

**PROPOSED AMENDMENTS TO FIRST ENGROSSMENT
with Senate Amendments**

ENGROSSED 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.

- 1 a. An applicant for a speech-language pathologist license must possess at least a
2 master's degree in speech-language pathology.
- 3 b. An applicant for an audiologist license must possess at least a doctorate degree
4 in audiology.
- 5 c. An applicant for a speech-language pathology assistant license must possess at
6 least one hundred hours of supervised clinical experience or fieldwork and:
- 7 (1) A certificate of completion for speech-language pathology paraprofessionals
8 issued by the superintendent of public instruction prior to August 1, 2026;
9 (2) A bachelor's degree in speech-language pathology or communication
10 disorders; or
11 (3) A two-year degree in speech-language pathology assistants program or a
12 bachelor's degree in another field with coursework in the following areas:
13 (a) Introduction to communication disorders;
14 (b) Phonetics;
15 (c) Speech sound disorders;
16 (d) Language development;
17 (e) Language disorders; and
18 (f) Anatomy and physiology of speech and hearing mechanisms.
- 19 d. An applicant for a temporary license must show proof of active licensure within
20 the past five years in the state or another jurisdiction. Limitations on temporary
21 licensure length and qualifications to obtain full licensure must be prescribed by
22 rules of the board.
- 23 ~~3.2.~~ Submit evidence showing qualifications prescribed by rules of the board.
- 24 ~~4.3.~~ Within one year of application an applicant for licensure as a speech-language
25 pathologist, speech-language pathology assistant, or audiologist must pass any
26 applicable examination prescribed by rules adopted by the board.
- 27 ~~5.4.~~ Pay the prescribed fee.

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

1 **43-37-13. Disciplinary actions.**

2 1. The board may refuse to issue or renew a license, suspend or revoke a license, or
3 take other disciplinary action against a licensee if the licensee or applicant for license
4 engaged in unprofessional conduct. Unprofessional conduct includes:

5 a. Obtaining a license by means of fraud, misrepresentation, or concealment of
6 material facts.

7 b. Engaging in unprofessional conduct, as defined by the rules adopted by the
8 board, or violating the code of ethics adopted by the board by rule.

9 c. Being convicted of an offense if the acts for which that individual is convicted are
10 determined by the board to have a direct bearing on that applicant's or licensee's
11 ability to serve the public in the capacity of a speech-language pathologist,
12 speech-language pathology assistant, or audiologist; or the board determines
13 that applicant or licensee, following conviction of any other offense, is not
14 sufficiently rehabilitated under section 12.1-33-02.1.

15 d. Violating an order or rule adopted by the board.

16 e. Violating this chapter.

17 f. Receiving remuneration of any kind from the sale of any type of hearing aid,
18 unless licensed under chapter 43-33.

19 2. When conducting an investigation of an alleged violation of this chapter, the board
20 may subpoena and examine witnesses and records, including client or patient records, and
21 may copy, photograph, or take samples of the records to pursue an investigation of an
22 alleged violation of this chapter. The board may require a licensee to give statements under
23 oath, to submit to a physical or psychological examination, or both, if the board reasonably
24 believes an examination is in the best interests of the public. The client and patient records
25 released to the board are not public records.

26 3. One year from the date of revocation of a license, the licensee may make application
27 to the board for reinstatement. The board may accept or reject an application for
28 reinstatement or may require an examination for reinstatement.