Georgia Occupational Regulation Review Council

House Bill 34, LC 41 2650
Audiology and Speech-Language Pathology Interstate Compact Act

A Review of the Proposed Legislation

March 2021
# Table of Contents

- Executive Summary
- Introduction
- Description of Proposed Legislation
- Current Practices
- The Issue and Potential for Harm
- Present Requirements and Voluntary Efforts
- Board Comprisal and Health Programs in Other States
- Findings
- Recommendation
- Appendix A: Summary of Proposed Legislation
- Appendix B: Complete Text of House Bill 34
- Appendix C: Fiscal Note for HB 43, LC 41 2650
Executive Summary

As provided in O.C.G.A. §43-1A, the Georgia Occupational Regulation Review Council (Council) reviews all bills proposing licensure of a profession or business referred to by the chairperson of the legislative committee of reference. Accordingly, the Council, at the request of the chairperson of the House Regulated Industries Committee, has reviewed House Bill 34, which proposes entering Georgia into the Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC), and revising the licensing provisions for speech-language pathologists and audiologist.

During the course of this review, Council staff obtained information from the applicant group, Georgia Speech-Language-Hearing Association (GSHA), the Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC), and the Secretary of State Office while also conducting internal research.

O.C.G.A. §43-1A-6 requires the Council to consider certain criteria when determining the need for the regulation of a business or profession. For this review, the Council used these criteria to guide the development of findings related to the licensure of recreational therapists. The Council, with assistance from staff, developed the following findings during the course of this review:

❖ The professions of Audiology and Speech-Language Pathology require specialized skill and training. By being one of the first ten states to join the Compact, Georgia could ensure that non-Georgians practicing across state lines has the same educational background as those licensed by Georgia as their home state.

❖ There is a recognizable potential for harm to Georgians by not entering into the ASLP-IC. With the limited number of audiologist and speech language pathologists currently servicing rural Georgia, the ASLP-IC could increase the services provided in these underserved communities through telemedicine services.

❖ There is an anticipated positive economic impact to Georgia by entering into the ASLP-IC through increasing the Audiologist and Speech-Language Pathologists workforce.

Based on these findings, the Council recommends House Bill 34 pass as written.
Georgia Occupational Regulation Review Council Membership 2021

<table>
<thead>
<tr>
<th>Standing Members</th>
<th>Representing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Wrigley Miller, Chairwoman</td>
<td>Office of Planning and Budget</td>
</tr>
<tr>
<td>Kelly Dudley</td>
<td>State Accounting Office</td>
</tr>
<tr>
<td>Bo Warren</td>
<td>Department of Agriculture</td>
</tr>
<tr>
<td>Jessica Simmons</td>
<td>Department of Revenue</td>
</tr>
<tr>
<td>Larry Blankenship</td>
<td>Department of Natural Resources</td>
</tr>
<tr>
<td>Megan Andrews</td>
<td>Department of Public Health</td>
</tr>
<tr>
<td>Sam Teasley</td>
<td>Office of the Secretary of State</td>
</tr>
</tbody>
</table>

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<tr>
<th>Legislative Members</th>
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</thead>
<tbody>
<tr>
<td>Representative Alan Powell</td>
<td>Georgia House of Representatives</td>
</tr>
<tr>
<td>Senator Ben Watson</td>
<td>Georgia State Senate</td>
</tr>
</tbody>
</table>
Introduction

House Bill (HB) 34 enters Georgia into the Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC). As a member state within this compact, audiologists and language pathologists practicing in Georgia would have increased mobility to practice in other states. The bill would not change the standards for licensure in Georgia. This report focuses on providing information concerning the nature of the legislation and presents an assessment of the need for such in the state of Georgia.

In conducting this review, the Georgia Occupational Regulation Review Council, referred to as Council for the remainder of this report, solicited input from any interested party that wished to submit information or participate in the process. The applicant group, the Georgia Speech-Language-Hearing Association (GSHA) submitted a questionnaire providing background information for audiologists, speech-language pathologists (SLP), and the ASLP-IC.

In addition, the Council reached out to a number of other potentially interested groups, including:

❖ The Georgia Speech-Language-Hearing Association (GSHA)

Council staff also performed additional analysis comparing audiology licensure laws in other states to the proposals in HB 34.

The Council provided representatives from interested parties with the opportunity to present information during Council meetings, either by verbal presentation and/or through written material. The Council posted meeting dates, times, and locations to the Office of Planning and Budget website (https://opb.georgia.gov/georgia-occupational-regulation-review-council).

Description of Proposed Legislation

HB 34 amends Chapter 44 of Title 43 of the Official Code of Georgia Annotated, relating to speech-language pathologists and audiologists, so as to revise licensing provisions; to enter into an interstate compact known as the "Audiology and Speech-Language Pathology Interstate Compact". The bill provides the following:

❖ The State Board of Examiners for Speech-Language Pathology and Audiology with the power to administer such compact in this state and conduct national background check for which applicants for licensure are required to submit finger prints;
❖ Allows for audiologists and speech-language pathologists to practice in another state more easily if they move and increases access via a telehealth service without changes of standards for licensure in Georgia; and
❖ Establishes that all member states of the compact must share licensee information through a central data system.

A summary of the bill can be found in Appendix A. A complete copy of the bill is located in Appendix B.
Current Practices

Currently all audiologists and speech-language pathologists are licensed under O.C.G.A. § 43-44-8 and are regulated by the state of Georgia. To qualify for a license, applicants are required to have completed the academic and clinical hour requirements, completed professional experience, demonstrated good moral character, and passed an examination. For an audiologist license, the current education is a doctorate and clinical requirement is experience equivalent to 12 months full time supervised clinical practicum. For a speech-language pathologist, the requirement is a master’s degree and 375 clock hours of direct supervision and 25 clock hours of observation.

The Issue and Potential for Harm

Telemedicine

Expansion of audiologists and speech-language pathologists’ practices across state would allow for an increase in telemedicine practices. Increased telemedicine practices across state lines could greatly benefit rural Georgia where access to these services already sparse. Telemedicine also allows for ease of continuity of care. While telemedicine across state lines could already be happening, the audiologists and speech-language pathologists from other states may not be licensed or educated up to Georgia’s standards for the professions. Under the Compact, Military spouses would be able to begin practicing as soon as they cross state lines.

