

Rules Scheduled for Five-Year Review in 2016

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4753-1-01 Procedure for adoption of rules.

(A) Prior to adoption, amendment, or recession of a rule, except an emergency rule, the Ohio board of speech-language pathology and audiology shall give public notice thereof, at least thirty days prior to the date set for public hearing by:

(1) Publishing notice on the 'Register of Ohio' at the Ohio legislative services commission.

(2) Mailing notice to any other person or organization that has filed a request for such notice within the previous three years.

(3) Posting the notice on the board's website at www.slpaud.ohio.gov

(B) The notice shall include all of the following:

(1) A statement of the board's intention to consider adopting, amending, or rescinding a rule;

(2) A synopsis of the proposed rule, amendment, or rescission or a general statement of the subject to which such rule relates;

(3) A statement of the reason or purpose for adopting, amending, or rescinding the rule;

(4) The date, time, and place of the public hearing;

(5) A statement that copies of the proposed rule, amendment, or recession are available, without charge, from the board's office;

(6) A statement that the public may offer comments on the proposed rule, amendment, or rescission in a letter or in person at the public hearing.

R.C. [119.032](#) review dates: 08/09/2011 and 08/09/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#)

Rule Amplifies: [119.03](#)

Prior Effective Dates: 4/24/06

[4753-1-02 Method of determining time and place of meetings.](#)

(A) Any person may obtain the time and place of all regularly scheduled board, committee, and subcommittee meetings and the time, place, and purpose of all special meetings by:

(1) Contacting the board of speech-language pathology and audiology in writing at its business address, 77 S. High Street, 16th floor, Columbus, Ohio 43215, or by electronic means;

(2) Calling the board of speech-language pathology and audiology at its business office at (614) 466-3145 during normal business hours; or

(3) Consulting the posting located at the business address of the board of speech-language pathology and audiology or on the board's website, www.slpaud.ohio.gov.

(B) A representative of the news media may obtain notice of all special or emergency meetings of the board, committees, or subcommittees by annually requesting in writing that such notice be provided.

(1) The request must provide the name of the individual to be contacted, his/her mailing address, a maximum of two telephone numbers where it is reasonable to expect that a phone message will be communicated to the individual, and the individual's electronic means address.

(2) The executive director shall maintain a list of all news media representatives requesting notice of special meetings.

(3) Notice of special meetings shall be provided to such media representative via mail, telephone or electronic means at least twenty-four hours prior to the special meeting. Notice of emergency meetings shall be provided to such media representative via telephone or electronic means as soon as possible.

(4) Notice given by mail shall be complete upon mailing. Notice given by telephone shall be complete upon leaving a message containing the meeting information or if after reasonable effort the board has been unable to leave a message. Notice given by electronic means is complete upon the message being sent by the board.

(C) The board shall maintain a list of all persons who request, in writing, notice of board, committee, or subcommittee meetings at which specific subject matters designated by the person are scheduled to be discussed. The request must provide the name of the individual to be contacted, his/her mailing address, his/her electronic means address, and the specific subject matter designated. The board shall, no later than five days prior to the meeting, send by mail or electronic mail an agenda of the meeting to those persons.

R.C. [119.032](#) review dates: 08/09/2011 and 08/09/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#)

Rule Amplifies: [121.22](#)

Prior Effective Dates: 04/24/2006

[4753-1-03 Business filing.](#)

(A) Pursuant to division (A) of section [4753.12](#) of the Revised Code, an entity may provide speech-language pathology or audiology services without licensure if it employs or contracts individuals in the direct practice of speech-language pathology or audiology, in accordance with Chapter 4753. of the Revised Code and Administrative Code. Such entity, through its designated agent, no later than March first of each even numbered year, at the discretion of the board, shall submit a business filing with the board containing the following information: a statement swearing that it submits itself to the rules of the board and the provisions of Chapter 4753. of the Revised Code and the Administrative Code, and a list of all names, and addresses under which the entity provides speech-language pathology and audiology services and the names, license numbers, and home addresses of all individuals engaging in the direct practice of speech-language pathology and audiology as officers, agents or employees of the entity during the previous calendar year.

