

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Licensure for Speech Pathology and Audiology

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Board of Examiners for Speech-Language Pathology and Audiology

Address: Rt. 1, Box 191, Buckhannon, West Virginia 26201

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Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

This amendment will not have any cost to state government. The objective is to increase revenue for increasing operational cost of the Board. Changes in other sections of the rule pertain to continuing education, renewal of license and creating a retired license status.

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	119,200.00	37,000.00	157,500.00

Rule Title: _____

Rule Title: Licensure for Speech Pathology and Audiology

3. Explanation of above estimates (including long-range effect):

Please include any increase or decrease in fees in your estimated total revenues.

The Board has raised the fees in looking at a long-range effect that will cover rising operational cost of the Board. Fees have not been raised since 2002. The amendment includes:

1. Initial fees were raised by \$50.00 per applicant. (These are first time licensees) Based on previous years we average 140 new applicants biennially. This would raise revenue an additional \$7,000.
2. Initial Dual license raised \$50.00 per applicant would be an increase of \$250.00.
3. Renewal fee was raised \$25.00 per applicant. this increases revenue \$20,000.
4. Charging a registration fee of \$50.00 for Assistants and a renewal fee of \$30.00 per year would generate approximately \$500 per year.
5. We decreased the fees for initial license by \$100.00 for the 4th quarter of the 2-year licensing period. At an average of 35 people applying in the last quarter this would be a decrease of \$1,750.

MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule would not have a fiscal impact, and/or any special issues not captured elsewhere on this form.

Unlike other Boards generating money every year, we only generate a sufficient amount of revenue every other year. So our funds must last for a 2 year period. This is the reason the totals fluctuate so much on question #2 of the Fiscal Note Detail.

The Board would like to have enough funds in reserve for unexpected expenses for complaints, attorney fees and we would like to project office space in the future and secure part-time support staff for clerical and investigative services.

At present, our roll-over only amounts to approximately \$33,000.00 in 2008. This, of course, is the reason for increasing our fees.

Date: April 20, 2007

Signature of Agency Head or Authorized Representative

Cinda L. Shaver

Statement of Purpose

The Board is proposing amendments to Title 29, Series 1, Appendix One. This amendment will give the Board the authority to charge for expenses such as copies, duplicating licenses, postage and handling and various operating costs.

Licensing fees are being altered to benefit the licensee by decreasing fees involved during the 2nd year of the two-year licensing period and a retired license status is being created. Speech-Language Pathology and Audiology Assistants will now be charged a fee to cover registration cost.

Statement of Circumstances

The Board's goal for the future is to secure part-time support staff and to maintain an actual office. With the rising cost of office operations, personnel benefits, complaint procedure cost and office expenses we feel it necessary to increase our licensing fees, but at the same time lowering the initial fee for the last 6 months of the 2-year licensing period. Additional administrative fees were added to give the Board authority to charge for various services.

Amendments to the continuing education requirements are being made to clarify what activities the Board deems acceptable.

A new license status labeled "Retired License" is being added to aid licensees who have hardship circumstances and to those licensees who may retire but later decide to return to their profession part time.

TITLE 29

LEGISLATIVE RULE

**WEST VIRGINIA BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND
AUDIOLOGY**

SERIES 1

LICENSURE OF SPEECH-PATHOLOGY AND AUDIOLOGY

§29-1-1. General.

1.1. Scope. -- This legislative rule establishes the qualifications necessary to obtain licensure as a speech-language pathologists or audiologist in the State of West Virginia. It also establishes the prerequisites for waiving requirements, provisional licensure, professional licensure renewal, reinstatement of expired licenses, and standards of conduct.

1.2. Authority. -- ~~W.Va.~~ Code §30-32-10.

1.3. Filing Date. -- June 26, 2002.

1.4. Effective Date. -- July 1, 2002.

FILED
2007 APR 24 AM 10:13
OFFICE ASSISTANT
SECRETARY OF STATE

§29-1.2. Definitions.

2.1. "ASHA" means the American Speech-Language-Hearing Association.

2.2. "Initial License" means someone who has never held a license in speech pathology or Audiology in the state of West Virginia.

2.3. "the Board" refers to the West Virginia Board of Examiners for Speech-Language Pathology and Audiology.

§29-1-3. Qualifications.

- 3.1. To be eligible for licensure by the Board as a speech-language pathologists or audiologists, the applicant shall:
- 3.1.a. Make application to the Board on the license application form approved by the Board;
 - 3.1.b. Pay to the Board the appropriate application fee as required under appendix one of this rule;
 - 3.1.c. Possess at least a master's degree or equivalent in speech-language pathology or Audiology that consists of coursework approved by the ~~American Speech Language Hearing Association as described in appendix six of this rule;~~ Council of Academic Accreditation (CAA).
 - 3.1.d. Complete supervised clinical practicum experience requirements as defined in appendix two of this rule;
 - 3.1.e. Complete a post-graduate professional experience as described in appendix three of this rule;
 - 3.1.f. Authenticate post-graduate professional experience requirements by submitting verification of the certificate of clinical competence issued by ASHA. Applicants not seeking the certificate of clinical competence shall submit a completed clinical fellowship year report on a form prescribed by the Board and related documentation as described in appendix three of this rule; and
 - 3.1.g. ~~Pass the national examination in speech language pathology or Audiology which is approved by the American Speech Language Hearing Association.~~ Obtain a passing score of at least 600 on the national examination in the area for which licensure is sought. The Board recognizes only the Educational Testing Service's specialty area examinations for speech-language pathology and Audiology as the licensure examination.

