

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: August 8, 2000

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* WV Board of Examiners for Speech-Language Pathology and Audiology
HC 78, Box 9-A
Troy, WV 26443-9707
PH: 304-462-5460

LEGISLATIVE RULE TITLE: Title 29-1 - Rules Governing the Licensure of Speech-Language Pathology and Audiology

1. Authorizing statute(s) citation WV Code 30-32-10

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
June 30, 2000

b. What other notice, including advertising, did you give of the hearing?
A letter was sent to all licensees with a summary of each rule being changed.

c. Date of Public Hearing(s) *or* Public Comment Period ended:
August 1, 2000

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached X No comments received

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

August 10, 2000

- f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all written correspondence regarding this rule: (Please type)

Vicki Mathess, Administrative Services Manager

HC 78, Box 9-A

Troy, WV 26443-9707

Ph: 304-462-5460

Fax: 304-462-5482

email: wvbesipa@mail.wvnet.edu

- g. **IF DIFFERENT FROM ITEM 'f'**, please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

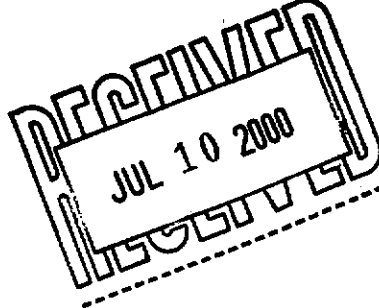
N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A



286 Pine Circle
Dunbar, West Virginia 25064
July 7, 2000

West Virginia Board of Examiners for Speech Pathology/Audiology
HC 78, Box 9-A
Troy, West Virginia 26443-9707

Dear Sirs:

In reference to the Board's memorandum dated June 30, 2000, RE: Rules filed with the Legislature. The need to increase the number of continuing education hours causes great consternation. This is in light of the already exorbitant cost to maintain the national certification of \$175.00 yearly; and, the cost of state licensure of \$75.00 biennially. Additional monies are spent in effort to gain continuing education credits. Please reflect on the costs of other professions and their annual dues to maintain the credentials to practice in West Virginia, e.g., physical therapist: \$75.00 yearly licensing fee; registered nurse: Initial cost of \$51.50, and yearly licensing renewal of \$25.00; certified occupational therapy assistant (COTA): Initial cost of state licensure is \$140.00, with \$50.00 yearly renewal; COTA national certification has initial fee of \$350.00, with \$75.00 renewal every 5 years.

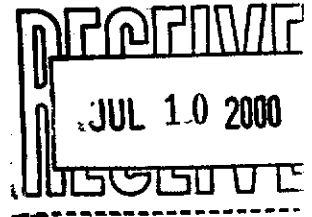
Consumers in our state would be better served should all speech/language pathologists be mandated to be licensed. Individuals employed or contracted with the West Virginia Board of Education, a County Board of Education, or a Regional Educational Service Agency should be licensed when practicing speech/language pathology. Until this exemption is changed, the number of continuing education credits one has to maintain a license is moot. The licensing procedure provides faulty credibility under these circumstances.

Thank you for the opportunity to respond to the proposed changes. Your consideration of the above matters is also appreciated.

Sincerely,

Carla Basham, M.S., M.A., CCC/SLP
(SLP-0076)

Pamela A. Summers
1004 Dominion Way
So. Charleston, WV 25309



July 6, 2000

The Board of Examiners
8C 78, Box 9A
Troy, WV 26443

To Whom It May Concern,

I write in regard to your memo to 'Licensees and all interested parties' dated 6/30/00. This is outlined in your **Summary of amended Rule, 29-1. Rules Governing the Licensure of Speech-Language Pathology and Audiology**. I fully support meeting national standards when comparing number of CEU's to other states. In fact, I usually go beyond the necessary ten clock hours required during each two year period. Your memo did not specify the intended number of increased CEU's per licensing period.

What I am not in agreement with is that public school speech pathologists (SLP's) have this licensure waived. My resume reflects both public schools and 'other' job settings in speech pathology.

Continuing to waive this for public schools SLP's sends a message to consumers that speech pathology services are below standards in the public schools. It also sends a message to public school SLP's that they are below standards since they are not expected to meet the credentialing requirements of your board. Furthermore it sends a message to those practicing outside the public school sector that public school SLP's get special treatment hence a licensure fee waived every two years.

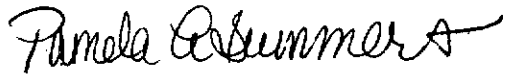
I question a board that does not want to present its licensees as a unified front. Public school SLP's have been "grandfathered in," "waived," and allowed to get pay increases based on 'other' masters' degrees for too long. It is time they are expected to become more proficient in their chosen field. Furthermore, it is time that state boards like our own expect this overall proficiency as well.

Copies of the rules could have been posted to your website for easier licensees' perusal. This would have facilitated my ability to better understand 'competitive advertising'as it pertains to managed care.

Page 2
Pamela A. Summers

I appreciate your attention to my concerns. If you have any questions, please feel free to contact me @ (304) 766-7277.

