

Speech-Language Pathology and Audiology Licensing Act
Title 59. Professions and Occupations

§59-1601. Short Title.

Chapter 39 of this title shall be known and may be cited as the "Speech-Language Pathology and Audiology Licensing Act".
Added by Laws 1973, c. 203, § 1, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 1, eff. July 1, 1998.

§59-1602. Purpose.

It is hereby declared to be a policy of this state that, in order to safeguard the public health, safety and welfare, and to protect the public from being misled by incompetent, unscrupulous and unqualified persons, it is necessary to provide regulatory authority over persons offering speech-language pathology and audiology services to the public.
Added by Laws 1973, c. 203, § 2, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 2, eff. July 1, 1998.

§59-1603. Definitions.

A. As used in the Speech-Language Pathology and Audiology Licensing Act:

1. "Board" means the Board of Examiners for Speech-Language Pathology and Audiology;

2. "Person" means any individual, partnership, organization or corporation, except that only individuals may be licensed under the Speech-Language Pathology and Audiology Licensing Act;

3. "Licensed speech-language pathologist", "licensed speech-language pathology fellow", "licensed speech-language pathology assistant" or "licensed audiologist" means an individual to whom a license has been issued pursuant to the provisions of the Speech-Language Pathology and Audiology Licensing Act, which license has not expired or has not been suspended or revoked;

4. "Speech-language pathologist" (SLP) means any person who represents himself or herself to be a speech-language pathologist and who meets the qualifications set forth in Section 1605 of this title and provides or offers to provide services defined as the practice of speech-language pathology;

5. "Speech-language pathology assistant" (SLPA) means any person who, after acquiring academic coursework, fieldwork, and on-the-job training as set forth by rules promulgated by the

Board, performs tasks prescribed, directed, and supervised by licensed speech-language pathologists. The speech-language pathology assistant may implement prescribed therapies in children and adults in specific treatment areas in which he or she has academic and clinical training as prescribed by the Board of Examiners for Speech-Language Pathology and Audiology and under the license of a speech-language pathologist;

6. "Clinical fellow" means an individual who is currently in the process of completing the supervised postgraduate professional paid experience in speech-language pathology as set forth in paragraph 3 of subsection A of Section 1605 of this title;

7. "Speech, voice, swallowing or language disorders" include, but are not limited to, any and all conditions that impede the normal process of human vocal communication;

8. "Feeding or swallowing disorders", also called dysphagia, include difficulty with any step of the feeding or swallowing process. This may include losing food or liquids from the mouth, difficulty chewing or sucking, difficulty protecting the airway, or impaired sensation in the mouth or throat. These impairments may result in a decreased liquid or food intake, choking on food or liquid during eating or drinking, failure to thrive, pneumonia, dehydration, malnutrition, or death. Assessment may include a clinical evaluation of swallowing function or an instrumental evaluation of swallowing function to determine the nature and severity of the swallowing impairment, determine the safest and most efficient food and liquid to be swallowed, and establish a treatment plan to improve swallowing function. Treatment may include exercise regimes to rehabilitate muscles or neurological function involved in swallowing, training compensatory strategies or training techniques to improve swallowing safety and function. Treatment may also include the provision of education to individuals, parents, care providers, and others related to feeding/swallowing function;

9. "Practice of speech-language pathology" means the rendering or offering to render to any person or the public any speech, voice, social communication, cognitive communication, feeding or swallowing or language evaluation, examination, counseling or habilitation and rehabilitation of or for persons who have or are suspected of having a speech, voice, feeding or swallowing or language disorder, or representing oneself to be a speech-language pathologist or speech-language pathology assistant who meets the qualifications set forth in Section 1605

of this title. Services may also be provided for persons who want to learn how to communicate more effectively including, but not limited to, accent modification and other forms of communication enhancement. A speech-language pathologist is permitted to perform such basic audiometric tests and hearing therapy procedures as are consistent with such training. A speech-language pathology assistant will only perform duties as defined in paragraph 3 of subsection A of Section 1605 of this title and under the supervision of a licensed speech-language pathologist;

10. "Audiologist" means any person who represents himself or herself to be an audiologist and who meets the qualifications set forth in Section 1605 of this title and provides or offers to provide services defined as the practice of audiology;

11. "Hearing disorders" include, but are not limited to, any or all conditions of decreased or impaired auditory function;

12. "Vestibular or balance disorders" include, but are not limited to, any or all conditions of the decreased or impaired vestibular function;

