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Sequence Number: 02-26-09
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 File Date: 02/26/09

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Board of Communication Disorders and Sciences
Division:	Health Related Boards
Contact Person:	Lucille F. Bond
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Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator for the Division of Health Related Boards
Address:	227 French Landing, Ste. 300, Nashville, TN 37243
Phone:	615-532-4397
Email:	

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	227 French Landing		
Address 2:	Poplar Room, First Floor		
City:	Nashville, TN		
Zip:	37228		
Hearing Date :	05/12/09		
Hearing Time:	9:00 a.m.	<input checked="" type="checkbox"/> CST	<input type="checkbox"/> EST

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables. Please enter only ONE Rule Number/RuleTitle per row.)

Chapter Number	Chapter Title
1370-01	Rules for Speech Pathology and Audiology
Rule Number	Rule Title
1370-01-.01	Definitions

1370-01-.02	Scope of Practice
1370-01-.03	Necessity of Licensure or Registration
1370-01-.04	Qualifications for Licensure
1370-01-.05	Procedures for Licensure
1370-01-.10	Clinical Fellowships and Supervision
1370-01-.15	Disciplinary Actions, Civil Penalties, Assessment of Costs, and Subpoenas

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Amendments

Chapter 1370-01 Rules for Speech Pathology and Audiology

Rule 1370-01-.01, Definitions, is amended by deleting paragraphs (1), (11) and (26), and subparagraph (29) (a) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (1), (11) and (26), and the new subparagraph (29) (a) shall read:

- (1) Accredited Institution means the status of the school in relation to requirements of recognized agencies other than the Tennessee Board of Communication Disorders and Sciences. These would include U.S. Department of Education recognized Regional University Accrediting Agencies, Council of Academic Accreditation in Audiology and Speech – Language Pathology (CAA) and the Accreditation Commission for Audiology Education (ACAE).
- (11) Clinical Fellow means a Speech Language Pathologist who is in the process of obtaining his or her paid professional experience, as defined by a Board-approved accreditation agency, before being qualified for licensure.
- (26) Registration means the process by which a Clinical Extern, Clinical Fellow, a Speech Language Pathology Assistant, or other person so required registers with the Board's Administrative Office.
- (29) (a) The term used to designate any Tennessee licensed Audiologist, or Speech Language Pathologist or ASHA certified Speech Language Pathologist or Audiologist or ABA certified Audiologist who provides supervision of a Clinical Extern, Clinical Fellow, registered speech language pathology assistant, or student clinician in speech language pathology or audiology.

Authority: T.C.A. § 63-17-105.

Rule 1370-01-.01, Definitions, is amended by inserting the following language as appropriately numbered and alphabetized new paragraphs:

- () ABA means the American Board of Audiology Examiners.
- () Clinical Extern means an audiology student who is in the process of obtaining professional experience as defined by a Board-approved accreditation agency, before being qualified for licensure.

Authority: T.C.A. §§ 63-17-105.

Rule 1370-01-.02, Scope of Practice, is amended by deleting paragraph (3) in its entirety and substituting instead the following language, and is further amended by inserting the following language as new paragraph (4) and renumbering the current paragraph (4) as paragraph (5), so that as amended, the new paragraphs (3) and (4) shall read:

- (3) Clinical Fellows, pursuant to T.C.A. § 63-17-114 (6), shall work under the supervision of a Tennessee licensed Speech Language Pathologist or an ASHA certified Speech Language Pathologist while the Clinical Fellow is obtaining a year of paid professional experience and shall adhere to the regulations established under Rule 1370-01-.10.
- (4) Clinical Externs, pursuant to T.C.A. § 63-17-114 (4) and (7), shall work under the supervision of a Tennessee licensed Audiologist, an ASHA Certified Audiologist,

or ABA Certified Audiologist, while the clinical extern year is completed and shall adhere to the regulations established under Rule 1370-01-.10.

Authority: T.C.A. §§ 63-17-105 and 63-17-114.

Rule 1370-1-.03, Necessity of Licensure or Registration, is amended by inserting the following language as new subparagraph (5) (a) and renumbering the current subparagraphs (5) (a) through (5) (e) as subparagraphs (5) (b) through (5) (g):

- (5) (a) Clinical Externs are required to register with the Board through their supervising licensee while they are working under the supervising licensee's supervision.

Authority: T.C.A. §§ 63-17-105 and 63-17-114.

