

The Legislature
of the
State of New Mexico

51st Legislature, 1st Session

LAWS 2013

CHAPTER 110

SENATE BILL 181, as amended

Introduced by

SENATOR SANDER RUE



Chapter 100

AN ACT

RELATING TO PROFESSIONAL LICENSES; AMENDING THE
SPEECH-LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING AID
DISPENSING PRACTICES ACT TO ADD A SCOPE OF PRACTICE FOR
CLINICAL FELLOWS, INCREASE BOARD MEMBERSHIP, CONFORM STATE
LICENSURE TO NATIONAL STANDARDS, CHANGE RENEWAL TERMS AND
INCREASE LICENSE FEES; PROVIDING FOR BILINGUAL-MULTICULTURAL
LICENSURE ENDORSEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-14B-2 NMSA 1978 (being Laws 1996,
Chapter 57, Section 2, as amended) is amended to read:

"61-14B-2. DEFINITIONS.--As used in the Speech-Language
Pathology, Audiology and Hearing Aid Dispensing Practices
Act:

A. "apprentice" means a person working toward full
licensure in speech-language pathology who meets the
requirements for licensure as an apprentice in speech and
language pursuant to the Speech-Language Pathology, Audiology
and Hearing Aid Dispensing Practices Act;

B. "appropriate supervisor" means a person
licensed pursuant to the provisions of the Speech-Language
Pathology, Audiology and Hearing Aid Dispensing Practices Act
who has a minimum of two years' experience as a

1 speech-language pathologist after the clinical fellowship
2 year;

3 C. "auditory trainer" means a custom-fitted FM
4 amplifying instrument other than a hearing aid designed to
5 enhance signal-to-noise ratios;

6 D. "audiologist" means a person who engages in the
7 practice of audiology, who may or may not dispense hearing
8 aids and who meets the qualifications set forth in the
9 Speech-Language Pathology, Audiology and Hearing Aid
10 Dispensing Practices Act;

11 E. "board" means the speech-language pathology,
12 audiology and hearing aid dispensing practices board;

13 F. "business location" means a permanent physical
14 business location in New Mexico where records can be examined
15 and process served;

16 G. "clinical fellow" means a person who has
17 completed all academic course work and practicum requirements
18 for a master's degree or the equivalent in speech-language
19 pathology and engages in the practice of speech-language
20 pathology as set forth in the provisions of the
21 Speech-Language Pathology, Audiology and Hearing Aid
22 Dispensing Practices Act;

23 H. "clinical fellowship year" or "CFY" means the
24 time following the completion of all academic course work and
25 practicum requirements for a master's degree in

1 speech-language pathology and during which a clinical fellow
2 is working toward a certificate of clinical competence from a
3 nationally recognized speech-language or hearing association
4 or the equivalent;

5 I. "department" means the regulation and licensing
6 department;

7 J. "hearing aid" means a wearable instrument or
8 device designed or offered for the purpose of aiding or
9 compensating for impaired human hearing and any parts,
10 attachments or accessories, including earmolds but excluding
11 batteries and cords;

12 K. "hearing aid dispenser" means a person other
13 than an audiologist or an otolaryngologist who is licensed to
14 sell, fit and service hearing aids pursuant to the
15 Speech-Language Pathology, Audiology and Hearing Aid
16 Dispensing Practices Act and maintains or occupies a
17 permanent physical business location in New Mexico where
18 records can be examined and process can be served;

19 L. "otolaryngologist" means a licensed physician
20 who has completed a recognized residency in otolaryngology
21 and is certified by the American board of otolaryngology;

22 M. "paraprofessional" means a person who provides
23 adjunct speech-pathology or audiology services under the
24 direct supervision of a licensed speech-language pathologist
25 or audiologist;

1 N. "practice of audiology" means the application
2 of principles, methods and procedures of measurement,
3 testing, appraisal, prognostication, aural rehabilitation,
4 aural habilitation, consultation, hearing aid selection and
5 fitting, counseling, instruction and research related to
6 hearing and disorders of hearing for the purpose of
7 nonmedical diagnosis, prevention, identification,
8 amelioration or the modification of communicative disorders
9 involving speech, language auditory function or other
10 aberrant behavior related to hearing disorders;

