

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend _____ SCS/Senate Bill No. 107, Page 1, Section Title, Lines 2-3,

2 by striking "opinions issued by boards or commissions" and
3 inserting in lieu thereof the following: "professions
4 regulated"; and

5 Further amend said bill and page, section 324.023, line 17,
6 by inserting immediately after said line the following:

7 "345.015. As used in sections 345.010 to 345.080, the
8 following terms mean:

9 (1) "Audiologist", a person who is licensed as an
10 audiologist pursuant to sections 345.010 to 345.080 to practice
11 audiology;

12 (2) "Audiology aide", a person who is registered as an
13 audiology aide by the board, who does not act independently but
14 works under the direction and supervision of a licensed
15 audiologist. Such person assists the audiologist with activities
16 which require an understanding of audiology but do not require
17 formal training in the relevant academics. To be eligible for
18 registration by the board, each applicant shall submit a
19 registration fee, be of good moral and ethical character; and:

20 (a) Be at least eighteen years of age;

21 (b) Furnish evidence of the person's educational
22 qualifications which shall be at a minimum:

- 1 a. Certification of graduation from an accredited high
2 school or its equivalent; and
3 b. On-the-job training;
4 (c) Be employed in a setting in which direct and indirect
5 supervision are provided on a regular and systematic basis by a
6 licensed audiologist.

7
8 However, the aide shall not administer or interpret hearing
9 screening or diagnostic tests, fit or dispense hearing
10 instruments, make ear impressions, make diagnostic statements,
11 determine case selection, present written reports to anyone other
12 than the supervisor without the signature of the supervisor, make
13 referrals to other professionals or agencies, use a title other
14 than [speech-language pathology aide or clinical] audiology aide,
15 develop or modify treatment plans, discharge clients from
16 treatment or terminate treatment, disclose clinical information,
17 either orally or in writing, to anyone other than the supervising
18 [speech-language pathologist/audiologist] audiologist, or perform
19 any procedure for which he or she is not qualified, has not been
20 adequately trained or both;

21 (3) "Board", the state board of registration for the
22 healing arts;

23 (4) ["Clinical fellowship", the supervised professional
24 employment period following completion of the academic and
25 practicum requirements of an accredited training program as
26 defined in sections 345.010 to 345.080;

27 (5) "Commission", the advisory commission for
28 speech-language pathologists and audiologists;

29 [(6)] (5) "Hearing instrument" or "hearing aid", any

1 wearable device or instrument designed for or offered for the
2 purpose of aiding or compensating for impaired human hearing and
3 any parts, attachments or accessories, including ear molds, but
4 excluding batteries, cords, receivers and repairs;

5 [(7)] (6) "Person", any individual, organization, or
6 corporate body, except that only individuals may be licensed
7 pursuant to sections 345.010 to 345.080;

8 [(8)] (7) "Practice of audiology":

9 (a) The application of accepted audiologic principles,
10 methods and procedures for the measurement, testing,
11 interpretation, appraisal and prediction related to disorders of
12 the auditory system, balance system or related structures and
13 systems;

14 (b) Provides consultation[,] or counseling to the patient,
15 client, student, their family or interested parties;

16 (c) Provides academic, social and medical referrals when
17 appropriate;

18 (d) Provides for establishing goals, implementing
19 strategies, methods and techniques, for habilitation,
20 rehabilitation or aural rehabilitation, related to disorders of
21 the auditory system, balance system or related structures and
22 systems;

23 (e) Provides for involvement in related research, teaching
24 or public education;

25 (f) Provides for rendering of services or participates in
26 the planning, directing or conducting of programs which are
27 designed to modify audition, communicative, balance or cognitive
28 disorder, which may involve speech and language or education
29 issues;

1 (g) Provides and interprets behavioral and neurophysiologic
2 measurements of auditory balance, cognitive processing and
3 related functions, including intraoperative monitoring;

4 (h) Provides involvement in any tasks, procedures, acts or
5 practices that are necessary for evaluation of audition, hearing,
6 training in the use of amplification or assistive listening
7 devices;

