

A.C.A. Tit. 17, Subtit. 3, Ch. 100 Note

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Title 17 Professions, Occupations, and Businesses
Subtitle 3. Medical Professions
Chapter 100 Speech-Language Pathologists and Audiologists

A.C.A. Tit. 17, Subtit. 3, Ch. 100 Note (2017)

Tit. 17, Subtit. 3, Ch. 100 Note

A.C.A. Tit. 17, Subtit. 3, Ch. 100, Subch. 1 Note

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Title 17 Professions, Occupations, and Businesses
Subtitle 3. Medical Professions
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Subchapter 1 -- General Provisions

A.C.A. Tit. 17, Subtit. 3, Ch. 100, Subch. 1 Note (2017)

Tit. 17, Subtit. 3, Ch. 100, Subch. 1 Note

A.C.A. § 17-100-101

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A.C.A. § 17-100-101 (2017)

17-100-101. Short title.

This chapter may be cited as the "Licensure Act of Speech-Language Pathologists and Audiologists".

HISTORY: Acts 1975, No. 277, § 1; A.S.A. 1947, § 72-1801; Acts 1993, No. 121, § 1.

A.C.A. § 17-100-102

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A.C.A. § 17-100-102 (2017)

17-100-102. Public policy.

It is declared to be a policy of the State of Arkansas that, in order to safeguard the public health, safety, and welfare; to protect the public from being misled by incompetent, unscrupulous, and unauthorized persons and from unprofessional conduct on the part of qualified speech-language pathologists and audiologists; and to help to assure the availability of the highest possible quality speech-language pathology and audiology services to the communicatively handicapped people of this state, it is necessary to provide regulatory authority over persons offering speech-language pathology and audiology services to the public.

HISTORY: Acts 1975, No. 277, § 2; A.S.A. 1947, § 72-1802; Acts 1993, No. 121, § 2.

A.C.A. § 17-100-103

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A.C.A. § 17-100-103 (2017)

17-100-103. Definitions.

As used in this chapter:

(1) "Audiologist" means an individual who practices audiology by any title or description of services incorporating the words "audiologist", "hearing clinician", "hearing therapist", or any similar title or description of services;

(2) "Audiology" means the application of principles, methods, and procedures of measurement, testing, evaluation, prediction, consultation, counseling, instruction, habilitation, or rehabilitation related to hearing and balance disorders of the auditory system for the purpose of evaluating, identifying, preventing, ameliorating, or modifying such disorders and conditions in individuals and groups of individuals;

(3) "Person" means any individual, organization, or corporate body, except that only an individual may be licensed under this chapter;

(4) "Speech-language pathologist" means an individual who practices speech-language pathology by any title or description of services incorporating the words "speech-language pathologist", "speech therapist", "speech correctionist", "speech clinician", "language pathologist", "language therapist", "logopedist", "communicologist", "voice therapist", "voice pathologist", or any similar title or description of service;

(5) "Speech-language pathology" means the application of principles, methods, and procedures for the measurement, testing, evaluation, prediction, counseling, instruction, habilitation, or rehabilitation related to the development and disorders of speech, voice, or language, and dysphagia for the purpose of evaluating, preventing, ameliorating, or modifying such disorders and

conditions in individuals and groups of individuals;

(6) "Speech-language pathology support personnel" or any variation, synonym, or coinage of the term means an individual who holds a bachelor's degree in speech pathology or an individual who meets minimum qualifications established by the Board of Examiners in Speech-Language Pathology and Audiology, which are less than those established by this chapter as necessary for licensing as a speech-language pathologist, and who provides services as prescribed, directed, and supervised by a speech-language pathologist licensed under this chapter;

(7) "Telepractice" means telespeech, teleaudiology, teleSLP, telehealth, or telerehabilitation when used separately or together; and

(8) "Telepractice service" means the application of telecommunication technology equivalent in quality to services delivered face-to-face to deliver speech-language pathology or audiology services, or both, at a distance for assessment, intervention or consultation, or both.

HISTORY: Acts 1975, No. 277, § 7; A.S.A. 1947, § 72-1807; Acts 1993, No. 121, § 3; 1995, No. 826, § 1; 2013, No. 219, § 1.