13. "Practice of audiology" means the rendering, or offering to render, to any person or the public, the prevention, identification, assessment, or rehabilitation of or for persons who have or are suspected of having a hearing or balance disorder, or representing oneself to be an audiologist. An audiologist may perform vestibular assessments for those individuals of any age suspected of having a balance disorder and then provide appropriate rehabilitation once diagnosed by a physician. An audiologist may also select, fit, and dispense hearing aids and hearing-assistive technology. The audiologist may perform assessments to assist in determining candidacy for special hearing technology such as cochlear implants or bone conduction systems, and provide follow-up services. An audiologist may provide consultation regarding noise control and participate in noise-conservation programs which may include fitting of hearing-protection devices. Audiologists may participate in research related to all of these. An audiologist must meet the qualifications set forth in paragraph 3 of subsection A of Section 1605 of this title;

14. "Hearing screening" means one or more procedures used to identify individuals who may have a hearing loss.

Measurements of auditory thresholds are not included in hearing screening programs.

15. "Telepractice" means the practice of health care delivery, diagnosis, consultation, evaluation and treatment, transfer of medical data or exchange of medical education, information by means of a two-way, real-time interactive communication, not to exclude store-and-forward technologies, between a patient and a speech-language pathologist or audiologist with access to and reviewing the patient's relevant clinical information prior to the teletherapy visit; and

16. "Store-and-forward technologies" means the transmission of a patient's medical information from an originating site to the speech-language pathologist or audiologist at the distant site; provided, photographs visualized by a telecommunications system shall be specific to the patient's medical condition and adequate for furnishing or confirming a diagnosis or treatment plan. "Telepractice" and "store-and-forward technologies" shall not include consultations provided by telephone, audio-only communication, electronic mail, text message, instant messaging conversation, website questionnaire, nonsecure video conference or facsimile machine.

B. A person represents himself or herself to be a speech-language pathologist when such person holds himself or herself out to the public by any title or description of services incorporating the words "speech-language pathology", "speech-language pathologist", "speech pathology", "speech pathologist", "speech therapy", "speech therapist", "speech correction", "speech correctionist", "language therapy", "language therapist", "voice pathology", "voice pathologist", "voice therapy", "voice therapist", "logopedics", "logopedist", "communicology", "communicologist", "aphasiologist", "phoniatriest", "speech clinician", "speech clinic", "speech center" or any similar or related term or terms.

C. A person represents himself or herself to be a speech-language pathology assistant when such person holds himself or herself out to the public by any title or description of services as listed for speech-language pathologist and is working under the license of a speech-language pathologist. Anyone not holding credentials for independent practice shall hold the designation of assistant and be required to work under supervision.

D. A person represents himself or herself to be an audiologist when such person holds himself or herself out to the public by any title or description of services incorporating the terms "audiology", "audiologist", "audiometry", "audiometrist", "hearing therapy", "hearing therapist", "hearing conservation", "hearing conservationist", "hearing clinician", "hearing clinic", "hearing center", "audiological", "audiometrics", or any similar or related term or terms.

E. The provision of speech-language pathology or audiology services in this state through telepractice, electronic or other means, regardless of the location of the speech-language pathologist shall constitute the practice of speech-language pathology or audiology and shall require licensure in this state.

Added by Laws 1973, c. 203, § 3, emerg. eff. May 17, 1973.

Amended by Laws 1998, c. 202, § 3, eff. July 1, 1998; Laws 2004, c. 280, § 1, eff. July 1, 2004.

§59-1604. License required - Exceptions and exemptions.

A. Except as otherwise provided by this section, no person shall practice speech-language pathology or audiology unless such person is licensed pursuant to the Speech-Language Pathology and Audiology Licensing Act.

B. The Speech-Language Pathology and Audiology Licensing Act shall not be construed to prevent:

1. A person licensed under any other law of this state from engaging in the profession or occupation for which such person is licensed, provided such person does not represent himself or herself to be a speech-language pathologist or audiologist;

2. An employee of the federal government, state, county or municipal government, or an agency or political subdivision thereof, from engaging in such employee's duties of employment;

3. The hearing testing or any other act conducted by licensed physicians within the scope of their licensed profession or by persons conducting hearing tests or other acts under the direct supervision of the physician;

4. The activities and services of a hearing-aid dealer or fitter so long as the activities and services of such dealer or fitter are limited to the selection, adaptation, distribution or sale of hearing aids, and the testing, instruction, and counseling pertaining thereto, as long as such hearing-aid

dealer or fitter does not represent himself or herself to be an audiologist;