Fiscal Impact

A Fiscal Note was requested on HB 34, LC 41 2650. Under the bill, the State Board of Examiners may issue audiologists and speech-language pathologists with a license with a privilege to practice traditional or telehealth services in other member states. The Georgia Secretary of State (SOS) estimated the implementation of the bill is estimated to result in both one-time costs to update an information system (an estimated $60,000) and annual costs for one additional licensure analyst ($49,000).

The ASLP-IC and its governing commission are not yet operational, and have not yet determined the compact membership fee for states, the Director of the National Center for Interstate Compacts indicated that the fee charged to member states would not exceed the $6,000.

The bill will likely result in revenue that would offset some portion of these costs, SOS indicated that there would be a $50 application fee, but the revenue is dependent on the number of licensees from other states that seek compact privileges in Georgia. It is unclear if SOS would charge and additional fee for current Georgia licensees for membership in the ASLP-IC.

A copy of the Fiscal Note can be found in Appendix C.
Compact Requirements

**Member States**

For a state to be a member in the Audiology and Speech-Language Pathology Interstate Compact, states must:

- License audiologists and speech-language pathologists;
- Conduct criminal background checks of applicants for an initial compact privilege;
- Investigate if licensure applicants hold, or have ever held, an encumbered licensure in any state;
- Participate in the compact commission’s licensure database;
- Have a mechanism in place for receiving and investigating complaints against licensees;
- Notify the commission of any adverse action against or investigation of a licensee, and;
- Comply with the rules of the compact commission.

**Audiologists and Speech Language Pathologists**

For licensees under a member state to exercise the privileges of the ASLP-IC, they must:

- Hold a license in their home state;
- Have no encumbrance on any state license;
- Be eligible for a compact privilege in any member state;
- Have no adverse actions on any state license or compact privilege in the previous two years;
- Notify the compact commission of their intent to seek the compact privilege in a remote state;
- Pay applicable fees, and;
- Report to the commission any adverse action taken by a non-member state within 30 days after the action is taken.

**Other states who have entered the Compact**

As of the writing of this report, six states, North Carolina, Louisiana, West Virginia, Oklahoma, Utah, and Wyoming, have entered the Compact. Fifteen other states are currently considering entering the Compact. If Georgia is one of the first ten states to enter the Compact, it can participate in writing the standards and regulation for use of the Compact across the United States.
Findings

Pursuant to O.C.G.A. § 43-1A-6, the Georgia Occupational Regulation Review Council must review bills under their consideration according to the following criteria:

❖ Whether the unregulated practice of the occupation may harm or endanger the health, safety, and welfare of citizens of this state and whether the potential for harm is recognizable and not remote;
❖ Whether the practice of the occupation requires specialized skill or training and whether the public needs and will benefit by assurances of initial and continuing occupational ability;
❖ Whether the citizens of this state are or may be effectively protected by other means;
❖ Whether the overall cost effectiveness and economic impact would be positive for citizens of this state; and
❖ Whether there are means other than state regulation to protect the interests of the state.

Based on this set of criteria, the Council has reviewed HB 34, LC 41 2650, which would allow Georgia to join an interstate compact known as the “Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC)”. In doing so, the Council developed the following findings:

The professions of Audiology and Speech-Language Pathology require specialized skill and training.

By entering the ASLP-IC as one of the first ten member-states, it would allow Georgia to participate in rulemaking and setting up the fee structure. This is beneficial to Georgians as it would ensure that any non-Georgian practicing across state lines has the same educational background as those licensed by Georgia as their home state.

There is a recognizable potential for harm to Georgians by not entering into the ASLP-IC.

With the introduction of telemedicine, the Council notes that there are two issues to arise where harm could come to Georgians

1) Currently there is a shortage of Audiologist and Speech-Language Pathologists in the state, particularly in rural areas. Expanding the potential pool of licensed providers would allow access for previously underserved part of the state.
2) It would help protect Georgians from bad actors offering telemedicine services outside the bounds of licensure.

There is an anticipated positive economic impact to Georgia by entering into the ASLP-IC through increasing the Audiologist and Speech-Language Pathologists workforce.

Increasing access for Audiologists and Speech-Language Pathologists to work within the state would allow Military Spouses to easily begin practicing, as soon as they cross state lines.
Recommendation

After consideration of the findings listed above, the Council recommends that House Bill 34 pass as currently written.
Appendix A: Summary of Proposed Legislation

Summary of HB 34

- This bill would amend Chapter 44 of Title 43 to revise the licensing provisions for speech-language pathologists and audiologists.
- The bill would include Georgia into the Audiology and Speech-Language Pathology Interstate Compact. As a member state within this compact, audiologists and speech language pathologists practicing in Georgia would have increased mobility to practice in other states.
- All audiologists and speech-language pathologists must meet the education criteria and be licensed by the State to practice.
  - Audiologists must possess a Doctoral degree (Masters before 12/31/07), complete a supervised clinical practicum, and pass the national exam.
  - Speech-language pathologists must possess a Master’s degree, have completed a supervised clinical practicum, and pass the national exam.
- The bill would not change the standards for licensure in Georgia, rather, it would allow for audiologists and speech-language pathologists to practice in another state more easily if they move. It would also allow for increased access via a telehealth service.
- For a state to participate in the Audiology and Speech-Language Pathology Interstate Compact, they must:
  - License audiologists and speech-language pathologists.
  - Conduct criminal background checks of applicants for an initial compact privilege.
  - Investigate if licensure applicants hold, or have ever held, an encumbered licensure in any state.
  - Participate in the compact commission’s licensure database.
  - Have a mechanism in place for receiving and investigating complaints against licensees.
  - Notify the commission of any adverse action against or investigation of a licensee.
  - Comply with the rules of the compact commission.
- To exercise the compact privilege, a licensee must:
  - Hold a license in their home state.
  - Have no encumbrance on any state license.
  - Be eligible for a compact privilege in any member state.
  - Have no adverse actions on any state license or compact privilege in the previous two years.
  - Notify the compact commission of their intent to seek the compact privilege in a remote state.
  - Pay applicable fees.
  - Report to the commission any adverse action taken by a non-member state within 30 days after the action is taken.
- Should adverse or disciplinary actions be taken against a licensee, member states must report it in the compact data system.
- All member states must share licensee information through a central data system.
- A compact state shall submit a uniform dataset to the data system on all audiologists and speech-language pathologists to whom this compact is applicable as required by the rules of the commission.
- Investigative information pertaining to a licensee in any member state will only be available to other Member States.

