

# **SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE**

**BILL NO.** Senate Bill 137

**PRINTER'S NO.** 1240

**AMOUNT**

\$3,840 in FY 2013-14

**FUND**

General Fund  
Professional & Occupational Affairs Restricted Account

**DATE INTRODUCED**

January 15, 2013

**PRIME SPONSOR**

Senator Gordner

**HISTORY OF BILL**

Referred to CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, Jan. 15, 2013

Reported as amended, May 14, 2013

First consideration, May 14, 2013

Second consideration, June 12, 2013

Re-referred to APPROPRIATIONS, June 12, 2013

Re-reported as amended, June 17, 2013

**DESCRIPTION AND PURPOSE OF BILL**

Senate Bill 137 amends the Speech-Language and Hearing Licensure Act and renames it, the Speech-Language Pathologists and Audiologists Licensure Act. The bill clarifies the definition of "audiologist" to require education, training and clinical experience as well as a license. The bill adds a definition for "interoperative monitoring." The State Board of Examiners in Speech-Language and Hearing is renamed the State Board of Examiners in Speech-Language Pathology and Audiology.

The bill defines the "practice of audiology" to include the application of principles, methods and procedures related to disorders of the auditory and vestibular systems and lists areas of audiology practice. It also removes "teachers of the hearing impaired" from the purview of the act.

The bill requires one member of the board to be a physician who specializes in otolaryngology and is licensed to practice medicine in the Commonwealth. It provides that a member of the board who fails to attend three consecutive meetings shall forfeit his seat unless the Commissioner of Professional and Occupational Affairs finds the member should be excused from a meeting because of illness or the death of an immediate family member. The Board membership is reduced from 10 members to 8.

# **SENATE APPROPRIATIONS COMMITTEE**

## **FISCAL NOTE**

The bill requires that the board recognize national professional organizations in audiology that have established definitions of the practice of audiology. It provides that the board shall have the power to adopt those definitions to be practical definitions of the practice of audiology for licensees. It permits the board to adopt any amendments to definitions made by the national professional organizations. It requires the board to recognize national accrediting agencies which accredit programs of audiology.

The bill provides that no person may practice or hold himself out as being able to practice as an audiologist or engage in the practice of audiology unless he holds a current license.

The bill requires that a person possess a master's degree or doctoral degree in audiology to hold a license. It requires academic programs be accredited by an accrediting agency approved by the board and the US Department of Education or the Council of Higher Education Accreditation. It requires master's degree applicants to have at least nine months of supervised professional experience. The bill requires that as of January 1, 2014, all new applicants must possess a doctoral degree in audiology to be eligible for a license.

The bill allows the board to waive examination and educational requirements for those who have a current valid license to practice audiology in a state which has standards at least equal to those for licensure in the Commonwealth. It allows a waiver for certain certifications from national organizations based on standards and requires the board to publish notice of those standards in the Pennsylvania Bulletin.

The bill allows the board to provide for a provisional license for applicants who have:

1. Not completed their clinical fellowship. This license is valid for 18 months and can be renewed one time.
2. Qualified by education, training and clinical experience by completing all educational requirements, including the externship of a doctoral degree in audiology program. The provisional license shall only be valid for six months from the time of application for a permanent license.
3. Holds a valid license in another state to practice audiology and who has applied for a license in the Commonwealth. The individual may practice audiology while working under the supervision of a person fully licensed in the Commonwealth for not more than 90 days while awaiting approval of the license application.

The bill authorizes the board to certify audiologists who have demonstrated competence in the field of interoperative monitoring.

The bill allows the board to refuse to issue or suspend or revoke a license for inability to practice because of physical or mental illness or excessive abuse of alcohol or use of drugs.

# **SENATE APPROPRIATIONS COMMITTEE**

## **FISCAL NOTE**

The bill removes the requirement for a medical examination in order for an audiologist to perform an aural rehabilitation for a patient. It required audiologists to refer patients for medical services beyond the scopes of practice.

The bill prohibits the renewal of a license if it has been expired for more than five years.

The bill requires that in order to receive a license renewal for a period of five years, the licensee must provide assurance of continued competency to practice audiology. The bill provides title protection for a licensed audiologist who holds a doctoral degree.

The bill provides that by a majority vote of the board, an additional civil penalty of \$10,000 may be levied for any current licensee or for an unlicensed individual who violates any provisions of the act.

The act shall take effect in 60 days.

### **FISCAL IMPACT:**

The bill basically modernizes the education and training requirements for licensure of speech and hearing professionals. It also provides greater flexibility for professionals licensed in other states to practice in the Commonwealth. The Department of State estimates the board will incur costs of about \$6,000 to promulgate the necessary regulations to implement the statutory amendments of the bill. The board may establish licensing fees to offset any administrative costs.

By removing the licensure requirement for teachers of the hearing impaired, the Department of State estimates that the board will incur a revenue loss equal to about \$2,898 biennially (63 teachers x \$46 biennial license fee) or \$1,449 annually. They will also incur an annual revenue loss of about \$40, based on the loss of about two application fees per year.

However, the Department expects the increased revenue for the new provisional license for audiologists will offset any of the above revenue losses incurred from the elimination of the licensing of the teachers of the hearing impaired.

The Department of State expects savings to occur from the elimination of two Board member positions. Annual savings of about \$2,160 (\$600 in per diems and about \$1,560 in travel expenses) are expected from the reduction of the Board from 10 members to 8.

Therefore, net costs to the board resulting from the passage of this legislation in FY 2013-14 are estimated to be about \$3,840 (\$6,000 cost less \$2,160 savings).