5. A teacher of the deaf and hard of hearing, certified by the Oklahoma State Department of Education, or certified nationally by the Council on Education of the Deaf, from engaging in the profession for which such teacher is trained. The services of a teacher of the deaf and hard-of-hearing shall be directed solely to those persons having or suspected of having a hearing disorder;

6. Any person not a resident of this state and who has not established offices in this state, from engaging in the practice of speech-language pathology or audiology in this state for a period that, in the aggregate, does not exceed seven (7) days in any calendar year, if such a person's education and experience is the substantial equivalent to that of a licensed speech-language pathologist or audiologist as described in Section 1605 of this title; and

7. The activities of hearing screening programs which are conducted by employees or trained volunteers who are providing these services under the auspices of public or private charitable agencies.

C. Notwithstanding any other provision of this section, a person licensed in this state to perform speech-language pathology or audiology services is hereby designated to be a practitioner of the healing art for purposes of making a referral for speech-language pathology or audiology services pursuant to the provisions of the Individuals with Disabilities Education Act, Public Law 105-17, as amended, and Section 504 of the Rehabilitation Act of 1973.

Added by Laws 1973, c. 203, § 4, emerg. eff. May 17, 1973.

Amended by Laws 1982, c. 56, § 1, operative Oct. 1, 1982; Laws 1998, c. 202, § 4, eff. July 1, 1998; Laws 2004, c. 543, § 8, eff. July 1, 2004.

§59-1605. Qualifications for licensure.

A. To be eligible for licensure by the Board of Examiners for Speech-Language Pathology and Audiology as a speech-language pathologist, the applicant must:

1. Hold not less than a master's degree, or the equivalent, with a major emphasis in speech-language pathology or audiology from a regionally accredited academic institution offering a

graduate program in speech-language pathology or audiology that meets or exceeds prevailing national standards;

2. Submit evidence of completion of supervised clinical practicum experience that meets or exceeds prevailing national standards from a regionally accredited educational institution or its cooperating programs, the content of which shall be approved by the Board and delineated in the rules;

3. Submit evidence of completion of supervised postgraduate professional experience as approved by the Board and described in the rules;

4. Obtain a passing score on examinations approved by the Board. The Board shall determine the score required to pass an examination. An applicant who fails the examination may retake the examination in accordance with the timeline and procedures of the approved testing organization, and the rules promulgated by the Board;

5. Attest to their status as either a United States citizen, a United States noncitizen national or a qualified alien;

6. Have not committed any acts described in Section 1619 of this title for which disciplinary action may be justified; and

7. Be of good moral character;

8. The applicant shall make application to the Board upon a form prescribed by the Board and pay to the Board the application fee.

B. To be eligible for initial licensure by the Board as an audiologist, the applicant must:

1. Hold not less than a post-baccalaureate residential or post-masters' distance education professional Doctor of Audiology (AuD) degree, a Doctor of Philosophy (PhD) degree with an emphasis in audiology or its equivalent as determined by the Board;

2. If applying with a Doctor of Audiology (AuD) professional degree, demonstrate preparation that includes three (3) years of didactic coursework and clinical education equivalent to a twelve-month full-time rotation or externship;

3. Submit to the Board a copy of the Doctor of Audiology (AuD) diploma and a transcript demonstrating clinical experience equivalent to a twelve-month full-time clinical rotation or externship; a copy of the Doctor of Philosophy (PhD) diploma with an emphasis in audiology and a transcript reflecting a twelve-month full-time clinical rotation or externship, or their equivalents as determined by the Board; provided, such equivalents shall be from an accredited academic institution in order to demonstrate completion of the clinical rotation or externship requirements;

4. Obtain a passing score on examinations approved by the Board. The Board shall determine the score required to pass an examination. An Applicant who fails the examination may retake the examination in accordance with the timeline and procedures of the approved testing organization, and the rules promulgated by the Board;

5. Attest to their status as either a United States citizen, a United States noncitizen national or a qualified alien;

6. Have not committed any acts described in Section 1619 of this title for which disciplinary action may be justified;

7. Be of good moral character; and

8. Make application to the Board upon a form prescribed by the Board and pay to the Board the application fee.

C. To be eligible for licensure by the Board as a speech-language pathology clinical fellow, the applicant must currently be in the process of fulfilling the supervised clinical fellowship required by this section and possess a designation of the title "Clinical Fellow" indicating the status appropriate to the applicant's level of training. To be eligible for licensure as a clinical fellow, the applicant shall meet all requirements specified by paragraphs 1, 2, 5, 6, and 7 of subsection A of this section. Speech-language pathologist applicants completing the supervised postgraduate professional experience in the state shall possess a license issued by the Board.