- Audiologists and speech-language pathologists are subject the laws and standards for practicing in Georgia. Any laws in Georgia in conflict with the compact are superseded.
Appendix B: Complete Text of House Bill 43

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 44 of Title 43 of the Official Code of Georgia Annotated, relating to speech-language pathologists and audiologists, so as to revise licensing provisions; to enter into an interstate compact known as the "Audiology and Speech-Language Pathology Interstate Compact"; to provide the State Board of Examiners for Speech-Language Pathology and Audiology with the power to administer such compact in this state and to conduct national background checks for which applicants for licensure are required to submit fingerprints; to provide for definitions; to provide for conditions; to provide for eligibility; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Chapter 44 of Title 43 of the Official Code of Georgia Annotated, relating to speech-language pathologists and audiologists, is amended by revising paragraph (9) of Code Section 43-44-3, relating to definitions, as follows:

"(9) 'Licensee' means any person licensed to practice speech-language pathology, audiology, or both pursuant to this chapter, but or any person holding a valid Audiology and Speech-Language Pathology Interstate Compact privilege pursuant to Article 2 of this chapter. The term 'licensee' does not include the holder of a provisional license."

SECTION 2.

19 Said chapter is further amended by revising subsection (a) of Code Section 43-44-6, relating to general powers and duties of board, as follows:

"(a) The board shall:

(1) Have the responsibility and duty of administering and enforcing this chapter and shall assist the division director in carrying out this chapter;

(2) Have the power to establish and to revise the requirements for obtaining licensure or the renewal of licensure;

(3) Make all rules, not inconsistent with this chapter, that are reasonably necessary for the conduct of its duties and proceedings;

(4) Adopt rules and regulations relating to professional conduct commensurate with the policy of this chapter, including, but not limited to, regulations which establish ethical standards of practice and for other purposes. Following their adoption, such rules and regulations consistent with this chapter shall govern and control the professional conduct of every person who holds a license to practice under this chapter;

(5) Conduct hearings and keep records and minutes as are necessary to the orderly dispatch of its functions;

(6) Adopt a common seal;

(7) Register and otherwise regulate qualified speech-language pathology aides and audiology assistants. The provisions of this paragraph shall not apply to any student, intern, or trainee performing speech-language pathology or audiology services while completing the supervised clinical experience;

(8) Issue provisional licenses to speech-language pathologists during the paid clinical experience;

(9) Issue, renew, and reinstate licenses;
43 (10) Deny, suspend, revoke, or otherwise sanction licenses;  
44 (11) Accept results of qualifying examinations, administer examinations, or contract with  
45 qualified testing services to conduct or supervise examinations;  
46 (12) Establish fees; and  
47 (13) Establish requirements for continuing professional education of persons subject to  
48 this chapter by appropriate regulation;  
49 (14) Conduct national background checks by the submission of fingerprints to the  
50 Federal Bureau of Investigation through the Georgia Crime Information Center; provided,  
51 however, that reports from such background check records shall not be shared with  
52 entities outside of this state; and  
53 (15) Administer the Audiology and Speech-Language Pathology Interstate Compact  
54 contained in Article 2 of this chapter."

SECTION 3.  
56 Said chapter is further amended by revising subsection (a) of Code Section 43-44-8, relating  
57 to requirements for licensure, continuing validity of licenses, and renewal of licenses, as  
58 follows:  
59 "(a) To be eligible for licensure by the board as a speech-language pathologist or as an  
60 audiologist, the applicant shall have:  
61 (1) Completed the academic and clinical requirements as established by rule of the  
62 board;  
63 (2) Completed the professional experience requirement. Every applicant for licensure  
64 as a speech-language pathologist or audiologist shall demonstrate, prior to licensure,  
65 full-time or equivalent part-time professional employment, as determined by the board.  
66 The board, by rule, shall establish standards for obtaining and verifying the required  
67 professional employment experience;  
68 (3) Passed an examination or examinations approved by the board. Each applicant for  
69 licensure as a speech-language pathologist or audiologist shall make application for  
70 examination as provided by the board;  
71 (4) Demonstrated good moral character; and  
72 (5) Demonstrated recency of study through experience, continuing education, or both,  
73 as approved by the board; and  
74 (6) Satisfactory results from a fingerprint record check report conducted by the Georgia  
75 Crime Information Center and the Federal Bureau of Investigation, as determined by the  
76 board. Application for the issuance of a license under this Code section shall constitute  
77 express consent and authorization for the board to perform a criminal background check.  
78 Each applicant who submits an application to the board for licensure agrees to provide  
79 the board with any and all information necessary to run a criminal background check,  
80 including, but not limited to, classifiable sets of fingerprints. Such applicant shall be  
81 responsible for all fees associated with the performance of such background check."

SECTION 4.  
82 Said chapter is further amended by redesignating the existing provisions of said chapter as  
83 Article 1, by replacing "this chapter" with "this article" everywhere such term occurs in said  
84 redesignated article, and by adding a new article to read as follows:  
85 "ARTICLE 2  
86 43-44-30.  
87 This article shall be known and may be cited as the 'Audiology and Speech-Language  
88 Pathology Interstate Compact Act.'  
90 43-44-31.
The Audiology and Speech-Language Pathology Interstate Compact is enacted into law and entered into by the State of Georgia with any and all other states legally joining therein in the form substantially as follows:

'AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT

SECTION 1.