8 (i) Provides selection, assessment, fitting, programming,
9 and dispensing of hearing instruments, assistive listening
10 devices, and other amplification systems;

11 (j) Provides for taking impressions of the ear, making
12 custom ear molds, ear plugs, swim molds and industrial noise
13 protectors;

14 (k) Provides assessment of external ear and cerumen
15 management;

16 (l) Provides advising, fitting, mapping assessment of
17 implantable devices such as cochlear or auditory brain stem
18 devices;

19 (m) Provides information in noise control and hearing
20 conservation including education, equipment selection, equipment
21 calibration, site evaluation and employee evaluation;

22 (n) Provides performing basic speech-language screening
23 test;

24 (o) Provides involvement in social aspects of
25 communication, including challenging behavior and ineffective
26 social skills, lack of communication opportunities;

27 (p) Provides support and training of family members and
28 other communication partners for the individual with auditory
29 balance, cognitive and communication disorders;

1 (q) Provides aural rehabilitation and related services to
2 individuals with hearing loss and their families;

3 (r) Evaluates, collaborates and manages audition problems
4 in the assessment of the central auditory processing disorders
5 and providing intervention for individuals with central auditory
6 processing disorders;

7 (s) Develops and manages academic and clinical problems in
8 communication sciences and disorders;

9 (t) Conducts, disseminates and applies research in
10 communication sciences and disorders;

11 [(9)] (8) "Practice of speech-language pathology":

12 (a) Provides screening, identification, assessment,
13 diagnosis, treatment, intervention, including but not limited to
14 prevention, restoration, amelioration and compensation, and
15 follow-up services for disorders of:

16 a. Speech: articulation, fluency, voice, including
17 respiration, phonation and resonance;

18 b. Language, involving the parameters of phonology,
19 morphology, syntax, semantics and pragmatic; and including
20 disorders of receptive and expressive communication in oral,
21 written, graphic and manual modalities;

22 c. Oral, pharyngeal, cervical esophageal and related
23 functions, such as dysphagia, including disorders of swallowing
24 and oral functions for feeding; orofacial myofunctional
25 disorders;

26 d. Cognitive aspects of communication, including
27 communication disability and other functional disabilities
28 associated with cognitive impairment;

29 e. Social aspects of communication, including challenging

1 behavior, ineffective social skills, lack of communication
2 opportunities;

3 (b) Provides consultation and counseling and makes
4 referrals when appropriate;

5 (c) Trains and supports family members and other
6 communication partners of individuals with speech, voice,
7 language, communication and swallowing disabilities;

8 (d) Develops and establishes effective augmentative and
9 alternative communication techniques and strategies, including
10 selecting, prescribing and dispensing of augmentative aids and
11 devices; and the training of individuals, their families and
12 other communication partners in their use;

13 (e) Selects, fits and establishes effective use of
14 appropriate prosthetic/adaptive devices for speaking and
15 swallowing, such as tracheoesophageal valves, electrolarynges, or
16 speaking valves;

17 (f) Uses instrumental technology to diagnose and treat
18 disorders of communication and swallowing, such as
19 videofluoroscopy, nasendoscopy, ultrasonography and stroboscopy;

20 (g) Provides aural rehabilitative and related counseling
21 services to individuals with hearing loss and to their families;

22 (h) Collaborates in the assessment of central auditory
23 processing disorders in cases in which there is evidence of
24 speech, language or other cognitive communication disorders;
25 provides intervention for individuals with central auditory
26 processing disorders;

27 (i) Conducts pure-tone air conduction hearing screening and
28 screening tympanometry for the purpose of the initial
29 identification or referral;

1 (j) Enhances speech and language proficiency and
2 communication effectiveness, including but not limited to accent
3 reduction, collaboration with teachers of English as a second
4 language and improvement of voice, performance and singing;

5 (k) Trains and supervises support personnel;

6 (l) Develops and manages academic and clinical programs in
7 communication sciences and disorders;

8 (m) Conducts, disseminates and applies research in
9 communication sciences and disorders;

10 (n) Measures outcomes of treatment and conducts continuous
11 evaluation of the effectiveness of practices and programs to
12 improve and maintain quality of services;