§29-1-4. Provisional License.

- 4.1. The Board shall issue the provisional license for a period of one year.
- 4.2. The provisional license is renewable for one additional year upon proof of the completion of a minimum of 10 hours of continuing education in the previous one year licensing period, the

completion of the provisional license renewal application form, and the payment of the provisional license renewal fee as prescribed in appendix one of this rule.

§29-1-5. Renewal.

- 5.1. Licenses expire on January 1 in each odd numbered year.
- 5.2. A licensee requesting renewal of a license shall:
 - 5.2.a. Pay to the Board the professional license renewal fees listed in appendix one;
 - 5.2.b. Submit an application for renewal on the professional license renewal form prescribed by the Board;
 - 5.2.c. Complete a minimum of twenty hours of continuing education activities during the two-year licensing period for each license held. Content of the activities shall be directly related to the professional growth and development of speech language pathologists and audiologists as defined in appendix four of the rule.
- 5.3. The Board shall mail renewal applications to all licensees during the fourth (4th) quarter of the year the license expires.

§29-1-6. Reinstatement of Expired Licenses.

- 6.1. The Board shall reinstate the license of a licensee who fails to renew his or her license by the end of the thirty (30) day grace period if the licensee:
 - 6.1.a. Submits a written request for reinstatement of his or her professional license to the Board within five years after the expiration date of his or her license;
 - 6.1.b. Completes ~~ten~~ five hours of approved continuing education per year that the license was expired up to ~~but not exceeding five years~~ a maximum of 25 hours; and

- 6.1.c. Pays to the Board a reinstatement fee equal to the renewal fee in effect on the last regular renewal date immediately preceding the date of reinstatement, and the professional license reinstatement fee required in appendix one of this rule.

§29-1-7. Retirement of Licenses.

- 7.1. Retired status is granted to speech-language pathologists and audiologists who are retired and do not practice speech-language pathology or Audiology after the expiration date of their current license.
- 7.2. These licensees shall complete the affidavit on the continuing education report and submit it at the time of licensure renewal.
- 7.3. Retired licensees may retain their license by payment of the annual renewal fee. In order to resume the practice of speech-language pathology or Audiology, retired licensees shall demonstrate completion of the five clock hours of continuing education in the area of licensure for each year that the retired status was maintained (maximum of 25 hours).
- 7.4. The licensee may submit the required five hours of continuing education each year he/she is retired or submit all of the hours the year he/she returns to work in the profession.

§29-1.8 Standards of Conduct.

- 8.1. Licensees shall comply with the West Virginia Board of Examiners for Speech-Language Pathology and Audiology Code of Ethics set forth in appendix five of this rule. Failure to comply with the Code of Ethics in appendix five of this rule will be grounds for disciplinary action as described in W.Va. Code §30-32-17.

APPENDIX ONE

SCHEDULE OF FEES

§29-1-9. Fees:

INITIAL FEES

1. Initial application for provisional and professional (non-refundable)	\$100.00
2. Initial license in Speech-Language Pathology (two years)	<u>\$200.00</u>
3. Initial license in Audiology (two years)	<u>\$200.00</u>
4. Initial dual license in Speech-Language Pathology and Audiology	<u>\$275.00</u>
<u>5. Initial registration of a Speech-Language Pathology or Audiology Assistant</u>	<u>\$ 50.00</u>

~~NOTE: Initial applications received the first twelve (12) months of the two-year licensure period will pay one hundred fifty (\$150.00) dollars licensing fee. Applications received from the thirteenth (13) through the twenty fourth (24) month will pay one hundred (\$100.00) dollars licensing fee. Dual applications will pay two hundred twenty five (\$225.00) dollars for initial license for the first twelve (12) months of the two-year licensure period. Dual applications received from the thirteenth (13) through the twenty fourth (24) month will pay one hundred twenty five (\$125.00) dollars license fee.~~

INITIAL FEES (Jul – Dec of second year of licensing period):

<u>6. Initial application for professional (non-refundable)</u>	<u>\$ 75.00</u>
<u>7. Initial license in Speech-Language Pathology (two-year)</u>	<u>\$ 75.00</u>
<u>8. Initial license in Audiology (two years)</u>	<u>\$ 75.00</u>
<u>9. Initial dual license in Speech-Language Pathology and Audiology</u>	<u>\$150.00</u>

RENEWAL FEES:

1. Renewal in Speech-Language Pathology (two years)	<u>\$175.00</u>
2. Renewal in Audiology (two years)	<u>\$175.00</u>

3. Dual license in Speech-Language Pathology and Audiology (two years)	<u>\$250.00</u>
4. Provisional license in Speech-Language Pathology (one year)	\$ 50.00
5. Provisional license in Audiology (one year)	\$ 50.00
6. <u>Renewal of Registration for Speech-Language Pathology and Audiology Assistant</u>	<u>\$ 30.00</u>
7. <u>Renewal late fee (applies when renewal application, CEU's or renewal fees are received Between January 1 through January 31.)</u>	\$ 75.00
8. <u>Reinstatement fee (applies to the licensee who has not renewed his/her license after January 31)</u>	\$100.00

