

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 493

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 16342 and part 176.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 16342. FEES FOR AN INDIVIDUAL LICENSED OR SEEKING
2 LICENSURE AS A SPEECH-LANGUAGE PATHOLOGIST UNDER PART 176 ARE AS
3 FOLLOWS:

4 (A) APPLICATION PROCESSING FEE.....\$ 20.00
5 (B) LICENSE FEE, PER YEAR..... 75.00.

6 PART 176. SPEECH-LANGUAGE PATHOLOGY

7 SEC. 17601. (1) AS USED IN THIS PART:

8 (A) "PRACTICE OF SPEECH-LANGUAGE PATHOLOGY", SUBJECT TO
9 SUBSECTION (2), MEANS THE APPLICATION OF PRINCIPLES, METHODS, AND

1 PROCEDURES RELATED TO THE DEVELOPMENT OF DISORDERS OF HUMAN
2 COMMUNICATION INCLUDING THE FOLLOWING:

3 (i) IDENTIFYING BY HISTORY OR NONMEDICAL PHYSICAL
4 EXAMINATION, ASSESSING, TREATING WITH THERAPY, REHABILITATING,
5 AND PREVENTING DISORDERS OF SPEECH, VOICE, AND LANGUAGE.

6 (ii) IDENTIFYING BY HISTORY OR NONMEDICAL PHYSICAL
7 EXAMINATION, ASSESSING, TREATING WITH THERAPY, REHABILITATING,
8 AND PREVENTING DISORDERS OF ORAL-PHARYNGEAL FUNCTION AND
9 DISORDERS RELATED TO SWALLOWING DYSFUNCTION.

10 (iii) IDENTIFYING BY HISTORY OR NONMEDICAL PHYSICAL
11 EXAMINATION, ASSESSING, TREATING WITH THERAPY, REHABILITATING,
12 AND PREVENTING COGNITIVE-COMMUNICATIVE DISORDERS.

13 (iv) ASSESSING, SELECTING, AND DEVELOPING AUGMENTATIVE AND
14 ALTERNATIVE COMMUNICATION SYSTEMS AND PROVIDING TRAINING IN THEIR
15 USE.

16 (v) PROVIDING SPEECH-LANGUAGE TREATMENT OR THERAPY AND
17 RELATED COUNSELING SERVICES TO HEARING IMPAIRED INDIVIDUALS AND
18 THEIR FAMILIES.

19 (vi) ENHANCING SPEECH-LANGUAGE PROFICIENCY AND COMMUNICATION
20 EFFECTIVENESS.

21 (vii) SCREENING OF HEARING FOR THE PURPOSE OF SPEECH-LANGUAGE
22 ASSESSMENT PROVIDED THAT JUDGMENTS AND DESCRIPTIVE STATEMENTS
23 ABOUT RESULTS OF THAT SCREENING ARE LIMITED TO PASS-FAIL
24 DETERMINATIONS.

25 (B) "SPEECH-LANGUAGE PATHOLOGIST" MEANS AN INDIVIDUAL
26 ENGAGED IN THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY.

27 (2) PRACTICE OF SPEECH-LANGUAGE PATHOLOGY DOES NOT INCLUDE

1 EITHER OF THE FOLLOWING:

2 (A) THE PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND
3 SURGERY OR MEDICAL DIAGNOSIS, MEDICAL MANAGEMENT WITH MEDICATION,
4 SURGICAL INTERVENTIONS, ORDERING MEDICAL TESTING, OR MEDICAL
5 TREATMENT.

6 (B) THE FITTING AND DISPENSING OF HEARING AIDS AS PROVIDED
7 BY ARTICLE 13 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.1301
8 TO 339.1309.

9 (3) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1
10 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
11 APPLICABLE TO ALL ARTICLES IN THIS ACT AND PART 161 CONTAINS
12 DEFINITIONS APPLICABLE TO THIS PART.

13 SEC. 17603. BEGINNING THE EFFECTIVE DATE OF THIS PART, AN
14 INDIVIDUAL SHALL NOT USE THE TITLES "SPEECH-LANGUAGE
15 PATHOLOGIST", "SPEECH PATHOLOGIST", "SPEECH THERAPIST", "SPEECH
16 CORRECTIONIST", "SPEECH CLINICIAN", "LANGUAGE THERAPIST",
17 "LANGUAGE PATHOLOGIST", "LOGOPEDIST", "COMMUNICOLOGIST",
18 "APHASIOLOGIST", "PHONIAATRIST", "VOICE THERAPIST", AND "VOICE
19 PATHOLOGIST", OR SIMILAR WORDS THAT INDICATE THAT THE INDIVIDUAL
20 IS A SPEECH-LANGUAGE PATHOLOGIST, UNLESS THE INDIVIDUAL IS
21 LICENSED UNDER THIS PART AS A SPEECH-LANGUAGE PATHOLOGIST.