13 [(10)] (9) "Speech-language pathologist", a person who is
14 licensed as a speech-language pathologist pursuant to sections
15 345.010 to 345.080; who engages in the practice of
16 speech-language pathology as defined in sections 345.010 to
17 345.080;

18 [(11)] (10) "Speech-language pathology aide", a person who
19 is registered as a speech-language aide by the board, who does
20 not act independently but works under the direction and
21 supervision of a licensed speech-language pathologist. Such
22 person assists the speech-language pathologist with activities
23 which require an understanding of speech-language pathology but
24 do not require formal training in the relevant academics. To be
25 eligible for registration by the board, each applicant shall
26 submit a registration fee, be of good moral and ethical
27 character; and:

28 (a) Be at least eighteen years of age;

29 (b) Furnish evidence of the person's educational

1 qualifications which shall be at a minimum:

2 a. Certification of graduation from an accredited high
3 school or its equivalent; and

4 b. On-the-job training;

5 (c) Be employed in a setting in which direct and indirect
6 supervision is provided on a regular and systematic basis by a
7 licensed speech-language pathologist. However, the aide shall
8 not administer or interpret hearing screening or diagnostic
9 tests, fit or dispense hearing instruments, make ear impressions,
10 make diagnostic statements, determine case selection, present
11 written reports to anyone other than the supervisor without the
12 signature of the supervisor, make referrals to other
13 professionals or agencies, use a title other than speech-language
14 pathology aide [or clinical audiology aide], develop or modify
15 treatment plans, discharge clients from treatment or terminate
16 treatment, disclose clinical information, either orally or in
17 writing, to anyone other than the supervising speech-language
18 [pathologist/audiologist] pathologist, or perform any procedure
19 for which he or she is not qualified, has not been adequately
20 trained or both;

21 [(12)] (11) "Speech-language pathology assistant", a person
22 who is registered as a speech-language pathology assistant by the
23 board, who does not act independently but works under the
24 direction and supervision of a licensed speech-language
25 pathologist practicing for at least one year or speech-language
26 pathologist practicing under subdivisions (1) or (6) of
27 subsection 1 of section 345.025 for at least one year and whose
28 activities require both academic and practical training in the
29 field of speech-language pathology although less training than

1 those established by sections 345.010 to 345.080 as necessary for
2 licensing as a speech-language pathologist. To be eligible for
3 registration by the board, each applicant shall submit the
4 registration fee, supervising speech-language pathologist
5 information if employment is confirmed, if not such information
6 shall be provided after registration, be of good moral character
7 and furnish evidence of the person's educational qualifications
8 which meet the following:

9 (a) Hold a bachelor's level degree [in the field of
10 speech-language pathology] from an institution accredited or
11 approved by a regional accrediting body recognized by the United
12 States Department of Education or its equivalent; and

13 (b) Submit official transcripts from one or more accredited
14 colleges or universities presenting evidence of the completion of
15 bachelor's level course work and [clinical practicum]
16 requirements [equivalent to that required or approved by a
17 regional accrediting body recognized by the United States
18 Department of Education or its equivalent] in the field of
19 speech-language pathology as established by the board through
20 rules and regulations;

21 (c) Submit proof of completion of the number and type of
22 clinical hours as established by the board through rules and
23 regulations.

24 345.020. 1. Licensure or registration shall be granted in
25 either speech-language pathology or audiology independently. A
26 person may be licensed or registered in both areas if the person
27 is qualified. Each licensed or registered person shall display
28 the license or certificate prominently in the person's place of
29 practice.

1 2. No person shall practice or hold himself or herself out
2 as being able to practice speech-language pathology or audiology
3 in this state unless the person is licensed in accordance with
4 the provisions of sections 345.010 to 345.080. Nothing in
5 sections 345.010 to 345.080, however, shall be construed to
6 prevent a qualified person licensed in this state under any other
7 law from engaging in the profession for which the person is
8 licensed, and a licensed physician or surgeon may practice
9 speech-language pathology or audiology without being licensed in
10 accordance with the provisions of sections 345.010 to 345.080.