PURPOSE

(a) The purpose of this Compact is to facilitate interstate practice of audiology and speech-language pathology with the goal of improving public access to audiology and speech-language pathology services. The practice of audiology and speech-language pathology occurs in the state where the patient/client/student is located at the time of the patient/client/student encounter. The Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

(b) This Compact is designed to achieve the following objectives:

1. Increase public access to audiology and speech-language pathology services by providing for the mutual recognition of other member state licenses;
2. Enhance the states’ ability to protect the public’s health and safety;
3. Encourage the cooperation of member states in regulating multistate audiology and speech-language pathology practice;
4. Support spouses of relocating active duty military personnel;
5. Enhance the exchange of licensure, investigative and disciplinary information between member states;
6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state’s practice standards; and
7. Allow for the use of telehealth technology to facilitate increased access to audiology and speech-language pathology services.

SECTION 2.

DEFINITIONS

As used in this Compact, and except as otherwise provided, the following definitions shall apply:

1. ‘Active duty military' means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.
2. ‘Adverse action' means any administrative, civil, equitable or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against an audiologist or speech-language pathologist, including actions against an individual's license or privilege to practice such as revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice.
3. ‘Alternative program' means a non-disciplinary monitoring process approved by an audiology or speech-language pathology licensing board to address impaired practitioners.
4. ‘Audiologist' means an individual who is licensed by a state to practice audiology.
5. ‘Audiology' means the care and services provided by a licensed audiologist as set forth in the member state's statutes and rules.
6. ‘Audiology and Speech-Language Pathology Compact Commission' or 'Commission'
7. ‘Audiology and speech-language pathology licensing board,' 'audiology licensing
(8) 'Compact privilege' means the authorization granted by a remote state to allow a
licensee from another member state to practice as an audiologist or speech-language
pathologist in the remote state under its laws and rules. The practice of audiology or
speech-language pathology occurs in the member state where the patient, client, or
student is located at the time of the patient, client, or student encounter.

(9) 'Current significant investigative information' means investigative information that
a licensing board, after an inquiry or investigation that includes notification and an
opportunity for the audiologist or speech-language pathologist to respond, if required by
state law, has reason to believe is not groundless and, if proved true, would indicate more
than a minor infraction.

(10) 'Data system' means a repository of information about licensees, including, but not
limited to, continuing education, examination, licensure, investigative, compact privilege
and adverse action.

(11) 'Encumbered license' means a license in which an adverse action restricts the
practice of audiology or speech-language pathology by the licensee and said adverse
action has been reported to the National Practitioners Data Bank (NPDB).

(12) 'Executive Committee' means a group of directors elected or appointed to act on
behalf of, and within the powers granted to them by, the Commission.

(13) 'Home state' means the member state that is the licensee's primary state of residence.

(14) 'Impaired practitioner' means individuals whose professional practice is adversely
affected by substance abuse, addiction, or other health-related conditions.

(15) 'Licensee' means an individual who currently holds an authorization from the state
licensing board to practice as an audiologist or speech-language pathologist.

(16) 'Member state' means a state that has enacted the Compact.

(17) 'Privilege to practice' means a legal authorization permitting the practice of
audiology or speech-language pathology in a remote state.

(18) 'Remote state' means a member state other than the home state where a licensee is
exercising or seeking to exercise the compact privilege.

(19) 'Rule' means a regulation, principle or directive promulgated by the Commission
that has the force of law.

(20) 'Single-state license' means an audiology or speech-language pathology license
issued by a member state that authorizes practice only within the issuing state and does
not include a privilege to practice in any other member state.

(21) 'Speech-language pathologist' means an individual who is licensed by a state to
practice speech-language pathology.

(22) 'Speech-language pathology' means the care and services provided by a licensed
speech-language pathologist as set forth in the member state's statutes and rules.

(23) 'State' means any state, commonwealth, district or territory of the United States of
America that regulates the practice of audiology and speech-language pathology.

(24) 'State practice laws' means a member state's laws, rules and regulations that govern
the practice of audiology or speech-language pathology, define the scope of audiology
or speech-language pathology practice, and create the methods and grounds for imposing
discipline.

(25) 'Telehealth' means the application of telecommunication, audio-visual or other
technologies that meets the applicable standard of care to deliver audiology or
speech-language pathology services at a distance for assessment, intervention and/or consultation.

SECTION 3.

STATE PARTICIPATION IN THE COMPACT

(a) Upon the grant of the compact privilege, a license issued to an audiologist or speech-language pathologist by a home state to a resident in that state shall be recognized by each member state as authorizing an audiologist or speech-language pathologist to practice audiology or speech-language pathology, under a privilege to practice, in the member state where the licensee obtains such privilege.

(b) A state must implement or utilize procedures for considering the criminal history records of applicants for initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state’s criminal records.

(1) A member state must fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the Federal Bureau of Investigation record search on criminal background checks and use the results in making licensure decisions.

(2) Communication between a member state, the Commission and among member states regarding the verification of eligibility for licensure through the Compact shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544.

(c) Upon application for a privilege to practice, the licensing board in the issuing remote state shall ascertain, through the data system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on any license or privilege to practice held by the applicant, whether any adverse action has been taken against any license or privilege to practice held by the applicant.

(d) Each member state shall require an applicant to obtain or retain a license in the home state and meet the home state’s qualifications for licensure or renewal of licensure, as well as, all other applicable state laws.

(e) For an audiologist:

(1) Must meet one of the following educational requirements:

(A) On or before, Dec. 31, 2007, has graduated with a master's degree or doctorate in audiology, or equivalent degree regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board;

(B) On or after, Jan. 1, 2008, has graduated with a Doctoral degree in audiology, or equivalent degree, regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

(C) Has graduated from an audiology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country and (b) the
degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program.

(2) Has completed a supervised clinical practicum experience from an accredited educational institution or its cooperating programs as required by the Commission;

(3) Has successfully passed a national examination approved by the Commission;

(4) Holds an active, unencumbered license;

(5) Has not been convicted or found guilty, and has not entered into an agreed disposition, of a felony related to the practice of audiology, under applicable state or federal criminal law; and

(6) Has a valid United States Social Security or National Practitioner Identification number.

