



Tony Evers, Governor
Dawn Crim, Secretary

VIRTUAL/TELECONFERENCE
HEARING AND SPEECH EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Valerie Payne (608) 266-2112
January 11, 2021

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

1:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of October 5, 2020 (4-6)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns**
- D. Administrative Matters**
 - 1) Department, Staff and Board Updates
 - 2) Election of Officers, Appointment of Liaisons and Alternates, and Delegation of Authorities **(7-14)**
 - 3) Annual Policy Review **(15)**
 - 4) Board Members – Term Expiration Dates
 - a. Broeckert, Robert R. – 7/1/2020
 - b. Harris, Michael S. – 7/1/2023
 - c. Johnson, Barbara J. – 7/1/2021
 - d. Kanter, Catherine D. – 7/1/2024
 - e. Klapperich, Steven J. – 7/1/2019
 - f. Krier, Thomas J. – 7/1/2021
 - g. Pazak, Kathleen A. – 7/1/2023
 - h. Seligman, David H. – 7/1/2023
- E. Legislative and Policy Matters – Discussion and Consideration**
- F. Administrative Rule Matters – Discussion and Consideration (16)**
 - 1) HAS 1 and 2 Relating to Direct Supervision of Trainees **(17-22)**
 - 2) HAS 5 and 6 Relating to Telehealth **(23-29)**
 - 3) Biennial Report Under s. 227.29, Wis. Stats. **(30-31)**
 - 4) Pending or Possible Rulemaking Projects

G. Federal Regulations Regarding Over-the-Counter Hearing Aides – Discussion and Consideration

H. COVID-19 – Discussion and Consideration

I. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates
- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters
- 10) Legislative and Policy Matters
- 11) Administrative Rule Matters
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

J. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.)

K. Deliberation of Items Added After Preparation of the Agenda:

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders

- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

M. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

N. Open Session Items Noticed Above Not Completed in the Initial Open Session

O. License Ratification – Discussion and Consideration

ADJOURNMENT

NEXT MEETING: APRIL 4, 2021

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
HEARING AND SPEECH EXAMINING BOARD
MEETING MINUTES
OCTOBER 5, 2020**

PRESENT: Robert Broeckert, Michael Harris, Barbara Johnson, David Seligman, Thomas Krier, Kathleen Pazak, Steven Klapperich, Thomas Sather

STAFF: Valerie Payne, Executive Director; Jameson Whitney, Board Legal Counsel; Sharon Henes, Administrative Rules Coordinator; Daniel Betekhtin, Bureau Assistant; Kimberly Wood, Program Assistant Supervisor-Adv.; and other Department Staff

CALL TO ORDER

Barbara Johnson, Chairperson, called the meeting to order at 1:00 p.m. A quorum of eight (8) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

MOTION: Thomas Krier moved, seconded by Thomas Sather, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 6, 2020

MOTION: Michael Harris moved, seconded by David Seligman, to approve the Minutes of July 6, 2020 as published. Motion carried unanimously.

Board Members – Term Expiration Dates

Recognition of Thomas Sather – Speech-Language Pathologist Member

MOTION: Barbara Johnson moved, seconded by Thomas Krier, to recognize and thank Thomas Sather for his years of dedicated service to the Hearing and Speech Examining Board and State of Wisconsin. Motion carried unanimously.

**PUBLIC HEARING ON CLEARINGHOUSE RULE CR 20-036 RELATING TO REMOVING
OBSOLETE PROVISIONS**

Review and Respond to Clearinghouse Report and Public Hearing Comments

MOTION: Steven Klapperich moved, seconded by Thomas Krier, to accept all Clearinghouse comments for Clearinghouse Rule 20-036, relating to removing obsolete provisions. Motion carried unanimously.

MOTION: Robert Broeckert moved, seconded by Steven Klapperich, to authorize the Chairperson to approve the Legislative Report and Draft for Clearinghouse Rule 20-036, relating to removing obsolete provisions, for submission to the Governor's Office and Legislature. Motion carried unanimously.

CLOSED SESSION

MOTION: Robert Broeckert moved, seconded by Steven Klapperich, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Barbara Johnson, Chairperson; read the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Robert Broeckert-yes; Michael Harris-yes; Barbara Johnson-yes; Steven Klapperich-yes; Thomas Krier-yes; Kathleen Pazak-yes; and David Seligman-yes. Motion carried unanimously.

The Board convened to Closed Session at 3:03 p.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Case Closings

19 HAD 001 – J.T.V.

MOTION: Thomas Krier moved, seconded by Barbara Johnson, to close DLSC Case Number 19 HAD 001, against J.T.V., for Insufficient Evidence. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Robert Broeckert moved, seconded by Barbara Johnson, to reconvene to open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:12 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Steven Klapperich moved, seconded by Robert Broeckert, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

LICENSE RATIFICATION

MOTION: Steven Klapperich moved, seconded by Thomas Krier, to ratify the scores from the October 5, 2020 examinations and to grant the licenses once requirements are met. Motion carried unanimously.

ADJOURNMENT


MOTION: Robert Broeckert moved, seconded by Barbara Johnson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:19 p.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Daniel Betekhtin, Bureau Assistant		2) Date When Request Submitted: 12/21/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>					
3) Name of Board, Committee, Council, Sections: Hearing & Speech Examining Board							
4) Meeting Date: 1/11/2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters 1) Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities					
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A					
10) Describe the issue and action that should be addressed: 1) The Board should conduct Election Officers: Chairperson, Vice Chairperson & Secretary 2) The newly elected Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider its existing delegated authorities and any proposals for modification of delegations. a. Credentialing Delegations (Questions: Sarah Norberg) b. Monitoring Delegations (Questions: Amy Mayo)							
11) Authorization <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%;">  </div> <div style="width: 35%; text-align: right;"> 12/21/2020 </div> </div> <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%; border: none;">Signature of person making this request</td> <td style="width: 30%; border: none; text-align: right;">Date</td> </tr> <tr> <td style="border: none;">Supervisor (if required)</td> <td style="border: none; text-align: right;">Date</td> </tr> </table> <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date				Signature of person making this request	Date	Supervisor (if required)	Date
Signature of person making this request	Date						
Supervisor (if required)	Date						
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.							

HEARING AND SPEECH EXAMINING BOARD

2020 Elections and Liaison Appointments

ELECTION RESULTS	
Chairperson	Barbara Johnson
Vice Chairperson	Michael Harris
Secretary	David Seligman
LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Robert Broeckert, Barbara Johnson, Steven Klapperich, Thomas Krier, Thomas Sather
Exam Liaison(s)	Robert Broeckert, Steven Klapperich, Barbara Johnson
Continuing Education (CE) Liaison(s)	Thomas Sather , Thomas Krier, Barbara Johnson
Professional Assistance Program (PAP) and Monitoring Liaison(s)	Robert Broeckert
Legislative Liaison(s)	Thomas Sather
Travel Liaison(s)	Barbara Johnson
Website Liaison(s)	Thomas Krier, Robert Broeckert, Thomas Sather
Practice Question Liaison(s)	Steven Klapperich, Barbara Johnson, Thomas Sather
Screening Panel	Team A: Michael Harris, Steven Klapperich, David Seligman Team B: Robert Broeckert, Thomas Sather , David Seligman <i>Alternates:</i> Barbara Johnson, Thomas Krier

DELEGATION MOTIONS

Document Signature Delegations

MOTION: Thomas Krier moved, seconded by Steven Klapperich, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Thomas Krier moved, seconded by Michael Harris, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Michael Harris moved, seconded by Thomas Krier, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Monitoring Delegations

MOTION: Michael Harris moved, seconded by Steven Klapperich, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” as presented in the January 13, 2020 agenda materials. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Steven Klapperich moved, seconded by Barbara Johnson, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Barbara Johnson moved, seconded by Thomas Sather, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Thomas Krier moved, seconded by Michael Harris, that the Department's Attorney Supervisors, DLSC Administrator, or their designee are authorized to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to of Loss of Quorum

MOTION: David Seligman moved, seconded by Michael Harris, to delegate the review of disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum. Motion carried unanimously.

