

**ARTICLE 11-01
GENERAL ADMINISTRATION**

Chapter
11-01-01

Organization of Board

**CHAPTER 11-01-01
ORGANIZATION OF BOARD**

Section 11-01-01-01 Organization of Board of Examiners on Audiology and Speech-Language Pathology

11-01-01-01. Organization of board of examiners on audiology and speech-language pathology.

1. **History and function.** The 1975 legislative assembly passed legislation to license audiologists and speech-language pathologists, codified as North Dakota Century Code chapter 43-37. In 1983 chapter 43-37 was revised. This chapter requires the governor to appoint a state board of examiners on audiology and speech-language pathology. It is the responsibility of the board to license audiologists and speech-language pathologists and Speech-language pathology licensed assistants.

2. **Board membership.** The board consists of eight members appointed by the governor. Two members are audiologists, four members are speech-language pathologists, one member is an otolaryngologist, and one is a consumer. Each board member serves a term of three years. No member may serve on the board more than two successive terms.

3. **Officers.** Officers are elected annually. The board may hire an executive secretary as necessary.

4. **Inquiries.** Inquiries regarding the board may be addressed to:

Board of Examiners on Audiology and Speech-Language Pathology
Executive Secretary
402 East Main Street
Bismarck, North Dakota 58501

Phone: 701-755-7165
Email: ndsbe.executivesecretary@gmail.com
Website: ndsbe.com

History: Amended effective May 1, 1984; June 1, 1990; March 1, 1993; April 1, 1993; April 1, 1994; April 1, 2016; April 1, 2018, Month 2026

General Authority: NDCC 28-32-02.1

Law Implemented: NDCC 43-34-37, NDCC 43-37-06

ARTICLE 11-02
AUDIOLOGIST AND SPEECH-LANGUAGE PATHOLOGIST LICENSURE

Chapter

- 11-02-01 Initial Licensure and Renewals
- 11-02-02 Code of Ethics
- 11-02-03 Grievances
- 11-02-04 Information Changes

CHAPTER 11-02-01
INITIAL LICENSURE AND RENEWALS

Section

- 11-02-01-01 Licensure Application
- 11-02-01-02 Licensure Without Examination [Repealed]
- 11-02-01-03 Licensure With Examination [Repealed]
- 11-02-01-04 Renewal of Licensure and Relicensure
- 11-02-01-05 Fees 11-02-01-06 Continuing Education
- 11-02-01-07 Passing Score
- 11-02-01-08 Speech-Language Pathology Licensed Assistants

11-02-01-01. Licensure application.

An application for a license to practice audiology or speech-language pathology and speech-language pathology licensed assistants shall be made to the state board of examiners of audiology and speech-language pathology on forms provided by the board upon request. The application shall contain such information as the board may reasonably require.

1. Each application for a license shall be accompanied by:
 - a. A prescribed fee.
 - b. An official transcript issued by the educational institution from which the degree was received verifying completion of undergraduate and graduate degrees.

- c. An official or authenticated copy of a passing score, as established by the American speech-language-hearing association, on the Praxis II specialty examination in the area of audiology or speech-language pathology, or another examination approved by the board.
2. All applications shall be signed by the applicant ~~and notarized~~.
3. The board may request such additional information or clarification of information provided in the application as it deems reasonably necessary.
4. If the board so directs, an applicant shall personally appear before the board concerning the application.
5. The board may grant licensure to an applicant who holds a current license in good standing to practice as an audiologist, speech-language pathologist, or speech-language pathology licensed assistant in another state or jurisdiction if that other state or jurisdiction imposes at least substantially the same standards that are imposed under this chapter
6. Temporary Licensure may be granted to an applicant:
 - a. Who holds a current license in good standing to practice as an audiologist, speech-language pathologist, or Speech-Language Pathology Licensed Assistant in another state or jurisdiction
 - b. Has held a license in good standing to practice as an audiologist, speech-language pathologist, or Speech-Language Pathology Licensed Assistant in another state or jurisdiction within the past 5 years
 - c. Temporary licensure may be granted for a maximum of 6 months, at which time documentation necessary for full licensure is required or licensure is suspended
 - d. Full licensure will be granted when all documentation is provided that meets the demands for initial or re-licensure

History: Amended effective May 1, 1984; June 1, 1990; April 1, 2016; April 1, 2018. Month 2026

General Authority: NDCC 43-37-06

Law Implemented: NDCC 43-37-04, NDCC 43-37-06, 43-37-09

11-02-01-02. Licensure without examination.

Repealed effective May 1, 1984.

11-02-01-03. Licensure with examination.

Repealed effective May 1, 1984.

