

SECOND REGULAR SESSION

SENATE BILL NO. 978

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ESLINGER.

4719S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 345.015 and 345.050, RSMo, and to enact in lieu thereof four new sections relating to audiology and speech-language pathology.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 345.015 and 345.050, RSMo, are
2 repealed and four new sections enacted in lieu thereof, to be
3 known as sections 345.015, 345.022, 345.050, and 345.085, to
4 read as follows:

345.015. As used in sections 345.010 to 345.080, the
2 following terms mean:

3 (1) "Audiologist", a person who is licensed as an
4 audiologist pursuant to sections 345.010 to 345.080 to
5 practice audiology;

6 (2) "Audiology aide", a person who is registered as an
7 audiology aide by the board, who does not act independently
8 but works under the direction and supervision of a licensed
9 audiologist. Such person assists the audiologist with
10 activities which require an understanding of audiology but
11 do not require formal training in the relevant academics.
12 To be eligible for registration by the board, each applicant
13 shall submit a registration fee and:

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

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

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 a. Certification of graduation from an accredited high
18 school or its equivalent; and

19 b. On-the-job training;

20 (c) Be employed in a setting in which direct and
21 indirect supervision are provided on a regular and
22 systematic basis by a licensed audiologist.

23 However, the aide shall not administer or interpret hearing
24 screening or diagnostic tests, fit or dispense hearing
25 instruments, make ear impressions, make diagnostic
26 statements, determine case selection, present written
27 reports to anyone other than the supervisor without the
28 signature of the supervisor, make referrals to other
29 professionals or agencies, use a title other than audiology
30 aide, develop or modify treatment plans, discharge clients
31 from treatment or terminate treatment, disclose clinical
32 information, either orally or in writing, to anyone other
33 than the supervising audiologist, or perform any procedure
34 for which he or she is not qualified, has not been
35 adequately trained or both;

36 (3) "Board", the state board of registration for the
37 healing arts;

38 (4) **"Clinical fellowship", the supervised professional**
39 **employment period following completion of the academic and**
40 **practicum requirements of an accredited training program as**
41 **described in sections 345.010 to 345.080;**

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

44 [(5)] (6) "Hearing instrument" or "hearing aid", any
45 wearable device or instrument designed for or offered for
46 the purpose of aiding or compensating for impaired human
47 hearing and any parts, attachments or accessories, including

48 ear molds, but excluding batteries, cords, receivers and
49 repairs;

50 [(6)] (7) "Person", any individual, organization, or
51 corporate body, except that only individuals may be licensed
52 pursuant to sections 345.010 to 345.080;

53 [(7)] (8) "Practice of audiology":

54 (a) The application of accepted audiologic principles,
55 methods and procedures for the measurement, testing,
56 interpretation, appraisal and prediction related to
57 disorders of the auditory system, balance system or related
58 structures and systems;

59 (b) Provides consultation or counseling to the
60 patient, client, student, their family or interested parties;

61 (c) Provides academic, social and medical referrals
62 when appropriate;

63 (d) Provides for establishing goals, implementing
64 strategies, methods and techniques, for habilitation,
65 rehabilitation or aural rehabilitation, related to disorders
66 of the auditory system, balance system or related structures
67 and systems;

68 (e) Provides for involvement in related research,
69 teaching or public education;

70 (f) Provides for rendering of services or participates
71 in the planning, directing or conducting of programs which
72 are designed to modify audition, communicative, balance or
73 cognitive disorder, which may involve speech and language or
74 education issues;

75 (g) Provides and interprets behavioral and
76 neurophysiologic measurements of auditory balance, cognitive
77 processing and related functions, including intraoperative
78 monitoring;

79 (h) Provides involvement in any tasks, procedures,
80 acts or practices that are necessary for evaluation of
81 audition, hearing, training in the use of amplification or
82 assistive listening devices;

83 (i) Provides selection, assessment, fitting,
84 programming, and dispensing of hearing instruments,
85 assistive listening devices, and other amplification systems;

86 (j) Provides for taking impressions of the ear, making
87 custom ear molds, ear plugs, swim molds and industrial noise
88 protectors;

89 (k) Provides assessment of external ear and cerumen
90 management;

91 (l) Provides advising, fitting, mapping assessment of
92 implantable devices such as cochlear or auditory brain stem
93 devices;

94 (m) Provides information in noise control and hearing
95 conservation including education, equipment selection,
96 equipment calibration, site evaluation and employee
97 evaluation;

98 (n) Provides performing basic speech-language
99 screening test;

100 (o) Provides involvement in social aspects of
101 communication, including challenging behavior and
102 ineffective social skills, lack of communication
103 opportunities;

104 (p) Provides support and training of family members
105 and other communication partners for the individual with
106 auditory balance, cognitive and communication disorders;

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

109 (r) Evaluates, collaborates and manages audition
110 problems in the assessment of the central auditory

111 processing disorders and providing intervention for
112 individuals with central auditory processing disorders;

113 (s) Develops and manages academic and clinical
114 problems in communication sciences and disorders;

115 (t) Conducts, disseminates and applies research in
116 communication sciences and disorders;

117 [(8)] (9) "Practice of speech-language pathology":

118 (a) Provides screening, identification, assessment,
119 diagnosis, treatment, intervention, including but not
120 limited to prevention, restoration, amelioration and
121 compensation, and follow-up services for disorders of:

122 a. Speech: articulation, fluency, voice, including
123 respiration, phonation and resonance;

124 b. Language, involving the parameters of phonology,
125 morphology, syntax, semantics and pragmatic; and including
126 disorders of receptive and expressive communication in oral,
127 written, graphic and manual modalities;

128 c. Oral, pharyngeal, cervical esophageal and related
129 functions, such as dysphagia, including disorders of
130 swallowing and oral functions for feeding; orofacial
131 myofunctional disorders;