A.C.A. § 17-100-104

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A.C.A. § 17-100-104 (2017)

17-100-104. Exemptions.

Nothing in this chapter shall be construed as preventing or restricting:

(1) A physician or surgeon from engaging in the practice of medicine in this state;

(2) A hearing aid dealer from engaging in the business of fitting and selling hearing aids in this state in accordance with § 17-84-101 et seq.;

(3) Any person licensed in this state by any other law from engaging in the profession or occupation for which he or she is licensed;

(4) (A) A person from performing speech-language pathology or audiology services solely within the confines or under the jurisdiction of a public school system if that person holds a valid and current certificate as a speech therapist or speech-language pathologist issued by the Department of Education.

(B) However, without obtaining a license under this chapter, such a person may consult with or disseminate his or her research findings and other specific information to speech-language pathologists and audiologists outside the jurisdiction of the school district by which he or she is employed. Such a person may also offer lectures to the public for a fee, monetary or other, without being licensed under this chapter.

(C) The person may additionally elect to be subject to this chapter;

(5) The activities and services of persons pursuing a course of study leading to a degree in speech-language pathology or audiology at a college or university, if the activities and services constitute a part of a supervised course of study and if the persons are designated as speech-language pathology interns, speech-language pathology trainees, audiology interns, audiology trainees, or by other such titles clearly indicating the training status appropriate to their level of training;

(6) (A) The performance of speech-language pathology or audiology services in this state by

any person not a resident of this state who is not licensed under this chapter, if the services are performed for no more than five (5) days in any calendar year and in cooperation with a speech-language pathologist or audiologist licensed under this chapter and if the person meets the qualifications and requirements for application for licensure described in § 17-100-302(b).

(B) The performance of speech-language pathology or audiology services in this state by a person not a resident of this state who is not licensed under this chapter, but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by § 17-100-302(b), or who is the holder of the American Speech-Language-Hearing Association certificate of clinical competence in speech-language pathology or audiology or its equivalent, if such services are performed in the state for no more than thirty (30) days in any fiscal year and are performed in cooperation with a speech-language pathologist or audiologist licensed under this chapter;

(7) A person from performing speech-language pathology or audiology services solely within the confines of the person's duties as an employee of the State of Arkansas, provided that the person was an employee of the State of Arkansas on January 1, 1993, and, furthermore, this exemption applies to such state employees who subsequently transfer to another agency of the state; or

(8) (A) A person from performing speech-language pathology services solely within the confines of the person's duties as an employee of any entity licensed or certified as a developmental disability services community provider by the Division of Developmental Disability Services of the Department of Human Services, if that person holds a minimum of a bachelor's degree in speech-language pathology and is supervised by a licensed speech-language pathologist.

(B) The supervision of the bachelor's level personnel shall be in accordance with the rules adopted by the Board of Examiners in Speech-Language Pathology and Audiology.

(C) The board shall adopt rules that set forth the scope and restrictions relating to bachelor's level personnel.

(D) These persons shall be required to comply with state regulations as speech-language pathology support personnel no later than January 1, 1997.

HISTORY: Acts 1975, No. 277, § 9; 1980 (1st Ex. Sess.), No. 44, § 1; A.S.A. 1947, § 72-1809; Acts 1993, No. 121, § 4; 1995, No. 826, § 3; 2013, No. 219, § 2.

A.C.A. § 17-100-105

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A.C.A. § 17-100-105 (2017)

17-100-105. Criminal penalties.

Any person who violates any provision of this chapter shall upon conviction be guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000) or imprisoned in the county jail for a period not exceeding six (6) months, or both.

HISTORY: Acts 1975, No. 277, § 20; A.S.A. 1947, § 72-1820.

A.C.A. § 17-100-106

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A.C.A. § 17-100-106 (2017)

17-100-106. Civil penalties.

(a) Any person who, after notice and hearing, is found by the Board of Examiners in Speech-Language Pathology and Audiology to have violated any provision of this chapter or any rule or regulation of the board may be assessed a civil penalty not to exceed one thousand dollars (\$1,000) for each violation.

(b) The penalty provided for in this section, plus interest at ten percent (10%) per annum, shall be paid to the board before the speech-language pathologist or audiologist can be issued a license to engage in practice in this state.

