

Alabama Board of Examiners for Speech-Language  
Pathology and Audiology (ABESPA)

**NOTICE OF INTENDED ACTION**

**Rule Number & Title:** 870-X-4-.01  
Definition of Terms.

**Intended Action:** To amend rule

**Substance of Amendment:** ABESPA proposes to amend rule to update  
language in the rule.

**Time, Place, Manner of Presenting Views:** Interested person may present their views in writing to the Executive Secretary of the Board at [abespa@abespa.alabama.gov](mailto:abespa@abespa.alabama.gov) at any time during the 45 day period following November 30, 2020. Any person who wishes to present his or her views orally at the public hearing may notify the Board in writing, before February 12, 2021 to P.O. Box 304760, Montgomery, AL 36130-4760. The public hearing will be held on February 12, 2021 at 400 South Union Street, 4<sup>th</sup> floor conference room, Montgomery, Alabama at 11:00 a.m.

**Final Date for Comment and Completion of Notice:** February 12, 2021

**Contact Person at Agency:** Wanda Rawlinson  
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Wanda C. Rawlinson  
Executive Secretary

ALABAMA BOARD OF EXAMINERS FOR  
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY  
ADMINISTRATIVE CODE

CHAPTER 870-X-1  
THE BOARD

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870-X-1-.01 Definition of Terms

(1) "Audiologist," any person that engages in the practice of audiology and who meets the qualifications set forth in Alabama Code § 34-28A-21 (1975). A person represents oneself to be an audiologist if that person holds out to the public that he/she practices audiology, by any means, or by any service or function performed, directly or indirectly, or by using the terms audiological, audiologist, audiology, audiometric, audiometrist, aural rehabilitationist, balance center, hearing aid audiologist, hearing and balance center, hearing and balance specialist, vestibular specialist, hearing center, hearing clinic, hearing clinician, hearing conservation, hearing conservationist, hearing therapist, hearing therapy, or any variation or synonym which expresses, employs, or implies these terms or functions.

(2) "Audiology"

(a) The application of principles, methods, and procedures related to the development and disorders of the human auditory-vestibular system, which disorders shall include any and all conditions whether of organic or functional origin, including, but not limited to, disorders of hearing, balance, tinnitus, auditory processing and other neural functions, as those principles, methods and procedures are taught in doctoral programs in audiology in accredited programs.

(b) Such principles, methods or procedures include, without limitation, those of diagnosis, assessment, measurement, testing, appraisal, evaluation, rehabilitation, treatment, prevention, conservation, identification, consultation, counseling, intervention, management,

interpretation, instruction or research related to hearing, vestibular function, balance auditory sensitivity, acuity, function or processing, speech, language or other aberrant behavior and fall prevention, and associated neural systems, or any abnormal condition related to tinnitus, resulting from hearing loss, for diagnosing, designing, and implementing audiological management and treatment or other programs for the amelioration of such disorders and conditions. Management and treatment shall include but not be limited to the activities described in subsection (c) below.

(c) Engaging in the practice of prescribing, selecting, specifying, evaluating, assisting in the adjustment to, and dispensing of prosthetic devices for hearing loss, including hearing aids, and hearing assistive devices by means of specialized audiometric equipment or by any other means accepted by the Board.

(3) **"Audiology Assistant,"** or any variation, synonym or coinage of the term, is defined as an individual who meets minimum qualifications established by the Board, which are less than those established by Alabama Code §34-28A-21 (1975) as necessary for licensing as an audiologist; does not act independently; and works under the direction and supervision of an audiologist licensed under Section 34-28A-21.

(4) **"Board,"** the Alabama State Board of Speech-Language Pathology and Audiology (ABESPA).

(5) **"Clinical Fellowship (CF),"** required practical experience following successful completion of a master's degree in Speech-Language Pathology at an accredited university or equivalent as determined by the Board.

(6) **"Doctor of Audiology,"** an individual who holds a doctorate of audiology degree (Au.D.) from an accredited program, or the equivalent as determined by the Board.

(7) **"Fourth-Year Internship,"** required practical experience following successful completion of educational requirements for the doctorate of audiology degree (Au.D.) at an accredited university or equivalent as determined by the Board.

