

**HOUSE BILL NO. 1049**

Introduced by

Human Services Committee

(At the request of the Board of Examiners on Audiology and Speech-Language Pathology)

1 A BILL for an Act to amend and reenact subsection 2 of section 43-37-02 and sections 43-37-04  
2 and 43-37-13 of the North Dakota Century Code, relating to licensure requirements of a  
3 speech-language pathology licensed assistant, temporary licensure, and investigation of an  
4 alleged violation.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 43-37-02 of the North Dakota Century  
7 Code is amended and reenacted as follows:

8 2. "Audiology" means the application of principles, methods, and procedures of  
9 measurement, testing, evaluation, prediction, consultation, counseling, instruction,  
10 habilitation, or rehabilitation related to hearing and disorders of hearing including  
11 vestibular testing, for the purpose of evaluating, identifying, managing, preventing,  
12 ameliorating, or modifying such disorders and conditions in individuals or groups of  
13 individuals.

14 **SECTION 2. AMENDMENT.** Section 43-37-04 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **43-37-04. Eligibility for licensure.**

17 To be eligible for licensure by the board as an audiologist, speech-language pathologist, or  
18 speech-language pathology assistant, an applicant shall meet all the following requirements:

- 19 1. Be of good moral character.
- 20 2. Possess an appropriate degree from an educational institution recognized by the  
21 board.
- 22 a. An applicant for a speech-language pathologist license must possess at least a  
23 master's degree in speech-language pathology.

- 1           b. An applicant for an audiologist license must possess at least a doctorate degree  
2           in audiology.
- 3           c. An applicant for a speech-language pathology assistant license must possess at  
4           ~~least one~~ hundred hours of supervised clinical experience and:
- 5           (1) A bachelor's degree in speech-language pathology or communication  
6           disorders; or
- 7           (2) A two-year degree in speech-language pathology assistants program or a  
8           bachelor's degree in another field with coursework in the following areas:
- 9           (a) Introduction to communication disorders;  
10          (b) Phonetics;  
11          (c) Speech sound disorders;  
12          (d) Language development;  
13          (e) Language disorders; and  
14          (f) Anatomy and physiology of speech and hearing mechanisms.
- 15          d. An applicant for a temporary license must show proof of active licensure within  
16          the past five years in the state or another jurisdiction. Limitations on temporary  
17          licensure length and qualifications to obtain full licensure must be prescribed by  
18          rules of the board.
- 19          3. Submit evidence showing qualifications prescribed by rules of the board.
- 20          4. Within one year of application an applicant for licensure as a speech-language  
21          pathologist, speech-language pathology assistant, or audiologist must pass any  
22          applicable examination prescribed by rules adopted by the board.
- 23          5. Pay the prescribed fee.

24          **SECTION 3. AMENDMENT.** Section 43-37-13 of the North Dakota Century Code is  
25 amended and reenacted as follows:

26          **43-37-13. Disciplinary actions.**

- 27          1. The board may refuse to issue or renew a license, suspend or revoke a license, or  
28          take other disciplinary action against a licensee if the licensee or applicant for license  
29          engaged in unprofessional conduct. Unprofessional conduct includes:
- 30          a. Obtaining a license by means of fraud, misrepresentation, or concealment of  
31          material facts.

- 1           b. Engaging in unprofessional conduct, as defined by the rules adopted by the  
2           board, or violating the code of ethics adopted by the board by rule.
- 3           c. Being convicted of an offense if the acts for which that individual is convicted are  
4           determined by the board to have a direct bearing on that applicant's or licensee's  
5           ability to serve the public in the capacity of a speech-language pathologist,  
6           speech-language pathology assistant, or audiologist; or the board determines  
7           that applicant or licensee, following conviction of any other offense, is not  
8           sufficiently rehabilitated under section 12.1-33-02.1.
- 9           d. Violating an order or rule adopted by the board.
- 10          e. Violating this chapter.
- 11          f. Receiving remuneration of any kind from the sale of any type of hearing aid,  
12          unless licensed under chapter 43-33.
- 13          2. To pursue investigation of an alleged violation of this chapter, the board may subpoena  
14          and examine witnesses and records, including client records. The board may require a  
15          licensee to give statements under oath.
- 16          3. One year from the date of revocation of a license, the licensee may make application  
17          to the board for reinstatement. The board may accept or reject an application for  
18          reinstatement or may require an examination for reinstatement.