132 d. Cognitive aspects of communication, including
133 communication disability and other functional disabilities
134 associated with cognitive impairment;

135 e. Social aspects of communication, including
136 challenging behavior, ineffective social skills, lack of
137 communication opportunities;

138 (b) Provides consultation and counseling and makes
139 referrals when appropriate;

140 (c) Trains and supports family members and other
141 communication partners of individuals with speech, voice,
142 language, communication and swallowing disabilities;

143 (d) Develops and establishes effective augmentative
144 and alternative communication techniques and strategies,
145 including selecting, prescribing and dispensing of
146 augmentative aids and devices; and the training of
147 individuals, their families and other communication partners
148 in their use;

149 (e) Selects, fits and establishes effective use of
150 appropriate prosthetic/adaptive devices for speaking and
151 swallowing, such as tracheoesophageal valves,
152 electrolarynges, or speaking valves;

153 (f) Uses instrumental technology to diagnose and treat
154 disorders of communication and swallowing, such as
155 videofluoroscopy, nasendoscopy, ultrasonography and
156 stroboscopy;

157 (g) Provides aural rehabilitative and related
158 counseling services to individuals with hearing loss and to
159 their families;

160 (h) Collaborates in the assessment of central auditory
161 processing disorders in cases in which there is evidence of
162 speech, language or other cognitive communication disorders;
163 provides intervention for individuals with central auditory
164 processing disorders;

165 (i) Conducts pure-tone air conduction hearing
166 screening and screening tympanometry for the purpose of the
167 initial identification or referral;

168 (j) Enhances speech and language proficiency and
169 communication effectiveness, including but not limited to
170 accent reduction, collaboration with teachers of English as
171 a second language and improvement of voice, performance and
172 singing;

173 (k) Trains and supervises support personnel;

174 (l) Develops and manages academic and clinical
175 programs in communication sciences and disorders;

176 (m) Conducts, disseminates and applies research in
177 communication sciences and disorders;

178 (n) Measures outcomes of treatment and conducts
179 continuous evaluation of the effectiveness of practices and
180 programs to improve and maintain quality of services;

181 [(9)] (10) "Speech-language pathologist", a person who
182 is licensed as a speech-language pathologist pursuant to
183 sections 345.010 to 345.080; who engages in the practice of
184 speech-language pathology as defined in sections 345.010 to
185 345.080;

186 [(10)] (11) "Speech-language pathology aide", a person
187 who is registered as a speech-language aide by the board,
188 who does not act independently but works under the direction
189 and supervision of a licensed speech-language pathologist.
190 Such person assists the speech-language pathologist with
191 activities which require an understanding of speech-language
192 pathology but do not require formal training in the relevant
193 academics. To be eligible for registration by the board,
194 each applicant shall submit a registration fee and:

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

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

198 a. Certification of graduation from an accredited high
199 school or its equivalent; and

200 b. On-the-job training;

201 (c) Be employed in a setting in which direct and
202 indirect supervision is provided on a regular and systematic
203 basis by a licensed speech-language pathologist.

204 However, the aide shall not administer or interpret hearing
205 screening or diagnostic tests, fit or dispense hearing
206 instruments, make ear impressions, make diagnostic
207 statements, determine case selection, present written
208 reports to anyone other than the supervisor without the
209 signature of the supervisor, make referrals to other
210 professionals or agencies, use a title other than speech-
211 language pathology aide, develop or modify treatment plans,
212 discharge clients from treatment or terminate treatment,
213 disclose clinical information, either orally or in writing,
214 to anyone other than the supervising speech-language
215 pathologist, or perform any procedure for which he or she is
216 not qualified, has not been adequately trained or both;

217 [(11)] (12) "Speech-language pathology assistant", a
218 person who is registered as a speech-language pathology
219 assistant by the board, who does not act independently but
220 works under the direction and supervision of a licensed
221 speech-language pathologist practicing for at least one year
222 or speech-language pathologist practicing under subdivision
223 (1) or (6) of subsection 1 of section 345.025 for at least
224 one year and whose activities require both academic and
225 practical training in the field of speech-language pathology
226 although less training than those established by sections
227 345.010 to 345.080 as necessary for licensing as a speech-
228 language pathologist. To be eligible for registration by
229 the board, each applicant shall submit the registration fee,
230 supervising speech-language pathologist information if
231 employment is confirmed, if not such information shall be
232 provided after registration, and furnish evidence of the
233 person's educational qualifications which meet the following:

234 (a) Hold a bachelor's level degree from an institution
235 accredited or approved by a regional accrediting body

236 recognized by the United States Department of Education or
237 its equivalent; and

238 (b) Submit official transcripts from one or more
239 accredited colleges or universities presenting evidence of
240 the completion of bachelor's level course work and
241 requirements in the field of speech-language pathology as
242 established by the board through rules and regulations;

243 (c) Submit proof of completion of the number and type
244 of clinical hours as established by the board through rules
245 and regulations.

345.022. 1. Any person in the person's clinical
2 fellowship as defined in sections 345.010 to 345.080 shall
3 hold a provisional license to practice speech-language
4 pathology or audiology. The board may issue a provisional
5 license to an applicant who:

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

9 (2) Submits an application to the board on a form
10 prescribed by the board. Such form shall include a plan for
11 the content and supervision of the clinical fellowship, as
12 well as evidence of good moral and ethical character; and

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

15 2. A provisional license is effective for one year and
16 may be extended for an additional twelve months only for
17 purposes of completing the postgraduate clinical experience
18 portion of the clinical fellowship; provided that, the
19 applicant has passed the national examination and shall hold
20 a master's degree from an approved training program in his
21 or her area of application.

22 3. Within twelve months of issuance of the provisional
23 license, the applicant shall pass an examination promulgated
24 or approved by the board.

