

CR 91-119

CERTIFICATE

STATE OF WISCONSIN

DEPARTMENT OF REGULATION AND LICENSING

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Patrick D. Braatz, Director, Bureau of Health Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Hearing and Speech Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Hearing and Speech Examining Board on the 2nd day of March, 1992.

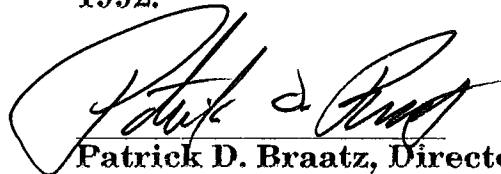
I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 2nd day of March, 1992.

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Patrick D. Braatz, Director  
Bureau of Health Professions  
Department of Regulation and  
Licensing

5-1-92

MAR 8 1992

STATE OF WISCONSIN  
HEARING AND SPEECH EXAMINING BOARD

Advisor of Statutes  
Bureau

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IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	HEARING AND SPEECH EXAMINING BOARD
HEARING AND SPEECH EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 91-119)

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ORDER

An order of the Hearing and Speech Examining Board to create chapter Has 6 of the administrative code relating to the registration and standards of conduct for the practice of speech-language pathologists and audiologists.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutory authority: ss. 227.11 (2) and 459.44, Stats.

Statutes interpreted: ss. 459.40, 459.42 and 459.46, Stats.

In this order the Hearing and Speech Examining Board creates rules relating to the registration of speech-language pathologists and audiologists during the registration phase from December 1, 1990 until June 30, 1993. These rules are the result of changes made in the law by 1989 Wisconsin Act 316 which repeals the hearing aid dealers and fitters examining board and creates the hearing and speech examining board and requires the board to promulgate rules for the registration and standards of conduct for the practice of audiology and speech-language pathology.

During the registration phase from December 1, 1990 until June 30, 1993, the department shall collect data relating to the registration of speech-language pathologists and audiologists, as specified in s. 440.04 (8), Stats. After June 30, 1993, the department shall report the data, and recommendations on whether the licensure of speech-language pathologists and audiologists under subch. II of ch. 459, Stats., is appropriate, to the chief clerk of each house of the legislature for distribution, as specified in s. 13.172 (2), Stats.

These proposed rules develop the application process to be used; the discipline that may be taken by the board during the registration phase; and the code of conduct and ethics that should be followed during the registration phase by those practicing under these rules.

Section Has 6.01 sets forth the statutory authority for the proposed rules. Section Has 6.02 defines the applicable terms used in the practice. Section Has 6.03 specifically outlines the application and fee required for registration.

Section Has 6.04 (1) sets forth the reasons the board may reprimand a registrant, or deny, limit, suspend or revoke a certificate of registration, or assess a forfeiture against a registrant. The grounds include misstatement on the application, misconduct in the practice and false or misleading advertising. Section Has 6.04 (2) expands in detail a list of conduct which, if engaged in, may result in disciplinary action and the imposition of civil forfeitures.

TEXT OF RULE

SECTION 1. Chapter Has 6 is created to read:

Has 6 (title)

REGISTRATION AND STANDARDS OF CONDUCT  
FOR THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY  
AND AUDIOLOGY

Has 6.01 AUTHORITY AND PURPOSE. The rules in this chapter are adopted by the hearing and speech examining board under the authority of ss. 227.11 (2), 459.44 and 459.46, Stats., to govern the registration of speech-language pathologists and audiologists.

NOTE: During the registration phase from December 1, 1990 until June 30, 1993, the department shall collect data relating to the registration of speech-language pathologists and audiologists, as specified in s. 440.04 (8), Stats. After June 30, 1993, the department shall report the data, and recommendations on whether the licensure of speech-language pathologists and audiologists under subch. II of ch. 459, Stats., is appropriate, to the chief clerk of each house of the legislature for distribution, as specified in s. 13.172 (2), Stats.