11 O. "practice of hearing aid dispensing" means the
12 behavioral measurement of human hearing for the purpose of
13 the selection and fitting of hearing aids or other
14 rehabilitative devices to ameliorate the dysfunction of
15 hearing sensitivity; this may include otoscopic inspection of
16 the ear, fabrication of ear impressions and earmolds,
17 instruction, consultation and counseling on the use and care
18 of these instruments, medical referral when appropriate and
19 the analysis of function and servicing of these instruments
20 involving their modification or adjustment;

21 P. "practice of speech-language pathology" means
22 the rendering or offering to render to individuals, groups,
23 organizations or the public any service in speech or language
24 pathology involving the nonmedical application of principles,
25 methods and procedures for the measurement, testing,

1 diagnosis, prognostication, counseling and instruction
2 related to the development and disorders of communications,
3 speech, fluency, voice, verbal and written language, auditory
4 comprehension, cognition, dysphagia, oral pharyngeal or
5 laryngeal sensorimotor competencies and treatment of persons
6 requiring use of an augmentative communication device for the
7 purpose of nonmedical diagnosing, preventing, treating and
8 ameliorating such disorders and conditions in individuals and
9 groups of individuals;

10 Q. "screening" means a pass-fail procedure to
11 identify individuals who may require further assessment in
12 the areas of speech-language pathology, audiology or hearing
13 aid dispensing;

14 R. "speech-language pathologist" means a person
15 who engages in the practice of speech-language pathology and
16 who meets the qualifications set forth in the Speech-Language
17 Pathology, Audiology and Hearing Aid Dispensing Practices
18 Act;

19 S. "sponsor" means a licensed hearing aid
20 dispenser, audiologist or otolaryngologist who has an
21 endorsement to dispense hearing aids and:

22 (1) is employed in the same business
23 location where the trainee is being trained; and

24 (2) has been actively engaged in the
25 dispensing of hearing aids during three of the past five

1 years;

2 T. "student" means a person who is a full- or
3 part-time student enrolled in an accredited college or
4 university program in speech-language pathology, audiology or
5 communicative disorders;

6 U. "supervisor" means a speech-language
7 pathologist or audiologist licensed pursuant to the
8 provisions of the Speech-Language Pathology, Audiology and
9 Hearing Aid Dispensing Practices Act who provides supervision
10 in the area of speech-language pathology or audiology; and

11 V. "trainee" means a person working toward full
12 licensure as a hearing aid dispenser under the direct
13 supervision of a sponsor."

14 SECTION 2. A new section of the Speech-Language
15 Pathology, Audiology and Hearing Aid Dispensing Practices Act
16 is enacted to read:

17 "SCOPE OF PRACTICE--CLINICAL FELLOW OF SPEECH-LANGUAGE
18 PATHOLOGY.--

19 A. The scope of practice for a clinical fellow of
20 speech-language pathology under supervision by an appropriate
21 supervisor shall include:

22 (1) rendering or offering to render
23 professional services, including diagnosis, prevention,
24 identification, evaluation, consultation, habilitation,
25 rehabilitation, instruction, counseling, prognostication,

1 training and research, to individuals or groups of
2 individuals who have or are suspected of having disorders of
3 communication, including speech comprehension; voice fluency;
4 language in all its expressive and receptive forms, including
5 oral expression, reading, writing and comprehension; oral
6 pharyngeal function; oral motor function; dysphagia;
7 functional maintenance therapy; or cognitive-communicative
8 processes; and

9 (2) determining the need for personal
10 augmentative and alternative communication systems, computer
11 access systems or assistive technology systems; recommending
12 such systems; and providing setup modification, training,
13 troubleshooting and follow-up in the utilization of such
14 systems.