**Schedule of Fees for Services Rendered by the West Virginia Board of Examiners for Speech-
Language Pathology and Audiology**

<u>1. Duplicate License</u>	<u>\$ 10.00</u>
<u>2. Duplicate Wall Certificate (initial wall certificate is free)</u>	<u>\$ 15.00</u>
<u>3. Change of Name and/or Address (includes duplicate license)</u>	<u>\$ 10.00</u>
<u>4. Copies of public records (per page; includes shipping)</u>	<u>\$.50</u>
<u>5. Roster of Active Licensees for Speech-Language Pathology</u>	<u>\$100.00</u>
<u>6. Roster of Active Licensees for Audiology</u>	<u>\$ 50.00</u>
<u>7. Insufficient Funds Penalty</u>	<u>\$ 20.00</u>
<u>8. Penalty fees determined by the Board for disciplinary actions not to exceed--</u>	<u>\$500.00</u>
<u>9. Review and evaluate continuing education program from event provider</u>	<u>\$ 50.00</u>
<u>10. Out-of -State Letters of Good Standing or Affidavits</u>	<u>\$ 25.00</u>
<u>11. Copies of Rules and Regulations (includes shipping and handling)</u>	<u>\$ 10.00</u>

APPENDIX TWO

§29-1-10. Academic Clinical Practicum Requirements.

10.1 The appendix defines the academic clinical practicum requirements for licensure in speech-language pathology and Audiology for all applicants. 350 clock hours are required in the following manner.

10.1.a. At least 250 of these hours shall be in the area for which licensure is requested. At least 50 hours shall be in each of three different types of clinical settings (i.e.: medical offices, rehabilitation clinics, hospitals. etc.).

10.2. For licensure in speech-language pathology the applicant shall obtain at least ~~least~~ 20 hours in each of the following eight categories:

10.2.a. Evaluation of speech disorders in children;

10.2.b. Evaluation of speech disorders in adults;

10.2.c. Evaluation of language disorders in children;

10.2.d. Evaluation of language disorders in adults;

10.2.e. Treatment of speech disorders in children;

10.2.f. Treatment of Speech disorders in adults;

10.2.g. Treatment of language disorders in children; and

10.2.h. Treatment of language disorders in adults.

10.3. Up to 20 clock hours in the major professional area may be in related disorders and at least 35 of the 350 hours shall be in Audiology divided into the following two categories;

10.3.a. At least 15 of these hours shall involve the evaluation or screening of hearing; and

10.3.b. At least 15 hours of these hours shall involve the habilitation/rehabilitation of individuals who have hearing impairment.

- 10.4. For licensure in Audiology the applicant shall obtain at least 40 hours in the following two categories;
- 10.4.a. Evaluation of hearing in children; and
 - 10.4.b. Evaluation of hearing in adults.
- 10.5. At least 80 hours shall be obtained in the following two categories:
- 10.5.a. Selection and use of amplification and assistive listening devices for children; and
 - 10.5.b. Selection and use of amplification and assistive listening devices for adults.
 - 10.5.c. At ~~least~~ least 10 additional hours shall be completed in any of categories 9.4.a.; 9.4.b.; 9.5.a. through 9.5.b.
- 10.6. At least 20 of the 250 hours shall be obtained in the treatment of hearing disorders in children and adults. Up to 20 hours in the major area may be in related disorders and at least 35 of the 350 clock hours shall be in speech-language pathology divided into the following two categories;
- 10.6.a. At least 15 of those hours shall involve the evaluation of screening of individuals for speech and language disorders unrelated to hearing; and
 - 10.6.b. At least 15 of those hours shall involve the treatment of speech and language disorders unrelated to hearing impairment.
- 10.7. Any person who has completed a clinical doctorate in Audiology (Au.D.) from an accredited institution fulfills the requirement for the Clinical Practicum requirements.

APPENDIX THREE

§29-1-11. Postgraduate Professional Experience.

11.1. The post-graduate professional experience may be obtained in any one of a number of diverse employment settings. The determination of whether a given setting is appropriate for the clinical fellow is made by applying first the criterion of whether the particular program is designed to evaluate, habilitate, or rehabilitate the communicative functioning of speech, language, and hearing handicapped persons. Second,

the program must afford the possibility that the clinical fellowship year supervisory requirements can be met.

11.2. The type and amount of experience which is acceptable during the clinical fellowship year is defined as no less than nine months of full time professional employment (a minimum of 30 hours per week).

11.3. The requirement can also be met by less than full-time employment as follows:

11.3.a. Work 15-19 hours per week over 18 months;

11.3.b. Work 20-24 hours per week over 15 months; or

11.3.c. Work of 25-29 hours per week over 12 months.