Voluntary Surrenders

MOTION: Steven Klapperich moved, seconded by Thomas Krier, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Continuing Education and Examination Delegation(s)

MOTION: Thomas Krier moved, seconded by Michael Harris, to delegate authority to the Continuing Education Liaison(s) and Examination Liaison(s) to address all issues related to continuing education or examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Thomas Krier moved, seconded by Steven Klapperich, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Thomas Krier moved, seconded by Michael Harris to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Barbara Johnson moved, seconded by Michael Harris, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Delegation

MOTION: Steven Klapperich moved, seconded by Thomas Krier, to delegate authority to the Travel Liaison to approve any board member travel. Motion carried unanimously.

PROPOSED 2021 CREDENTIALING DELEGATION MOTIONS

Delegation of Authority to Credentialing Liaison

MOTION: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

Delegation of Authority for Predetermination Reviews

MOTION: to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

Delegation of Authority for Conviction Reviews

MOTION: to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of audiology and/or speech-language pathology.

Or, alternatively,

MOTION: to delegate authority to Department Paralegals to review and approve applications with [optional: up to X] municipal/ordinance violations which are not substantially related to the practice of audiology and/or speech-language pathology.

MOTION: to delegate authority to Department Attorneys to review and approve applications with [optional: up to X] municipal/ordinance violations and misdemeanors [optional: each more than X years old and] which are not substantially related to the practice of audiology and/or speech-language pathology.

Delegation of Authority for Reciprocity/Endorsement Reviews

MOTION: to delegate authority to the Department Attorneys to review and approve reciprocity/endorsement applications in which the out of state license requirements for a hearing instrument specialist are equivalent to or higher than the Board's requirements, and such state or jurisdiction has a program equivalent to or stricter than the Board's requirements for determining whether applicants in this state are qualified to fit and sell hearing aids.

MOTION: to delegate authority to the Department Attorneys to review and approve reciprocity/endorsement applications in which the out of state license requirements for a speech-language pathologist or audiologist are substantially equivalent to the Board's requirements.

Delegated Authority for Application Denial Reviews

MOTION: to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

Roles and Authorities Delegated for Monitoring

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

~~Current~~ Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/disciplinary/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.
- ~~7.8.~~ Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain ~~the signature of~~ written authorization from the Liaison to sign on their behalf.
- ~~8.9.~~ Grant or deny a request to appear before the Board/Section in closed session.
- ~~9.10.~~ Board Monitoring The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
- ~~10.11.~~ (*Except Pharmacy and Medical*) Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.

~~11.12.~~ *(Except Pharmacy)* Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.

- a. ~~Initial Year 1:~~ 49 screens (including 1 hair test, if required by original order)
- b. ~~1st Reduction Year 2:~~ 36 screens (plus 1 hair test, if required by original order)
- c. ~~2nd Reduction Year 3:~~ 28 screens plus 1 hair test
- ~~d. Year 4: 28 screens plus 1 hair test~~
- ~~e. Year 5: 14 screens plus 1 hair test~~
- d. 3rd Reduction: 14 screens plus 1 hair test

~~12.13.~~ *(Dentistry only)* Ability to approve or deny all requests from a respondent.

~~13.14.~~ *(Except Nursing)* ~~Board Monitoring~~ The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

~~Current~~ Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if education CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered education CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.

Authorities Delegated to Board Legal Counsel

Board Legal Counsel may take the following actions on behalf of the Board/Section:

1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv.		2) Date When Request Submitted: 12/29/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date:	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> 1. Attendance/Quorum: Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting or if you have scheduling conflicts impacting your attendance, please let us know ASAP. Timely notification is appreciated as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law. 2. Walking Quorum: Please refrain from discussing Board/Section/Council business with other members outside of legally noticed meetings so to avoid walking quorum issues pursuant to Open Meetings Law. 3. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline which is 8 business days prior to a meeting. 4. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPS within 30 days of the close of each month in which expenses are incurred. 5. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members. Standard eligibility: member must leave home before 6:00 a.m. to attend a meeting by the indicated start time. <ul style="list-style-type: none"> • If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. If a meeting is changed to occur remotely or is cancelled or rescheduled DSPS staff will cancel or modify reservations as appropriate. 6. Inclement Weather Policy: In the event of inclement weather the agency may change a meeting from an in-person venue to one that is executed remotely. 			
11) Authorization			
<i>Kimberly Wood</i>		12/29/2020	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Kassandra Walbrun		2) Date when request submitted: 12/08/2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Hearing and Speech Examining Board			
4) Meeting Date: 1/11/2021	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters -Discussion and Consideration 1. HAS 1 and 2 relating to direct supervision of trainees 2. HAS 5 and 6 relating to telehealth 3. Biennial Report under s. 227.29, Wis. Stats. 4. Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: 1. Review of Draft text of rule – attachment 2. Review of Draft text of rule – attachment 3. Discussion of Board Member findings for Biennial Report 4. Update only – no attachments			
11) Authorization <hr/> <i>Kassandra Walbrun</i> 12/11/2020 <hr/> Signature of person making this request Date <hr/> Supervisor (if required) Date <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter HAS 1

LICENSURE OF HEARING INSTRUMENT SPECIALISTS

HAS 1.005 Authority.

HAS 1.01 Definitions.

Note: Chapter Had 1 was renumbered Chapter HAS 1 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1992, No. 436.

HAS 1.005 Authority. The rules in chs. HAS 1 to 5 are adopted pursuant to ss. 15.08 (5) (b), 227.11 (2) and 459.12 (1), Stats.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

HAS 1.01 Definitions. As used in chs. HAS 1 to 5, unless the context otherwise requires:

(1a) “Board” means the hearing and speech examining board.

(2) “Department” means the department of safety and professional services.

(2a) “Direct supervision” means being physically present at the time the trainee makes ear impressions or measurements of human hearing for the purpose of fitting or selling a hearing instrument or fits or sells a hearing instrument.

(2m) “Full terms of sale” means the conditions of a sale agreed to by a hearing instrument specialist and the purchaser of a hearing instrument.

(2n) “Hearing instrument” means a hearing aid, as defined in s. 459.01 (2), Stats.

(3) “License” means a license issued by the department under s. 459.05, Stats., to hearing instrument specialists.

(5) “Practice” means the practice of fitting and dealing in hearing instruments, as defined in s. 459.01 (5), Stats.

(5m) “Seller’s guarantee” means a promise made by a hearing instrument specialist to a hearing instrument purchaser to provide the minimum product warranty offered by a manufacturer.

(5n) “Sufficient cause” means illness or other hardship.

(6) “Trainee” means the holder of a permit.

(7) “Trainee permit” has the meaning given in s. 459.01 (7), Stats.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; correction in (1) made under s. 13.93 (2m) (b) 6., Stats., Register, April, 1992, No. 436; am. (intro.), (2) to (5), Register, July, 1992, No. 439, eff. 8-1-92; am. (intro.), Register, January, 1994, No. 457, eff. 2-1-94; cr. (2m), (5m), Register, January, 1995, No. 469, eff. 2-1-95; renun. (1) to be (1a), cr. (1) and (2a), Register, August, 1995, No. 476, eff. 9-1-95; am. (1), (2a) (a), (b), (2m), (3) and (5m), cr. (2n) and (5n), renun. (4) to be (7) and am., Register, July, 1998, No. 511, eff. 8-1-98; r. (1), (2a) (b), renun. and am. (2a) (intro.) and (a) to be (2a) and am. (5n), Register, February, 1999, No. 518, eff. 3-1-99; **correction in (2) made under s. 13.92 (4) (b) 6., Stats., Register February 2012 No. 674.**

Chapter HAS 2

HEARING INSTRUMENT SPECIALISTS TEMPORARY TRAINEES

HAS 2.01 Trainees.

