

**STATE OF WISCONSIN  
HEARING AND SPEECH EXAMINING BOARD**

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<b>IN THE MATTER OF RULEMAKING</b>	<b>:</b>	
<b>PROCEEDINGS BEFORE THE</b>	<b>:</b>	<b>REPORT TO THE LEGISLATURE</b>
<b>HEARING AND SPEECH</b>	<b>:</b>	
<b>EXAMINING BOARD</b>	<b>:</b>	<b>CR 24-062</b>

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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS: N/A**

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA is attached.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

The Hearing and Speech Examining Board conducted a review of HAS 6 to 8 to implement the audiology and speech-language pathology interstate compact to ensure clarity and consistency with Wisconsin Statutes. The following updates were made as a result of this review:

- Section HAS 6.01 was updated to include compact privilege holders.
- A definition for “compact privilege” was added to HAS 6.02.
- A definition for “home state” was added to HAS 6.02.
- Section HAS 6.05 was created to address the requirements for applying for compact privileges.
- Sections HAS 6.10 (1) (a) and (d) were revised to include a supervisor with compact privileges.
- Section HAS 6.16 was updated to include compact privilege holders.
- Various subsections of HAS 6.18 were updated to include compact privilege holders.

**V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD’S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**

The Hearing and Speech Examining Board held a public hearing on October 30, 2024 on CR 24-062. The following people either testified at the hearing, or submitted written comments:

- Veronica Heide, President, Wisconsin Academy of Audiology

The Hearing and Speech Examining Board summarizes the comments received either by hearing testimony or by written submission as follows:

- President Heide indicated that the Wisconsin Academy of Audiology supports this rule change.

The Hearing and Speech Examining Board did not make any modifications to its rule-making proposal based on public comments.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS: N/A**

STATE OF WISCONSIN  
HEARING AND SPEECH EXAMINING BOARD

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IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	HEARING AND SPEECH
HEARING AND SPEECH	:	EXAMINING BOARD
EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 24-062)

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PROPOSED ORDER

An order of the Hearing and Speech Examining Board to amend HAS 6.01, 6.10 (1) (a) (intro.) and (d), 6.16, 6.18 (1) (intro.) and (a), (2) (b), (c), (e), (f), (o), (p)1., (s), (t) and (u), and (3) (intro), and create HAS 6.02 (4m), (4v), and 6.05, relating to implementation of the audiology and speech-language pathology interstate compact.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** Subch. III Ch. 459, Stats.

**Statutory authority:** ss. 15.08 (5) (b), 459.12 (1), 459.26 (2) (am) , and 459.28 (2), Stats.

**Explanation of agency authority:**

Section 15.08 (5) (b), Stats. states that “[t]he Board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 459.12 (1), Stats.: “The examining board may make rules not inconsistent with the laws of this state which are necessary to carry out the intent of this chapter.”

Section 459.26 (2) (am), Stats.: “The examining board shall by rule select and approve examinations for audiology.”

Section 459.28 (2), Stats.: “The examining board may enter into reciprocal agreements with officials of other states or territories of the United States for licensing speech-language pathologists and audiologists and grant licenses to applicants who are licensed in those states or territories according to the terms of the reciprocal agreements.”

**Related statute or rule:** 2023 Wisconsin Act 56

**Plain language analysis:** The Hearing and Speech Examining Board conducted a review of HAS 6 to 8 to implement the audiology and speech-language pathology interstate compact to ensure clarity and consistency with Wisconsin Statutes. The following updates were made as a result of this review:

- Section HAS 6.01 was updated to include compact privilege holders.
- A definition for “compact privilege” was added to HAS 6.02.
- A definition for “home state” was added to HAS 6.02.
- Section HAS 6.05 was created to address the requirements for applying for compact privileges.
- Sections HAS 6.10 (1) (a) and (d) were revised to include a supervisor with compact privileges.
- Section HAS 6.16 was updated to include compact privilege holders.
- Various subsections of HAS 6.18 were updated to include compact privilege holders.

**Summary of, and comparison with, existing or proposed federal regulation:** None.

**Comparison with rules in adjacent states:**

**Illinois:** Illinois has pending legislation regarding the Audiology and Speech-language Pathology Interstate Compact [2023 Illinois House Bill 3264].

**Iowa:** Iowa is a member state of the Audiology and Speech-language Pathology interstate compact [Iowa Code Title IV Chapter 147F].

**Michigan:** Michigan has not enacted the Audiology and Speech-language Pathology Interstate Compact [Michigan Compiled Laws Act 368 Part 176 Section 333.17601-333.17613].

**Minnesota:** Minnesota has pending legislation regarding the Audiology and Speech-language Pathology Interstate Compact [2023 House Bill HF2378 and Senate Bill SF2656].

**Summary of factual data and analytical methodologies:**

The proposed rules were developed by reviewing 2023 Wisconsin Act 56, which ratifies the Audiology and Speech-language Pathology Interstate Compact, and conducting a comprehensive evaluation and update of the Hearing and Speech Examining Board’s rules to implement the Compact.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The proposed rules were posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis is attached.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at [Jennifer.Garrett@wisconsin.gov](mailto:Jennifer.Garrett@wisconsin.gov) or phone at 608-266-2112.

