

SUBJECT: Telepractice and licensing in speech-language pathology and audiology

COMMITTEE: Public Health — committee substitute recommended

VOTE: 10 ayes — Kolkhorst, Naishtat, Collier, Cortez, S. Davis, Guerra, S. King, Laubenberg, J.D. Sheffield, Zedler

0 nays

1 absent — Coleman

WITNESSES: For — Lawrence Higdon, Texas Speech, Language, Hearing Association; (*Registered, but did not testify:* Dan Finch, Texas Medical Association; Scott Pospisil, Texas Hearing Aid Association; Bradford Shields, Texas Academy of Audiology; Bobbie Kay Turkett, Texas Speech Language Hearing Association)

Against — None

On — Joyce Parsons, State Board of Examiners for Speech-Language Pathology and Audiology

DIGEST: CSHB 1549 would amend Occupations Code, ch. 401, which governs speech-language pathologists and audiologists, and ch. 402, which governs hearing instrument fitters and dispensers.

Telepractice. CSHB 1549 would define “telepractice” as the use of telecommunications technology by a license holder for an assessment, intervention, or consultation regarding a speech-language pathology or audiology client. It also would refer to the use of telecommunications technology by a license holder for the fitting and dispensing of hearing instruments.

The State Board of Examiners for Speech-Language Pathology and Audiology and the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments, with the assistance of the Department of State Health Services (DSHS), would jointly adopt rules for fitting and dispensing hearing instruments by telepractice by January 1, 2014.

The State Board of Examiners for Speech-Language Pathology and Audiology could adopt rules, consistent with the joint rules above, for the practice of speech-language pathology or audiology by telepractice, including rules that established the qualifications and duties of license holders.

The State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments could adopt rules, consistent with the joint rules for fitting and dispensing hearing instruments by telepractice, that established the qualifications and duties of license holders.

Licensing and practice. The State Board of Examiners for Speech-Language Pathology and Audiology would be required to issue a license to a military service member's spouse who:

- held a valid speech-language pathologist or audiologist license from another state;
- had a master's degree from a board-approved, accredited program in an area of communicative sciences or disorders; and
- had not been subject to disciplinary action in any jurisdiction in which he or she had been licensed.

CSHB 1549 would eliminate specific course and continuing education requirements for a person to be licensed as a speech-language pathologist or audiologist. It also would eliminate a requirement for the board to notify examinees of the results of a licensing exam within 30 days after the date it was administered.

The board would repeal sections of the Occupations Code that govern:

- the issuance of temporary speech-pathology and audiology licenses;
- the issuance of licenses for limited practice in public schools; and
- notification to license holders of information on and changes to continuing education requirements

CSHB 1594 would remove the requirement for a person in an industrial setting to be certified by an agency acceptable to the Occupational Safety and Health Administration before engaging in hearing testing as part of a hearing conservation program.

The bill would authorize the board to issue an audiologist license to a

person with a master's degree in audiology who was licensed as an audiologist in Texas between September 1, 2007 and September 1, 2011, if the person submitted a new application before September 1, 2014.

The bill would take effect September 1, 2013.

**SUPPORTERS
SAY:**

Telepractice. CSHB 1549 would set rules to govern use of telepractice in all areas of speech-pathology and audiology. Texas speech-pathologists and audiologists use telepractice to safely treat patients in underserved areas who otherwise could not access health care. In telepractice, a licensed practitioner would have to see the patient in person before using the technology in the future for partial evaluation, therapy or review of an examination.

Telepractice is not yet used for hearing aids or diagnosis, but CSHB 1549 would set rules to govern the eventual use in these areas. The bill would also ensure that the telepractice rules adopted by the State Board of Examiners for Speech-Language Pathology and Audiology and the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments would not conflict.

Licensing. CSHB 1549 would make it easier and faster for military spouses to transfer their speech-language pathology or audiology licenses to Texas from a different state. Allowing military spouses to easily transfer their licenses could help address a shortage in speech-language pathologists in Texas.

CSHB 1549 would also clean up parts of statute that refer to obsolete requirements or unnecessary practices. The board has not issued temporary licenses and limited licenses for practice in public schools for almost a decade. While the board does receive examinees' scores from the board-approved Praxis licensing exam, Educational Testing Service, which administers the exam, sends scores directly to examinees. It is unnecessary for examinees to receive another copy of their results from the board.

License holders no longer need to be notified one year before changes are made to continuing education requirements because the availability of online courses makes it easier for license holder to fulfill their requirements. CSHB 1549 also would align Texas licensing requirements with changes universities have made to their speech-language pathology

and audiology degree programs. Finally, as OSHA is no longer part of licensing practice, a licensee should not have to be certified by an OSHA-approved agency to conduct hearing testing.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The companion bill, SB 312 by Hegar, was passed by the Senate on the local and uncontested calendar on April 18 and has been referred to the House Public Health Committee.

The committee substitute differs from the bill as filed in that it would require the joint adoption of rules governing telepractice by January 1, 2014; remove from the bill as filed a provision that would have required a licensee to have coursework in swallowing disorders and language that would have expanded the scope of practice for audiologists to provide therapy for balance functions; and retain provisions regulating audiometric testing that the original would have repealed.