

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

Form #3

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2013 JUL 25 PM 2:46

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

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

CITE AUTHORITY: 30-32-7

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 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 PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

  
\_\_\_\_\_  
Authorized Signature

**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: 07/26/2013

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) Speech-Language Pathology & Audiology, WV Bd of  
Examiners for  
99 Edmiston Way - Box 11, Suite 214  
Buckhannon, WV 26201  
304-473-4289

LEGISLATIVE RULE TITLE: Licensure of Speech-Pathology and Audiology

1. Authorizing statute(s) citation 30-32-7

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
June 21, 2013

b. What other notice, including advertising, did you give of the hearing?  
Legal advertisements re: public comment were posted on June 18 and/or June 19 in the following publications:  
Charleston Gazette - Charleston, Greenbrier Valley Ranger - Lewisburg, Bluefield Daily - Bluefield, Dominion Post - Morgantown, Intelligencer - Wheeling, News & Sentinel - Parkersburg, Martinsburg Journal - Martinsburg, Exponent Telegram - Clarksburg

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
June 18, 2013

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

Attached 2 No comments received \_\_\_\_\_

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

07/26/2013

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

Patricia Nesbitt  
Administrative Services Manager  
WVBESLPA  
99 Edmiston Way  
Box 11 - Suite 214  
Buckhannon, WV 26201  
304-473-4289 - 304-473-4291 (fax)  
wvbeslpa@wv.gov

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- 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)

N/A

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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

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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

# 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 PROPOSED CHANGES 29CSR – SERIES 1 LICENSURE OF SPEECH-PATHOLOGY AND AUDIOLOGY

WV Code §30-32 was amended and reenacted on April 13, 2013 by the WV Legislature and signed by the Governor on May 3, 2013. The proposed changes to WV Code Rule §29-1 are required to comply with the amended WV Code.

This revision is to repeal and replace WV Code Rule §29CSR1 effective March 1, 2001. The changes include:

- Revised References to WV Code sections
- Revised with additional definitions
- §29-1-3. & §29-1-4. - Added jurisprudence examination requirement for Speech-Language Pathology and Audiology licensure requirements., 3.1.h & 4.1.h.
- §29-1-4. - Added new section 29-1-4. – Qualifications for licensure in Audiology.
- §29-1-5. - Updated specific Provisional License qualifications
- §29-1-6. - Updated specific license renewal requirements, to include the fact there is no longer a 30 day grace period for license renewal.
- §29-1-7. – Added ethics training requirement for reinstatement of a license
- §29-1-8. – Revision to section and addition of ethics training continuing education requirement
- §29-1-10. – Revised, updated and pro-rated license fees for speech-language pathology and audiology licenses.
- §29-1-11. – Revised and updated the Speech-Language Pathology requirement of 400 clinical practicum clock hours per the ASHA recommendation in comments received on July 17, 2013 and the current Council on Academic Accreditation (CAA) standards. ASHA standards were revised in 2005 and this revision reflects the requirement(s) of an accredited university program.  
*Please Note – The current Council on Academic Accreditation (CAA) standards/requirements in Audiology are, effective January 1, 2013, a Doctoral degree with 1820 clock hours for completion of an academic clinical practicum. Because WV Code 30-32 was not changed to require an Audiology doctoral degree for licensure, our clinical practicum requirement of 350 clock hours for Audiology will not change.*
- §29-1-12. – Revised to include the requirement of ASHA certification (CCC) for a supervisor of a provisional licensee completing their PPE/Clinical Fellowship. This change was made per the recommendation in the comments received from ASHA.

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

Email: [wvbes/pa@wv.gov](mailto:wvbes/pa@wv.gov)

Web Site: [www.wvspeechandaudiology.com](http://www.wvspeechandaudiology.com)

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

~Patricia Nesbitt – Administrative Services Manager~

Because the Board utilizes the ASHA Clinical Fellowship standards for the completion of the Postgraduate Professional Experience, ASHA certification of the supervisor should also be required.

- §29-1-11. – Changed “35 of the 350 hours” to “30 of the 350 hours” to match the 15 hours ea. requirement in 11.3.e.1 and 11.3.e.2.
- §29-1-13. – Added the requirement of 2 clock hours of approved ethics continuing education for license renewal. The total requirement of 20 hours of continuing education every two years does not change.
- §29-1-15.1.a: The definition of “asynchronous” was changed per the recommendation in the comments received from ASHA on July 17, 2013.
- §29-1-15.1.h: The definition of “synchronous” was changed per the recommendation in the comments received from ASHA on July 17, 2013.
- §29-1-15.2.a.1: Clarification of “Store-and-forward model” per the recommendation in the comments received from ASHA on July 17, 2013
- §29-1-15.2.a.3: Provision was deleted per the recommendation in comments received from ASHA on July 17, 2013. Synchronous and asynchronous were defined in
- §29-1-15.1.a & §29-1-15.1.h.