25 4. Within twelve months of issuance of a provisional
26 license, the applicant shall complete the requirements for
27 the master's or doctoral degree from a program accredited by
28 the Council on Academic Accreditation of the American Speech-
29 Language-Hearing Association or other accrediting agency
30 approved by the board in the area in which licensure is
31 sought.

345.050. 1. To be eligible for licensure by the board
2 by examination, each applicant shall submit the application
3 fee and shall furnish evidence of such person's current
4 competence and shall:

5 (1) Hold a master's or a doctoral degree from a
6 program that was awarded "accreditation candidate" status or
7 is accredited by the Council on Academic Accreditation of
8 the American Speech-Language-Hearing Association or other
9 accrediting agency approved by the board in the area in
10 which licensure is sought;

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

18 (3) Present written evidence of completion of a
19 clinical fellowship from supervisors. The experience
20 required by this subdivision shall follow the completion of
21 the requirements of subdivisions (1) and (2) of this
22 subsection. This period of employment shall be under the

23 direct supervision of a person who is licensed by the state
24 of Missouri in the profession in which the applicant seeks
25 to be licensed. Persons applying with an audiology clinical
26 doctoral degree are exempt from this provision; and

27 (4) Pass an examination promulgated or approved by the
28 board. The board shall determine the subject and scope of
29 the examinations.

30 2. To be eligible for licensure by the board without
31 examination, each applicant shall make application on forms
32 prescribed by the board, submit the application fee, submit
33 an activity statement and meet one of the following
34 requirements:

35 (1) The board shall issue a license to any speech-
36 language pathologist or audiologist who is licensed in
37 another country and who has had no violations, suspension or
38 revocations of a license to practice speech-language
39 pathology or audiology in any jurisdiction; provided that,
40 such person is licensed in a country whose requirements are
41 substantially equal to, or greater than, Missouri at the
42 time the applicant applies for licensure; or

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

345.085. SECTION 1. PURPOSE

2 The purpose of this Compact is to facilitate interstate
3 practice of audiology and speech-language pathology with the
4 goal of improving public access to audiology and speech-
5 language pathology services. The practice of audiology and
6 speech-language pathology occurs in the state where the
7 patient/client/student is located at the time of the
8 patient/client/student encounter. The Compact preserves the

9 regulatory authority of states to protect public health and
10 safety through the current system of state licensure.

11 This Compact is designed to achieve the following
12 objectives:

13 1. Increase public access to audiology and speech-
14 language pathology services by providing for the mutual
15 recognition of other member state licenses;

16 2. Enhance the states' ability to protect the public's
17 health and safety;

18 3. Encourage the cooperation of member states in
19 regulating multistate audiology and speech-language
20 pathology practice;

21 4. Support spouses of relocating active duty military
22 personnel;

23 5. Enhance the exchange of licensure, investigative
24 and disciplinary information between member states;

25 6. Allow a remote state to hold a provider of services
26 with a compact privilege in that state accountable to that
27 state's practice standards; and

28 7. Allow for the use of telehealth technology to
29 facilitate increased access to audiology and speech-language
30 pathology services.

31 SECTION 2. DEFINITIONS

32 As used in this Compact, and except as otherwise
33 provided, the following definitions shall apply:

34 A. "Active duty military" means full-time duty status
35 in the active uniformed service of the United States,
36 including members of the National Guard and Reserve on
37 active duty orders pursuant to 10 U.S.C. Chapter 1209 and
38 1211.

39 B. "Adverse action" means any administrative, civil,
40 equitable or criminal action permitted by a state's laws

41 which is imposed by a licensing board or other authority
42 against an audiologist or speech-language pathologist,
43 including actions against an individual's license or
44 privilege to practice such as revocation, suspension,
45 probation, monitoring of the licensee, or restriction on the
46 licensee's practice.

47 C. "Alternative program" means a non-disciplinary
48 monitoring process approved by an audiology or speech-
49 language pathology licensing board to address impaired
50 practitioners.

51 D. "Audiologist" means an individual who is licensed
52 by a state to practice audiology.

53 E. "Audiology" means the care and services provided by
54 a licensed audiologist as set forth in the member state's
55 statutes and rules.

56 F. "Audiology and Speech-Language Pathology Compact
57 Commission" or "Commission" means the national
58 administrative body whose membership consists of all states
59 that have enacted the Compact.

60 G. "Audiology and speech-language pathology licensing
61 board," "audiology licensing board," "speech-language
62 pathology licensing board," or "licensing board" means the
63 agency of a state that is responsible for the licensing and
64 regulation of audiologists and/or speech-language
65 pathologists.

66 H. "Compact privilege" means the authorization granted
67 by a remote state to allow a licensee from another member
68 state to practice as an audiologist or speech-language
69 pathologist in the remote state under its laws and rules.
70 The practice of audiology or speech-language pathology
71 occurs in the member state where the patient/client/student

72 is located at the time of the patient/client/student
73 encounter.

74 I. "Current significant investigative information"
75 means investigative information that a licensing board,
76 after an inquiry or investigation that includes notification
77 and an opportunity for the audiologist or speech-language
78 pathologist to respond, if required by state law, has reason
79 to believe is not groundless and, if proved true, would
80 indicate more than a minor infraction.

81 J. "Data system" means a repository of information
82 about licensees, including, but not limited to, continuing
83 education, examination, licensure, investigative, compact
84 privilege and adverse action.

85 K. "Encumbered license" means a license in which an
86 adverse action restricts the practice of audiology or speech-
87 language pathology by the licensee and said adverse action
88 has been reported to the National Practitioners Data Bank
89 (NPDB).

90 L. "Executive Committee" means a group of directors
91 elected or appointed to act on behalf of, and within the
92 powers granted to them by, the Commission.

