

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1465

THE ILLINOIS SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY PRACTICE ACT

Section

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AUTHORITY: Implementing the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Emergency rules adopted at 13 Ill. Reg. 1616, effective January 20, 1989, for a maximum of 150 days; emergency expired June 19, 1989; adopted at 13 Ill. Reg. 13882, effective August 22, 1989; amended at 18 Ill. Reg. 12794, effective August 4, 1994; amended at 19 Ill. Reg. 11477, effective July 28, 1995; emergency amendment at 21 Ill. Reg. 11785, effective August 7, 1997, for a maximum of 150 days; emergency expired January 3, 1998; amended at 22 Ill. Reg. 3879, effective February 5, 1998; amended at 22 Ill. Reg. 21978, effective December 1, 1998; amended at 27 Ill. Reg. 15530, effective September 19, 2003; amended at 28 Ill. Reg. 14437, effective October 20, 2004; amended at 35 Ill. Reg. _____, effective _____.

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Section 1465.20 Approved Programs

- a) The Department of Financial and Professional Regulation-Division of Professional Regulation (~~Division~~~~the Department~~) shall approve a speech-language pathology or audiology program if it meets the following minimum criteria:
- 1) The institution is legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree.
 - 2) The institution has a faculty that consists of a sufficient number of full-time instructors to ensure educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their areas of teaching from professional colleges or institutions.
 - 3) The program director must be trained and hold a master's or doctoral degree in speech-language pathology, in audiology or in speech and hearing science.
 - 4) The institution has an integrated curriculum plan that includes at least the following subject areas in professional education (60 semester hours required):
 - A) Basic Communication Processes
 - i) Anatomic and physiological bases
 - ii) Physical bases and processes of the production and perception of speech, language and hearing
 - iii) Linguistic and psycholinguistic variables related to normal development and use of speech, language and hearing
 - B) Speech-Language Pathology/Audiology
 - i) Speech and language disorders
 - ii) Audiology

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- iii) Auditory and vestibular pathology
 - iv) Auditory and vestibular habilitation/rehabilitation
- 5) The institution has a clinical practicum that provides speech-language pathology students with 375 350-hours of clinical experience supervised by a licensed speech-language pathologist or a minimum of 1500 hours clinical practicum supervised by an audiologist or a person who is ASHA certified or certified in audiology by the American Board of Audiology. The experience shall take place in at least 2 clinical settings (i.e., academic program, school setting, medical facility, community clinics).
- b) The ~~Division~~Department shall approve a speech-language pathology assistant program if it meets the following minimum criteria:
- 1) The institution is legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree.
 - 2) The institution has a faculty that consists of a sufficient number of full-time instructors to ensure educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their areas of teaching from professional colleges or institutions.
 - 3) The program director must be trained and hold a master's or doctoral degree in speech-language pathology, in audiology or in speech and hearing science.
 - 4) The institution has an integrated curriculum plan that includes at least the following:
 - A) 2436 semester credit hours or its equivalent in general education;
 - B) 3624 semester credit hours or its equivalent in the following technical content areas:
 - i) an overview of normal processes of communication as relates to hearing, speech and language;

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- ii) an overview of communication disorders as relates to hearing, speech and language;
 - iii) instruction in speech-language pathology assistant-level service delivery practices, including basic audiometric screening;
 - iv) instruction in workplace behaviors to minimally include ethics, standards of employee conduct and speech-language pathology assistant duty restrictions;
 - v) cultural and linguistic factors in communication;
 - vi) observation; and
- C) 100 hours of supervised field work experience supervised by a licensed speech-language pathologist at least 50% of the time when the student is engaged in contact with the patient or client.
- c) ~~In determining whether a speech language pathology assistant program should be approved, the Department shall take into consideration, but not be bound by, accreditation or approval by the American Speech Language Hearing Association.~~ ~~d) The Division Department~~ has determined that all speech-language pathology and audiology master's and doctoral degree programs accredited or approved by the Council on Academic Accreditation in Audiology and Speech-Language Pathology as of January 1, ~~2008~~ ~~2003~~ meet the minimum criteria set forth in this Section and are, therefore, approved.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.30 Professional Experience

