

HOUSE BILL NO. 744

INTRODUCED BY M. NIKOLAKAKOS, E. TILLEMANN, E. BUTTREY, L. JONES, J. KASSMIER, G. LAMMERS,  
J. ETCHART, L. REKSTEN, M. ROMANO, J. LYNCH

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR SPEECH-LANGUAGE PATHOLOGY AIDES AND AUDIOLOGY AIDES; PROVIDING THAT A SPEECH-LANGUAGE PATHOLOGY AIDE OR AUDIOLOGY AIDE IS NOT REQUIRED TO BE LICENSED; PROVIDING REQUIREMENTS FOR A SPEECH-LANGUAGE PATHOLOGY AIDE OR AUDIOLOGY AIDE; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTION 37-15-301, MCA; AND PROVIDING EFFECTIVE DATES AND A CONTINGENT TERMINATION DATE."

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

**Section 1.** Section 37-15-301, MCA, is amended to read:

**"37-15-301. License required -- exception -- rulemaking.** (1) A license must be issued to qualified persons either in speech-language pathology or audiology. A person may be licensed in both areas if the person meets the respective qualifications, and in those instances, the license fee must be as though for one license.

(2) A person may not practice or represent to the public that the person is a speech-language pathologist, an audiologist, a speech-language pathology assistant, or an audiology assistant in this state unless the person is licensed in accordance with the provisions of this chapter.

(3) The board may issue a limited license to qualified individuals engaged in supervised professional experience, as defined by board rule.

(4) The board shall establish by rule the qualifications and ~~scope of work~~ PERMITTED ACTIVITIES for speech-language pathology aides and audiology aides WHO ARE EMPLOYED BY A SCHOOL DISTRICT AS DEFINED IN 20-6-101. THE RULES MAY NOT REQUIRE THE SPEECH-LANGUAGE PATHOLOGY AIDE OR AUDIOLOGY AIDE EMPLOYED BY A SCHOOL DISTRICT TO BE LICENSED BY THE BOARD. THE RULES ADOPTED BY THE BOARD MAY NOT BE MORE RESTRICTIVE THAN THE REQUIREMENTS IN SUBSECTION (5).

1           (5) A speech-language pathology aide or audiology aide EMPLOYED BY A SCHOOL DISTRICT:  
2           (a) is not required to be licensed by the board;  
3           (b) shall work under the supervision of a speech-language pathologist or an audiologist a minimum  
4 of 20% of the time; and  
5           (c) may not perform work that requires the independent judgment of a speech-language  
6 pathologist or audiologist."

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8           **SECTION 2. SECTION 37-15-301, MCA, IS AMENDED TO READ:**

9           **"37-15-301. License required -- exception -- rulemaking.** (1) A license must be issued to qualified  
10 persons either in speech-language pathology or audiology. A person may be licensed in both areas if the  
11 person meets the respective qualifications, and in those instances, the license fee must be as though for one  
12 license.

13           (2) A person may not practice or represent to the public that the person is a speech-language  
14 pathologist, an audiologist, a speech-language pathology assistant, or an audiology assistant in this state  
15 unless the person is licensed in accordance with the provisions of this chapter.

16           (3) The board may issue a limited license to qualified individuals engaged in supervised  
17 professional experience, as defined by board rule.

18           (4) The board shall establish by rule the qualifications and permitted activities for speech-language  
19 pathology aides and audiology aides who are employed by a school district as defined in 20-6-101. The rules  
20 may not require the speech-language pathology aide or audiology aide employed by a school district to be  
21 licensed by the board."

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23           **NEW SECTION. SECTION 3. EFFECTIVE DATE -- CONTINGENT EFFECTIVE DATE. (1) EXCEPT AS PROVIDED IN**  
24 **SUBSECTION (2), [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.**

25           (2) [SECTION 2] IS EFFECTIVE 30 DAYS AFTER THE DATE OF THE FINAL ADOPTION OF RULES TO IMPLEMENT  
26 THE PROVISIONS OF [SECTION 1(4) AND (5)] BY THE BOARD OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS.

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28           **NEW SECTION. SECTION 4. CONTINGENT TERMINATION. [SECTION 1] TERMINATES 30 DAYS AFTER THE**

1 DATE OF THE FINAL ADOPTION OF RULES TO IMPLEMENT THE PROVISIONS OF [SECTIONS 1(4) AND (5)] BY THE BOARD OF  
2 SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS. THE DEPARTMENT OF LABOR AND INDUSTRY SHALL SUBMIT  
3 CERTIFICATION TO THE CODE COMMISSIONER WITHIN 14 DAYS OF THE OCCURRENCE OF THE CONTINGENCY.

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