HAS 2.02 Accommodations relating to a disability.

Note: Chapter Had 2 was renumbered Chapter HAS 2 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1992, No. 436.

HAS 2.01 Trainees. (1) An applicant for a trainee permit must make application on the form provided by the department. This form must be completed in full, and payment in the amount of the fee specified under s. 440.05 (6), Stats., must accompany this application.

Note: Applications are available on the website at dsps.wi.gov or by calling (608) 266-2112.

(2) A trainee permit issued by the board entitles the trainee to practice fitting hearing instruments, make ear impressions and make measurements of human hearing, for the purpose of fitting hearing instruments, for a period of one year and only while under the direct supervision of a hearing instrument specialist or an audiologist who holds a license issued under ch. 459, Stats. The licensee is liable for the trainee's negligent acts and omissions in the fitting of hearing instruments.

(3) A trainee permit may be renewed or regranted only once and then only when the trainee shows sufficient cause to the board

for not having completed the requirements for a permanent license.

(4) No more than one trainee at any given time may hold a trainee permit to practice the fitting of hearing instruments under the direct supervision of a given licensee.

(5) A trainee permit will be revoked by the board upon receipt of written notice, signed by the trainee's supervising licensee, stating that the licensee wishes to cease supervising such trainee.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (1), Register, January, 1979, No. 277, eff. 2-1-79; am. (4), r. (6), Register, February, 1991, No. 422, eff. 3-1-91; am. (1), (2) and (4), Register, July, 1992, No. 439, eff. 8-1-92; am. (1) to (3), renum. (4) to be (4) (a), cr. (4) (b), Register, August, 1995, No. 476, eff. 9-1-95; am. (3) and (4), Register, July, 1998, No. 511, eff. 8-1-98; renum. and am. (4) (a) to be (4) and r. (4) (b), Register, February, 1999, No. 518, eff. 3-1-99; CR 05-026: am. (2) Register September 2005 No. 597, eff. 10-1-05.

HAS 2.02 Accommodations relating to a disability.

A qualified applicant with a disability shall be provided with reasonable accommodations requested in connection with the completion of an application for a trainee permit.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

Comparison Summary of Other States Hearing Instrument Specialist Trainee Permits and Supervision

*Prepared by Kassandra Walbrun, Administrative Rules Coordinator
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March 23, 2020*

Wisconsin

Wisconsin Statutes s. 459.07 provides the process to receive a temporary trainee permit for hearing instrument specialists. HAS 1 and 2 provide additional rules. A trainee permit to practice fitting of hearing aids may be issued for one year, renewable for one time for cause. A trainee must pass the practical examination prior to the expiration of their temporary trainee permit.

A temporary trainee permit allows candidates to practice fitting hearing instruments, make ear impressions and measurements of human hearing for the purpose of fitting hearing instruments under the direct supervision of a licensed Hearing Instrument Specialist. One trainee may be supervised by a licensed specialist at any time.

Illinois

Hearing specialist trainees can receive a six-month dispenser license which is non-renewable. Direct supervision is required from a designated licensed hearing specialist for up to three trainees maximum per one supervisor. Applicants for a six-month trainee dispenser license is required to submit a letter of verification from the licensed supervisor and completed trainee for signed by supervisor. Before a trainee license will be issued, the trainee must complete required courses and pay the trainee license fee.

"Direct supervision" requires the licensed hearing instrument dispenser or audiologist to give final approval to all work performed by the trainee and is physically present anytime the trainee has contact with a client. The licensed hearing instrument dispenser or audiologist is responsible for all work performed by the trainee.

- A licensed hearing instrument dispenser/audiologist must directly observe 100 percent of each hearing instrument dispensing activity by a licensed trainee.
- Contracts signed by a licensed trainee shall also be signed by the designated supervisor.
- Until the licensed trainee has obtained a Hearing Instrument Dispenser License or becomes a licensed audiologist, dispensing of hearing instruments is limited to sites where the designated supervisor observes 100 percent of the time that the trainee has client contact.

<http://dph.illinois.gov/topics-services/prevention-wellness/vision-hearing/hearing-instrument-consumer-protection-program>

<http://www.ilga.gov/commission/jcar/admincode/077/07700682sections.html>

Iowa

Iowa Statutes chapter 645, section 121.2 allows the Board of Hearing Aid Specialists to issue temporary permits for hearing aid specialists trainees. Temporary permits are issued for one year and are non-renewable. The permit application includes a statement from the employer outlining the type of supervision to be provided to the trainee; a list of the subjects to be covered; the materials to be used for training; and an outline of the training program to be followed in preparing the trainee for examination.

The licensed hearing aid specialist employing the holder of a temporary permit is responsible for:

- training of the temporary permit holder;

- evaluating the audiograms and determining which hearing aid and ear mold will best compensate for hearing loss of a particular person;
- notifying the board within 15 days of the termination of the holder of a temporary permit;
- supervising up to three trainees with temp permits at same time; and,
- for the first 90 days, provide a minimum of 20 hours of direct supervision per week in physical presence of trainee.

Supervisors must cosign all audiometric evaluations and contracts processed by the trainee for the duration of the temporary permit and submit a report for trainees prior to taking the board-approved examination and any retakes.

Licensure of Hearing Aid Specialists: <https://www.legis.iowa.gov/docs/ACO/chapter/645.121.pdf>

Michigan

Under Michigan statutes s. 339.1307, a Hearing Aid Trainee license is available through the Department of Licensing and Regulatory Affairs. A trainee license is valid for one year. A new trainee license may be issued by the board upon the filing of an application. Application fee is \$50.

Michigan requires a trainee work for and under the direction and supervision of a named licensed hearing aid dealer. A license may be transferred by a trainee to a new dealer upon the filing of an application for a transfer. There is no identified limit on the number of trainees that a named licensed hearing aid dealer may supervise.

https://www.michigan.gov/lara/0,4601,7-154-89334_72600_72602_72731_72868---,00.html

Minnesota

Hearing Aid Dispensers Trainees can be licensed for up to one year. Trainees must be under the supervision of a certified dispenser and must meet all requirements for certification except passage of examination.

There are two levels of supervision for a trainee, indirect and direct. A certified hearing instrument dispenser may indirectly supervise up to two trainees at the same time and directly supervise only one trainee at a time. Under indirect supervision, the trainee must complete two monitored activities a week. Monitored activities may be executed by correspondence, telephone, or other telephonic devices, and include, but are not limited to, evaluation of audiograms, written reports, and contracts. The trainee's time spent under supervision must be recorded and the record retained by the supervisor.

The certified dispenser is responsible for all actions or omissions of a trainee in connection with the dispensing of hearing instruments. Trainees must be directly supervised in all activities prior to passing the practical exam. Once a trainee passes the practical exam, Trainees may dispense hearing instruments under indirect supervision until expiration of the trainee period.