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**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

**STATEMENT OF CIRCUMSTANCES  
CSR29 – SERIES 1  
WEST VIRGINIA BOARD OF EXAMINERS FOR  
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY  
LICENSURE OF SPEECH-PATHOLOGY AND AUDIOLOGY**

WV Code §30-32 was amended and reenacted on April 13, 2013 by the WV Legislature and signed by the Governor on May 3, 2013. The proposed changes to WV Code Rule §29-1 are required to comply with the amended WV Code.

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*~Patricia Nesbitt – Administrative Services Manager~*

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: Licensure of Speech-Pathology and Audiology  
29CSR - Series 1

Type of Rule:  Legislative  Interpretive  Procedural

Agency: Speech-Language Pathology & 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.

1. The current Rule states a set license fee, no matter when during the course of the two year licensing period, someone may apply for a license. If an applicant applies and receives a license on October 1st of the expiration year, the license would be valid for only three (3) months before renewal is required. This amended Rule pro-rates the license fee in six (6) month increments. This amended rule should have no affect on the Board's costs but revenues will be decreased. (approx. (\$10,250.00))

2. The amended WV Code 30-32 changes the timeframe for renewal vs. reinstatement of a license. Currently, a license must be reinstated after the 31st day of January. This amended Rule, per the WV Code, reinstatement is required after one year from the expiration of the license. This amended rule should have no affect on the Board's costs but revenues will be decreased by the difference of a renewal late fee and a license reinstatement fee. (approx. (\$800.00))

**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.

<b>FISCAL YEAR</b>			
Effect of Proposal	Current Increase/Decrease (use "--")	Next Increase/Decrease (use "--")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>	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
<b>2. Estimated Total Revenues</b>	0.00	11,000.00	11,000.00

Rule Title: Licensure of Speech-Pathology and Audiology  
29CSR1



Rule Title: \_\_\_\_\_

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

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

The above estimates of the decrease in revenue are based on the number of new licenses issued, in six (6) month increments from July 2009 thru June 14, 2013. An average was taken for the number of licenses issued in each 6 month period with the new applicable pro-rated license fee applied. This figure was then subtracted from a total based on the current license fee.

The second decrease is based on the average number of licensees reinstating a license after January 31st during the last two renewal cycles. (2010 & 2012) The difference between the renewal late fee (\$75.00) and the reinstatement fee (\$100.00) was applied to the average number of licensees.

Because the amended WV Code 30-32 no longer includes a 30 day grace period for renewal, the Board will most likely experience an increase in fines and penalties for working without a license. These fines and penalties are NOT included in the estimates because they would not affect the Board's revenue numbers.

**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: 07/24/2013

Signature of Agency Head or Authorized Representative

Patricia Nesbitt

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2013 JUL 25 PM 2:46

TITLE 29  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND  
AUDIOLOGY

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

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 and/or Audiologist in the State of West Virginia. It also establishes the prerequisites for provisional licensure, license renewal, reinstatement of expired licenses, retirement of licenses, fees, telepractice services and standards of conduct.

1.2. Authority. WV Code §30-32-7.

1.3. Filing Date. \_\_\_\_\_.

1.4. Effective Date. \_\_\_\_\_.

1.5. Repeal and Replace – This rule repeals and replaces 29CSR1, Licensure of Speech-Pathology and Audiology, affective March 1, 2001.

**§29-1.2. Definitions.**

2.1. “ASHA” means the American Speech-Language-Hearing Association.

2.2. “AAA” means the American Academy of Audiology.

2.3. “Board” refers to the West Virginia Board of Examiners for Speech-Language Pathology and Audiology, abbreviated as WVBESLPA.

2.4. “License” means a license issued by the Board to someone who meets all the requirements for licensure in Speech-Language Pathology and/or Audiology.

2.5. “Provisional License” means a license issued by the Board for completion of the Postgraduate Professional Experience, as set forth in section 12.

2.6. “Telepractice Services” 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.

**§29-1-3. Qualifications for licensure in speech-language pathology**

3.1. To be eligible for licensure by the Board as a speech-language pathologist, 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 and license fee as required by section 10;

## 29CSR1

3.1.c. Possess at least a master's degree or equivalent in Speech-Language Pathology 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 11;

3.1.e. Complete a post-graduate professional experience as described in section 12;

3.1.f. Authenticate post-graduate professional experience requirements by submitting verification of the certificate of clinical competence (CCC) 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 12;

3.1.g. Obtain a passing score on the national examination in the area of Speech-Language Pathology. The Board recognizes only the Educational Testing Service's (ETS) specialty area examinations.

3.1.h. Pass the jurisprudence examination developed by the Board. The examination shall be submitted with the application for licensure, fees and other required documents.

### **§29-1-4. Qualifications for licensure in Audiology**

4.1 To be eligible for licensure by the Board as an Audiologist, the applicant shall:

4.1.a. Make application to the Board on the license application form approved by the Board;

4.1.b. Pay to the Board the appropriate application and license fee as required in section 10;

4.1.c. Possess at least a master's degree or equivalent in Audiology that consists of coursework approved by the Council of Academic Accreditation (CAA);

4.1.d. Complete supervised clinical practicum experience requirements as defined in section 11;

4.1.e. Complete a post-graduate professional experience as described in section 12, with the exception of;

4.1.e.1. Any person who has completed a clinical doctorate in audiology (Au.D.) from an accredited institution fulfills the requirement for the Postgraduate Professional Experience.