Sincerely,


Pamela A. Summers, M.A, CCC/SLP
Speech Pathologist

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

Board Members

*Michael Zagarella, Chairman
Gary Vanderander, Audiologist
Cinda Shaver, Speech Pathologist
Vickie Pullins, Speech Pathologist
Thelma J. Gibson, Lay person*

Vicki Mathess, Administrative Services Manager

July 11, 2000

Carla Basham
286 Pine Circle
Dunbar, WV 25064

Dear Ms. Basham:

Thank you for your response to the new and proposed amendments filed with the Secretary of State on Title 29, Series 1; Rules Governing the Licensure of Speech-Language Pathology and Audiology.

Your comments as well as all other comments received will be forwarded to the Legislature on September 1, 2000 for review and consideration.

Thank you very much for your response.

Sincerely,



Vicki Mathess
Administrative Services Manager

HC 78, Box 9-A, WV 26443

State Toll Free 1-877-462-5460

Phone: 304-462-5460

Fax: 304-462-5482

E-Mail: WVBESLPA@MAIL.WVNET.EDU

VISIT OUR NEWLY CONSTRUCTED WEB SITE: www.state.wv.us/wvbesspa

West Virginia Board of Examiners
For
Speech-Language Pathology and Audiology

Board Members

Michael Zagarella, Chairman
Gary Vandevander, Audiologist
Cinda Shaver, Speech Pathologist
Vickie Pullino, Speech Pathologist
Thelma J. Gibson, Lay person

Vicki Mathews, Administrative Services Manager

July 11, 2000

Pamela A. Summers
1004 Dominion Way
So. Charleston, WV 25309

Dear Ms. Summers:

Thank you for your response regarding the amendments to the state licensure law Title 29-1 Rules Governing the Licensure of Speech-Language Pathology and Audiology. Thank you for your support on the continuing education credits.

I will try to address your concerns on the issue of public school SLP's. The original law was written by a committee made up of WV Speech-Language and Hearing Association members. They initially included all speech-language pathologist to be licensed. However, when it was presented before the legislature and before public comment (as this law is now) the WV State Department of Education would not support the bill and stated they would actually seek to defeat a bill that required public school therapist to be licensed. Therefore, in order to keep the licensure bill, a compromise was made; that being to exempt anyone being paid by the WV Board of Education. Please note that a speech pathologist that works for the public schools and accepts private clients must be licensed.

The Board believes as you do, unfortunately, the Board of Education has a stronger, more powerful voice in government. At that time they either had to compromise or be denied any licensure at all.

As for the issue on how we presented the comment period...the Board has to follow the rules and guidelines as stated by the Legislature and we are not allowed to give out the rules and regulations of the board (by mail or by website). This can only be obtained through the Secretary of States office as posted in the ad. You can go to the Secretary of State's web site and look under Administrative Law, click on Index for CSR (Code of State Rules) and look under Title 29, Series 1 to read the Code of Ethics at www.state.wv.us/sos. If you have any trouble, call the SOS office 558-6000 and they will help you.

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Board Members

*Michael Zagarella, Chairman
Gary Vanderwader, Audiologist
Cinda Shaver, Speech Pathologist
Vickie Pullins, Speech Pathologist
Thelma J. Gibson, Lay person*

Vicki Mathess, Administrative Services Manager

I hope I have answered your concerns and questions to the best of my knowledge as explained to me by the present board members as well as the guidelines as I interpret them. All comments and replies are forwarded to the legislature on September 1, 2000 for their review and consideration of the new and proposed amendments.

Sincerely,



Vicki Mathess
Administrative Services Manager

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

Board Members

- Michael Zaganella, Chairman*
- Gary Vandamander, Audiologist*
- Cinda Shawer, Speech Pathologist*
- Vickie Prillens, Speech Pathologist*
- Thelma J. Gibson, Lay person*

Vicki Mathess, Administrative Services Manager

June 29, 2000

Attention: Legal advertising

Please publish the following ad for (1) day in your newspaper immediately upon receipt of this fax. If there is a fee involved would you please send a statement to the WV Board of Examiners for Speech/Audiology to the address below.

If you have any questions, please contact me. Thank you very much.

Please print ad to read:

Title 29, Series I, "Rules Governing the Licensure of Speech-Language Pathology and Audiology is being presented for amendment in the 2001 Legislature. The amended rule has been filed with the Secretary of State's Office. Copies may be obtained by contacting: Administrative Law Div. of the Secretary of State's Office. Send written comments to: WV Board of Examiners for Speech/Audiology, HC 78, Box 9A, Troy, WV 26443 by 10:00 a.m. on August 1, 2000.

Thank You,



Vicki Mathess
Administrative Services Manager

HC 78, Box 9-A, WV 26443
State Toll Free 1-877-462-5460

Phone: 304-462-5460 Fax: 304-462-5482

E-Mail: WVBESLPA@MAIL.WVNET.EDU

VISIT OUR NEWLY CONSTRUCTED WEB SITE: www.state.wv.us/wvbeslpa

06 00 2000 14:31 P106-WV SECRETARY OF STATE *3049560800 1-354 P.003 F-031

West Virginia Board of Examiners

Sr.

