

1.1 **Senator Wiklund from the Committee on Health and Human Services, to which**
1.2 **was referred**

1.3 **S.F. No. 2982:** A bill for an act relating to health occupations; establishing licensure
1.4 requirements for speech-language pathology assistants; establishing licensure fee and
1.5 criminal history background requirements; amending Minnesota Statutes 2022, sections
1.6 144.0572, subdivision 1; 148.511; 148.512, subdivision 17a; 148.513, subdivisions 1, 2, 3,
1.7 by adding a subdivision; 148.514, subdivision 2; 148.515, subdivision 1; 148.518; 148.519,
1.8 subdivision 1, by adding a subdivision; 148.5191, subdivision 1, by adding a subdivision;
1.9 148.5192, subdivisions 1, 2, 3; 148.5193, subdivision 1, by adding a subdivision; 148.5194,
1.10 subdivision 8, by adding a subdivision; 148.5195, subdivision 3; 148.5196, subdivisions 1,
1.11 3; 245C.031, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter
1.12 148.

1.13 Reports the same back with the recommendation that the bill be amended as follows:

1.14 Page 2, lines 5, 20, and 29, delete "2024" and insert "2025"

1.15 Page 4, lines 6 and 22, delete "2024" and insert "2025"

1.16 Page 5, lines 17 and 22, delete "2024" and insert "2025"

1.17 Page 6, line 24, delete everything after "Colleges" and insert a semicolon

1.18 Page 6, delete lines 25 and 26

1.19 Page 7, line 1, delete "2024" and insert "2025"

1.20 Page 7, line 22, after "provide" insert ", on a form provided by the commissioner,"

1.21 Page 8, line 3, delete "or country"

1.22 Page 8, line 5, delete "or"

1.23 Page 8, line 6, delete "country"

1.24 Page 8, line 14, delete "2024" and insert "2025"

1.25 Page 9, line 16, delete "2024" and insert "2025"

1.26 Page 9, line 27, delete "documentation that the applicant satisfies the qualifications" and
1.27 insert "a transcript showing the completion of the requirements set forth"

1.28 Page 10, line 8, delete "2024" and insert "2025"

1.29 Page 11, lines 1 and 16, delete "2024" and insert "2025"

1.30 Page 14, line 16, delete "2024" and insert "2025"

1.31 Page 15, line 26, delete "2024" and insert "2025"

1.32 Page 16, lines 4 and 10, delete "2024" and insert "2025"

1.33 Page 17, line 8, delete "2024" and insert "2025"

2.1 Page 17, delete section 23 and insert:

2.2 "Sec. 23. Minnesota Statutes 2023 Supplement, section 148.5195, subdivision 3, is amended
2.3 to read:

2.4 Subd. 3. **Grounds for disciplinary action by commissioner.** The commissioner may
2.5 take any of the disciplinary actions listed in subdivision 4 on proof that the individual has:

2.6 (1) intentionally submitted false or misleading information to the commissioner or the
2.7 advisory council;

2.8 (2) failed, within 30 days, to provide information in response to a written request by the
2.9 commissioner or advisory council;

2.10 (3) performed services of a speech-language pathologist ~~or~~, audiologist, or
2.11 speech-language pathology assistant in an incompetent or negligent manner;

2.12 (4) violated sections 148.511 to 148.5198;

2.13 (5) failed to perform services with reasonable judgment, skill, or safety due to the use
2.14 of alcohol or drugs, or other physical or mental impairment;

2.15 (6) violated any state or federal law, rule, or regulation, and the violation is a felony or
2.16 misdemeanor, an essential element of which is dishonesty, or which relates directly or
2.17 indirectly to the practice of speech-language pathology or audiology or to the practice of a
2.18 speech-language pathology assistant. Conviction for violating any state or federal law which
2.19 relates to speech-language pathology ~~or~~, audiology, or to the practice of a speech-language
2.20 pathology assistant is necessarily considered to constitute a violation, except as provided
2.21 in chapter 364;

2.22 (7) aided or abetted another person in violating any provision of sections 148.511 to
2.23 148.5198;