(B) The business filing shall be submitted on the form approved by the board for this purpose and shall be verified by the notarized signature and title of the individual filing the statement on behalf of the entity.

(C) An individual licensed pursuant to Chapter 4731. of the Revised Code who employs or contracts individuals in the direct practice of speech-language pathology or audiology is not required to submit a business filing. Medical entities, including but not limited to, hospitals, clinics, medical partnerships, medical corporations, speech-language pathology and audiology contracting agencies, which employ or contract individuals in the direct practice of speech-language pathology or audiology, are required to submit a business filing.

R.C. [119.032](#) review dates: 08/09/2011 and 08/09/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#)

Rule Amplifies: [4753.12](#)

Prior Effective Dates: 05/05/1986, 09/10/1994, 07/19/1998, 09/01/2003

[4753-1-05 Duties of officers and staff.](#)

(A) The chairperson shall:

- (1) Designate the time and place of meetings by his/her own authority or at the written request of two or more board members.
- (2) Preside at all meetings or in case of his/her inability to attend any meeting, shall designate the vice-chairperson or in the event the vice-chairperson is not available, the chairperson shall designate one of the other members of the board to preside in his/her stead.
- (3) Exercise general supervision of the affairs of the board and shall have the usual powers of such office and any other powers and duties as the board may direct.
- (4) Sign all licenses and duplicates issued by the board.
- (5) Sign the official minutes of the proceedings of the board which shall remain on permanent file in the board office.

(B) The vice-chairperson shall:

- (1) Assist the chairperson in carrying out his/her duties when requested.
- (2) Preside over meetings in the absence of the chairperson or in the absence of any other direction by the chairperson.
- (3) Act on behalf of the chairperson in cases of extended incapacitation or long absence of the chairperson.
- (4) Sign all licenses and duplicates issued by the board.
- (5) Sign the official minutes of the proceedings of the board which shall remain on permanent file in the board office.

(C) The executive director shall:

- (1) Serve at the pleasure of the board and report to the chairperson.
- (2) Direct and manage all program activities of the board; supply the board with accurate, current information and professional advice; initiate new policies for consideration by the board; carry out all policies adopted by the board. Be responsible for the overall administration of the board's office including long-range planning and evaluation, and shall render administrative services to the board as required and report these activities to the board.
- (3) Keep the minutes of the proceedings at the board meetings and the records of the board.
- (4) Have custody of all fees received by the board including license fees and renewal fees, and shall be responsible for the transfer of such funds to the state treasurer.
- (5) Be responsible for reviewing applications and issuing licenses approved by the board and shall account to the auditor of state for all licenses, renewals and duplicate certificates handled by the board.
- (6) Be responsible for fiscal management of the board including preparation and submission of the budget for the board.
- (7) Hire, train and evaluate staff and be responsible for working conditions, staff relations; public relations and professional ethics.
- (8) Be responsible for the investigation of all complaints of violation of Chapters 4753. of the Revised Code and Administrative Code; work with the assistant attorney general assigned to the board to initiate warnings or legal actions, prepare materials for board hearings or appeals in court and draft legislative material for the board; attend and testify at hearings.
- (9) Handle public relations and public information by written and phone correspondence and act as liaison for the board with the legislature, government agencies, the profession, consumers, news media, and the general public; and
- (10) Assume such other duties as the board may direct.

R.C. [119.032](#) review dates: 08/09/2011 and 08/09/2016

Promulgated Under: [119.03](#)

Statutory Authority: [1347.05](#), [4753.05](#)

Rule Amplifies: [1347.05](#), [4753.04](#)

Prior Effective Dates: 11-16-92 (Emer.), 2-9-93, 9-10-94, 7-17-98, 9-1-03

[4753-3-02 Certificate of license; display; duplicate license certificate.](#)

Each applicant who is approved for a license shall receive a license certificate for office display. All licensees shall display their certificate in a conspicuous place where the licensee practices as required by

section [4753.07](#) of the Revised Code. A copy of the certificate shall be made available to approved licensees.