To meet the requirements of professional experience for licensure as a speech-language pathologist or audiologist as set forth in Section (8)(f) of the Act, the applicant's experience:

- a) Shall be an equivalent of 9 months of full-time, supervised professional experience:
 - 1) 30 hours or more per week over 9 months;

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- 2) 25-29 hours per week over 12 months;
 - 3) 20-24 hours per week over 15 months;
 - 4) 15-19 hours per week over 18 months;
 - 5) Less than 15 hours per week will not fulfill professional experience requirements;
- b) Shall include direct client contact in at least 36 supervised activities, including but not limited to assessment/diagnosis/evaluation, screening, habilitation/rehabilitation and activities related to client management as it pertains to the practice of speech-language pathology or audiology as defined in Section 3 of the Act;
- 1) At least 18 of the 36 activities shall be on-site observations by the supervisor. One hour equals one on-site observation; no more than 6 hours can be accrued in one day.
 - 2) The other supervised activities may be accomplished through correspondence and include conferences, evaluation of written reports or evaluations by professional colleagues;
- c) Shall be part of an evaluation and therapy program located in a school, clinic, hospital, community hospital or other equivalent settings (e.g., nursing homes);
- d) Shall be supervised by a licensed speech-language pathologist or licensed audiologist. For persons who obtain supervised experience in states or territories of the United States where licensure is not required, the supervisor may be a person who holds certification from the American Speech-Language-Hearing Association or the American Board of Audiology. The supervisor shall be responsible for direct and personal contact, and for monitoring, improving, evaluating and documenting the performance of the individual who is under his/her supervision; and
- e) Shall begin after completion of the course work and clinical practicum education to meet the requirements for the master's or doctoral degree. In lieu of meeting the requirements set forth in subsections (a) through (d), the ~~Division~~ Department shall accept a Certificate of Clinical Competence from the American Speech-Language-Hearing Association or certification from the American Board of

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Audiology that the applicant has completed the Clinical Fellowship required for certification as a speech-language pathologist or audiologist.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.35 Supervision

- a) Pursuant to Section 3.5(a) of the Act, supervision of students in speech-language pathology and audiology programs means that the supervisor is on-site (but not necessarily in the same room as the student) whenever the student is performing practices normally done by a licensed speech-language pathologist or audiologist. Supervision of students requires that direct supervision must be done no less than 25% of the time for treatment and 25% of the time for diagnostics. The supervisor is directly responsible to the client for all actions of that student. For purposes of this Part, direct supervision means on site, in view of the supervisor. This Part does not apply to students in speech-language pathology assistant programs.
- b) If a person has completed the academic and practicum work for a master's or doctoral degree in speech-language pathology ~~or audiology~~ and the individual is in the process of completing the equivalent of 9 months of supervised professional experience for his/her initial license, or the individual has finished that experience and is waiting for his/her application for licensure to be processed, supervision shall meet the requirements set forth in Section 1465.30.
- c) Pursuant to Section 8.8 of the Act, a speech-language pathology assistant shall:
 - 1) Practice only under the supervision of a licensed speech-language pathologist who has at least 2 years experience in addition to the supervised professional experience required under Section 8(f) of the Act. A speech-language pathologist who supervises a speech-language pathology assistant must have completed at least 10 clock hours of training in the supervision of speech-language pathology assistants.
 - A) The supervision training requirement shall be satisfied by completion of 10 hours of continuing education as defined in Section 1465.85(b).
 - B) Documentation of prior supervisory experience may be submitted to the Board of Speech-Language Pathology and Audiology

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(Board) with a request for its acceptance in lieu of the supervision training requirement. The Board retains the discretion to approve or deny the request.

