

HOUSE BILL NO. 744

INTRODUCED BY M. NIKOLAKAKOS, E. TILLEMAN, 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).

(5) A speech-language pathology aide or audiology aide EMPLOYED BY A SCHOOL DISTRICT:

(a) is not required to be licensed by the board;

(b) shall work under the supervision of a speech-language pathologist or an audiologist a minimum of 20% of the time; and

(c) may not perform work that requires the independent judgment of a speech-language pathologist or audiologist."

SECTION 2. 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 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."

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

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

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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