

IC 25-35.6

ARTICLE 35.6. SPEECH PATHOLOGISTS AND AUDIOLOGISTS

IC 25-35.6-1

Chapter 1. General Provisions

IC 25-35.6-1-1

Declaration of policy

Sec. 1. It is declared to be a policy of the state of Indiana that in order to:

- (1) safeguard the public health, safety, and welfare;
- (2) protect the public from being misled by incompetent, unscrupulous, and unauthorized persons and from unprofessional conduct on the part of qualified speech-language pathologists and audiologists; and
- (3) help assure the availability of the highest possible quality speech-language pathology and audiology services to a person with a communication disability of this state;

it is necessary to provide regulatory authority over persons offering speech-language pathology and audiology services to the public.

(Formerly: Acts 1973, P.L.262, SEC.1.) As amended by P.L.149-1987, SEC.103; P.L.23-1993, SEC.152.

IC 25-35.6-1-2

Definitions

Sec. 2. (a) As used in this article, "board" means the speech-language pathology and audiology board established by this article.

(b) As used in this article, "person" means any individual, organization, or corporate body, except that only an individual may be licensed under this article.

(c) As used in this article, "speech-language pathologist" means an individual who practices speech-language pathology and who presents himself to the public by any title or description of services incorporating the words speech pathologist, speech-language pathologist, speech therapist, speech-language specialist, teacher of communication disorders, speech correctionist, speech clinician, language pathologist, language therapist, logopedist, communicologist, voice therapist, voice pathologist, or any similar title or description of service.

(d) As used in this article, "speech-language pathology" means the application of nonmedical and nonsurgical principles, methods, and procedures for the following:

- (1) The prevention, evaluation, habilitation, rehabilitation, instruction, and research of communication and swallowing disorders.
- (2) The elective modification of communication behaviors.
- (3) The enhancement of communication, including the use of

augmentative or alternate communication strategies.

(e) As used in this article, "audiologist" means an individual who practices audiology and who presents himself to the public by any title or description of services incorporating the words audiologist, hearing clinician, hearing therapist, hearing specialist, audiometrist, vestibular specialist, or any similar title or description of service.

(f) As used in this article, "audiology" means the application of nonmedical and nonsurgical principles, methods, and procedures of prevention, evaluation, habilitation, rehabilitation, instruction, and research of disorders of hearing, auditory function, and vestibular function.

(g) As used in this article, "support personnel" means individuals who meet the qualifications which the board shall establish for the following:

- (1) Speech-language pathology aide.
- (2) Speech-language pathology associate.
- (3) Speech-language pathology assistant.

(h) As used in this article, "audiology assistant" means an individual who:

- (1) is not licensed as an audiologist under this article;
- (2) meets qualifications which the board may establish; and
- (3) provides specific services under the direction and supervision of a licensed audiologist.

(i) As used in this article, "clinical fellowship" means a supervised professional experience.

(j) As used in this article, "direct supervision" means onsite observation and guidance while an assigned evaluation or therapeutic activity is being performed.

*(Formerly: Acts 1973, P.L.262, SEC.1; Acts 1974, P.L.1, SEC.11.)
As amended by P.L.149-1987, SEC.104; P.L.212-2005, SEC.63.*

IC 25-35.6-1-3

Persons and practices affected

Sec. 3. (a) Licensure shall be granted either in speech-language pathology or audiology independently. A person may be licensed in both areas if the person meets the respective qualifications.

(b) No person shall practice or represent himself as a speech-language pathologist or audiologist in this state unless the person is licensed in accordance with the provisions of this article.

(Formerly: Acts 1973, P.L.262, SEC.1.) As amended by P.L.149-1987, SEC.105.

IC 25-35.6-1-4

Persons and practices not affected

Sec. 4. Nothing in this article shall be construed as preventing or restricting the following:

- (1) A physician or surgeon from engaging in the practice of medicine in this state, or a person under the supervision and control of a physician or surgeon from conducting hearing testing, provided such a person is not called an audiologist.