22 SEC. 17605. (1) THE MICHIGAN BOARD OF SPEECH-LANGUAGE
23 PATHOLOGY IS CREATED IN THE DEPARTMENT AND CONSISTS OF THE
24 FOLLOWING 11 MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

25 (A) SIX INDIVIDUALS WHO MEET THE REQUIREMENTS OF SECTION
26 16135(2), AT LEAST 1 OF WHOM REPRESENTS EACH PROFESSIONAL AREA
27 DESCRIBED IN SECTION 17609.

1 (B) THREE PUBLIC MEMBERS.

2 (C) TWO PHYSICIANS, 1 OF WHOM IS A BOARD-CERTIFIED
3 OTOLARYNGOLOGIST.

4 (2) THE TERMS OF OFFICE OF INDIVIDUAL MEMBERS OF THE BOARD
5 CREATED UNDER THIS PART, EXCEPT THOSE APPOINTED TO FILL VACANCIES
6 AND AS OTHERWISE PROVIDED IN THIS SUBSECTION, EXPIRE 4 YEARS
7 AFTER APPOINTMENT ON DECEMBER 31 OF THE YEAR IN WHICH THE TERM
8 EXPIRES. HOWEVER, FOR THE MEMBERS FIRST APPOINTED, 2 SHALL SERVE
9 FOR 1 YEAR, 3 SHALL SERVE FOR 2 YEARS, 3 SHALL SERVE FOR 3 YEARS,
10 AND 3 SHALL SERVE FOR 4 YEARS

11 SEC. 17607. (1) AN INDIVIDUAL SHALL NOT ENGAGE IN THE
12 PRACTICE OF SPEECH-LANGUAGE PATHOLOGY UNLESS LICENSED UNDER THIS
13 PART.

14 (2) A LICENSEE SHALL NOT PERFORM AN ACT, TASK, OR FUNCTION
15 WITHIN THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY UNLESS HE OR SHE
16 IS TRAINED TO PERFORM THE ACT, TASK, OR FUNCTION AND THE
17 PERFORMANCE OF THAT ACT, TASK, OR FUNCTION IS CONSISTENT WITH THE
18 RULES PROMULGATED UNDER SECTION 17610(3). A SPEECH-LANGUAGE
19 PATHOLOGIST SHALL REFER A PATIENT TO A PERSON LICENSED IN THE
20 PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY IF SIGNS
21 OR SYMPTOMS IDENTIFIED DURING THE PRACTICE OF SPEECH-LANGUAGE
22 PATHOLOGY CAUSE THE SPEECH-LANGUAGE PATHOLOGIST TO SUSPECT THAT
23 THE PATIENT HAS AN UNDERLYING MEDICAL CONDITION.

24 (3) A LICENSEE SHALL PERFORM ASSESSMENT, TREATMENT OR
25 THERAPY, AND PROCEDURES RELATED TO SWALLOWING DISORDERS AND
26 MEDICALLY RELATED COMMUNICATION DISORDERS ONLY ON PATIENTS WHO
27 HAVE BEEN REFERRED TO HIM OR HER BY A PERSON LICENSED IN THE

1 PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY.

2 (4) LIMITED DIAGNOSTIC TESTING, SUCH AS ENDOSCOPIC
3 VIDEOLARYNGOSTROSCOPY, SHALL ONLY BE PERFORMED BY A LICENSEE IN
4 COLLABORATION WITH OR UNDER THE SUPERVISION OF A PERSON LICENSED
5 IN THE PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY.

6 (5) A LICENSEE SHALL FOLLOW PROCEDURES IN WHICH
7 COLLABORATION AMONG THE LICENSEE AND A PERSON LICENSED IN THE
8 PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY AND
9 OTHER LICENSED HEALTH CARE PROFESSIONALS IS REGARDED TO BE IN THE
10 BEST INTERESTS OF THE PATIENT.

11 (6) SUBSECTION (1) DOES NOT PREVENT ANY OF THE FOLLOWING:

12 (A) AN INDIVIDUAL LICENSED OR REGISTERED UNDER ANY OTHER
13 PART OR ACT FROM PERFORMING ACTIVITIES THAT ARE CONSIDERED
14 SPEECH-LANGUAGE PATHOLOGY SERVICES IF THOSE ACTIVITIES ARE WITHIN
15 THE INDIVIDUAL'S SCOPE OF PRACTICE AND IF THE INDIVIDUAL DOES NOT
16 USE THE TITLES PROTECTED UNDER SECTION 17603.