- 2) Be under the direct supervision of a licensed speech-language pathologist at least 30% of the speech-language pathology assistant's actual patient or client contact time per patient or client on a weekly basis during the first 90 days of initial employment as a speech-language pathology assistant. Thereafter, a speech-language pathology assistant must be under the direct supervision of a licensed speech-language pathologist at least 20% of the speech-language pathology assistant's actual patient or client contact time per patient or client on a weekly basis. Supervision of a speech-language pathology assistant beyond the minimum requirements of this subsection (c)(2) may be imposed at the discretion of the supervising speech-language pathologist. A supervising speech-language pathologist must be available to communicate with a speech-language pathology assistant whenever the assistant is in contact with a patient or client.
 - A) A speech-language pathologist who supervises a speech-language pathology assistant must document direct supervision activities. At a minimum, supervision documentation must provide:
 - i) information regarding the quality of the speech-language pathology assistant's performance of assigned duties; and
 - ii) verification that clinical activity is limited to duties specified in Section 8.7 of the Act.
 - B) A full-time speech-language pathologist may supervise no more than 2 speech-language pathology assistants. A speech-language pathologist who does not work full-time may supervise no more than one speech-language pathology assistant.
- 3) For purposes of this subsection (c), "direct supervision" means on-site, in-view observation and guidance by a speech-language pathologist while an assigned activity is performed by the speech-language pathology assistant.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.40 Application for Licensure

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- a) Each applicant for a speech-language pathology or audiology license shall file an application with the Department of Financial and Professional Regulation-Division of Professional Regulation (Division), on forms provided by the Division. The application shall include:
- 1) Certification, on forms provided by the Division, of a master's or doctoral degree from a program approved by the Division in accordance with Section 1465.20(a);
 - 2) Passage of the PRAXIS examination set forth in Section 1465.50 or certification from the American Speech-Language-Hearing Association or from the American Board of Audiology pursuant to Section 8(e) of the Act. Exam scores shall be submitted directly to the Division from the testing service;
 - 3) Certification, on forms provided by the Division, of completion of the equivalent of 9 months of full-time supervised professional experience as set forth in Section 1465.30 of this Part;
 - 4) ~~A complete work history since completion of a master's or doctoral degree program; and~~5) The required fee as set forth in Section 1465.75 of this Part.
- b) The Division, upon recommendation of the Board, will accept a Certificate of Clinical Competence in Speech-Language Pathology or Audiology awarded by the American Speech-Language-Hearing Association's Clinical Certification Board or certification in audiology from the American Board of Audiology, in lieu of the documents required in subsections (a)(2) and (3).
- c) Each applicant for a speech-language pathology assistant license shall file an application with the Division on forms provided by the Division. The application shall include:
- 1) Certification, on forms provided by the Division, of completion of an associate's degree from a speech-language pathology assistant program approved by the Division in accordance with Section 1465.20(b);
 - 2) ~~A complete work history since completion of an associate's degree program; and~~3) The required fee as set forth in Section 1465.75 of this

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- d) ~~Until January 1, 2004, the Division, upon recommendation of the Board, will accept an application for license as a speech language pathology assistant by a person holding a bachelor's degree in communication disorders who was employed to assist a speech language pathologist on January 1, 2002. The application shall include:~~
- 1) ~~Certification, on forms provided by the Division, of completion of a bachelor's degree in speech language pathology.~~
 - 2) ~~A complete work history since completion of the bachelor's degree program.~~
 - 3) ~~Verification of employment as a bachelor's level speech language pathology assistant on January 1, 2002.~~
 - 4) ~~The required fee as set forth in Section 1465.75 of this Part.~~

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.41 Temporary License

On or after ~~July 1, 2005~~ ~~January 1, 2004~~, an applicant pursuing licensure as a speech language pathologist shall obtain a temporary license prior to beginning the supervised professional experience as specified in Section 1465.30. The application shall include:

- a) Certification, on forms provided by the Division, of a master's or doctoral degree from a program approved by the Division in accordance with Section 1465.20(a);
- b) Passage of the PRAXIS examination set forth in Section 1465.50 or certification from the American Speech-Language-Hearing Association pursuant to Section 8(e) of the Act. Exam scores shall be submitted directly to the Division from the testing service;
- c) ~~A complete work history since completion of a master's or doctoral degree program;~~ d) Certification on forms provided by the Division demonstrating that a licensed speech-language pathologist has agreed to supervise the professional experience of the applicant; and