15 B. The scope of practice for a clinical fellow of
16 speech-language pathology under supervision by an appropriate
17 supervisor may include:

18 (1) conducting pure-tone air conduction
19 hearing screening or tympanometry screening, limited to a
20 pass or fail determination, for the purpose of performing a
21 speech and language evaluation or for the initial
22 identification of individuals with other disorders of
23 communication; and

24 (2) aural rehabilitation that is defined as
25 services and procedures for facilitation of adequate

1 receptive and expressive communication in individuals with
2 hearing impairment."

3 SECTION 3. Section 61-14B-5 NMSA 1978 (being Laws 1996,
4 Chapter 57, Section 5, as amended) is amended to read:

5 "61-14B-5. SCOPE OF PRACTICE--AUDIOLOGISTS.--The scope
6 of practice for audiologists shall include:

7 A. the rendering or offering to render
8 professional services, including nonmedical diagnosis,
9 prevention, identification, evaluation, consultation,
10 counseling, habilitation, rehabilitation and instruction on
11 and prognostication of individuals having or suspected of
12 having disorders of hearing, balance or central auditory
13 processing;

14 B. identification and evaluation of auditory
15 function through the performance and interpretation of
16 appropriate behavioral or electrophysiological tests for this
17 purpose;

18 C. making ear impressions for use with auditory
19 trainers or for non-amplified devices such as swim molds or
20 ear protectors;

21 D. cerumen management;

22 E. evaluation and management of tinnitus;

23 F. the scope of practice for hearing aid
24 dispensers;

25 G. consultation regarding noise control or

1 environmental noise evaluation;

2 H. hearing conservation;

3 I. calibration of equipment used in hearing
4 testing and environmental evaluation;

5 J. fitting and management of auditory trainers,
6 including their general service, adjustment and analysis of
7 function, as well as instruction, orientation and counseling
8 in the use and care of these instruments;

9 K. speech or language screening for the purposes
10 of audiological evaluation or initial identification for
11 referral of individuals with disorders of communication other
12 than hearing;

13 L. supervision of students, clinical fellows and
14 paraprofessionals; and

15 M. sponsorship of hearing aid dispenser trainees."

16 SECTION 4. Section 61-14B-7 NMSA 1978 (being Laws 1996,
17 Chapter 57, Section 7) is amended to read:

18 "61-14B-7. LICENSE REQUIRED.--

19 A. Unless licensed to practice speech-language
20 pathology, audiology or hearing aid dispensing under the
21 Speech-Language Pathology, Audiology and Hearing Aid
22 Dispensing Practices Act, no person shall:

23 (1) practice as a speech-language
24 pathologist, audiologist or hearing aid dispenser;

25 (2) use the title or make any representation

1 as being a licensed speech-language pathologist, audiologist
2 or hearing aid dispenser or use any other title,
3 abbreviation, letters, figures, signs or devices that
4 indicate the person is licensed to practice as a
5 speech-language pathologist, audiologist or hearing aid
6 dispenser; or

7 (3) advertise, hold out to the public or
8 represent in any manner that one is authorized to practice
9 speech-language pathology, audiology or hearing aid
10 dispensing.

11 B. No person shall make any representation as
12 being a speech-language pathologist or hold out to the public
13 by any means or by any service or function perform, directly
14 or indirectly, or by using the terms "speech pathology",
15 "speech pathologist", "speech therapy", "speech therapist",
16 "speech correction", "speech correctionist", "speech clinic",
17 "speech clinician", "language pathology", "language
18 pathologist", "voice therapy", "voice therapist", "voice
19 pathology", "voice pathologist", "logopedics", "logopedist",
20 "communicology", "communicologist", "aphasiology",
21 "aphasiologist", "phoniatriest" or "swallowing therapist"
22 unless licensed as such under the provisions of the
23 Speech-Language Pathology, Audiology and Hearing Aid
24 Dispensing Practices Act.