11.4. In the event that part-time employment is used to fulfill a part of the clinical fellowship year, 100% of the minimum hours of the part-time work per week requirement shall be spent in direct professional experience as defined in section 10.3, subsections a, b, and c.. Professional employment of less than 15 hours per week does not fulfill any part of this requirement. If the clinical fellowship year is not initiated within two years of the date the academic and practicum education is completed, the clinical fellow shall meet the academic and practicum requirements current when the clinical fellowship year begins. The clinical fellowship year shall be completed within a maximum of 36 months.

11.5. It is the interpretation of the West Virginia Board of Examiners for Speech-Language Pathology and Audiology that at least 80% of the clinical fellowship year work week shall be in direct client contact (assessment, diagnosis, evaluation, screening, habilitation, or rehabilitation) and activities related to client management.

11.6. Only individuals holding current West Virginia licensure in speech-language pathology or audiology are eligible to supervise applicants during the postgraduate professional experience. Applicants may obtain names of qualified individuals from the Board.

11.7. Supervision of the clinical fellow shall include direct observation of diagnostic and therapeutic procedures. Other supervisory activities include:

11.7.a. Conferring with the clinical fellow concerning clinical treatment strategies;

11.7.b. Monitoring changes in patients' communication behaviors;

11.7.c. Evaluating the clinical fellow's clinical records, including

11.7.c.1. Diagnostic reports;

11.7.c.2. Treatment records;

11.7.c.3. Correspondence;

11.7.c.4. Plans of treatment; and

11.7.c.5. Summaries of clinical conferences;

11.7.d. Monitoring the clinical fellow's participation in case conferences;

11.7.e. Monitoring the clinical fellow's work by professional colleagues' evaluation of the clinical fellow;

11.7.f. Monitoring the clinical fellow's work by patients and their parent's

Evaluation of the clinical fellow; and

11.7.g. Monitoring the clinical fellow's contributions to professional meetings and publications, as well as participation in other professional growth opportunities.

11.8. The supervisor may conduct items 11.7.3 through 11.7.7 by correspondence. Clinical fellowship year supervision shall entail the personal and direct involvement of the supervisor in any and all ways that will permit the clinical fellowship year supervisor to monitor, improve and evaluate the clinical fellow's performance in the professional employment. The clinical fellowship year supervisor shall base the total evaluation on no less than 36 direct supervisory activities and/or observations during the clinical fellowship

year. The supervisor shall include 18 on-site observations of the clinical fellow in the following manner:

11.8.a. 1 hour = one on-site observation (up to 6 hours may be accrued in one day); and

11.8.b. at least 6 on-site observations shall be accrued during each third of the experience.

11.8.c. The clinical fellowship year supervisor shall complete 18 other monitoring activities (at least one per month).

11.9. Since one purpose of the clinical fellowship year is to improve the clinical effectiveness of the clinical fellow, supervisors shall share and discuss their evaluations with the clinical fellow throughout the clinical fellowship year. The Board recommends that written evaluations be used during these discussions. Where multiple supervisors are utilized, it is the responsibility of the clinical fellow to collate the evaluations and clinical fellowship year reports from all supervisors and be responsible for certifying that all state licensure requirements are met. All supervisors shall hold West Virginia licensure in the appropriate area.

11.10 The applicant shall submit a report to the Board within 30 days of the completion of the clinical fellowship year, on the form prescribed by the Board.

11.11 Any person who has completed a clinical doctorate in audiology (Au.D.) from an accredited institution fulfills the requirement for the Postgraduate Professional Experience.

APPENDIX APPENDE~~X~~ FOUR

§29-1-12. Continuing Education.

12.1. In order to renew professional or provisional licenses, an applicant shall complete continuing education units that relate directly to professional growth and development.

12.2. A professional licensee shall obtain a minimum of twenty clock hours of continuing education during every two-year licensure period. These continuing education hours may only be credited if they are acquired during the two-year licensure period. A provisional licensee shall obtain ten hours of continuing education during his or her

provisional license year in order to renew his or her provisional license. An individual with professional licenses in both speech-language pathology and audiology shall obtain ~~20~~ 15 hours of continuing education credits in each area. for a total of 30 hours during the two-year license period.

12.3 The Board shall accept credits issued by the following organizations:

12.3.a. The American Speech-Language-Hearing Association.

12.3.b. The West Virginia Speech-Language-Hearing Association.

~~11.3.c.~~ ~~The West Virginia Hearing Society.~~

~~11.3.d.~~ ~~The National Institute for Hearing Instrument Studies.~~

12.3.e. The American Academy of Audiology.

12.3.d. Activities approved by the WVBESLPA.

12.3.e. The presenting licensee may count 1 ½ times the value of a workshop the first time it is presented to allow for preparation time (Example: a three hour workshop = 4 ½ hours of CE). The workshop will count for the actual hour value for each subsequent presentation of the same workshop.

12.3.f. Teaching at the college level in the area of communication disorders and audiology is not acceptable for continuing education.

12.4. A licensee shall submit verification of continuing education credits earned from these organizations. Verification consists of proof of attendance by signature of the presenter or monitor, on the licensure renewal application supplied by the Board. The Board shall mail renewal applications to all licensees during the fourth (4th) quarter of the year the license expires.