4.1.f. Authenticate post-graduate professional experience requirements by submitting verification of the certificate of clinical competence (CCC) 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 12;

4.1.g. Obtain a passing score on the national examination in the area of Audiology. The Board recognizes only the Educational Testing Service's (ETS) specialty area examinations.

4.1.h. Pass the jurisprudence examination developed by the Board. The examination shall be submitted with the application for licensure, fees and other required documents.

### **§29-1-5. Qualifications for a Provisional License.**

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5.1. To be eligible for provisional licensure by the Board, for purposes of fulfilling a Postgraduate Professional Experience, the applicant shall:

5.1.a. Make application to the Board on the license application form approved by the Board;

5.1.b. Pay to the Board the appropriate application and license fee as required by section 10;

5.1.c. Submit to the Board an official university/college transcript;

5.1.d. Submit to the Board an original test score from the Educational Testing Service for the specialty area of Speech-Language Pathology.

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

5.3. The provisional licensee shall submit an original Postgraduate Professional Experience (PPE) agreement form to the Board within thirty (30) days after employment begins. The form must be completed and signed by the provisional licensee and the licensee's supervisor. The Postgraduate Professional Experience requirements are stated in section 12.

5.4. The provisional license is renewable for one additional year upon proof of the completion of a minimum of 10 hours of Board approved continuing education in the previous one year licensing period, the completion of the license application form, and payment of the provisional license renewal fee as prescribed in section 10.

### **§29-1-6. License Renewal.**

6.1. All licenses, except provisional licenses and assistants' registrations, expire biennially on the 31<sup>st</sup> day of December. Expiration of licenses is always on the even year, e.g., 2014, 2016, etc.

6.2. A licensee requesting renewal of a license shall:

6.2.a. Pay to the Board the license renewal fees, as stated in section 10.

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

6.2.c. Complete and submit verification of Board approved continuing education activities as stated in section 13.

6.3. The Board shall notify all licensees of the renewal procedures during the fourth (4<sup>th</sup>) quarter of the year the license expires. Notifications will be sent via email to the last email address provided by the licensee. If an email address is not available, the notification will be sent via US Mail to the last physical home address provided by the licensee. It is the responsibility of the licensee to notify the Board of any change in contact information.

6.4. A license that expires may be renewed within one (1) year of the expiration date, as long as the licensee is entitled to renewal and pays to the Board the renewal fee and the late fee as stated in section 10.

6.4.a. A license renewed after expiration will be valid only when all renewal requirements are met. Prior to the renewal of an expired license, the license shall be considered inactive. Anyone providing services with an expired/inactive license will face disciplinary actions for unlicensed practice.

**§29-1-7. Reinstatement of Expired Licenses.**

7.1. The Board may reinstate a license expired for more than one (1) year but fewer than five (5) years if the licensee:

7.2. 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 license reinstatement fee stated in section 10.

7.2.a. Completes 10 clock hours of approved continuing education per year that the license was expired up to a maximum of 25 hours. The continuing education will include 2 clock hours of ethics training per year that the license was expired up to a maximum of 4 hours. §29-1-13.

**§29-1-8. Retirement of Licenses.**

8.1. Retired status is granted to Speech-Language Pathologists and Audiologists who do not practice Speech-Language Pathology or Audiology for an extended time period after the expiration date of their current license because of retirement, family matters, etc.

8.2. A retired license request form must be completed and submitted to the Board by the licensee requesting the retired license status.

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

8.4. In order to resume the practice of Speech-Language Pathology or Audiology, retired status licensees shall demonstrate completion of 5 clock hours of continuing education in the area of licensure for each year that the retired status was maintained (maximum of 25 hours). The continuing education will include 2 clock hours of ethics per year the retired status was maintained up to a maximum of 4 hours. §29.1.13.2.a.

8.5. 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.

**§29-1.9 Standards of Conduct.**

9.1. 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 §30-32-19.