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- d)e) The required fee set forth in Section 1465.75 of this Part.
- e) The temporary license may be renewed one time only for a 12 month period in the following situations:
- 1) Serving full-time in the Armed Forces;
 - 2) An incapacitating illness documented by a currently licensed physician; or
 - 3) Any other similar extenuating circumstances.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.45 Jurisdiction

Any individual who holds a speech-language pathology assistant license issued by the Division ~~Department~~ must abide by the Speech-Language Pathology and Audiology Practice Act and this Part regardless of employment setting.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.60 Endorsement

- a) An applicant for a license as a speech-language pathologist or audiologist who is licensed under the laws of another state or territory of the United States shall file an application with the Division, on forms provided by the Division, that includes:
- 1) Certification, on forms provided by the Division, of a master's or doctoral degree from a program approved by the Division in accordance with Section 1465.20;
 - 2) Certification, on forms provided by the Division, of completion of the equivalent of 9 months of full-time supervised professional experience as set forth in Section 1465.30 of this Part;
 - 3) Proof of successful completion of the examination set forth in Section 1465.50 of this Part;
 - 4) The Division, upon recommendation of the Board, will accept a Certificate of Clinical Competence in Speech-Language Pathology or Audiology

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awarded by the American Speech-Language-Hearing Association's Clinical Certification Board or certification in audiology from the American Board of Audiology, in lieu of the documents required in subsections (a)(2) and (3);

- 5) Certification, on forms provided by the Division, from the state or territory of the United States in which the applicant was originally licensed and any state in which the applicant is currently licensed, stating:
 - A) The time during which the applicant was licensed; and
 - B) Whether the file of the applicant contains any record of any disciplinary actions taken or pending;
 - 6) ~~A complete work history since completion of a master's or doctoral degree program; and~~7) The required fee as set forth in Section 1465.75 of this Part.
- b) The Division may require additional information to determine if the requirements in the state or territory of original licensure were substantially equivalent to the requirements then in effect in Illinois at the time of original licensure or to determine whether the requirements of another state or territory together with education and professional experience qualifications of the applicant are substantially equivalent to the requirements in Illinois at the time of application. The Division, upon recommendation of the Board, shall determine substantial equivalency based on, but not limited to, certification in speech-language pathology or audiology from the American Speech-Language-Hearing Association or certification in audiology from the American Board of Audiology; education, training, and experience, including, but not limited to, whether he/she has achieved special honors or awards, has had articles published in professional journals, has written textbooks relating to speech-language-hearing; and any other attribute the Director of the Department of Financial and Professional Regulation-Division of Professional Regulation with the authority delegated by the Secretary (Director) accepts as evidence that the applicant has outstanding and proven ability in speech-language-hearing. The Division shall either issue a license by endorsement to the applicant or notify him/her of the reasons for the denial of the application.
 - c) A person licensed as a speech-language pathologist or audiologist under the laws of another state, who has made application to the Division for a license to

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practice, may practice speech-language pathology or audiology without a license for 90 days from the date of application or until disposition of the license application by the Division, whichever is sooner. The person must hold a Certificate of Clinical Competence from the American Speech-Language-Hearing Association in speech-language pathology or audiology or, in the case of an audiologist, a certificate from the American Board of Audiology. In order to qualify under this subsection, there shall be no discipline or pending discipline against the applicant from the state or territory of the United States in which the applicant was originally licensed or any state in which the applicant is currently licensed.

d) Application

1) An applicant for a license as a speech-language pathology assistant who is licensed under the laws of another state or territory of the United States shall file an application with the Division, on forms provided by the Division, that includes:

A)1) Certification, on forms provided by the Division, of completion of an associate's degree from a speech-language pathology assistant program approved by the Division in accordance with Section 1465.20(b);

B)2) ~~A complete work history since completion of an associate's degree program;~~³⁾The required fee set forth in Section 1465.75 of this Part; and

C)4) Certification, on forms provided by the Division, from the state or territory of the United States in which the applicant was originally licensed and any state in which the applicant is currently licensed, stating:

i)A) The time during which the applicant was licensed; and

ii)B) Whether the file of the applicant contains any record of any disciplinary actions taken or pending.