R.C. [119.032](#) review dates: 08/09/2011 and 08/09/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#)

Rule Amplifies: [4753.02](#)

Prior Effective Dates: 11-16-92 (Emer.); 2-16-80; 2-9-93

[4753-3-03 Notice of change of address.](#)

All applicants and licensees shall notify the board in writing through the U.S. mail, e mail or fax of any change of name, place of business or mailing address within thirty days of said change.

R.C. [119.032](#) review dates: 08/09/2011 and 08/09/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#)

Rule Amplifies: [4753.05\(B\)](#)

Prior Effective Dates: 02/21/1976; 11/16/1993 (Emer.), 02/09/1993

[4753-3-04 Educational requirements for licensure.](#)

(A) To be eligible for licensure, an applicant must demonstrate that the following course work requirements are met:

(1) He/she obtained a broad general education, which may include study from among the areas of human psychology, sociology, psychological and physical development, the physical sciences, especially those that pertain to acoustic and biological phenomena, and human anatomy and physiology, including neuroanatomy and neurophysiology.

(2) For licensure as an audiologist applicants shall have obtained at least a doctor of audiology degree before or after January 1, 2006 or the equivalent from an audiology program accredited by an organization recognized by the "United States Department of Education" or at least a masters degree in audiology or equivalent if all requirements under division (F) of section [4753.06](#) of the Revised Code were met prior to January 1, 2006.

(a) The educational requirements shall be deemed met when the applicant is certified by the "American Speech-Language-Hearing Association" and/or the "American Board of Audiology."

(b) Academic credit for a doctor of audiology or equivalent shall include course work accumulated in the completion of a well integrated course of study dealing with the normal aspects of human hearing, balance, and related development and clinical evaluation, audiologic diagnosis and treatment of disorders of human hearing, balance, and related development.

(c) Applicants applying based on equivalency shall:

(i) Hold a post-baccalaureate doctoral degree with a major emphasis in audiology consisting of a minimum of three years of didactic coursework consisting of a total of one hundred twenty semester hours or equivalent quarter hours in the normal aspects of human hearing and balance, related development, clinical evaluation, audiologic diagnosis and treatment of disorders of human hearing, balance and related development.

(ii) Have completed a minimum of three hundred fifty clock hours of clinical experience prior to the fourth year of training supervised by an audiologist meeting the requirements of clinical supervisor stated in paragraph (D)(1) of rule [4753-3-07](#) of the Administrative Code.

(iii) Have successfully completed a minimum of two thousand clock hours of supervised clinical extern experience sufficient in depth and breadth to achieve the knowledge and skills outcome in the fourth year of academic training supervised by preceptor meeting the requirements stated in paragraph (D)(1) of rule [4753-3-07](#) of the Administrative Code.

(iv) The course of study shall include content on ethical practice standards.

(v) Pass examination(s) approved by the board.

(d) Applicants applying based on at least a master's degree in audiology obtained prior to January 1, 2006 shall meet the requirements of paragraph (A)(3) of rule [4753-3-04](#) and rules [4753-3-05](#), [4753-3-06](#) and [4753-3-07](#) as stated on October 1, 2005.

(3) He/she obtained at least a master's degree in the area in which licensure is sought or the equivalent as determined by the board from a college or university accredited by one of the following regional or national accrediting organizations or their successor organizations:

(a) "Middle States Association of Colleges and Schools- Commission on Higher Education"

(b) "New England Association of Schools and Colleges"

(c) "North Central Association of Colleges and Schools"

(d) "Northwest Association of Schools and Colleges"

(e) "Southern Association of Colleges and Schools"

(f) "Western Association of Schools and Colleges - Accrediting Commission for Senior Colleges"

The best source for determining whether the college or university is accredited by one of the above organizations or successors is the college or university itself.