Speech-Language Pathology and Audiology

Board Members

*Michael Zagarella, Chairman
Gary Vandewater, Audiologist
Cinda Shaver, Speech Pathologist
Vickie Pullins, Speech Pathologist
Thelma J. Gibson, Lay person*

Vicki Mathess, Administrative Services Manager

June 14, 2000

Ken Hechler, Secretary of State
State of West Virginia
Building 1, Suite 157K
1900 Kanawha Blvd., East
Charleston, WV 25305-0771

RE: Title 29-1- Appendix Four-Continuing Education

Dear Sir:

The Board of Speech-Language Pathology and Audiology has completed a study based on statistics gathered from 47 states that require licensure in speech and audiology. Out of 47 states, 39 require a minimum of 20 hours or more of continuing education. Therefore, the Board recommends continuing education hours be increased to 20 hours per two years instead of 10 hours in order to upgrade the proficiency of individuals licensed in West Virginia and maintain a standard equivalent to the national level.

As president of the Board, I approve the filing of this rule.

Sincerely,



Michael Zagarella
President

HC 78, Box 9-A, WV 26443

State Toll Free 1-877-462-5460

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For
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Guy Vanderander, Audiologist
Cinda Shuman, Speech Pathologist
Vickie Pullins, Speech Pathologist
Thelma J. Gibson, Lay person

Vicki Mathers, Administrative Services Manager

June 14, 2000

Ken Hechler, Secretary of State
State of West Virginia
Building 1, Suite 157K
1900 Kanawha Blvd., East
Charleston, WV 25305-0771

RE: Title 29-1 Appendix Five

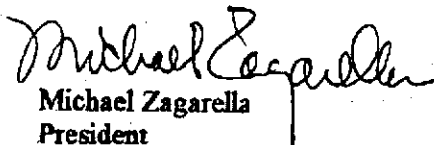
Dear Sir:

Pursuant to the West Virginia Sunset Law, the West Virginia Legislative Performance Evaluation Review Committee recommended that the board change the wording of the Code of Ethics to allow for the participation in Managed Care Organizations as well as allow for competitive advertising.

Therefore, a new appendix five has been implemented to replace 29-1; Appendix Five effective August 16, 1992.

As president of the Board, I approve the filing of this rule.

Sincerely,


Michael Zagarella
President

HC 78, Box 9-A, WV 26443
State Toll Free 1-877-462-5460

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VISIT OUR NEWLY CONSTRUCTED WEB SITE: www.state.wv.us/wvbcsipa

West Virginia Board of Examiners

Fax

Speech-Language Pathology and Audiology

Board Members

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Gary Vandewater, Audiologist
Cinda Shaner, Speech Pathologist
Vickie Pullins, Speech Pathologist
Thelma J. Gibson, Lay person

Vicki Mathers, Administrative Services Manager

June 14, 2000

Ken Hechler, Secretary of State
State of West Virginia
Building 1, Suite 157K
1900 Kanawha Blvd., East
Charleston, WV 25305-0771

RE: Title 29-1-5. Provisional License

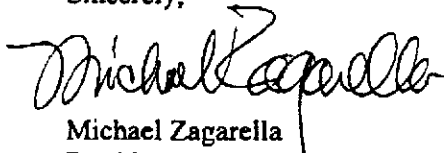
Dear Sir:

The Board of Speech-Language Pathology and Audiology has completed a study based on statistics gathered from 47 states that require licensure in speech and audiology. Out of 47 states, 39 require a minimum of 20 hours or more of continuing education. Therefore, the Board recommends continuing education hours be increased to 20 hours per two years instead of 10 hours in order to upgrade the proficiency of individuals licensed in West Virginia and maintain a standard equivalent to the national level.

As provisional license covers a period of one year, the continuing education requirements shall be increased from five (5) hours to ten (10) hours.

As president of the Board, I approve the filing of this rule.

Sincerely,



Michael Zagarella
President

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State Toll Free 1-877-462-5460

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Vicki Mathews, Administrative Services Manager

June 14, 2000

Ken Hechler, Secretary of State
State of West Virginia
Building 1, Suite 157K
1900 Kanawha Blvd., East
Charleston, WV 25305-0771

RE: Title 29-1-6. Renewal

Dear Sir:

The Board of Speech-Language Pathology and Audiology has completed a study based on statistics gathered from 47 states that require licensure in speech and audiology. Out of 47 states, 39 require a minimum of 20 hours or more of continuing education. Therefore, the Board recommends continuing education hours be increased to 20 hours per two years instead of 10 hours in order to upgrade the proficiency of individuals licensed in West Virginia and maintain a standard equivalent to the national level.

As president of the Board, I approve the filing of this rule.