(c) The board shall have the authority to withhold approval for up to six (6) months of any application for any person who prior to approval of the application has been found in violation of this chapter.

(d) The board shall have the authority to file suit in the Pulaski County Circuit Court or the circuit court of the county in which the person resides to obtain a judgment for the amount of any penalty not paid within thirty (30) days of service on the person of the order assessing the penalty, unless the circuit court enters a stay pursuant to the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

HISTORY: Acts 1993, No. 121, § 5.

A.C.A. § 17-100-107

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A.C.A. § 17-100-107 (2017)

17-100-107. Injunction against unlawful practice.

When any person not licensed by the Board of Examiners in Speech-Language Pathology and Audiology, or any licensee, shall engage in the practice of speech-language pathology or audiology as herein defined in violation of this chapter or the rules and regulations of the board, the board shall have the authority to go into the Pulaski County Circuit Court or the circuit court of the county in which the person resides and, upon affidavit, secure a writ of injunction, without bond, restraining and prohibiting the person from the practice of speech-language pathology or audiology in violation of this chapter.

HISTORY: Acts 1993, No. 121, § 5.

A.C.A. § 17-100-108

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A.C.A. § 17-100-108 (2017)

17-100-108. Billing.

(a) Services provided by speech-language pathology support personnel which are prescribed, directed, and supervised by a speech-language pathologist licensed under this chapter may be billed to third parties as speech-language services or therapies.

(b) The billings may be in the name of the licensed speech-language pathologist or clinic of a licensed speech-language pathologist or a developmental disability day treatment clinic services community provider licensed or certified by the Division of Developmental Disability Services of the Department of Human Services that employs the speech-language pathology support personnel.

HISTORY: Acts 1995, No. 826, § 1.

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A.C.A. § 17-100-201

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A.C.A. § 17-100-201 (2017)

17-100-201. Creation -- Members.

(a) There is established as an independent agency of the executive branch of the government of the State of Arkansas the Board of Examiners in Speech-Language Pathology and Audiology.

(b) (1) (A) The board shall be composed of eight (8) members appointed by the Governor to three-year terms.

(B) The members of the board shall be residents of this state for at least two (2) years immediately preceding their appointments.

(2) (A) (i) Seven (7) members of the board shall be appointed by the Governor after consulting the Arkansas Speech-Language-Hearing Association, the American Academy of Audiology, and other professional groups or individuals and subject to confirmation by the Senate.

(ii) Not less than thirty (30) days before the end of each fiscal year, the association may recommend not more than three (3) persons for each vacancy.

(B) The board shall have the following professional members:

(i) Two (2) speech-language pathologists;

(ii) Two (2) audiologists; and

(iii) A fifth member who shall be either a speech-language pathologist or an audiologist.

(C) There shall be one (1) consumer member and one (1) public representative member,

neither of whom shall be engaged in a health-related profession.

(3) (A) One (1) member of the board shall represent the elderly.

(B) The representative of the elderly shall:

(i) Be sixty (60) years of age or older;

(ii) Not be actively engaged in or retired from the practice of speech-language pathology or audiology;

(iii) Be appointed from the state at large, subject to confirmation by the Senate; and

(iv) Be a full voting member but shall not participate in the grading of examinations.

(4) The consumer representative position and the representative of the elderly position may not be filled by the same person.

(c) (1) No person shall be eligible to serve more than two (2) full consecutive terms.

(2) Terms shall begin on the first day of the fiscal year and end on the last day of the fiscal year in which members are appointed before commencing the terms prescribed by this section.

(d) (1) In the event of a midterm vacancy, the association may recommend as soon as practicable not more than three (3) persons to fill the professional, consumer, or public representative vacancies.

(2) As soon as practicable after a recommendation under subdivision (d)(1) of this section has been made, the Governor shall appoint one (1) of these persons who shall fill the unexpired term.

(e) Board members may receive expense reimbursement in accordance with § 25-16-901 et seq.