[Move to 5.3]

12.5. Continuing education activities from other organizations ~~must directly relate to the professional growth and development of speech language pathologists and audiologists, and requires~~ require prior approval of the Board for credit. ~~In order to request credit for continuing education hours from organizations other than those listed in subsection 11.3.~~ The the applicant shall submit the following

information prior to the continuing education event:

- ~~12.5.a. The name of the activity;~~
- ~~12.5.b. The name and credentials of the speaker or presenter;~~
- ~~12.5.c. The date and hours of the activity (include the agenda);~~
- ~~12.5.d. The location of the sponsoring agency;~~
- ~~12.5.e. The contact person and/or coordinator of the activity and his or her telephone number;~~
- ~~12.5.f. The goals of the activity.~~
- ~~12.5.g. The methods and materials used in the presentation;~~
- ~~12.5.h. The target group for the activity; and~~
- ~~12.5.i. The total continuing education credit hours requested for the activity.~~

12.5.a. The licensee shall request pre-approval (minimum 30 days in advance) from the Board for self study or other appropriate CE hours. A total of 5 hours of continuing education may be applied in a 2 year licensing period for self study or other activities that do not involve face-to-face classroom style presentations.

12.5.b. Self study activities include:

12.5.b.1. Professional presentations on recorded media.

12.5.b.2. Reading of professional journal articles that contain self examination questions at the end.

Articles shall be submitted for pre-approval.

12.5.c. Reading journal articles and submitting summarization of articles to the Board.

12.5.d. Publication of diagnostic and/or therapeutic materials.

12.5.e. Licensees who elect to audit university classes in speech-language pathology or audiology shall submit a self-study plan for pre-approval from the WVBESLPA in order to qualify for CE credit.

12.6 The licensee shall submit the following information for pre-approval of continuing education hours:

- 12.6.a The name of the activity;
- 12.6.b The name and credentials of the speaker or presenter;
- 12.6.c The date and hours of the activity (including the agenda);
- 12.6.d The location of the activity;
- 12.6.e The contact person or coordinator of the activity and his/her telephone number;
- 12.6.f The goals of the activity;
- 12.6.g The target group of the activity;
- 12.6.h The total number of continuing education hours requested for the activity.

APPENDIX FIVE

§29-1-13. West Virginia Board of Examiners for Speech-Language Pathology and Audiology Code of Ethics as Adopted and Amended from the American Speech-Language-Hearing Association.

13.1. Preamble:

The preservation of the highest standards of integrity and ethical principles is vital to the responsible discharge of obligations in the professions of speech-language pathology and audiology. This code of Ethics sets forth the fundamental principles and rules considered essential to this purpose. Every individual who is:

13.1.a. Licensed by this Board as a Professional, Provisional or a Speech or Audiology Assistant;

~~13.1.a. A member of the American Speech-Language-Hearing Association, whether certified or not.~~

~~13.1.b. A non-member holding the Certificate of Clinical Competence from the Association.~~

~~13.1.c. An applicant for membership or certification, or~~

~~13.1.d. A clinical Fellow seeking to fulfill standards for certification shall abide by this Code of Ethics.~~

13.2. Any action that violates the spirit and purpose of this Code shall be considered unethical. Failure to specify any particular responsibility or practice in this Code of Ethics shall not be construed as denial of

the existence of such responsibilities or practices.

13.3. The fundamentals of ethical conduct are described by Principles of Ethics and Rules of Ethics as they relate to responsibility to persons served, to the public, and to the professions of speech-language pathology and audiology.

13.4. Principles of Ethics, aspirational and inspirational in nature, form the underlying moral basis for the Code of Ethics. Individuals shall observe these principles as affirmative obligations under all conditions of professional activity. Rules of Ethics are specific statements of minimally acceptable professional conduct or of prohibitions and are applicable to all individuals.

13.5. Principle of Ethics I

13.5.a. Individuals shall honor their responsibility to hold paramount the welfare of persons they serve professionally.

13.5.b. Rules of Ethics

13.5.b.1 Individuals shall provide all services competently.

13.5.b.2. Individuals shall use every resource, including referral when appropriate, to ensure that high-quality service is provided.

13.5.b.3. Individuals shall not discriminate in the delivery of professional services on the basis of race ethnicity, gender, age, religion, national origin, sexual orientation, or disability.

13.5.b.4. Individuals shall fully inform the persons they serve of the nature and possible effects of services rendered and products dispensed.

13.5.b.5. Individuals shall evaluate the effectiveness of services rendered and of products dispensed and shall provide services or dispense products only when benefit can be reasonably expected.

13.5.b.6. Individuals shall not guarantee the results of any treatment or procedure, directly or by implication; however, they may make a reasonable statement of prognosis.

13.5.b.7. Individuals shall not evaluate or treat speech, language, or hearing disorders solely by correspondence.

13.5.b.8. Individuals shall maintain adequate records of professional services rendered and products dispensed and shall allow access to these records when appropriately authorized.

13.5.b.9. Individuals shall not reveal, without authorization, any professional or personal information about the person served professionally, unless required by law to do so, or unless doing so is necessary to protect the welfare of the person or of the community.

13.5.b.10. Individuals shall not charge for services not rendered, nor shall they misrepresent, in any fashion, services rendered or products dispensed.