**§29-1-10. Schedule of Fees.**

10.1. Application Fee

10.1.a. License & Provisional License application fee (non-refundable) - \$100.00

10.2 License Fees: **January – June/First Year of the Licensing Period (odd year)**

10.2.a. License fee in Speech-Language Pathology or Audiology - \$200.00

10.2.b. Dual license fee in Speech-Language Pathology and Audiology - \$275.00

10.3. License Fees: **July – December/First Year of the Licensing Period (odd year)**

**29CSR1**

- 10.3.a. License fee in Speech-Language Pathology or Audiology - \$150.00
- 10.3.b. Dual license fee in Speech-Language Pathology and Audiology - \$206.00
- 10.4. License Fees: **January – June/Second Year of Licensing Period (even year)**
  - 10.4.a. License fee in Speech-Language Pathology or Audiology - \$100.00
  - 10.4.b. Dual license fee in Speech-Language Pathology and Audiology - \$138.00
- 10.5. License Fees: **July – December/Second Year of Licensing Period (even year)**
  - 10.5.a. License fee in Speech-Language Pathology or Audiology - \$50.00
  - 10.5.b. Dual license fee in Speech-Language Pathology and Audiology - \$70.00
- 10.6. Provisional License fee - \$50.00
- 10.7. Registration fee of a Speech-Language Pathology or Audiology Assistant - \$50.00
- 10.8. Renewal fees:
  - 10.8.a. Renewal fee in Speech-Language Pathology or Audiology (two years) - \$175.00
  - 10.8.b. Renewal fee (Dual) in Speech-Language Pathology and Audiology (two years) - \$250.00
  - 10.8.c. Provisional license renewal fee in Speech-Language Pathology (one year) - \$50.00
  - 10.8.d. Provisional license renewal fee in Audiology (one year) - \$50.00
  - 10.8.e. Registration Renewal for Speech-Language Pathology or Audiology Assistant - \$30.00
  - 10.8.f. Renewal late fee - \$75.00
  - 10.8.g. Reinstatement fee - \$100.00
- 10.9. Fees for Services Rendered.
  - 10.9.a. Duplicate License - \$10.00
  - 10.9.b. Duplicate Wall Certificate - \$15.00
  - 10.9.c. Copies of public records (per page; includes shipping) - \$.50
  - 10.9.d. Roster of Active Licensees for Speech-Language Pathology - \$100.00
  - 10.9.e. Roster of Active Licensees for Audiology - \$50.00
  - 10.9.f. Insufficient Funds Penalty - \$20.00
  - 10.9.g. Review and evaluate continuing education program from event provider - \$50.00

10.9.h. Out-of-State Letters of Good Standing or Affidavits - \$25.00

10.9.i. Copies of Rules and Regulations - \$10.00 (Free online on the Board's website.)

**§29-1-11. Academic Clinical Practicum Requirements.**

11.1. All Speech-Language Pathology applicants shall complete a minimum of 400 clock hours to complete the academic clinical practicum requirement. Twenty-five (25) hours must be spent in clinical observation and 375 hours must be spent in direct client/patient contact, as required by the Council on Academic Accreditation in Speech-Language Pathology (CAA).

11.2. The applicant must demonstrate direct client/patient clinical experiences in both assessment and intervention with children and adults from the following range of disorders and differences:

11.2.a.1. Articulation

11.2.a.2. Fluency

11.2.a.3. Voice and resonance, including respiration and phonation

11.2.a.4. Receptive and expressive language (phonology, morphology, syntax, semantics, pragmatics, prelinguistic communication and paralinguistic communication) in speaking, listening, reading and writing

11.2.a.5. Hearing, including the impact on speech and language

11.2.a.6. Swallowing (oral, pharyngeal, esophageal and related functions, including oral function for feeding, orofacial myology)

11.2.a.7. Cognitive aspects of communication (attention, memory, sequencing, problem-solving and executive functioning)

11.2.a.8. Social aspects of communication (including challenging behavior, ineffective social skills, and lack of communication opportunities)

11.2.a.9. Augmentative and alternative communication modalities

11.3. All Audiology applicants shall obtain at least 350 clock hours to complete the academic clinical practicum requirement.

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

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

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

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

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

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

11.3.b.3. At least 10 additional hours shall be completed in any of categories 11.3.a.1; 11.3.a.2; 11.3.b.1 through 11.3.b.2.

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

11.3.e. Up to 20 hours in the major area may be in related disorders and at least 30 of the 350 clock hours shall be in speech-language pathology divided into the following two categories:

11.3.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

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

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

**§29-1-12. Postgraduate Professional Experience.**

12.1. 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:

12.1.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.

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

12.2. 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).

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

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

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

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

12.4. 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 12.3, 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.



## 29CSR1

12.5. 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.

12.6. Only individuals holding current West Virginia licensure in speech-language pathology or audiology and the ASHA Certificate of Clinical Competence (CCC) are eligible to supervise applicants during the postgraduate professional experience. Applicants may obtain names of qualified individuals from the Board.

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

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

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

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

12.7.c.1. Diagnostic reports;

12.7.c.2. Treatment records;

12.7.c.3. Correspondence;

12.7.c.4. Plans of treatment; and

12.7.c.5. Summaries of clinical conferences.

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

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

12.7.f. Monitoring the clinical fellow's work by patients and their families evaluation of the clinical fellow; and

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

12.8. The supervisor may conduct items 12.7.c.3 through 12.7.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 that 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:

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

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

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

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

### **§29-1-13. Continuing Education.**

13.1. In order to renew a Speech-Language Pathology and/or Audiology license or a provisional license, an applicant shall complete continuing education units that relate directly to professional growth and development, e.g., clinical skills. The continuing education requirements for Speech-Language Pathology and/or Audiology Assistant are stated in 29CSR5 – Rule Governing Speech-Language Pathology and Audiology Assistants.