(8) **"Good Moral Character,"** A person shall be deemed to be of good moral character provided that said individual has not pleaded guilty to or been convicted of any felony, any violation of corruption of a minor, any offense of violence, theft offense, or drug abuse offense that is not a minor misdemeanor, or any substantively comparable ordinance of a municipal corporation or of another state.

(9) **"Gross Negligence,"** A Speech-Language Pathologist or Audiologist commits gross negligence, when his/her actions reveal a disregard for the services needed for proper treatment of the patient. This shall include, but is not limited to, the failure to properly diagnose the patient's condition and failure to properly administer and interpret administered tests based upon current and established procedures of the profession. Evidence of gross negligence can be direct or circumstantial.

(10) **"License,"** any license issued by the Board to practice audiology or speech-language pathology.

(11) **"Licensee,"** a person holding a license to practice audiology or speech language pathology issued pursuant to this chapter, but not including the participants of (CF) or Fourth-Year Internship.

(12) "Patient Site," refers to the patient's physical location at the time of receipt of the telepractice services.

~~(13)~~ **"Person,"** any individual, group, association, limited or general partnership, corporation, or any other business entity.

~~(14)~~ **"Preceptor/Supervisor/Other synonymous title,"** any person who is licensed and has the responsibility of supervising or overseeing the training or activities of assistants, students, externs, participants of CF or Fourth-Year Internship and others providing audiological or speech language pathology services without full licenses.

(15) "Provider," a licensed speech-language pathologist or audiologist who provides telepractice services.

(16) "Provider Site," means the licensee's physical location at the time of the provision of telepractice services.

~~(17)~~ **"Speech-Language Pathologist,"** any person who engages in the practice of speech-language pathology and who meets the qualifications set forth in Alabama Code §34-28A-21 (1975). A person represents oneself to be a speech-language pathologist when he/she holds oneself out to the public by any means, or by any service or function performed, directly or indirectly, or by using the terms "speech pathology," "speech pathologist," "speech therapy," "speech therapist," "speech teacher," "speech correction," "speech correctionist," "speech clinic," "speech clinician," "language therapy," "language therapist," "language pathology," "language pathologist," "logopedics," "logopedist," "communicology," "communicologist," "aphasiology," "aphasiologist," "phoniatriest," or any variation, synonym, coinage or other word that expresses, employs or implies these terms, names or functions.

~~(18)~~ **"Speech-Language Pathology,"** the application of principles, methods and procedures related to the development, disorders and effectiveness of human communication and related functions including but not limited to providing prevention, screening, consultation, assessment and diagnosis, treatment, intervention, management, counseling and follow-up services for disorders of speech (i.e. articulation, fluency, resonance and voice), language (i.e., phonology, morphology, syntax, pre-literacy and language-based literacy skills), swallowing or other upper aerodigestive functions; and cognitive aspects of communication (i.e. attention, memory, problem solving). The practice of speech-language pathology also includes establishing augmentative and alternative communication techniques and strategies; including developing, selecting and prescribing of such systems and devices (e.g., speech

generating devices); providing services to individuals with hearing loss and their families (e.g., auditory training, speech-reading, speech and language intervention secondary to hearing loss); screening hearing of individuals who can participate in conventional pure-tone air conduction methods and screening middle ear pathology through screening tympanometry for the purpose of referral for further evaluation; using instrumentation (e.g., videofluoroscopy) to observe, collect data and measure parameters of communication and swallowing; selecting, fitting and establishing effective use of prosthetic/adaptive devices for communication, swallowing or other upper aerodigestive functions (does not include sensory devices used by individuals with hearing loss); and providing services to modify or enhance communication performance.

(4619) "Speech-Language Pathology Assistant," or any variation, synonym or coinage of the term is defined as an individual who meets minimum qualifications established by the Board, which are less than those established by Alabama Code §34-28A-21 (1975) as necessary for licensing as a speech-language pathologist; does not act independently; and works under the direction and supervision of a speech-language pathologist licensed under Section 34-28A-21.