- (2) Any hearing aid dealer from:
 - (A) engaging in the testing of hearing and other practices and procedures necessary for the business for which the dealer is registered in this state under IC 25-20-1; and
 - (B) using the title hearing aid specialist or any similar title or description of service.
- (3) Any person licensed or registered in this state by any other law from engaging in the profession or occupation for which the person is licensed or registered.
- (4) A person employed as a speech-language pathologist or audiologist by the government of the United States, if such person performs speech-language pathology or audiology services solely within the confines or under the jurisdiction of the governmental organization by which the person is employed. However, such person may, without obtaining a license under this article, consult with or disseminate the person's research findings and other scientific information to speech-language pathologists and audiologists outside the jurisdiction of the organization by which the person is employed. Such person may also offer instruction and lectures to the public without being licensed under this article. Such person may additionally elect to be subject to this article.
- (5) The activities and services of persons pursuing a course of study leading to a degree in speech-language pathology or audiology at a postsecondary educational institution, if:
 - (A) such activities and services constitute a part of a supervised course of study;
 - (B) such person is designated speech-language pathology or audiology intern, speech-language pathology or audiology trainee, or by other such titles clearly indicating the training status appropriate to the person's level of training; and
 - (C) the person works only under the supervision of a speech-language pathologist or audiologist licensed under this article.
- (6) The activities and services of persons fulfilling the clinical experience requirement of section 5(2)(B)(ii) or 6(3)(B) of this chapter, if such activities and services constitute a part of the experience required for that section's fulfillment.
- (7) The performance of pure tone air conduction testing by an industrial audiometric technician, as defined by federal law, who is working in an industrial hearing conservation program directed by a physician or an audiologist.
- (8) The performance of speech-language pathology or audiology services in this state by any person not a resident of this state who is not licensed under this article, if such services are performed for no more than five (5) days in any calendar year and in cooperation with a speech-language pathologist or audiologist licensed under this article, and if such person meets the qualifications and requirements for application for licensure described in sections 5(1) and 5(2) or 6(1) and 6(2) of this

chapter. However, a person not a resident of this state who is not licensed under this article, but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by section 5 or 6 of this chapter or who is the holder of a certificate of clinical competence in speech-language pathology or audiology or its equivalent issued by a nationally recognized association for speech-language or hearing, may offer speech-language pathology or audiology services in this state for no more than thirty (30) days in any calendar year, if such services are performed in cooperation with a speech-language pathologist or audiologist licensed under this article.

(Formerly: Acts 1973, P.L.262, SEC.1.) As amended by P.L.250-1985, SEC.1; P.L.149-1987, SEC.106; P.L.212-2005, SEC.64; P.L.2-2007, SEC.348.

IC 25-35.6-1-5

Eligibility for licensure and registration

Sec. 5. To be eligible for licensure by the board as a speech-language pathologist or registration as a speech-language pathology aide, a speech-language pathology associate, or a speech-language pathology assistant, a person must satisfy the following:

- (1) Not have been convicted of a crime that has a direct bearing on the person's ability to practice competently.
- (2) For licensure as a speech-language pathologist:
 - (A) possess at least a master's degree or its equivalent in the area of speech-language pathology from an educational institution recognized by the board; and
 - (B) submit evidence of:
 - (i) a national certification in speech-language pathology that is approved by the board; or
 - (ii) satisfaction of the academic and clinical experience requirements necessary for licensure as defined in the rules of the board.
- (3) For registration as a speech-language pathology aide, possess at least a high school degree or its equivalent.
- (4) For registration as a speech-language pathology associate, possess at least an associate degree in speech-language pathology.
- (5) For registration as a speech-language pathology assistant, possess at least a bachelor's degree in speech-language pathology.

(Formerly: Acts 1973, P.L.262, SEC.1.) As amended by Acts 1981, P.L.222, SEC.267; Acts 1982, P.L.113, SEC.84; P.L.250-1985, SEC.2; P.L.149-1987, SEC.107; P.L.33-1993, SEC.71; P.L.212-2005, SEC.65.

IC 25-35.6-1-6

Initial license; audiologist

Sec. 6. To be eligible for an initial license by the board as an audiologist, an individual must satisfy the following:

- (1) Not have been convicted of a crime that has a direct bearing on the individual's ability to practice competently.
- (2) Possess a doctoral degree from an accredited educational program recognized by the board.
- (3) Submit evidence of:
 - (A) a national certification in audiology that is approved by the board; or
 - (B) satisfaction of the academic and clinical experience requirements necessary for licensure as defined in the rules of the board.

As added by P.L.212-2005, SEC.66.

IC 25-35.6-1-7

Initial license; renewal license; speech-language pathologist; continuing education

Sec. 7. (a) The division of professional standards established within the department of education by IC 20-28-2-1.5 (referred to as "the division of professional standards" in this section) may issue the following:

- (1) An initial license as a speech-language pathologist only to an individual who is licensed as a speech-language pathologist under this article.
 - (2) A nonrenewable initial license as a speech-language pathologist to an individual who is completing a clinical fellowship in speech-language pathology and who has registered the clinical fellowship with the board. The nonrenewable initial license expires on the earlier of:
 - (A) the date the individual is licensed by the board as a speech-language pathologist; or
 - (B) eighteen (18) months after the individual begins the clinical fellowship in speech-language pathology.
 - (3) A renewal license as a speech-language pathologist to an individual who was licensed by the professional standards board before July 1, 2005, and who is not licensed as a speech-language pathologist under this article.
- (b) The division of professional standards shall issue a license as a speech-language pathologist to an individual who:
- (1) is licensed as a speech-language pathologist under this article; and
 - (2) requests licensure.
- (c) A speech-language pathologist licensed by the division of professional standards shall register with the Indiana professional licensing agency all speech-language pathology support personnel that the speech-language pathologist supervises.
- (d) The division of professional standards may not impose different or additional supervision requirements upon speech-language pathology support personnel than the supervision requirements that are imposed under this article.

