

Adopt Sphe 100 rules to read as follows:

CHAPTER Sphe 100 ORGANIZATIONAL RULES

PART Sphe 101 PURPOSE AND SCOPE

Sphe 101.01 Purpose. These rules implement the statutory responsibilities pursuant to RSA 326-F and RSA 328-F of the governing board of speech-language pathologists and hearing care providers.

Sphe 101.02 Scope. Pursuant to RSA 326-F:2, I, these rules shall not apply to ***speech-language pathology students performing activities during their academic or supervised clinical practicum experience while under the supervision of a speech-language pathologist licensed in New Hampshire, and*** speech-language specialists certified under rules adopted by the board of education under the authority of RSA 21-N:9, II(s) unless such specialists are also licensed pursuant to RSA 326-F.

PART Sphe 102 DEFINITIONS

Sphe 102.01 "American Speech-Language-Hearing Association (ASHA)" means the national professional organization of speech-language pathologists and audiologists or its successors.

Sphe 102.~~01~~**02** "Audiologist" means "audiologist" as defined in RSA 326-F:1, I, namely, "any person who renders or offers to render to the public any service involving the application of principles, methods, and procedures for the measurement of testing, identification, appraisal, consultation, counseling, instruction, and research related to the development and disorders of hearing and vestibular function for the purpose of diagnosing, designing, and implementing programs for the amelioration of such disorders and conditions."

Sphe 102.~~02~~**03** "Audiology" means "audiology" as defined in RSA 326-F:1, II, namely, "the application of principles, methods, and procedures related to the development and disorders of human communication, which disorders shall include any and all conditions whether of organic or nonorganic origin, that impede the normal processes of human communication and balance including, but not limited to, disorders of hearing, vestibular function, and central auditory processing."

Sphe 102.~~03~~**04** "Board" means "board" as defined in RSA 326-F:1, III, namely, "the governing board of speech-language pathologists and hearing care providers established in RSA 328-F:."

Sphe 102.~~04~~**05** "Certificate of Clinical Competence (CCC)" means the professional credential issued by the ASHA Council for Clinical Certification on the basis of successful completion of specified academic requirements, specified practicum requirements, an examination, and specified post-graduate professional experience.

Sphe 102.~~04~~**06** "Hearing aid" means "hearing aid" as defined in RSA 326-F:1, IV, namely, "any wearable instrument or device designed for or offered for the purpose of or represented as aiding or compensating for impaired human hearing and any parts or attachments, including ear molds, but excluding batteries and cords or accessories thereto, or equipment, devices, and attachments used in conjunction with services provided by a public utility company."

Sphc 102.0507 "Hearing aid dealer" means "hearing aid dealer" as defined in RSA 326-F:1, V, namely, "any person engaged in the testing of human hearing for the purpose of selecting, fitting, or otherwise dealing in hearing aids."

Sphc 102.0608 "Otolaryngologist" means "otolaryngologist" as defined in RSA 326-F:1, VI, namely, "a physician licensed in the state of New Hampshire who specializes in medical problems of the ear, nose, and throat, and is eligible for qualification by the American Board of Otolaryngology as an otolaryngologist."

Sphc 102.4209 "Practice of audiology" means "practice of audiology" as defined by RSA 326-F:1, VII, namely, it "means, but shall not be limited to:

- (a) Screening, identifying, assessing, interpreting, diagnosing, rehabilitating, and preventing hearing disorders.
- (b) Rendering to individuals or groups of individuals, who are suspected of having hearing disorders, basic and comprehensive audiological and vestibular site-of-lesion tests, including otoscopic examinations, electrophysiologic test procedures, and auditory evoked assessment.
- (c) Rendering basic and comprehensive auditory and vestibular habilitative and rehabilitative services, including aural rehabilitative assessment and therapy, vestibular rehabilitative assessment and therapy, and speech and language screening.
- (d) Providing basic and comprehensive audiological and psychoacoustic evaluations for the purpose of determining candidacy for amplification or assistive alerting/listening devices; providing tinnitus evaluations and therapy; providing hearing aid fitting and orientation; taking ear impressions; and providing hearing aid product dispensing, repair, and modification.
- (e) Providing preoperative evaluation and selection of cochlear implant candidacy and post-implant rehabilitation.
- (f) Providing occupational hearing conservation."