(20) "Telepractice," is the use of telecommunications and information technologies for the exchange of encrypted patient data, obtained through real-time interaction, from patient site to provider site for the provision of speech and language pathology and audiology services to patients through hardware or internet connection. Telepractice also includes the interpretation of patient information provided to the licensee via store and forward techniques.

Authors: Ada Holyfield, Dr. Barbara Cady, Amanda Blaszczyński, Florence Cuneo, and Mark Carroll.

Statutory Authority: Code of Alabama, 1975, §§34-28A-1, et seq.

History: Filed July 20, 2006. Filed April 19, 2010. Filed May 16, 2013. Filed July 17, 2014, Filed November 30, 2020.

Alabama Board of Examiners for Speech-Language  
Pathology and Audiology (ABESPA)

**NOTICE OF INTENDED ACTION**

**Rule Number & Title:** 870-X-2-.02(7)  
Application for Licensure.

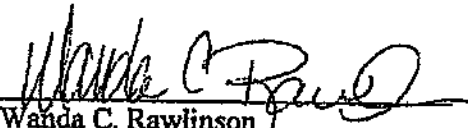
**Intended Action:** To amend rule

**Substance of Amendment:** ABESPA proposes to amend rule to update  
language in the rule.

**Time, Place, Manner of Presenting Views:** Interested person may present their views in writing to the Executive Secretary of the Board at [abespa@abespa.alabama.gov](mailto:abespa@abespa.alabama.gov) at any time during the 45 day period following November 30, 2020. Any person who wishes to present his or her views orally at the public hearing may notify the Board in writing, before February 12, 2021 to P.O. Box 304760, Montgomery, AL 36130-4760. The public hearing will be held on February 12, 2021 at 400 South Union Street, 4<sup>th</sup> floor conference room, Montgomery, Alabama at 11:00 a.m.

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Wanda C. Rawlinson  
Executive Secretary

**870-X-2-.02 Application For Licensure.**

**(1) Be of good moral character.**

**(2) A person eligible for licensure shall make application upon a form and in such a manner as the Board prescribes and shall mail or deliver the application to a permanent address set and made known to the general public by publication by the Board. The application must be received at least five (5) business days prior to the Board meeting at which it will be reviewed.**

**(3) Applications must be accompanied by a \$200.00 application fee, which can in no case be refunded. Applications should be submitted prior to the initiation of practice in Alabama. However, those holding a valid Certificate of Clinical Competence (CCC) and/or an equivalent certification including an active license in Audiology or Speech-Language Pathology in another state may practice during the interim period between submission of the licensure application form and Board action on the application. It is the responsibility of the applicant to ensure that the application is complete.**

**(4) A license will be issued in either speech language pathology or audiology upon Board approval of the license application and receipt of a \$75.00 license fee. The license fee may be prorated based on the following criteria:**

**(a) Full initial fee of \$75.00 is due for all licenses that are approved by the Board within the first eight (8) months of the licensure year (January-August).**

**(b) Applications submitted after August 31<sup>st</sup> will be assessed a license fee of \$10.00 less per month from the full fee up to December 31<sup>st</sup>. This proration will be effective based on the date of license approval, not based on the date of application. The prorated license is valid until December 31<sup>st</sup>.**

**(c) The proration fee schedule described in (b) above applies only for individuals submitting applications for licensure for the first time. It does not apply to late renewals see 870-X-4-.03 for information regarding late renewals.**

**(5) Be a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government.**

**(6) Each licensee shall notify the board in writing by certified mail within 30 days after he/she receives notice of:**

- a. a disciplinary action by another licensure board in another jurisdiction; or**
- b. any criminal convictions, misdemeanors, or felonies from the State of Alabama or another jurisdiction.**

Failure to notify the board of such will result in disciplinary action, as stated in Section 870-X-5-.01, est. seq. of the ABESPA rules and regulations.

7. Licensure Guidelines for Military Spouses

- (a) In accordance with Military Family Jobs Opportunity Act 2018, a military spouse who is licensed as a speech language pathologist, or audiologist in another state will be given special consideration when applying for licensure in this state.
1. Military spouse applicants apply according to 870-X-2-.02 but using the Military Spouse Expedited Licensure Form.
  2. Applicants who are the spouse of military personnel submit with the application a copy of current dependent military-issued identification.
  3. Application fees usually associated with licensure applications are waived.
  4. This section shall not apply to the spouse of a military member receiving a dishonorable discharge.