(e) The division of professional standards may not impose continuing education requirements upon an individual who receives a license under this section that are different from or in addition to the continuing education requirements imposed under this article.

(f) An individual:

(1) who:

(A) if the individual is a speech-language pathologist, receives a license under this section or received a license as a speech-language pathologist issued by the professional standards board before July 1, 2005; or

(B) if the individual is an audiologist, works in an educational setting;

(2) who has been the holder of a certificate of clinical competence in speech-language pathology or audiology or its equivalent issued by a nationally recognized association for speech-language pathology and audiology for at least three (3) consecutive years; and

(3) who has professional experience as a licensed speech-language pathologist or audiologist in a school setting that is equivalent to the experience required for a teacher seeking national certification by the National Board of Professional Teaching Standards;

is considered to have the equivalent of and is entitled to the same benefits that accrue to a holder of a national certification issued by the National Board for Professional Teaching Standards.

As added by P.L.212-2005, SEC.67. Amended by P.L.1-2006, SEC.480; P.L.157-2006, SEC.75; P.L.1-2007, SEC.181; P.L.59-2007, SEC.1; P.L.197-2007, SEC.90.

IC 25-35.6-1-8

Adopting rules defining support personnel role; qualifications to supervise

Sec. 8. (a) The board shall adopt rules under IC 4-22-2 to define the role of support personnel, including the following:

(1) Supervisory responsibilities of the speech-language pathologist.

(2) Ratio of support personnel to speech-language pathologists.

(3) Scope of duties and restrictions of responsibilities for each type of support personnel.

(4) Frequency, duration, and documentation of supervision.

(5) Education and training required to perform services.

(6) Procedures for renewing registration and terminating duties.

(b) A speech-language pathologist must meet the following qualifications to supervise speech-language pathology support personnel:

(1) Hold a current license as a speech-language pathologist issued by the board.

(2) Except for an individual who:

(A) before September 1, 1990, completed all the course work and obtained all the experience required to receive a life

license from the department of education; and

(B) was issued a life license by the department of education; hold a certificate of clinical competence in speech-language pathology or its equivalent issued by a nationally recognized association for speech-language and hearing.

(c) Speech-language pathology support personnel may provide support services only under the supervision of a speech-language pathologist.

As added by P.L.212-2005, SEC.68. Amended by P.L.197-2007, SEC.91; P.L.226-2011, SEC.21.

IC 25-35.6-1-8.5

Emergency communication disorder permit

Sec. 8.5. (a) The department of education may issue an emergency communication disorder permit to an individual, as necessary, to serve the needs of students who are eligible for speech and language services under the federal Individuals with Disabilities Education Improvement Act (20 U.S.C. 1400 et seq.).

(b) To be eligible to receive an emergency communication disorder permit, an individual must:

(1) have a bachelor's degree in speech, language, and hearing sciences or an equivalent bachelor's degree in this subject area; and

(2) be enrolled, and have submitted a verified plan of study, in a graduate program in communication disorders.

(c) An individual with an emergency communication disorder permit may not provide services beyond the scope of the individual's education and training.

(d) An individual who is issued an emergency communication disorder permit shall have accessibility to a licensed speech-language pathologist in order to collaborate on the provision of services at no additional cost to the school corporation.

(e) An individual with an emergency communication disorder permit may not use a title that states or implies that the individual is a licensed speech-language pathologist.

(f) This section expires June 30, 2018.

As added by P.L.59-2007, SEC.2.

IC 25-35.6-1-9

Patient referral; supervision of certain procedures

Sec. 9. (a) If a speech-language pathologist performs an evaluation and the evaluation suggests the possibility of a condition that requires medical attention, the speech-language pathologist shall promptly refer the patient to an individual licensed under IC 25-22.5.

(b) A speech-language pathologist shall perform instrumental procedures using rigid or flexible endoscopes only under the authorization and general supervision of an individual licensed under IC 25-22.5.

As added by P.L.212-2005, SEC.69.

IC 25-35.6-1-10

Patient referral

Sec. 10. (a) If an audiologist performs an evaluation and the evaluation suggests the possibility of a condition that requires medical attention, the audiologist shall promptly refer the patient to an individual licensed under IC 25-22.5.

(b) An audiologist shall administer tests of vestibular function only to patients who have been referred by an individual licensed under IC 25-22.5.

As added by P.L.212-2005, SEC.70.