Sincerely,



Michael Zagarella
President

HC 78, Box 9-A, WV 26443
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APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Rules Governing the Licensure of Speech-Language Pathology and Audiology

Type of Rule: X Legislative _____ Interpretive _____ Procedural

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

Address: HC 78, Box 9A

Troy, WV 26443

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	None	None	None	None	None
PERSONAL SERVICES	None	None	None	None	None
CURRENT EXPENSE	None	None	None	None	None
REPAIRS & ALTERATIONS	None	None	None	None	None
EQUIPMENT	None	None	None	None	None
OTHER	None	None	None	None	None

2. Explanation of Above Estimates:
None

3. Objectives of These Rules:

The Board is revising their Code of Ethics to comply with the revision of the American Speech-Language and Hearing Association's Code of Ethics. The Board is upgrading continuing education hours to obtain proficiency and national standards

Rule Title: Rules Governing the Licensure of Speech-Language Pathology and Audiology

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:
None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens: None

C. Economic Impact on Citizens/Public at Large.
None

Date: June 28, 2000

Signature of Agency Head or Authorized Representative:

Sicki M. ...

Summary of amended Rule, 29-1. Rules Governing the Licensure of Speech-Language Pathology and Audiology

The Board is upgrading the continuing education requirements to comply with the national levels and to increase the proficiency of the individuals licensed in speech and audiology.

The Legislative Performance Review Committee suggested that we amend our Code of Ethics. It is felt that the present Code of Ethics impinges on competitive advertising and does not allow the participation of managed care organizations.

Circumstances for amending Rule 29.1. Rules Governing the Licensure of Speech-Language Pathology and Audiology.

The West Virginia Board of Examiners for Speech-Language Pathology and Audiology after collecting data from 47 states feels West Virginia should increase the number of continuing education hours required for renewal for both professional and provisional license. This would not only improve the proficiency of the individual, it would maintain a standard equivalent to the national level.

During the Legislative Performance Review of the Board in May, 1998, it was suggested that we amend our Code of Ethics. It is felt that the present Code of Ethics impinges on competitive advertising and does not allow the participation of managed care organizations.

TITLE 29

FILED

LEGISLATIVE RULES

WEST VIRGINIA BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY

JUL 30 9 17 AM '00

AND AUDIOLOGY

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SERIES 1

**RULES GOVERNING THE LICENSURE OF SPEECH-LANGUAGE PATHOLOGY AND
AUDIOLOGY**

§29-1-1. General.

1.1. Scope -- This legislative rule establishes the qualifications necessary to obtain licensure as a speech-language pathologist 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. --

1.4. Effective Date. --

§29.1.2. Definitions.

2.1. "ASHA" means the American speech-language-hearing association.

2.2. "The practice of audiology" means:

(a) Facilitating the conservation of auditory system function and developing and implementing environmental and occupational hearing conservation programs;

(b) screening, identifying, assessing, interpreting, preventing and rehabilitating peripheral and central auditory system dysfunctions;

(c) providing and interpreting behavioral and (electro) physiological measurements of auditory functions;

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

AUG 10 10 17 AM '00

FILED

- (d) providing vestibular assessment and balance system rehabilitation;
 - (e) providing neurophysiologic intraoperative monitoring;
 - (f) selecting, fitting and dispensing of amplification, assistive listening and alerting devices and providing training in their use;
 - (g) establishing candidacy, fitting and providing training in the use of implantable devices;
 - (h) providing aural rehabilitation and related counseling services to hearing impaired individuals and their families;
 - (i) screening speech-language and other factors affecting communication function for the purposes of an audiological evaluation and/or initial identification of individuals with other communication disorders.
- 2.3. The "practice of speech-language pathology" means:
- (a) screening, identifying, assessing, interpreting, diagnosing, preventing, and rehabilitating disorders of speech (e.g., articulation, fluency, and language);
 - (b) screening, identifying, assessing, interpreting, evaluating and rehabilitating disorders of oral-pharyngeal function (e.g., dysphasia);
 - (c) screening, identifying, assessing, interpreting, diagnosing and rehabilitating cognitive/communication disorders;
 - (d) assessing, selecting and developing augmentative and alternative communication systems and providing training in their use;
 - (e) providing aural rehabilitation and related counseling services to hearing impaired individuals and their families;
 - (f) enhancing speech-language proficiency and communication effectiveness (e.g., accent reduction);
 - (g) screening of hearing and other factors affecting communication functions for the purposes of speech-language evaluation and/or initial identification of individuals with other communication disorders.

§29-1-3. Qualifications.

3.1. To be eligible for licensure by the Board as a speech-language pathologist or audiologist, the applicant shall:

(a) Make application to the Board on the license application form approved by the Board;

(b) Pay to the Board the appropriate application fee as required under appendix one;

(c) Possess at least a master's degree or equivalent in speech-language pathology or audiology which consists of coursework approved by the American speech-language-hearing association as described in appendix six;

(d) Complete supervised clinical practicum experience requirements as defined in appendix two;

(e) Complete a post-graduate professional experience as described in appendix three;

(g) 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; and

(h) Pass the national examination in speech-language pathology or audiology which is approved by the American speech-language hearing association.

§29-1-4. Waiver of requirements.

