

NEW JERSEY REGISTER  
VOLUME 37, NUMBER 1  
**MONDAY, JANUARY 3, 2005**  
**RULE ADOPTION**  
LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY ADVISORY COMMITTEE  
FIBER OPTIC ENDOSCOPIC EXAMINATION OF SWALLOWING (FEES)

Adopted New Rule: N.J.A.C. 13:44C-7.2A

Proposed: May 3, 2004 at 36 N.J.R. 2156(a).

Adopted: September 9, 2004 by Reni Erdos, Director, Division of Consumer Affairs.

Filed: December 3, 2004 as R.2005 d.6, without change.

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

Effective Date: January 3, 2005.

Expiration Date: December 15, 2008.

**Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal standards or requirements applicable to the adopted new rule.

Full text of the adoption follows:

<< NJ ADC 13:44C-7.2A >>

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

(a) The purpose of this section is to set forth standards for the performance of Fiber Optic Endoscopic Examination of Swallowing (FEES) by a licensed speech-language pathologist. FEES is within the scope of practice of a speech-language pathologist who meets the requirements of this section.

(b) The following words and terms, when used in this section, shall have the following meaning, unless the context clearly indicates otherwise:

"FEES" means a fiber optic endoscopic examination of swallowing.

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

1. Completed a 12-hour seminar or workshop in fiber optic endoscopy as a technique for investigating swallowing which qualifies for American Speech-Language-Hearing Association (ASHA) continuing education credit and which includes instruction in:

i. Medical contraindications and possible adverse reactions to FEES, including the use of topical anesthesia to the nares; and

ii. Recognizing patient distress and appropriate actions to take if complications are encountered;

2. Observed 10 FEES procedures performed by either a speech pathologist who has met the requirements of this

section or a physician, at a licensed healthcare facility that requires that healthcare professionals have privileges to perform the FEES procedure; and

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

(d) A licensed speech-language pathologist shall only perform FEES in a healthcare facility licensed by the Department of Health and Senior Services or in the office of a physician who received training during residency in endoscopic examination.

(e) FEES shall only be performed when a physician who received training during residency in endoscopic examination is present.

(f) FEES shall only be performed upon the written request of a physician.