

CHAPTER 154
FORMERLY
SENATE BILL NO. 170

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING
TO SPEECH/LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING
AID DISPENSERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
DELAWARE:

Section 1. Amend § 3702(9), Chapter 37, Title 24 of the Delaware Code by adding the following to the end of the paragraph:

“and selecting, adapting and distributing or selling of hearing aids.”

Section 2. Amend § 3703(b), Chapter 37, Title 24 of the Delaware Code by striking the first sentence and replacing it with the following:

“The Board shall consist of 9 members, appointed by the Governor, who are residents of this State: 3 shall be speech/language pathologists licensed under this chapter; 2 shall be audiologists licensed under this chapter, 1 shall be a hearing aid dispenser licensed under this chapter, and 3 public members.”

Section 3. Amend § 3708(a)(1), Chapter 37, Title 24 of the Delaware Code by striking the words “or audiologist” and by replacing “(ASHA); the” with “(ASHA). The”.

Section 4. Amend § 3708(a)(1), Chapter 37, Title 24 of the Delaware Code by striking by striking subparagraph “a” and replacing it with the following:

“(a) Possession of a master’s degree or its equivalent from an accredited college or university in accordance with the Board’s rules and regulations.”

Section 5. Amend § 3708(a), Chapter 37, Title 24 of the Delaware Code by re-numbering paragraph “(2)” as paragraph “(3)”.

Section 6. Amend § 3708(a), Chapter 37, Title 24 of the Delaware Code by adding a new paragraph (2) to read as follows:

“(2) For licensure as an audiologist, has met the national requirements for certification of clinical competence issued by the American Speech/Language Hearing Association, or has been issued board certification from the American Board of Audiology, or its successors. The requirements include:

- a. Possession of a doctoral degree in audiology from an accredited college or university.
- b. Successful completion of a national examination in the area of the applicant’s specialty prepared by a national testing service approved by the Division.
- c. Audiologists licensed prior to the effective date of this act shall be exempted from the educational requirement set forth in § 3708(a)(2)a.”

Section 7. Amend the re-designated § 3708(a)(3), Chapter 37, Title 24 of the Delaware Code as follows:

- a. Re-letter subparagraph “c.” as subparagraph “d.” and subparagraph “d.” as subparagraph “e.”
- b. In subparagraph “b.,” add a paragraph break and the letter “c.” between “approved by the Division.” and “An applicant shall”.

c. In the re-designated subparagraph “e.,” strike “(a)(2)a. and c.” and replace it with “(a)(3)a., c. and d.”

Section 8. Amend § 3708, Chapter 37, Title 24 of the Delaware code by re-lettering subsection “(b)” as “(c)”, subsection “(c)” as “(d)”, and subsection “(d)” as “(e)”.

Section 9. Amend the re-designated § 3708(c), Chapter 37, Title 24 of the Delaware Code by striking paragraph “(3).”

Section 10. Amend the re-designated § 3708(c), Chapter 37, Title 24 of the Delaware Code by re-numbering paragraph “(4)” as paragraph “(3).”

Section 11. Amend the re-designated § 3708(c)(4), Chapter 37, Title 24 of the Delaware Code by striking “(c)(4)” and replacing it with “(c)(3)”.

Section 12. Amend § 3709(a), Chapter 37, Title 24 of the Delaware Code by striking “and/or” and replacing it with “,” and by adding “and/or § 3708(a)(3)b.” between “§ 3708(a)(2)b.” and “of this Title.”

Section 13. Amend § 3710, Chapter 37, Title 24 of the Delaware Code by striking subsection (a) and replacing it with the following:

“Upon payment of the appropriate fee and submission and acceptance of a written application on forms provided by the Board, the Board shall grant a license to an applicant who:

- (1) Shall present proof of current licensure in “good standing” in another state, the District of Columbia, or territory of the United States whose standards for licensure are substantially similar to those of this State. A license in “good standing” is defined in § 3708(c)(1), (2) and (3) of this chapter; and
- (2) Shall present proof of current licensure of clinical competence from the American Speech/Language and Hearing Association, or its successors, in the area in which the applicant is applying for licensure and who, if licensed in another state or states, meets the requirements of § 3708(c)(1), (2) and (3) of this chapter.
- (3) Audiologists licensed prior to the effective date of this act shall be exempted from the educational requirement set forth in § 3708(a)(2)a.”

Section 14. Amend § 3710, Chapter 37, Title 24 of the Delaware Code by striking subsection (c) and replacing it with the following:

“(c) An applicant for licensure as a speech/language pathologist who has received a degree from a foreign school, college or university, shall have received a master’s degree, or its equivalent, or a doctoral degree, or its equivalent, and shall submit a certified copy of that applicant’s school, college or university record for evaluation. An applicant for licensure as an audiologist, who has received a degree from a foreign school, college or university, shall have received a doctoral degree or its equivalent, and shall submit a certified copy of that applicant’s school, college or university record for evaluation. Where an applicant for licensure as an audiologist has submitted an application prior to the effective date of this act, the applicant shall have received at least a master’s degree, or its equivalent.”

Section 15. Amend § 3710, Chapter 37, Title 24 of the Delaware Code by striking subsection (e) in its entirety.

Section 16. Amend § 3712, Chapter 37, Title 24 of the Delaware Code by striking subsection (b) and replacing it as follows:

“(b) Each license shall be renewed biennially, in such manner as is determined by the Division, and upon payment of the appropriate fee and submission of a renewal form provided by the Division, and attestation, as set forth in the Board’s rules and regulations, that the licensee has met the continuing education requirements established by the Board. In addition, audiologists and hearing aid dispensers shall attest to calibration of electronic equipment used to assess hearing, as set forth in the Board’s rules and regulations.”

Section 17. Amend § 3713(a), Chapter 37, Title 24 of the Delaware Code by adding the following sentence to the end of that subsection:

“However, an audiology applicant who has obtained a doctoral degree is not required to satisfy the clinical practicum and CFY requirements and may be issued a temporary license to practice audiology in this State upon completion of the application and payment of the temporary license fee.”

Section 18. Amend § 3713(c), Chapter 37, Title 24 of the Delaware Code by adding the following after the word “issuance”:

“, except that a temporary license issued to an audiologist with a doctoral degree shall expire at the end of 90 days.”

Section 19. This Act shall become effective upon enactment.

Approved July 10, 2009