<https://www.health.state.mn.us/facilities/providers/hid/certregs.html>

Other States - California

A trainee license may be issued for six months with an option of two renewals. The trainee's supervisor must possess a California hearing aid dispensers or dispensing audiology license for at least three years. A supervisor may supervise only one trainee-applicant at any one time unless granted a specific waiver by the Board of Speech and Hearing. The supervisor must be physically present in the same work setting as the trainee for a minimum 20 percent of the time. If the trainee fails either the written or practical exam, the supervisor is required to be physically present 100 percent of the time at all fittings and sales made by the trainee. The supervisor is

responsible for all acts or omissions committed by the trainee while practicing the fitting and selling of hearing aids. Application fees are \$400 and include application and exam fees.

If a trainee fails any examination, the supervising dispenser is required to be physically present at all fittings and sales made by the trainee-applicant.

[CCR 1399.119\(d\)](#)

https://www.speechandhearing.ca.gov/forms_pubs/appreq_supv.pdf

Other States - Florida

A hearing aid specialist trainee must work only under the direct supervision of a licensed hearing aid specialist. The term “direct supervision” means that the sponsor is responsible for all work being performed by the trainee. The sponsor or a hearing aid specialist designated by the sponsor must give final approval to work performed by the trainee and shall be physically present at the time the hearing aid is delivered to the client.

A training program is a minimum of six months and divided into four stages:

1. *Stage I:* The trainee completes the International Hearing Society Distance Learning Course and submits proof of passing the course final exam before entering Stage II. Following completion of Stage I, trainees must complete a minimum of twenty hours each week totaling 480 hours during the six-month training period.
2. *Stage II – 1 month:* The trainee may perform audiometric tests, and make ear mold impressions and modifications, while the sponsor is physically present, in the same room at all times when the trainee is performing these functions. The trainee may not recommend the selection of a hearing aid, dispense a hearing aid or counsel a client.
3. *Stage III – 2 months:* The trainee may perform all tasks in Stage II, recommend the selection of a hearing aid, and counsel a client. Trainee must be under the direct supervision of the sponsor or hearing aid specialist designated by the sponsor. The trainee may not deliver a hearing aid.
4. *Stage IV – 3 months:* The trainee may perform all the tasks in Stages II and III and deliver hearing aids, but the sponsor or hearing aid specialist designated by the sponsor must be physically present in the same room at the time a hearing aid is delivered to the client. The receipt must have the signature and license number of the sponsor or hearing aid specialist designated by the sponsor.

A sponsor must possess an active license and actively practicing for at least two consecutive years immediately prior to sponsorship and must be Board certified by the National Board for Certification in Hearing Instrument Sciences. A sponsor may not sponsor more than three trainees at any one time. For trainees who do not pass their first exam, they are allowed a continuance in the training program (pending their Sponsor’s approval) for an additional six months. During the second Training Program the Trainee remains in Stage IV of the training program and can apply to take the exam again as many times as necessary to pass.

Florida Statutes Section 484.051 and Florida Administrative Code [Rule 64B6-8.003, F.A.C.](#)

TEXT OF RULE

SECTION 1. HAS 2.01(3) is amended to read:

(3) A trainee permit may be ~~renewed or regranted only once~~ extended for a period of one year ~~and then only when~~ if the trainee shows sufficient cause to the board for not having completed the requirements for a permanent license.

SECTION 2. HAS 2.01(4) is amended to read:

(4) No more than ~~one trainee~~ 3 trainees at any given time may hold a trainee permit to practice the fitting of hearing instruments under the direct supervision of a given licensee.

SECTION 5. 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.

(END OF TEXT OF RULE)

Chapter HAS 5

HEARING INSTRUMENT SPECIALISTS UNPROFESSIONAL CONDUCT

HAS 5.01 Authority.

HAS 5.02 Unprofessional conduct.

Note: Chapter Had 5 was renumbered Chapter HAS 5 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1992, No. 436.

HAS 5.01 Authority. The rules in this chapter are adopted pursuant to the authority in ss. 15.08 (5) (b), 227.11, 459.10 (1) (k), and 459.12 (1), Stats.

History: Cr. Register, May, 1988, No. 389, eff. 6-1-88; am. Register, July, 1998, No. 511, eff. 8-1-98.

HAS 5.02 Unprofessional conduct. (1) In this section, “client records” include:

- (a) The results of all tests required under ch. HAS 4.
- (b) Copies of all contracts, receipts and guarantees involving the sale of hearing instruments.
- (c) Documentation of all pertinent client contacts, except those relating to the sale of batteries or product accessories.
- (d) Copies of all written statements waiving medical evaluations, as required under 21 CFR 801.421.

Note: Hearing instrument specialists must comply with the recordkeeping requirements adopted by the U.S. Food and Drug Administration (FDA), as set forth in 21 CFR 801.421.

(2) The following, without limitation because of enumeration, are violations of standards of professional conduct and constitute unprofessional conduct under s. 459.10 (1) (k), Stats.:

- (a) After a request by the board, failing to cooperate in a timely manner with the board’s investigation of complaints filed against the applicant or licensee. There is a rebuttable presumption that a licensee or applicant who takes longer than 30 days to respond to a request of the board has not acted in a timely manner under this subsection.
- (b) Knowingly providing false information to the board.
- (c) Knowingly placing false information in a client’s records or making a client’s record false.
- (d) Failing to maintain client records for a period of 5 years.

(dm) Failing to record all of the following information in each client record:

1. The date of entry of pertinent information.
 2. The name of the licensee.
 3. Information sufficiently legible to allow interpretation by other individuals for the benefit of the client.
- (e) Practicing in a manner which substantially departs from the standard of care ordinarily exercised by a hearing instrument specialist.
- (f) Failing to maintain proper calibration of audiometric equipment, as specified in s. HAS 4.03 (3).
- (fm) Failing to maintain adequate records of certification of calibrations of audiometric equipment for a period of 5 years or failing to provide access to those records when requested by the board or its representative.
- (g) Failing to clearly state the full terms of sale on a receipt, as required in s. 459.03, Stats., and failing to comply with those terms. The full terms of sale shall include all of the following:
1. The amount and method of payment.
 2. The date and place of delivery.
 3. The terms of any guarantee.
 4. The nature and duration of the trial period and extension, if any.
 5. The refund policy and amount, if any.
 6. The product return and exchange policy, if any.
 7. The product repair policy, if any.
- (h) Soliciting from or knowingly disclosing to any person or entity the content of an examination conducted under ch. HAS 3.
- History:** Cr. Register, May, 1988, No. 389, eff. 6-1-88; am. (1), (2) (d) and (e), cr. (2) (f), Register, July, 1992, No. eff. 8-1-92; cr. (2) (g), Register, January, 1995, No. 469, eff. 2-1-95; am. (1) (f), cr. (1) (fm), Register, July, 1997, No. 499, eff. 8-1-97; r. and recr. (1), am. (2) (intro.), (c), (d), (g) 2., cr. (2) (dm) and (h), Register, July, 1998, No. 511, eff. 8-1-98; CR 05-026: am. (2) (g) and 2. Register September 2005 No. 597, eff. 10-1-05.

Chapter HAS 6

LICENSURE OF SPEECH–LANGUAGE PATHOLOGISTS, AUDIOLGISTS AND TEMPORARY LICENSEES

Subchapter I — Speech–Language Pathologists and Audiologists

HAS 6.01	Authority and purpose.
HAS 6.02	Definitions.
HAS 6.03	Applications for licensure; speech–language pathologist.
HAS 6.04	Applications for licensure; audiologist.
HAS 6.07	Reciprocal license.
HAS 6.08	Limited permit.
HAS 6.085	Accommodations relating to a disability.

Subchapter II — Temporary Licensees

HAS 6.09	Definitions.
HAS 6.10	Temporary licenses.

HAS 6.12	Use of titles.
HAS 6.13	Discipline.