93 M. "Home state" means the member state that is the
94 licensee's primary state of residence.

95 N. "Impaired practitioner" means individuals whose
96 professional practice is adversely affected by substance
97 abuse, addiction, or other health-related conditions.

98 O. "Licensee" means an individual who currently holds
99 an authorization from the state licensing board to practice
100 as an audiologist or speech-language pathologist.

101 P. "Member state" means a state that has enacted the
102 Compact.

103 Q. "Privilege to practice" means a legal authorization
104 permitting the practice of audiology or speech-language
105 pathology in a remote state.

106 R. "Remote state" means a member state other than the
107 home state where a licensee is exercising or seeking to
108 exercise the compact privilege.

109 S. "Rule" means a regulation, principle or directive
110 promulgated by the Commission that has the force of law.

111 T. "Single-state license" means an audiology or speech-
112 language pathology license issued by a member state that
113 authorizes practice only within the issuing state and does
114 not include a privilege to practice in any other member
115 state.

116 U. "Speech-language pathologist" means an individual
117 who is licensed by a state to practice speech-language
118 pathology.

119 V. "Speech-language pathology" means the care and
120 services provided by a licensed speech-language pathologist
121 as set forth in the member state's statutes and rules.

122 W. "State" means any state, commonwealth, district or
123 territory of the United States of America that regulates the
124 practice of audiology and speech-language pathology.

125 X. "State practice laws" means a member state's laws,
126 rules and regulations that govern the practice of audiology
127 or speech-language pathology, define the scope of audiology
128 or speech-language pathology practice, and create the
129 methods and grounds for imposing discipline.

130 Y. "Telehealth" means the application of
131 telecommunication technology to deliver audiology or speech-
132 language pathology services at a distance for assessment,
133 intervention and/or consultation.

134 SECTION 3. STATE PARTICIPATION IN THE COMPACT

135 A. A license issued to an audiologist or speech-
136 language pathologist by a home state to a resident in that
137 state shall be recognized by each member state as
138 authorizing an audiologist or speech-language pathologist to
139 practice audiology or speech-language pathology, under a
140 privilege to practice, in each member state.

141 B. A state must implement or utilize procedures for
142 considering the criminal history records of applicants for
143 initial privilege to practice. These procedures shall
144 include the submission of fingerprints or other biometric-
145 based information by applicants for the purpose of obtaining
146 an applicant's criminal history record information from the
147 Federal Bureau of Investigation and the agency responsible
148 for retaining that state's criminal records.

149 1. A member state must fully implement a criminal
150 background check requirement, within a time frame
151 established by rule, by receiving the results of the Federal
152 Bureau of Investigation record search on criminal background
153 checks and use the results in making licensure decisions.

154 2. Communication between a member state, the
155 Commission and among member states regarding the
156 verification of eligibility for licensure through the
157 Compact shall not include any information received from the
158 Federal Bureau of Investigation relating to a federal
159 criminal records check performed by a member state under
160 Public Law 92-544.

161 C. Upon application for a privilege to practice, the
162 licensing board in the issuing remote state shall ascertain,
163 through the data system, whether the applicant has ever
164 held, or is the holder of, a license issued by any other
165 state, whether there are any encumbrances on any license or
166 privilege to practice held by the applicant, whether any

adverse action has been taken against any license or privilege to practice held by the applicant.

D. Each member state shall require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as, all other applicable state laws.

E. For an audiologist:

1. Must meet one of the following educational requirements:

a. On or before, Dec. 31, 2007, has graduated with a master's degree or doctorate in audiology, or equivalent degree regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

b. On or after, Jan. 1, 2008, has graduated with a Doctoral degree in audiology, or equivalent degree, regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

c. Has graduated from an audiology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country and (b) the degree program has been

198 verified by an independent credentials review agency to be
199 comparable to a state licensing board-approved program.

200 2. Has completed a supervised clinical practicum
201 experience from an accredited educational institution or its
202 cooperating programs as required by the Commission;

203 3. Has successfully passed a national examination
204 approved by the Commission;

205 4. Holds an active, unencumbered license;

206 5. Has not been convicted or found guilty, and has not
207 entered into an agreed disposition, of a felony related to
208 the practice of audiology, under applicable state or federal
209 criminal law;

210 6. Has a valid United States Social Security or
211 National Practitioner Identification number.

212 F. For a speech-language pathologist:

213 1. Must meet one of the following educational
214 requirements:

215 a. Has graduated with a master's degree from a speech-
216 language pathology program that is accredited by an
217 organization recognized by the United States Department of
218 Education and operated by a college or university accredited
219 by a regional or national accrediting organization
220 recognized by the board; or

221 b. Has graduated from a speech-language pathology
222 program that is housed in an institution of higher education
223 outside of the United States (a) for which the program and
224 institution have been approved by the authorized accrediting
225 body in the applicable country and (b) the degree program
226 has been verified by an independent credentials review
227 agency to be comparable to a state licensing board-approved
228 program.

229 2. Has completed a supervised clinical practicum
230 experience from an educational institution or its
231 cooperating programs as required by the Commission;

232 3. Has completed a supervised postgraduate
233 professional experience as required by the Commission;

234 4. Has successfully passed a national examination
235 approved by the Commission;

236 5. Holds an active, unencumbered license;

237 6. Has not been convicted or found guilty, and has not
238 entered into an agreed disposition, of a felony related to
239 the practice of speech-language pathology, under applicable
240 state or federal criminal law;

241 7. Has a valid United States Social Security or
242 National Practitioner Identification number.

243 G. The privilege to practice is derived from the home
244 state license.

245 H. An audiologist or speech-language pathologist
246 practicing in a member state must comply with the state
247 practice laws of the state in which the client is located at
248 the time service is provided. The practice of audiology and
249 speech-language pathology shall include all audiology and
250 speech-language pathology practice as defined by the state
251 practice laws of the member state in which the client is
252 located. The practice of audiology and speech-language
253 pathology in a member state under a privilege to practice
254 shall subject an audiologist or speech-language pathologist
255 to the jurisdiction of the licensing board, the courts and
256 the laws of the member state in which the client is located
257 at the time service is provided.