(f) For a speech-language pathologist:

(1) Must meet one of the following educational requirements:

(A) Has graduated with a master's degree from a speech-language pathology program that is accredited by an organization recognized by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

(B) Has graduated from a speech-language pathology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country and (b) the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program.

(2) Has completed a supervised clinical practicum experience from an educational institution or its cooperating programs as required by the Commission;

(3) Has completed a supervised postgraduate professional experience as required by the Commission;

(4) Has successfully passed a national examination approved by the Commission;

(5) Holds an active, unencumbered license;

(6) Has not been convicted or found guilty, and has not entered into an agreed disposition, of a felony related to the practice of speech-language pathology, under applicable state or federal criminal law; and

(7) Has a valid United States Social Security or National Practitioner Identification number.

(g) The privilege to practice is derived from the home state license.

(h) An audiologist or speech-language pathologist practicing in a member state must comply with the state practice laws of the state in which the client is located at the time service is provided. The practice of audiology and speech-language pathology shall include all audiology and speech-language pathology practice as defined by the state practice laws of the member state in which the client is located. The practice of audiology and speech-language pathology in a member state under a privilege to practice shall subject an audiologist or speech-language pathologist to the jurisdiction of the licensing board, the courts and the laws of the member state in which the client is located at the time service is provided.

(i) Individuals not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals shall not be recognized as granting the privilege to practice audiology or speech-language pathology in any other member state. Nothing in this Compact shall affect the requirements established by a
283 member state for the issuance of a single-state license.
284 (j) Member states may charge a fee for granting a compact privilege.
285 (k) Member states must comply with the bylaws and rules and regulations of the
286 Commission.

SECTION 4.

COMPACT PRIVILEGE

289 (a) To exercise the compact privilege under the terms and provisions of the Compact, the
290 audiologist or speech-language pathologist shall:
291 (1) Hold an active license in the home state;
292 (2) Have no encumbrance on any state license;
293 (3) Be eligible for a compact privilege in any member state in accordance with Section 3;
294 (4) Have not had any adverse action against any license or compact privilege within the
295 previous 2 years from date of application;
296 (5) Notify the Commission that the licensee is seeking the compact privilege within a
297 remote state(s);
298 (6) Pay any applicable fees, including any state fee, for the compact privilege; and
299 (7) Report to the Commission adverse action taken by any non-member state within 30
300 days from the date the adverse action is taken.
301 (b) For the purposes of the compact privilege, an audiologist or speech-language
302 pathologist shall only hold one home state license at a time.
303 (c) Except as provided in Section 6, if an audiologist or speech-language pathologist
304 changes primary state of residence by moving between two-member states, the audiologist
305 or speech-language pathologist must apply for licensure in the new home state, and the
306 license issued by the prior home state shall be deactivated in accordance with applicable
307 rules adopted by the Commission.
308 (d) The audiologist or speech-language pathologist may apply for licensure in advance of
309 a change in primary state of residence.
310 (e) A license shall not be issued by the new home state until the audiologist or
311 speech-language pathologist provides satisfactory evidence of a change in primary state of
312 residence to the new home state and satisfies all applicable requirements to obtain a license
313 from the new home state.
314 (f) If an audiologist or speech-language pathologist changes primary state of residence by
315 moving from a member state to a non-member state, the license issued by the prior home
316 state shall convert to a single-state license, valid only in the former home state and the
317 privilege to practice in any member state is deactivated in accordance with the rules
318 promulgated by the Commission.
319 (g) The compact privilege is valid until the expiration date of the home state license. The
320 licensee must comply with the requirements of Section 4A to maintain the compact
321 privilege in the remote state.
322 (h) A licensee providing audiology or speech-language pathology services in a remote
323 state under the compact privilege shall function within the laws and regulations of the
324 remote state.
325 (i) A licensee providing audiology or speech-language pathology services in a remote state
326 is subject to that state's regulatory authority. A remote state may, in accordance with due
327 process and that state's laws, remove a licensee's compact privilege in the remote state for
328 a specific period of time, impose fines, and/or take any other necessary actions to protect
329 the health and safety of its citizens.
330 (j) If a home state license is encumbered, the licensee shall lose the compact privilege in
any remote state until the following occur:
332 (1) The home state license is no longer encumbered; and
333 (2) Two years have elapsed from the date of the adverse action.
334 (k) Once an encumbered license in the home state is restored to good standing, the licensee
335 must meet the requirements of Section 4A to obtain a compact privilege in any remote
336 state.
337 (l) Once the requirements of Section 4J have been met, the licensee must meet the
338 requirements in Section 4A to obtain a compact privilege in a remote state.
339 SECTION 5.
340 COMPACT PRIVILEGE TO PRACTICE TELEHEALTH
341 (a) Member states shall recognize the right of an audiologist or speech-language
342 pathologist, licensed by a home state in accordance with Section 3 and under rules
343 promulgated by the Commission, to practice audiology or speech-language pathology in