Rule 1370-01-.04, Qualifications for Licensure, is amended by deleting subparagraph (1) (c) in its entirety and substituting instead the following language, and is further amended by adding the following language as subparagraph (1) (d), and is further amended by deleting paragraph (2) in its entirety and substituting instead the following language, so that as amended, the new subparagraphs (1) (c) and (1) (d), and the new paragraph (2) shall read:

- (1) (c) An applicant in the area of speech-language pathology must possess at least a master's degree in speech language pathology from an accredited institution; and
 - 1. Possess a current Certificate of Clinical Competence ("CCC") in the area of speech language pathology issued through the American Speech Language and Hearing Association (ASHA); or
 - 2. Have successfully completed and documented the following:
 - (i) a minimum of four hundred (400) clock hours of supervised clinical experience ('practicum') with individuals having a variety of communication disorders, as required by ASHA. The experience shall be obtained through an accredited institution which is recognized by ASHA; and
 - (ii) a Clinical Fellowship in the area of Speech Language Pathology; and
 - (iii) passage of the written Professional Assessments for Beginning Teachers (Praxis Test) as required by Rule 1370-01-.08.
- (1) (d) An applicant in the area of audiology:
 - 1. For applications received after January 1, 2009, the applicant must possess at least a Doctor of Audiology degree or other doctoral degree with emphasis in audiology or hearing science from an accredited institution; and
 - (i) Possess a current Certificate of Clinical Competence ("CCC") in the area of audiology issued through ASHA; or

(ii) Have successfully completed and documented the following:

(I) a minimum of one thousand eight hundred twenty hours (1820) clock hours of supervised clinical experience ("practicum") by a licensed audiologist or ASHA or ABA certified audiologist; and

(II) passage of the written Professional Assessments for Beginning Teachers (Praxis Test) as required by Rule 1370-01-.08.

2. When the applicant has been licensed in Tennessee or another state prior to 2009, the applicant must possess at least a Master's degree in Audiology from an accredited institution; and

(i) Possess a current Certificate of Clinical Competence ("CCC") issued through ASHA in the area of audiology or ABA certification; or

(ii) Have successfully completed a minimum of four hundred (400) clock hours of supervised clinical experience ("practicum") with individuals having a variety of disorders of communications, as required by ASHA. The experience shall be obtained through an accredited institution which is recognized by ASHA; and

(iii) the Clinical Fellowship in the area in audiology; and

(iv) passage of the written Professional Assessments for Beginning Teachers (Praxis Test) as required by Rule 1370-01-.08.

(2) An applicant who holds a current license in another state may be granted a Tennessee license, if the qualifications of licensure by reciprocity pursuant to Rule 1370-01-.05 (9) are met.

Authority: T.C.A. §§ 63-17-105, 63-17-110, and 63-17-113.

Rule 1370-01-.05, Procedures for Licensure, is amended by deleting paragraph (6) and subparagraphs (7) (b) and (7) (c) in their entirety and substituting instead the following language, so that as amended, the new paragraph (6) and the new subparagraphs (7) (b) and (7) (c) shall read:

(6) An applicant shall file with the application documentation of proof of possessing the following certification:

(a) Audiology applicants shall file with their application documentation that they possess a current Certificate of Clinical Competence ("CCC") in the area of audiology issued through ASHA.

(b) Speech Language Pathology applicants shall file with their application documentation that they possess a current Certificate of Clinical

Competence ("CCC") in the area of speech language pathology issued through ASHA.

- (7) (b) Documentation of the required supervised clinical experience ("practicum") with individuals having a variety of communications disorders, as specified in 1370-01-.04 for the required discipline. The experience must be obtained through an accredited institution. Unless already provided pursuant to rule 1370-1-.10, the applicant shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board's Administrative Office attesting to the standards of the practicum and the applicant's successful completion.
- (c) A Clinical Fellowship or Clinical Externship in the area in which licensure is being sought.
 - 1. The applicant shall ensure that the supervising Speech Language Pathologist or Audiologist submits a letter which attests to the Clinical Fellowship pursuant to Rule 1370-01-.10 directly to the Board Office; or
 - 2. An audiologist initially licensed after January 1, 2009 shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board's Administrative office attesting that the applicant has completed the clinical extern requirement or equivalent 1820 supervised clinical clock hours.

Authority: T.C.A. §§ 63-17-105, 63-17-110, and 63-17-113.