D. To be eligible for licensure by the Board as a speech-language pathology or audiology assistant, the applicant must be assisting in the practice of speech-language pathology or audiology while under the supervision of a licensed speech-language pathologist or audiologist, subject to the rules of the

Board. The licensed speech-language pathologist or audiologist is legally and ethically responsible for the professional activities of such licensees.

E. To be eligible for licensure by the Board as a speech-language pathologist, audiologist, speech-language clinical fellow or speech-language pathology assistant, the applicant must meet all the requirements specified in this section. The Board may authorize the executive secretary to issue a temporary license upon verification that the applicant meets all applicable requirements of licensure. A temporary license shall authorize the applicant to practice speech-language pathology or audiology for the time period between the submission of the application and the applicant's approval for licensure by the Board. A temporary license shall expire upon the Board's approval of a permanent license, or ten (10) calendar days following the Board's denial of an application for a permanent license.

Added by Laws 1973, c. 203, § 5, emerg. eff. May 17, 1973.

Amended by Laws 1982, c. 56, § 2, operative Oct. 1, 1982; Laws 1994, c. 197, § 1, eff. July 1, 1994; Laws 1998, c. 202, § 5, eff. July 1, 1998; Laws 2004, c. 280, § 2, eff. July 1, 2004.

§59-1606. Waiver of examination requirement.

A. The Board of Examiners for Speech-Language Pathology and Audiology shall waive the examination and grant a license to applicants who present proof of current licensure in a state or country whose requirements for licensure are substantially equivalent to those of the Speech-Language Pathology and Audiology Licensing Act.

B. The Board shall waive the examination and grant a license to those who hold the Certificate of Clinical Competence of the American Speech-Language-Hearing Association or its current equivalent in the area for which they are applying for licensure, provided the requirements for such certification are equivalent to or greater than those for licensure.

Added by Laws 1973, c. 203, § 6, emerg. eff. May 17, 1973.

Amended by Laws 1998, c. 202, § 6, eff. July 1, 1998; Laws 2004, c. 280, § 3, eff. July 1, 2004.

§59-1607. Board of Examiners for Speech-Language Pathology and Audiology - Members - Duties - Reimbursement.

A. There is hereby re-created, to continue until July 1, 2019, in accordance with the provisions of the Oklahoma Sunset Law, the Board of Examiners for Speech-Language Pathology and

Audiology whose duty it is to administer the provisions of the Speech-Language Pathology and Audiology Licensing Act. The members of the Board shall be residents of this state and shall be appointed by the Governor with the advice and consent of the Senate. The Board shall be composed of five (5) members consisting of three licensed speech-language pathologists or audiologists, provided that at least one of the three shall be a licensed speech-language pathologist and at least one a licensed audiologist; one otolaryngologist who is certified by the American Board of Otolaryngology and one lay member.

B. The members of the original Board shall serve the following terms: one member for one (1) year, two members for two (2) years, and two members for three (3) years. Thereafter, at the expiration of the term, or termination of the member's service for any reason, the Governor shall appoint each successor for a term of three (3) years, or for the remainder of an unexpired term. The successor for any of the three speech-language pathologists or audiologists will be selected from a list of five licensed speech-language pathologists or audiologists, furnished by the Oklahoma Speech-Language-Hearing Association. The re-creation of the Board shall not affect the staggered terms of office for Board members established with the original Board.

C. Before entering upon the duties of the member's office, each member of the Board shall take the Constitutional oath of office and file it with the Secretary of State.

D. Board members may be reappointed to serve one additional three-year term. Three (3) years after the termination of a previous appointment to the Board, a member may be reappointed for one additional three-year term.

E. Board members shall be reimbursed for travel expenses incurred in the performance of their duties as provided in the State Travel Reimbursement Act.

Added by Laws 1973, c. 203, § 7, emerg. eff. May 17, 1973.
Amended by Laws 1982, c. 56, § 3, operative Oct. 1, 1982; Laws 1988, c. 225, § 16; Laws 1994, c. 197, § 2, eff. July 1, 1994; Laws 1998, c. 202, § 7, eff. July 1, 1998; Laws 2000, c. 88, § 1; Laws 2004, c. 280, § 4, eff. July 1, 2004; Laws 2006, c. 49, § 1; Laws 2012, c. 59, § 1; Laws 2015, c. 236, § 1.