Subchapter III — Unlicensed Individuals

HAS 6.14	Definitions.
HAS 6.15	Direct supervision.
HAS 6.16	Prohibited practice and use of titles.
HAS 6.17	Discipline.

Subchapter IV — Discipline

HAS 6.175	Definitions.
HAS 6.18	Grounds for discipline.

Note: Chapter HAS 6 as it existed on May 31, 1993, was repealed and a new chapter HAS 6 was created effective June 1, 1993.

eff. 10–1–05; CR 15–096: r. (1m), (5), am. (6), (9) Register August 2016 No. 728, eff. 9–1–16.

Subchapter I — Speech–Language Pathologists and Audiologists

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.

History: Cr. Register, May, 1993, No. 449, eff. 6–1–93; CR 01–043: am. Register October 2001 No. 550, eff. 11–1–01.

HAS 6.02 Definitions. In this chapter and in ch. 459, Stats.:

- (1) “ASHA” means the American speech–language hearing association.
- (2) “Audiologist” has the meaning given in s. 459.20 (1), Stats.
- (3) “Audiology” has the meaning given in s. 459.20 (2), Stats.
- (4) “Board” means the hearing and speech examining board.
- (4t) “Hearing aid” has the meaning given in s. 459.20 (3g), Stats.
- (6) “Postgraduate clinical fellowship” means a program approved by the board consisting of a minimum of 9 months of supervised clinical practice in speech–language pathology provided in the work setting to which an applicant is seeking licensure.
- (6a) “Practice of fitting and dealing in hearing aids” has the meaning given in s. 459.20 (3p), Stats.
- (7) “Speech–language pathologist” has the meaning given in s. 459.20 (4), Stats.
- (8) “Speech–language pathology” has the meaning given in s. 459.20 (5), Stats.
- (9) “Supervised clinical practicum” means a program required by a college or university for completion of a master’s degree in speech–language pathology or a doctoral degree in audiology.
- (10) “Verification of clinical competence” means written confirmation submitted directly to the board by ASHA stating that an applicant holds a certificate of clinical competence in speech–language pathology or audiology.

History: Cr. Register, May, 1993, No. 449, eff. 6–1–93; cr. (4m), Register, August, 1995, No. 476, eff. 9–1–95; cr. (4r), Register, July, 1997, No. 499, eff. 8–1–97; cr. (10), Register, July, 1998, No. 511, eff. 8–1–98; am. (intro.), (2) and (3), cr. (4o), (4t), (6a), (6b) and (8a), Register, February, 1999, No. 518, eff. 3–1–99; CR 01–043: cr. (1m), r. (4o), (4r) and (8a), am. (7) to (9), Register October 2001 No. 550, eff. 11–1–01; CR 03–025: cr. (4g) and (5g) Register January 2004 No. 577, eff. 2–1–04; CR 05–026: am. (1m), r. (4g), (4m), (5g) and (6b) Register September 2005 No. 597,

HAS 6.03 Applications for licensure; speech–language pathologist. Every applicant for licensure as a speech–language pathologist shall submit:

- (1) An application on a form provided by the board.
Note: Applications are available on the website at dps.wi.gov or by calling (608) 266–2112.
 - (2) The fee specified in s. 440.05 (1), Stats.
 - (4) Subject to ss. 111.321, 111.322, and 111.335, Stats., evidence satisfactory to the board that the applicant does not have a conviction record.
 - (5) Evidence satisfactory to the board that the applicant has satisfied one of the following:
 - (a) Completed a supervised clinical practicum and received a master’s degree in speech–language pathology from a college or university approved by the board.
 - (b) Completed education or training that the board determines is substantially equivalent to the requirements under par. (a).
 - (6) Verification the applicant has satisfied one of the following:
 - (a) Passed the Praxis Speech–Language Pathologist examination.
 - (b) Completed education or training that the board determines is substantially equivalent to passing the NESPA examination that may include verification that the applicant has been granted a certificate of clinical competence in speech–language pathology by ASHA.
 - (7) Evidence satisfactory to the board that the applicant has satisfied one of the following:
 - (a) Completed a postgraduate clinical fellowship in speech–language pathology approved by the board.
 - (b) Completed education or training that the board determines is substantially equivalent to the completion of a postgraduate clinical fellowship in speech–language pathology.
- History:** Cr. Register, May, 1993, No. 449, eff. 6–1–93; emerg. am. (6), eff. 12–6–93; am. (6), Register, April, 1994, No. 460, eff. 5–1–94, r. (3), Register, July, 1998, No. 511, eff. 8–1–98; CR 01–043: am. (5), r. and recr. (6), Register October 2001 No. 550, eff. 11–1–01; CR 05–026: renum. (7) to be (7) (intro.), cr. (7) (a) and (b) Register September 2005 No. 597, eff. 10–1–05; CR 15–096: am. (6) (intro.), (a) Register August 2016 No. 728, eff. 9–1–16.

HAS 6.04 Applications for licensure; audiologist. Every applicant for licensure as an audiologist shall submit:

- (1) An application on a form provided by the board.
Note: Applications are available on the website at dps.wi.gov or by calling (608) 266–2112.
- (2) The fee specified in s. 440.05 (1), Stats.

(4) Subject to ss. 111.321, 111.322 and 111.335, Stats., evidence satisfactory to the board that the applicant does not have a conviction record.

(5) Evidence satisfactory to the board that the applicant has completed a supervised clinical practicum and satisfied one of the following:

(a) Possesses a doctoral degree in audiology from a college or university in an accredited academic program. The doctoral degree program shall consist of not less than 3 years of educational course work and not less than 12 months of clinical rotation or externship.

(b) Evidence satisfactory to the examining board that the applicant has completed education or training that the board determines is substantially equivalent to the requirement under par. (a).

(6) Verification the applicant has satisfied one of the following:

(a) Passed the Praxis Audiology examination.

(b) Completed education or training that the board determines is substantially equivalent to passing the Praxis Audiology examination. A certificate of clinical competence in audiology granted by ASHA is considered equivalent.

(8) Evidence satisfactory to the board that the applicant has passed the practical examination required under s. 459.26 (2) (b), Stats., or has completed education or training that the board determines is substantially equivalent to the completion of the examination.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; r. (3), am. (7), Register, July, 1998, No. 511, eff. 8-1-98; cr. (8), Register, February, 1999, No. 518, eff. 3-1-99; CR 01-043: am. (5) and (8), r. and recr. (6) and (7), Register October 2001 No. 550, eff. 11-1-01; CR 15-096: am. (5), (6) (intro.), (a), consol. (6) (b) (intro.) and 1. and renum. (6) (b) and am., r. (6) (b) 2., (7) Register August 2016 No. 728, eff. 9-1-16.

HAS 6.07 Reciprocal license. (1) SPEECH-LANGUAGE PATHOLOGY. The board shall grant a license to practice speech-language pathology to an applicant who pays the fee required by s. 440.05 (2), Stats., and provides evidence of all the following:

(a) The applicant has a current license to practice speech-language pathology in good standing in another state or territory of the United States.

(b) The requirements for licensure in the other state or territory are substantially equivalent to the requirements under s. 459.24 (2), Stats.

(2) **AUDIOLOGY.** The board shall grant a license to practice audiology to an applicant who pays the fee required by s. 440.05 (2), Stats., and provides evidence of one of the following:

(a) The applicant has a current license to practice audiology in good standing in another state or territory of the United States and the requirements for licensure in the other state or territory are substantially equivalent to the requirements under s. 459.24 (3), Stats.

(b) The applicant has a current license to practice audiology in good standing in another state or territory of the United States and provides evidence of all the following:

1. The requirements for licensure in the other state or territory are substantially equivalent to the requirements under s. 459.24 (3) (c), (e), and (em), Stats.