(4) The academic credit upon which the master's degree or higher was awarded must include course work accumulated in the completion of a well-integrated course of study, as follows:

(a) A total of seventy-five semester hours or one hundred twelve and one-half quarter hours were accumulated.

(b) The course work consisted of at least the minimum number of hours in all areas listed below:

(i) Twenty-seven semester hours in basic science course work. Of the twenty-seven semester hours, six semester hours must be in biological/physical sciences and mathematics and six semester hours must be in behavioral or social sciences;

(ii) Fifteen semester hours in basic human communication processes, including all of the following: the anatomic and physiologic bases, the physical and psychophysical bases, and the linguistic and psycholinguistic aspects;

(iii) Thirty-six semester hours in professional course work. Of the thirty-six semester hours, thirty of the semester hours must be in courses for which graduate credit was received and comply with the requirements below that are applicable to the area in which licensure is sought:

(a) For speech-language pathology: thirty semester hours shall be in speech-language pathology, with at least six semester hours in language disorders; six semester hours shall be in audiology, with three semester hours in hearing disorders and hearing evaluation and three semester hours in habilitative/rehabilitative procedures.

(b) For audiology: thirty semester hours shall be in audiology, with at least six semester hours in hearing disorders and hearing evaluation and at least six semester hours in habilitative/rehabilitative procedures; six semester hours shall be in speech-language pathology, not associated with hearing impairment, with three semester hours in speech disorders and three semester hours in language disorders.

(c) For both speech-language pathology and audiology, course of study shall include content on ethical practice standards.

(B) Verification of education shall be the official transcript submitted to the board by the university or college.

(1) No credit may be allowed for courses listed on the application unless satisfactory completion of the course is verified by an official transcript.

(2) Satisfactory completion is defined as the applicant's having received academic credit in semester hours, quarter hours, or other unit or credit with a passing grade as defined by the college or university.

(3) Where the course work is reported in quarter hours, the following formula will be used: one semester hour equals one and one half quarter hours.

(4) The applicant is solely responsible for authorizing the college or university to send an official transcript to the board.

(5) The board may require additional verification of course work content.

(C) Course work listed on a college or university transcript shall be evaluated under the following standards:

(1) A specific course may be split and credited to no more than two categories. If a course is split, a description of the course taken from the university catalog must be submitted. At least one semester hour of the course must address the area in which partial credit is requested.

(2) Up to six semester hours for a thesis or dissertation may be accepted in the basic human communications processes or the professional course work categories.

(a) An abstract of the thesis/dissertation content must be submitted with the application.

(b) Academic credit that is associated with thesis or dissertation and for which graduate credit was received may apply in the professional area, but may not be counted as meeting any of the minimum requirements.

(c) "Minimum requirements" means six semester credit hours in speech disorders, six semester credit hours in language disorders, three semester credit hours in hearing disorders and hearing evaluations, three semester credit hours in habilitative/rehabilitative procedures, and twenty-one graduate semester credit hours in the area of licensure.

(d) Credit earned for research methodology courses, such as research methods, introduction to graduate study, etc., may be counted toward the thirty semester credit hours of course work at the graduate level but may not be used toward any of the minimum requirements.

(D) Course work requirements for licensure shall be deemed to be met when the applicant was awarded a master's degree or higher in the area in which licensure is sought from a college or university program accredited by a regional or national specialized accrediting organization in speech-language pathology and/or audiology recognized by the "United States Department of Education" and the "Council for Higher Education Accreditation," One Dupont Circle Northwest, Suite 510 Washington, D.C. 20036-1135, or its predecessors or successors, at the time the master's degree was awarded.

(E) Course work requirements for licensure shall be deemed to be met when the applicant holds a current certificate in audiology in good standing received from the "American Board of Audiology" when both of the following criteria are met:

(1) Verification of certification is received from the "American Board of Audiology."

(2) The student clinical and professional experience completed for certification, if performed in Ohio, were done in conformance with Ohio law and rules.