§59-1608. Removal of Board members.

The Governor may remove any member of the Board of Examiners for Speech-Language Pathology and Audiology for misconduct,

incompetence or neglect of duty, after giving the member a written statement of charges, and opportunity for a hearing. Added by Laws 1973, c. 203, § 8, emerg. eff. May 17, 1973. Amended by Laws 1998, c. 202, § 8, eff. July 1, 1998; Laws 2004, c. 280, § 5, eff. July 1, 2004.

§59-1609. Meetings - Quorum - Executive secretary - Employees - Space.

A. The Board of Examiners for Speech-Language Pathology and Audiology shall hold a regular annual meeting at its last meeting of the fiscal year at which it shall elect from its membership a chairman, a vice-chairman, and a secretary. Other regular meetings shall be held at such times as the rules of the Board may provide. Special meetings may be held at such times as may be deemed necessary or advisable by a majority of the Board members. At least one (1) weeks' notice of all meetings shall be given in a manner prescribed by the rules of the Board.

B. All meetings of the Board shall be in accordance with the Oklahoma Open Meeting Act.

C. Three members of the Board shall constitute a quorum.

D. An executive secretary shall be appointed by the Board, and shall hold office at the pleasure of the Board. The Board may employ such other persons and may rent or purchase such space and equipment as it deems necessary or desirable to carry out the provisions of Section 1601 et seq. of this title. Added by Laws 1973, c. 203, § 9, emerg. eff. May 17, 1973. Amended by Laws 1998, c. 202, § 9, eff. July 1, 1998.

§59-1610. Powers and duties of Board.

A. The Board of Examiners for Speech-Language Pathology and Audiology, in addition to the other powers and duties prescribed by the Speech-Language Pathology and Audiology Licensing Act, shall have the power and duty to:

1. Regulate the practice of speech-language pathology and audiology in this state;

2. Examine the applicants and issue the appropriate licenses pursuant to the provisions of the Speech-Language Pathology and Audiology Licensing Act to applicants qualified in the practice of speech-language pathology and audiology;

3. Continue in effect, suspend, revoke, modify or deny, pursuant to the provisions of the Speech-Language Pathology and

Audiology Licensing Act and such conditions as the Board may prescribe, licenses for the practice of speech-language pathology and audiology in this state;

4. Investigate complaints and hold hearings pursuant to the provisions of the Speech-Language Pathology and Audiology Licensing Act and the Administrative Procedures Act;

5. Initiate prosecutions against licensees in violation of the provisions of the Speech-Language Pathology and Audiology Licensing Act;

6. Reprimand or place on probation, or both, any holder of a license pursuant to the provisions of the Speech-Language Pathology and Audiology Licensing Act;

7. Adopt and promulgate standards of conduct for speech-language pathologists and audiologists consistent with accepted national standards;

8. Develop and promulgate rules necessary to effectuate the provisions of the Speech-Language Pathology and Audiology Licensing Act;

9. Enforce rules promulgated pursuant to the provisions of the Speech-Language Pathology and Audiology Licensing Act;

10. Communicate disciplinary actions to relevant state and federal authorities, to other state speech-language pathology and audiology licensing authorities requesting such information, and to other state and national professional associations requesting such information; and

11. Exercise all incidental powers and duties which are necessary and proper to effectuate the provisions of the Speech-Language Pathology and Audiology Licensing Act.

B. The conferral or enumeration of specific powers elsewhere in the Speech-Language Pathology and Audiology Licensing Act shall not be construed as a limitation of the general functions conferred by this section.

C. No member of the Board shall be liable for civil action for any act performed in good faith in the performance of the member's duties as prescribed by law.

Added by Laws 1973, c. 203, § 10, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 10, eff. July 1, 1998.

§59-1611. Code of ethics.

A. The Board of Examiners for Speech-Language Pathology and Audiology shall publish a code of ethics. The code shall take into account the professional character of speech-language and hearing services, and shall be designed to protect the interests of the client and the public.

B. In developing and revising the code of ethics, the Board shall hold hearings where interested persons may be heard on the subject. In addition, the Board will take into account the ethical standards promulgated by the American Speech-Language-Hearing Association.

Added by Laws 1973, c. 203, § 11, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 11, eff. July 1, 1998; Laws 2004, c. 280, § 6, eff. July 1, 2004.

§59-1612. Seal - Official records as prima facie evidence.