13.1.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.

13.2. 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.

13.2.a. Effective for licenses expiring December 31, 2014 and thereafter, 2 clock hours per year (total of 4 clock hours) of approved ethics continuing education are required for license renewal.

13.3. The Board shall accept credits issued by the following organizations:

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

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

13.3.c. The American Academy of Audiology.

13.3.d. Activities approved by the WVBESLPA

13.4. Online continuing education courses will be accepted if issued/approved by the organizations in section 13.3 and/or approved by the WVBESLPA.

13.5. 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.

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

13.7. A licensee shall submit verification of continuing education credits as part of the license renewal requirement. Verification can consist of proof of attendance by signature of the presenter or monitor, ASHA transcript, conference coded attendance log, etc.

13.8. Continuing education activities from organizations other than 13.3.a., 13.3.b., 13.3.c., and 13.3.d. require prior approval from the Board.

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

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

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

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

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

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

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

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

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

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

13.9.b. Self-study activities include:

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

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

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

13.9.b.4. Publication of diagnostic and/or therapeutic materials;

13.9.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 WVBESLPA in order to qualify for CE credit.

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

14.1 Definitions.

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

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

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

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

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

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

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

14.3. 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.

14.4. 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.

14.5. Courses in Basic Communication Processes Area.

14.5.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:

14.5.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.

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

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

14.5.a.2.B. phonology;

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

14.5.a.2.D. perceptual processes;

14.5.a.2.E. psychoacoustics; and

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

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

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

14.5.a.3.C. psycholinguistics;

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

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

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

14.6. 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.

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

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

14.7.a. information relative to communication disorders;

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

14.7.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.

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

14.8.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:

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

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

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

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

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

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

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

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

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

14.8.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.

14.9. Professional Education Hours Required for Audiology.

14.9.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.

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

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

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

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

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

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

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

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

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

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

14.9.a.4. Instrumentation, such as:

14.9.a.4.A. electronics

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

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

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

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

14.9.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.

14.9.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.

14.10. Related Areas of Study.

14.10.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:

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

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

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

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

14.10.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.

14.10.d. Certain types of course work shall be acceptable among more than one of the areas of study specified in 14.10, 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.

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

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

14.10.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.

14.10.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).

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

14.10.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.

14.10.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.

14.10.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 14.7.c.

14.11. 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.

### **§29-1-15. Telepractice**

15.1 Definitions.

15.1.a. "Asynchronous" is defined as images or data that are captured and transmitted for later review by a provider.

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

15.1.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.



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

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

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

15.1.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.

15.1.h. "Synchronous" is defined as interactive audio and video telepractice service occurring in real time.

15.1.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.

### 15.2. Service Delivery Models

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

15.2.a.1. Store-and-forward model/is the asynchronous capture and transmission of clinical data from one location to a provider.

15.2.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.

### 15.3. Guidelines for Use of Facilitators

15.3.a. Facilitators may be used to assist clients on site when telepractice services are provided. The Speech-Language Pathologist or Audiologist 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 or audiology assistant or other type of support personnel.

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

15.3.b.1. Escorting client/patient or student to and from sessions;

15.3.b.2. Establishing and troubleshooting the telepractice connection;

15.3.b.3. Setting up therapy materials;

15.3.b.4. Positioning the client/patient at the direction of the Speech-Language Pathologist or Audiologist;

15.3.b.5. Remaining with the client/patient or student during sessions;

15.3.b.6. Assisting with behavior management, as needed;

15.3.b.7. Communicating with on-site staff or teachers about scheduling, and

15.3.b.8. In some instances serving as the interpreter.

15.4. Guidelines for Use of Telepractice.

15.4.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.

15.4.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.

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

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

15.4.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.

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

15.4.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.

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

15.4.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.

15.4.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.

15.4.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.

15.5. Limitations of Telepractice Services

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

15.5.2. Telepractice services shall not be provided by:

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

15.5.2.b. Speech Pathology or Audiology Assistants

15.6. Licensure Requirements for Providing Telepractice Services.

15.6.1. 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.

15.6.2. 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.

15.6.3. 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.

## **ASHA Comments to WV Regarding Licensing Rule Update**

Susan Adams [SAdams@asha.org]

**Sent:** Wednesday, July 17, 2013 9:27 AM

**To:** WVBESLPA

**Attachments:** ASHA Comments to WV Regard~1.pdf (191 KB)

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Ms. Nesbitt,

Attached please find our comments on the recent proposed rules to update the speech-language pathology and audiology licensing rules. Should you have any questions, please feel free to contact me.

Regards,

*~Susan*

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AMERICAN  
SPEECH-LANGUAGE-  
HEARING  
ASSOCIATION

July 17, 2013

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

RE: Licensure of Speech-Pathology and Audiology

Dear Ms. Nesbitt:

The American Speech-Language-Hearing Association (ASHA) is the professional, scientific, and credentialing association for over 166,000 members and affiliates who are audiologists, speech-language pathologists, and speech, language, and hearing scientists, support personnel, and students. We offer the following comments on the proposed Rules for Licensing Speech-Pathology and Audiology.

