

By: Zaffirini
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S.B. No. 905

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of speech-language pathologists and audiologists.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 401.2021, Occupations Code, is amended to read as follows:

Sec. 401.2021. RULES FOR HEARING INSTRUMENTS. With the assistance of the advisory board ~~[and the Hearing Instrument Fitters and Dispensers Advisory Board]~~, the commission shall adopt rules to establish requirements for each sale of a hearing instrument for purposes of this chapter ~~[and Chapter 402]~~. The rules must:

(1) address:

(A) the information and other provisions required in each written contract for the purchase of a hearing instrument;

(B) records that must be retained under this chapter ~~[or Chapter 402]~~; and

(C) guidelines for the 30-day trial period during which a person may cancel the purchase of a hearing instrument; and

(2) require that the written contract and 30-day trial period information provided to a purchaser of a hearing instrument be in plain language designed to be easily understood by the average consumer.

SECTION 2. Section 401.304, Occupations Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) To be eligible for licensing as a speech-language pathologist or audiologist, an applicant must:

(1) if the application is for a license in:

(A) speech-language pathology, possess at least a master's degree with a major in at least one of the areas of communicative sciences or disorders ~~[from a program accredited by a national accrediting organization that is approved by the commission or department and recognized by the United States secretary of education under the Higher Education Act of 1965 (20 U.S.C. Section 1001 et seq.) in an accredited or approved college or university]~~; or

(B) audiology, possess at least:

(i) a master's degree in audiology conferred on or before December 31, 2007; or

(ii) a doctoral degree in audiology or a related hearing science ~~[from a program accredited by a national accrediting organization that is approved by the commission or department and recognized by the United States secretary of education under the Higher Education Act of 1965 (20 U.S.C. Section 1001 et seq.) in an accredited or approved college or university]~~;

(2) submit a transcript from a public or private institution of higher learning showing successful completion of course work in amounts set by the commission by rule in:

(A) normal development and use of speech,

1 language, and hearing;

2 (B) evaluation, habilitation, and rehabilitation
3 of speech, language, and hearing disorders; and

4 (C) related fields that augment the work of
5 clinical practitioners of speech-language pathology and audiology;

6 (3) have successfully completed at least 36 semester
7 hours in courses that are acceptable toward a graduate degree by the
8 college or university in which the courses are taken, at least 24 of
9 which must be in the professional area for which the license is
10 requested;

11 (4) have completed the minimum number of hours,
12 established by the commission by rule, of supervised clinical
13 experience with persons who present a variety of communication
14 disorders; and

15 (5) have completed the full-time supervised
16 professional experience, as defined by commission rule, in which
17 clinical work has been accomplished in the major professional area
18 for which the license is being sought.

19 (a-1) A degree required under Subsection (a)(1) must be
20 obtained from a program accredited by a national accrediting
21 organization that is approved by the commission or department and
22 recognized by the United States secretary of education under the
23 Higher Education Act of 1965 (20 U.S.C. Section 1001 et seq.) in an
24 accredited or approved college or university.

25 SECTION 3. Section 401.308, Occupations Code, is amended to
26 read as follows:

27 Sec. 401.308. [~~PROVISIONAL LICENSE,~~] CERTIFICATE OF

1 CLINICAL COMPETENCE WAIVER. ~~[(a) The department may grant a~~
2 ~~provisional license to an applicant who:~~

3 ~~[(1) is licensed in good standing as a speech-language~~
4 ~~pathologist or an audiologist in another state that has licensing~~
5 ~~requirements that are substantially equivalent to the requirements~~
6 ~~of this chapter;~~

7 ~~[(2) has passed a national or other examination~~
8 ~~recognized by the department relating to speech-language pathology~~
9 ~~or audiology; and~~

10 ~~[(3) is sponsored by a license holder with whom the~~
11 ~~provisional license holder may practice under this section.~~