2. The applicant has completed a supervised clinical practicum and received a master's degree in audiology from a college or university approved by the examining board or has completed education or training that the examining board determines is substantially equivalent to the completion of those requirements.

(3) **RECIPROCAL AGREEMENTS.** A license to practice speech-language pathology or audiology may be granted to applicants according to the terms of a reciprocal agreement the board has entered into with another state or territory.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; CR 01-043: am. (1) (intro) and (c), Register October 2001 No. 550, eff. 11-1-01; CR 15-096: r. and recr.

Register August 2016 No. 728, eff. 9-1-16; correction in (1) (intro.), (2) (intro.) made under s. 35.17, Stats., Register August 2016 No. 728, eff. 9-1-16.

HAS 6.08 Limited permit. (1) A non-resident applicant for a limited permit to practice in association with a licensed speech-language pathologist or licensed audiologist for a period not to exceed 10 days in any calendar year shall submit the application, pay the fee specified in s. 440.05 (6), Stats., and provide evidence of all of the following:

(a) The applicant does not have an arrest or conviction record, subject to ss. 111.321, 111.322, and 111.335, Stats.

(b) Completion of one of the following:

1. The requirements in s. HAS 6.03 (5) for the practice of speech-language pathology.

2. The requirements in s. HAS 6.04 (5) for the practice of audiology.

(2) A non-resident applicant for a limited permit to practice speech-language pathology or audiology, who holds a current speech-language pathologist or audiologist license in another state or territory of the United States which has requirements determined by the board to be substantially equivalent to the requirements under s. 459.24 (2) or (3), Stats., shall submit the application, pay the fee specified in s. 440.05 (6), Stats., and provide evidence the applicant holds a current license in good standing. The limited permit shall be valid for a period not to exceed 45 days in any calendar year.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; am. (1) (b) and (2) (b), Register, January, 1994, No. 457, eff. 2-1-94; r. (1) (c), cr. (1) (d) and (e), am. (2) (b) and (3), Register, July, 1998, No. 511, eff. 8-1-98; am. (2) (b), Register, February, 1999, No. 518, eff. 3-1-99; CR 01-043: r. and recr. (1) (e) 2., am. (2) (b), (c) and (3), Register October 2001 No. 550, eff. 11-1-01; CR 15-096: r. and recr. Register August 2016 No. 728, eff. 9-1-16; correction in (1) (intro.), (2) made under s. 35.17, Stats., Register August 2016 No. 728.

HAS 6.085 Accommodations relating to a disability. A qualified applicant with a disability shall be provided with reasonable accommodations requested in connection with the completion of an application for a credential.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

Subchapter II — Temporary Licensees

HAS 6.09 Definitions. In this subchapter and in ch. 459, Stats.:

(1) "Hardship" means serious illness or some other personal adversity, as determined by the board.

(1m) "Sufficient cause" means illness or other hardship.

(2) "Supervision" means any of the following:

(a) A face-to-face meeting, at least monthly, between the supervisor and the temporary licensee and other on-going communications by mail, telephone, pager, e-mail or other electronic means.

(b) On-site, in-view observation and guidance by the supervisor while an assigned activity is performed by the temporary licensee.

History: CR 01-043: Cr. Register October 2001 No. 550, eff. 11-1-01; CR 05-026: renum. (1) to be (1m), cr. (1) Register September 2005 No. 597, eff. 10-1-05; CR 15-096: r. (3) Register August 2016 No. 728, eff. 9-1-16.

HAS 6.10 Temporary licenses. (1) SPEECH-LANGUAGE PATHOLOGY. (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 speech-language pathologist by submitting all the following:

1. An application and fee specified in s. 440.05 (6), Stats.

2. Evidence the applicant does not have an arrest or conviction record, subject to ss. 111.321, 111.322, and 111.335, Stats.

3. Evidence the applicant has completed one of the following:

a. A supervised clinical practicum and received a master's degree in speech–language pathology from a college or university approved by the board.

b. Education or training that the board determines is substantially equivalent to the completion of the supervised clinical practicum and master's degree in speech–language pathology.

4. Evidence of the applicant is registered to take the next available Praxis Speech–Language Pathology examination or has passed the Praxis Speech–Language Pathology examination or has completed education or training that the board determines is substantially equivalent to passing the examination.

(b) A temporary license to practice speech–language pathology is valid for 18 months. A temporary license may be renewed once by the board.

(c) Notwithstanding par. (b), a temporary license to practice speech–language pathology shall terminate in 90 days if an applicant fails to take the next available examination for reasons other than inaction by the examining board or hardship.

(d) A person holding a temporary license to practice speech–language pathology shall be supervised face–to–face, at least monthly, by a licensed 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.

(2) AUDIOLOGY. (a) A temporary license to practice audiologist may be granted by submitting of all of the following:

1. An application and fee specified in s. 440.05 (6), Stats.

2. Evidence the applicant does not have an arrest or conviction record, subject to ss. 111.321, 111.322, and 111.335, Stats.

3. Evidence the applicant has completed a supervised clinical practicum and one of the following:

a. Possesses a doctoral degree in audiology from an accredited academic institution approved by the board. The doctoral degree program shall consist of not less than 3 years of educational course work and not less than 12 months of clinical rotation or externship.

b. Education or training that the board determines is substantially equivalent to the completion of the requirement under subd. 3. a.

4. Evidence the applicant has passed the Praxis Audiologist examination.

(b) A temporary license to practice audiology is valid for 6 months. A temporary license may be renewed once by the board, for a time period to allow the applicant time to take the next available examination and receive the results of the examination, if one of the following occurs:

1. The applicant fails the practical exam required under s. 459.26 (2) (b), Stats., and applies to take the next available examination.

2. The applicant shows to the satisfaction of the examining board sufficient cause for the renewal.

History: CR 01–043: cr. Register October 2001 No. 550, eff. 11–1–01; CR 05–026: am. (1) (intro.) and (2), renum. (3) to be (6), cr. (3) to (5) Register September 2005 No. 597, eff. 10–1–05; CR 15–096: r. and recr. Register August 2016 No. 728, eff. 9–1–16.

HAS 6.12 Use of titles. An individual who holds a temporary license under s. 459.24 (6), Stats., may use the title “audiology intern,” “speech–language pathology intern,” “clinical fellow in audiology,” or “clinical fellow in speech–language pathology.”

History: CR 01–043: cr. Register October 2001 No. 550, eff. 11–1–01.

HAS 6.13 Discipline. Temporary licensees and speech–language pathologists and audiologists who supervise temporary licensees may be subject to discipline under s. HAS 6.18.

History: CR 01–043: cr. Register October 2001 No. 550, eff. 11–1–01.

Subchapter III — Unlicensed Individuals

HAS 6.14 Definitions. In this chapter and in ch. 459, Stats.:

(1) (a) “Assist in the practice of speech–language pathology” means providing speech–language pathology services, while under direct supervision, that include any of the following:

1. Assisting the speech–language pathologists with speech–language screenings.

2. While in the presence of the speech–language pathologist, providing assistance during client evaluations.

3. Helping with informal documentation such as taking a written language sample; organizing test materials; preparing treatment materials; developing communication boards and performing assigned clerical duties.

4. Scheduling activities, preparing charts, records, graphs or displaying data related to client performance.

5. Performing calibration and regular maintenance of equipment.

6. Participating in research projects, in–service training and public relations programs.

7. While in the presence of the speech–language pathologist, providing assistance during a treatment session conducted by the speech–language pathologist that may include any of the following:

a. Structured speech–language drills; oral motor exercises; practice and reinforcement of established speech–language skills and applications to communication activities of daily living.

b. Informal documentation of the client's response to treatment.