Has 6.02 DEFINITIONS. As used in this chapter:

- (1) "Audiologist" means an individual engaged in the practice of audiology.
- (2) "Audiology" means applying principles, methods or procedures of prevention, identification, evaluation, consultation, intervention, instruction or research related to hearing, vestibular function, or any abnormal condition related to tinnitus, auditory sensitivity, acuity, function or processing, speech, language or other aberrant behavior resulting from hearing loss.
- (3) "Board" means the hearing and speech examining board.
- (4) "Registrant" means an individual registered under s. 459.46, Stats.
- (5) "Speech-language pathologist" means an individual engaged in the practice of speech-language pathology.
- (6) "Speech-language pathology" means applying principles, methods or procedures of prevention, identification, evaluation, consultation, intervention, instruction or research related to speech, language, cognition or swallowing or any abnormal condition involving speech, articulation, fluency, voice, verbal or written language, auditory comprehension, cognition or communication or oral, pharyngeal or laryngeal sensorimotor competencies.

Has 6.03 APPLICATION FOR REGISTRATION. Every applicant for initial registration as a speech-language pathologist or audiologist shall submit:

- (1) An application on a form provided by the board.

NOTE: Application forms are available upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(2) A \$50 registration fee.

NOTE: This chapter applies during the period beginning on December 1, 1990, and ending on June 30, 1993, as specified in s. 459.42, Stats.

(3) Subject to ss. 111.321, 111.322 and 111.335, Stats., evidence satisfactory to the board that the applicant does not have a conviction record.

Has 6.04 STANDARDS OF CONDUCT. (1) The board may reprimand a registrant, or deny, limit, suspend or revoke a certificate of a registrant, or may assess against a registrant a forfeiture of not less than \$100 nor more than \$2,500, if it finds that the registrant has done any of the following:

(a) Made a material misstatement in an application for a certificate.

(b) Engaged in conduct in the practice of speech-language pathology or audiology which evidences a lack of knowledge or ability to apply professional principles or skills, as defined in sub. (2).

(c) Subject to ss. 111.321, 111.322 and 111.335, Stats., been convicted of an offense the circumstances of which substantially relate to the practice of speech-language pathology or audiology.

(d) Advertised in a manner which is false, deceptive or misleading.

(e) Advertised, practiced or attempted to practice under another's name.

(f) Subject to ss. 111.321, 111.322 and 111.34, Stats., practiced speech-language pathology or audiology while the individual's ability to practice was impaired by alcohol or other drugs.

(g) Violated this section or any rule promulgated under this section.

(2) Conduct in the practice of speech-language pathology or audiology which evidences a lack of knowledge or ability to apply professional principles or skills including, but not limited to, the following:

(a) Subject to ss. 111.321, 111.322 and 111.34, Stats., practicing or attempting to practice speech-language pathology or audiology while the individual's ability to practice is impaired by a mental or emotional disorder.

(b) Using the titles "registered speech-language pathologist" or "clinical audiologist" or any designation tending to imply that the person is registered when the person is not a registrant or the person's registration has been suspended or revoked.

(c) Violating the conditions or limitations placed upon a registrant at the time of registration.

(s) Failing to assign credit to persons who have contributed to clinical services, a publication, presentation or product in proportion to their contribution.

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated March 2, 1992

Agency Meredy Hase  
Chairperson  
Hearing and Speech Examining Board

RULES-354  
11/8/91

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**CORRESPONDENCE/MEMORANDUM**

**STATE OF WISCONSIN**

**DATE:** March 3, 1992

**TO:** Gary Poulson  
Assistant Revisor of Statutes

**FROM:** Pamela Haack, Administrative Assistant  
Department of Regulation and Licensing

**SUBJECT:** Final Rulemaking Order

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**Agency: HEARING AND SPEECH EXAMINING BOARD**

**Clearinghouse Rule: 91-119**

Attached is a copy and a certified copy of a final order adopting rules.

Would you please publish these rules in the code.

Thank you.