

By: Senator(s) Dearing

To: Education

SENATE BILL NO. 2248

1 AN ACT TO AMEND SECTION 73-38-7, MISSISSIPPI CODE OF 1972, TO
2 EXEMPT THE PRACTICE OF PROVIDING CERTAIN SPEECH AND AUDIOLOGY
3 SERVICES TO SCHOOL DISTRICTS FROM CERTAIN PROFESSIONAL LICENSURE
4 REGULATIONS; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 73-38-7, Mississippi Code of 1972, is
7 amended as follows:

8 73-38-7. Nothing in this chapter shall be construed as
9 preventing or restricting:

10 (a) A physician from engaging in the practice of
11 medicine in this state, or a person using an audiometer to test
12 hearing under the direct supervision of a licensed physician,
13 provided such person does not present himself to the public by any
14 title or description of services incorporating the words
15 "audiologist," "hearing clinician," "hearing therapist," or any
16 similar title or description of services;

17 (b) Any person licensed as a hearing aid dispenser from
18 measuring and testing hearing in relation to the fitting, usage
19 and dispensing of hearing aids or rendering post fitting services
20 to his clients or using any title provided in Sections 73-14-1
21 through 73-14-47;

22 (c) Any person licensed in this state by any other law
23 from engaging in the profession or occupation for which he is
24 licensed;

25 (d) A person from being employed or working in a
26 volunteer capacity without a license, as provided in this chapter,
27 as a speech-language pathologist or audiologist by the government

28 of the United States or by the governing authority of any school
29 district or private or parochial school in this state, if such
30 person performs speech-language pathology or audiology services
31 solely within the confines or under the jurisdiction of the
32 organization by which he is employed, or working in a volunteer
33 capacity; however, such person may, without obtaining a license
34 under this chapter, consult with or disseminate his research
35 findings and other scientific information to speech-language
36 pathologists and audiologists outside the jurisdiction of the
37 organization by which he is employed; such person may also offer
38 lectures to the public for a fee, monetary or other, without being
39 licensed under this chapter; such person may additionally elect to
40 be subject to this chapter.

41 The practice of providing speech-language or audiology
42 services to school districts shall be exempt from regulations
43 promulgated by the board under this chapter. This exemption
44 applies to such practice by licensed or exempt persons.

45 (e) The activities and services of persons pursuing a
46 course of study leading to a degree in speech-language pathology
47 at a college or university if such activities and services
48 constitute a part of the supervised course of study and that such
49 person is designated speech-language pathology intern,
50 speech-language pathology trainee, or by other such titles clearly
51 indicating the training status appropriate to his level of
52 training;

53 (f) The activities and services of a person pursuing a
54 course of study leading to a degree in audiology at a college or
55 university if such activities and services constitute a part of a
56 supervised course of study and such person is designated audiology
57 intern, audiology trainee, or by any other such titles clearly
58 indicating the training status appropriate to his level of
59 training; or

60 (g) The performance of speech-language pathology or
61 audiology services in this state by any person not a resident of
62 this state who is not licensed under this chapter if such services
63 are performed for no more than five (5) days in any calendar year
64 and in cooperation with a speech-language pathologist or

65 audiologist licensed under this chapter, and if such person meets
66 the qualifications and requirements for application for licensure
67 described in subsections (a) through (c) of Section 73-38-9;
68 however, a person not a resident of this state who is not licensed
69 under this chapter, but who is licensed under the law of another
70 state which has established licensure requirements at least
71 equivalent to those established by Section 73-38-9, or who is the
72 holder of the ASHA Certificate of Clinical Competence in
73 Speech-Language Pathology or Audiology or its equivalent, may
74 offer speech-language pathology or audiology services in this
75 state for no more than thirty (30) days in any calendar year if
76 such services are performed in cooperation with a speech-language
77 pathologist or audiologist licensed under this chapter; or

78 (h) Any person employed by a private industry or firm
79 for the purpose of conducting hearing tests incident to the
80 operations of such firm or industry relative to its employees and
81 employment practices.

82 SECTION 2. This act shall take effect and be in force from
83 and after its passage.