12 ~~[(b) An applicant for a provisional license may be excused~~
13 ~~from the requirement of Subsection (a)(3) if the department~~
14 ~~determines that compliance with that requirement is a hardship to~~
15 ~~the applicant.~~

16 ~~[(c) A provisional license is valid until the date the~~
17 ~~department approves or denies the provisional license holder's~~
18 ~~application for a license.~~

19 ~~[(d) The department shall issue a license under this chapter~~
20 ~~to a provisional license holder:~~

21 ~~[(1) who passes the examination required by Section~~
22 ~~401.305;~~

23 ~~[(2) for whom the department verifies satisfaction of~~
24 ~~the academic and experience requirements for a license under this~~
25 ~~chapter; and~~

26 ~~[(3) who satisfies any other license requirements~~
27 ~~under this chapter.~~

1 ~~[(c) The department shall complete the processing of a~~
2 ~~provisional license holder's application for a license not later~~
3 ~~than the 180th day after the date the provisional license is issued.~~

4 ~~[(f)]~~ The department may waive the examination requirement
5 and issue a license to an applicant who holds the Certificate of
6 Clinical Competence of the American Speech-Language-Hearing
7 Association.

8 SECTION 4. Section 401.404, Occupations Code, is amended to
9 read as follows:

10 Sec. 401.404. HEARING INSTRUMENT SALES TO MINORS. A
11 licensed audiologist may not sell a hearing instrument to a person
12 under 18 years of age unless the person or the parent or guardian of
13 the person presents to the audiologist a written statement signed
14 by a licensed physician ~~[who specializes in diseases of the ear]~~
15 stating that:

16 (1) the person's hearing loss has been medically
17 evaluated during the six-month period preceding the date the
18 statement is presented; and

19 (2) the person may be considered a candidate for a
20 hearing instrument.

21 SECTION 5. Section 402.1021, Occupations Code, is amended
22 to read as follows:

23 Sec. 402.1021. RULES FOR HEARING INSTRUMENTS. With the
24 assistance of the advisory board ~~[and the Speech-Language~~
25 ~~Pathologists and Audiologists Advisory Board]~~, the commission
26 shall adopt rules to establish requirements for each sale of a
27 hearing instrument for purposes of this chapter ~~[and Chapter 401]~~.

1 The rules must:

2 (1) address:

3 (A) the information and other provisions
4 required in each written contract for the purchase of a hearing
5 instrument;

6 (B) records that must be retained under this
7 chapter [~~or Chapter 401~~]; and

8 (C) guidelines for the 30-day trial period during
9 which a person may cancel the purchase of a hearing instrument; and

10 (2) require that the written contract and 30-day trial
11 period information provided to a purchaser of a hearing instrument
12 be in plain language designed to be easily understood by the average
13 consumer.

14 SECTION 6. Section 401.404, Occupations Code, as amended by
15 this Act, applies only to conduct that occurs on or after the
16 effective date of this Act. Conduct that occurs before the
17 effective date of this Act is governed by the law in effect on the
18 date the conduct occurred, and the former law is continued in effect
19 for that purpose.

20 SECTION 7. (a) A provisional license issued under Section
21 401.308, Occupations Code, before the effective date of this Act
22 that is in effect on that date continues to be valid until the
23 license expires, and the provisions of Section 401.308, Occupations
24 Code, repealed by this Act continue in effect for that purpose.
25 Chapter 401, Occupations Code, as amended by this Act, continues to
26 apply to a holder of an unexpired provisional license.

27 (b) On or after the effective date of this Act, the Texas

1 Department of Licensing and Regulation may not renew or extend a
2 provisional license issued under Section 401.308, Occupations
3 Code, before the effective date of this Act.

4 (c) A proceeding under Chapter 51 or 401, Occupations Code,
5 that is pending against a holder of a provisional license on the
6 date the license expires is terminated on that date.

7 SECTION 8. This Act takes effect September 1, 2025.