2) The Division may require additional information to determine if the requirements in the state or territory of original licensure were substantially equivalent to the requirements then in effect in Illinois at the

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time of original licensure or to determine whether the requirements of another state or territory, together with education and professional experience qualifications of the applicant, are substantially equivalent to the requirements in Illinois at the time of application. The Division shall either issue a license by endorsement to the applicant or notify him/her of the reasons for the denial of the application.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.70 Renewal

- a) Every license issued under the Act shall expire on October 31 of odd numbered years. The holder of a license may renew the license during the month preceding the expiration date by paying the required fee. In order to renew a license, a speech-language pathology or audiology licensee will be required to complete 20 hours of continuing education in accordance with Section 1465.85. Beginning with the October 31, 2007 renewal, in order to renew a speech-language pathology assistant license, a licensee will be required to complete 10 hours of continuing education in accordance with Section 1465.85.
- b) It is the responsibility of each licensee to notify the ~~Division~~Department of any change of address. Failure to receive a renewal form from the ~~Division~~Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.75 Fees

The following fees shall be paid to the Division and are not refundable:

- a) Application Fees:
 - 1) The fee for application for initial speech-language pathologist or audiologist license by examination is \$90. ~~In addition, applicants for any examination shall be required to pay, either to the Division or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and~~

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~~acknowledged by the Division or the designated testing service, shall result in the forfeiture of the examination fee.~~

- 2) The fee for application as a speech-language pathology assistant is \$45.
 - 3) The fee for application for a person licensed as a speech-language pathologist or audiologist under the laws of another state or territory of the United States or of a foreign country or province is \$100.
 - 4) The fee for a temporary license as a speech-language pathologist is \$75.
- b) Renewal Fees-
- 1) The fee for the renewal of a speech-language pathologist or audiologist license shall be calculated at the rate of \$50 per year. In addition to the renewal fee, an audiologist shall, at renewal, pay a Hearing Instrument Consumer Protection Fee of \$45 as provided in Section 14(b-5) of the Act.
 - 2) The fee for the renewal of a speech-language pathology assistant license shall be calculated at the rate of \$25 per year.
 - 3) The fee for the renewal of a temporary license as a speech-language pathologist shall be \$50.
- c) General Fees-
- 1) The fee for the restoration of a license other than from inactive status is ~~\$50~~\$20 plus payment of all lapsed renewal fees.
 - 2) The fee for the issuance of a duplicate license, for the issuance of a replacement license, for a license that has been lost or destroyed or for the issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on Division records when no duplicate license is issued.
 - 3) The fee for a certification of a licensee's record for any purpose is \$20.
 - 4) ~~The fee for rescoring an examination shall be the cost to the Division of rescoring the examination, plus any fees charged by the applicable testing service to have the examination rescored.~~5) The fee for a wall certificate

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showing licensure shall be the actual cost of producing the certificate.

- 5)6) The fee for a roster of persons licensed as speech-language pathologists or audiologists in this State shall be the actual cost of producing the roster.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.80 Restoration

- a) A person seeking restoration of a license that has expired for 5 years or less shall have the license restored upon payment of the fees pursuant to Section 1465.75 of this Part. In order to restore a speech-language pathology or audiology license, a licensee will be required to complete 20 hours of continuing education in accordance with Section 1465.85. In order to restore a speech-language pathology assistant license, a licensee will be required to complete 10 hours of continuing education in accordance with Section 1465.85.
- b) A person seeking restoration of a license that has been placed on inactive status for 5 years or less shall have the license restored upon payment of the fee pursuant to Section 1465.75 of this Part. In order to restore a speech-language pathology or audiology license, a licensee will be required to complete 20 hours of continuing education in accordance with Section 1465.85. In order to restore a speech-language pathology assistant license, a licensee will be required to complete 10 hours of continuing education in accordance with Section 1465.85.
- c) A person seeking restoration of a speech-language pathology or audiology license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms supplied by the ~~Division~~Department, together with the fee required by Section 1465.75 of this Part and be scheduled for an interview before the Board. In order to restore a license, a licensee will be required to complete 20 hours of continuing education in accordance with Section 1465.85. The person shall also submit either:
 - 1) Sworn evidence of active practice in another United States jurisdiction. The evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the registrant was authorized to practice during the term of said active practice; or
 - 2) An affidavit attesting to military service as provided in Section 11(f) of the Act; or

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- 3) Proof of successful completion of the PRAXIS~~NESPA~~ examination in accordance with Section 1465.50 of this Part within one year prior to application for restoration of a speech-language pathology or audiology license.