11-02-01-04. Renewal of licensure and relicensure.

1. Applications for the renewal of license are due by the first date of each year.
2. At least two months before the first date of each year, the board shall notify the licensee of the requirement for renewal. The notice must be made to the electronic email address or address provided to the board by the licensee and must encourage applicants to submit applications for renewal upon receiving that notice.
3. A license must be renewed by the board if, on or before the thirty-first day of January of each year, the licensee meets all of the following requirements:
 - a. The licensee filed a complete application for renewal form provided by the board.
 - b. The licensee paid the renewal fee.
 - c. The licensee provided proof of completion of the continuing education required by section 11-02-01-06.
 - d. Grounds for denial of the application under North Dakota Century Code section 43-37-13 do not exist.
 - e. Supervision requirements completed in accordance with section 11-02-01-08.
4. If the completed application for renewal, renewal fee, and proof of completion of continuing education, are not filed before the first day of each year, the ~~licensee~~ license shall ~~pay the late fee associated with the license expire, the individual may not practice, and the renewal application must be completed by January 31st. If the completed application for renewal, renewal fee, and proof of completion of continuing education, is not filed before the last day of January, the licensee is subject to re-licensure.~~
5. ~~If the completed application for renewal, renewal fee, and proof of completion of continuing education, and late fee is not filed before the last day of January, the license expires and the individual may not practice until the board renews the license or grants re-licensure.~~
6. The board may extend the expiration date and the deadlines for filing the application for

renewal, renewal fee, and proof of completion of continuing education, ~~and late fee~~ upon proof of medical or other hardship preventing the individual from meeting the deadlines.

7. If an individual is unlicensed for a period less than five calendar years, the individual must be granted re-licensure upon the filing of a completed application for license, the licensing fee, a two hundred fifty-dollar re-licensure fee, and proof of completion of ten clock hours of continuing education for each ~~calendar~~ year for which the individual was unlicensed in order to be considered for re-licensure.
8. If an individual is unlicensed for a period of five or more calendar years, the individual may be required by the board to retake and pass the Praxis II specialty examination or another examination approved by the board, and shall be required to file a completed application for a license, the licensing fee, a two hundred fifty-dollar re-licensure fee, and proof of completion of ten clock hours of continuing education for each calendar year for which the individual was unlicensed in order to be considered for re-licensure.
9. ~~An individual may be granted a re-licensure only once in a five year period.~~

History: Amended effective May 1, 1984; October 1, 1989; June 1, 1990; April 1, 2016; April 1, 2018, Month 2026

General Authority: NDCC 43-37-06

Law Implemented: NDCC 43-37-04, NDCC 43-37-06

11-02-01-05. Fees.

The following fees shall be paid in connection with audiologist, speech-language pathologist, and speech-language pathology licensed assistant applications, examinations, renewals, and penalties:

1. Application fee for an audiologist license, speech-language pathologist license, and Speech language pathology licensed assistant license: one hundred dollars.
2. Renewal fee for an audiologist license, speech-language pathologist license, and Speech language pathology license assistant: seventy-five dollars.
3. Relicensure fee: two hundred fifty dollars.

History: Amended effective May 1, 1984; June 1, 1990; February 1, 2001; April 1, 2016; April 1, 2018, Month 2026

General Authority: NDCC 43-37-06

Law Implemented: NDCC 43-37-04, NDCC 43-37-06

11-02-01-06. Continuing education.

1. Continuing education is defined as courses or workshops that contribute to professional development and lead to acquiring and enhancing skills and knowledge required for professional practice that are either approved by the board or certified by the American speech-language-hearing association, the American academy of audiology, or the international hearing association or another organization approved by the board.
2. Licensees in are required to complete ten clock hours of continuing education during each calendar year.
3. Continued practice in violation of the continuing education requirements as outlined in this section subjects a licensee to disciplinary action as outlined in North Dakota Century Code section 43-37-13.

History: Amended effective May 1, 1984; August 1, 1986; June 1, 1990; April 1, 2016, Month 2026

General Authority: NDCC 43-37-06

Law Implemented: NDCC 43-37-04, NDCC 43-37-06

11-02-01-07. Passing score.

The successful completion of a Praxis II specialty examination in audiology or speech-language pathology or another examination approved by the board means: obtaining a score equal to or greater than the passing score established by the American speech-language-hearing association or another organization approved by the board, and in effect at the time of administration of the test.

History: Effective May 1, 1984; amended effective June 1, 1990; April 1, 2016, Month 2026

General Authority: NDCC 43-37-09

Law Implemented: NDCC 43-37-04, NDCC 43-37-06

11-02-01-08. Speech-language pathology licensed assistants.