HISTORY: Acts 1975, No. 277, §§ 3, 6; 1983, No. 131, §§ 1-3, 5; 1983, No. 135, §§ 1-3, 5; A.S.A. 1947, §§ 6-623 -- 6-626, 72-1803, 72-1806; Acts 1993, No. 121, § 6; 1997, No. 250, § 172; 2001, No. 1553, § 27; 2013, No. 219, §§ 3, 4; 2015, No. 1100, § 43.

A.C.A. § 17-100-202

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A.C.A. § 17-100-202 (2017)

17-100-202. Powers and duties.

(a) The Board of Examiners in Speech-Language Pathology and Audiology shall administer, coordinate, and enforce the provisions of this chapter and evaluate the qualifications and supervise the examinations of applicants for licensure under this chapter. The board may issue subpoenas, examine witnesses, and administer oaths and, at its discretion, shall investigate allegations or practices violating the provisions of this chapter.

(b) (1) The board shall adopt rules and regulations relating to professional conduct commensurate with the policy of this chapter, including, but not limited to, regulations which establish ethical standards of practice necessary to the enforcement and orderly administration of this chapter and, for other purposes, may amend or repeal the same in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(2) The board shall promulgate regulations regarding the use of speech-language pathology support personnel by practitioners of speech-language pathology.

(3) (A) All rules and regulations promulgated pursuant to this section shall be reviewed by the House and Senate Interim Committees on Public Health, Welfare, and Labor or appropriate subcommittees thereof.

(B) Following their adoption, the rules and regulations shall govern and control the professional conduct of every person who holds a license to practice speech-language pathology or audiology in this state.

(c) The Arkansas Administrative Procedure Act, § 25-15-201 et seq., shall apply to the authority and procedure of the board.

(d) The board shall conduct hearings and keep records and minutes necessary to the orderly dispatch of its functions. The board shall provide notice to the appropriate persons in a manner it considers appropriate of the times and places of all hearings authorized by this subsection.

(e) The conferral or enumeration of specific powers elsewhere in this chapter shall not be

construed as a limitation of the general functions conferred by this subsection.

HISTORY: Acts 1975, No. 277, § 4; A.S.A. 1947, § 72-1804; Acts 1993, No. 121, § 7; 1995, No. 826, § 2; 1997, No. 179, § 16.

A.C.A. § 17-100-203

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A.C.A. § 17-100-203 (2017)

17-100-203. Organization and proceedings.

(a) (1) The Board of Examiners in Speech-Language Pathology and Audiology shall meet during the first sixty (60) days of each fiscal year to select a chair and other officers for other appropriate purposes. At least one (1) additional meeting shall be held before the end of each calendar year.

(2) Further meetings may be convened at the call of the chair or the written request of any two (2) board members.

(3) All meetings of the board shall be open to the public, except that the board may close sessions to prepare, approve, grade, or administer examinations or, upon request of an applicant who fails an examination, to prepare a response indicating any reason for his or her failure.

(b) Four (4) members of the board shall constitute a quorum for all purposes, but in no instance shall a meeting of four (4) board members which does not include both a speech-language pathologist and audiologist be considered a certain quorum.

(c) The board shall adopt a seal by which it shall authenticate its proceedings. Copies of the proceedings, records, and acts of the board and records and acts signed by the chair or the executive secretary and authenticated by the seal shall be prima facie evidence in all courts of this state.

HISTORY: Acts 1975, No. 277, §§ 3, 5; A.S.A. 1947, §§ 72-1803, 72-1805; Acts 1993, No. 121, § 8.

A.C.A. § 17-100-204

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A.C.A. § 17-100-204 (2017)

17-100-204. Officers and employees.

- (a) The Board of Examiners in Speech-Language Pathology and Audiology may employ and, at its pleasure, discharge an executive secretary and such officers and employees as may be necessary.
- (b) The board shall outline duties and fix compensation of employees in accordance with law.
- (c) The amount of per diem and mileage and expense moneys paid employees of the board shall be in accordance with applicable law.

HISTORY: Acts 1975, No. 277, § 5; A.S.A. 1947, § 72-1805.

A.C.A. § 17-100-205

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A.C.A. § 17-100-205 (2017)

17-100-205. [Repealed.]

A.C.A. § 17-100-206

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A.C.A. § 17-100-206 (2017)

17-100-206. Disposition of funds -- Reports.