- d) A person seeking restoration of a speech-language pathology assistant license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms supplied by the Division~~Department~~, together with the fee required by Section 1465.75 of this Part and be scheduled for an interview before the Board. In order to restore a license, a licensee will be required to complete 10 hours of continuing education in accordance with Section 1465.85. The person shall also submit either:
 - 1) Sworn evidence of active employment as a speech-language pathology assistant in another United States jurisdiction. The evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the registrant was authorized to be employed during the term of active employment as a speech-language pathology assistant; or
 - 2) An affidavit attesting to military service as provided in Section 11(f) of the Act.

- e) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Division~~Department~~ because of lack of information, discrepancies or conflicts in information given or a need for clarification, the person seeking restoration of a license shall be required to:
 - 1) Provide information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon recommendation of the Board and approval by the Division~~Department~~, an applicant shall have the license restored.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.85 Continuing Education

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- a) Continuing Education Hours Requirements
- 1) ~~In Beginning with the October 31, 2001 renewal and every renewal thereafter, in order to renew a speech-language pathology or audiology license, a licensee will be required to complete 20 hours of continuing education in accordance with this Section. In Beginning with the October 31, 2007 renewal and every renewal thereafter, in order to renew a speech-language pathology assistant license, a licensee will be required to complete 10 hours of continuing education in accordance with this Section.~~
 - 2) A prerenewal period is the 24 months preceding October 31 of each odd-numbered year.
 - 3) CE requirements shall be the same for licensed speech-language pathologists and licensed audiologists. Individuals who hold a license as a speech pathologist and as an audiologist will be required to complete 20 hours of continuing education for each license held. ~~An audiologist who has met the continuing education requirements of the Hearing Instrument Consumer Protection Act during the prerenewal period shall be deemed to have met the continuing education requirements for renewal of the audiologist license.~~
 - 4) One CE hour shall equal one clock hour of attendance. After completion of the initial CE hour, credit may be given in one-half hour increments.
 - 5) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois license.
 - 6) Speech-language pathologists and audiologists licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
- b) Approved Continuing Education (CE)
- 1) CE hours shall be earned by verified attendance (e.g., certificate of attendance or certificate of completion) at, or participation in, a program or course ("program") that is offered or sponsored by an approved continuing education sponsor who meets the requirements set forth in

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subsection (c), except for those activities provided in subsections (b)(2), (3) and (4).

- 2) CE credits may be earned for completion of a distance learning~~correspondence~~ course that is offered by an approved sponsor who meets the requirements set forth in subsection (c). Each distance learning~~correspondence~~ course shall include an examination.
 - 3) CE credit may be earned through postgraduate training programs in speech-language pathology or audiology (e.g., extern, residency or fellowship programs) or completion of speech-language pathology or audiology related courses that are a part of the curriculum of a college, university or graduate school. Courses that are part of the curriculum of a university, college or other educational institution shall be allotted CE credit at the rate of 15 CE hours for each semester hour or 10 CE hours for each quarter hour of school credit awarded.
 - 4) CE credit may be earned for authoring papers, publications, dissertations or books and for preparing presentations and exhibits in the field of speech-language pathology and audiology. The preparation of each published paper, book chapter or professional presentation dealing with speech-language pathology or audiology may be claimed for a maximum of 5 hours of CE credit. A presentation must be before an audience of speech-language pathologists, audiologists or related professionals. Five credit hours may be claimed for only the first time the information is published or presented.
- c) Approved CE Sponsors and Programs
- 1) Sponsor, as used in this Section, shall mean:
 - A) American Speech-Language-Hearing Association and its affiliates;
 - B) American Academy of Audiology and its affiliates;
 - C) Illinois Speech-Language-Hearing Association and its affiliates.
 - D) Illinois Academy of Audiology and its affiliates;

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- E) Any other accredited college or university, State agency, or any other person, firm, or association that has been approved and authorized by the ~~Division~~ Department in accordance with subsection (c)(2) to coordinate and present continuing education courses and programs in conjunction with this Section.