We are pleased to see the inclusion of telepractice in the proposed rules. Telepractice is an effective alternative to the in-person model for delivery of care. It permits specialists to be available to those in need—regardless of geographic location—and saves time and money for both the provider and the client. As such, it has the benefits of availing services to those individuals who might not have access otherwise.

We offer the following suggestions to improve the current proposed language:

- §29-1-4.1.c: We recommend updating the educational requirement for audiologists to the doctoral degree. Twenty-seven states now require a doctoral degree for audiology licensure, with an additional eighteen allowing a Master's or doctoral degree. ASHA requires a doctoral degree to obtain the Certificate of Clinical Competence (CCC).
- §29-1-11: We recommend updating the number of clinical hours required for licensure. In 2005, ASHA changed our requirement to 400 clock hours to be eligible for the CCC. Many states have updated their standards to match ASHA's standards.
- §29-1-12: We suggest requiring that supervisors of postgraduate professional experience be ASHA certified. Clinical fellows must be supervised by ASHA certified supervisors in order for those fellows to be eligible for ASHA certification. Adding this requirement would facilitate an easier path for students seeking their ASHA certification.
- §29-1-15.1.a: We suggest changing the definition of "asynchronous" as it is not a recorded therapy session with a provider. We would revise the definition to read: "Asynchronous" is defined as images or data that are captured and transmitted for later review by a provider.

- §29-1-15.1.h: We suggest changing the definition of “synchronous” as it should not be limited to therapy sessions. We suggest revising the definition to read: “Synchronous” is defined as interactive audio and video telepractice service occurring in real time.
- §29-1-15.2.a.1: We would clarify this provision to read: Store-and-forward model/ is the asynchronous capture and transmission of clinical data from one location to a provider.
- §29-1-15.2.a.3: We recommend deleting this provision as it may be confusing and the elements of synchronous and asynchronous have already been defined.
- §29-2-4.1(h): We would suggest including requirements in addition to direct supervision for the first ten hours of client contact and a minimum of 10% of all subsequent contact. ASHA suggests speech-language pathology and audiology supervisors provide 20% direct supervision and 10% indirect supervision for the first 90-days. After the initial 90-day work period, the amount of supervision may be adjusted depending on the skill of the assistant, the needs of the patients/clients served, and the nature of the assigned tasks. The minimum recommendation is 20% supervision weekly, with no less than 10% weekly being direct supervision. (See [www.asha.org/policy/GL2004-00054/](http://www.asha.org/policy/GL2004-00054/))

We urge the Board to consider the following additions to the Rules and Regulations for Licensing Speech-Language Pathologists and Audiologists related to the definition of practice, the use of non-medical endoscopy.

### **Defining the Practice**

We believe that the practice of the professions should be defined in the rules and regulations.

ASHA defines the practice of speech-language pathology as:

“the application of principles, methods and procedures related to the development, disorders and effectiveness of human communication and related functions including but not limited to providing prevention, screening, consultation, assessment/evaluation, diagnosis, treatment/intervention/management, counseling, collaboration, and referral services for disorders of speech, fluency, resonance voice, language, feeding and swallowing; and cognitive aspects of communication. The practice of speech-language pathology also includes establishing augmentative and alternative communication techniques and strategies, including developing, selecting and prescribing of such systems and devices (e.g., speech generating devices); providing services to individuals with hearing loss and their families (e.g., auditory training, speech reading, speech and language intervention secondary to hearing loss); screening individuals for hearing loss or middle ear pathology using conventional pure-tone air conduction methods (including otoscopic inspection), otoacoustic emissions screening, and/or screening tympanometry; using instrumentation (e.g., videofluoroscopy, endoscopy, stroboscopy) to observe, as well as collect data and measure parameters of communication and swallowing; selecting, fitting and establishing effective use of prosthetic/adaptive devices for communication,

swallowing or other upper aerodigestive functions (does not include sensory devices used by individuals with hearing loss); and providing services to modify or enhance communication performance (e.g., accent modification, personal/professional communication efficacy).”

ASHA defines the practice of audiology as:

“the application of principles, methods, and procedures related to hearing, balance and the disorders of hearing and to related language and speech disorders, including but not limited to, (a) facilitating the conservation of auditory system function; developing and implementing environmental and occupational hearing conservation programs; (b) screening, identifying, assessing and interpreting, diagnosing, preventing and rehabilitating peripheral and central auditory system and balance system disorders; (c) providing and interpreting behavior and electro-physiological measurements of auditory and vestibular functions; (d) selecting, fitting, programming and dispensing of hearing aids and cochlear implants (and other implantable devices), large area amplification systems, and other hearing assistive technologies and providing training in their use; (e) providing audiologic/auditory rehabilitation and related counseling services to individuals with hearing impairments and their families; (f) providing vestibular rehabilitation; (g) cerumen removal; and (h) screening of speech-language and other factors affecting communication disorders provided that judgments and descriptive statements about the results of such screenings are limited to pass/fail determinations.”