4.1. The Board shall waive the national examination in speech-language pathology or audiology for applicants who either:

(a) Present proof of current licensure in a state that has standards that are at least equivalent to those of this state; or

(b) Hold a certificate of clinical competence in speech-language pathology or audiology from ASHA in the area for which they are applying for licensure.

standards or who holds the certificate of clinical competence from ASHA to practice speech-language pathology and audiology in this state pending Board disposition of their applications, if he or she:

- (a) Is practicing in the area of speech-language pathology or audiology, in which the licensure or a certificate of clinical competence was granted;
- (b) Has filed an application with the Board and paid the appropriate application fee as specified in Appendix One.

29-1.5. Provisional License.

5.1. The Board shall issue a provisional license to an applicant who:

- (a) Except for post-graduate professional experience, meets the academic, practicum and examination requirements of West Virginia Code 30-32-12;
- (b) Submits an application to the Board on the application form approved by the Board, and includes the plan for the post-graduate professional experience on the clinical fellowship year plan form approved by the Board; and
- (c) Pays to the Board the provisional license application fee as listed in appendix one.

5.2. The purpose of the provisional license is to permit an individual to practice speech-language pathology or audiology while completing the post-graduate professional experience as required by West Virginia Code 30-32-14. A person holding a provisional license is authorized to practice speech-language pathology or audiology only while working under the supervision of a person fully licensed by this state in accordance with West Virginia Code 30-32-14.

5.3. The Board shall issue the provisional license for a period of one year.

5.4. 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.

29-1-6. Renewal.

6. 1. Licenses first issued under West Virginia Code §30-32-12 expire on the January 1, 1995, and subsequent licenses expire every two years thereafter.

6.2. Every individual licensed under West Virginia Code §30-32-12 of the West Virginia Code, requesting renewal of a license shall:

(a) Pay to the Board the professional license renewal fees listed in appendix one;

(b) Submit an application for renewal on the professional license renewal form prescribed by the Board;

(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 speechlanguage pathologists and audiologists as defined in appendix four.

6.3. The Board shall grant a grace period of thirty days after the expiration of a license in which a licensee may retroactively renew his or her license as long as the licensee is entitled to have his or her license renewed. Licensees renewing during this thirty (30) day grace period shall pay the professional license renewal fee and professional license renewal late fee as listed in appendix one.

6.4. A suspended license is subject to expiration and may be renewed as provided in this section. A suspended license renewal shall not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other conduct or activity in violation of the order of judgment by which the license was suspended.

6.5. A license revoked on disciplinary grounds will be expired. The Board shall reinstate a revoked license after its expiration when the licensee, as a condition of reinstatement, pays a reinstatement fee that equals the renewal fee in effect on the last regular renewal date immediately preceding the date of reinstatement, plus a professional license reinstatement fee as required in appendix one.

29-1-7. Reinstatement of Expired Licenses.

7.1 The Board shall reinstate the licenses of licensees who fail to renew their licenses by the end of the thirty (30) day grace period if they:

- (a) Submit a written request for reinstatement of their professional license to the Board within five years after the expiration date of their license;
- (b) Complete ten hours of approved continuing education per year up to but not exceeding five years; and
- (c) Pay 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.

7.2. A licensee who fails to renew or reinstate their license within five years after the expiration date may not have their license renewed, and the license may not be restored, reissued, or reinstated thereafter, although he or she may apply for and obtain a new license if he or she meets the requirements of West Virginia Code §30-32-12 and pays to the Board the license application fees in effect at that time.

§29-1-8. Standards of Conduct.

8.1 Licensees shall abide by the West Virginia Board of examiners for speech-language pathology and audiology Code of Ethics described in appendix five. Failure to do so will be considered grounds for disciplinary action as described in West Virginia Code §30-32-17.

APPENDIX ONE

FEEES

1. Initial application - provisional or professional (non-refundable)	\$50.00
2. Licensure in speech-language pathology (two years)	\$100.00
3. Licensure in audiology (two years)	\$100.00
4. Licensure in speech-language pathology and audiology (two years)	\$150.00
5. Renewal in speech-language pathology (two years)	\$75.00
6. Renewal in audiology (two years)	\$75.00
7. Renewal for speech-language pathology and audiology (two years)	\$100.00
8. Renewal late fee	\$25.00
9. Reinstatement fee	\$50.00
10. Provisional license in speech-language pathology (one year)	\$50.00
11. Provisional license in audiology (one year)	\$50.00
12. Professional license fee for applications received during the first quarter of the two year licensure period	\$100.00
13. Professional license fee for applications received during the second quarter of the two year licensure period	\$75.00
14. Professional license fee for applications received during the third quarter of the two year licensure period	\$50.00
15. Professional license fee for applications received during the fourth quarter of the two year licensure period	\$25.00

APPENDIX TWO
ACADEMIC CLINICAL PRACTICUM REQUIREMENTS

I. This appendix defines the academic clinical practicum requirements for licensure in speech-language pathology or audiology for applicants applying after January 1, 1993. 350 clock hours will be required in the following manner:

(A) At least 250 of these hours must be in the area for which licensure is requested;

(B) At least 50 hours must be in each of three different types of clinical settings (i.e.: medical offices, rehabilitation clinics, hospitals, etc.).