11 3. No person shall hold himself or herself out as being a
12 speech-language pathologist in this state unless the person is
13 licensed as provided in sections 345.010 to 345.080. Any person
14 who, in any manner, represents himself or herself as a
15 speech-language pathologist or who uses in connection with such
16 person's name the words or letters: "speech-language
17 pathologist", "speech pathologist", "speech therapy", "speech
18 therapist", "speech clinic", "speech clinician", "S.L.P.",
19 "language specialist", "logopedist" or any other letters, words,
20 abbreviations or insignia, indicating or implying that the person
21 is a speech-language pathologist without a valid existing license
22 is guilty of a class B misdemeanor.

23 4. No person shall hold himself or herself out as being an
24 audiologist in this state unless the person is licensed as
25 provided in sections 345.010 to 345.080. Any person who, in any
26 manner, represents himself or herself as an audiologist or who
27 uses in connection with such person's name the words:
28 "audiology", "audiologist", "audiological", "hearing clinic",
29 "hearing clinician", "hearing therapist" or any other letters,

1 words, abbreviations or insignia, indicating or implying that the
2 person is an audiologist without a valid existing license is
3 guilty of a class B misdemeanor.

4 5. No person shall hold himself or herself out as being a
5 speech-language pathology assistant or aide or audiology aide in
6 this state unless the person is registered as provided in
7 sections 345.010 to 345.080.

8 6. Nothing in sections 345.010 to 345.080 shall prohibit a
9 corporation, partnership, trust, association, or other like
10 organization from engaging in the business of speech-language
11 pathology or audiology without licensure if it employs licensed
12 natural persons in the direct practice of speech-language
13 pathology or audiology. [Any such corporation, partnership,
14 trust, association, or other like organization shall also file
15 with the board a statement, on a form approved by the board, that
16 it submits itself to the rules and regulations of the board and
17 the provisions of sections 345.010 to 345.080 which the board
18 shall deem applicable to it.]

19 345.025. 1. The provisions of sections 345.010 to 345.080
20 do not apply to:

21 (1) The activities, services, and the use of an official
22 title on the part of a person in the employ of a federal agency
23 insofar as such services are part of the duties of the person's
24 office or position with such agency;

25 (2) The activities and services of certified teachers of
26 the deaf;

27 (3) The activities and services of a student in
28 speech-language pathology or audiology pursuing a course of study
29 at a university or college that has been approved by its regional

1 accrediting association, or working in a recognized training
2 center, if these activities and services constitute a part of the
3 person's course of study supervised by a licensed speech-language
4 pathologist or audiologist as provided in section 345.050;

5 (4) The activities and services of physicians and surgeons
6 licensed pursuant to chapter 334;

7 (5) Audiometric technicians who are certified by the
8 council for accreditation of occupational hearing
9 conservationists when conducting pure tone air conduction
10 audiometric tests for purposes of industrial hearing conservation
11 and comply with requirements of the federal Occupational Safety
12 and Health Administration;

13 (6) A person who holds a current valid certificate as a
14 speech-language pathologist issued before January 1, 2016, by the
15 Missouri department of elementary and secondary education and who
16 is an employee of a public school while providing speech-language
17 pathology services in such school system;

18 (7) Any person completing the required number and type of
19 clinical hours required by paragraph (c) of subdivision (11) of
20 section 345.015 as long as such person is under the direct
21 supervision of a licensed speech-language pathologist and has not
22 completed more than the number of clinical hours required by
23 rule.

24 2. No one shall be exempt pursuant to subdivision (1) or
25 (6) of subsection 1 of this section if the person does any work
26 as a speech-language pathologist or audiologist outside of the
27 exempted areas outlined in this section for which a fee or
28 compensation may be paid by the recipient of the service. When
29 college or university clinics charge a fee, supervisors of

1 student clinicians shall be licensed.

2 345.040. The board shall adopt a seal by which it shall
3 authenticate its proceedings. Copies of its proceedings,
4 records, and acts, when signed by the [secretary] executive
5 director and authenticated by the seal, shall be prima facie
6 evidence in all courts of this state.