258 I. Individuals not residing in a member state shall
259 continue to be able to apply for a member state's single-
260 state license as provided under the laws of each member

state. However, the single-state license granted to these individuals shall not be recognized as granting the privilege to practice audiology or speech-language pathology in any other member state. Nothing in this Compact shall affect the requirements established by a member state for the issuance of a single-state license.

J. Member states may charge a fee for granting a compact privilege.

K. Member states must comply with the bylaws and rules and regulations of the Commission.

SECTION 4. COMPACT PRIVILEGE

A. To exercise the compact privilege under the terms and provisions of the Compact, the audiologist or speech-language pathologist shall:

1. Hold an active license in the home state;
2. Have no encumbrance on any state license;
3. Be eligible for a compact privilege in any member state in accordance with Section 3;
4. Have not had any adverse action against any license or compact privilege within the previous 2 years from date of application;
5. Notify the Commission that the licensee is seeking the compact privilege within a remote state(s);
6. Pay any applicable fees, including any state fee, for the compact privilege;
7. Report to the Commission adverse action taken by any non-member state within 30 days from the date the adverse action is taken.

B. For the purposes of the compact privilege, an audiologist or speech-language pathologist shall only hold one home state license at a time.

292 C. Except as provided in Section 6, if an audiologist
293 or speech-language pathologist changes primary state of
294 residence by moving between two-member states, the
295 audiologist or speech-language pathologist must apply for
296 licensure in the new home state, and the license issued by
297 the prior home state shall be deactivated in accordance with
298 applicable rules adopted by the Commission.

299 D. The audiologist or speech-language pathologist may
300 apply for licensure in advance of a change in primary state
301 of residence.

302 E. A license shall not be issued by the new home state
303 until the audiologist or speech-language pathologist
304 provides satisfactory evidence of a change in primary state
305 of residence to the new home state and satisfies all
306 applicable requirements to obtain a license from the new
307 home state.

308 F. If an audiologist or speech-language pathologist
309 changes primary state of residence by moving from a member
310 state to a non-member state, the license issued by the prior
311 home state shall convert to a single-state license, valid
312 only in the former home state.

313 G. The compact privilege is valid until the expiration
314 date of the home state license. The licensee must comply
315 with the requirements of Section 4A to maintain the compact
316 privilege in the remote state.

317 H. A licensee providing audiology or speech-language
318 pathology services in a remote state under the compact
319 privilege shall function within the laws and regulations of
320 the remote state.

321 I. A licensee providing audiology or speech-language
322 pathology services in a remote state is subject to that
323 state's regulatory authority. A remote state may, in

324 accordance with due process and that state's laws, remove a
325 licensee's compact privilege in the remote state for a
326 specific period of time, impose fines, and/or take any other
327 necessary actions to protect the health and safety of its
328 citizens.

329 J. If a home state license is encumbered, the licensee
330 shall lose the compact privilege in any remote state until
331 the following occur:

- 332 1. The home state license is no longer encumbered; and
333 2. Two years have elapsed from the date of the adverse
334 action.

335 K. Once an encumbered license in the home state is
336 restored to good standing, the licensee must meet the
337 requirements of Section 4A to obtain a compact privilege in
338 any remote state.

339 L. Once the requirements of Section 4J have been met,
340 the licensee must meet the requirements in Section 4A to
341 obtain a compact privilege in a remote state.

342 SECTION 5. COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

343 Member states shall recognize the right of an
344 audiologist or speech-language pathologist, licensed by a
345 home state in accordance with Section 3 and under rules
346 promulgated by the Commission, to practice audiology or
347 speech-language pathology in any member state via telehealth
348 under a privilege to practice as provided in the Compact and
349 rules promulgated by the Commission.

350 SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR 351 SPOUSES

352 Active duty military personnel, or their spouse, shall
353 designate a home state where the individual has a current
354 license in good standing. The individual may retain the
355 home state designation during the period the service member

is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state.

SECTION 7. ADVERSE ACTIONS

A. In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

1. Take adverse action against an audiologist's or speech-language pathologist's privilege to practice within that member state.

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Only the home state shall have the power to take adverse action against a audiologist's or speech-language pathologist's license issued by the home state.

B. For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

388 C. The home state shall complete any pending
389 investigations of an audiologist or speech-language
390 pathologist who changes primary state of residence during
391 the course of the investigations. The home state shall also
392 have the authority to take appropriate action(s) and shall
393 promptly report the conclusions of the investigations to the
394 administrator of the data system. The administrator of the
395 coordinated licensure information system shall promptly
396 notify the new home state of any adverse actions.

397 D. If otherwise permitted by state law, the member
398 state may recover from the affected audiologist or speech-
399 language pathologist the costs of investigations and
400 disposition of cases resulting from any adverse action taken
401 against that audiologist or speech-language pathologist.

402 E. The member state may take adverse action based on
403 the factual findings of the remote state, provided that the
404 member state follows the member state's own procedures for
405 taking the adverse action.

406 F. Joint Investigations:

407 1. In addition to the authority granted to a member
408 state by its respective audiology or speech-language
409 pathology practice act or other applicable state law, any
410 member state may participate with other member states in
411 joint investigations of licensees.

412 2. Member states shall share any investigative,
413 litigation, or compliance materials in furtherance of any
414 joint or individual investigation initiated under the
415 Compact.

416 G. If adverse action is taken by the home state
417 against an audiologist's or speech-language pathologist's
418 license, the audiologist's or speech-language pathologist's
419 privilege to practice in all other member states shall be

deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against an audiologist's or speech language pathologist's license shall include a statement that the audiologist's or speech-language pathologist's privilege to practice is deactivated in all member states during the pendency of the order.

