

BILL ANALYSIS

H.B. 1875
By: Guillen
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Individuals licensed in audiology and speech-language pathology must follow the licensing guidelines of the state in which they reside and practice. Currently, the law does not allow for the interstate practice of audiology or speech-language pathology using a home state license. Moving to another state can limit or invalidate the license, which is primarily a problem for licensees who are family members of those serving in the military and frequently move from state to state. The lack of interstate practice via a home state license limits the accessibility to these health services for residents. H.B. 1875 seeks to ensure that the licenses of audiologists and speech pathologists licensed in other states are recognized in Texas and to thus increase access to those services by enacting and entering into the Audiology and Speech-Language Pathology Interstate Compact.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 1 of this bill.

ANALYSIS

H.B. 1875 amends the Occupations Code to enact and enter into the Audiology and Speech-Language Pathology Interstate Compact with all other applicable jurisdictions to facilitate interstate practice of audiology and speech-language pathology with the goal of improving public access to audiology and speech-language pathology services. The bill sets out the compact's provisions, including with respect to the following:

- individual state participation in the compact;
- the manner in which an audiologist or speech-language pathologist may exercise privileges under the compact, including with respect to practicing telehealth;
- participation in the compact by active duty military personnel and their spouses;
- the authority of member states to take adverse action against an audiologist or speech-language pathologist;
- the establishment of the Audiology and Speech-Language Pathology Compact Commission as an instrumentality of the member states, the commission's powers and duties, including rulemaking authority, and annual assessments levied on and collected from member states and fees imposed on other parties to fund the commission;
- the commission's membership, voting, meetings, executive committee, and ex-officio members;
- venue and jurisdictional defenses and a prohibition against its provisions being construed to be a waiver of sovereign immunity;

- qualified immunity, defense, and indemnification relating to the commission's members, officers, employees, representatives, and executive director;
- a coordinated database and reporting system containing specified information on all licensed individuals in member states;
- a prohibition against the commission incurring obligations and a requirement to keep accurate accounts of all receipts and disbursements;
- oversight, dispute resolution, and enforcement of compact provisions by applicable state governments and courts;
- the construction and severability of compact provisions, as well as the binding effect of the compact and other state laws; and
- the process for amending or withdrawing from the compact.

The compact takes effect on the date on which the compact statute is enacted into law in the 10th member state. The bill designates the Texas Department of Licensing and Regulation as the administrator of the compact and authorizes the Texas Commission of Licensing and Regulation to adopt rules necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2023.