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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

172 NAC 23

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 23 LICENSURE OF AUDIOLOGISTS AND SPEECH-LANGUAGE
PATHOLOGISTS

001. SCOPE AND AUTHORITY. These regulations govern the licensure of audiologists and speech-language pathologists under Nebraska Revised Statute (Neb. Rev. Stat.) §§ 38-501 to 38-527 of the Audiology and Speech-Language Pathology Practice Act and the Uniform Credentialing Act.

002. DEFINITIONS. Definitions are set out in the Audiology and Speech-Language Pathology Practice Act, the Uniform Credentialing Act, 172 Nebraska Administrative Code (NAC) 10, and this chapter.

002.01 APPROVED ACADEMIC PROGRAM. An educational program that has been accredited by the Council Academic Accreditation in Audiology and Speech-Language Pathology (CAA), the Accreditation Commission for Audiology Education (ACAE) or a nationally recognized equivalent accreditation association approved by the Board.

002.02 LICENSURE EXAMINATION. The Praxis Series Specialty Tests in Speech-Language Pathology and Audiology approved by the Department upon the recommendation of the Board.

002.03 NATIONWIDE PROFESSIONAL ACCREDITING ORGANIZATION. The American Speech-Language-Hearing Association or equivalent as recommended by the Board and approved by the Department.

002.04 PROFESSIONAL EXPERIENCE. Meeting the core standards of a clinical fellowship as defined by the American Speech-Language Hearing Association or equivalent agency recommended by the Board and approved by the Department. Experience must be at least 36 weeks of full-time professional experience of 35 clock hours per week or 72 weeks of at least half-time professional experience with 15 to 19 hours per week in speech-language pathology or audiology supervised in the area in which licensure is sought.

003. LICENSE REQUIREMENTS. To obtain a license, an individual must submit a complete application provided by the Department and provide documentation demonstrating the applicant meets the licensing requirements of Neb. Rev. Stat. §§ 38-501 to 38-527, 172 NAC 10 and this chapter.

003.01 DOCUMENTATION. The applicant must provide the following documentation to the Department.

003.01(A) EDUCATION. Submit an official transcript, sent directly from the issuing institution, verifying completion of an approved academic program in audiology or speech-language pathology as follows:

- (i) An audiologist graduating prior to September 1, 2007, will present proof of having a master's degree or a doctoral degree, or the equivalent of a master's degree or doctoral degree in audiology;
- (ii) An audiologist graduating on or after September 1, 2007, will present proof of having a doctoral degree or its equivalent in audiology; or
- (iii) A speech-language pathologist will present proof of a master's degree, doctoral degree, or the equivalent of a master's degree or doctoral degree in speech-language pathology.

003.01(B) EXAMINATION. Submit documentation of passing the licensure examination;

003.01(C) EXPERIENCE. Submit documentation of successfully completing the professional experience which was supervised in the area in which licensure is sought by an audiologist or speech-language pathologist who holds a valid Nebraska license or who meets Nebraska requirements for licensure; or an audiologist or speech-language pathologist who holds a certification of clinical competency from the American Speech-Language-Hearing Association.

003.01(C)(i) SUPERVISOR. The supervisor's license or certification must be in the professional area in which the applicant seeks experience.

003.01(C)(ii) PROFESSIONAL EXPERIENCE. The professional experience must include direct clinical work with patients, consultations, record keeping, and other duties relevant to a program of clinical work including clinical experience with persons who have communication impairments, direct management of treatment programs for specific patients or clients, and monitoring and evaluation by the supervising audiologist or speech-language pathologist of the applicant's satisfactory performance for at least 36 weeks of full-time experience or equivalent half-time experience.

003.01(D) ENDORSEMENT. Documentation of certification of clinical competency from the American Speech-Language Hearing Association to practice audiology or speech-language pathology will be sufficient documentation to meet the requirements listed in 172 NAC 23-003.01, items (A), (B) and (C).

003.01(E) PASSED LICENSURE EXAMINATION BUT NOT PRACTICING. An applicant who has met the education, examination and experience requirements, who took the examination more than 3 years ago and who is not practicing will provide documentation to the Department that the applicant has completed 30 hours of continuing education over the subject areas outlined in this chapter as Content Area I under 172 NAC 23-005.02 item (A) and obtained within the 3 years immediately preceding the application for licensure.