H. If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

I. Nothing in this Compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

SECTION 8. ESTABLISHMENT OF THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION

A. The Compact member states hereby create and establish a joint public agency known as the Audiology and Speech-Language Pathology Compact Commission:

1. The Commission is an instrumentality of the Compact states.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting and Meetings:

451 1. Each member state shall have two (2) delegates
452 selected by that member state's licensing board. The
453 delegates shall be current members of the licensing board.
454 One shall be an audiologist and one shall be a speech-
455 language pathologist.

456 2. An additional five (5) delegates, who are either a
457 public member or board administrator from a state licensing
458 board, shall be chosen by the Executive Committee from a
459 pool of nominees provided by the Commission at Large.

460 3. Any delegate may be removed or suspended from
461 office as provided by the law of the state from which the
462 delegate is appointed.

463 4. The member state board shall fill any vacancy
464 occurring on the Commission, within 90 days.

465 5. Each delegate shall be entitled to one (1) vote
466 with regard to the promulgation of rules and creation of
467 bylaws and shall otherwise have an opportunity to
468 participate in the business and affairs of the Commission.

469 6. A delegate shall vote in person or by other means
470 as provided in the bylaws. The bylaws may provide for
471 delegates' participation in meetings by telephone or other
472 means of communication.

473 7. The Commission shall meet at least once during each
474 calendar year. Additional meetings shall be held as set
475 forth in the bylaws.

476 C. The Commission shall have the following powers and
477 duties:

- 478 1. Establish the fiscal year of the Commission;
- 479 2. Establish bylaws;
- 480 3. Establish a Code of Ethics;
- 481 4. Maintain its financial records in accordance with
482 the bylaws;

483 5. Meet and take actions as are consistent with the
484 provisions of this Compact and the bylaws;

485 6. Promulgate uniform rules to facilitate and
486 coordinate implementation and administration of this
487 Compact. The rules shall have the force and effect of law
488 and shall be binding in all member states;

489 7. Bring and prosecute legal proceedings or actions in
490 the name of the Commission, provided that the standing of
491 any state audiology or speech-language pathology licensing
492 board to sue or be sued under applicable law shall not be
493 affected;

494 8. Purchase and maintain insurance and bonds;

495 9. Borrow, accept, or contract for services of
496 personnel, including, but not limited to, employees of a
497 member state;

498 10. Hire employees, elect or appoint officers, fix
499 compensation, define duties, grant individuals appropriate
500 authority to carry out the purposes of the Compact, and to
501 establish the Commission's personnel policies and programs
502 relating to conflicts of interest, qualifications of
503 personnel, and other related personnel matters;

504 11. Accept any and all appropriate donations and
505 grants of money, equipment, supplies, materials and
506 services, and to receive, utilize and dispose of the same;
507 provided that at all times the Commission shall avoid any
508 appearance of impropriety and/or conflict of interest;

509 12. Lease, purchase, accept appropriate gifts or
510 donations of, or otherwise to own, hold, improve or use, any
511 property, real, personal or mixed; provided that at all
512 times the Commission shall avoid any appearance of
513 impropriety;

514 13. Sell, convey, mortgage, pledge, lease, exchange,
515 abandon, or otherwise dispose of any property real,
516 personal, or mixed;

517 14. Establish a budget and make expenditures;

518 15. Borrow money;

519 16. Appoint committees, including standing committees
520 composed of members, and other interested persons as may be
521 designated in this Compact and the bylaws;

522 17. Provide and receive information from, and
523 cooperate with, law enforcement agencies;

524 18. Establish and elect an Executive Committee; and

525 19. Perform other functions as may be necessary or
526 appropriate to achieve the purposes of this Compact
527 consistent with the state regulation of audiology and speech-
528 language pathology licensure and practice.

529 D. The Executive Committee

530 The Executive Committee shall have the power to act on
531 behalf of the Commission according to the terms of this
532 Compact:

533 1. The Executive Committee shall be composed of ten
534 (10) members:

535 a. Seven (7) voting members who are elected by the
536 Commission from the current membership of the Commission;

537 b. Two (2) ex-officios, consisting of one nonvoting
538 member from a recognized national audiology professional
539 association and one nonvoting member from a recognized
540 national speech-language pathology association; and

541 c. One (1) ex-officio, nonvoting member from the
542 recognized membership organization of the audiology and
543 speech-language pathology licensing boards.

544 E. The ex-officio members shall be selected by their
545 respective organizations.

546 1. The Commission may remove any member of the
547 Executive Committee as provided in bylaws.

548 2. The Executive Committee shall meet at least
549 annually.

550 3. The Executive Committee shall have the following
551 duties and responsibilities:

552 a. Recommend to the entire Commission changes to the
553 rules or bylaws, changes to this Compact legislation, fees
554 paid by Compact member states such as annual dues, and any
555 commission Compact fee charged to licensees for the compact
556 privilege;

557 b. Ensure Compact administration services are
558 appropriately provided, contractual or otherwise;

559 c. Prepare and recommend the budget;

560 d. Maintain financial records on behalf of the
561 Commission;

562 e. Monitor Compact compliance of member states and
563 provide compliance reports to the Commission;

564 f. Establish additional committees as necessary; and

565 g. Other duties as provided in rules or bylaws.

566 4. Meetings of the Commission

567 All meetings shall be open to the public, and public
568 notice of meetings shall be given in the same manner as
569 required under the rulemaking provisions in Section 10.

