

## **Audiology and Speech-Language Pathology Interstate Compact; SB 77**

**SB 77** enacts the Audiology and Speech-Language Pathology Interstate Compact (Compact). The Compact's uniform provisions are outlined below.

### ***Purpose***

The purpose of the Compact is to facilitate the interstate practice of audiology and speech-language pathology with the goal of improving public access to audiology and speech-language pathology services.

### ***Definitions***

The Compact defines various terms used throughout the Compact.

### ***State Participation in the Compact***

The Compact provides licensure requirements for states participating in the Compact. Licenses issued by a home state to an audiology or speech-language pathologist are recognized by each member state as authorizing the practice of audiology or speech-language pathology in each member state. States are required to implement criminal history record checks of license applicants. The privilege to practice audiology or speech-language pathology is derived from the home state license. Member states are authorized to charge a fee for granting a compact privilege and are required to comply with bylaws and rules of the Audiology and Speech-Language Pathology Compact Commission (Compact Commission).

### ***Compact Privilege***

The Compact requires audiologists and speech-language pathologists to comply with certain requirements to exercise compact privilege and state audiologists and speech-language pathologists can hold only one home state license at a time. The Compact establishes the requirements to restore an encumbered license.

### ***Compact Privilege to Practice Telehealth***

The Compact requires member states to recognize the right of an audiologist or speech-language pathologist licensed in a member state to practice in another member state *via* telehealth.

### ***Active Duty Military Personnel or Their Spouses***

The Compact allows active duty military personnel or their spouses to designate a home state where such service member or spouse has a license in good standing and allows such

military personnel or spouse to retain that home state designation during the period of time the service member is on active duty.

### ***Adverse Actions***

The Compact allows a member state to take adverse action against an audiologist's or speech-language pathologist's privilege to practice in such member state and to issue subpoenas. Only the licensee's home state has the power to take adverse action against the audiologist's or speech-language pathologist's license issued by such home state. The Compact allows joint investigations of licensees by member states.

### ***Establishment of the Audiology and Speech-Language Pathology Compact Commission***

The Compact creates the Compact Commission and includes provisions relating to the membership, voting, powers and duties, and financing of the Compact Commission.

### ***Data System***

The Compact requires the Compact Commission to develop, maintain, and utilize a coordinated database and reporting system on all licensed individuals in member states. Additionally, the Compact Commission is required to promptly notify all member states of an adverse action taken against a licensee or applicant. Any information contributed to the database can be designated by a member state as not for the public.

### ***Rulemaking***

The Compact authorizes the Compact Commission to exercise rulemaking powers. The bill requires notice of proposed rules to be filed at least 30 days prior to the meeting where the Compact Commission will consider such rule. Additionally, the Compact Commission is required to grant the opportunity for a public hearing if certain conditions are met. However, the Compact provides for emergency rulemaking procedures.

### ***Oversight, Dispute Resolution, and Enforcement***

The Compact requires the Commission, upon member request, to resolve disputes arising among member states and between member states and nonmember states. In addition, the Compact Commission is allowed to enforce the provisions of the Compact and, by majority vote, could initiate legal action in federal court against a member state.

### ***Date of Implementation of the Interstate Commission for Audiology and Speech-Language Pathology Practice and Associated Rules, Withdrawal, and Amendment***

The Compact is effective on the date on which the Compact statute is enacted into law in the tenth member state. Any member state is allowed to withdraw from the Compact by enacting a statute that repeals the Compact, but this does not take effect until six months after

the enactment of the repealing statute. Member states can amend the Compact, but any amendment is not effective until it is enacted by all member states.

### ***Construction and Severability***

The Compact is to be liberally construed and the provisions of the Compact are severable.

### ***Binding Effect of Compact and Other Laws***

The Compact does not prevent the enforcement of any other law of a member state that is not inconsistent with the Compact. Laws in conflict with the Compact are superseded to the extent of the conflict and all lawful actions of the Compact Commission are binding upon member states.

The bill is in effect upon publication in the *Kansas Register*.