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

1. Evaluation of speech disorders in children;
2. Evaluation of speech disorders in adults;
3. Evaluation of language disorders in children;
4. Evaluation of language disorders in adults;
5. Treatment of speech disorders in children;
6. Treatment of speech disorders in adults;
7. Treatment of language disorders in children; and
8. Treatment of language disorders in adults.

Up to 20 clock hours in the major professional area may be in related disorders and at least 35 of the 350 hours must be in audiology divided into the following two categories:

1. At least 15 of these hours must involve the evaluation or screening of hearing; and
2. At least 15 of these hours must involve the habilitation/rehabilitation of individuals who have hearing impairment.

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B. For licensure in audiology the applicant must obtain at least 40 hours in the following two categories:

1. Evaluation of hearing in children; and
2. Evaluation of hearing in adults.

At least 80 hours must be obtained in the following two categories:

3. Selection and use of amplification and assistive listening devices for children; and
4. Selection and use of amplification and assistive listening devices for adults.

At least 10 additional hours must be completed in any of categories 1 through 4.

At least 20 of the 250 hours must be obtained in the following category:

5. 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 must be in speech-language pathology divided into the following two categories:

1. At least 15 of those hours must involve the evaluation or screening of individuals for speech and language disorders unrelated to hearing; and
2. At least 15 of those hours must involve the treatment of speech and language disorders unrelated to hearing impairment.

APPENDIX THREE

POSTGRADUATE PROFESSIONAL EXPERIENCE

- A. 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.
- B. The type and amount of experience which will be 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).
- C. This requirement can also be met by less than full-time employment as follows:
1. work of 15-19 hours per week over 18 months;
 2. work of 20-24 hours per week over 15 months; or
 3. work of 25-29 hours per week over 12 months.
- D. 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 must be spent in direct professional experience as defined in paragraph C. sections 1, 2, and 3.. Professional employment of less than 15 hours per week will 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 must meet the academic and practicum requirements current when the clinical fellowship year is begun. The clinical fellowship year must be completed

within a maximum of 36 months.

E. 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, must be in direct client contact (assessment, diagnosis, evaluation, screening, habilitation, or rehabilitation) and activities related to client management.

F. Only individuals holding current West Virginia licensure in speech-language pathology or audiology are eligible to supervise applicants during the postgraduate professional experience. Names of qualified individuals can be obtained from the Board.

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

1. Conferring with the clinical fellow concerning clinical treatment strategies;
2. Monitoring changes in patients' communication behaviors;
3. Evaluating the clinical fellow's clinical records, including:
 - a. Diagnostic reports;
 - b. Treatment records;
 - c. Correspondence;
 - d. Plans of treatment; and
 - e. Summaries of clinical conferences;
4. Monitoring the clinical fellow's participation in case conferences;
5. Monitoring the clinical fellow's work by professional colleagues' evaluation of the clinical fellow;
6. Monitoring the clinical fellow's work by patients and their parent's

evaluation of the clinical fellow; and

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

H. The supervisor may conduct items 3,4,5,6 and 7 by correspondence. Clinical fellowship year supervision must 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 must base the total evaluation on no less than 36 direct supervisory activities and/or observations during the clinical fellowship year. The supervisor must include 18 on-site observations of the clinical fellow in the following manner:

1. 1 hour = one on-site observation (up to 6 hours may be accrued in one day); and
2. at least 6 on-site observations must be accrued during each third of the experience.

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

I. Since one purpose of the clinical fellowship year is to improve the clinical effectiveness of the clinical fellow, supervisors must 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 must hold West Virginia licensure in the appropriate area.

J. The clinical fellowship year report must be submitted to the Board within 30 days of the completion of the clinical fellowship year, on the form prescribed by the Board.

APPENDIX FOUR
CONTINUING EDUCATION

- A. In order to renew professional or provisional licenses, an applicant must complete continuing education units that relate directly to professional growth and development.
- B. Professional licensees must obtain a minimum of ten 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. Those applicants who were granted initial licenses active from October 1, 1992 to December 31, 1994, will be allowed to submit continuing education hours acquired during that same period. Provisional licensees must obtain five hours of continuing education during their provisional license year in order to renew their provisional license. Individuals with professional licenses in both speech-language pathology and audiology must obtain 20 hours of continuing education credits in each area during the two-year license period.
- C. The Board will accept credits Issued by the following organizations:
- The American Speech-Language-Hearing Association.
 - The West Virginia Speech-Language-Hearing Association.
 - The West Virginia Hearing Society.
 - The National Institute for Hearing Instrument Studies.
 - The American Academy of Audiology.
- D. A licensee shall submit verification of continuing education credits earned from

the above organizations on the licensure renewal application supplied by the Board. The Board will mail renewal applications to all licensees during the fourth (4th) quarter of the year the license expires.

