

**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" MEANS THE**

1 APPLICATION OF PRINCIPLES, METHODS, AND PROCEDURES RELATED TO THE
2 DEVELOPMENT OF DISORDERS OF HUMAN COMMUNICATION INCLUDING THE
3 FOLLOWING:

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

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

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

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

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

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

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

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

1 (C) A SPEECH-LANGUAGE PATHOLOGIST SHALL PERFORM ASSESSMENT,
2 TREATMENT OR THERAPY, AND PROCEDURES RELATED TO SWALLOWING
3 DISORDERS AND MEDICALLY RELATED COMMUNICATION DISORDERS ONLY ON
4 PATIENTS WHO HAVE BEEN REFERRED TO HIM OR HER BY A PERSON
5 LICENSED IN THE PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND
6 SURGERY.

7 (D) LIMITED DIAGNOSTIC TESTING, SUCH AS ENDOSCOPIC
8 VIDEOLARYNGOSTROSCOPY, SHALL BE PERFORMED IN COLLABORATION WITH
9 OR UNDER THE SUPERVISION OF A PERSON LICENSED IN THE PRACTICE OF
10 MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY.

11 (E) A SPEECH-LANGUAGE PATHOLOGIST SHALL FOLLOW PROCEDURES IN
12 WHICH COLLABORATION AMONG A SPEECH-LANGUAGE PATHOLOGIST AND A
13 PERSON LICENSED IN THE PRACTICE OF MEDICINE OR OSTEOPATHIC
14 MEDICINE AND SURGERY AND OTHER LICENSED HEALTH CARE PROFESSIONALS
15 IS REGARDED TO BE IN THE BEST INTERESTS OF THE PATIENT.

16 (2) PRACTICE OF SPEECH-LANGUAGE PATHOLOGY DOES NOT INCLUDE
17 EITHER OF THE FOLLOWING:

18 (A) THE PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND
19 SURGERY OR MEDICAL DIAGNOSIS, MEDICAL MANAGEMENT WITH MEDICATION,
20 SURGICAL INTERVENTIONS, ORDERING MEDICAL TESTING, OR MEDICAL
21 TREATMENT.

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

25 (3) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1
26 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
27 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS

1 DEFINITIONS APPLICABLE TO THIS PART.

2 SEC. 17603. BEGINNING THE EFFECTIVE DATE OF THE AMENDATORY
3 ACT THAT ADDED THIS PART, AN INDIVIDUAL SHALL NOT USE THE TITLES
4 "SPEECH-LANGUAGE PATHOLOGIST", "SPEECH PATHOLOGIST", "SPEECH
5 THERAPIST", "SPEECH CORRECTIONIST", "SPEECH CLINICIAN", "LANGUAGE
6 THERAPIST", "LANGUAGE PATHOLOGIST", "LOGOPEDIST",
7 "COMMUNICOLOGIST", "APHASIOLOGIST", "PHONIATRIST", "VOICE
8 THERAPIST", AND "VOICE PATHOLOGIST", OR SIMILAR WORDS THAT
9 INDICATE THAT THE INDIVIDUAL IS A SPEECH-LANGUAGE PATHOLOGIST,
10 UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS ARTICLE AS A SPEECH-
11 LANGUAGE PATHOLOGIST.

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

15 (A) SIX INDIVIDUALS WHO MEET THE REQUIREMENTS OF SECTION
16 16135(2).

17 (B) THREE PUBLIC MEMBERS.

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

20 (2) THE TERMS OF OFFICE OF INDIVIDUAL MEMBERS OF THE BOARD
21 CREATED UNDER THIS PART, EXCEPT THOSE APPOINTED TO FILL VACANCIES
22 AND AS OTHERWISE PROVIDED IN THIS SUBSECTION, EXPIRE 4 YEARS
23 AFTER APPOINTMENT ON DECEMBER 31 OF THE YEAR IN WHICH THE TERM
24 EXPIRES. HOWEVER, FOR THE MEMBERS FIRST APPOINTED, 2 SHALL SERVE
25 FOR 1 YEAR, 3 SHALL SERVE FOR 2 YEARS, 3 SHALL SERVE FOR 3 YEARS,
26 AND 3 SHALL SERVE FOR 4 YEARS