- 2) An entity, not listed in subsection (c)(1), seeking approval as a CE sponsor shall submit an application, on forms supplied by the ~~Division~~ Department, along with a \$500 application fee. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee.) The application shall include:
 - A) Certification:
 - i) That all programs offered by the sponsor for CE credit shall comply with the criteria in subsection (c)(3) and all other criteria in this Section;
 - ii) That the sponsor shall be responsible for verifying full-time continuous attendance at each program and shall provide a certificate of attendance as set forth in subsection (c)(9);
 - iii) That, upon request by the ~~Division~~ Department, the sponsor shall submit evidence (e.g., certificate of attendance or course material) as is necessary to establish compliance with this Section. Evidence shall be required when the ~~Division~~ Department has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance;
 - iv) That each sponsor shall submit to the ~~Division~~ Department written notice of program offerings, including program offerings of subcontractors, 30 days prior to course dates. Notice shall include the description, location, date and time of the program to be offered;
 - B) A copy of a sample program with faculty, course materials and syllabi.

- 3) All programs shall:

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- A) Contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the licensee in the practice of speech-language pathology or audiology;
 - B) Foster the enhancement of general or specialized speech-language pathology or audiology practice and values;
 - C) Be developed and presented by persons with education and/or experience in the subject matter of the program;
 - D) Specify the course objectives, course content and teaching methods to be used; and
 - E) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal.
- 4) Each CE program shall provide a mechanism for evaluation of the program and instructor by the participants. The evaluation may be completed on-site immediately following the program presentation or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.
- 5) An approved sponsor may subcontract with individuals and organizations to provide approved programs. All advertising, promotional materials, and certificates of attendance must identify the approved sponsor. The presenter of the program may also be identified, but should be identified as a presenter. When an approved sponsor subcontracts with a presenter, the approved sponsor retains all responsibility for monitoring attendance, providing certificates of attendance and ensuring the program meets all of the criteria established by the Act and this Part, including the maintenance of records.
- 6) All programs given by approved sponsors shall be open to all licensed speech-language pathologists, licensed audiologists and licensed speech-language pathology assistants and not be limited to members of a single organization or group.

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- 7) To maintain approval as a sponsor, each shall submit to the Division~~Department~~ by October 31 of each odd-numbered year a renewal application, a \$250 fee and a list of courses and programs offered within the last 24 months. The list shall include a brief description, location, date and time of each course given by the sponsor and by any subcontractor.
- 8) Certification of Attendance. It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:
 - A) The name, address and license number, if applicable, of the sponsor;
 - B) The name and address of the participant;
 - C) A brief statement of the subject matter;
 - D) The number of hours attended in each program;
 - E) The date and place of the program; and
 - F) The signature of the sponsor.
- 9) The sponsor shall maintain attendance records for not less than 5 years.
- 10) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.
- 11) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Division~~Department~~, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the Division~~Department~~ receives assurances of compliance with this Section.
- 12) Notwithstanding any other provision of this Section, the Division~~Department~~ or Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with requirements of this Section.

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- d) Certification of Compliance with CE Requirements
- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsections (a) and (b).
 - 2) The ~~Division~~Department may require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of attendance). This additional evidence shall be required in the context of the ~~Division's~~Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.
 - 3) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].
- e) Continuing Education Earned in Other Jurisdictions
- 1) If a licensee has earned CE hours offered in another jurisdiction not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a \$25 processing fee, prior to participation in the program or 90 days prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.
 - 2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the \$25 processing fee plus a \$10 per hour late fee not to exceed \$150. The Board shall review and recommend approval and disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.
- f) Waiver of CE Requirements
- 1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the ~~Division~~Department a renewal application along with the required fee set forth in Section 1465.75 of this Part, a statement setting forth the facts

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concerning non-compliance and request for waiver of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the ~~Division~~Department, upon the written recommendation of the Board, finds from the affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the ~~Division~~Department shall waive enforcement of CE requirements for the renewal period for which the applicant has applied.