17 (B) THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY THAT IS AN
18 INTEGRAL PART OF A PROGRAM OF STUDY BY STUDENTS ENROLLED IN AN
19 ACCREDITED SPEECH-LANGUAGE PATHOLOGY EDUCATIONAL PROGRAM APPROVED
20 BY THE BOARD, PROVIDED THAT THOSE INDIVIDUALS ARE IDENTIFIED AS
21 STUDENTS AND PROVIDE SPEECH-LANGUAGE PATHOLOGY SERVICES ONLY
22 WHILE UNDER THE SUPERVISION OF A LICENSED SPEECH-LANGUAGE
23 PATHOLOGIST.

24 (C) SELF-CARE BY A PATIENT OR UNCOMPENSATED CARE BY A FRIEND
25 OR FAMILY MEMBER WHO DOES NOT REPRESENT OR HOLD HIMSELF OR
26 HERSELF OUT TO BE A LICENSED SPEECH-LANGUAGE PATHOLOGIST.

27 SEC. 17609. (1) THE DEPARTMENT SHALL, UPON SUBMISSION OF A

1 COMPLETED APPLICATION AND PAYMENT OF THE APPROPRIATE APPLICATION
2 PROCESSING AND LICENSE FEE, ISSUE A LICENSE UNDER THIS PART TO
3 THE FOLLOWING:

4 (A) AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF SUBSECTION
5 (2) OR (3).

6 (B) AN INDIVIDUAL WHO POSSESSES A MASTER'S OR DOCTOR OF
7 SCIENCE OR DOCTOR OF PHILOSOPHY DEGREE IN SPEECH-LANGUAGE
8 PATHOLOGY ACCEPTABLE TO THE BOARD, WHO HAS SUCCESSFULLY COMPLETED
9 AN ACCREDITED SPEECH-LANGUAGE PATHOLOGY TRAINING PROGRAM APPROVED
10 BY THE DEPARTMENT AND THE BOARD THAT HAS AT LEAST 9 MONTHS, OR
11 THE EQUIVALENT, OF FULL-TIME SUPERVISED POSTGRADUATE CLINICAL
12 EXPERIENCE IN SPEECH-LANGUAGE PATHOLOGY, AND WHO PASSES AN
13 EXAMINATION ACCEPTABLE TO THE BOARD.

14 (2) A CERTIFIED TEACHER WHO, ON THE DAY BEFORE THE EFFECTIVE
15 DATE OF THIS PART, WAS ENDORSED IN THE AREA OF SPEECH AND
16 LANGUAGE IMPAIRMENT FOR THE SOLE PURPOSE OF PROVIDING SERVICES AS
17 A PART OF EMPLOYMENT OR CONTRACT WITH A SCHOOL DISTRICT,
18 INTERMEDIATE SCHOOL DISTRICT, NONPUBLIC SCHOOL, OR STATE
19 DEPARTMENT THAT PROVIDES EDUCATIONAL SERVICES IS ELIGIBLE FOR A
20 LICENSE UNDER THIS PART. AN INDIVIDUAL WHO MEETS THE REQUIREMENTS
21 OF THIS SUBSECTION SHALL FIRST APPLY FOR A LICENSE ON OR BEFORE
22 THE EXPIRATION OF 2 YEARS AFTER THE EFFECTIVE DATE OF THIS PART.
23 AN INDIVIDUAL WHO OBTAINS A LICENSE UNDER THIS SUBSECTION IS
24 ELIGIBLE FOR RENEWAL OF THAT LICENSE UNDER THIS PART IF HE OR SHE
25 CONTINUES TO MEET THE REQUIREMENTS OF THIS SUBSECTION.

26 (3) AN INDIVIDUAL WHO, ON THE DAY BEFORE THE EFFECTIVE DATE
27 OF THIS PART, HAS THE CREDENTIAL CONFERRED BY THE AMERICAN

1 SPEECH-LANGUAGE-HEARING ASSOCIATION AS A CERTIFIED SPEECH-
2 LANGUAGE-PATHOLOGIST IS ELIGIBLE FOR A LICENSE UNDER THIS PART.
3 AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SUBSECTION AND
4 WHO MAINTAINS THE CREDENTIAL CONFERRED BY THE AMERICAN SPEECH-
5 LANGUAGE-HEARING ASSOCIATION OR A SUCCESSOR CREDENTIAL CONFERRED
6 BY ITS SUCCESSOR ORGANIZATION SHALL FIRST APPLY FOR A LICENSE ON
7 OR BEFORE THE EXPIRATION OF 2 YEARS AFTER THE EFFECTIVE DATE OF
8 THIS PART. AN INDIVIDUAL WHO OBTAINS A LICENSE UNDER THIS
9 SUBSECTION IS ELIGIBLE FOR RENEWAL OF THAT LICENSE UNDER THIS
10 PART IF HE OR SHE CONTINUES TO MEET THE REQUIREMENTS OF THIS
11 SUBSECTION.

