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**ISSUE DATE: OCTOBER 3, 2005**  
**RULE ADOPTIONS**  
**LAW AND PUBLIC SAFETY**  
**DIVISION OF CONSUMER AFFAIRS**  
**AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY ADVISORY COMMITTEE**

37 N.J.R. 3836(b)

Adopted Amendments: N.J.A.C. 13:44C-7.2A and 8.1

Scope of Practice: Fiber Optic Endoscopic Examination of Swallowing (FEES); Recordkeeping

Proposed: April 18, 2005 at 37 N.J.R. 1164(a).

Adopted: July 14, 2005 by Kimberly Ricketts, Director, Division of Consumer Affairs.

Filed: September 8, 2005 as R. 2005 d.339 ,without change.

Authority: N.J.S.A. 45:3B-24.

Effective Date: October 3, 2005.

Expiration Date: December 15, 2008.

Summary of Public Comment and Agency Response:

The official comment period ended June 17, 2005. The Director received no comments.

**Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted amendments.

Full text of the adoption follows:

**13:44C-7.2A Scope of Practice: Fiber Optic Endoscopic Examination of Swallowing (FEES)**

(a)-(b) (No change.)

(c) FEES shall only be performed by a licensed speech-language pathologist who is certified in Basic Life Support (BLS) and who has:

1.-2. (No change.)

3. Successfully performed 25 FEES procedures under the supervision of a speech pathologist who has met the requirements of this section or a physician, at a licensed healthcare facility that requires that a healthcare professional have privileges to perform the FEES procedure.

(d)-(f) (No change.)

**13:44C-8.1 Recordkeeping**

(a)-(b) (No change.)

(c) Licensees shall provide access to patient treatment records to a patient or person whom the patient has designated to receive records in accordance with the following:

1. (No change.)

2. The licensee may require that a record request be in writing and may charge a fee for the reproduction of records, which shall be no greater than \$ 1.00 per page or \$ 100.00 for the entire record, whichever is less. If the record requested is less than 10 pages, the licensee may charge up to \$ 10.00 to cover postage and the costs associated with retrieval of the record;

3. (No change.)

4. The licensee shall not refuse to provide a patient record on the grounds that the patient owes the licensee an unpaid balance.

(d) (No change.)