E. Continuing Education activities from other organizations must directly relate to the professional growth and development of speech-language pathologists and audiologists, and requires prior approval of the Board for credit. In order to request credit for continuing education hours from organizations other than those listed in paragraph C, the applicant must submit the following information prior to the continuing education event:

1. The name of the activity;
2. The name and credentials of the speaker/presenter;
3. The date and hours of the activity (include the agenda);
4. The location of the sponsoring agency;
5. The contact person and/or coordinator of the activity and their telephone number;
6. The goals of the activity;
7. The methods and materials used In the presentation;
8. The target group for the activity; and
9. The total continuing education credit hours requested for the activity.

The licensee will be required to provide proof of attendance at all activities for which credit is requested.

APPENDIX FIVE

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

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:

- A member of the American Speech-Language-Hearing Association, whether certified or not.
- A non-member holding the Certificate of Clinical Competence from the Association.
- An applicant for membership or certification, or
- A clinical Fellow seeking to fulfill standards for certification shall abide by this Code of Ethics.

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.

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.

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.

Principle of Ethics I

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

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Rules of Ethics

- A. Individuals shall provide all services competently.
- B. Individuals shall use every resource, including referral when appropriate, to ensure that high-quality service is provided.
- C. 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.
- D. Individuals shall fully inform the persons they serve of the nature and possible effects of services rendered and products dispensed.
- E. 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.
- F. Individuals shall not guarantee the results of any treatment or procedure, directly or by implication; however, they may make a reasonable statement of prognosis.
- G. Individuals shall not evaluate or treat speech, language, or hearing disorders solely by correspondence.
- H. Individuals shall maintain adequate records of professional services rendered and products dispensed and shall allow access to these records when appropriately authorized.
- I. 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.
- J. Individuals shall not charge for services not rendered, nor shall they misrepresent, in any fashion, services rendered or products dispensed.
- K. Individuals shall use persons in research or as subjects of teaching demonstrations only with their informed consent.
- L. 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.

Principles of Ethics II

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

Rules of Ethics

- A. Individuals shall engage in the provision of clinical services only when they hold the appropriate license or when they are in the certification process and are supervised by an individual who holds the appropriate Certificate of Clinical Competence.**
- B. 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.**
- C. Individuals shall continue their professional development throughout their careers.**
- D. Individuals shall delegate the provision of clinical services only to persons who are certified or to persons in the education process who are appropriately supervised. The provision of support services may be delegated to persons who are neither certified nor in the certification process only when a certificate holder provides appropriate supervision.**
- E. 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.**
- F. Individuals shall ensure that all equipment used in the provision of services is in proper working order and is properly calibrated.**

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.

Rules of Ethics

- A. Individuals shall not misrepresent their credentials, competence, education, training, or experience.**
- B. Individuals shall not participate in professional activities that constitute a conflict of interest.**

- C. 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.
- D. Individuals' statements to the public shall provide accurate information about the nature and management of communication disorders, about the professions, and about professional services.
- E. 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.

Principle of Ethics IV

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.

Rules of Ethics

- A. Individuals shall prohibit anyone under their supervision from engaging in any practice that violates the Code of Ethics.
- B. 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.
- C. Individuals shall assign credit only those 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.
- D. Individual's statements to colleagues about professional services, research results, and products shall adhere to prevailing professional standards and shall contain no misrepresentations.
- E. Individuals shall not provide professional services without exercising independent professional judgment, regardless of referral source or prescription.

- F. 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.**
- G. Individuals who have reason to believe that the Code of Ethics has been violated shall inform the licensing board.**
- H. Individuals shall cooperate fully with the licensing board in its investigation and adjudication of matters related to this Code of Ethics.**

APPENDIX SIX
COURSEWORK REQUIREMENT FOR MASTER'S EQUIVALENCY

**OUTLINE OF THE ACADEMIC COURSES REQUIRED FOR THE BASIS OF THE
MASTER'S DEGREE EQUIVALENCY**

- A. Equivalent is defined as holding a bachelor's degree from an accredited college or university, and at least 42 post-baccalaureate semester hours acceptable toward a master's degree, of which at least 30 semester hours must be in the areas of speech-language pathology, audiology, or speech-language and hearing science. At least 21 of these 42 semester hours must be obtained from a single college or university, none may have been completed more than 10 years prior to the date of application and no more than six semester hours may be credit offered for clinical practicum.
- B. In evaluation of credits, one quarter hour will be considered the equivalent of two-thirds of a semester hour. Transcripts that do not report credit in terms of semester or quarter hours should be submitted to the Board for special evaluation.
- C. A total of 60 semester hours of academic credit must be accumulated from accredited colleges or universities that demonstrate that the applicant has obtained a well-integrated program or course study dealing with the normal aspects of human communication, development thereof, disorders thereof, and clinical techniques for evaluation and management of such disorders.
- D. Twelve of these 60 semester hours must be obtained in courses that provide information that pertains to normal development and use in speech, language and hearing, hereafter referred to as basic communication processes area. These 12 hours

should give the applicant a wide exposure to the diverse kinds of information suggested by the following areas:

1. anatomic and physiological bases for the normal development and use of speech, language and hearing such as anatomy, neurology, and physiology of speech, language and hearing mechanisms;
2. physical bases and processes of the production and perception of speech, language and hearing, such as:
 - a. acoustics or physics of sound,
 - b. phonology,
 - c. physiologic and acoustic phonetics,
 - d. perceptual processes, and
 - e. psychoacoustics, and
3. linguistic and psycholinguistic variables related to normal development and use of speech, language and hearing, such as:
 - a. linguistics (historical, descriptive, sociolinguistics, urban language),
 - b. psychology of language,
 - c. psycholinguistics,
 - d. language and speech acquisition, and
 - e. verbal learning or verbal behavior.