8. Providing treatment to clients selected by the speech–language pathologist by adhering to the treatment plans established by the speech–language pathologist who is available on site for consultation, as needed.

(b) “Assist in the practice of speech–language pathology” does not include any of the following:

1. Performing formal or informal speech–language pathology evaluations.

2. Interpreting screening or test results.

3. Participating in client conferences or interdisciplinary team meetings or communicating with a client's family or other individuals outside of the presence of the supervising speech–language pathologist unless authorized by the speech–language pathologist.

4. Writing evaluation consultation reports.

5. Counseling or consulting with the client, the client's family or other individuals regarding the client's status or service.

6. Writing, developing or modifying a client's individualized treatment plan.

7. Deviating from the treatment plan.

8. Working with clients without direct supervision by the speech–language pathologist.

9. Signing formal client documents such as evaluations or progress notes.

10. Selecting clients for service or discharging clients from service.

11. Disclosing confidential client information to anyone other than the supervising speech–language pathologist unless authorized by the supervising speech–language pathologist.

12. Referring a client to another health care provider.

13. Representing himself or herself as a speech–language pathologist.

14. Using a checklist to tabulate results of feeding or swallowing evaluations.

15. Demonstrating swallowing strategies or precautions to a client, the family of a client or staff.

(2) (a) “Assist in the practice of audiology” means providing audiology services that include any of the following:

1. Conducting hearing screenings including pure tone thresholds.
2. Servicing hearing instruments including applying lubrication, making tube changes on ear molds, cleaning and repairing cases or ear mold surfaces, checking battery status and returning hearing instruments to clients after servicing.
3. Preparing informal documentation of clients’ responses to treatment or service.
4. Performing biological checks, calibrations and regular maintenance of equipment.
5. Preparing charts and records, scheduling activities and performing assigned clerical duties.

(b) “Assist in the practice of audiology” does not mean any of the following:

1. Performing diagnostic audiological evaluations.
2. Interpreting screening or test results.
3. Writing evaluation consultation reports.
4. Providing counseling to the client or the client’s family.
5. Signing formal client documents including evaluations and progress notes.
6. Disclosing confidential client information unless authorized by the supervising audiologist.
7. Referring a client to another health care provider.

(3) “Direct supervision of unlicensed individuals” means:

(a) For purposes of monitoring unlicensed individuals who assist in the practice of speech–language pathology, providing direct observation and supervision of the clinical services provided by the individual to clients at least 50% of client contact time during the first 90 days of employment and no less than 10% thereafter. Direct supervision shall be scheduled and documented. Documentation of direct supervision shall include all of the following:

1. Identifying specific roles and tasks for the individual.
2. Ensuring that the tasks performed by the individual do not require the exercise of professional judgment or entail interpretation of results or the development or modification of treatment plans.
3. Providing appropriate training that is competency–based and specific to job performance.
4. Maintaining a record of direct supervision provided by the speech–language pathologist over the unlicensed individual who assists in the practice of speech–language pathology.

(b) For purposes of monitoring unlicensed individuals who assist in the practice of audiology, providing comprehensive, periodic and documented supervision that includes:

1. Identifying specific roles and tasks for the individual.
2. Ensuring that the tasks performed by the individual do not require the exercise of professional judgment or entail interpretation of results or the development or modification of treatment plans.
3. Providing appropriate training that is competency–based and specific to job performance.

(4) “Full–time equivalent individual” means an unlicensed individual who, alone or in conjunction with other unlicensed individuals, assists in the practice of speech–language pathology or audiology for a combined total of 40 hours per week.

History: CR 01–043: cr. Register October 2001 No. 550, eff. 11–1–01; CR 03–025: am. (1) (a) 1. and 2., (b) 5. and 7., (2) (a) 2., (3) (a) (intro.), and 4., renum. (1) (a) 2. a. to d. and 3. (intro.) to be (1) (a) 3., 4., 5., 6. and 7., renum. and am. (1) (a) 4. to be (1) (a) 8., cr. (1) (b) 13., 14. and 15. Register January 2004 No. 577, eff. 2–1–04.

HAS 6.15 Direct supervision. (1) An unlicensed individual may assist in the practice of speech–language pathology or audiology only under the direct supervision of a speech–language pathologist or audiologist, as appropriate.

(2) For purposes of supervising unlicensed individuals who assist in the practice of speech–language pathology or audiology:

- (a) A speech–language pathologist may supervise up to 2 full–time equivalent individuals at any given time.
- (b) Except as provided in par. (c), an audiologist may supervise up to 5 full–time equivalent individuals at any given time.
- (c) In industrial settings, an audiologist may supervise up to 10 full–time equivalent individuals at any given time.

History: CR 01–043: cr. Register October 2001 No. 550, eff. 11–1–01.

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, as appropriate, granted by the board.

History: CR 01–043: cr. Register October 2001 No. 550, eff. 11–1–01.

HAS 6.17 Discipline. A speech–language pathologist or audiologist who supervises an unlicensed individual may be subject to discipline under s. HAS 6.18.

History: CR 01–043: cr. Register October 2001 No. 550, eff. 11–1–01.

Subchapter IV — Discipline

HAS 6.175 Definitions. In this subchapter and in subchapter II of ch. 459, Stats.:

(1) “Cerumen management” means the removal of cerumen from the external auditory canal by the utilization of methods and techniques performed in accordance with minimum standards and procedures established in the audiological profession.

(1m) “Deceptive advertising” means creating, using, or promoting the use of any advertising material, promotional literature, testimonial, guarantee, warranty, label, brand, insignia, or other representation, however disseminated or published, which is misleading, false, or untruthful.

(2) “Full terms of sale” means the conditions of a sale agreed to by an audiologist and the purchaser of a hearing instrument.

(3) “Personal guarantee” means a promise made by an audiologist to a hearing instrument purchaser to provide the minimum product warranty offered by a manufacturer.

(4) “Sell” or “sale” has the meaning given in s. 459.20 (3t), Stats.

(5) “Unprofessional conduct” means the violation of any standard of professional behavior, which through experience, state statute or administrative rule has become established in the practice of speech–language pathology or audiology.

History: CR 05–026: cr. Register September 2005 No. 597, eff. 10–1–05; CR 12–050: cr. (1m) Register August 2013 No. 692, eff. 9–1–13.

HAS 6.18 Grounds for discipline. (1) The board may reprimand a speech–language pathologist, audiologist, temporary licensee or a permittee, or deny, limit, suspend or revoke a license or permit, if it finds that the applicant, licensee or permittee has done any of the following:

- (a) Made a material misstatement in an application for a license or permit or for renewal of a license.
- (b) Engaged in conduct in the practice of speech–language pathology or audiology which evidences a lack of knowledge or ability to apply professional principles or skills.
- (c) Subject to ss. 111.321, 111.322 and 111.335, Stats., been convicted of an offense the circumstances of which substantially relate to the practice of speech–language pathology or audiology.
- (d) Engaged in deceptive advertising.

(e) Advertised, practiced, or attempted to practice under another individual's name.

(f) Subject to ss. 111.321, 111.322 and 111.34, Stats., practiced speech–language pathology or audiology while the person's ability to practice was impaired by alcohol or other drugs.

(g) Violated ch. 459, Stats., subchapter II, or any rule promulgated by the board under that subchapter.

(h) Engaged in unprofessional conduct.

(2) In this subchapter and in s. 459.34 (2) (h), Stats., the following, without limitation because of enumeration, are violations of standards of professional behavior that constitute unprofessional conduct:

(a) Subject to ss. 111.321, 111.322 and 111.34, Stats., practicing or attempting to practice speech–language pathology or audiology while the person's ability to practice is impaired by a mental or emotional disorder.