**Agency contact person:**

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8306; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov). Comments must be received on or before the public hearing, held on October 30, 2024, to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. HAS 6.01 is amended to read:

**HAS 6.01 Authority and purpose.** The rules in this chapter are adopted by the hearing and speech examining board under the authority of ss. 227.11 (2) and 459.24 to 459.34, Stats., to govern the licensure of speech-language pathologists, audiologists and temporary licensees, and the granting of compact privileges for speech-language pathologists and audiologists.

SECTION 2. HAS 6.02 (4m) and (4v) are created to read:

**HAS 6.02 (4m)** "Compact privilege" has the meaning given in s. 459.70 (2) (h), Stats.

**(4v)** "Home state" has the meaning given in s. 459.70 (2) (m), Stats.

SECTION 3. HAS 6.05 is created to read:

**HAS 6.05 Applications for compact privilege.** Every applicant for compact privilege as a speech-language pathologist or audiologist shall meet all of the following requirements:

- (1) Hold an unencumbered home state license in another state that is party to the compact and satisfies the requirements under s. 459.70 (4), Stats.
- (2) Complete the compact application process .
- (3) Pay the fee specified in s. 459.71 (2), Stats.

**Note:** Application instructions for compact privilege may be obtained from the Department of Safety and Professional Services' website at <http://dsps.wi.gov>.

SECTION 4. HAS 6.10 (1) (a) (intro.) and (d) are amended to read:

**HAS 6.10 (1) (a)** Before commencing a postgraduate clinical fellowship in speech-language pathology an applicant shall obtain a temporary license to practice under the supervision of a licensed or compact privilege holding speech-language pathologist by submitting all the following:

- (d) A person holding a temporary license to practice speech-language pathology shall be supervised face-to-face, at least monthly, by a licensed or compact privilege holding speech-language pathologist. The person holding the temporary license shall have the supervisor, once a month, provide written approval in the client files of the clinical services provided.

SECTION 5. HAS 6.16 is amended to read:

**HAS 6.16 Prohibited practice and use of titles.** No person may engage in the practice of speech-language pathology or use the title “speech-language pathologist” or any similar title or engage in the practice of audiology or use the title “audiologist”, “clinical audiologist” or any similar title, unless the person holds a current speech-language pathologist or audiologist license or compact privilege, as appropriate, granted by the board.

SECTION 6. HAS 6.18 (1) (intro.) and (a) and (2) (b), (c), (e), (f), (o), (p)1., (s), (t) and (u) and (3) (intro.) are amended to read:

**HAS 6.18 (1)** The board may reprimand a speech-language pathologist, audiologist, temporary licensee or a permittee, or deny, limit, suspend or revoke a license, compact privilege, or permit, if it finds that the applicant, licensee, compact privilege holder, or permittee has done any of the following:

- (a) Made a material misstatement in an application for a license, compact privilege, or permit or for renewal of a license.
- (2) (b) Using the title “speech-language pathologist,” “audiologist” or any similar title unless the individual holds a current speech-language pathologist or audiologist license or compact privilege granted under s. 459.24 (2)<sub>1</sub> ~~or (3)~~, or (3e), Stats.
- (c) Violating the conditions or limitations placed upon a license, compact privilege, or permit by the board.
- (e) Having a license, compact privilege, certificate, permit or registration issued by another jurisdiction to practice as a speech-language pathologist or audiologist limited, suspended or revoked.

(f) Aiding or abetting an unlicensed person, knowingly conspiring with an unlicensed person, or allowing one's license or compact privilege to be used by an unlicensed person to evade the use of a title prohibited under s. 459.24 (1) or (1m), Stats.

(o) Failing to provide access to records of professional services rendered and products dispensed when requested by the board or its representative in connection with an investigation of a complaint filed against the applicant, licensee, compact privilege holder, or permittee.

(p) 1. The name of the licensee or compact privilege holder.

(s) Failing to practice speech-language pathology or audiology within the scope of the licensee's or compact privilege holder's competence, education, training and experience.

(t) Delegating the provision of clinical services to an unlicensed individual for whom the licensee or compact privilege holder does not provide direct supervision.

(u) Delegating the provision of clinical services to a temporary licensee for whom the licensee or compact privilege holder does not provide supervision.

(3) (intro.) In addition to the bases for unprofessional conduct set forth under sub. (2), the board may reprimand an audiologist, or deny, limit, suspend or revoke a license, compact privilege, or permit, if it finds that the applicant, licensee, compact privilege holder, or permittee has engaged in the following unprofessional conduct:

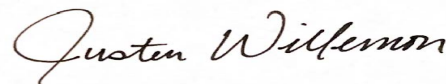
SECTION 7. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)  
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This Proposed Order of the Hearing and Speech Examining Board is approved for submission to the Governor and Legislature.