The Board of Examiners for Speech-Language Pathology and Audiology shall adopt a seal by which it shall authenticate the Board's proceedings. Copies of the proceedings, records and acts of the Board, and certificates purporting to relate the facts concerning such proceedings, records and acts, signed by the executive secretary and authenticated by said seal, shall be prima facie evidence in all courts of this state.

Added by Laws 1973, c. 203, § 12, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 12, eff. July 1, 1998.

§59-1613. Rules.

In addition to the powers and duties granted to the Board of Examiners for Speech-Language Pathology and Audiology by other provisions of the Speech-Language Pathology and Audiology Licensing Act, the Board shall promulgate rules, not inconsistent with the Constitution and laws of this state, that are reasonably necessary to the conduct of its duties and proceedings.

Added by Laws 1973, c. 203, § 13, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 13, eff. July 1, 1998.

§59-1614. Speech-Language Pathology and Audiology Licensing Fund.

A. The executive secretary of the Board of Examiners for Speech-Language Pathology and Audiology shall receive and account for all monies derived from the Speech-Language Pathology and Audiology Licensing Act. The executive secretary of the Board shall pay these monies monthly to the State

Treasurer who shall keep them in a separate fund to be known as the "Speech-Language Pathology and Audiology Licensing Fund".

B. All monies received in the fund are hereby appropriated to the Board. Monies may be paid out of the fund upon proper voucher approved by the chair of the Board, and attested by the executive secretary of the Board.

C. All monies in the Speech-Language Pathology and Audiology Licensing Fund at the end of each fiscal year, being the unexpended balance of such fund, shall be carried forward and placed to the credit of the fund for the succeeding fiscal year.

D. Only the Board shall make expenditures from the fund for any purpose that is reasonably necessary to carry out the provisions of the Speech-Language Pathology and Audiology Licensing Act.

E. No money shall ever be paid from the General Revenue Fund for the administration of the Speech-Language Pathology and Audiology Licensing Act.

F. Any expenses or liabilities incurred by the Board shall not constitute a charge on any state funds other than the Speech-Language Pathology and Audiology Licensing Fund. Added by Laws 1973, c. 203, § 14, emerg. eff. May 17, 1973. Amended by Laws 1980, c. 159, § 16, emerg. eff. April 2, 1980; Laws 1998, c. 202, § 14, eff. July 1, 1998; Laws 2004, c. 280, § 7, eff. July 1, 2004.

§59-1615. Repealed by Laws 1998, c. 202, § 24, eff. July 1, 1998.

§59-1615.1. Fixing of Fees.

A. All licensing fees, renewal fees, and replacement fees shall be amounts fixed by the Board of Examiners for Speech-Language Pathology and Audiology. The Board shall fix the amount of the fees so that the total fees collected will be sufficient to meet the expenses of administering the provisions of the Speech-Language Pathology and Audiology Licensing Act, and so there are no unnecessary surpluses in the Speech-Language Pathology and Audiology Licensing Fund.

B. The Board shall not fix a license fee at an amount in excess of One Hundred Dollars (\$100.00), a renewal fee at an amount in excess of One Hundred Dollars (\$100.00), or a fee for

the issuance of a license to replace a license which was lost, destroyed, mutilated, or revoked at an amount in excess of Twenty-five Dollars (\$25.00). The fees shall accompany the respective application.

Added by Laws 1998, c. 202, § 15, eff. July 1, 1998.

§59-1616. License certificates - Renewals - Inactive status.

A. The Board of Examiners for Speech-Language Pathology and Audiology shall issue a license certificate to each person whom it registers as a speech-language pathologist and/or audiologist. Licensure shall be granted in either speech-language pathology or audiology independently. Qualified applicants may be independently licensed in both. The certificate shall show the full legal name of the licensee and shall bear a serial number. The serial number is exclusive and not transferable. The certificate shall be signed by the chair and executive secretary of the Board under the seal of the Board.

B. Licenses for independent practitioners expire on the 31st day of December following their issuance or renewal, and are invalid thereafter unless renewed. The Board shall notify every person licensed pursuant to the Speech-Language Pathology and Audiology Licensing Act of the date of expiration and the amount of the renewal fee. This notice shall be mailed at least one (1) month before the expiration of the license. Renewal may be made at any time during the months of November or December upon application therefore, and by payment of the renewal fee. Failure on the part of any licensed person to pay such person's renewal fee before the first day in January does not deprive the person of the person's right to renew the person's license, but the fee to be paid for renewal after December shall be increased by fifty percent (50%) for each month or fraction thereof that the payment is delayed, up to a maximum of three times the current renewal fee.