2.24 (8) been or is being disciplined by another jurisdiction, if any of the grounds for the
2.25 discipline is the same or substantially equivalent to those under sections 148.511 to 148.5198;

2.26 (9) not cooperated with the commissioner or advisory council in an investigation
2.27 conducted according to subdivision 1;

2.28 (10) advertised in a manner that is false or misleading;

2.29 (11) engaged in conduct likely to deceive, defraud, or harm the public; or demonstrated
2.30 a willful or careless disregard for the health, welfare, or safety of a client;

3.1 (12) failed to disclose to the consumer any fee splitting or any promise to pay a portion
3.2 of a fee to any other professional other than a fee for services rendered by the other
3.3 professional to the client;

3.4 (13) engaged in abusive or fraudulent billing practices, including violations of federal
3.5 Medicare and Medicaid laws, Food and Drug Administration regulations, or state medical
3.6 assistance laws;

3.7 (14) obtained money, property, or services from a consumer through the use of undue
3.8 influence, high pressure sales tactics, harassment, duress, deception, or fraud;

3.9 (15) performed services for a client who had no possibility of benefiting from the services;

3.10 (16) failed to refer a client for medical evaluation or to other health care professionals
3.11 when appropriate or when a client indicated symptoms associated with diseases that could
3.12 be medically or surgically treated;

3.13 (17) had the certification required by chapter 153A denied, suspended, or revoked
3.14 according to chapter 153A;

3.15 (18) used the term doctor of audiology, doctor of speech-language pathology, AuD, or
3.16 SLPD without having obtained the degree from an institution accredited by the North Central
3.17 Association of Colleges and Secondary Schools, the Council on Academic Accreditation
3.18 in Audiology and Speech-Language Pathology, the United States Department of Education,
3.19 or an equivalent;

3.20 (19) failed to comply with the requirements of section 148.5192 regarding supervision
3.21 of speech-language pathology assistants; or

3.22 (20) if the individual is an audiologist or certified prescription hearing aid dispenser:

3.23 (i) prescribed to a consumer or potential consumer the use of a prescription hearing aid,
3.24 unless the prescription from a physician, an audiologist, or a certified dispenser is in writing,
3.25 is based on an audiogram that is delivered to the consumer or potential consumer when the
3.26 prescription is made, and bears the following information in all capital letters of 12-point
3.27 or larger boldface type: "THIS PRESCRIPTION MAY BE FILLED BY, AND
3.28 PRESCRIPTION HEARING AIDS MAY BE PURCHASED FROM, THE LICENSED
3.29 AUDIOLOGIST OR CERTIFIED DISPENSER OF YOUR CHOICE";

3.30 (ii) failed to give a copy of the audiogram, upon which the prescription is based, to the
3.31 consumer when the consumer requests a copy;

(iii) failed to provide the consumer rights brochure required by section 148.5197, subdivision 3;

(iv) failed to comply with restrictions on sales of prescription hearing aids in sections 148.5197, subdivision 3, and 148.5198;

(v) failed to return a consumer's prescription hearing aid used as a trade-in or for a discount in the price of a new prescription hearing aid when requested by the consumer upon cancellation of the purchase agreement;

(vi) failed to follow Food and Drug Administration or Federal Trade Commission regulations relating to dispensing prescription hearing aids;

(vii) failed to dispense a prescription hearing aid in a competent manner or without appropriate training;

(viii) delegated prescription hearing aid dispensing authority to a person not authorized to dispense a prescription hearing aid under this chapter or chapter 153A;

(ix) failed to comply with the requirements of an employer or supervisor of a prescription hearing aid dispenser trainee;

(x) violated a state or federal court order or judgment, including a conciliation court judgment, relating to the activities of the individual's prescription hearing aid dispensing; or

(xi) failed to include on the audiogram the practitioner's printed name, credential type, credential number, signature, and date.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 24. Minnesota Statutes 2022, section 148.5195, subdivision 5, is amended to read:

Subd. 5. **Consequences of disciplinary actions.** Upon the suspension or revocation of licensure, the speech-language pathologist or audiologist, or speech-language pathology assistant, shall cease to practice speech-language pathology or audiology, or practice as a speech-language pathology assistant, to use titles protected under sections 148.511 to 148.5198, and to represent to the public that the speech-language pathologist or audiologist, or speech-language pathology assistant, is licensed by the commissioner.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 25. Minnesota Statutes 2022, section 148.5195, subdivision 6, is amended to read:

Subd. 6. **Reinstatement requirements after disciplinary action.** A speech-language pathologist or audiologist, or speech-language pathology assistant, who has had licensure suspended may petition on forms provided by the commissioner for reinstatement following the period of suspension specified by the commissioner. The requirements of section 148.5191 for renewing licensure must be met before licensure may be reinstated.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 26. Minnesota Statutes 2023 Supplement, section 148.5196, subdivision 1, is amended to read:

Subdivision 1. **Membership.** The commissioner shall appoint ~~12~~ 13 persons to a Speech-Language Pathologist and Audiologist Advisory Council. The ~~12~~ 13 persons must include:

(1) three public members, as defined in section 214.02. Two of the public members shall be either persons receiving services of a speech-language pathologist or audiologist, or family members of or caregivers to such persons, and at least one of the public members shall be either a hearing aid user or an advocate of one;

(2) three speech-language pathologists licensed under sections 148.511 to 148.5198, one of whom is currently and has been, for the five years immediately preceding the appointment, engaged in the practice of speech-language pathology in Minnesota and each of whom is employed in a different employment setting including, but not limited to, private practice, hospitals, rehabilitation settings, educational settings, and government agencies;

(3) one speech-language pathologist licensed under sections 148.511 to 148.5198, who is currently and has been, for the five years immediately preceding the appointment, employed by a Minnesota public school district or a Minnesota public school district consortium that is authorized by Minnesota Statutes and who is licensed in speech-language pathology by the Professional Educator Licensing and Standards Board;

(4) three audiologists licensed under sections 148.511 to 148.5198, two of whom are currently and have been, for the five years immediately preceding the appointment, engaged in the practice of audiology and the dispensing of prescription hearing aids in Minnesota and each of whom is employed in a different employment setting including, but not limited to, private practice, hospitals, rehabilitation settings, educational settings, industry, and government agencies;

(5) one nonaudiologist prescription hearing aid dispenser recommended by a professional association representing prescription hearing aid dispensers; ~~and~~

(6) one physician licensed under chapter 147 and certified by the American Board of Otolaryngology, Head and Neck Surgery; and

(7) one speech-language pathology assistant licensed under sections 148.511 to 148.5198.

EFFECTIVE DATE. This section is effective July 1, 2025."

Page 19, delete section 24

Page 21, line 12, delete "2024" and insert "2025"

Page 21, delete section 26 and insert:

"Sec. 29. Minnesota Statutes 2023 Supplement, section 245C.031, subdivision 4, is amended to read:

Subd. 4. **Applicants, licensees, and other occupations regulated by the commissioner of health.** The commissioner shall conduct an alternative background study, including a check of state data, and a national criminal history records check of the following individuals. For studies under this section, the following persons shall complete a consent form and criminal history disclosure form:

(1) An applicant for initial licensure, temporary licensure, or relicensure after a lapse in licensure as an audiologist ~~or~~, speech-language pathologist, or speech-language pathologist assistant, or an applicant for initial certification as a hearing instrument dispenser who must submit to a background study under section 144.0572.

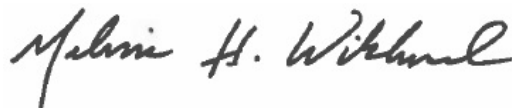
(2) An applicant for a renewal license or certificate as an audiologist, speech-language pathologist, or hearing instrument dispenser who was licensed or obtained a certificate before January 1, 2018.

EFFECTIVE DATE. This section is effective July 1, 2025."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Amendments adopted. Report adopted.



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(Committee Chair)

7.1	March 5, 2024.....
7.2	(Date of Committee recommendation)