27 SEC. 17607. (1) AN INDIVIDUAL SHALL NOT ENGAGE IN THE

1 PRACTICE OF SPEECH-LANGUAGE PATHOLOGY UNLESS LICENSED UNDER THIS
2 PART.

3 (2) A LICENSEE SHALL NOT PERFORM AN ACT, TASK, OR FUNCTION
4 WITHIN THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY UNLESS HE OR SHE
5 IS TRAINED TO PERFORM THE ACT, TASK, OR FUNCTION AND THE
6 PERFORMANCE OF THAT ACT, TASK, OR FUNCTION IS CONSISTENT WITH THE
7 RULES PROMULGATED UNDER SECTION 17609(4). A SPEECH-LANGUAGE
8 PATHOLOGIST SHALL REFER A PATIENT TO A PERSON LICENSED IN THE
9 PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY IF SIGNS
10 OR SYMPTOMS IDENTIFIED DURING THE PRACTICE OF SPEECH-LANGUAGE
11 PATHOLOGY CAUSE THE SPEECH-LANGUAGE PATHOLOGIST TO SUSPECT THAT
12 THE PATIENT HAS AN UNDERLYING MEDICAL CONDITION.

13 (3) SUBSECTION (1) DOES NOT PREVENT ANY OF THE FOLLOWING:

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

19 (B) AN INDIVIDUAL NOT LICENSED UNDER THIS PART FROM
20 PERFORMING ACTIVITIES THAT ARE CONSIDERED SPEECH-LANGUAGE
21 PATHOLOGY SERVICES AS LONG AS HE OR SHE IS ENGAGED IN CLINICAL
22 FELLOWSHIP, IS UNDER THE SUPERVISION OF AN INDIVIDUAL WHO IS
23 LICENSED UNDER THIS PART, AND DOES NOT HOLD HIMSELF OR HERSELF
24 OUT AS AN INDIVIDUAL LICENSED UNDER THIS PART OR USE THE TITLES
25 PROTECTED UNDER SECTION 17603.

26 (C) THE PRACTICE OF SPEECH-LANGUAGE PATHOLOGY THAT IS AN
27 INTEGRAL PART OF A PROGRAM OF STUDY BY STUDENTS ENROLLED IN AN

1 ACCREDITED SPEECH-LANGUAGE PATHOLOGY EDUCATIONAL PROGRAM APPROVED
2 BY THE BOARD, PROVIDED THAT THEY ARE IDENTIFIED AS STUDENTS AND
3 PROVIDE SPEECH-LANGUAGE PATHOLOGY SERVICES ONLY WHILE UNDER THE
4 SUPERVISION OF A LICENSED SPEECH-LANGUAGE PATHOLOGIST.

5 (D) AN INDIVIDUAL WHO MEETS THE QUALIFICATIONS ESTABLISHED
6 BY THE STATE BOARD OF EDUCATION AS A TEACHER OF THE SPEECH AND
7 LANGUAGE IMPAIRED AND WHO IS EMPLOYED OR CONTRACTED FOR
8 EMPLOYMENT BY A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,
9 NONPUBLIC SCHOOL, OR DEPARTMENT OF STATE GOVERNMENT THAT PROVIDES
10 EDUCATIONAL SERVICES FROM ENGAGING IN HIS OR HER PRACTICE AS PART
11 OF THAT EMPLOYMENT. HOWEVER, A TEACHER OF THE SPEECH AND LANGUAGE
12 IMPAIRED WHO ENGAGES IN HIS OR HER PRACTICE OUTSIDE OF HIS OR HER
13 EMPLOYMENT WITH A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,
14 NONPUBLIC SCHOOL, OR DEPARTMENT OF STATE GOVERNMENT THAT PROVIDES
15 EDUCATIONAL SERVICES SHALL BE LICENSED UNDER THIS PART.

16 (E) SELF-CARE BY A PATIENT OR UNCOMPENSATED CARE BY A FRIEND
17 OR FAMILY MEMBER WHO DOES NOT REPRESENT OR HOLD HIMSELF OR
18 HERSELF OUT TO BE A LICENSED SPEECH-LANGUAGE PATHOLOGIST.