344 any member state via telehealth under a privilege to practice as provided in the Compact
345 and rules promulgated by the Commission.
346 (b) A licensee providing audiology or speech-language pathology services in a remote
347 state under the compact privilege shall function within the laws and regulations of the state
348 where the patient/client is located.
349 SECTION 6.
350 ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES
351 Active duty military personnel, or their spouse, shall designate a home state where the
352 individual has a current license in good standing. The individual may retain the home state
353 designation during the period the service member is on active duty. Subsequent to
354 designating a home state, the individual shall only change their home state through
355 application for licensure in the new state.
356 SECTION 7.
357 ADVERSE ACTIONS
358 (a) In addition to the other powers conferred by state law, a remote state shall have the
359 authority, in accordance with existing state due process law, to:
360 (1) Take adverse action against an audiologist's or speech-language pathologist's
361 privilege to practice within that member state.
362 (2) Issue subpoenas for both hearings and investigations that require the attendance and
363 testimony of witnesses as well as the production of evidence. Subpoenas issued by a
364 licensing board in a member state for the attendance and testimony of witnesses or the
365 production of evidence from another member state shall be enforced in the latter state by
366 any court of competent jurisdiction, according to the practice and procedure of that court
367 applicable to subpoenas issued in proceedings pending before it. The issuing authority
368 shall pay any witness fees, travel expenses, mileage and other fees required by the service
369 statutes of the state in which the witnesses or evidence are located.
370 (b) Only the home state shall have the power to take adverse action against an audiologist's
371 or speech-language pathologist's license issued by the home state.
372 (c) For purposes of taking adverse action, the home state shall give the same priority and
373 effect to reported conduct received from a member state as it would if the conduct had
374 occurred within the home state. In so doing, the home state shall apply its own state laws
375 to determine appropriate action.
376 (d) The home state shall complete any pending investigations of an audiologist or
377 speech-language pathologist who changes primary state of residence during the course of
378 the investigations. The home state shall also have the authority to take appropriate
379 action(s) and shall promptly report the conclusions of the investigations to the
380 administrator of the data system. The administrator of the coordinated licensure
381 information system shall promptly notify the new home state of any adverse actions.
382 (e) If otherwise permitted by state law, recover from the affected audiologist or
383 speech-language pathologist the costs of investigations and disposition of cases resulting
384 from any adverse action taken against that audiologist or speech-language pathologist.
385 (f) The home state may take adverse action based on the factual findings of the remote
386 state, provided that the home state follows its own procedures for taking such action.
387 (g) Joint Investigations
388 (1) In addition to the authority granted to a member state by its respective audiology or
389 speech-language pathology practice act or other applicable state law, any member state
390 may participate with other member states in joint investigations of licensees.
391 (2) Member states shall share any investigative, litigation, or compliance materials in
392 furtherance of any joint or individual investigation initiated under the Compact.
393 (h) If adverse action is taken by the home state against an audiologist's or speech language
394 pathologist's license, the audiologist's or speech-language pathologist's privilege to practice
395 in all other member states shall be deactivated until all encumbrances have been removed
396 from the state license. All home state disciplinary orders that impose adverse action
397 against an audiologist's or speech language pathologist's license shall include a statement
398 that the audiologist's or speech-language pathologist's privilege to practice is deactivated
399 in all member states during the pendency of the order.
400 (i) If a member state takes adverse action against a licensee, it shall promptly notify the
401 administrator of the data system. The administrator of the data system shall promptly
402 notify the home state and any remote states in which the licensee has a privilege to practice,
403 of any adverse actions by the home state or remote states.
404 (j) Nothing in this Compact shall override a member state's decision that participation in
405 an alternative program may be used in lieu of adverse action.
406 SECTION 8.
407 ESTABLISHMENT OF THE AUDIOLOGY AND SPEECH-LANGUAGE
408 PATHOLOGY COMPACT COMMISSION
409 (a) The Compact member states hereby create and establish a joint public agency known
410 as the Audiology and Speech-Language Pathology Compact Commission:
411 (1) The Commission is an instrumentality of the Compact states.
412 (2) Venue is proper and judicial proceedings by or against the Commission shall be
413 brought solely and exclusively in a court of competent jurisdiction where the principal
414 office of the Commission is located. The Commission may waive venue and
415 jurisdictional defenses to the extent it adopts or consents to participate in alternative
416 dispute resolution proceedings.
417 (3) Nothing in this Compact shall be construed to be a waiver of sovereign immunity.
418 (b) Membership, Voting and Meetings
419 (1) Each member state shall have two (2) delegates selected by that member state's
420 licensing board. The delegates shall be current members of the licensing board. One
421 shall be an audiologist and one shall be a speech-language pathologist.
422 (2) An additional five (5) delegates, who are either a public member or board
423 administrator from a state licensing board, shall be chosen by the Executive Committee
424 from a pool of nominees provided by the Commission at Large.
425 (3) Any delegate may be removed or suspended from office as provided by the law of
426 the state from which the delegate is appointed.
(4) The member state board shall fill any vacancy occurring on the Commission, within 90 days.

