

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #7

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STATE OF WEST VIRGINIA

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NOTICE OF AN EMERGENCY RULE

AGENCY: Speech-Language Pathology & Audiology, WV Board of Examiners for TITLE NUMBER: 29-1

CITE AUTHORITY: WV Code 30-32-7.(12)(b)

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Licensure of Speech-Pathology
and Audiology

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

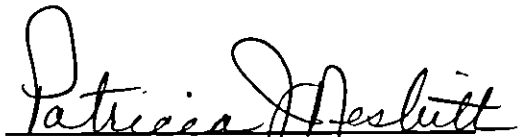
TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

Telepractice services was added (30-32-16) to the revised statute (30-32) passed by the WV Legislature on April 13, 2013 (in effect from passage) and signed by the Governor on May 3, 2013. A new rule is required to establish requirements and procedures for the immediate safety and welfare of the public. Without this emergency rule, there are no licensing requirements, guidelines or limitations in place for the regulation of telepractice services provided.

Because telepractice services are delivered via telecommunication technology at a distance, it is imperative that service delivery models, guidelines for the use of telepractice, the limitations of telepractice service and license requirements for providing the same are in place.


Authorized Signature

Use additional sheets if necessary



EMERGENCY RULE QUESTIONNAIRE

DATE: 06/14/2013

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* _____

Speech-Language Pathology and Audiology, WV Board of Examiners for
99 Edmiston Way
Box 11 - Suite 214
Buckhannon, WV 26201

EMERGENCY RULE TITLE: 29-1-14. Telepractice

1. Date of filing 06/18/2013

2. Statutory authority for promulgating emergency rule:

30-32-7 - Passed and in effect from April, 13, 2013
Signed by the Governor May 3, 2013

3. Date of filing of proposed legislative rule: 06/18/2013

4. Does the emergency rule adopt new language or does it amend or appeal a current legislative rule? Emergency rule adopts new language and adds 29-1-14.

5. Has the same or similar emergency rule previously been filed and expired?

No

6. State, with particularity, those facts and circumstances which make the emergency rule necessary for the **immediate** preservation of public peace, health, safety or welfare.

~~Telepractice services (30-32-16) was added to the revised statute (30-32-16) passed by the WV Legislature on April 13, 2013 (in effect from passage) and signed by the Governor on May 3, 2013. A new rule is required to establish requirements and~~
procedures for the immediate safety and welfare of the public. Without this emergency rule, there are no licensing requirements, guidelines or limitations in place for the regulation of telepractice services provided

7. If the emergency rule was promulgated in order to comply with a time limit established by the Code or federal statute or regulation, cite the Code provision, federal statute or regulation and time limit established therein.

~~WV Code 30-32-7.12(b)~~

8. State, with particularity, those facts and circumstances which make the emergency rule necessary to prevent substantial harm to the public interest.

~~Requirements, guidelines and limitations are mandated by the passage of the amended~~
code. (30-32) Because telepractice services are delivery via telecommunication
technology and at a distance, it is imperative that service delivery models, guidelines for
the use of telepractice, the limitations of telepractice service and license requirements
for providing the same are in place.

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

Board Members

Michael J. Zagarella, AuD., President
Vickie Pullins, M.A., CCC-SLP, Secretary
Joe E. Richards, M.A., Citizen Member

Summary of Facts and Circumstances for Emergency Rule – June 2013

Licensure of Speech-Language Pathology and Audiology

§29-1-14. – Telepractice

The emergency rule includes:

- Definitions
- Service Delivery Models
- Guidelines for Use of Facilitators
- Guidelines for Use of Telepractice
- Limitations of Telepractice Services and,
- License Requirements for Providing Telepractice Services

Telepractice Services was added (§30-32-16) to the revised statute (§30-32) passed by the WV Legislature on April 13, 2013 (in effect from passage) and signed by the Governor on May 3, 2013. A new rule is required to establish requirements, procedures, guidelines and limitations for Telepractice because without it there is nothing in place for the regulation of services provided.

Because telepractice services are delivered via telecommunication technology at a distance, it is imperative that service delivery models, guidelines for the use of telepractice, the limitations of telepractice service and license requirements for providing the same are in place for the immediate safety and welfare of the public.

Rulemaking (§30-32-7.(12)(b) of the revised WV State Code specifies “ The Board may promulgate emergency rules in accordance with section fifteen, article three, chapter twenty-nine-a of this code to establish requirements and procedures for telepractice in accordance with the provisions of this article, including the scope of duties and restrictions of assistants in telepractice.”