C. A licensed speech-language pathologist or audiologist may place such person's license on inactive status if, prior to expiration of the person's license, the person makes written application to the Board for such status and pays a fee of Twenty-five Dollars (\$25.00). Thereafter, the person may renew such person's license upon payment of a renewal fee equal to one and one-half (1 1/2) times the then current license fee. During the period of time the person's license is in an inactive status, the person shall not engage in the practice of speech-language pathology or audiology in the State of Oklahoma.

Added by Laws 1973, c. 203, § 16, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 16, eff. July 1, 1998; Laws
2004, c. 280, § 8, eff. July 1, 2004.

§59-1616.1. Continuing education programs.

The Board of Examiners for Speech-Language Pathology and Audiology is hereby authorized to establish requirements of continuing education as a condition for the renewal of licensure of speech-language pathologists and audiologists. The Board may assess a reasonable fee to be paid by entities sponsoring continuing education programs. Rules concerning accreditation of continuing education programs and other educational experience, and the assignment of credit for participation therein must be promulgated by the Board at least one (1) year prior to implementation of continuing education.

Added by Laws 1998, c. 202, § 17, eff. July 1, 1998.

§59-1617. List of licensees - Publication - Distribution.

The Board of Examiners for Speech-Language Pathology and Audiology shall publish a list of all licensees, including the name and business address of each licensee, the area in which the person is licensed, and such other information as the Board deems appropriate. This list will be published on the web site for the Board of Examiners for Speech-Language Pathology and Audiology in printable format and updated quarterly. A copy of the list will be placed on file with the Secretary of State annually. Copies will be furnished to licensees and the public upon request.

Added by Laws 1973, c. 203, § 17, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 18, eff. July 1, 1998; Laws
2004, c. 280, § 9, eff. July 1, 2004.

§59-1618. Fees as exclusive.

The fees promulgated by the Board of Examiners for Speech-Language Pathology and Audiology shall be exclusive and no municipality shall have the right to require any person licensed under the provisions of the Speech-Language Pathology and Audiology Licensing Act to furnish any bond, pass any examination or pay any license fee or occupational tax.

Added by Laws 1973, c. 203, § 18, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 19, eff. July 1, 1998.

§59-1619. Disciplinary actions - Grounds - Notice and hearing - Appeal - Restoration - Definitions.

A. The Board of Examiners for Speech-Language Pathology and Audiology may impose separately, or in combination, any of the following disciplinary actions on a licensee after formal

disciplinary action as provided in the Speech-Language Pathology and Audiology Licensing Act: suspend or revoke a license, issue a letter of reprimand, impose probationary conditions, impose an administrative fine not to exceed Ten Thousand Dollars (\$10,000.00), and assess reasonable costs. Disciplinary actions may be taken by the Board upon proof that the licensee:

1. Has been guilty of fraud or deceit in connection with the licensee's speech-language pathology or audiology services;

2. Has aided or abetted a person who is not a licensed speech-language pathologist or audiologist and who is under the supervision of a licensed speech-language pathologist or audiologist and subject to the rules of the Board, in illegally engaging in the practice of speech-language pathology or audiology within this state;

3. Has been guilty of unprofessional conduct as defined by the rules established by the Board or has violated the code of ethics made and published by the Board;

4. Has used fraud or deception in applying for a license or in passing an examination provided for in the Speech-Language Pathology and Audiology Licensing Act;

5. Has been grossly negligent in the practice of the person's profession;

6. Has willfully violated any of the provisions of the Speech-Language Pathology and Audiology Licensing Act or any rules promulgated pursuant thereto;

7. Has violated federal, state or local laws relating to the profession. A copy of the record of conviction, certified by the clerk of the court entering the conviction, shall be conclusive evidence of conviction; or

8. Has been convicted of or has pled guilty or nolo contendere to a felony crime that substantially relates to the business practices of speech-language pathology or audiology or poses a reasonable threat to public safety or to a crime involving moral turpitude.

B. 1. No disciplinary action shall be imposed until after a hearing before the Board. A notice of at least thirty (30) days shall be served, either personally or by certified mail, to the licensee charged, stating the time and place of the hearing,

and setting forth the ground or grounds constituting the charges against the licensee. The licensee shall be entitled to be heard in such person's defense either in person or by counsel, and may produce testimony and may testify in the person's own behalf.