13.5.b.11. Individuals shall use persons in research or as subjects of teaching demonstrations only with their informed consent.

13.5.b.12. Individuals whose professional services are adversely affected by substance abuse or other health-related conditions shall seek professional assistance and, where appropriate, withdraw from the

affected areas of practice.

13.6. Principles of Ethics II

13.6.a. Individuals shall honor their responsibility to achieve and maintain the highest level of professional competence.

13.6.b. Rules of Ethics

13.6.b.1. Individuals shall engage in the provision of clinical services only when they hold the appropriate license or when they are in the licensure process and are supervised by an individual who holds the appropriate license.

13.6.b.2. Individuals shall engage in only those aspects of the professions that are within the scope of their competence, considering their level of education, training, and experience.

13.6.b.3. Individuals shall continue their professional development throughout their careers.

13.6.b.4. Individuals shall delegate the provision of clinical services only to persons who are licensed or to persons in the education or licensure process who are appropriately supervised. The provision of support services may be delegated to persons who are neither licensed nor in the licensure process only when a license holder provides appropriate supervision.

13.6.b.5. Individuals shall prohibit any of their professional staff from providing services that exceed the staff member's competence, considering the staff member's level of education, training, and experience.

13.6.b.6. Individuals shall ensure that all equipment used in the provision of services is in proper working order and is properly calibrated.

13.7. Principle of Ethics III

Individuals shall honor their responsibility to the public by promoting public understanding of the professions, by supporting the development of services designed to fulfill the unmet needs of the public, and by providing accurate information in all communications involving any aspect of the professions.

13.7.a. Rules of Ethics

13.7.a.1. Individuals shall not misrepresent their credentials, competence, education, training, or experience.

13.7.a.2. Individuals shall not participate in professional activities that constitute a conflict of interest.

13.7.a.3. Individuals shall not misrepresent diagnostic information, services rendered, or products dispensed or engage in any scheme or artifice to defraud in connection with obtaining payment or reimbursement for such services or products.

13.7.a.4. Individuals' statements to the public shall provide accurate information about the nature and management of communication disorders, about the professions, and about professional services.

13.7.a.5. Individuals' statements to the public -- advertising, announcing, and marketing their professional services, reporting research results, and promoting products -- shall adhere to prevailing professional standards and shall not contain misrepresentations.

13.8. Principle of Ethics IV

13.8.a. Individuals shall honor their responsibilities to the professions and their relationships with colleagues, students, and members of allied professions. Individuals shall uphold the dignity and autonomy of the professions, maintain harmonious interprofessional and intraprofessional relationships, and accept the professions' self-imposed standards.

13.8.b. Rules of Ethics

13.8.b.1. Individuals shall prohibit anyone under their supervision from engaging in any practice that violates the Code of Ethics.

13.8.b.2. Individuals shall not engage in dishonesty, fraud, deceit, misrepresentation, or any form of conduct that adversely reflects on the professions or on the individual's fitness to serve persons professionally.

13.8.b.3. Individuals shall assign credit to only those individuals who have contributed to a publication, presentation, or product. Credit shall be assigned in proportion to the contribution and only with the contributor's consent.

13.8.b.4. Individual's statements to colleagues about professional services, research results, and products shall adhere to prevailing professional standards and shall contain no misrepresentations.

13.8.b.5. Individuals shall not provide professional services without exercising independent professional judgment, regardless of referral source or prescription.

13.8.b.6. Individuals shall not discriminate in their relationships with colleagues, students, and members of allied professions on the basis of race or ethnicity, gender, age, religion, national origin, sexual orientation, or disability.

13.8.b.7. Individuals who have reason to believe that the Code of Ethics has been violated shall inform the West Virginia Board of Examiners.

13.8.b.8. Individuals shall cooperate fully with the West Virginia Board of Examiners in its investigation and adjudication of matters related to this Code of Ethics.

APPENDIX SIX

§29-1-14. Coursework requirement for Master's Equivalency for Speech-Language Pathology and Audiology.

14.1. Outline of the Academic Courses Required for the Basis of the Master's Degree Equivalency.

14.1.a. Equivalent is defined as holding a bachelor's degree from an accredited college or university.

14.1.b. Equivalency is defined as at least 42 post-baccalaureate semester hours acceptable toward a

master's degree.

14.1.c. At least 30 semester hours shall be in the areas of speech-language pathology, audiology, or speech-language and hearing science.

14.1.d. Speech-language pathologists and audiologists shall obtain at least 21 of these 42 semester hours from a single college or university.

14.1.e. No academic hours shall be completed more than 10 years prior to the date of application.

14.1.f. No more than six semester hours shall be obtained for clinical practicum.

14.2. In evaluation of credits, one-quarter hour is the equivalent of two-thirds of a semester hours. An applicant shall submit official transcripts to the Board for special evaluation if the transcript does not report credit in terms of semester or quarter hours.

14.3. An applicant shall complete a total of 60 additional semester hours of academic credit from accredited colleges or universities. These hours must demonstrate that the applicant has obtained a well-integrated program or course study dealing with the normal aspects of human communication, development, disorders, and clinical techniques for evaluation and management of such disorders.

