interstate Compact Commission,
1132 when serving in that capacity pursuant to s. 468.1335, and any
1133 administrator, officer, executive director, employee, or
1134 representative of the commission, when acting within the scope
1135 of his or her employment, duties, or responsibilities in this
1136 state, is considered an agent of the state. The commission shall
1137 pay any claims or judgments pursuant to this section and may
1138 maintain insurance coverage to pay any such claims or judgments.

1139
1140 ===== T I T L E A M E N D M E N T =====

1141 And the title is amended as follows:



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1142 Delete line 341
1143 and insert:
1144 act; creating s. 468.1335, F.S.; creating the
1145 Audiology and Speech-Language Pathology Interstate
1146 Compact; providing purposes and objectives; defining
1147 terms; specifying requirements for state participation
1148 in the compact and duties of member states; specifying
1149 that the compact does not affect an individual's
1150 ability to apply for, and a member state's ability to
1151 grant, a single-state license pursuant to the laws of
1152 that state; providing for recognition of compact
1153 privilege in member states; specifying criteria a
1154 licensee must meet for a compact privilege; providing
1155 for the expiration and renewal of the compact
1156 privilege; specifying that a licensee with a compact
1157 privilege in a remote state must adhere to the laws
1158 and rules of that state; authorizing member states to
1159 act on a licensee's compact privilege under certain
1160 circumstances; specifying the consequences and
1161 parameters of practice for a licensee whose compact
1162 privilege has been acted on or whose home state
1163 license is encumbered; specifying that a licensee may
1164 hold a home state license in only one member state at
1165 a time; specifying requirements and procedures for
1166 changing a home state license designation; providing
1167 for the recognition of the practice of audiology and
1168 speech-language pathology through telehealth in member
1169 states; specifying that licensees must adhere to the
1170 laws and rules of the remote state where they provide



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1171 audiology or speech-language pathology through
1172 telehealth; authorizing active duty military personnel
1173 and their spouses to keep their home state designation
1174 during active duty; specifying how such individuals
1175 may subsequently change their home state license
1176 designation; authorizing member states to take adverse
1177 actions against licensees and issue subpoenas for
1178 hearings and investigations under certain
1179 circumstances; providing requirements and procedures
1180 for such adverse action; authorizing member states to
1181 engage in joint investigations under certain
1182 circumstances; providing that a licensee's compact
1183 privilege must be deactivated in all member states for
1184 the duration of an encumbrance imposed by the
1185 licensee's home state; providing for notice to the
1186 data system and the licensee's home state of any
1187 adverse action taken against a licensee; establishing
1188 the Audiology and Speech-language Pathology Interstate
1189 Compact Commission; providing for jurisdiction and
1190 venue for court proceedings; providing for membership
1191 and powers of the commission; specifying powers and
1192 duties of the commission's executive committee;
1193 providing for the financing of the commission;
1194 providing specified individuals immunity from civil
1195 liability under certain circumstances; providing
1196 exceptions; requiring the commission to defend the
1197 specified individuals in civil actions under certain
1198 circumstances; requiring the commission to indemnify
1199 and hold harmless specified individuals for any



1200 settlement or judgment obtained in such actions under
1201 certain circumstances; providing for the development
1202 of the data system, reporting procedures, and the
1203 exchange of specified information between member
1204 states; requiring the commission to notify member
1205 states of any adverse action taken against a licensee
1206 or applicant for licensure; authorizing member states
1207 to designate as confidential information provided to
1208 the data system; requiring the commission to remove
1209 information from the data system under certain
1210 circumstances; providing rulemaking procedures for the
1211 commission; providing for member state enforcement of
1212 the compact; authorizing the commission to receive
1213 notice of process, and have standing to intervene, in
1214 certain proceedings; rendering certain judgments and
1215 orders void as to the commission, the compact, or
1216 commission rules under certain circumstances;
1217 providing for defaults and termination of compact
1218 membership; providing procedures for the resolution of
1219 certain disputes; providing for commission enforcement
1220 of the compact; providing for remedies; providing for
1221 implementation of, withdrawal from, and amendment to
1222 the compact; providing construction and for
1223 severability; specifying that the compact, commission
1224 rules, and commission actions are binding on member
1225 states; amending s. 456.073, F.S.; requiring the
1226 Department of Health to report certain investigative
1227 information to the commission's data system; amending
1228 s. 456.076, F.S.; requiring that monitoring contracts



1229 for certain impaired practitioners participating in
1230 treatment programs contain specified terms; amending
1231 s. 468.1135, F.S.; requiring the Board of Speech-
1232 Language Pathology and Audiology to appoint two of its
1233 board members to serve as the state's delegates on the
1234 compact commission; amending s. 468.1185, F.S.;
1235 exempting audiologists and speech-language
1236 pathologists from licensure requirements if they are
1237 practicing in this state pursuant to a compact
1238 privilege under the compact; amending s. 468.1295,
1239 F.S.; authorizing the board to take adverse action
1240 against the compact privilege of audiologists and
1241 speech-language pathologists for specified prohibited
1242 acts; amending s. 768.28, F.S.; designating the state
1243 delegates and other members or employees of the
1244 compact commission as state agents for the purpose of
1245 applying sovereign immunity and waivers of sovereign
1246 immunity; requiring the commission to pay certain
1247 claims or judgments; authorizing the compact
1248 commission to maintain insurance coverage to pay such
1249 claims or judgments; providing appropriations;
1250 providing effective