25 C. No person shall make any representation as

1 being an audiologist or hold out to the public by any means,
2 or by any service or function perform directly or indirectly,
3 or by using the terms "audiology", "audiologist",
4 "audiometry", "audiometrist", "audiological", "audiometrics",
5 "hearing therapy", "hearing therapist", "hearing clinic",
6 "hearing clinician", "hearing center", "hearing aid
7 audiologist" or "audioprosthologist" unless licensed as such
8 under the provisions of the Speech-Language Pathology,
9 Audiology and Hearing Aid Dispensing Practices Act.

10 D. No person shall make any representation as
11 being a hearing aid dispenser or use the terms "hearing aid
12 dealer", "hearing aid fitter", "hearing aid sales", "hearing
13 aid center" or "hearing aid service center" unless licensed
14 as such under the provisions of the Speech-Language
15 Pathology, Audiology and Hearing Aid Dispensing Practices
16 Act."

17 SECTION 5. Section 61-14B-8 NMSA 1978 (being Laws 1996,
18 Chapter 57, Section 8) is amended to read:

19 "61-14B-8. EXEMPTIONS.--

20 A. Nothing in the Speech-Language Pathology,
21 Audiology and Hearing Aid Dispensing Practices Act shall be
22 construed to prevent qualified members of other recognized
23 professions that are licensed, certified or registered under
24 New Mexico law or regulation from rendering services within
25 the scope of their licenses, certificates or registrations,

1 provided that they do not represent themselves as holding
2 licenses in speech-language pathology, audiology or hearing
3 aid dispensing.

4 B. A person not meeting the requirements for
5 licensure as a speech-language pathologist or audiologist
6 under the provisions of the Speech-Language Pathology,
7 Audiology and Hearing Aid Dispensing Practices Act may
8 practice as a speech pathologist or audiologist until
9 July 1, 1997 if:

10 (1) the person is employed as a speech
11 pathologist or audiologist on a waiver license issued by the
12 public education department prior to the effective date of
13 that act; and

14 (2) the person is actively seeking the
15 educational requirements for licensure under that act.

16 C. Nothing in the Speech-Language Pathology,
17 Audiology and Hearing Aid Dispensing Practices Act prevents
18 qualified members of other recognized professional groups,
19 such as licensed physicians, dentists or teachers of the
20 deaf, from doing appropriate work in the area of
21 communication disorders consistent with the standards and
22 ethics of their respective professions.

23 D. Nothing in the Speech-Language Pathology,
24 Audiology and Hearing Aid Dispensing Practices Act restricts
25 the activities and services of a speech-language pathology or

1 audiology graduate student at an accredited or approved
2 college or university or an approved clinical training
3 facility; provided that these activities and services
4 constitute part of the student's supervised course of study
5 and that the student is designated as a speech-language
6 pathology or audiology graduate student or other title
7 clearly indicating the training status appropriate to the
8 student's level of training."

9 SECTION 6. Section 61-14B-9 NMSA 1978 (being Laws 1996,
10 Chapter 57, Section 9) is amended to read:

11 "61-14B-9. BOARD CREATED.--

12 A. There is created the "speech-language
13 pathology, audiology and hearing aid dispensing practices
14 board" that shall be administratively attached to the
15 department.

16 B. The board shall consist of eleven members who
17 have been New Mexico residents for at least five years prior
18 to their appointment. Among the membership, three members
19 shall be licensed speech-language pathologists, two members
20 shall be licensed audiologists, two members shall be licensed
21 hearing aid dispensers, one member shall be a licensed
22 otolaryngologist and three members shall represent the public
23 and have no interest, direct or indirect, in the profession
24 regulated.

25 C. A licensed member of the board shall not hold

1 any elected or appointed office in any related professional
2 organization."

3 SECTION 7. Section 61-14B-10 NMSA 1978 (being Laws
4 1996, Chapter 57, Section 10) is amended to read:

5 "61-14B-10. TERMS--REIMBURSEMENT--MEETINGS.--

6 A. Members of the board shall be appointed by the
7 governor for staggered terms of three years. Each member
8 shall hold office until the member's successor is appointed.
9 Vacancies shall be filled for the unexpired term in the same
10 manner as original appointments.