7 345.050. 1. To be eligible for licensure by the board by
8 examination, each applicant shall submit the application fee and
9 shall furnish evidence of such person's good moral and ethical
10 character, current competence and shall:

11 (1) Hold a master's or a doctoral degree from a program
12 accredited by the Council on Academic Accreditation of the
13 American Speech-Language-Hearing Association or other accrediting
14 agency approved by the board in the area in which licensure is
15 sought;

16 (2) Submit official transcripts from one or more accredited
17 colleges or universities presenting evidence of the completion of
18 course work and clinical practicum requirements equivalent to
19 that required by the Council on Academic Accreditation of the
20 American Speech-Language-Hearing Association or other accrediting
21 agency approved by the board; and

22 (3) [Present written evidence of completion of clinical
23 fellowship as defined in subdivision (4) of section 345.015 from
24 supervisors. The experience required by this subdivision shall
25 follow the completion of the requirements of subdivisions (1) and
26 (2) of this subsection. This period of employment shall be under
27 the direct supervision of a person who is licensed by the state
28 of Missouri in the profession in which the applicant seeks to be
29 licensed. Persons applying with an audiology clinical doctoral

1 degree are exempt from this provision;

2 (4)] Pass an examination promulgated or approved by the
3 board. The board shall determine the subject and scope of the
4 examinations.

5 2. To be eligible for licensure by the board without
6 examination, each applicant shall make application on forms
7 prescribed by the board, submit the application fee and shall be
8 of good moral and ethical character, submit an activity statement
9 and meet one of the following requirements:

10 (1) The board shall issue a license to any speech-language
11 pathologist or audiologist who is licensed in another
12 jurisdiction and who has had no violations, suspension or
13 revocations of a license to practice speech-language pathology or
14 audiology in any jurisdiction; provided that, such person is
15 licensed in a jurisdiction whose requirements are substantially
16 equal to, or greater than, Missouri at the time the applicant
17 applies for licensure; or

18 (2) Hold the certificate of clinical competence issued by
19 the American Speech-Language-Hearing Association in the area in
20 which licensure is sought.

21 345.051. 1. Every person licensed or registered pursuant
22 to the provisions of sections 345.010 to 345.080 shall renew the
23 license or registration on or before the renewal date. Such
24 renewal date shall be determined by the board. The application
25 shall be made on a form furnished by the board. The application
26 shall include, but not be limited to, disclosure of the
27 applicant's full name and the applicant's office and residence
28 addresses and the date and number of the applicant's license or
29 registration, all final disciplinary actions taken against the

1 applicant by any speech-language-hearing association or society,
2 state, territory[,] or federal agency or country and information
3 concerning the applicant's current physical and mental fitness to
4 practice [as a speech-language pathologist or audiologist].

5 2. A blank form for application for license or registration
6 renewal shall be mailed to each person licensed or registered in
7 this state at the person's last known office or residence
8 address. The failure to mail the form of application or the
9 failure to receive it does not, however, relieve any person of
10 the duty to renew the license or registration and pay the fee
11 required by sections 345.010 to 345.080 for failure to renew the
12 license or registration.

13 3. An applicant for renewal of a license [pursuant to] or
14 registration under this section shall:

15 (1) Submit an amount established by the board; and

16 (2) Meet any other requirements the board establishes as
17 conditions for license or registration renewal, including the
18 demonstration of continued competence to practice the profession
19 for which the license or registration is issued. A requirement
20 of continued competence may include, but is not limited to,
21 continuing education, examination, self-evaluation, peer review,
22 performance appraisal or practical simulation.

23 4. If a license or registration is suspended pursuant to
24 section 345.065, the license or registration expires on the
25 expiration date as established by the board for all licenses and
26 registrations issued pursuant to sections 345.010 to 345.080.
27 Such license or registration may be renewed but does not entitle
28 the licensee to engage in the licensed or registered activity or
29 in any other conduct or activity which violates the order of

1 judgment by which the license or registration was suspended until
2 such license or registration has been reinstated.