1. Definitions.

- a. "Direct supervision" means face-to-face contact that occurs either in-person or through video conferencing. Activities that occur during direct supervision include Speech-language pathology observation of the practicing speech-language pathology licensed assistant, speech-language pathology modeling for the speech-language pathology

licensed assistant, and cotreatment between the speech-language pathology licensed assistant and supervising speech-language pathologist on a single client. discussions, and teaching.

b. "Indirect supervision" means other than face-to-face contact. Activities that occur during indirect supervision include telephone conversations, written correspondence, review of documents, electronic exchanges, review of recorded sessions or other methods using secure telecommunication technology.

c. Direct clinical experience means treatment, screenings, or assisting with assessments.

d. Indirect clinical experience means paperwork, observation, or treatment preparation

2. ~~Minimum qualifications for a speech-language pathology licensed assistant. A bachelor's degree in speech-language pathology or communication disorders as approved by the board that includes a minimum of six semester credit hours in disordered communication, a minimum of three semester credit hours in clinical techniques, successful completion of an internship requiring a minimum of one hundred hours of clinical experience overseen by a supervising speech-language pathologist.~~
An applicant for a speech-language pathology licensed assistant must possess 100 hours of direct clinical experience overseen by a licensed supervising speech-language pathologist with a minimum of twenty five percent direct clinical supervision or equivalent work experience as approved at the discretion of the board and either at least a bachelor's degree in speech-language pathology or communication disorders or a 2-year degree in Speech-Language pathology assistant's program or a bachelor's degree in another field, both of which with course work in the following areas: introduction to communication sciences and disorders, clinical phonetics, speech sound disorders, language development, language disorders, and anatomy and physiology of speech and hearing mechanisms.

3. Scope of practice.

a. Provide speech-language pathology services only in settings in which direct and indirect supervision are provided on a regular and systematic basis by a supervising speech language pathologist.

b. Self identify as a speech-language pathology licensed assistant to consumers the public.

c. Perform only those tasks prescribed by the supervising speech-language pathologist.

d. Tasks that a supervising speech pathologist may delegate to a speech-language pathology assistant are limited to the following:

- (1) Assist with speech and language, and hearing screenings without clinical interpretation as developed and directed by the supervising speech-language pathologist.
- (2) ~~Assist during assessment as developed and directed by the supervising Speech language pathologist. In carrying out assessments, a speech language pathology licensed assistant may not provide a clinical interpretation. The speech-language pathology licensed assistant may not administer or score diagnostic assessments or provide clinical interpretation of assessments. The speech-language pathology licensed assistant may assist during assessments as developed and directed by the supervising speech-language Pathologist.~~
- (3) Deliver services set forth in treatment plans or protocols developed and directed by supervising speech-language pathologist.
- (4) Document ~~consumer~~ client/patient/student performance and report this information to the supervising speech-language pathologist.
- (5) Program and provide instruction in the use of augmentative and alternative communication devices as developed and directed by the supervising speech language pathologist.
- (6) Demonstrate to and share information with ~~consumers~~ client/patient/student regarding feeding and swallowing strategies developed and directed by the supervising speech-language pathologist.
- (7) Participate in formal parent or guardian conferences, case conferences, or an interdisciplinary team with the presence of the supervising speech-language pathologist.

4. Supervision.

- a. A speech-language pathology licensed assistant must be supervised by a licensed speech-language pathologist who has been actively practicing for ~~a minimum of three of the last five years~~ 18 months post initial licensure.

- b. A supervising speech-language pathologist is responsible for the extent, kind, and quality of the service provided by the speech-language pathology licensed assistant, consistent with the standards and requirements approved by the board.
- c. A speech-language pathologist may be the supervisor of record for no more than ~~two~~ three speech-language pathology licensed assistants at the same time.
- d. The supervising speech-language pathologist is responsible for the professional services provided by the speech-language pathology licensed assistant.
- e. A supervising speech-language pathologist must provide direct and indirect supervision as determined by the supervising speech-language pathologist's assessment of the competence of the speech-language pathology licensed assistant and within the scope of the rules adopted by the board. In determining the methods, frequency, and content of supervision, a supervising speech-language pathologist shall consider:
 - (1) The complexity of clients' needs;
 - (2) The number and diversity of clients;
 - (3) The knowledge, competence, and skills of the speech-language pathology licensed assistant;
 - (4) The type of practice setting;
 - (5) Any requirements particular to the practice setting; and
 - (6) Other regulatory requirements.
- f. A supervising speech-language pathologist and a supervised speech-language pathology licensed assistant shall make a written supervision plan that must be in effect for the duration of the supervision, that may be requested by the board at any time, and that includes the following:
 - (1) Periodic evaluation and documentation reflecting the speech-language pathology licensed assistant's competence to perform the services prescribed.
 - (2) Periodic documentation of the frequency, methods, and content of the supervision.