99 Edmiston Way, Box 11 – Suite 214, Buckhannon, WV 26201

Email: wvbespa@wv.gov

Web Site: www.wvspeechandaudiology.com

Phone: 304-473-4289 Fax: 304-473-4291 In-state toll free number: 877-462-5460

~Patricia Nesbitt – Administrative Services Manager~

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

29-1-14. Telepractice

Rule Title: _____

Type of Rule: Legislative Interpretive Procedural

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

Address: 99 Edmiston Way
Box 11 - Suite 214
Buckhannon, WV 26201

Phone Number: 304-473-4289 Email: wvbeslpa@wv.gov

Fiscal Note Summary

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

There should be no additional costs involved with the implementation for the telepractice rule.

The revenue impact for the Board is based solely on the number of Speech-Language Pathologists/Audiologists who will provide telepractice services to clients in West Virginia from a distant West Virginia location, another state or country and are required to hold a West Virginia license to provide the services.

A specific dollar amount is impossible to predict and will vary from year to year and is based totally on application, licence and/or renewal fees. The Fiscal Year figure is based on an estimate of ten (10) telepractice only licensees or 1.3% of the total number of licensees. If a Speech Pathologist or Audiologist is currently licensed and provides the services, there would be no additional revenue impact.

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	0.00	0.00	3,000.00

29-1-14. Telepractice

Rule Title: _____

Rule Title: _____

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

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

Fees are not increased or decreased with this emergency rule. The possible increase in revenue from this revision would be from the license requirement for providing telepractice services. The current applicable application, license and renewal fees would apply.

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.

N/A

Date: 06/14/2013

Signature of Agency Head or Authorized Representative

Patricia J. Nesbitt

**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 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 §30-32-407.

1.3. Filing Date. -- April 9, 2010.

1.4. Effective Date. -- July 1, 2010.

§29-1.2. Definitions.

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

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

2.3. "Initial License" means someone who has never held a license in Speech Pathology or Audiology in the state of West Virginia.

§29-1-3. Qualifications.

3.1. To be eligible for licensure by the Board as a speech-language pathologist or audiologist, 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 by section 9;

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 Council of Academic Accreditation (CAA).

3.1.d. Complete supervised clinical practicum experience requirements as defined in section 10;

3.1.e. Complete a post-graduate professional experience as described in section 11;

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 section 11;

3.1.g. 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 section 9 of this rule.

§29-1-5. Renewal.

5.1. Licenses expire on the 1st day January.

5.2. A licensee requesting renewal of a license shall:

5.2.a. Pay to the Board the professional license renewal fees.

5.2.b. Submit an application for renewal on the professional license renewal form prescribed by the Board;

5.2.c. Complete continuing education activities as stated in section 12.

5.3. The Board shall notify all licensees of the renewal procedures 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 January 30 if the licensee:

6.2. 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 section 9.

6.2.a. Submits a written request for reinstatement of his or her professional license to the Board within 5 years after the expiration date of his or her license;

6.2.b. Completes 10 clock hours of approved continuing education per year that the license was expired up to a maximum of 25 hours.

§29-1-7. Retirement of Licenses.

7.1. Retired status is granted to Speech-Language Pathologist and Audiologist who are retired and do not practice Speech-Language Pathology or Audiology after the expiration date of their current license.

7.2. Retired licensees may resume their active status by payment of the annual renewal fee.

7.3. In order to resume the practice of Speech-Language Pathology or Audiology, retired licensees shall demonstrate completion of the 5 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 clock 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 as set forth in 29CSR5. Failure to comply with the Code of Ethics will be grounds for disciplinary action as described in W. Va. Code §30-32-17.

§29-1-9. Schedule of Fees.

9.1. Initial fees:

- 9.1.a. Initial application for provisional and professional (non-refundable) \$100.00
- 9.1.b. Initial license in Speech-Language Pathology (two years) - \$200.00
- 9.1.c. Initial license in Audiology (two years) - \$200.00
- 9.1.d. Initial dual license in Speech-Language Pathology and Audiology - \$275.00
- 9.1.e. Initial registration of a Speech-Language Pathology or Audiology Assistant - \$50.00

9.2. Initial fees (Jul – Dec of second year of licensing period):

- 9.2.a. Initial application for Professional (non-refundable) - \$75.00
- 9.2.b. Initial license in Speech-Language Pathology (two-year) - \$75.00
- 9.2.c. Initial license in Audiology (two years) - \$75.00
- 9.2.d. Initial dual license in Speech-Language Pathology and Audiology - \$150.00