003.01(F) LICENSED IN ANOTHER STATE BUT NOT PRACTICING. An applicant who has an active license in another jurisdiction and who is not practicing at the time of application for licensure will meet the education, examination and experience requirements listed in 172 NAC 23-003.01(A), (B) and (C), or (D) and present proof to the Department, that they have completed 30 hours of continuing education over the subject areas outlined in this chapter as Content Area I under 172 NAC 23-005.02 item (A) and obtained within the 3 years immediately preceding the application for licensure.

003.02 TEMPORARY LICENSE. A temporary license may be issued as outlined in Neb. Rev. Stat. § 38-519.

004. RENEWAL, WAIVER OF CONTINUING EDUCATION, AND INACTIVE STATUS. The applicant must meet the requirements set out in 172 NAC 10. All Audiologist and Speech-Language Pathologist licenses expire on December 1st of even-numbered years.

005. CONTINUING EDUCATION. On or before December 1st of each even-numbered year, individuals holding an active license in the State of Nebraska must complete at least 20 hours of acceptable continuing education hours during the preceding 24-month period.

005.01 CONTINUING EDUCATION HOUR OR CREDIT CALCULATIONS. The following provides the hour calculations for acceptable continuing education.

005.01(A) CURRENT AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION CERTIFICATION. Documentation must include a current certification. Current certification will satisfy the continuing education requirement for the preceding 24-month period.

005.01(B) PROGRAMS AT STATE AND NATIONAL MEETINGS. Documentation must include a certificate of attendance, a listing of presentations attended and program outline or objectives. .5 hour of credit for each 30 minutes of attendance.

005.01(C) FORMAL EDUCATION COURSES AND PRESENTATIONS. Documentation must include a certificate of attendance and program outline or objectives. .5 hour of credit for each 30 minutes attended. The courses or presentations must be formally organized and planned instructional experiences that have a:

- (i) Date;
- (ii) Location;
- (iii) Course title;
- (iv) Number of continuing education hours;
- (v) Signed certificate of attendance; and
- (vi) The instructor has specialized experience or training to meet the objectives of the course.

005.01(D) UNIVERSITY SPONSORED COURSES. Accredited courses taken for college credit including internet courses will be accepted upon submission of an official transcript and program outline or objectives. 1 academic semester credit hour is equal to 15 continuing education hours. 1 academic quarter credit hour is equal to 10 continuing education hours.

005.01(E) HOME STUDY. The home study activity must have a testing mechanism scored by the named home study provider. Home study includes, but is not limited to, independent study, self-study, and online education. Documentation must include a certificate of completion and program outline or objectives. .5 hour of credit for each 30 minutes completed.

005.01(F) RESEARCH OR OTHER SCHOLARLY ACTIVITIES. Research or other scholarly activities that result in professional publication or acceptance for publication. Participation must include authorship, editorship, co-authorship, co-editorship or all of these of a juried publication. 5 hours of credit for each publication with a maximum of 10 hours for each 24-month renewal period. Documentation must include a copy of the final publication or verification of publication.

005.01(G) NATIONALLY RECOGNIZED SPECIALTY CERTIFICATION EXAMINATIONS. Documentation must include a copy of the certification. 10 hours of credit per 24-month renewal period for successfully completing a specialty certification examination.

005.01(H) SCIENTIFIC PRESENTATIONS. A licensee acting as an essayist or a lecturer to licensed audiologists, speech-language pathologists or other credentialed health care professionals may receive continuing education credit for only the initial presentation during a renewal period. .5 hour of credit for each 30 minutes of scientific presentation and a maximum of 4 hours of continuing education for presentations per 24-month renewal period. Documentation must include a program brochure that includes the licensee's name as presenter, the continuing competency course outline or objectives and a statement of the instructor's qualifications to teach the course.

005.01(I) POSTER SESSIONS. Poster session at State and National meetings which relate to the theory or clinical application of theory pertaining to the practice of audiology or speech-language pathology. Documentation must include a certificate of attendance, a listing of individuals poster sessions attended, and a program outline or objectives. .5 hour of credit for each 30 minutes of attendance.