### **Endoscopy**

ASHA’s scope of practice policy for speech-language pathology includes endoscopy procedures. Included in the definition of the practice of speech-language pathology is the use of endoscopy. We suggest you include it in the practice of definition or include it in both the practice of speech-language pathology and set out in its own definition and provision. States regulating endoscopy services look to ASHA’s model licensure language including the definition and use of endoscopy procedures provisions which are described below.

#### Endoscopy Definition

Endoscopy is defined as an imaging procedure included within the scope of practice for speech-language pathologists in which a speech-language pathologist uses a flexible/nasal endoscopy, rigid/oral endoscopy, and/or stroboscopy for the purpose of evaluating and treating disorders of speech, voice, resonance, and swallowing function.

#### Use of Endoscopy in Speech-Language Pathology

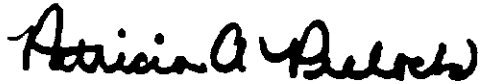
- (1) A person who meets the requirement of this Act for licensure as a speech-language pathologist may perform assessment, treatment, and procedures related to speech, voice, resonance, and swallowing function using nonmedical endoscopy.
- (2) A licensed speech-language pathologist shall not perform an endoscopic procedure unless he or she has received training and is competent to perform these procedures.
- (3) A licensed speech-language pathologist must have protocols in place for emergency medical backup when performing procedures using an endoscope.

Page 4  
July 17, 2013

We would be happy to assist the Board in crafting language suitable for West Virginia on any of these issues.

Thank you for the opportunity to provide comments. Should you have any questions, please contact Susan Adams, ASHA's director of state legislative and regulatory advocacy, by phone at 301-296-5665 or by e-mail at [sadams@asha.org](mailto:sadams@asha.org), or Janet Deppe, ASHA's director of state advocacy, at [jdeppe@asha.org](mailto:jdeppe@asha.org).

Sincerely,

A handwritten signature in black ink that reads "Patricia A. Prelock". The signature is written in a cursive style with a large initial "P".

Patricia A. Prelock, PhD, CCC-SLP  
2013 ASHA President



**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

July 23, 2013

Patricia A. Prelock, PhD, CCC-SLP  
American Speech-Language Hearing Association  
2200 Research Blvd.  
Rockville, MD 20850-3289

Dear Ms. Prelock:

Thank you for the comments/recommendations received on July 17, 2013 regarding the proposed rules for Licensing of Speech-Language Pathologists and Audiologists. After a review of the comments, we are replying as follows:

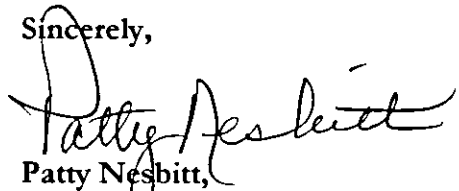
- Doctoral degree requirement for Audiologists – the Board could not agree more with the recommendation. The requirement was part of the Code revision but was removed with an amendment by the House Government Organization Committee. At this point, it is impossible to include in the Rules if the requirement is not specified in the Code.
- The Board agrees with the recommendation of updating the number of clinical practicum hours requirement to 400 clock hours.
- Since the Board follows the ASHA standards/requirements for a WV provisional licensee's postgraduate professional experience (PPE), it is agreed, the PPE supervisor should be required to hold ASHA certification, as well as, WV licensure.
- The definitions of "asynchronous", "synchronous", and "store-and-forward model" were changed per your recommendations.
- SLP and AUD Assistants' supervision requirements – The current rule 29-2 is quite confusing and does not specify the requirements of indirect and direct supervision. We have adopted ASHA's language in our proposed rule, §29-5.
- The Scope of Practice for Speech-Language Pathology and Audiology is included in the amended and reenacted WV Code §30-32-13 & §30-32-14. WV Code §30-32 was amended and reenacted on April 13, 2013.

Ms. Patricia Prelock  
American Speech-Language Hearing Association  
July 23, 2013  
Page 2

- The Board decided several years ago to defer to the applicable healthcare facility policies and procedures and/or ASHA for questions regarding specific treatments, e.g., endoscopy.

Again, thank you for your comments and recommendations. A second or third set of eyes can always bring a fresh perspective.

Sincerely,

A handwritten signature in cursive script that reads "Patty Nesbitt". The signature is written in black ink and is positioned above the printed name and title.

Patty Nesbitt,  
Administrative Services Manager

**RE: changes in bill**

WVBESLPA

**Sent:** Monday, July 15, 2013 12:14 PM  
**To:** Norabelle Corra [noracorra@hotmail.com]; Marcie Easton [marcie4wvu@aol.com]  
**Cc:** Vickie Pullins, Secretary [vickie@linguacare.com]; mzaudiology [mzaudiology@yahoo.com]  
**Importance:** High  
**Attachments:** Summary of Proposed Rules ~1.doc (80 KB)

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Good Morning All -

Norabelle requested additional information re: the changes to the Code and Rules.