9.3. Renewal fees:

- 9.3.a. Renewal in Speech-Language Pathology (two years) - \$175.00
- 9.3.b. Renewal in Audiology (two years) - \$175.00
- 9.3.c. Dual license in Speech-Language Pathology and Audiology (two years) - \$250.00
- 9.3.d. Provisional license in Speech-Language Pathology (one year) - \$50.00
- 9.3.e. Provisional license in Audiology (one year) - \$50.00
- 9.3.f. Renewal of Registration for Speech-Language Pathology and Audiology Assistant - \$30.00

9.3.g. Renewal late fee (applies when renewal application, CEU's or renewal fees are received between January 1 through January 31) - \$75.00

9.3.h. Reinstatement fee (applies to the licensee who has not renewed his/her license after January 31) - \$100.00

9.4. Fees for Services Rendered.

9.4.a. Duplicate License - \$10.00

9.4.b. Duplicate Wall Certificate (initial wall certificate is free) - \$15.00

9.4.c. Change of Name and/or Address (includes duplicate license) - \$10.00

9.4.d. Copies of public records (per page; includes shipping) - \$.50

9.4.e. Roster of Active Licensees for Speech-Language Pathology - \$100.00

9.4.f. Roster of Active Licensees for Audiology - \$50.00

9.4.g. Insufficient Funds Penalty - \$20.00

9.4.h. Penalty fees determined by the Board for disciplinary actions not to exceed - \$500.00

9.4.i. Review and evaluate continuing education program from event provider - \$50.00

9.4.j. Out-of-State Letters of Good Standing or Affidavits - \$25.00

9.4.k. Copies of Rules and Regulations (includes shipping and handling) - \$10.00

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

10.1 All applicants shall complete 350 clock hours to complete the academic clinical practicum requirement. 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.

10.1.b. At least 50 hours shall be in 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 20 hours in each of the following eight categories:

10.2.a.

10.2.a.1. Evaluation of speech disorders in children;

10.2.a.2. Evaluation of speech disorders in adults;

10.2.a.3. Evaluation of language disorders in children;

10.2.a.4. Evaluation of language disorders in adults;

10.2.a.5. Treatment of speech disorders in children;

29CSR1

10.2.a.6. Treatment of speech disorders in adults;

10.2.a.7. Treatment of language disorders in children; and

10.2.a.8. Treatment of language disorders in adults.

10.2.b. Up to 20 clock hours in the major professional area may be in related disorders.

10.2.c. At least 35 of the 350 hours shall be in Audiology divided into the following two categories:

10.2.c.1. At least 15 of these hours shall involve the evaluation or screening of hearing; and

10.2.c.2. At least 15 hours of these hours shall involve the habilitation/rehabilitation of individuals who have hearing impairment.

10.3. For licensure in Audiology the applicant shall obtain at least 40 hours in the following two categories:

10.3.a.

10.3.a.1. Evaluation of hearing in children; and

10.3.a.2. Evaluation of hearing in adults.

10.3.b. At least 80 hours shall be obtained in the following two categories:

10.3.b.1. Selection and use of amplification and assistive listening devices for children; and

10.3.b.2. Selection and use of amplification and assistive listening devices for adults.

10.3.b.3. At least 10 additional hours shall be completed in any of categories 10.3.a.1; 10.3.a.2; 10.3.b.1 through 10.3.b.3.

10.3.d. At least 20 of the 250 hours shall be obtained in the treatment of hearing disorders in children and adults.

10.3.e. 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:

10.3.e.1. At least 15 of those hours shall involve the evaluation of screening of individuals for speech and language disorders unrelated to hearing; and

10.3.e.2. At least 15 of those hours shall involve the treatment of speech and language disorders unrelated to hearing impairment.

10.4. Any person who has completed a clinical doctorate in Audiology (Au.D.) from an accredited institution fulfills the requirement for the Clinical Practicum requirements.

§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:

11.1.a. The criterion of whether the particular program is designed to evaluate, habilitate, or rehabilitate the communicative functioning of speech, language, and hearing handicapped persons.

11.1.b. 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 11.3, 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. The Board requires 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 families 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.c.3 through 11.7.g 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.

§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.

12.1.a. A person initially licensed during the last 6 months of the 2-year licensing period is not required to complete CEU's as a prerequisite for the first renewal of his/her license.

12.2. A professional licensee shall obtain a minimum of 20 clock hours of continuing education during every two-year licensure period. Licensees who exceed the minimum continuing education requirement may carry a maximum of 6 hours forward to the next reporting period only. 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 15 clock hours of continuing education credits in each area, for a total of 30 clock 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.