Authors: David Savage, Robin Auerbach, Beth Hardaway, Kay Wilson, Ken Earley, Robert L. Rane, Fran Buttram, Florence Cuneo, Denise Heffel, and Mark Carroll.

Statutory Authority: Code of Ala. 1975, §§34-28A-1, et seq.

History: Filed September 20, 1982. Amended: Filed December 12, 1988, January 14, 1994. Amended: Filed February 11, 1994; effective March 18, 1994; Filed June 20, 1997. Revised 6/99. Filed October 16, 2000. Filed September 13, 2002. Filed July 20, 2006. Filed July 15, 2010, Filed June 29, 2018, Filed November 30, 2020.



Alabama Board of Examiners for Speech-Language  
Pathology and Audiology (ABESPA)

**NOTICE OF INTENDED ACTION**

**Rule Number & Title:** 870-X-4-.08(1)(c)  
Mandatory Continuing Education.


**Intended Action:** To amend rule

**Substance of Amendment:** ABESPA proposes to amend rule to update  
language in the rule.

**Time, Place, Manner of Presenting Views:** Interested person may present their views in writing to the Executive Secretary of the Board at [abespa@abespa.alabama.gov](mailto:abespa@abespa.alabama.gov) at any time during the 45 day period following November 30, 2020. Any person who wishes to present his or her views orally at the public hearing may notify the Board in writing, before February 12, 2021 to P.O. Box 304760, Montgomery, AL 36130-4760. The public hearing will be held on February 12, 2021 at 400 South Union Street, 4<sup>th</sup> floor conference room, Montgomery, Alabama at 11:00 a.m.

**Final Date for Comment and Completion of Notice:** February 12, 2021

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Wanda C. Rawlinson  
Executive Secretary

870-X-4.08 Mandatory Continuing Education.

**(1) Continuing Education Requirements**

(a) Each licensee shall annually complete and report at least twelve (12) hours of continuing education. A minimum of ten (10) shall be in the area of licensure – Content Area I; one of the ten hours should be in the area of ethics; and a maximum of (2) may be in areas related to the profession of speech-language pathology or audiology – Content Area II, all which must contribute to professional competency of licensee. The Board shall not issue a renewal of a licensee's certificate of registration unless the licensee documents completion of twelve (12) hours of continuing education. The period for completion of the continuing education requirements shall be the period beginning January 1 and ending December 31 of each renewal period.

(b) Any speech-language pathologist or audiologist whose license has been placed on inactive status must obtain at least twelve (12) continuing education hours for each year of inactive status (refer to 870-X-4.05 for inactive status) prior to license reactivation. These twelve (12) hours must be in compliance with the content area requirements.

(c) Any speech-language pathologist or audiologist whose license has been revoked due to failure to renew must demonstrate that they have obtained at least twelve (12) continuing education hours for each year during which the license was in revoked status in addition to the continuing education hours that were required for renewal at the time the license was revoked prior to the granting of a new license.

(d) Individuals with dual licenses in both speech-language pathology and audiology shall complete at least twenty-four (24) hours of continuing education on an annual basis as a condition of licensure renewal. All twenty-four (24) required hours must meet the qualifying criteria specified. The required hours must be equally distributed between the two areas of speech-language pathology and audiology and must be completed in the twelve (12) month period beginning January 1 and ending December 31 of each renewal period. At the time of renewal, the licensee is required to specify the applicable area for each continuing education activity. Licensees with dual licenses should complete two of the 24 hours of continuing education in ethics.

(e) A single continuing education activity shall not apply to both areas of dual licensure.

**(2) Record Keeping, Recording and Monitoring.**

(a) It is the responsibility of each speech-language pathologist or audiologist to maintain and compile accurate records relating to all continuing education courses or activities attended and completed. It shall be the responsibility of each speech-

language pathologist and audiologist to maintain the above described documentation and information pertaining to each renewal period for a period of five (5) years and this information shall be submitted on line or a form approved by and provided by the Alabama Board of Examiners for Speech Language Pathology and Audiology at the time of license renewal. The Board will not be responsible for maintaining the licensee's documentation of the continuing education hours.