14.4. Courses in Basic Communication Processes Area.

14.4.a. The applicant shall complete 15 of these 60 hours in courses that provide information pertaining to normal development and use in speech, language and hearing, hereafter referred to as the basic communication processes area. These 15 hours will provide the applicant with a wide exposure to diverse

kinds of information suggested by the following areas:

14.4.a.1. Anatomic and physiological basis for the normal development and use of speech, language and hearing such as anatomy, neurology, and physiology of speech, language and hearing mechanisms.

14.4.a.2. Physical basis and processes of the production and perception of speech, language and hearing, such as.

14.4.a.2.A. acoustics or physics of sound;

14.4.a.2.B. phonology;

14.4.a.2.C. physiologic and acoustic phonetics;

14.4.a.2.D. perceptual processes;

14.4.a.2.E. psychoacoustics; and

14.4.a.3. Linguistic and psycholinguistic variables related to normal development and use of speech, language and hearing, such as;

14.4.a.3.A. linguistics (historical, descriptive, sociolinguistics, urban language):

14.4.a.3.B. psychology of language;

14.4.a.3.C. psycholinguistics;

14.4.a.3.D. language and speech acquisition; and

14.4.a.3.E. verbal learning or verbal behavior.

14.4.b. The applicant shall earn at least two semester hours of credit in each of the above three categories.

14.5. It is emphasized that the three broad categories of required education in this appendix, and the examples of areas of study within these classifications, are not meant to be analogous to, or imply, specific course titles. Neither are the examples of areas of study within these categories meant to be exhaustive. Some of these 15 semester hours may be obtained in courses that are taught in departments other than those offering speech-language pathology and audiology degrees.

14.5.a. The applicant will not receive credit for courses designed to improve one's speaking and/or writing ability.

14.6. The applicant shall obtain 30 of these 60 semester hours in courses that provide:

14.6.a. information relative to communication disorders; and

14.6.b. information about and training in evaluation and management of speech, language and hearing disorders.

14.6.c. At least 24 of these 30 semester hours shall be in courses in the major professional area (speech-language pathology or audiology) for which licensure is requested. At least 6 hours shall be in audiology for licensure in speech-language pathology and at least 6 hours shall be in speech-language pathology for licensure in audiology, hereafter referred to as the minor professional area.

14.7. Professional Education Hours Required for Speech-Language Pathology.

14.7.a. The 24 semester hours of professional education required for licensure in speech-language pathology should be in the broad, but not necessarily exclusive, categories of study as follows:

14.7.a.1. Understanding of speech and language disorders, such as:

14.7.a.1.A. various types of disorders of communication;

14.7.a.1.B. their manifestations; and

14.7.a.1.C. their classifications and causes;

14.7.a.2. Evaluation skills such as procedures, techniques, and instrumentation used to assess:

14.7.a.2.A. the speech and language status of children and adults; and

14.7.a.2.B. the basis of disorders of speech and language; and

14.7.a.3. Management procedures, such as principles in remedial methods used in habilitation and rehabilitation for children and adults with various disorders of communication.

14.7.b. At least 6 semester hours shall deal with speech disorders and at least 6 semester hours shall deal with language disorders.

14.7.c. The remaining 6 semester hours of the 30 shall be in the minor professional area of audiology. Of these 6 semester hours, 3 semester hours shall be in the habilitative/rehabilitative procedures with speech and language problems associated with hearing impairment, and 3 semester hours shall be in study of the pathologies of the auditory system and assessment of auditory disorders. However, when more than the minimum 6 semester hours is met, study of habilitative/rehabilitative procedures may be counted in the major professional area.

14.8. Professional Education Hours Required for Audiology.

14.8.a. The 24 semester hours of professional education required for licensure in audiology should be in the broad, but not necessarily exclusive, categories of study as follows.

14.8.a.1. auditory disorders, such as:

14.8.a.1.A. pathologies of the auditory system; and

14.8.a.1.B. assessment of auditory disorders and their effective on communication;

14.8.a.2. habilitative/rehabilitative procedures, such as;

14.8.a.2.A. selection and use of appropriate amplification instrumentation for the hearing impaired, both wearable and group;

14.8.a.2.B. evaluation of speech and language problems of the hearing impaired; and

14.8.a.2.C. management procedures for speech and language habilitation and/or rehabilitation of the hearing impaired (that may include manual communication);

14.8.a.3. conservation of hearing, such as:

14.8.a.3.A. environmental noise control; and

14.8.a.3.B. identification audiometry (school, military, industry); and

14.8.a.4. Instrumentation, such as:

14.8.a.4.A. electronics

14.8.a.4.B. calibration technique; and

14.8.a.4.C. characteristics of amplifying systems.

14.8.b. At least 6 semester hours shall deal with auditory pathology and at least 6 semester hours shall deal with habilitation/rehabilitation.

14.8.c. The remaining 6 semester hours of the 30 shall be in the minor professional area of speech-language pathology.

14.8.c.1. Of these 6 semester hours, three semester hours shall be in speech pathology, and three semester hours shall be in language pathology. It is suggested that where only this minimum requirement of 6 semester hours is met, that the study be in the areas of evaluation procedures and management of speech and language problems that are not associated with hearing impairment.