12.3.c. The American Academy of Audiology.

12.3.d. Activities approved by the WVBESLPA

12.4. 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.

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

12.6. 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.

12.7. Continuing education activities from other organizations require prior approval of the Board for credit.

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

12.7.a.1. The name of the activity;

12.7.a.2. The name and credentials of the speaker or presenter;

12.7.a.3. The date and hours of the activity (including the agenda);

12.7.a.4. The location of the activity;

12.7.a.5. The contact person or coordinator of the activity and his/her telephone number;

12.7.a.6. The goals of the activity;

12.7.a.7. The target group of the activity;

12.7.a.8. The total number of continuing education hours requested for the activity.

12.8.a. The licensee shall request pre-approval (minimum 30 days in advance) from the Board for self study or other appropriate CE hours.

12.8.b. Self study activities include:

12.8.b.1. Professional presentations on recorded media including; audio, video, online courses (both live and pre-recorded);

12.8.b.2. Reading of professional journal articles that contain self examination questions at the end. Articles shall be submitted for pre-approval:

12.8.b.3. Reading journal articles and submitting summarization of articles to the Board; and

12.8.b.4. Publication of diagnostic and/or therapeutic materials:

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

§29-1-13. Coursework requirement for Master's Equivalency for Speech-Language Pathology and Audiology.

13.1 Definitions.

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

13.1.b. "Equivalency" is defined as at least 42 post-baccalaureate semester hours acceptable toward a master's degree.

13.2. Outline of the Academic Courses required for the basis of the Master's Degree Equivalency.

13.2.a. At least 30 semester hours shall be in the areas of Speech-Language Pathology, Audiology, or Speech-Language and Hearing Science.

13.2.b. Speech-Language Pathologists and Audiologists shall obtain at least 21 of these 42 semester hours from a single college or university.

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

13.2.d. No more than 6 semester hours shall be obtained for clinical practicum.

13.3. 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.

13.4. 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.

13.5. Courses in Basic Communication Processes Area.

13.5.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:

13.5.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.

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

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

13.5.a.2.B. phonology;

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

13.5.a.2.D. perceptual processes;

13.5.a.2.E. psychoacoustics; and

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

13.5.a.3.A. linguistics (historical, descriptive, sociolinguistics, urban language);

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

13.5.a.3.C. psycholinguistics;

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

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

13.5.b. The applicant shall earn at least 2 semester hours of credit in each of the above 3 categories.

13.6. It is emphasized that the three broad categories of required education in this section, 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.

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

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

13.7.a. information relative to communication disorders;

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

13.7.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.

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

13.8.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:

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

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

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

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

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

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

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

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

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

13.8.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.

13.9. Professional Education Hours Required for Audiology.

13.9.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.

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

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

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

13.9.a.2. habilitative/rehabilitative procedures, such as:

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

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

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

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

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

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

13.9.a.4. Instrumentation, such as:

13.9.a.4.A. electronics

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

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

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

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

13.9.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.

13.9.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.

13.10. Related Areas of Study.

13.10.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:

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

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

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

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

13.10.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.

13.10.d. Certain types of course work shall be acceptable among more than one of the areas of study specified in 13.10, 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 covers material in those areas.

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

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

13.10.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.

13.10.e. As set forth in section 13.10, 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).

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

13.10.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.

13.10.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.

13.10.f.2. 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 section 13.7.c.

13.11. 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.

§29-1-14. Telepractice

14.1 Definitions.

14.1.a. "Asynchronous" is defined as recorded therapy sessions submitted for later review.

14.1.b. "Client/Patient" is defined as a consumer of telepractice services.

14.1.c. "Facilitator" is defined as the individual at the client site who facilitates the telepractice service delivery at the direction of the speech-language pathologist or audiologist. For purposes of fulfilling the facilitator role at the direction of the speech-language pathologist or audiologist, an individual does not have to become licensed as an aide.

14.1.d. "Provider" is defined as a speech-language pathologist or audiologist, fully licensed by the board, who provides telepractice services.

14.1.e. "Service Delivery Model" is defined as the method of providing telepractice services.

14.1.f. "Site" is defined as the client/patient location for receiving telepractice services.

14.1.g. "Stored Clinical Data" is defined as video clips, sound/audio files, photo images, electronic records, and written records that may be available for transmission via telepractice communications.

14.1.h. "Synchronous" is defined as therapy sessions occurring via telepractice applications using real time, encrypted videoconferencing.

14.1.i. "Telepractice Service" is defined as the application of telecommunication technology to deliver speech-language pathology and/or audiology services at a distance for assessment, intervention and/or consultation.