(b) Each speech-language pathologist or audiologist must submit by December 31 (the time of annual license renewal) of each year evidence of satisfactory completion of the required hours of continuing education provided for in these rules. This information shall be submitted on a form provided by the Board or online. Upon receipt, the Board shall have the authority to review this information. Each speech language pathologist and audiologist will be notified that either (1) the requirements of these rules have been fulfilled (by automatic renewal of their license) or (2) that there are deficiencies resulting in noncompliance with rules and regulations relating to license renewal. Licensee with deficiencies will be notified that their license(s) may not be renewed until the noncompliance has been remedied in accordance with the rules relating to license renewal.

(c) Auditing. The Board requires documentation of continuing education for audit purposes. If a licensee fails to renew his/her license on time, this will result in an automatic audit. Each year ~~25%~~ 10% of all licensees will be randomly selected for audit of their continuing education hours. If it is determined that the speech-language pathologist or audiologist submitted false or misleading documentation to ABESPA, such person may be subject to penalties outlined in Code of Ala., 1975, §34-28A-26.

(d) Each licensee shall certify by signature, electronic or otherwise, on his/her licensure renewal form, under penalty of perjury, that she/he has completed the required twelve (12) hours of continuing education, and that the continuing education obtained meets the qualifying criteria specified.

(e) Any speech-language pathologist or audiologist who receives notification that the license will not be renewed because of noncompliance with these rules will have until January 31 to remedy noncompliance/deficiencies, without penalty.

(f) If noncompliance/deficiencies are not remedied by February 28, the speech-language pathologist or audiologist has an additional thirty (30) days to appeal, in writing, to the Board. Upon the receipt of the written appeal, the Board may request the submission of additional information or records or may require the speech-language pathologist or audiologist to appear before the Board in conjunction with the appeal. All applicable late renewal penalties apply during the appeal period.

### (3) Extension.

An extension to the Continuing Education submission/completion timelines may, at its sole discretion, be granted by the Board under the following:

(a) A written request including documentation and justification for the request per the conditions set forth herein, shall be submitted to the Board, by January 31. The speech-language pathologist or audiologist who seeks such an extension shall submit to the Board any additional documentation required by the Board to make a decision concerning the extension.

(b) Extensions shall be granted by the Board only when in their judgment some extraordinary circumstances beyond the control of the licensee could reasonably have prohibited, with a good faith effort on the part of said licensee, compliance with this requirement (e.g. extended illness; force majeure).

(c) When an extension is approved by the Board, a new date for compliance shall be specified by Board.

(d) All late renewal penalties apply until deficiencies are remedied.

(4) **Criteria for Approval of Continuing Education.**

(a) Continuing Education in Speech-Language Pathology and Audiology shall consist of a series of planned learning experiences beyond the educational programs that have led to the degree that qualifies one for licensure. The licensee must participate in CEU activities of at least twelve (12) clock hours for each license period. A minimum of ten (10) of the required twelve (12) hours of continuing education must improve the professional clinical competency of the licensee in the area of licensure – Content Area I. A maximum of two (2) of the required twelve (12) hours can be in an area related to the area of licensure but must improve the professional competency of the licensee – Content Area II. Dual licensees must complete twenty-four (24) clock hours with a minimum of ten (10) hours in each discipline from Content Area I.

**CONTENT AREA I:**

(1) Anatomic and physiologic bases for the normal development and use

of speech, language and hearing and balance

(2) Physical bases and processes of the production and perception of speech, language and hearing

(3) Linguistic and psycho-linguistic variables related to normal development and use of speech, language and hearing

(4) Technological, biomedical, engineering and instrumentation information which would enable expansion of knowledge in the basic communication processes

- (5) Various types of disorders of communication, their manifestations, classification and cause
- (6) Evaluation skills, including procedures, techniques, and instrumentation for assessment
- (7) Principles in habilitation and rehabilitation of communication disorders
- (8) Principles in diagnosis and rehabilitation of balance and vestibular disorders
- (9) Ethical Practices
- (10) Any other professional competency area that is relevant to treatment and diagnosis.