2. A record of such hearing shall be taken and preserved.

3. The hearing may be adjourned from time to time. If, after due receipt of notice of a hearing, the licensee shall be unable to appear for good cause shown, then a continuance shall be granted by the Board. The time allowed shall be at the discretion of the Board, but in no instance shall it be less than two (2) weeks from the originally scheduled date of the hearing.

4. If a licensee pleads guilty, or if upon hearing the charges, a majority of the Board finds them to be true, the Board shall impose its disciplinary action against the licensee. The Board shall record its findings and order in writing.

C. 1. The Board, through its chairman or vice-chairman, may administer oaths and may compel the attendance of witnesses and the production of physical evidence before it from witnesses upon whom process is served anywhere within the state, as in civil cases in the district court, by subpoena issued over the signature of the chairman or vice-chairman and the seal of the Board.

2. Upon request by an accused speech-language pathologist or audiologist, and statement under oath that the testimony or evidence is reasonably necessary to the person's defense, the Board shall use this subpoena power in behalf of the accused speech-language pathologist or audiologist.

3. The subpoenas shall be served, and a return of service thereof made, in the same manner as a subpoena is served out of the district courts in this state, and as a return in such case is made.

4. If a person fails and refuses to attend in obedience to such subpoena, or refuses to be sworn or examined or answer any legally proper question propounded by any member of said Board or any attorney or licensee upon permission from said Board, such person shall be guilty of a misdemeanor, and, upon conviction, may be punished by a fine not to exceed Two Hundred

Fifty Dollars (\$250.00) or by confinement in the county jail not to exceed ninety (90) days, or both.

D. 1. Any person who feels aggrieved by reason of the imposition of disciplinary action may appeal to the Board for a review of the case or may seek judicial review pursuant to the Administrative Procedures Act.

2. The suit shall be filed against the Board as defendant, and service of process shall be upon either the chairman or executive secretary of the Board.

3. The judgment of the district court may be appealed to the Supreme Court of Oklahoma in the same manner as other civil cases.

E. Upon a vote of three of its members, the Board may restore a license which has been revoked or reduce the period of suspension.

F. As used in this section:

1. "Substantially relates" means the nature of criminal conduct for which the person was convicted has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation; and

2. "Poses a reasonable threat" means the nature of criminal conduct for which the person was convicted involved an act or threat of harm against another and has a bearing on the fitness or ability to serve the public or work with others in the occupation.

Added by Laws 1973, c. 203, § 19, emerg. eff. May 17, 1973.
Amended by Laws 1998, c. 202, § 20, eff. July 1, 1998; Laws 2015, c. 183, § 10, eff. Nov. 1, 2015.

§59-1620. Jurisdiction of district court.

A. The Board of Examiners for Speech-Language Pathology and Audiology, the Attorney General or the local district attorney may apply to the district court in the county in which a violation of the Speech-Language Pathology and Audiology Licensing Act is alleged to have occurred for an order enjoining or restraining the commission or continuance of such alleged violations. Thereupon, the court has jurisdiction over the proceedings, and may grant such temporary or permanent

injunction or restraining order, without bond, as it deems just and proper.

B. The remedy provided by this section is in addition to, and independent of, any other remedies available for the enforcement of the Speech-Language Pathology and Audiology Licensing Act.

Added by Laws 1973, c. 203, § 20, emerg. eff. May 17, 1973.

Amended by Laws 1998, c. 202, § 21, eff. July 1, 1998.

§59-1621. Penalties.

Any person who represents himself or herself to be a speech-language pathologist and/or audiologist or engages in the practice of speech-language pathology and/or audiology within this state without being licensed or exempted in accordance with the provisions of the Speech-Language Pathology and Audiology Licensing Act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than Five Hundred Dollars (\$500.00) or be confined to jail for not more than six (6) months, or both such fine or confinement. Each day of violation is a separate offense.

Added by Laws 1973, c. 203, § 21, emerg. eff. May 17, 1973.

Amended by Laws 1998, c. 202, § 22, eff. July 1, 1998.

§59-1622. Annual reports.

The Board of Examiners for Speech-Language Pathology and Audiology shall make an annual report to the Governor, not later than the fifteenth day of November of each year. The report shall contain an account of all monies received, licenses issued, suspended or revoked, and all expenditures made by the Board in the twelve (12) months prior to said date.

Added by Laws 1973, c. 203, § 22, emerg. eff. May 17, 1973.

Amended by Laws 1998, c. 202, § 23, eff. July 1, 1998.