14.2. Service Delivery Models

14.2.a. Telepractice Services may be delivered in a variety of ways, including, but not limited to those set out in this section.

14.2.a.1. Store-and-forward model/electronic transmission is an asynchronous electronic transmission of stored clinical data from one location to another.

14.2.a.2. Synchronous clinician interactive model is a real time interaction between the provider and client/patient that may occur via encrypted audio and video transmission over telecommunication links including, but not limited to, videoconferencing.

14.2.a.3. Live versus stored data refers to the actual data transmitted during the telepractice. Both live, real-time and stored clinical data may be included during the telepractice.

14.2. Guidelines for Use of Facilitators

14.2.a Facilitators may be used to assist clients on site when telepractice services are provided. The Speech-Language Pathologist is responsible for conducting the session and directing the activities of the facilitator. The facilitator may be a teacher's aide, a nursing assistant, a speech-language pathology assistant or other type of support personnel.

14.2.b. The Speech-Language Pathologist is responsible for ensuring the facilitator is appropriately trained to provide the type of assistance needed. Activities may include:

- 14.2.b.1. Escorting client/patient or student to and from sessions;
- 14.2.b.2. Establishing and troubleshooting the telepractice connection;
- 14.2.b.3. Setting up therapy materials;
- 14.2.b.4. Positioning the client/patient at the direction of the Speech-Language Pathologist;
- 14.2.b.5. Remaining with the client/patient or student during sessions;
- 14.2.b.6. Assisting with behavior management, as needed;
- 14.2.b.7. Communicating with on-site staff or teachers about scheduling, and
- 14.2.b.8. In some instances serving as the interpreter.

14.3. Guidelines for Use of Telepractice.

14.3.a. The provider shall comply with the West Virginia Board of Examiners for Speech-Language Pathology and Audiology Code of Ethics as set forth in 29CSR5 and Scope Practice requirements set forth in West Virginia Code §30-32-13 & §30-32-14, when providing telepractice services. Failure to comply will be grounds for disciplinary action as described in West Virginia Code §30-32-19.

14.3.b. Telepractice services delivered via telecommunication technology must be equivalent to the quality, scope and nature of services delivered face-to-face, i.e., in person.

14.3.c. The quality of electronic transmissions shall be appropriate for the delivery of telepractice services as if those services were provided in person.

14.3.d. Providers must have the knowledge and skills to competently deliver services via telecommunication technology by virtue of education, training and experience.

14.3.e. Providers are responsible for assessing the client's candidacy for telepractice including behavioral, physical and cognitive abilities to participate in services provided via telecommunications.

14.3.f. A provider shall be sensitive to cultural and linguistic variables that affect the identification, assessment, treatment and management of the clients/patients.

14.3.g. Equipment used for the delivery of telepractice services at the provider site shall be maintained in appropriate operational status to provide appropriate quality of services.

14.3.h. Equipment used at the client/patient site shall be in appropriate working condition and deemed appropriate by the provider.

14.3.i. As pertaining to liability and malpractice issues, a provider shall be held to the same standards of practice as if the telepractice services were provided in person.

14.3.j. Telepractice providers shall comply with all laws, rules and regulations governing the maintenance of patient/client records, including patient/client confidentiality requirements, regardless of the state where the records of any patient/client within this state are maintained.

14.3.k. Notification of telepractice services should be provided to the patient/client, the guardian, the caregiver, and the multi-disciplinary team, if appropriate. The notification shall include, but not be limited to: the right to refuse telepractice services and options for service delivery.

14.4. Limitations of Telepractice Services

14.4.1. Telepractice services shall not be provided by correspondence only, e.g., mail, email, fax, although they may adjuncts to telepractice.

14.4.2. Telepractice services shall not be provided by:

14.4.2.a. Speech Pathologists with a provisional license while completing a postgraduate professional experience/clinical fellowship year.

14.4.2.b. Speech Pathology Assistants

14.4. Licensure Requirements for Providing Telepractice Services.

14.4.1. A provider of telepractice services who practices in this State shall be licensed by the Board, per license requirements set forth in WV Code, §30-32-9., §30-32-10. & WV Code Rules §29-1.

14.4.2. A provider of telepractice services who resides out of this State and who provides telepractice services to clients/patients in West Virginia shall be licensed by the Board, per license requirements set forth in WV Code, §30-32-9. & §30-32-10. & WV Code Rules §29-1.

14.4.3. A provider of telepractice services shall be competent in both the type of services provided and the methodology and equipment used to provide the services.