

VOLUME 46, ISSUE 6
ISSUE DATE: MARCH 17, 2014
RULE ADOPTIONS

**LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY ADVISORY COMMITTEE**

Adopted Amendments: N.J.A.C. 13:44C-3.2, 3.4, 4.1, and 5.2

**Requirements for Licensure; Licensure without Examination Due to Licensure in Another State;
Renewal of License; Requirements for Temporary Licensure**

Proposed: February 19, 2013, at 45 N.J.R. 248(a) (see also 45 N.J.R. 626(c)).

Adopted: August 20, 2013, by Eric T. Kanefsky, Acting Director, Division of Consumer Affairs.

Filed: February 12, 2014, as R.2014 d.044, **without change**.

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

Effective Date: March 17, 2014.

Expiration Date: February 17, 2016.

Summary of Public Comments and Agency Responses:

The official comment period ended April 30, 2013. The Director received comments from the following three individuals:

1. Granville Y. Brady, Jr., Au.D. NJ Licensed Audiologist/Speech-Language Pathologist
2. Theresa E. Bartolotta, Ph.D, CCC-SLP, Chair, Legislative Committee, New Jersey Speech-Language-Hearing Association
3. Joan Bruno, Ph.D, CCC-SLP, President, New Jersey Speech-Language-Hearing Association

1. COMMENT: Two commenters contend that Educational Testing Services does not set a passing score for the Praxis Examination. The commenters request that the Director not adopt the amendments to N.J.A.C. 13:44C-3.2 that would delete the requirement that applicants receive a score of 600 on the Praxis Examination.

RESPONSE: The summary of the amendments to N.J.A.C. 13:44C-3.2 stated that a passing score on the Praxis examination was based on determinations made by Praxis. This was incorrect; the summary should have stated that passing scores were determined by ASHA. The text of the changes to N.J.A.C. 13:44C-3.2 does not state the entity that establishes a passing score, and it is appropriate to adopt the amendments to this rule as they were proposed.

2. COMMENT: A commenter asks how the Director determined that licensees should be disciplined for ignorance of the statutes and regulations governing the practice of audiology and speech-language

pathology. The commenter contends that there is no way for licensees to know when statutes and regulations are changed and asks how licensees will know that they have to complete the on-line jurisprudence orientation.

RESPONSE: The Director has not singled out audiologists and speech-language pathologists; all professionals licensed by the Division of Consumer Affairs are expected to be familiar with the statutes and regulations governing their practice. The statutes and regulations governing audiologists and speech-language pathologists are posted on the Committee's website. Licensees will be asked upon license renewal if they have completed the jurisprudence orientation. This will give [page=545] licensees adequate notice that they need to complete the orientation, which should take an hour or less to complete.

3. COMMENT: One commenter asks why licensees are being singled out by the Director and contends that requiring only audiologists and speech-language pathologists to complete an on-line jurisprudence orientation indicates that this group is more likely to violate statutes and regulations than other professionals. Even if other groups of licensees have to take jurisprudence continuing education, the commenter opposes requiring audiologists and speech-language pathologists to complete the on-line jurisprudence orientation.

RESPONSE: The Director is not singling out audiologists and speech-language pathologists. Twelve other professional licensing boards require their licensees to complete jurisprudence continuing education courses. The Director established the on-line jurisprudence orientation for audiologists and speech-language pathologists in order to allow for a method of obtaining information on jurisprudence that is less onerous than completing continuing education courses in this topic. The orientation is not graded and should take less than an hour to complete.

4. COMMENT: A commenter contends that preventing a licensee from renewing a license because he or she has not completed the on-line jurisprudence orientation would set a dangerous precedent.

RESPONSE: Licensees of other Boards are already required to complete continuing education requirements before applying for licensure renewal. Requiring licensees to complete the on-line jurisprudence orientation follows this already established procedure.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal standards or requirements applicable to the subject matter of the adopted amendments.

Full text of the adoption follows:

SUBCHAPTER 3. REQUIREMENTS FOR LICENSURE AS AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST

13:44C-3.2 Requirements for licensure

(a) An applicant for licensure shall submit to the Committee proof that the applicant has:

1. (No change.)

2. Passed the Praxis Examination in audiology or speech-language pathology, as appropriate, administered and set by Educational Testing Service.

(b) (No change.)

(c) In addition to the requirements of (a) and (b) above, an applicant shall complete the jurisprudence on-line orientation.

13:44C-3.4 Licensure without examination due to licensure in another state

(a) An applicant who is currently licensed in another state as an audiologist or speech-language pathologist which has substantially equivalent requirements for licensure as those in New Jersey may obtain licensure without providing proof of achieving a passing score on the Praxis Examination in audiology or speech-language pathology.

(b)-(c) (No change.)

(d) In addition to the requirements of (b) and (c) above, an applicant shall complete the jurisprudence on-line orientation.

SUBCHAPTER 4. RENEWAL OF LICENSURE; REINSTATEMENT; INACTIVE LICENSURE

13:44C-4.1 Renewal of license

(a)-(h) (No change.)

(i) As part of the 2015 biennial license renewal, licensees shall complete the jurisprudence on-line orientation.

SUBCHAPTER 5. APPLICANTS FOR TEMPORARY LICENSURE AS AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST

13:44C-5.2 Requirements for temporary licensure

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

(c) In addition to the requirements of (a) and (b) above, an applicant shall complete the jurisprudence on-line orientation.