(5) Each delegate shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission.

(6) A delegate shall vote in person or by other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(7) The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(c) The Commission shall have the following powers and duties:

(1) Establish the fiscal year of the Commission;
(2) Establish bylaws;
(3) Establish a Code of Ethics;
(4) Maintain its financial records in accordance with the bylaws;
(5) Meet and take actions as are consistent with the provisions of this Compact and the bylaws;
(6) Promulgate uniform rules to facilitate and coordinate implementation and administration of this Compact. The rules shall have the force and effect of law and shall be binding in all member states to the extent and in the manner provided for in the Compact;
(7) Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any state audiology or speech-language pathology licensing board to sue or be sued under applicable law shall not be affected;
(8) Purchase and maintain insurance and bonds;
(9) Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;
(10) Hire employees, elect or appoint officers, fix compensation, define duties, grant individuals appropriate authority to carry out the purposes of the Compact, and to establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
(11) Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the Commission shall avoid any appearance of impropriety and/or conflict of interest;
(12) Lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the Commission shall avoid any appearance of impropriety;
(13) Sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;
(14) Establish a budget and make expenditures;
(15) Borrow money;
(16) Appoint committees, including standing committees composed of members, and other interested persons as may be designated in this Compact and the bylaws;
(17) Provide and receive information from, and cooperate with, law enforcement agencies;
(18) Establish and elect an Executive Committee; and
(19) Perform other functions as may be necessary or appropriate to achieve the purposes
475 of this Compact consistent with the state regulation of audiology and speech-language pathology licensure and practice.
477 (d) The Commission shall have no authority to change or modify the laws of the member states which define the practice of audiology and speech-language pathology in the respective states.
480 (e) The Executive Committee
481 The Executive Committee shall have the power to act on behalf of the Commission, within the powers of the Commission, according to the terms of this Compact:
483 (1) The Executive Committee shall be composed of ten (10) members:
484 (A) Seven (7) voting members who are elected by the Commission from the current membership of the Commission;
486 (B) Two (2) ex-officios, consisting of one nonvoting member from a recognized national audiology professional association and one nonvoting member from a recognized national speech-language pathology association; and
489 (C) One (1) ex-officio, nonvoting member from the recognized membership organization of the audiology and speech-language pathology licensing boards.
491 (f) The ex-officio members shall be selected by their respective organizations.
492 (1) The Commission may remove any member of the Executive Committee as provided in bylaws.
494 (2) The Executive Committee shall meet at least annually.
495 (3) The Executive Committee shall have the following duties and responsibilities:
496 (A) Recommend to the entire Commission changes to the rules or bylaws, changes to this Compact legislation, fees paid by Compact member states such as annual dues, and any commission Compact fee charged to licensees for the compact privilege;
499 (B) Ensure Compact administration services are appropriately provided, contractual or otherwise;
501 (C) Prepare and recommend the budget;
502 (D) Maintain financial records on behalf of the Commission;
503 (E) Monitor Compact compliance of member states and provide compliance reports to the Commission;
505 (F) Establish additional committees as necessary; and
506 (G) Other duties as provided in rules or bylaws.
507 (4) Meetings of the Commission or the Executive Committee
508 All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Section 10.
510 (5) The Commission or the Executive Committee or other committees of the Commission may convene in a closed, non-public meeting if the Commission or Executive Committee or other committees of the Commission must discuss:
513 (A) Non-compliance of a member state with its obligations under the Compact;
514 (B) The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;
517 (C) Current, threatened, or reasonably anticipated litigation;
518 (D) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
520 (E) Accusing any person of a crime or formally censuring any person;
521 (F) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
(G) Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
(H) Disclosure of investigative records compiled for law enforcement purposes;
(I) Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the Compact; or
(J) Matters specifically exempted from disclosure by federal or member state statute.
(6) If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.
(7) The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in minutes. All minutes and documents of meetings other than closed meetings shall be made available to members of the public upon request. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.
(8) Financing of the Commission
(A) The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.
(B) The Commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.
(C) The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.
(9) The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state.
(10) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Commission.
(g) Qualified Immunity, Defense, and Indemnification
(1) The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any person from suit and/or liability for any damage, loss, injury, or liability caused by the
intentional or willful or wanton misconduct of that person.

2 The Commission shall defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3 The Commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

9. DATA SYSTEM

(a) The Commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

(b) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable as required by the rules of the Commission, including:

(1) Identifying information;

(2) Licensure data;

(3) Adverse actions against a license or compact privilege;

(4) Non-confidential information related to alternative program participation;

(5) Any denial of application for licensure, and the reason(s) for denial; and

(6) Other information that may facilitate the administration of this Compact, as determined by the rules of the Commission.

(c) Investigative information pertaining to a licensee in any member state shall only be available to other member states.

(d) The Commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state shall be available to any other member state.

(e) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(f) Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

10. RULEMAKING

(a) The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Section and the rules adopted thereunder. Rules and amendments shall become
binding as of the date specified in each rule or amendment.
(b) If a majority of the legislatures of the member states rejects a rule, by enactment of a
statute or resolution in the same manner used to adopt the Compact within 4 years of the
date of adoption of the rule, the rule shall have no further force and effect in any member
state.
(c) Rules or amendments to the rules shall be adopted at a regular or special meeting of the
Commission.
(d) Prior to promulgation and adoption of a final rule or rules by the Commission, and at
least thirty (30) days in advance of the meeting at which the rule shall be considered and
voted upon, the Commission shall file a Notice of Proposed Rulemaking:
(1) On the website of the Commission or other publicly accessible platform; and
(2) On the website of each member state audiology or speech-language pathology
licensing board or other publicly accessible platform or the publication in which each
state would otherwise publish proposed rules.
(e) The Notice of Proposed Rulemaking shall include:
(1) The proposed time, date, and location of the meeting in which the rule shall be
considered and voted upon;
(2) The text of the proposed rule or amendment and the reason for the proposed rule;
(3) A request for comments on the proposed rule from any interested person; and
(4) The manner in which interested persons may submit notice to the Commission of
their intention to attend the public hearing and any written comments.
(f) Prior to the adoption of a proposed rule, the Commission shall allow persons to submit
written data, facts, opinions and arguments, which shall be made available to the public.
(g) The Commission shall grant an opportunity for a public hearing before it adopts a rule
amendment if a hearing is requested by:
(1) At least twenty-five (25) persons;
(2) A state or federal governmental subdivision or agency; or
(3) An association having at least twenty-five (25) members.
(h) If a hearing is held on the proposed rule or amendment, the Commission shall publish
the place, time, and date of the scheduled public hearing. If the hearing is held via
electronic means, the Commission shall publish the mechanism for access to the electronic
hearing.
(1) All persons wishing to be heard at the hearing shall notify the executive director of
the Commission or other designated member in writing of their desire to appear and
testify at the hearing not less than five (5) business days before the scheduled date of the
hearing.
(2) Hearings shall be conducted in a manner providing each person who wishes to
comment a fair and reasonable opportunity to comment orally or in writing.
(3) All hearings shall be recorded. A copy of the recording shall be made available to
any person upon request and at the requesting person's expense.
(4) Nothing in this section shall be construed as requiring a separate hearing on each
rule. Rules may be grouped for the convenience of the Commission at hearings required
by this section.
(i) Following the scheduled hearing date, or by the close of business on the scheduled
hearing date if the hearing was not held, the Commission shall consider all written and oral
comments received.
(j) If no written notice of intent to attend the public hearing by interested parties is
received, the Commission may proceed with promulgation of the proposed rule without a
(k) The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

(l) Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

(1) Meet an imminent threat to public health, safety, or welfare;
(2) Prevent a loss of Commission or member state funds; or
(3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule.

(m) The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the Commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

SECTION 11.
DISPUTE RESOLUTION AND ENFORCEMENT

(a) Dispute Resolution

(1) Upon request by a member state, the Commission shall attempt to resolve disputes related to the Compact that arise among member states and between member and non-member states.

(2) The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(b) Enforcement

(1) The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this Compact.

(2) By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a member state in default to enforce compliance with the provisions of the Compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of litigation, including reasonable attorney's fees.

(3) The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or state law.