005.02 ACCEPTABLE CONTINUING EDUCATION TOPIC AREAS. The board does not approve continuing education programs or activities. The board retains final authority for acceptance of any educational program or activity submitted by the licensee to meet the continuing education requirements. In order for continuing education programs or activities to be accepted for renewal or reinstatement of a license, they must relate to the theory or clinical application of theory pertaining to the practice of audiology or speech-language pathology and must be open to all licensees. The licensee may participate in all 20 hours from Content Area I with no more than 5 hours from Content Area II as specified below:

(A) Content Area I includes the following:

- (i) Anatomic and physiologic bases for the normal development and use of speech, language, hearing, swallowing and balance;
- (ii) Physical bases and processes of swallowing, hearing, balance and the production and perception of speech and language;

- (iii) Linguistic and psycho-linguistic variables related to normal development and use of speech, language and hearing;
 - (iv) Technological, biomedical, engineering and instrumentation information which would enable expansion of knowledge in basic speech, language, hearing, balance and swallowing processes;
 - (v) Various types of disorders of speech, language, hearing, balance and swallowing, their manifestations, classification and cause;
 - (vi) Evaluation skills, including procedures, techniques and instrumentation for assessment of speech, language, hearing, balance and swallowing; and
 - (vii) Principles in habilitation and rehabilitation of speech, language, hearing, balance and swallowing disorders.
- (B) Content Area II includes the following:
- (i) Regulations and implementation of federal or state regulated programs;
 - (ii) Service delivery models;
 - (iii) Ethical practices;
 - (iv) Supervision issues related to the practice of audiology or speech-language pathology;
 - (v) Related disciplines which interface with delivery of audiology or speech-language pathology services; and
 - (vi) Reimbursement issues.

005.03 NON-ACCEPTABLE CONTINUING EDUCATION TOPIC AREAS. Continuing education topic areas that are not acceptable include:

- (A) Marketing and business communications and operations;
- (B) Courses which deal with personal self-improvement, human relations, financial gain, time management, or career options;
- (C) Courses designed for lay persons;
- (D) Teaching non-credentialed persons or any preparation for the same;
- (E) Courses less than 30 minutes in duration; and
- (F) Participation in or attendance at case conferences and facility tours.

006. UNPROFESSIONAL CONDUCT. Commission of acts or behaviors constituting unprofessional conduct are outlined in Neb. Rev. Stat. § 38-179 and this chapter and include:

- (A) Providing services for which the licensee is not trained or experienced;
- (B) Performing or agreeing to perform procedures when the procedures are known to be a departure from standard or acceptable and prevailing practice in audiology and speech-language pathology, but not to include a single act of ordinary negligence;
- (C) Commission of any act which endangers public safety or welfare;
- (D) Failing to safeguard the welfare of patients and maintain appropriate professional relationships with patients and other healthcare practitioners;
- (E) Performing or agreeing to perform audiology or speech-language pathology therapy services that have been requested when the services are known to be contraindicated or unjustified;
- (F) Falsification or unauthorized destruction of patient's records;

- (G) Delegating to other personnel those patient-related services for which the clinical skills and expertise of an audiologist or speech-language pathologist are required;
- (H) Failure to safeguard a patient's dignity and right to privacy;
- (I) Filing a false report or record in the practice of audiology or speech-language pathology including, but not limited to, collecting a fee;
- (J) Falsely representing the use or availability of the services or advice of a physician;
- (K) Providing services or promoting the sale of devices, appliances or products to a person who cannot reasonably be expected to benefit from the services, devices, appliances, or products;
- (L) Discriminating in the provision of services to individuals on the basis of sex, race, religion or national origin;
- (M) Engaging in sexual harassment of patients which includes, but is not limited to, making unwelcome sexual advances, requesting sexual favors, and engaging in other verbal or physical conduct of a sexual nature which results in providing or denying service to a patient, creating an intimidating, hostile, or offensive environment for the patient or interfering with a patient's ability to recover;
- (N) Failing to follow policies or procedures implemented in the practice situation to safeguard patient care;
- (O) Failing to exercise appropriate supervision over persons who are authorized to practice only under the supervision of an audiologist or speech-language pathologist;
- (P) Failing to take steps to transfer the continuum of care of the patient, as appropriate, to another health care provider in the event of elective termination of audiology or speech-language pathology therapy services by an audiologist or speech-language pathologist;
- (Q) Failure of the applicant or licensee, who is the subject of a pre-licensure or disciplinary investigation, to furnish the Department or its investigator with requested information or requested documents.

007. REINSTATEMENT. The applicant must meet the requirements set out in 172 NAC 10.

008. FEES. Fees are set out in 172 NAC 2.