



Submitted via email: mdh.regs@maryland.gov

September 8, 2023

Jourdan Green, Director
Office of Regulation and Policy Coordination
Maryland Department of Health
201 West Preston Street, Room 512
Baltimore, MD 21201

RE: Code Of Ethics; Collection Of Fees; Licensure And Continuing Education

Dear Ms. Green:

On behalf of the American Speech-Language-Hearing Association, I write to provide recommended changes to the proposed rule: Code Of Ethics; Collection Of Fees; Licensure And Continuing Education.

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 228,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology assistants; and students. Audiologists specialize in preventing and assessing hearing and balance disorders as well as providing audiologic treatment, including hearing aids. Speech-language pathologists (SLPs) identify, assess, and treat speech, language, swallowing, and cognitive-communication disorders. Over 4,200 ASHA members reside in Maryland.¹

In response to the proposed regulations, ASHA offers the following suggested changes:

- Section 10.41.03.06 1.: We recommend changing the heading to “Required Continuing Education” or “Required Professional Development” so that the focus is on learning and not on a unit of measure. We also suggest defining a continuing education unit (CEU) as 60 minutes = 1 CEU.
 - Note: ASHA's definition: One CEU (1.0 CEU) is equivalent to 10 contact/clock hours. The CEU is a nationally recognized standard unit of measurement for participation in a Continuing Education (CE) activity. CEU standards are set by the International Association for Continuing Education and Training (IACET). ASHA also recommends that the Board give more guidance on what is meant by continuing competency and ethics CEUs.
- Section 10.41.03.06 1. (2): We suggest consistency is used with the terms “hour” and “CEUs”. It is unclear whether Maryland is requiring 30 CEUs with 2 CEUs recommended in supervision or 30 hours with 2 hours recommended in supervision.
- Section 10.41.03.06 1.: We recommend changing the heading to “Time Period for Continuing Education.”
- Section 10.41.03.06 1.: We recommend stating that courses offered by ASHA Approved CE providers are exempt from the approval process, which is current practice.
- Section 10.41.03.06 1. 5. (a): We recommend clarifying “CEU credit hours” by replacing it with “15 hours will be awarded for each 3-credit course earned.”
- Section 10.41.03.06 1. 5. (d): We recommend clarifying “hours of CEU credit” by replacing it with “10 hours of credit may be earned...”

- Section 10.41.08 (1): We recommend adding 250, 6,000, and 8,000 hertz frequencies to the air conduction test requirements.
- Section 10.41.08 [F.] G: We recommend the following *insertion*: Before fitting or selling a hearing aid to a potential client, if the individual is 18 years old or younger, the licensee shall refer the client to a physician, preferably one specializing in the diseases of the ear...
- Section 10.41.11.01 (1)(C): We recommend the following *insertion*: Works under the general supervision of an ASHA certified audiologist licensed under Health Occupations Article, Title 2, Annotated Code of Maryland.
- Section 10.41.11.01 (6): We recommend revising the definition of direct supervision to the following:
 - *Direct supervision means on-site observation and guidance while a speech-language pathology assistant or audiology assistant is performing a clinical activity. This direct supervision can include the supervising audiologist viewing and communicating with the speech-language pathology or audiology assistant via telecommunication technology as the speech-language pathology or audiology assistant provides clinical services. Direct supervision can include the supervising audiologist viewing and communicating with the speech-language pathology or audiology assistant via telecommunication technology as the speech-language pathology or audiology assistant provides clinical services. Direct supervision does not include reviewing a recorded session at a later time.*
- Section 10.41.11.01 (7): ASHA does not define general supervision but recommends the following revisions: “General supervision” means the supervision of a licensed speech-language pathology assistant or audiology assistant by a licensed speech-language pathologist or audiologist who may or may not be present when the licensed speech-language pathology assistant or audiology assistant assists in the practice of audiology or speech-language pathology The amount and type of supervision should meet the minimum requirements according to state regulations and should be increased as needed based on (a) the needs, competencies, skills, expectations, philosophies, and experience of the speech-language pathology assistant or audiology assistant and their supervisor; (b) the needs of clients/patients/students served; (c) the service setting; (d) the tasks assigned; and (e) other factors.
- Section 10.41.11.01 [(6)](8): We recommend revising the definition for indirect supervision as follows:
 - *Indirect supervision is a supervisory style in which the audiologist is not physically located at the same facility or in close proximity to the audiology assistant but is available to provide supervision by electronic means. Indirect supervision activities performed by the supervising audiologist may include, but not be limited to, demonstration, record review, review, and evaluation of recorded (audiotaped or videotaped) sessions, and interactive television and supervisory conferences that may be conducted by telephone, email, or live webcam. This can also be described as asynchronous supervision.*
- Section 10.41.11.02: We recommend adopting the Speech-Language Pathology Assistants Certification (C-SLPA) as the licensing standard for the state of Maryland.² Otherwise, given the number of pathways available, we recommend removing the language, “unless a request for an exception based on extenuating circumstances.”
- Section 10.41.11.[04].03 (3)(a)(ii): We recommend the following deletion: “~~In an exempt setting~~, an individual who holds a Certificate of Clinical Competence in speech-language pathology from the American Speech-Language-Hearing Association;...”