SECTION 12.
DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT
715 (a) The Compact shall come into effect on the date on which the Compact statute is
716 enacted into law in the 10th member state. The provisions, which become effective at that
717 time, shall be limited to the powers granted to the Commission relating to assembly and the
718 promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking
719 powers necessary to the implementation and administration of the Compact.
720 (b) Any state that joins the Compact subsequent to the Commission’s initial adoption of
721 the rules shall be subject to the rules as they exist on the date on which the Compact
722 becomes law in that state. Any rule that has been previously adopted by the Commission
723 shall have the full force and effect of law on the day the Compact becomes law in that state.
724 (c) Any member state may withdraw from this Compact by enacting a statute repealing the
725 same.
726 (1) A member state's withdrawal shall not take effect until six (6) months after enactment
727 of the repealing statute.
728 (2) Withdrawal shall not affect the continuing requirement of the withdrawing state's
729 audiology or speech-language pathology licensing board to comply with the investigative
730 and adverse action reporting requirements of this act prior to the effective date of
731 withdrawal.
732 (d) Nothing contained in this Compact shall be construed to invalidate or prevent any
733 audiology or speech-language pathology licensure agreement or other cooperative
734 arrangement between a member state and a non-member state that does not conflict with
735 the provisions of this Compact.
736 (e) This Compact may be amended by the member states. No amendment to this Compact
737 shall become effective and binding upon any member state until it is enacted into the laws
738 of all member states.
739 SECTION 13.
740 CONSTRUCTION AND SEVERABILITY
741 This Compact shall be liberally construed so as to effectuate the purposes thereof. The
742 provisions of this Compact shall be severable and if any phrase, clause, sentence or
743 provision of this Compact is declared to be contrary to the constitution of any member state
744 or of the United States or the applicability thereof to any government, agency, person or
745 circumstance is held invalid, the validity of the remainder of this Compact and the
746 applicability thereof to any government, agency, person or circumstance shall not be
747 affected thereby. If this Compact shall be held contrary to the constitution of any member
748 state, the Compact shall remain in full force and effect as to the remaining member states
749 and in full force and effect as to the member state affected as to all severable matters.
750 SECTION 14.
751 BINDING EFFECT OF COMPACT AND OTHER LAWS
752 (a) Nothing herein prevents the enforcement of any other law of a member state that is not
753 inconsistent with the Compact.
754 (b) All laws in a member state in conflict with the Compact are superseded to the extent
755 of the conflict.
756 (c) All lawful actions of the Commission, including all rules and bylaws promulgated by
757 the Commission, are binding upon the member states.
758 (d) All agreements between the Commission and the member states are binding in
759 accordance with their terms.
760 (e) In the event any provision of the Compact exceeds the constitutional limits imposed
761 on the legislature of any member state, the provision shall be ineffective to the extent of
762 the conflict with the constitutional provision in question in that member state."
SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.
February 15, 2021

Honorable Alan Powell
Chairman, House Regulated Industries Committee
613-B Coverdell Legislative Office Bldg.
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 34 (LC 41 2650)

Dear Chairman Powell:

The bill would have Georgia join an interstate compact known as the “Audiology and Speech-Language Pathology Interstate Compact” (ASLP-IC). Under the bill, the State Board of Examiners for Speech-Language Pathology and Audiology may issue audiologists and speech-language pathologists with a license with a privilege to practice traditional or telehealth services in other member states. Applicants must pay for and pass a national criminal background check. The bill would allow practitioners licensed in other states to seek a compact privilege license in Georgia. The legislation would take effect when ten states have passed this enhanced compact model legislation.

Implementation of the bill is estimated to result in both one-time costs to update an information system and annual costs for additional staffing and ASLP-IC compact membership. The bill will likely result in revenue that would offset some portion of these costs, but the revenue is dependent on the number of licensees from other states that seek compact privileges in Georgia, as well as thenumber of Georgia audiologists and speech-language pathologists that obtain a license with privileges to practice in other states (versus a single state license to practice only in Georgia).

Additional Costs
- Information System – The Secretary of State (SOS) will update its information system to add additional license types. The SOS also indicated that the licensing system will require a new interface to communicate with the Compact Commission’s data system. The SOS estimates that the system update and interface creation will cost approximately $60,000.

Greg S. Griffin
STATE AUDITOR
(404) 656-2174

DEPARTMENT OF AUDITS AND ACCOUNTS
270 Washington St., S.W., Suite 1-156
Atlanta, Georgia 30334-8400

Atlanta, Georgia 30334-8400
• **Additional Staff** – The SOS anticipates that this bill would result in new applications from audiologists and speech-language pathologists seeking compact privilege licenses in Georgia. The bill would also increase the amount of background checks that must be processed, the number of license investigations conducted, and would require reporting Georgia licensee information to the Compact Commission’s data system. The SOS believes the additional workload would require one additional licensure analyst at an annual cost of $49,000.

• **Compact Membership** – While the ASLP-IC and its governing commission are not yet operational and have not determined the exact compact membership fee for states, the Director of the National Center for Interstate Compacts indicated that the fee charged to member states is unlikely to exceed the $6,000 annual compact membership fee assessed by the National Council of State Boards of Nursing.

• **National Background Checks** – The SOS will be required to conduct national background checks on license applicants as a result of the bill. The background checks must include the submission of applicant fingerprints to the Federal Bureau of Investigation through the Georgia Crime Information Center. The applicant is responsible for all fees associated with the performance of the background check; therefore, there are no additional state funds required as a result of the bill.

**Additional Revenues**

• **License Fee** – The SOS indicated that a $50 application fee would be assessed for audiologists and speech-language pathologists that are licensed in other states but wish to practice in Georgia. While unable to provide an exact number, the SOS expects a substantial increase in monthly license applications due to out-of-state applicants applying for a compact privilege license. It is unclear if SOS will charge an additional fee for Georgia licensees that desire a license that allows a privilege to practice in other states. It is assumed that those Georgia licensees will be assessed a fee by the member state in which they are seeking to practice.

Sincerely,

Greg S. Griffin
State Auditor

Kelly Farr, Director
Office of Planning and Budget

GSG/KF/cg