

As Reported by the Senate Education Committee

**127th General Assembly
Regular Session
2007-2008**

S. B. No. 143

Senator Padgett

**Cosponsors: Senators Spada, Carey, Gardner, Bocchieri, Schuler, Clancy,
Miller, R., Kearney, Sawyer, Morano, Cates**

—

A B I L L

To amend sections 4753.02, 4753.05, and 4753.11 and 1
to enact sections 4753.073 and 4753.101 of the 2
Revised Code to establish a limited student permit 3
category for speech language pathology interns, 4
and to declare an emergency. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4753.02, 4753.05, and 4753.11 be 6
amended and sections 4753.073 and 4753.101 of the Revised Code be 7
enacted to read as follows: 8

Sec. 4753.02. No person shall practice, offer to practice, or 9
aid and abet the practice of the profession of speech-language 10
pathology or audiology, or use in connection with ~~his~~ the person's 11
name, or otherwise assume, use, or advertise any title or 12
description tending to convey the impression that ~~he~~ the person is 13
a speech-language pathologist or audiologist unless the person is 14
licensed or permitted under this chapter. 15

Sec. 4753.05. (A) The board of speech-language pathology and 16
audiology may make reasonable rules necessary for the 17

administration of this chapter. The board shall adopt rules to 18
ensure ethical standards of practice by speech-language 19
pathologists and audiologists licensed or permitted pursuant to 20
this chapter. All rules adopted under this chapter shall be 21
adopted in accordance with Chapter 119. of the Revised Code. 22

(B) The board shall determine the nature and scope of 23
examinations to be administered to applicants for licensure 24
pursuant to this chapter in the practices of speech-language 25
pathology and audiology, and shall evaluate the qualifications of 26
all applicants. Written examinations may be supplemented by such 27
practical and oral examinations as the board shall determine by 28
rule. The board shall determine by rule the minimum examination 29
score for licensure. Licensure shall be granted independently in 30
speech-language pathology and audiology. The board shall maintain 31
a current public record of all persons licensed, to be made 32
available upon request. 33

(C) The board shall publish and make available, upon request, 34
the licensure and permit standards prescribed by this chapter and 35
rules adopted pursuant thereto. 36

(D) The board shall submit to the governor each year a report 37
of all its official actions during the preceding year together 38
with any recommendations and findings with regard to the 39
improvement of the professions of audiology and speech-language 40
pathology. 41

(E) The board shall investigate all alleged irregularities in 42
the practices of speech-language pathology and audiology by 43
persons licensed or permitted pursuant to this chapter and any 44
violations of this chapter or rules adopted by the board. The 45
board shall not investigate the practice of any person 46
specifically exempted from licensure under this chapter by section 47
4753.12 of the Revised Code, as long as the person is practicing 48
within the scope of the person's license or is carrying out 49

responsibilities as described in division (G) or (H) of section 50
4753.12 of the Revised Code and does not claim to be a 51
speech-language pathologist or audiologist. 52

In conducting investigations under this division, the board 53
may administer oaths, order the taking of depositions, issue 54
subpoenas, and compel the attendance of witnesses and the 55
production of books, accounts, papers, records, documents, and 56
testimony. In any case of disobedience or neglect of any subpoena 57
served on any person or the refusal of any witness to testify to 58
any matter regarding which the witness may lawfully be 59
interrogated, the court of common pleas of any county where such 60
disobedience, neglect, or refusal occurs or any judge thereof, on 61
application by the board, shall compel obedience by attachment 62
proceedings for contempt, as in the case of disobedience of the 63
requirements of a subpoena issued from such court, or a refusal to 64
testify therein. 65

(F) The board shall conduct such hearings and keep such 66
records and minutes as are necessary to carry out this chapter. 67

(G) The board shall adopt a seal by which it shall 68
authenticate its proceedings. Copies of the proceedings, records, 69
and acts signed by the chairperson or executive director and 70
authenticated by such seal shall be prima-facie evidence thereof 71
in all courts of this state. 72

Sec. 4753.073. (A)(1) The board of speech-language pathology 73
and audiology shall issue under its seal a speech-language 74
pathology student permit to any applicant who submits a plan that 75
has been approved by the applicant's university graduate program 76
in speech-language pathology and that conforms to requirements 77
determined by the board by rule and who meets all of the following 78
requirements: 79

(a) Is enrolled in a graduate program at an educational 80

institution located in this state that is accredited by the 81
council on academic accreditation in audiology and speech-language 82
pathology of the American speech-language-hearing association; 83

(b) Has completed at least one year of postgraduate training 84
in speech-language pathology, or equivalent coursework as 85
determined by the board, and any student clinical experience the 86
board may require by rule; 87

(2) The speech-language pathology student permit authorizes 88
the holder to practice speech-language pathology within limits 89
determined by the board by rule, which shall include the 90
following: 91

(a) The permit holder's caseload shall be limited in a manner 92
to be determined by the board by rule. 93

(b) The permit holder's authorized scope of practice shall be 94
limited in a manner to be determined by the board by rule. The 95
rule shall consider the coursework and clinical experience that 96
has been completed by the permit holder and the recommendation of 97
the applicant's university graduate program in speech-language 98
pathology. 99

(c) The permit holder shall practice only when under the 100
supervision of a speech-language pathologist who is licensed by 101
the board and acting under the approval and direction of the 102
applicant's university graduate program in speech-language 103
pathology. The board shall determine by rule the manner of 104
supervision. 105

(3) A permit issued under this section shall expire two years 106
after the date of issuance. Student permits may be renewed in a 107
manner to be determined by the board by rule. 108

(4) Each permit holder shall display the permit or an 109
official duplicate in a conspicuous place where the permit holder 110
practices speech-language pathology. 111

Sec. 4753.101. The board of speech-language pathology and 112
audiology, in accordance with Chapter 119. of the Revised Code, 113
may establish rules to govern any disciplinary action to be taken 114
against a student issued a permit under section 4753.073 of the 115
Revised Code. The rules established by the board are not subject 116
to the adjudication procedure requirements of sections 119.06 to 117
119.13 of the Revised Code. 118

Sec. 4753.11. (A) For all types of licenses and permits, the 119
board of speech-language pathology and audiology shall charge a 120
nonrefundable licensure or permit fee, to be determined by board 121
rule, which shall be paid at the time the application is filed 122
with the board. 123

(B) On or before the thirty-first day of January of every 124
other year, the board shall charge a biennial licensure renewal 125
fee which shall be determined by board rule and used to defray 126
costs of the board. 127

(C) The board may, by rule, provide for the waiver of all or 128
part of such fees when the license is issued less than one hundred 129
days before the date on which it will expire. 130

(D) After the last day of the month designated by the board 131
for renewal, the board shall charge a late fee to be determined by 132
board rule in addition to the biennial licensure renewal fee. 133

(E) No municipal corporation shall levy an occupational or 134
similar excise tax on any person licensed under this chapter. 135

(F) All fees collected under this section and section 4753.09 136
of the Revised Code shall be paid into the state treasury to the 137
credit of the occupational licensing and regulatory fund. 138

Section 2. That existing sections 4753.02, 4753.05, and 139
4753.11 of the Revised Code are hereby repealed. 140

Section 3. This act is hereby declared to be an emergency 141
measure necessary for the immediate preservation of the public 142
peace, health, and safety. The reason for the necessity lies in 143
the fact that the state of Ohio is experiencing a serious shortage 144
of licensed speech-language pathologists. Therefore, this act 145
shall go into immediate effect. 146