- Section 10.41.11.[04]03 2. (3)(b): – ASHA’s C-SLPA requires 100 hours of clinical field work, which does not include observation hours. Therefore, we recommend removing the requirement for observation hours as follows: “Demonstrate completion, within the first 60 days, under direct supervision as documented by the supervising speech-language pathologist of: (i) ~~At least 25 hours of clinical observation earned during the educational training or on the job, or both;~~ and (ii) ~~A cumulative total of 75~~ 100 hours of clinical assistance earned during the educational training or on the job, or both;...”
- Section 10.41.11.04: We recommend adopting the Audiology Assistants Certification (C-AA) as the licensing standard for the state of Maryland.³ Otherwise, we recommend the following educational standards for audiology assistants:
 - Bachelor’s degree in communication sciences and disorders from a regionally or nationally accredited program or
 - College Degree (non-CSD) from a regionally or nationally accredited program, high school diploma, or GED or
 - A military job series awarding certificate (audiology/ENT)
- Section 10.41.11.05 - B.1.: We offer the following correction, “Holds a valid certification as a speech-language pathology assistant or an audiology assistant from the American Speech-Language-Hearing Association;...”
- Section 10.41.11.06: We recommend that the scope of practice and restrictions on practice for SLPAs and audiology assistants should reflect those defined by ASHA.^{4,5}
- Section 10.41.11.07 (1): We recommend the following requirements for supervision:
 - *Have two hours of professional development in the area of supervision and the equivalent of 9 months of full-time clinical practice after licensure.*

Thank you for considering our recommended changes to the proposed Code Of Ethics; Collection Of Fees; Licensure And Continuing Education. If you or your staff have any questions, please contact Susan Adams, ASHA’s director of state legislative and regulatory affairs, at sadams@asha.org.

Sincerely,



Robert M. Augustine, PhD, CCC-SLP
2023 ASHA President

¹ American Speech-Language-Hearing Association. (2023). *Maryland* [Quick Facts]. <https://www.asha.org/siteassets/advocacy/state-fliers/maryland-state-flyer.pdf>.

² American Speech-Language-Hearing Association. (2023). *Education Pathways to Speech-Language Pathology Assistants Certification*. <https://www.asha.org/certification/education-pathways-to-speech-language-pathology-assistants-certification/>.

³ American Speech-Language-Hearing Association. (2023). *Education Pathways to Audiology Assistants Certification*. <https://www.asha.org/certification/apply-for-audiology-assistants-certification/>.

⁴ American Speech-Language-Hearing Association. (2022). *Speech-language pathology assistant scope of practice* [Scope of Practice]. <https://www.asha.org/policy/slpa-scope-of-practice/>.

⁵ American Speech-Language-Hearing Association. (2022). *Scope of practice for audiology assistants* [Scope of Practice]. <https://www.asha.org/policy/scope-of-practice-for-audiology-assistants/>.