11 B. A majority of the board members serving
12 constitutes a quorum of the board. The board shall meet at
13 least once a year and at such other times as it deems
14 necessary.

15 C. The board shall elect a chair and other
16 officers as deemed necessary to administer its duties.

17 D. No board member shall serve more than two full
18 consecutive terms, and a member failing to attend three
19 meetings after proper notice shall automatically be
20 recommended for removal as a board member unless excused for
21 reasons set forth in board regulations.

22 E. Members of the board shall be reimbursed as
23 provided in the Per Diem and Mileage Act and shall receive no
24 other compensation, perquisite or allowance.

25 F. No member of the board shall be liable in a

1 civil action for any act performed in good faith in the
2 performance of the member's duties."

3 SECTION 8. Section 61-14B-12.1 NMSA 1978 (being Laws
4 2005, Chapter 250, Section 3) is amended to read:

5 "61-14B-12.1. REQUIREMENTS FOR LICENSURE--
6 AUDIOLOGIST.--

7 A. A license to practice as an audiologist shall
8 be issued to any person who:

9 (1) files a completed application,
10 accompanied by the required fees and documentation;

11 (2) certifies that the applicant is not
12 guilty of any of the activities listed in Section 61-14B-21
13 NMSA 1978;

14 (3) submits satisfactory evidence that the
15 applicant:

16 (a) holds a doctor of audiology degree
17 or an equivalent degree regardless of degree name and meets
18 the academic requirements for certification by a nationally
19 recognized hearing association, as determined by the board by
20 rule; and

21 (b) has passed a nationally recognized
22 standard examination in audiology, if required by rule;

23 (4) provides official documentation from a
24 nationally recognized hearing association, as determined by
25 the board by rule, as evidence that the applicant meets the

1 clinical experience and examination requirements of the
2 Speech-Language Pathology, Audiology and Hearing Aid
3 Dispensing Practices Act; and

4 (5) maintains or occupies a business
5 location, hospital, clinical medical practice or other
6 facility in which hearing aids are regularly dispensed.

7 B. A license to practice as an audiologist shall
8 be issued to a person who:

9 (1) files a completed application,
10 accompanied by the required fees and documentation;

11 (2) certifies that the applicant is not
12 guilty of any of the activities listed in Section 61-14B-21
13 NMSA 1978; and

14 (3) submits satisfactory evidence that the
15 applicant:

16 (a) holds a master's degree in
17 audiology or communication disorders or an equivalent degree
18 in audiology or communication disorders or an equivalent
19 degree awarded prior to January 1, 2007; meets the academic
20 requirements for certification by a nationally recognized
21 hearing association; and has earned a certificate of clinical
22 competence from a nationally recognized hearing association
23 in the area in which the applicant is seeking licensure; or

24 (b) has completed the current academic,
25 practicum and employment experience requirements for a

1 certificate of competence in audiology from a nationally
2 recognized hearing association and has passed a nationally
3 recognized standard examination in audiology; and

4 (c) provides evidence satisfactory to
5 the board of at least six months' experience in the
6 dispensing of hearing aids through practical examination or
7 other methods as determined by the board in either a graduate
8 training program or in a work or training experience; and

9 (d) maintains or occupies a business
10 location, hospital, clinical medical practice or other
11 facility in which hearing aids are regularly dispensed."

12 SECTION 9. Section 61-14B-14 NMSA 1978 (being Laws
13 1996, Chapter 57, Section 14, as amended) is amended to read:

14 "61-14B-14. REQUIREMENTS FOR LICENSURE BY EXAMINATION--
15 HEARING AID DISPENSER.--

16 A. A license to practice as a hearing aid
17 dispenser shall be issued to a person who files a completed
18 application, passes the examination approved by the board,
19 pays the required fees, provides required documentation and
20 submits satisfactory evidence that the person:

21 (1) is an audiologist or an
22 otolaryngologist; or

23 (2) is a person other than an audiologist or
24 an otolaryngologist applying for a license pursuant to the
25 Speech-Language Pathology, Audiology and Hearing Aid

1 Dispensing Practices Act;

2 (3) has reached the age of majority and has
3 at least a high school education or the equivalent;

4 (4) has worked for no less than seven months
5 under a training permit; and

6 (5) certifies that the person is not guilty
7 of any of the activities listed in Section 61-14B-21 NMSA
8 1978.