(b) Using the title “speech–language pathologist,” “audiologist” or any similar title unless the individual holds a current speech–language pathologist or audiologist license granted under s. 459.24 (2) or (3), Stats.

(c) Violating the conditions or limitations placed upon a license or permit by the board.

(d) Engaging in conduct likely to deceive, defraud, or harm an individual or the public in the course of the practice of speech–language pathology or audiology.

(e) Having a license, 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 to be used by an unlicensed person to evade the use of a title prohibited under s. 459.24 (1) or (1m), Stats.

(g) Engaging in sexual intimacies in connection with the practice of speech–language pathology or audiology.

(h) Failing to fully inform persons served of the nature and possible adverse effects of services rendered and products dispensed.

(i) Failing to evaluate the effectiveness of services rendered or products dispensed.

(j) Providing services or dispensing products when benefits cannot reasonably be expected.

(k) Guaranteeing the results of any treatment or procedure, directly or by implication, except that a reasonable statement of prognosis may be made.

(L) Evaluating or treating speech, language, or hearing disorders except in a professional relationship.

(m) Treating solely by correspondence.

(n) Failing to maintain adequate records of professional services rendered and products dispensed for a period of 5 years.

Note: Speech–language pathologists and audiologists are also required to maintain patient health care records in accordance with ss. 146.81 to 146.84, 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 or permittee.

(p) Failing to record all of the following information in each client record:

1. The name of the licensee.
2. The date of entry of pertinent information.
3. Information sufficiently legible to allow interpretation by other individuals for the benefit of the client.

(q) Misrepresenting diagnostic information, services rendered, or products dispensed or engaging in any scheme to defraud in connection with obtaining reimbursement.

(r) Using persons in research or as the subject of a teaching demonstration without obtaining their informed consent.

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

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

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

(v) Knowingly permitting any professional staff or unlicensed individual to provide clinical services that exceed that person's competence, education, training and experience.

(w) Failing to assign credit to persons who have contributed to clinical services, a publication, presentation or product in proportion to their contribution.

(x) Violating any federal or state statute, rule or regulation that relates to the practice of speech–language pathology or audiology, as appropriate.

(3) 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 or permit, if it finds that the applicant, licensee or permittee has engaged in the following unprofessional conduct:

(a) Violated any federal or state statute, rule or regulation that relates to the practice of fitting and dealing in hearing aids.

(b) Failed to conduct a direct observation of the ear canal of a person for whom a hearing aid is purchased.

(c) Sold a hearing aid for use by a person who was not given tests by a hearing instrument specialist or an audiologist licensed under ch. 459, Stats., or in another state using appropriate procedures and instrumentation or without proper measurement of the functional intensity and range of the person's hearing.

(d) Failed to calibrate audiometric equipment at least once every 12 months.

(e) Failed to maintain adequate records of certification of calibrations of audiometric equipment for a period of 5 years or failed to provide access to those records when requested by the board or its representative.

(f) Failed to clearly state the full terms of sale on a receipt, as required in s. 459.24 (3m), Stats., or failed to comply with those terms. The full terms of sale shall include all of the following:

1. The amount and method of payment.
2. The date and place of delivery.
3. The terms of any personal guarantee.
4. The nature and duration of the trial period and extension, if any.
5. The refund policy and amount, if any.
6. The product return and exchange policy, if any.
7. The product repair policy, if any.

(g) Failed to perform cerumen management in a competent manner.

History: CR 01–043: cr. Register October 2001 No. 550, eff. 11–1–01; CR 03–025: cr. (1) (h), (2) (d), (e) and (f) Register January 2004 No. 577, eff. 2–1–04; CR 05–026: renum. (2) and (3) to be (3) and (2) and am. Register September 2005 No. 597, eff. 10–1–05; CR 112–050: am. (1) (d) Register August 2013 No. 692, eff. 9–1–13.

TEXT OF RULE

SECTION 1. HAS 5.015 and 5.018 are created to read:

HAS 5.013 Definition. In this chapter, “telehealth” means patient care, treatment, or services is provided through the use of information exchanged from one site to another via electronic communications.

HAS 5.018. Wisconsin license required. A person who is engaging in the practice of selling or fitting hearing aids to a patient located in this state shall be licensed in Wisconsin as a hearing instrument specialist or an audiologist by the hearing and speech examining board.

SECTION 2. HAS 5.02 (1m) is created to read:

(1m) The standards of practice and professional conduct apply to a licensee regardless of whether health care service is provided in person or by telehealth.

SECTION 3. HAS 6.175 (4m) is created to read:

HAS 6.175 (4m) “Telehealth” means patient care, treatment or services is provided through the use of information exchanged from one site to another via electronic communications.

SECTION 4. HAS 6.18 (4) and (5) are created to read:

HAS 6.18 (4) The standards of practice and professional conduct apply to a licensee regardless of whether health care service is provided in person or by telehealth.

(5) A speech-language pathologist or audiologist who is diagnosing or treating a patient located in this state shall be licensed to practice as a speech-language pathologist or audiologist by the hearing and speech examining board.

SECTION 5. **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.

(END OF TEXT OF RULE)

Thomas Krier
Chairperson

Robert Broeckert
Vice Chairperson

Barbara J. Johnson
Secretary

WISCONSIN HEARING AND SPEECH
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March 20, 2019

Senator Stephen Nass, Senate Co-Chairperson
Joint Committee for Review of Administrative Rules
Room 10 South, State Capitol
Madison, WI 53702

Representative Joan Ballweg, Assembly Co-Chairperson
Joint Committee for Review of Administrative Rules
Room 210 North, State Capitol
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Ballweg:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:

After careful review of the agency's administrative rules, the agency has determined that no promulgated rules are unauthorized rules, as defined in s. 227.26 (4) (a), Stats.

II. Rules for which the authority to promulgate has been restricted:

After careful review of the agency's administrative rules, the agency has determined that no promulgated rules are rules for which the authority to promulgate has been restricted.

III. Rules that are obsolete or that have been rendered unnecessary:

Rule	Description of why the rule is obsolete or has been rendered unnecessary.	Action taken to address or reason for not taking an action
s. HAS 3.03 (2) (d)	The topic listed for the practical examination is obsolete.	Scope Statement, SS 014-19, implemented by the Board on March 1, 2019, expiring August 4, 2021.
ss. HAS 6.04 (6) (a) and (b), HAS 6.07 (2) (b) 2.	Need to 1) remove the option of having a certificate of clinical competence, since one cannot qualify for the certificate without taking the Praxis Audiology exam, and 2) update the education requirements for reciprocal licenses.	Scope Statement, SS 014-19, implemented by the Board on March 1, 2019, expiring August 4, 2021.
s. HAS 7.03 (3) (b) 2.	References s. HAS 3.02, which has been repealed.	Scope Statement, SS 014-19, implemented by the Board on March 1, 2019, expiring August 4, 2021.

s. HAS 8.03 (2) and (4)	References s. HAS 7.05, which has been repealed.	Scope Statement, SS 014-19, implemented by the Board on March 1, 2019, expiring August 4, 2021.
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IV. Rules that are duplicative or, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:

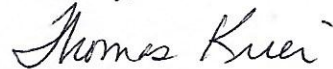
After careful review of the agency's administrative rules, the agency has determined that no promulgated rules are duplicative, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

V. Rules that are economically burdensome:

After careful review of the agency's administrative rules, the agency has determined that no promulgated rules are rules that are economically burdensome.

Thank you.

Sincerely,



Thomas Krier
Chairperson
Hearing and Speech Examining Board