12 (4) AN INDIVIDUAL MAY APPLY FOR A TEMPORARY LICENSE UNDER
13 THIS SUBSECTION FOR THE PURPOSE OF COMPLETING A SUPERVISED
14 POSTGRADUATE CLINICAL EXPERIENCE. THE DEPARTMENT SHALL ISSUE A
15 TEMPORARY LICENSE UNDER THIS SUBSECTION FOR A PERIOD NOT TO
16 EXCEED 12 MONTHS. AN INDIVIDUAL SEEKING A TEMPORARY LICENSE UNDER
17 THIS SUBSECTION SHALL OBTAIN A TEMPORARY LICENSE BEFORE BEGINNING
18 THE SUPERVISED POSTGRADUATE CLINICAL EXPERIENCE. AT THE
19 CONCLUSION OF THE POSTGRADUATE CLINICAL EXPERIENCE, THE
20 INDIVIDUAL'S SUPERVISOR SHALL SIGN AND SUBMIT TO THE DEPARTMENT A
21 REPORT THAT DOCUMENTS THE INDIVIDUAL'S SATISFACTORY COMPLETION OF
22 THE SUPERVISED POSTGRADUATE CLINICAL EXPERIENCE. TO BE ELIGIBLE
23 FOR A TEMPORARY LICENSE UNDER THIS SUBSECTION, AN APPLICANT SHALL
24 MEET ALL OF THE FOLLOWING REQUIREMENTS:

25 (A) POSSESS A MASTER'S OR DOCTOR OF SCIENCE OR DOCTOR OF
26 PHILOSOPHY DEGREE IN SPEECH-LANGUAGE PATHOLOGY ACCEPTABLE TO THE
27 BOARD. AN APPLICANT SHALL HAVE HIS OR HER ACADEMIC TRANSCRIPTS

1 PROVIDED DIRECTLY TO THE DEPARTMENT BY THE ACADEMIC INSTITUTION.

2 (B) SUBMIT A PLAN FOR SUPERVISED POSTGRADUATE CLINICAL
3 EXPERIENCE ON A FORM APPROVED BY THE BOARD AND SIGNED BY A
4 LICENSED PROFESSIONAL WHO WILL PROVIDE SUPERVISION.

5 SEC. 17610. (1) THE DEPARTMENT, IN CONSULTATION WITH THE
6 BOARD, MAY PROMULGATE RULES UNDER SECTION 16145 AS NECESSARY OR
7 APPROPRIATE TO FULFILL ITS FUNCTIONS UNDER THIS ARTICLE AND TO
8 SUPPLEMENT THE REQUIREMENTS FOR LICENSURE UNDER THIS PART,
9 INCLUDING ADOPTING UPDATED STANDARDS OF THAT ORGANIZATION OR
10 STANDARDS OF ANY SUCCESSOR ORGANIZATION OF THE AMERICAN SPEECH-
11 LANGUAGE-HEARING ASSOCIATION.

12 (2) SUBJECT TO SECTION 16204, THE DEPARTMENT SHALL BY RULE
13 PRESCRIBE CONTINUOUS PROFESSIONAL DEVELOPMENT AS A CONDITION FOR
14 LICENSURE RENEWAL.

15 (3) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL
16 PROMULGATE RULES REGARDING THE PERFORMANCE OF SPEECH-LANGUAGE
17 PATHOLOGY THAT INCLUDES, BUT IS NOT LIMITED TO, THE PERFORMANCE
18 OF PROCEDURES DESCRIBED IN SECTION 17601(1)(A)(ii). THE RULES
19 SHALL RECOGNIZE AND INCORPORATE THE REQUIREMENTS DESCRIBED IN
20 SECTION 17607(3) AND (4) AND THE NEED FOR COLLABORATION AMONG A
21 SPEECH-LANGUAGE PATHOLOGIST AND A PERSON LICENSED IN THE PRACTICE
22 OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY AND OTHER
23 LICENSED HEALTH CARE PROFESSIONALS.

24 SEC. 17611. THE DEPARTMENT MAY ISSUE A LICENSE BY
25 ENDORSEMENT TO AN APPLICANT FROM ANOTHER STATE THAT HAS LICENSURE
26 REQUIREMENTS SUBSTANTIALLY EQUIVALENT TO THIS PART, AS DETERMINED
27 BY THE BOARD.

1 SEC. 17613. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL
2 THIRD PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION
3 BENEFITS FOR SERVICES RENDERED BY AN INDIVIDUAL LICENSED UNDER
4 THIS PART.