19 SEC. 17609. (1) THE DEPARTMENT SHALL, UPON SUBMISSION OF A
20 COMPLETED APPLICATION AND PAYMENT OF THE APPROPRIATE APPLICATION
21 PROCESSING AND LICENSE FEE, ISSUE A LICENSE UNDER THIS PART TO AN
22 INDIVIDUAL WHO POSSESSES A MASTER'S OR DOCTOR OF SCIENCE OR
23 DOCTOR OF PHILOSOPHY DEGREE IN SPEECH-LANGUAGE PATHOLOGY
24 ACCEPTABLE TO THE BOARD AND WHO FULFILLS EITHER OF THE FOLLOWING:

25 (A) SUCCESSFUL COMPLETION OF AN ACCREDITED SPEECH-LANGUAGE
26 PATHOLOGY TRAINING PROGRAM APPROVED BY THE DEPARTMENT AND THE
27 BOARD HAVING AT LEAST 9 MONTHS, OR THE EQUIVALENT, OF FULL-TIME

1 SUPERVISED POSTGRADUATE CLINICAL EXPERIENCE IN SPEECH-LANGUAGE
2 PATHOLOGY AND PASSING A NATIONAL EXAMINATION ACCEPTABLE TO THE
3 BOARD.

4 (B) HAVING THE CREDENTIAL CONFERRED BY THE AMERICAN SPEECH-
5 LANGUAGE-HEARING ASSOCIATION OR ITS SUCCESSOR ORGANIZATION AS A
6 CERTIFIED SPEECH-LANGUAGE-PATHOLOGIST OR ITS SUCCESSOR
7 CREDENTIAL, ACCEPTABLE TO THE BOARD. THE CREDENTIAL CONFERRED BY
8 THE AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION AS A CERTIFIED
9 SPEECH-LANGUAGE PATHOLOGIST IS CONSIDERED THE SUBSTANTIAL
10 EQUIVALENT TO THE REQUIREMENTS OF SUBDIVISION (A) AND THAT
11 CREDENTIAL AND THE STANDARDS OF QUALIFICATION FOR THAT
12 CREDENTIAL, AS THEY EXIST ON THE EFFECTIVE DATE OF THE AMENDATORY
13 ACT THAT ADDED THIS PART, ARE ADOPTED BY REFERENCE.

14 (2) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, MAY
15 PROMULGATE RULES UNDER SECTION 16145 AS NECESSARY OR APPROPRIATE
16 TO FULFILL ITS FUNCTIONS UNDER THIS ARTICLE AND TO AMEND OR
17 SUPPLEMENT THE REQUIREMENTS FOR LICENSURE UNDER SUBSECTION (1),
18 INCLUDING ADOPTING UPDATED STANDARDS OF THAT ORGANIZATION OR
19 STANDARDS OF ANY SUCCESSOR ORGANIZATION OF THE AMERICAN SPEECH-
20 LANGUAGE-HEARING ASSOCIATION.

21 (3) SUBJECT TO SECTION 16204, THE DEPARTMENT SHALL BY RULE
22 PRESCRIBE CONTINUOUS PROFESSIONAL DEVELOPMENT AS A CONDITION FOR
23 LICENSURE RENEWAL.

24 (4) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL
25 PROMULGATE RULES REGARDING THE PERFORMANCE OF SPEECH-LANGUAGE
26 PATHOLOGY THAT INCLUDES, BUT IS NOT LIMITED TO, THE PERFORMANCE
27 OF PROCEDURES DESCRIBED IN SECTION 17601(1)(A)(ii). THE RULES

1 SHALL RECOGNIZE AND INCORPORATE THE REQUIREMENTS DESCRIBED IN
2 SECTION 17601(1)(C) AND (D) AND THE NEED FOR COLLABORATION AMONG
3 A SPEECH-LANGUAGE PATHOLOGIST AND A PERSON LICENSED IN THE
4 PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY AND
5 OTHER LICENSED HEALTH CARE PROFESSIONALS.

6 SEC. 17611. THE DEPARTMENT MAY ISSUE A LICENSE BY
7 ENDORSEMENT TO AN APPLICANT FROM ANOTHER STATE THAT HAS LICENSURE
8 REQUIREMENTS SUBSTANTIALLY EQUIVALENT TO THIS PART, AS DETERMINED
9 BY THE BOARD.

10 SEC. 17613. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL
11 THIRD PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION
12 BENEFITS FOR SERVICES RENDERED BY AN INDIVIDUAL LICENSED UNDER
13 THIS PART.