Dated 1/3/2025

Agency \_\_\_\_\_



Chairperson  
Hearing and Speech Examining Board

## ADMINISTRATIVE RULES

### Fiscal Estimate & Economic Impact Analysis

<b>1. Type of Estimate and Analysis</b> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	<b>2. Date</b> 07/26/24								
<b>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)</b> HAS 6 to 8 (Permanent Rule)									
<b>4. Subject</b> Implementation of the Audiology and Speech-Language Pathology Licensure Compact									
<b>5. Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>6. Chapter 20, Stats. Appropriations Affected</b> 20.165 (1) (g)								
<b>7. Fiscal Effect of Implementing the Rule</b> <table style="width: 100%;"><tr><td><input type="checkbox"/> No Fiscal Effect</td><td><input type="checkbox"/> Increase Existing Revenues</td><td><input checked="" type="checkbox"/> Increase Costs</td><td><input type="checkbox"/> Decrease Costs</td></tr><tr><td><input type="checkbox"/> Indeterminate</td><td><input type="checkbox"/> Decrease Existing Revenues</td><td colspan="2"><input type="checkbox"/> Could Absorb Within Agency's Budget</td></tr></table>		<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs	<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget	
<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs	<input type="checkbox"/> Decrease Costs						
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget							
<b>8. The Rule Will Impact the Following (Check All That Apply)</b> <table style="width: 100%;"><tr><td><input type="checkbox"/> State's Economy</td><td><input type="checkbox"/> Specific Businesses/Sectors</td></tr><tr><td><input type="checkbox"/> Local Government Units</td><td><input type="checkbox"/> Public Utility Rate Payers</td></tr><tr><td colspan="2"><input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b></td></tr></table>		<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors	<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers	<input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>			
<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors								
<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers								
<input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>									
<b>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).</b> \$0									
<b>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
<b>11. Policy Problem Addressed by the Rule</b> The Hearing and Speech Examining Board conducted a review of HAS 6 to 8 to implement the audiology and speech-language pathology interstate compact to ensure clarity and consistency with Wisconsin Statutes. The following updates were made as a result of this review: <ul style="list-style-type: none"><li>• Section HAS 6.01 was updated to include compact privilege holders</li><li>• A definition for "compact privilege" was added to HAS 6.02</li><li>• A definition for "home state" was added to HAS 6.02</li><li>• Section HAS 6.05 was created to address the requirements for applying for compact privileges</li><li>• Section HAS 6.10 (1) (a) was revised to include a supervisor with compact privileges</li><li>• Section HAS 6.16 was updated to include compact privilege holders</li><li>• Various subsections of HAS 6.18 were updated to include compact privilege holders</li></ul>									
<b>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.</b> The rule was posted on the Department's website for 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.									
<b>13. Identify the Local Governmental Units that Participated in the Development of this EIA.</b> None.									
<b>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)</b> DSPS estimates a total of \$35,800 in one-time and \$28,900 in annual ongoing costs for staffing and an indeterminate one-time IT impact to implement the bill. The one-time staff cost supports 0.9 limited term employee to undertake such tasks as amending and/or creating new application forms, working with Division of Enterprise Technology (DET) to create new methods and requirements in LicensE and the compact databases, updating information on website, facilitating staff training, creating checklists, and participating in systems testing. The estimated annual cost supports 0.5									



## ADMINISTRATIVE RULES

### Fiscal Estimate & Economic Impact Analysis

full-time equivalent position for reviewing renewal applications, completing background checks, updating compact database with applicant and license holder information, updating privilege statuses, and responding to inquiries. An indeterminate amount of Division of Enterprise Technology (DET) hours at \$85 per hour and/ or contractor hours will be required to provide LicensE integration and to align with software and payment systems of other states included in compact. The one-time and ongoing estimated costs cannot be absorbed in the currently appropriated agency budget.

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15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefits of implementing this rule are that the Hearing and Speech Examining Board's section of the Administrative Code will be aligned with Wisconsin State Statutes.

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16. Long Range Implications of Implementing the Rule

The long range implications of implementing this rule is clear requirements for practicing Audiology and Speech-Language Pathology in Wisconsin under compact privileges.

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17. Compare With Approaches Being Used by Federal Government

None.

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: Illinois has pending legislation regarding the Audiology and Speech-language Pathology Interstate Compact [2023 Illinois House Bill 3264].

Iowa: Iowa is a member state of the Audiology and Speech-language Pathology interstate compact [Iowa Code Title IV Chapter 147F].

Michigan: Michigan has not enacted the Audiology and Speech-language Pathology Interstate Compact [Michigan Compiled Laws Act 368 Part 176 Section 333.17601-333.17613].

Minnesota: Minnesota has pending legislation regarding the Audiology and Speech-language Pathology Interstate Compact [2023 House Bill HF2378 and Senate Bill SF2656].

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19. Contact Name

Nilajah Hardin, Administrative Rules Coordinator

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20. Contact Phone Number

(608) 267-7139

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This document can be made available in alternate formats to individuals with disabilities upon request.

**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☐ Less Stringent Compliance or Reporting Requirements  
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting  
☐ Consolidation or Simplification of Reporting Requirements  
☐ Establishment of performance standards in lieu of Design or Operational Standards  
☐ Exemption of Small Businesses from some or all requirements  
☐ Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes   ☐ No

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