**CONTENT AREA II: (Must relate to the professional competency of Speech-Language Pathology and/or Audiology)**

- (1) Regulations and implementation of federal and/or state regulated programs
  - (2) Service delivery models
  - (3) Administration for supervision issues
  - (4) Related areas which interface with delivery of speech-language pathology and audiology services
- (b) One (1) hour of continuing education credit shall be given for each clock hour of attendance
- (c) Acceptable continuing education activities include, but are not limited to:
- (1) Workshops in the area of licensure approved by the American Speech-Language-Hearing Association (ASHA) or the American Academy of Audiology (AAA);
  - (1) Academic coursework at a regionally accredited college or university in the area of licensure taken for credit or official audit (three semester hours or five quarter hours = 12 hours of continuing education);
  - (3) Distance learning and self-study provided the activity is approved by ABESPA (i.e. continuing education lending library (CELL), video conferences, telephone seminars and Internet courses sponsored by individual private practitioners, universities,

schools, clinics, state agencies, hospitals, professional organizations, or related professional organizations);

(4) Workshops and in-services that are university, school, clinic, hospital or state agency sponsored provided they are approved by ABESPA;

(5) Publication of articles in a peer-reviewed journal for the year in which they are published (maximum of two (2) hours);

(6) Scientific or educational lectures to include presentations such as poster sessions given by the licensee; the presenting licensee may count 1 ½ times the value of a workshop the first time it is presented to allow for preparation time (Example: a three hour workshop = 4 ½ hours.) No credit will be allowed for subsequent presentations of the same workshop;

(7) Related areas of study pertain to the understanding of human behavior, both normal and abnormal, as well as services available from related professions which apply to the contemporary practice of speech-language pathology/audiology, e.g., theories of learning and behavior; services available from related professions that also deal with persons who have disorders of communication; information from these professions about the sensory, physical, emotional, social or intellectual states of child or adult; and other areas such as, clinical supervision, counseling and interviewing.

(8) Teaching at the college level in the area of communication disorders is not acceptable.

(d) Pre-approval is required for continuing education events that do not meet the requirements as listed under c.

(e) During the first cycle of licensure renewal, the graduated scale for the collection of continuing education hours is based on the date an applicant receives his/her initial license. One clock hour CEU is required for every month a new licensee is licensed in the state.

(f) Preapproval, by the Board, of a continuing education activity may be requested by the licensee. Preapprovals cannot be retroactive, that is, must be for activities to occur after the Board approval date.

(g) No continuing education credit shall be given for identical courses taken during the same year.

(5) Documentation of continuing education compliance, as required during an auditing period, shall be evidenced by:

(a) A Continuing Education Registry Form from the American Speech-Language-Hearing Association (ASHA) and/or the American Academy of Audiology (AAA),

specifically listing the continuing education obtained by the licensee and the dates of obtainment; or

(b) A certificate of attendance provided by a sponsor which contains the date of program, the program title and presenter(s), program site, number of clock hours attended, name of sponsor and name of licensee; or

(c) A personal letter to the licensee which contains the date of the program, the program title and presenter(s), program site, number of clock hours attended, name of sponsor, name of licensee and is signed by a program official; or

(d) An official transcript, from a regionally accredited college or university, indicating successful completion of academic coursework in appropriate subject matter as specified of this rule.

(6) Any speech-language pathologist or audiologist who fails to comply with the provisions of these rules or who otherwise violates provisions of Code of Ala. 1975, §34-28A-25 in connection with the requirements of these rules or relating to any information to be maintained or submitted to the Board as provided for in these rules shall be, upon notice of hearing, subject to the penalties outlined in the Code of Ala. 1975, Chapter 28A, §34-28A-26.

Authors: Ruth Tucker, Richard Sweitzer, Patsy Patton, Denise P. Gibbs, Lissa Van Doorn, Gina Murray, Doreen Oyadomari, Paul Stephens, Margaret Hemm, Carmen Taylor, Thomasyne Smith, Florence Cuneo, Richard Talbott, and Mark Carroll.