(a) All fees and other funds received by the Board of Examiners in Speech-Language Pathology and Audiology shall be deposited into a bank account in the name of the board in one (1) or more banks in this state and shall be used by the board exclusively for payment of reasonable and necessary salaries, maintenance, and operating expenses in the performance of duties imposed on the board under the provisions of this chapter.

(b) The board shall report monthly to the Department of Finance and Administration the amount and source of all revenue received by it pursuant to this chapter during the preceding month.

(c) All appropriate expenses incurred by the board in the administration of the provisions of this chapter shall be paid when vouchers relating to such expenses are exhibited as having been approved by the board.

(d) (1) The board shall be financed from income accruing from fees, licenses, and other income collected by the board.

(2) All employee salaries and other expenses, which may include full or partial financing of continuing professional education programs adopted by the board under § 17-100-306, shall be paid as budgeted after budgets are approved or within the limitations of any appropriation for that purpose that may be included in any appropriate Arkansas appropriations law.

(e) The board will have the authority to establish and change fees for application, examination, renewal, inactivation, reactivation, and delinquency purposes.

HISTORY: Acts 1975, No. 277, §§ 5, 17; A.S.A. 1947, §§ 72-1805, 72-1817; Acts 2013, No. 219, § 5.

A.C.A. § 17-100-207

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A.C.A. § 17-100-207 (2017)

17-100-207. Audiologists -- Licensing.

(a) Notwithstanding § 17-84-101 et seq. or any other law to the contrary, a person who is licensed by the Board of Examiners in Speech-Language Pathology and Audiology under § 17-100-301 et seq. as an audiologist in this state shall not be required to be licensed by the Arkansas Board of Hearing Instrument Dispensers.

(b) The Board of Examiners in Speech-Language Pathology and Audiology shall promulgate regulations governing the dispensing of hearing aids by audiologists licensed by the Board of Examiners in Speech-Language Pathology and Audiology, provided that such regulations shall be no less stringent than the regulations adopted by the Arkansas Board of Hearing Instrument Dispensers for the dispensing of hearing aids.

HISTORY: Acts 1991, No. 1171, § 1; 2013, No. 219, § 6.

A.C.A. Tit. 17, Subtit. 3, Ch. 100, Subch. 3 Note

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Title 17 Professions, Occupations, and Businesses
Subtitle 3. Medical Professions
Chapter 100 Speech-Language Pathologists and Audiologists
Subchapter 3 -- Licensing

A.C.A. Tit. 17, Subtit. 3, Ch. 100, Subch. 3 Note (2017)

Tit. 17, Subtit. 3, Ch. 100, Subch. 3 Note

A.C.A. § 17-100-301

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A.C.A. § 17-100-301 (2017)

17-100-301. License required.

(a) No person shall practice or represent himself or herself as a speech-language pathologist or audiologist in this state unless he or she is licensed in accordance with the provisions of this chapter.

(b) A license shall be granted either in speech-language pathology or audiology independently. A person may be licensed in both areas if he or she meets the respective qualifications.

HISTORY: Acts 1975, No. 277, § 8; A.S.A. 1947, § 72-1808; Acts 1993, No. 121, § 9.

A.C.A. § 17-100-302

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A.C.A. § 17-100-302 (2017)

17-100-302. Eligibility.

(a) The Board of Examiners in Speech-Language Pathology and Audiology shall issue a license to a person who meets the requirements of this chapter and pays to the board the application for initial license fee prescribed in § 17-100-308.

(b) To be eligible for licensure by the board as a speech-language pathologist or audiologist, a person shall:

(1) Be of good moral character;

(2) Possess at least a master's degree in the area of speech-language pathology or a master's degree in audiology obtained on or before December 30, 2006, or a doctoral degree obtained after January 1, 2007, from an educational institution recognized by the board;

(3) Submit evidence of the completion of the educational, clinical experience, and employment requirements, which shall be based on appropriate national standards and prescribed by the rules adopted under this chapter; and

(4) Pass an examination approved by the board before the board approves a license.

(c) The board shall issue a provisional license to a person who meets the requirements of this chapter, submits the appropriate application, and pays to the board the application for initial license fee prescribed in § 17-100-308.