At least two semester hours of credit must be earned in each of the three categories.

E. 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 12 semester hours may be obtained in courses that are taught in departments other than those offering speech-language pathology and audiology programs. Courses

designed to improve the speaking and writing ability of the student will not be credited.

F. Thirty of these 60 semester hours must be obtained in courses that provide:

1. information relative to communication disorders, and
2. information about and training in evaluation and management of speech, language and hearing disorders.

At least 24 of these 30 semester hours must be in courses in the major professional area (speech-language pathology or audiology) for which licensure is requested, and at least 6 must be in audiology for licensure in speech-language pathology and in speech-language pathology for licensure in audiology, hereafter referred to as the minor professional area. Moreover, no more than 6 hours may be in courses that provide credit for clinical practicum obtained during academic training.

G. 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:

1. understanding of speech and language disorders, such as:
 - a. various types of disorders of communication,
 - b. their manifestations, and
 - c. their classifications and causes;
2. evaluation skills such as procedures, techniques, and instrumentation used to assess:
 - a. the speech and language status of children and adults, and
 - b. the bases of disorders of speech and language, and
3. management procedures, such as principles in remedial methods used in habilitation and rehabilitation for children and adults with various disorders of communication.

At least 6 semester hours must deal with speech disorders and at least 6 semester hours must deal with language disorders.

The remaining 6 semester hours of the 30 must be in the minor professional area of audiology. Of these 6 semester hours, three semester hours must be in habilitative/rehabilitative procedures with speech and language problems associated with hearing impairment, and three semester hours must 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.

H. 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:

1. auditory disorders, such as:
 - a. pathologies of the auditory system, and
 - b. assessment of auditory disorders and their effect on communication;
2. habilitative/rehabilitative procedures, such as:
 - a. selection and use of appropriate amplification instrumentation for the hearing impaired, both wearable and group,
 - b. evaluation of speech and language problems of the hearing impaired, and
 - c. management procedures for speech and language habilitation and/or rehabilitation of the hearing impaired (that may include manual communication);
3. conservation of hearing, such as:
 - a. environmental noise control, and

- b. Identification audiometry (school, military, industry); and
4. Instrumentation, such as:
 - a. electronics,
 - b. calibration techniques, and
 - c. characteristics of amplifying systems.

At least 6 semester hours must deal with auditory pathology and at least 6 semester hours must deal with habilitation/rehabilitation.

The remaining 6 semester hours of the 30 must be in the minor professional area of speech-language pathology. Of these 6 semester hours, three semester hours must be in speech pathology, and three semester hours must be in language pathology. It is suggested that where only this minimum requirement of 6 semester hours is met, such study be in the areas of evaluation procedures and management of speech and language problems that are not associated with hearing impairment.

1. In addition to the 12 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:

1. theories of learning and behavior;
2. services available from related professions that also deal with persons who

have disorders of communication; and

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

Academic credit that is obtained from practice teaching or practicum work in other professions will not be counted toward the minimum requirements.

In order that the future applicant for one of the professional licenses will 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, will be allowed to a maximum of 3 semester hours. Academic study of the administrative organization of speech-language pathology and audiology programs also may be applied to a maximum of 3 semester hours.

J. Certain types of course work may be acceptable among more than one of the areas of study specified above, 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 thereof, and/or a more general presentation of research procedures and techniques that will permit the clinician to read and evaluate literature critically will be acceptable to a maximum of 3 semester hours. Such courses may be credited to the basic communication process area, or one of the professional areas or related area, if substantive content of the course(s) covers material in those areas. Academic credit for a thesis or dissertation may be acceptable to a maximum of 3 semester hours in the appropriate area. An abstract of the study must be submitted with the application if such credit is requested. 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; that is, credit will not be allowed if

the project was a survey of opinions, a study of professional issues, an annotated bibliography, biography, or a study of curricular design.

K. As set forth in subsection I., the academic credit hours obtained from one course or one enrollment may, and should 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.

L. 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). However, no more than 6 semester hours of that study will be allowed in that manner for the license in speech-language pathology.

M. Thirty of the total 60 semester hours that are required for licensure must be in courses that are acceptable toward a graduate degree by the college or university in which they are taken. This requirement may 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 at the graduate level. Moreover, 21 of these 30 semester hours must 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 this appendix, paragraph E.