14.8.d. An individual who holds a clinical doctorate in audiology (Au.D.) and has completed 75 hours of post-baccalaureate coursework from a regionally accredited audiology program fulfills the requirement for a supervised postgraduate professional employment experience.

14.9. Related Areas of Study

14.9.a. In addition to the 15 semester hours of course study in basic communication processes, the 24 semester hours in the major professional area, and the 6 semester hours in the minor professional area, credit for study of information pertaining to related fields that augment the work of the clinical practitioner of speech-language pathology and/or audiology may also apply toward the total 60 semester hours, hereafter referred to as related areas. Such study should pertain to the understanding of human behavior, both normal and abnormal, as well as services available from related professions, and in general should augment the background for a professional career. Examples of such areas of study are as follows:

14.9.a.1. theories of learning and behavior;

14.9.a.2. services available from related professional that also deal with persons who have disorders of communication; and

14.9.a.3. information from these professions about the sensory, physical emotional, social, and/or intellectual status of a child or an adult.

14.9.b. Academic credit obtained from practice teaching or practicum work in other professions shall not be counted toward the minimum requirements.

14.9.c. In order that the future applicant for one of the professional licenses shall be capable of critically reviewing scientific matters dealing with clinical issues relative to speech-language pathology and audiology, credit for study in the area of statistics, beyond an introductory course, shall be allowed to a maximum of 3 semester hours. Academic study of the administrative organization of speech-language pathology and audiology programs may also be applied to a maximum of 3 semester hours.

14.9.d. Certain types of course work shall be acceptable among more than one of the areas of study specified in 13.9, depending on the emphasis. For example, courses that provide an overview of research, e.g., introduction to graduate study or introduction to research in communication sciences, disorders or management, and/or a more general presentation of research procedures and techniques that shall permit the

clinician to read and evaluate literature critically are acceptable for a maximum of 3 semester hours. These courses may be credited to the basic communication process area, or one of the professional areas or related area, if substantive content of the courses(s) covers material in those areas.

14.9.d.1. Academic credit for a thesis or dissertation shall be acceptable for a maximum of 3 semester hours in the appropriate area.

14.9.d.2. The applicant shall submit an abstract of the study with the application if credit is requested.

14.9.d.3. In order to be acceptable, the thesis or dissertation must have been an experiment of descriptive investigation in the areas of speech, language and hearing science, speech-language pathology or audiology. Credit is not allowed if the project was a survey of opinions, a study of professional issues, an annotated bibliography, biography, or a study of curricular design.

14.9.e. As set forth in 13.9 of this Appendix, the academic credit hours obtained from one course or one enrollment may, although should not be in some instances, divided among the basic communication processes area and one of the professional areas, and/or the related area. In such cases, a description of the content of that course should accompany the application. This description should be extensive enough to provide the Board with information necessary to evaluate the validity of the request to apply the content to more than one of the areas. Study in the area of understanding, evaluation, and management of speech and language disorders associated with hearing impairment may apply to the 24 semester hours in the major professional area associated with either license (speech-language pathology or audiology).

14.9.e.1. The applicant is not allowed more than 6 semester hours in that area of study toward the license in speech-language pathology.

14.9.f. Thirty of the total 60 semester hours that are required for licensure shall be in courses that are acceptable toward a graduate degree by the college or university in which they are taken.

14.9.f.1. This requirement can be met by courses completed as an undergraduate providing the college or university in which they are taken specifies that these courses would be acceptable toward a graduate degree if they were taken for graduate degree if they were taken for graduate credit.

14.9.f.2. Twenty one ~~21~~ of these 30 semester hours shall be within the 24 semester hours required in the professional area (speech-language pathology or Audiology) for which licensure is requested or within the 6 semester hours required in the other area as specified in 13.2 of this appendix.

14.10 A student who is enrolled in a terminal degree program in speech-language pathology or Audiology who has not yet completed a terminal degree is not eligible for licensure.

**West Virginia Board of Examiners for
Speech-Language Pathology and Audiology**

Board Members

Michael J. Zagarella, AuD., President
Gary Vandevander, M.S., CCC-A
Cinda Shaver, M.S., CCC-SLP, Secretary
Vickie Pullins, M.A., CCC-SLP

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May 20, 2004

Betty Ireland, Secretary of State
State of West Virginia
Building 1, Suite 157K
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Charleston, West Virginia 25305-0

*ORIGINAL
SOS*

RE: Title 29-1
Licensure of Speech-Language Pathology and Audiology

Dear Madam:

The West Virginia Board of Examiners for Speech and Audiology proposes amendments to Title 29, Series I. The Board's goal for the future is to secure part-time support staff in clerical and investigative services. The Board would also like to acquire office space, which at present operates at the Administrative Services Manager's home. The rising cost of office operations, personnel benefits, complaint procedure cost and office expenses make it necessary to increase our licensing fees in order to reach our future goals for the Board.

The Board's last increase in fees was in 2002. The Board has been conservative in our assessment of fees and in comparison of other state boards feels the increase in fees are justified.

Respectfully,

Cinda L. Shaver

Cinda L. Shaver
Secretary of the Board

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