Rule 1370-01-.10, Clinical Fellowships and Supervision, is amended by deleting the catchline in its entirety and substituting instead the following language, and is further amended by deleting paragraph (2) but not its subparagraphs and substituting instead the following language, and is further amended by deleting subparagraphs (2) (b) and (2) (c) in their entirety and substituting instead the following language, and is further amended by deleting paragraphs (3) and (4) but not their subparagraphs, and substituting instead the following language, and is further amended by adding the following language as paragraphs (5), (6), (7) and (8), so that as amended, the new catchline, the new paragraph (2) but not its subparagraphs, subparagraphs (2) (b) and (2) (c), the new paragraphs (3) and (4) but not their subparagraphs, and the new paragraphs (5), (6), (7) and (8) shall read:

1370-01-.10 Clinical Fellowships, Clinical Externs, and Supervision.

- (2) Clinical Fellows: Procedures for Registration
 - (b) An applicant for registration as a Clinical Fellow must successfully complete a minimum of four hundred (400) clock hours of supervised clinical experience ("practicum") with individuals having a variety of communication disorders, as required by ASHA. The experience must be obtained through an accredited institution. The applicant shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board's Administrative office attesting to the standards of the practicum and the applicant's successful completion.
 - (c) In the case of extenuating circumstances, a supervising licensee may request an application for re-registration to extend the clinical fellowship

registration. The Board or its designee will determine if an extension will be granted.

- (3) Clinical Fellows: Period of Effectiveness
- (4) Clinical Fellows: Supervision Limitations
- (5) Clinical Externs must work under the supervision of a licensed, ASHA certified or ABA certified Audiologist ("supervising licensee").
- (6) Clinical Externs: Procedures for Registration
 - (a) An applicant for registration as a Clinical Extern shall have a letter transmitted directly from the authorized individual at the accredited institution to the board administrator verifying that he or she has successfully completed sufficient academic course work to engage in outside supervised clinical practice.
 - (b) An applicant for registration as a Clinical Extern shall have successfully completed a minimum of four hundred (400) clock hours of supervised clinical experience ("practicum") with individuals having a variety of communication disorders. The experience shall have been obtained through an accredited institution. The applicant shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board's Administrative office attesting to the standards of the practicum and the applicant's successful completion.
 - (c) All supervising licensees must register any and all Clinical Externs working under their supervision with the Board on a registration form to be provided by the Board at the request of the supervising licensee. Registration must be made by the supervising licensee prior to the start of the externship.
- (7) Clinical Externs: Period of effectiveness
 - (a) Registration for a Clinical Extern is effective for a period of fifteen (15) continuous months, beginning with the month after the month in which the registration is made.
 - (b) The length of the externship is set by the accredited institution.
 - (c) Notwithstanding the provisions of subparagraph (a), the clinical extern period of effectiveness may be extended for a period not to exceed four (4) additional months for applicants for licensure who are awaiting national certification and subsequent Board review of their application. Such extension will cease to be effective if national certification or Board licensure is denied. At all times while awaiting national certification results and until licensure is received, clinical externs shall practice only under supervision as set forth in this rule.
 - (d) In the case of extenuating circumstances, a supervising licensee may request an application for re-registration to extend the clinical externship registration. The Board or its designee will determine if an extension will be granted.

- (8) Clinical Externs: Supervision Limitations. Supervising licensees shall concurrently supervise no more than two (2) Clinical Externs.

Authority: T.C.A. §§ 63-17-105 and 63-17-110.

Rule 1370-01-.15, Disciplinary Actions, Civil Penalties, Assessment of Costs, and Subpoenas, is amended by inserting the following language as new subparagraph (1) (g) and renumbering the current subparagraph (1) (g) as subparagraph (1) (h):

- (1) (g) Conditions - Any action deemed appropriate by the Board to be required of a disciplined licensee in any of the following circumstances:
1. During any period of probation, suspension; or
 2. During any period of revocation after which the licensee may petition for an order of compliance to reinstate the revoked license; or
 3. As a prerequisite to the lifting of probation or suspension or as a prerequisite to the reinstatement of a revoked license; or
 4. As a stand-alone requirement(s) in any disciplinary order.

Authority: T.C.A. §§ 63-17-105, 63-17-117, and 63-17-118.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: February 26 2009

Signature: Lucille F. Bond

Name of Officer: Lucille F. Bond

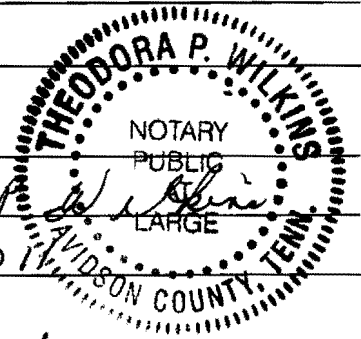
Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on: 2/26/09

Notary Public Signature: Theodora P. Wilkins

My commission expires on: 11/7/2011



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Filed with the Department of State on: 2/26/09

Tre Hargett

Tre Hargett
Secretary of State

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