9 B. The examination for hearing aid dispenser shall
10 be conducted by the board quarterly unless there are no
11 applicants for examination.

12 C. The board:

13 (1) shall provide procedures to ensure that
14 examinations for licensure are offered as needed;

15 (2) shall establish rules regarding the
16 examination application deadline and other rules relating to
17 the taking and retaking of licensure examinations;

18 (3) shall determine a passing grade for the
19 examination; and

20 (4) may accept an applicant's examination
21 scores used for national certification or other examination
22 approved by the board."

23 SECTION 10. Section 61-14B-15 NMSA 1978 (being Laws
24 1996, Chapter 57, Section 15) is amended to read:

25 "61-14B-15. REQUIREMENTS FOR LICENSURE--CLINICAL FELLOW

1 OF SPEECH-LANGUAGE PATHOLOGY.--A license to practice as a
2 clinical fellow of speech-language pathology shall be issued
3 to a person who files a completed application, pays the
4 required fees, provides documentation and submits
5 satisfactory evidence that the person:

6 A. has met all academic course work and practicum
7 requirements for a master's degree in speech-language
8 pathology, speech pathology or communication disorders for
9 certification by a nationally recognized speech-language or
10 hearing association;

11 B. certifies that the person has received no
12 reprimands of unprofessional conduct or incompetency;

13 C. applies for licensure under Section 61-14B-12
14 NMSA 1978 after completing the clinical fellowship year; and

15 D. has an appropriate supervisor, as defined in
16 Section 61-14B-2 NMSA 1978."

17 SECTION 11. Section 61-14B-15.1 NMSA 1978 (being Laws
18 1999, Chapter 128, Section 8, as amended) is amended to read:

19 "61-14B-15.1. REQUIREMENTS FOR LICENSURE--APPRENTICE IN
20 SPEECH AND LANGUAGE.--A license to practice as an apprentice
21 in speech and language shall be issued by the board to a
22 person who files a completed application accompanied by the
23 required fees and documentation and provides satisfactory
24 evidence that the applicant:

25 A. is working toward full licensure pursuant to

1 the provisions of the Speech-Language Pathology, Audiology
2 and Hearing Aid Dispensing Practices Act;

3 B. has a baccalaureate degree in speech-language
4 pathology or communicative disorders or an equivalent degree
5 or a baccalaureate degree in another field with thirty
6 semester hours of credit in speech-language pathology or
7 communicative disorder;

8 C. is enrolled in and successfully completes
9 graduate classes in speech-language pathology, communicative
10 disorders or a related field at a minimum rate of nine
11 semester hours per year and is accepted into a master's level
12 program in speech-language pathology or communicative
13 disorders within two years of initial licensing;

14 D. maintains a minimum of a 3.0 grade point
15 average in the master's degree course and other work;

16 E. is supervised by an appropriate supervisor, as
17 defined in Section 61-14B-2 NMSA 1978; and

18 F. has arranged for appropriate supervision to
19 meet the supervision requirement defined by rule."

20 SECTION 12. Section 61-14B-17 NMSA 1978 (being Laws
21 1996, Chapter 57, Section 17, as amended) is amended to read:

22 "61-14B-17. HEARING AID DISPENSING TEMPORARY TRAINEE
23 PERMITS--ISSUANCE.--

24 A. A person who does not meet the requirements for
25 licensure without examination as an audiologist or

1 otolaryngologist as set forth in Section 61-14B-13 NMSA 1978
2 or as a hearing aid dispenser as set forth in Section
3 61-14B-14 NMSA 1978 may apply for a temporary trainee permit.
4 A temporary trainee permit shall be issued to a person who:

5 (1) has reached the age of majority and has
6 a high school education or the equivalent;

7 (2) has identified a sponsor;

8 (3) pays an application fee as determined by
9 the board;

10 (4) has not failed the licensing examination
11 twice within a five-year period; and

12 (5) certifies that the person is not guilty
13 of any of the activities listed in Section 61-14B-21 NMSA
14 1978.