570 5. The Commission or the Executive Committee or other
571 committees of the Commission may convene in a closed, non-
572 public meeting if the Commission or Executive Committee or
573 other committees of the Commission must discuss:

574 a. Non-compliance of a member state with its
575 obligations under the Compact;

576 b. The employment, compensation, discipline or other
577 matters, practices or procedures related to specific

employees or other matters related to the Commission's
internal personnel practices and procedures;

c. Current, threatened, or reasonably anticipated
litigation;

d. Negotiation of contracts for the purchase, lease,
or sale of goods, services, or real estate;

e. Accusing any person of a crime or formally
censuring any person;

f. Disclosure of trade secrets or commercial or
financial information that is privileged or confidential;

g. Disclosure of information of a personal nature
where disclosure would constitute a clearly unwarranted
invasion of personal privacy;

h. Disclosure of investigative records compiled for
law enforcement purposes;

i. Disclosure of information related to any
investigative reports prepared by or on behalf of or for use
of the Commission or other committee charged with
responsibility of investigation or determination of
compliance issues pursuant to the Compact; or

j. Matters specifically exempted from disclosure by
federal or member state statute.

6. If a meeting, or portion of a meeting, is closed
pursuant to this provision, the Commission's legal counsel
or designee shall certify that the meeting may be closed and
shall reference each relevant exempting provision.

7. The Commission shall keep minutes that fully and
clearly describe all matters discussed in a meeting and
shall provide a full and accurate summary of actions taken,
and the reasons therefore, including a description of the
views expressed. All documents considered in connection
with an action shall be identified in minutes. All minutes

and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

8. Financing of the Commission:

a. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

b. The Commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

c. The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.

9. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state.

10. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit

642 shall be included in and become part of the annual report of
643 the Commission.

644 F. Qualified Immunity, Defense, and Indemnification:

645 1. The members, officers, executive director,
646 employees and representatives of the Commission shall be
647 immune from suit and liability, either personally or in
648 their official capacity, for any claim for damage to or loss
649 of property or personal injury or other civil liability
650 caused by or arising out of any actual or alleged act, error
651 or omission that occurred, or that the person against whom
652 the claim is made had a reasonable basis for believing
653 occurred within the scope of Commission employment, duties
654 or responsibilities; provided that nothing in this paragraph
655 shall be construed to protect any person from suit and/or
656 liability for any damage, loss, injury, or liability caused
657 by the intentional or willful or wanton misconduct of that
658 person.

659 2. The Commission shall defend any member, officer,
660 executive director, employee or representative of the
661 Commission in any civil action seeking to impose liability
662 arising out of any actual or alleged act, error, or omission
663 that occurred within the scope of Commission employment,
664 duties, or responsibilities, or that the person against whom
665 the claim is made had a reasonable basis for believing
666 occurred within the scope of Commission employment, duties,
667 or responsibilities; provided that nothing herein shall be
668 construed to prohibit that person from retaining his or her
669 own counsel; and provided further, that the actual or
670 alleged act, error, or omission did not result from that
671 person's intentional or willful or wanton misconduct.

672 3. The Commission shall indemnify and hold harmless
673 any member, officer, executive director, employee, or

674 representative of the Commission for the amount of any
675 settlement or judgment obtained against that person arising
676 out of any actual or alleged act, error or omission that
677 occurred within the scope of Commission employment, duties,
678 or responsibilities, or that person had a reasonable basis
679 for believing occurred within the scope of Commission
680 employment, duties, or responsibilities, provided that the
681 actual or alleged act, error, or omission did not result
682 from the intentional or willful or wanton misconduct of that
683 person.

684 SECTION 9. DATA SYSTEM

685 A. The Commission shall provide for the development,
686 maintenance, and utilization of a coordinated database and
687 reporting system containing licensure, adverse action, and
688 investigative information on all licensed individuals in
689 member states.

690 B. Notwithstanding any other provision of state law to
691 the contrary, a member state shall submit a uniform data set
692 to the data system on all individuals to whom this Compact
693 is applicable as required by the rules of the Commission,
694 including:

- 695 1. Identifying information;
- 696 2. Licensure data;
- 697 3. Adverse actions against a license or compact
698 privilege;
- 699 4. Non-confidential information related to alternative
700 program participation;
- 701 5. Any denial of application for licensure, and the
702 reason(s) for denial; and
- 703 6. Other information that may facilitate the
704 administration of this Compact, as determined by the rules
705 of the Commission.

706 C. Investigative information pertaining to a licensee
707 in any member state shall only be available to other member
708 states.

709 D. The Commission shall promptly notify all member
710 states of any adverse action taken against a licensee or an
711 individual applying for a license. Adverse action
712 information pertaining to a licensee in any member state
713 shall be available to any other member state.

714 E. Member states contributing information to the data
715 system may designate information that may not be shared with
716 the public without the express permission of the
717 contributing state.

718 F. Any information submitted to the data system that
719 is subsequently required to be expunged by the laws of the
720 member state contributing the information shall be removed
721 from the data system.

722 SECTION 10. RULEMAKING

723 A. The Commission shall exercise its rulemaking powers
724 pursuant to the criteria set forth in this Section and the
725 rules adopted thereunder. Rules and amendments shall become
726 binding as of the date specified in each rule or amendment.

727 B. If a majority of the legislatures of the member
728 states rejects a rule, by enactment of a statute or
729 resolution in the same manner used to adopt the Compact
730 within 4 years of the date of adoption of the rule, the rule
731 shall have no further force and effect in any member state.

732 C. Rules or amendments to the rules shall be adopted
733 at a regular or special meeting of the Commission.

734 D. Prior to promulgation and adoption of a final rule
735 or rules by the Commission, and at least thirty (30) days in
736 advance of the meeting at which the rule shall be considered

737 and voted upon, the Commission shall file a Notice of
738 Proposed Rulemaking:

739 1. On the website of the Commission or other publicly
740 accessible platform; and

741 2. On the website of each member state audiology or
742 speech-language pathology licensing board or other publicly
743 accessible platform or the publication in which each state
744 would otherwise publish proposed rules.