(d) To be eligible for provisional licensure by the board as a speech-language pathologist or audiologist, a person shall:

(1) Be of good moral character;

(2) Possess at least a master's degree in the area of speech-language pathology or audiology, as the case may be, from an educational institution recognized by the board;

(3) Be in the process of completing the postgraduate professional experience requirement; and

(4) Pass an examination approved by the board.

(e) The purpose of a provisional license is to permit a person to practice speech-language pathology or audiology while completing the postgraduate professional experience as required by this chapter. A person holding a provisional license is authorized to practice speech-language pathology or audiology only while working under the supervision of a person fully licensed by this state in accordance with this chapter.

(f) The board shall have the authority to adopt rules and regulations regarding the term and conditions for which a provisional license is granted.

HISTORY: Acts 1975, No. 277, §§ 10, 14; A.S.A. 1947, §§ 72-1810, 72-1814; Acts 1993, No. 121, § 10; 2013, No. 219, § 7.

A.C.A. § 17-100-303

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A.C.A. § 17-100-303 (2017)

17-100-303. Licensure -- Examination.

(a) (1) A person eligible for licensure under § 17-100-302 and desirous of licensure shall make application to the Board of Examiners in Speech-Language Pathology and Audiology upon a form and in such a manner as the board shall prescribe.

(2) Any application shall be accompanied by the fee prescribed by § 17-100-308, which shall in no case be refunded.

(b) (1) Each applicant for licensure under this chapter shall be examined by the board in a written examination if the board deems a written examination to be appropriate.

(2) Standards for acceptable performance shall be established.

(3) Applicants shall be examined at a time and place and under such supervision as the board may determine. Examinations shall be given at such places within this state as the board may determine at least two (2) times each year, and the board shall make public, in a manner it considers appropriate, and shall appropriately notify all individual applicants of, the time and place of the administration of examinations.

(4) The board may examine in whatever theoretical or applied fields of speech pathology and audiology it considers appropriate and may examine with regard to a person's professional skills and judgment in the utilization of speech pathology or audiology techniques and methods.

(5) The board shall maintain a permanent record of all examination results.

HISTORY: Acts 1975, No. 277, §§ 11, 12; A.S.A. 1947, §§ 72-1811, 72-1812; Acts 2013, No. 219, § 8.

A.C.A. § 17-100-304

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A.C.A. § 17-100-304 (2017)

17-100-304. Reciprocity.

(a) The Board of Examiners in Speech-Language Pathology and Audiology may waive the examination and grant a license to any applicant who shall present proof of current licensure in another state, the District of Columbia, or territory of the United States which maintains professional standards considered by the board to be equivalent to those set forth in this chapter.

(b) The board may waive the examination and grant a license to any person certified as clinically competent by the American Speech-Language-Hearing Association, the American Academy of Audiology, or the American Board of Audiology in the area for which the person is applying for licensure.

(c) A person certified by the American Speech-Language-Hearing Association, the American Academy of Audiology, or the American Board of Audiology or licensed under the law of another state, a territory of the United States, or the District of Columbia and that has requirements at least equal to those of Arkansas as a speech pathologist or audiologist who has applied for a license and paid the appropriate fees may perform speech pathology and audiology services in this state.

HISTORY: Acts 1975, No. 277, §§ 11, 13; A.S.A. 1947, §§ 72-1811, 72-1813; Acts 2013, No. 219, § 9.

A.C.A. § 17-100-305

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A.C.A. § 17-100-305 (2017)

17-100-305. Annual renewal.

(a) Licenses issued under this chapter expire and become invalid at 12:00 midnight, June 30, of each year if not renewed.

(b) To maintain a license, a person licensed under this chapter shall pay a fee for renewal of license to the Board of Examiners in Speech-Language Pathology and Audiology on or before June 30 of each year.

(c) (1) (A) If a request for renewal is postmarked on or before July 15:

(i) The request shall not be considered late; and

(ii) The licensee shall not be:

(a) Considered as practicing without a license; or

(b) Charged a late fee.

(B) If payment of the renewal fee is postmarked on or after July 16 of any given year, the board may renew a license upon payment of the renewal of license fee plus a late renewal payment penalty, which shall equal the amount prescribed for late penalty per month under § 17-100-308.