g. A supervising speech-language pathologist shall provide direct and indirect supervision that meets the following guidelines:

~~(1) During the first ninety days, a supervising speech-language pathologist shall provide direct supervision for at least twenty percent of the client contact hours worked each week by the speech-language pathology licensed assistant, and indirect supervision for at least ten percent of the client contact hours worked by the speech-language pathology licensed assistant.~~

(2) ~~After the initial ninety workdays are complete,~~ The supervising speech-language pathologist shall provide direct supervision for at least ten percent of the client contact hours worked each week by the speech-language pathology licensed assistant and indirect supervision for at least ten percent of the client contact hours worked by the speech-language pathology licensed assistant. Direct supervision shall be provided by the speech-language pathologist for each client/patient/student at least once every 60 days. The supervising speech-language pathologist shall provide direct supervision at an increased rate for medically fragile or high-risk patients an appropriate amount in relationship to their condition. The board may request supervision records at any time.

(3) The board may request supervision records at any time.

h. If the supervising speech-language pathologist becomes unlicensed for any reason, the speech-language pathology licensed assistant must also cease practice until the supervising speech-language pathologist becomes relicensed OR must immediately identify a new supervising speech-language pathologist until the previous supervising speech-language pathologist is relicensed.

History: Effective April 1, 2018, Month 2026

General Authority: NDCC 43-37-06

Law Implemented: NDCC 43-37-04, NDCC 43-06-04.

**CHAPTER 11-02-02
CODE OF ETHICS**

Section

- 11-02-02-01 Unethical Conduct [Repealed]
- 11-02-02-02 Code of Ethics
- 11-02-02-03 Unacceptable Professional Conduct

11-02-02-01. Unethical conduct.

Repealed effective May 1, 1984.

11-02-02-02. Code of ethics.

The board subscribes to the 2016 code of ethics of the American speech-language-hearing association. This code is incorporated in the rules by reference except that a certificate of clinical competence is not required to practice speech-language pathology and audiology in North Dakota.

History: Effective May 1, 1984; amended effective October 1, 1989; April 1, 2016; April 1, 2018, Month 2026

General Authority: NDCC 43-37-06

Law Implemented: NDCC 43-37-04, NDCC 43-37-06

11-02-02-03. Unacceptable professional conduct.

The following constitute unacceptable professional conduct by a licensed audiologist or speech-language pathologist, speech-language pathologist licensed assistant and subject such licensee or potential licensee to sanction:

1. Taking financial advantage of a client, or using one's position within an agency to enhance one's private practice or the private practice of others for personal gain.
2. Entering into any illegal acts with a client.
3. Participating in, condoning, or being an accessory to dishonesty, fraud, deceit, or misrepresentation in the practice of audiology or speech-language pathology.
4. Not providing clients with accurate and complete information regarding the extent and nature of the services available to them.
5. Convicted of a criminal act which affects the practice of the profession. (North Dakota Century Code section 12.1-33-02.1)
6. Violating any federal or state confidentiality client care regulation statutes.

7. Violating any federal or state discrimination statutes or regulations.
8. Exploiting relationships with clients such as participating in or soliciting sexual relationships during the time of services and for twelve months following the termination of services.
9. Refusal to seek adequate and appropriate treatment for any illness or disorder which interferes with professional functioning or ability to perform the basic expected functions, or both, of an audiologist or speech-language pathologist or a speech-language pathology licensed assistant.
10. Using misrepresentation in the procurement of licensing as an audiologist or speech-language pathologist or a speech-pathology licensed assistant or knowingly assisting another in the procurement of licensing through misrepresentation. Misrepresentation of professional qualifications, certifications, accreditations, affiliation, and employment experiences.
11. Failure to report through the proper channels the incompetent, unethical, or illegal practice of any licensed audiologist or speech-language pathologist or a speech-language pathology licensed assistant who is providing such services.
12. Participating in activities that constitute a conflict of professional interest and adversely affect the licensee's ability to provide audiology or speech-language pathology services.
13. Violating any of the principles of ethics as listed in the ~~2010~~ most recent code of ethics of the American speech-language-hearing association.
14. Providing any inaccurate, misleading, or false information to the board in regard to a licensure action.

History: Effective October 1, 1989; amended effective April 1, 2016, Month 2026

General Authority: NDCC 43-37-06

Law Implemented: NDCC 43-37-04, NDCC 43-37-06, 43-37-13