Sphc 102.0710 "Rental or selling of hearing aids" means "rental or selling of hearing aids" as defined by RSA 326-F:1, IX, namely, "the selection, adaptation, and sale or rental of hearing aids. Also included is the making of impressions for ear molds and instruction pertaining to the use of hearing aids;"

Sphc 102.4011 "Speech-language pathologist" means "speech-language pathologist" as defined in RSA 326-F:1, XII, namely, "any person who renders or offers to render to the public any service involving the application of principles, methods, and procedures for the measurement or testing, identification, appraisal, consultation, counseling, instruction and research related to the development and disorders of speech, voice or language for the purpose of diagnosing, designing, and implementing programs for the amelioration of such disorders and conditions."

Sphc 102.4412 "Speech-language pathology" means "speech-language pathology" as defined in RSA 326-F:1, XIII, namely, "the application of principles, methods, and procedures related to the development and disorders of human communication, which disorders shall include any and all conditions whether of organic or nonorganic origin, that impede the normal process of human communication including, but not limited to, disorders and related disorders of speech, articulation, fluency, voice, verbal and written language, auditory comprehension, cognition, communication, swallowing, and oral, pharyngeal or laryngeal sensorimotor competencies."

Sphc 102.13 “Sell” or “sale” means “sell” or “sale” as defined by RSA 326-F:1, X, namely, “any transfer of title or of the right of use by sale, conditional sales contract, lease bailments, hire-purchase or any other means, excluding wholesale transactions of dealers and distributors.”

Sphc 102.14 "Speech-language assistant" means “speech-language assistant”, as defined in RSA 326-F:1, XI. The term includes speech-language pathology assistant.

PART Sphc 103 DESCRIPTION OF THE BOARD AND PUBLIC REQUESTS FOR INFORMATION

Sphc 103.01 Composition of the Board. The board consists of 6 members and 4 alternate members appointed as specified in RSA 328-F:4,VIII.

Sphc 103.02 Responsibilities of the Board. The board’s responsibilities include, among other responsibilities;

- (a) Establishing the requirements for conditionally licensing practitioners regulated by this chapter;
- (b) Establishing the requirements for provisionally licensing practitioners regulated by this chapter;
- (c) Establishing the requirements for the direction and supervision of those practicing with a provisional license regulated by the chapter; and
- (d) Establishing the eligibility requirements, including any continuing competency requirements, for renewing and reinstating the licenses of practitioners regulated by this ~~this~~ chapter.

Sphc 103.03 Board Meetings and Quorum.

- (a) The board shall meet a minimum of 6 times per year.
- (b) No board action shall be taken without an affirmative vote of the majority of board members eligible to participate in the matter in question. Board members shall not be eligible to participate in a vote when the board member has recused themselves from participation due to a conflict of interest.

Sphc 103.04 Attendance at Meetings By Members of the Public. Pursuant to RSA 91-A:2, II, members of the public may attend and record board meetings, except for those parts of the meetings which are nonpublic sessions as defined in RSA 91-A:3.

Sphc 103.05 Other Organizational Rules. The board is part of the office of professional licensure and certification. Information such as the board’s office location, address, and telephone number may be found at Plc 102.03. Information regarding the public’s access to minutes and other board records may be found at Plc 103.01 and Plc 103.02.

APPENDIX I

Rule	Statute Implemented
Sphc 101.01	RSA 541-A:7, RSA 541-A:8
Sphc 101.02	RSA 326-F:2, I
Sphc 102	RSA 326-F:1
Sphc 103.01	RSA 328-F:4, VIII

Text added from initial proposal shown in ***bold italic***
Text deleted from initial proposal shown in ~~strikethrough~~

Sphc 103.02(a)	RSA 328-F:11, I(d), RSA 326-F:4, VI
Sphc 103.02(b)	RSA 326-F:5, I
Sphc 103.02(c)	RSA 326-F:5, III
Sphc 103.02(d)	RSA 328-F:11, I(c)
Sphc 103.03 - Sphc 103.04	RSA 541-A:16, I
Sphc 103.05	RSA 541-A:16, I; RSA 328-F:3

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