(C) A license renewed under this subsection becomes effective on the day after the request for renewal is postmarked.

(2) A person who requests renewal of a license, whose license has expired, shall not be required

to submit to examination as a condition to renewal.

(d) A suspended license is subject to expiration and may be renewed as provided in this section, but the renewal shall not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity or in any other conduct or activity in violation of the order or judgment by which the license was suspended.

(e) (1) A person who fails to renew his or her license within five (5) years after the date of its expiration may not renew it, and it may not be restored, reissued, or reinstated thereafter.

(2) However, the person may apply for and obtain a new license if he or she meets the requirements of this chapter.

HISTORY: Acts 1975, No. 277, § 16; A.S.A. 1947, § 72-1816; Acts 2013, No. 219, § 10.

A.C.A. § 17-100-306

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A.C.A. § 17-100-306 (2017)

17-100-306. Continuing education.

The Board of Examiners in Speech-Language Pathology and Audiology shall require the applicant for license renewal to present evidence of the satisfactory completion of continuing education requirements as determined and published by the board.

HISTORY: Acts 1975, No. 277, § 19; A.S.A. 1947, § 72-1819.

A.C.A. § 17-100-307

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A.C.A. § 17-100-307 (2017)

**17-100-307. Denial, suspension, revocation, or other disciplinary action --
Reinstatement.**

(a) The Board of Examiners in Speech-Language Pathology and Audiology may refuse to issue or renew a license or may suspend or revoke a license when the licensee or applicant for license has been guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public. Such unprofessional conduct may result from, but not necessarily be limited to:

(1) Obtaining a license by means of fraud, misrepresentation, or concealment of material facts;

(2) Being guilty of unprofessional conduct as defined by the rules established by the board or violating the code of ethics adopted and published by the board;

(3) (A) Being convicted of a felony in any court of the United States if the acts for which the licensee or applicant is convicted are found by the board to have a direct bearing on whether he or she should be entrusted to serve the public in the capacity of a speech pathologist or audiologist.

(B) A plea or verdict of guilty made to a charge of a felony or of any offense involving moral turpitude is a conviction within the meaning of this section.

(C) At the direction of the board, and after due notice and an administrative hearing in accordance with the provisions of applicable Arkansas laws, the license of the person so convicted shall be suspended or revoked or the board shall decline to issue a license when:

(i) The time for appeal has elapsed;

(ii) The judgment of conviction has been affirmed on appeal; or

(iii) An order granting probation has been made suspending the imposition of sentence, without regard to a subsequent order under the provisions of state law allowing the withdrawal of a guilty plea and the substitution of a not guilty plea, or the setting aside of a guilty verdict, or the dismissal of the acquisition, information, or indictment;

(4) Violating any lawful order, rule, or regulation rendered or adopted by the board; or

(5) Violating any provision of this chapter.

(b) The board shall deny any application for, or issue a letter of reprimand, or censure, suspend, revoke, or impose probationary conditions upon, the license or licensee as ordered by the board in any decision made after a hearing as provided in this chapter.

(c) (1) No sooner than five (5) years after the date of revocation of a license under this section, an applicant may again apply for licensure.

(2) The board may accept or reject an application for licensure under this section and may impose additional requirements.

HISTORY: Acts 1975, No. 277, § 15; A.S.A. 1947, § 72-1815; Acts 2013, No. 219, § 11.

A.C.A. § 17-100-308

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A.C.A. § 17-100-308 (2017)

17-100-308. Fees.

(a) The Board of Examiners in Speech-Language Pathology and Audiology shall prescribe and publish in a manner that it deems appropriate fees in amounts determined by the board for the following purposes:

- (1) Application for initial license;
- (2) Renewal of license;
- (3) Late penalty per month;
- (4) Inactivation; and
- (5) Reactivation.

(b) The board may by rule provide for the waiver of all or part of the renewal fee if the license is issued less than one hundred twenty (120) days before the date on which it will expire.

HISTORY: Acts 1975, No. 277, § 17; A.S.A. 1947, § 72-1817; Acts 1993, No. 121, § 11; 2013, No. 219, § 12.