The attached is a summary of the proposed rules changes submitted for Legislative Approval during the 2014 session. Hopefully, it will make it a little easier to understand the changes. The revised rules are required because our Code 30-32 was revised and passed during the 2013 Legislative session. Any changes to the code are reflected in the proposed rules change.

All 5 Series of Rules have changes - some are very minor, i.e., spelling and wording changes.

Please do not hesitate to contact our office with questions.

*Have a Great Day.*

Thank you,

Patty Nesbitt

Administrative Services Manager

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

99 Edmiston Way, Box 11 Suite 211

Buckhannon, WV 26201

304-473-4289

304-473-4291 fax

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**From:** mzaudiology [mzaudiology@yahoo.com]  
**Sent:** Sunday, July 14, 2013 7:37 AM  
**To:** mzaudiology@yahoo.com; WVBESLPA; wv8wvu@gmail.com; vpullins@hotmail.com  
**Subject:** Fwd: changes in bill

Thoughts?

Sent from Samsung tablet

----- Original message -----

Subject: changes in bill

From: nora corra <noracorra@hotmail.com>

To:mzaudiology@yahoo.com

Cc:

Hi Mike,

Marcie suggested Diana put something in the newsletter about the changes but she sent was the board sent and we are having a hard time reading the bill to gather all the changes.

Telepractice has been included.

In some areas speech and audiology assistants have been added.

Starting in July, 2014 speech and audiology assistants have to register with the board.

I don't understand the jurisprudence exam for new licence applicants

There is no longer a 30 day grace period to renew your license

Please let me know if I have read anything wrong or if I have omitted anything.

Thank you,

Nora

# 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

July 15, 2013

## **SUMMARY OF PROPOSED CHANGES TO LEGISLATIVE RULES – REQUIRED AFTER PASSAGE OF REVISED WV CODE 30-32 BY THE LEGISLATURE ON APRIL 13, 2013.**

### Series 1 – Licensure of Speech-Pathology and Audiology

- The current Series 1 Rule is to be repealed and replaced with the proposed Series 1 Rule.
- Added a jurisprudence examination for all new licensees. The exam is on the law of rules that regulate the professions of Speech-Language Pathology and Audiology and would go into effect after the revised rules are approved by the Legislature in the next legislative session in 2014.
- The qualifications for a Provisional license were updated and spelled out in more detail.
- The revised WV Code 30-32 **no longer includes** “a grace period of thirty days after the expiration of their license in which to renew retroactively, as long as they otherwise are entitle to have their licenses renewed and pay to the Board the renewal fee and any late fee set by the board.”

Because this section was removed from the law, all licenses expire biennially on the 31<sup>st</sup> day of December and if not renewed prior to or on the 31<sup>st</sup> of December, will show an issue date of the day the license was renewed, e.g., 01/05/2015. Anyone who does not renew their license by the expiration date and continues to provide services will be doing so without a license.

The revised WV Code 30-32 extends the ability to renew a lapsed/expired license from the current 31 days (January 1 thru January 31) to one year. A license that has lapsed for more than one year must be reinstated.

- Initial license fees will be pro-rated every six months of the licensing period.
- A requirement of 2 hours per year of approved ethics training will be required for license renewal, or a total of 4 hours. This requirement does not increase the total number of hours of continuing education required. The total number of continuing education hours remains 20 hours every two years.

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

*Email: [wvbeslpa@wv.gov](mailto:wvbeslpa@wv.gov)*

*Web Site: [www.wvspeechandaudiology.com](http://www.wvspeechandaudiology.com)*

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

*~Patricia Nesbitt – Administrative Services Manager~*

- An Emergency Rule for Telepractice was submitted to the Sec'y of State's office and is also included in the Legislative Rules Change as §29-1-15.

Series 2 – Rule Governing Speech-Language Pathology and Audiology Assistants

- The registration requirement for SLP & AUD Assistants is included in the previous and also in the revised code.
- The role of a “facilitator” during a telepractice session was added to the role of an Assistant.
- Telepractice was added as a task outside the scope of the responsibility of an assistant.
- The requirement of 1 clock hour of ethics training was added to the registration renewal. The total continuing education requirement for registration renewal remains the same.

Series 3 – Contested Case Hearing Procedure

Series 4 – Disciplinary and Complaint Procedures for Speech-Language Pathology & Audiology

- Minor wording and spelling corrections were made in each section

Series 5 – Code of Ethics

- §29-5-1. – Amended to describe the scope of the Code of Ethics Legislative Rule. The requirements for licensure, etc., in the scope were deleted because they are not application to §29-5. The preamble was also deleted because it duplicates the revised scope.
- Wording changes and the revision of the section 2 title (§29-5-2.)

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Web Site: [www.wvspeechandaudiology.com](http://www.wvspeechandaudiology.com)

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

~Patricia Nesbitt – Administrative Services Manager~