Statutory Authority: Code of Ala. 1975, §§34-28A-1, et seq.

History: Amended: Filed February 11, 1994; effective March 18, 1994. Amended: Filed October 18, 1994; effective November 22, 1994; Filed June 20, 1997; Filed September 13, 2002; Filed July 20, 2006. Filed July 15, 2010. Filed May 16, 2013. Filed July 17, 2014. Filed August 14, 2015. Filed June 20, 2016. Filed November 30, 2020.

Alabama Board of Examiners for Speech-Language  
Pathology and Audiology (ABESPA)

**NOTICE OF INTENDED ACTION**

Rule Number & Title: 870-X-7-.05  
Regulation of Telepractice.

Intended Action: New rule

Substance of Amendment: ABESPA proposes a rule to update language in the rules.

Time, Place, Manner of Presenting Views: Interested person may present their views in writing to the Executive Secretary of the Board at [abespa@abespa.alabama.gov](mailto:abespa@abespa.alabama.gov) at any time during the 45 day period following November 30, 2020. Any person who wishes to present his or her views orally at the public hearing may notify the Board in writing, before February 12, 2021 to P.O. Box 304760, Montgomery, AL 36130-4760. The public hearing will be held on February 12, 2021 at 400 South Union Street, 4<sup>th</sup> floor conference room, Montgomery, Alabama at 11:00 a.m.

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Wanda C. Rawlinson  
Executive Secretary



been certified not to exceed the following sound pressure levels at the specified frequencies: 250Hz-40dB, 500Hz-40dB, 750Hz-40dB, 1000Hz-40dB, 1500Hz-42dB, 2000Hz-47dB, 3000Hz-52dB, 4000Hz-57dB, 6000Hz-62dB, and 8000Hz-67dB. An exception to this requirement shall be made in the case of a client who requests that the test be conducted in a place other than the licensee's testing room. When a test is conducted under this exception, the licensee shall obtain a written waiver from the client. The executed waiver shall be attached to the client's copy of the contract, and a copy of the executed waiver shall be retained in the licensee's file. The Board shall have the power to prescribe the minimum procedures and equipment necessary for fitting and selling hearing aids.

(h) Any licensee who fails to comply with the provisions of these rules or who otherwise violates provisions of Code of Alabama, 1975, §34-28A-25 in connection with the requirements of these rules or relating to any information to be maintained or submitted to the Board as provided for in these rules shall be, upon notice of hearing, subject to the penalties outlined in the Code of Alabama, 1975, Chapter 28A, §34-28A-26.

870-X-7-.05 Regulation of Telepractice. Telecommunications technology makes the provision of speech, language, and hearing services to clients who are located in a different site than the licensed professional. It is incumbent on the licensee to use astute professional judgement in deciding which professional services can be utilized via telepractice. In order to maintain the standard of care, certain services would not be well suited for telepractice.

(1) Telepractice is subject to the same standards of practice stated in 870-X-7-.01 through .04, as if the person being treated were physically present with the licensee. The quality of service provided to the patient through telepractice must be equivalent to the service obtained when the clinician is physically present with the patient.

(2) Telepractice should be administered in real time and in a manner sufficient to ensure patient confidentiality.

(3) Providers must hold a license in the State of Alabama unless there is a qualifying exemption as noted in Code of Alabama 1975, Section 34-28A-3: 870-X-2-.01 and shall be in compliance with the statutory and regulatory requirements of the patient site.

(4) Telepractice services may not be administered by assistants.

(5) Telepractice services may be provided by CFs in speech-language pathology and fourth year audiology interns in accordance with 870-X-2-.05.

- (6) Licenses are responsible for ensuring that both the provider site and the practice site are prepared adequately to ensure efficacious utilization of the therapeutic encounter.
- (7) Licenses and staff involved in telepractice should be trained in the use of telepractice equipment.
- (8) Notification of telepractice services shall be provided to the patient and guardian if the patient is a minor. The notification shall include the right to refuse telepractice services and options for alternate service delivery.

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