3 5. If a license or registration is revoked on disciplinary
4 grounds pursuant to section 345.065, the license or registration
5 expires on the expiration date as established by the board for
6 all licenses and registrations issued pursuant to sections
7 345.010 to 345.080. Such license or registration may not be
8 renewed. If a license or registration is reinstated after its
9 expiration, the licensee, as a condition of reinstatement, shall
10 pay a reinstatement fee that is equal to the renewal fee in
11 effect on the last regular renewal date immediately preceding the
12 date of reinstatement plus any late fee established by the board.

13 345.065. 1. The board may refuse to issue any certificate
14 of registration or authority, permit or license required pursuant
15 to sections 345.010 to 345.080 for one or any combination of
16 causes stated in subsection 2 of this section. The board shall
17 notify the applicant in writing of the reasons for the refusal
18 and shall advise the applicant of the applicant's right to file a
19 complaint with the administrative hearing commission as provided
20 by chapter 621. As an alternative to a refusal to issue or renew
21 any certificate, registration or authority, the board may, at its
22 discretion, issue a license or registration which is subject to
23 probation, restriction or limitation to an applicant for
24 licensure or registration for any one or any combination of
25 causes stated in subsection 2 of this section. The board's order
26 of probation, limitation or restriction shall contain a statement
27 of the discipline imposed, the basis therefor, the date such
28 action shall become effective and a statement that the applicant
29 has thirty days to request in writing a hearing before the

1 administrative hearing commission. If the board issues a
2 probationary, limited or restricted license or registration to an
3 applicant for licensure or registration, either party may file a
4 written petition with the administrative hearing commission
5 within thirty days of the effective date of the probationary,
6 limited or restricted license or registration seeking review of
7 the board's determination. If no written request for a hearing
8 is received by the administrative hearing commission within the
9 thirty-day period, the right to seek review of the board's
10 decision shall be considered as waived.

11 2. The board may cause a complaint to be filed with the
12 administrative hearing commission as provided by chapter 621
13 against any holder of any certificate of registration or
14 authority, permit or license required by sections 345.010 to
15 345.080 or any person who has failed to renew or has surrendered
16 the person's certificate of registration or authority, permit or
17 license for any one or any combination of the following causes:

18 (1) Use of any controlled substance, as defined in chapter
19 195, or alcoholic beverage to an extent that such use impairs a
20 person's ability to perform the work of any profession licensed
21 or regulated by sections 345.010 to 345.080;

22 (2) The person has been finally adjudicated and found
23 guilty, or entered a plea of guilty or nolo contendere, in a
24 criminal prosecution under the laws of any state or of the United
25 States, for any offense reasonably related to the qualifications,
26 functions or duties of any profession licensed or regulated
27 pursuant to sections 345.010 to 345.080, for any offense an
28 essential element of which is fraud, dishonesty or an act of
29 violence, or for any offense involving moral turpitude, whether

1 or not sentence is imposed;

2 (3) Use of fraud, deception, misrepresentation or bribery
3 in securing any certificate of registration or authority, permit
4 or license issued pursuant to sections 345.010 to 345.080 or in
5 obtaining permission to take any examination given or required
6 pursuant to sections 345.010 to 345.080;

7 (4) Obtaining or attempting to obtain any fee, charge,
8 tuition or other compensation by fraud, deception or
9 misrepresentation;

10 (5) Incompetency, misconduct, gross negligence, fraud,
11 misrepresentation or dishonesty in the performance of the
12 functions or duties of any profession licensed or regulated by
13 sections 345.010 to 345.080;

14 (6) Violation of, or assisting or enabling any person to
15 violate, any provision of sections 345.010 to 345.080, or of any
16 lawful rule or regulation adopted pursuant to sections 345.010 to
17 345.080;

18 (7) Impersonation of any person holding a certificate of
19 registration or authority, permit or license or allowing any
20 person to use his or her certificate of registration or
21 authority, permit, license or diploma from any school;

22 (8) Disciplinary action against the holder of a license or
23 other right to practice any profession regulated by sections
24 345.010 to 345.080 granted by another state, territory, federal
25 agency or country upon grounds for which revocation or suspension
26 is authorized in this state;

27 (9) A person is finally adjudged insane or incompetent by a
28 court of competent jurisdiction;