- 2) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
 - A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;
 - B) An incapacitating illness documented by a statement from a currently licensed physician;
 - C) Any other similar extenuating circumstances.
- 3) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section, shall be deemed to be in good standing until the final decision on the application is made by the ~~Division~~Department.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.90 Granting Variances

- a) The Director of the ~~Department~~ may grant variances from this Part~~these rules~~ in individual cases when~~where~~ he/she finds that:
 - 1) The provision from which the variance is granted is not statutorily mandated;
 - 2) No party will be injured by the granting of the variance; and
 - 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

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- b) The Director shall notify the Board of ~~Speech Language Pathology and Audiology~~ of the granting of ~~these~~ variance, and the reasons for granting the variance ~~therefor~~, at the next meeting of the Board.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1465.95 Professional Conduct Standards

The ~~Division~~Department may suspend or revoke a license, refuse to issue or renew a license or take other disciplinary action based upon its finding of "unethical, unauthorized, or unprofessional conduct" within the meaning of Section 16 of the Act, which is interpreted to include, but is not limited to, the following acts or practices:

- a) Practicing, condoning, facilitating, or otherwise being involved in, any form of discrimination. The licensee should act to prevent and eliminate discrimination against any person or group on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, political belief, mental or physical handicap, or any other preference or personal characteristic, condition or status;
- b) Engaging in any action that violates or diminishes the civil or legal rights of clients;
- c) Engaging in the sexual exploitation of clients, students or supervisees;
- d) Engaging in or condoning sexual harassment, which is defined as unwelcome deliberate or repeated comments, gestures or physical contacts of a sexual nature;
- e) Failing to offer all pertinent facts regarding services rendered to the client prior to administration of professional services. The purpose of informed consent is to insure a client's complete access to information pertaining to professional services. Examples include, but are not limited to, fees for services, length of treatment and utilization of consultants. The client's signature indicating receipt of pertinent information is strongly encouraged;
- f) Failing to take appropriate steps to protect the privacy of a client and avoid unnecessary disclosures of confidential information;
- g) Performing, or pretending to be able to perform, professional services beyond one's scope of practice and one's competency;

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- h) Failing to inform clients of the use of all experimental methods of treatment; safety precautions shall be adhered to by the licensee;
- i) Failing to establish and maintain client records;
- j) Deceptive, misleading or false representation. Licensees must assert and imply only credentials possessed and are responsible for correcting any misrepresentations of their credentials by others. Credentials include highest relevant degrees, accreditation of graduate programs, national voluntary certifications, government-issued certifications or licenses, professional membership, or any other credential that might indicate to the public specialized knowledge or expertise in speech-language pathology or audiology;
- k) Submission of fraudulent claims for services to any person or entity including, but not limited to, health insurance companies or health service plans or third party payors;
- l) Knowingly providing services to a client when the licensee's ability to practice is impaired. Causes of impairment may include, but are not limited to, the abuse of mood altering chemicals and physical or mental problems;
- m) Permitting a student or supervisee under his/her supervision or control to perform, or permitting the student or supervisee to hold himself or herself out as competent to perform, services beyond the trainee's, intern's, or assistant's level of education, training and/or experience;
- n) Allowing the student or supervisee to violate the rights of clients, permitting a trainee to violate confidentiality standards or failing to ensure that the client is informed that he/she is being treated by a student or supervisee;
- o) Failing to inform prospective research subjects or their authorized representative fully of potential serious after effects of the research or failing to remove the after effects as soon as the design of the research permits;
- p) The ~~Division~~ Department hereby incorporates by reference the "Code of Ethics" of the American Speech-Language-Hearing Association (~~20102003~~), 2200 Research Boulevard~~10801 Rockville Pike~~, Rockville, Maryland ~~2085020852~~, and the "Code of Ethics" of the American Academy of Audiology (~~20092003~~), 11730 Plaza American Dr., Suite 300, Reston, Virginia 20190, with no later amendments or editions.

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(Source: Amended at 35 Ill. Reg. _____, effective _____)