15 B. A temporary trainee permit shall:

16 (1) be valid for one year from the date of
17 its issuance and is nonrenewable for a period of one year
18 following its expiration; and

19 (2) allow the person to complete a training
20 period.

21 C. A person issued a temporary trainee permit may
22 be eligible for licensure as a hearing aid dispenser upon:

23 (1) the completion of a minimum of three
24 hundred twenty hours of training, to be completed within a
25 three-month period under the direct supervision of the

1 sponsor;

2 (2) the completion of five continuous months
3 of full-time dispensing work, during which time all sales are
4 approved by the sponsor prior to delivery; and

5 (3) the sponsor approving all fittings,
6 adjustments, modifications or repairs to hearing aids and
7 earmolds.

8 D. An audiologist or otolaryngologist issued a
9 temporary trainee permit may be eligible for licensure
10 without examination as a hearing aid dispenser upon the
11 sponsor providing direct supervision for a minimum of three
12 months of all fittings, adjustments, modifications or repairs
13 to hearing aids and earmolds."

14 SECTION 13. Section 61-14B-18 NMSA 1978 (being Laws
15 1996, Chapter 57, Section 18) is amended to read:

16 "61-14B-18. SCOPE OF HEARING AID DISPENSING
17 EXAMINATION.--In preparing the hearing aid dispensing
18 examination, the board shall use tests that demonstrate:

19 A. knowledge in the fitting and sale of hearing
20 aids, including basic physics of sound, anatomy and
21 physiology of the ear and the function of hearing aids; and

22 B. proficient use of techniques for the fitting of
23 hearing aids, including:

24 (1) pure-tone audiometry, including air
25 conduction and bone conduction testing;

1 (2) live voice or recorded voice speech
2 audiometry, including speech reception threshold and speech
3 recognition score tests;

4 (3) masking when indicated;

5 (4) recording and evaluation of audiograms
6 and speech audiometry for determining proper selection,
7 fitting and adjustment of hearing aids;

8 (5) taking earmold impressions; and

9 (6) analyzing hearing aid function,
10 modification and general service."

11 SECTION 14. Section 61-14B-19 NMSA 1978 (being Laws
12 1996, Chapter 57, Section 19) is amended to read:

13 "61-14B-19. LICENSE RENEWAL.--

14 A. Each licensee shall renew the licensee's
15 license biennially by submitting a renewal application as
16 provided for in the board's regulations. The board may
17 require proof of continuing education as a requirement for
18 renewal. The board may establish a method to provide for
19 staggered biennial terms. The board may authorize license
20 renewal for one year to establish the renewal cycle.

21 B. A sixty-day grace period shall be allowed to
22 each licensee after each licensing period. A license may be
23 renewed during the grace period upon payment of a renewal fee
24 and a late fee as prescribed by the board.

25 C. Any license not renewed by the end of the grace

1 period will be considered expired and the licensee shall not
2 be eligible to practice within the state until the license is
3 renewed. The board shall develop rules regarding
4 requirements for renewal of an expired license and may
5 require the licensee to reapply as a new applicant.

6 D. Clinical fellow licenses may be renewed
7 annually for no more than three years; provided the clinical
8 fellow has submitted evidence of passing a recognized
9 standard national examination in speech-language pathology
10 prior to or within the clinical fellow's second year of the
11 CFY. The CFY license shall not be renewed for a second year
12 without evidence of passing a recognized standard national
13 examination in speech-language pathology.

14 E. An apprentice in speech-language pathology
15 shall renew the apprentice's license annually; provided that
16 the apprentice is accepted into a master's-level program in
17 speech-language pathology or communicative disorders within
18 two years of initial licensing.