29 (10) Assisting or enabling any person to practice or offer

1 to practice any profession licensed or regulated by sections
2 345.010 to 345.080 who is not registered and currently eligible
3 to practice pursuant to sections 345.010 to 345.080;

4 (11) Issuance of a certificate of registration or
5 authority, permit or license based upon a material mistake of
6 fact;

7 (12) Failure to display a valid certificate or license if
8 so required by sections 345.010 to 345.080 or any rule
9 promulgated pursuant to sections 345.010 to 345.080;

10 (13) Violation of any professional trust or confidence;

11 (14) Fraudulently or deceptively using a license,
12 provisional license or registration;

13 (15) Altering a license, provisional license or
14 registration;

15 (16) Willfully making or filing a false report or record in
16 the practice of speech-language pathology or audiology;

17 (17) Using or promoting or causing the use of any
18 misleading, deceiving, improbable or untruthful advertising
19 matter, promotional literature, testimonial, guarantee, warranty,
20 label, brand, insignia or any other representation;

21 (18) Falsely representing the use or availability of
22 services or advice of a physician;

23 (19) Misrepresenting the applicant, licensee or holder by
24 using the word doctor or any similar word, abbreviation or symbol
25 if the use is not accurate or if the degree was not obtained from
26 a regionally accredited institution;

27 (20) Committing any act of dishonorable, immoral or
28 unprofessional conduct while engaging in the practice of
29 speech-language pathology or audiology;

1 (21) Providing services or promoting the sale of devices,
2 appliances or products to a person who cannot reasonably be
3 expected to benefit from such services, devices, appliances or
4 products.

5 3. After the filing of such complaint, the proceedings
6 shall be conducted in accordance with the provisions of chapter
7 621. Upon a finding by the administrative hearing commission
8 that the grounds, provided in subsection 2 of this section, for
9 disciplinary action are met, the board may, singly or in
10 combination, censure or place the person named in the complaint
11 on probation on such terms and conditions as the board deems
12 appropriate for a period not to exceed ten years, or may suspend,
13 for a period not to exceed three years, or restrict or limit the
14 person's ability to practice for an indefinite period of time, or
15 revoke the license or registration.

16 4. The board may apply for relief by injunction, without
17 bond, to restrain any person, partnership or corporation from
18 engaging in any act or practice which constitutes an offense
19 pursuant to sections 345.010 to 345.080. The board does not need
20 to allege and prove that there is no adequate remedy at law to
21 obtain an injunction. The members of the board and the advisory
22 commission shall not be individually liable for applying for such
23 relief.

24 345.080. 1. There is hereby established an "Advisory
25 Commission for Speech-Language Pathologists and Audiologists"
26 which shall guide, advise and make recommendations to the board.
27 The commission shall approve the examination required by section
28 345.050, and shall assist the board in carrying out the
29 provisions of sections 345.010 to 345.075.

1 2. After August 28, 1997, the commission shall consist of
2 seven members, one of whom shall be a voting public member,
3 appointed by the board of registration for the healing arts.
4 Each member shall be a citizen of the United States and a
5 resident of this state. Three members of the commission shall be
6 licensed speech-language pathologists and three members of the
7 commission shall be licensed audiologists. The public member
8 shall be at the time of appointment a citizen of the United
9 States; a resident of this state for a period of one year and a
10 registered voter; a person who is not and never was a member of
11 any profession licensed or regulated pursuant to sections 345.010
12 to 345.080 or the spouse of such person; and a person who does
13 not have and never has had a material, financial interest in
14 either the providing of the professional services regulated by
15 sections 345.010 to 345.080, or an activity or organization
16 directly related to any profession licensed or regulated pursuant
17 to sections 345.010 to 345.080. Members shall be appointed to
18 serve three-year terms, except as provided in this subsection.
19 Each member of the advisory commission for **[speech]** speech-
20 language pathologists and **[clinical]** audiologists on August 28,
21 1995, shall become a member of the advisory commission for
22 speech-language pathologists and **[clinical]** audiologists and
23 shall continue to serve until the term for which the member was
24 appointed expires. Each member of the advisory commission for
25 speech-language pathologists and **[clinical]** audiologists on
26 August 28, 1997, shall become a member of the advisory commission
27 for speech-language pathologists and audiologists and shall
28 continue to serve until the term for which the member was
29 appointed expires. The first public member appointed pursuant to

