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Sequence Number: 12-10-12  
 Notice ID(s): 1922  
 File Date: 12/13/12

# 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.

<b>Agency/Board/Commission:</b>	Board of Communication Disorders and Sciences
<b>Division:</b>	
<b>Contact Person:</b>	Alex Munderloh
<b>Address:</b>	Office of General Counsel 220 Athens Way, Suite 210 Nashville, Tennessee 37243
<b>Phone:</b>	615-741-1611
<b>Email:</b>	Alex.Munderloh@tn.gov

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:

<b>ADA Contact:</b>	ADA Coordinator, Division of Health Related Boards
<b>Address:</b>	Heritage Place – Metro Center 227 French Landing, Suite 300 Nashville, Tennessee 37243
<b>Phone:</b>	615-532-3202 or (Toll Free) 1-800-778-4123
<b>Email:</b>	

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

Address 1:	Heritage Place – Metro Center 227 French Landing, Suite 150, Iris Room		
Address 2:			
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date :	02/12/13		
Hearing Time:	10:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

**Additional Hearing Information:**

**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-.21	Use of Telecommunication Technology

(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>)

Chapter 1370-01  
Rules for Speech Pathology and Audiology

New Rule

1370-01-.21 Use of Telecommunication Technology

- (1) Policy Statement. Audiologists and Speech Language Pathologists often use telecommunication technology to deliver services to clients in Tennessee who are physically present at a different location in the state at the time they receive the services. Such use of telecommunication technology by Audiologists and Speech Language Pathologists is in the public interest provided the practitioners comply with the requirements of this rule.
- (2) Audiologists and Speech Language Pathologists licensed in Tennessee may deliver services to clients in Tennessee through the use of telecommunication technology, including but not limited to dedicated video systems, computers, and other similar devices linked via hardwired or internet connections.
- (3) The services delivered through the use of telecommunication technology shall be equivalent in quality to services delivered face-to-face.
- (4) Audiologists and Speech Language Pathologists using telecommunication technology to deliver services must have the necessary knowledge and skills, obtained through education, training, and experience, to utilize such technology in a competent manner.
- (5) The use of telecommunication technology, including but not limited to the equipment, connectivity, software, hardware, and network compatibility, must be appropriate for the particular service being delivered and must be able to address the unique needs of the client.
- (6) An Audiologist or Speech Language Pathologist utilizing telecommunication technology to deliver services to a client is responsible for:
  - (a) Assessment of the ability of the client to participate meaningfully in the services delivered in this manner, including but not limited to the client's physical, cognitive, and behavioral abilities; and
  - (b) Proper calibration of the clinical instruments utilized to deliver services in accordance with standard operating procedures and manufacturer's specifications.
- (7) The client and/or the client's family members or caregivers shall be informed of the available service delivery options and shall give consent to the use of telecommunication technology for the delivery of services before that method of service delivery is utilized.
- (8) When delivering services through the use of telecommunication technology, the Audiologist or Speech Language Pathologist shall:
  - (a) Comply with all laws and rules governing the maintenance of client records, including but not limited to client confidentiality requirements; and
  - (b) Comply with all professional standards governing the delivery of services by Audiologists and Speech Language Pathologists, including but not limited to the applicable Code of Ethics and other relevant professional policy documents.
- (9) An Audiologist or Speech Language Pathologist shall not deliver services to a client solely through the use of regular mail, facsimile, or electronic mail, although these methods of communication may

be used to supplement the delivery of services face-to-face or through the use of telecommunication technology.

- (10) This rule applies only to the delivery of services through the use of telecommunication technology within the state of Tennessee. It does not apply to the delivery of services when either the client or the Audiologist or Speech Language Pathologist is physically located outside the state of Tennessee.

Authority: T.C.A. §§ 63-17-103 and 63-17-105

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: 12/12/12

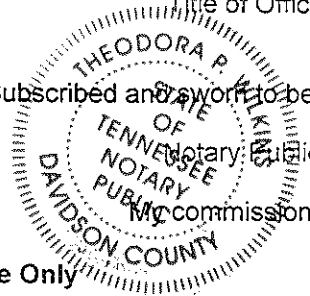
Signature: *Alex Munderloh*

Name of Officer: Alex Munderloh

Assistant General Counsel

Title of Officer: Department of Health

Subscribed and sworn to before me on: 12/12/12



Notary Public Signature: *Theodora P. Wilkins*

My commission expires on: 11/3/15

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Filed with the Department of State on: 12/13/12

*Tre Hargett*

Tre Hargett  
Secretary of State

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