745 E. The Notice of Proposed Rulemaking shall include:

746 1. The proposed time, date, and location of the
747 meeting in which the rule shall be considered and voted upon;

748 2. The text of the proposed rule or amendment and the
749 reason for the proposed rule;

750 3. A request for comments on the proposed rule from
751 any interested person; and

752 4. The manner in which interested persons may submit
753 notice to the Commission of their intention to attend the
754 public hearing and any written comments.

755 F. Prior to the adoption of a proposed rule, the
756 Commission shall allow persons to submit written data,
757 facts, opinions and arguments, which shall be made available
758 to the public.

759 G. The Commission shall grant an opportunity for a
760 public hearing before it adopts a rule or amendment if a
761 hearing is requested by:

762 1. At least twenty-five (25) persons;

763 2. A state or federal governmental subdivision or
764 agency; or

765 3. An association having at least twenty-five (25)
766 members.

767 H. If a hearing is held on the proposed rule or
768 amendment, the Commission shall publish the place, time, and

769 date of the scheduled public hearing. If the hearing is
770 held via electronic means, the Commission shall publish the
771 mechanism for access to the electronic hearing.

772 1. All persons wishing to be heard at the hearing
773 shall notify the executive director of the Commission or
774 other designated member in writing of their desire to appear
775 and testify at the hearing not less than five (5) business
776 days before the scheduled date of the hearing.

777 2. Hearings shall be conducted in a manner providing
778 each person who wishes to comment a fair and reasonable
779 opportunity to comment orally or in writing.

780 3. All hearings shall be recorded. A copy of the
781 recording shall be made available on request.

782 4. Nothing in this section shall be construed as
783 requiring a separate hearing on each rule. Rules may be
784 grouped for the convenience of the Commission at hearings
785 required by this section.

786 I. Following the scheduled hearing date, or by the
787 close of business on the scheduled hearing date if the
788 hearing was not held, the Commission shall consider all
789 written and oral comments received.

790 J. If no written notice of intent to attend the public
791 hearing by interested parties is received, the Commission
792 may proceed with promulgation of the proposed rule without a
793 public hearing.

794 K. The Commission shall, by majority vote of all
795 members, take final action on the proposed rule and shall
796 determine the effective date of the rule, if any, based on
797 the rulemaking record and the full text of the rule.

798 L. Upon determination that an emergency exists, the
799 Commission may consider and adopt an emergency rule without
800 prior notice, opportunity for comment, or hearing, provided

that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of Commission or member state funds; or
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule.

M. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the Commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

SECTION 11. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Dispute Resolution

832 1. Upon request by a member state, the Commission
833 shall attempt to resolve disputes related to the Compact
834 that arise among member states and between member and non-
835 member states.

836 2. The Commission shall promulgate a rule providing
837 for both mediation and binding dispute resolution for
838 disputes as appropriate.

839 B. Enforcement

840 1. The Commission, in the reasonable exercise of its
841 discretion, shall enforce the provisions and rules of this
842 Compact.

843 2. By majority vote, the Commission may initiate legal
844 action in the United States District Court for the District
845 of Columbia or the federal district where the Commission has
846 its principal offices against a member state in default to
847 enforce compliance with the provisions of the Compact and
848 its promulgated rules and bylaws. The relief sought may
849 include both injunctive relief and damages. In the event
850 judicial enforcement is necessary, the prevailing member
851 shall be awarded all costs of litigation, including
852 reasonable attorney's fees.

853 3. The remedies herein shall not be the exclusive
854 remedies of the Commission. The Commission may pursue any
855 other remedies available under federal or state law.

856 SECTION 12. DATE OF IMPLEMENTATION OF THE INTERSTATE
857 COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY
858 PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

859 A. The Compact shall come into effect on the date on
860 which the Compact statute is enacted into law in the 10th
861 member state. The provisions, which become effective at
862 that time, shall be limited to the powers granted to the
863 Commission relating to assembly and the promulgation of

864 rules. Thereafter, the Commission shall meet and exercise
865 rulemaking powers necessary to the implementation and
866 administration of the Compact.

867 B. Any state that joins the Compact subsequent to the
868 Commission's initial adoption of the rules shall be subject
869 to the rules as they exist on the date on which the Compact
870 becomes law in that state. Any rule that has been
871 previously adopted by the Commission shall have the full
872 force and effect of law on the day the Compact becomes law
873 in that state.

874 C. Any member state may withdraw from this Compact by
875 enacting a statute repealing the same.

876 1. A member state's withdrawal shall not take effect
877 until six (6) months after enactment of the repealing
878 statute.

879 2. Withdrawal shall not affect the continuing
880 requirement of the withdrawing state's audiology or speech-
881 language pathology licensing board to comply with the
882 investigative and adverse action reporting requirements of
883 this act prior to the effective date of withdrawal.

884 D. Nothing contained in this Compact shall be
885 construed to invalidate or prevent any audiology or speech-
886 language pathology licensure agreement or other cooperative
887 arrangement between a member state and a non-member state
888 that does not conflict with the provisions of this Compact.

889 E. This Compact may be amended by the member states.
890 No amendment to this Compact shall become effective and
891 binding upon any member state until it is enacted into the
892 laws of all member states.

893 SECTION 13. CONSTRUCTION AND SEVERABILITY

894 This Compact shall be liberally construed so as to
895 effectuate the purposes thereof. The provisions of this

Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any member state, the Compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

SECTION 14. BINDING EFFECT OF COMPACT AND OTHER LAWS

A. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the Compact.

B. All laws in a member state in conflict with the Compact are superseded to the extent of the conflict.

C. All lawful actions of the Commission, including all rules and bylaws promulgated by the Commission, are binding upon the member states.

D. All agreements between the Commission and the member states are binding in accordance with their terms.

E. In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

✓