19 F. The board may issue rules providing for
20 inactive status of licenses."

21 SECTION 15. Section 61-14B-20 NMSA 1978 (being Laws
22 1996, Chapter 57, Section 20, as amended) is amended to read:

23 "61-14B-20. FEES.--The board shall establish a schedule
24 of reasonable fees for applications, licenses, renewal of
25 licenses, exams, penalties and administrative fees. The

1 license and license renewal fees shall not exceed:

2 A. one hundred dollars (\$100) for clinical fellows
3 and apprentices in speech and language;

4 B. two hundred dollars (\$200) for audiologists or
5 speech-language pathologists;

6 C. six hundred dollars (\$600) for hearing aid
7 dispensers;

8 D. four hundred dollars (\$400) for examinations;

9 E. one hundred dollars (\$100) for late renewal
10 fees;

11 F. four hundred dollars (\$400) for hearing aid
12 dispensing endorsement;

13 G. five hundred dollars (\$500) for a hearing aid
14 dispenser trainee license, which fee includes examination,
15 both written and practical;

16 H. one hundred dollars (\$100) for
17 bilingual-multicultural endorsement; and

18 I. reasonable administrative fees."

19 SECTION 16. A new section of the Speech-Language
20 Pathology, Audiology and Hearing Aid Dispensing Practices Act
21 is enacted to read:

22 "REQUIREMENTS FOR BILINGUAL-MULTICULTURAL
23 ENDORSEMENT.--A bilingual-multicultural endorsement shall be
24 issued to any person who:

25 A. files a completed application, accompanied by

1 the required fees and documentation; certifies that the
2 applicant is not guilty of any of the activities listed in
3 Section 61-14B-21 NMSA 1978; and submits satisfactory
4 evidence that the applicant:

5 (1) is eligible for and in the process of
6 obtaining a license;

7 (2) has completed the required education as
8 determined by rule;

9 (3) has met experience requirements approved
10 by the board; and

11 (4) has demonstrated proficiency in the
12 specified language as determined by the board;

13 B. files a completed application accompanied by
14 the required fees and documentation; certifies that the
15 applicant is not guilty of any of the activities listed in
16 Section 61-14B-21 NMSA; and submits satisfactory evidence
17 that the applicant:

18 (1) has an active license in good standing
19 in the state of New Mexico as a speech-language pathologist;

20 (2) has a current bilingual endorsement from
21 the public education department;

22 (3) has a minimum of five years practicing
23 with clients who utilize a language other than English; and

24 (4) has demonstrated proficiency in the
25 specified language as determined by the board; or

1 C. files a completed application, accompanied by
2 the required fees and documentation; certifies that the
3 applicant is not guilty of any of the activities listed in
4 Section 61-14B-21 NMSA; and submits satisfactory evidence
5 that the applicant:

6 (1) has an active license in good standing
7 in another state or country as a speech-language pathologist;

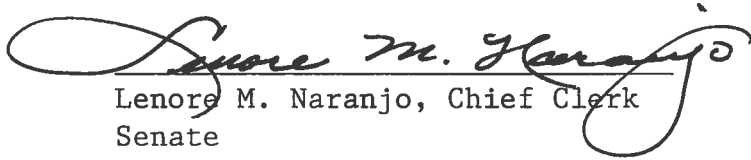
8 (2) has a minimum of five years practicing
9 with clients who utilize a language other than English; and

10 (3) has demonstrated proficiency in the
11 specified language as determined by the board." _____

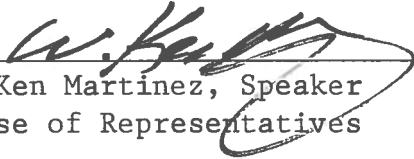
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John A. Sanchez, President
Senate



Lenore M. Naranjo, Chief Clerk
Senate

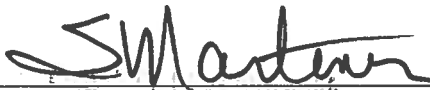


W. Ken Martinez, Speaker
House of Representatives



Stephen R. Arias, Chief Clerk
House of Representatives

Approved by me this 2nd day of April, 2013



Governor Susana Martinez
State of New Mexico