1 this subsection shall be appointed for a two-year term and the
2 one additional member appointed pursuant to this subsection shall
3 be appointed for a full three-year term. No person [shall be
4 eligible for reappointment] who has served as a member of the
5 advisory commission for [speech] speech-language pathologists and
6 audiologists [or as a member of the commission as established on
7 August 28, 1995, for a total of six years] for two consecutive
8 terms may be reappointed to the advisory commission until a lapse
9 of at least two years has occurred following the completion of
10 his or her two consecutive terms. The membership of the
11 commission shall reflect the differences in levels of education,
12 work experience and geographic residence. For a licensed
13 speech-language pathologist member, the president of the Missouri
14 Speech-Language-Hearing Association in office at the time, and
15 for a licensed audiologist member, the president of the Missouri
16 Academy of Audiologists in office at the time, in consultation
17 with the president of the Missouri Speech-Language-Hearing
18 Association, shall, at least ninety days prior to the expiration
19 of a term of a commission member, other than the public member,
20 or as soon as feasible after a vacancy on the commission
21 otherwise occurs, submit to the executive director of the
22 [division of professional registration] board a list of five
23 persons qualified and willing to fill the vacancy in question,
24 with the request and recommendation that the board of
25 registration for the healing arts appoint one of the five persons
26 so listed, and with the list so submitted, the president of the
27 Missouri Speech-Language-Hearing Association or the president of
28 the Missouri Academy of Audiologists in office at the time shall
29 include in his or her letter of transmittal a description of the

1 method by which the names were chosen by that association.

2 3. Notwithstanding any other provision of law to the
3 contrary, any appointed member of the commission shall receive as
4 compensation an amount established by the director of the
5 division of professional registration not to exceed seventy
6 dollars per day for commission business plus actual and necessary
7 expenses. The director of the division of professional
8 registration shall establish by rule guidelines for payment. All
9 staff for the commission shall be provided by the board of
10 registration for the healing arts.

11 4. The commission shall hold an annual meeting at which it
12 shall elect from its membership a chairman and secretary. The
13 commission may hold such additional meetings as may be required
14 in the performance of its duties, provided that notice of every
15 meeting shall be given to each member at least ten days prior to
16 the date of the meeting. A quorum of the commission shall
17 consist of a majority of its members.

18 5. The board of registration for the healing arts may
19 remove a commission member for misconduct, incompetency or
20 neglect of the member's official duties after giving the member
21 written notice of the charges against such member and an
22 opportunity to be heard thereon.

23 [345.022. 1. Any person in the person's clinical
24 fellowship as defined in sections 345.010 to 345.080
25 shall hold a provisional license to practice
26 speech-language pathology or audiology. The board may
27 issue a provisional license to an applicant who:

28 (1) Has met the requirements for practicum and
29 academic requirements from an accredited training
30 program as defined in sections 345.010 to 345.080;

31 (2) Submits an application to the board on a form
32 prescribed by the board. Such form shall include a
33 plan for the content and supervision of the clinical
34 fellowship, as well as evidence of good moral and

1 ethical character; and

2 (3) Submits to the board an application fee, as
3 set by the board, for the provisional license.

4 2. A provisional license is effective for one
5 year and may be extended for an additional twelve
6 months only for purposes of completing the postgraduate
7 clinical experience portion of the clinical fellowship;
8 provided that, the applicant has passed the national
9 examination and shall hold a master's degree from an
10 approved training program in his or her area of
11 application.

12 3. Within twelve months of issuance of the
13 provisional license, the applicant shall pass an
14 examination promulgated or approved by the board.

15 4. Within twelve months of issuance of a
16 provisional license, the applicant shall complete the
17 master's or doctoral degree from a program accredited
18 by the Council on Academic Accreditation of the
19 American Speech-Language-Hearing Association or other
20 accrediting agency approved by the board in the area in
21 which licensure is sought.]" ; and

22
23 Further amend the title and enacting clause accordingly.
24