(F) Pursuant to division (C) of section [4753.08](#) of the Revised Code, educational requirements for licensure shall be waived for an applicant who presents proof of a current certificate of clinical competence in the area in which licensure is sought that is in good standing and received from the "American Speech-Language-Hearing Association" when both of the following criteria are met:

(1) Verification of certification is received from the "American Speech-Language-Hearing Association."

(2) The student clinical and professional experience completed for certification, if performed in Ohio, were done in conformance with Ohio law and rules.

(G) In order to expedite the licensure of graduates prior to the preparation of final transcripts, the board shall consider on an individual basis any application for which the university provides a letter from the registrar, graduate officer or speech-language pathology and/or audiology department chairperson containing all of the following:

(1) A statement that the final transcript is not available;

(2) A statement that the applicant has met all requirements for a master's degree or higher;

(3) A statement that the applicant has met all requirements for clinical practica;

(4) A statement of the area in which the master's degree or higher was earned;

(5) A statement that the university's program awarding the degree in speech-language pathology or audiology is fully accredited and adheres to the guidelines set forth by the American speech-language hearing association;

(6) The university or college seal or notarized signature of the university or college official providing such letter.

The applicant is solely responsible for authorizing the college or university to send an official transcript to the board within ninety days of licensure or when it is available.

(H) If the person seeks licensure as an audiologist under division (F)(1)(b) of section [4753.06](#) of the Revised Code, the person must meet the requirements of division (B) of section [4753.06](#) of the Revised Code regarding a master's degree in audiology as that division existed on December 31, 2005. The requirements for licensure under section [4753.06](#) of the Revised Code that existed on December 31, 2005, are as follows:

(1) He has obtained a broad general education to serve as a background for his specialized academic training and preparatory professional experience. Such background may include study from among the areas of human psychology, sociology, psychological and physical development, the physical sciences, especially those that pertain to acoustic and biological phenomena, and human anatomy and physiology, including neuroanatomy and neurophysiology.

(2) He submits to the board an official transcript demonstrating that he has at least a master's degree in the area in which licensure is sought or the equivalent as determined by the board. His academic credit must include course work accumulated in the completion of a well-integrated course of study approved by the board and delineated by rule dealing with the normal aspects of human communication, development and disorders thereof, and clinical techniques for the evaluation and the improvement or

eradication of such disorders. The course work must have been completed at colleges or universities accredited by regional or national accrediting organizations recognized by the board.

(3) He submits to the board evidence of the completion of appropriate, supervised clinical experience in the professional area, speech-language pathology or audiology, for which licensure is requested, dealing with a variety of communication disorders. The appropriateness of the experience shall be determined under rules of the board. This experience shall have been obtained in an accredited college or university, in a cooperating program of an accredited college or university, or in another program approved by the board.

(4) He presents to the board written evidence that he has obtained professional experience. The professional experience shall be appropriately supervised as determined by board rule. The amount of professional experience shall be determined by board rule and shall be bona fide clinical work that has been accomplished in the major professional area, speech-language pathology or audiology, in which licensure is sought. This experience shall not begin until the requirements of paragraphs (B) and (C) of this rule have been completed unless approved by the board. Before beginning the supervised professional experience pursuant to this rule, any applicant for licensure to practice speech-language pathology or audiology shall meet the requirements for a conditional license pursuant to section [4753.071](#) of the Revised Code.

(5) He submits to the board evidence that he has passed the examination for licensure to practice speech-language pathology or audiology pursuant to division (B) of section [4753.05](#) of the Revised Code.

(I) A person applying for licensure as an audiologist under division (F)(1)(b) of section [4753.06](#) of the Revised Code shall complete the application prescribed by the board. Applications shall be:

- (1) Typewritten or printed in ink or submitted electronically via the Ohio e-license system;
- (2) Signed by the applicant or electronically signed if applying electronically via the Ohio e-license system;
- (3) Accompanied by the fee prescribed by rule [4753-5-01](#) of the Administrative Code;
- (4) Accompanied by such evidence, statements, or documents as specified on the form; and
- (5) Contain proof that the applicant completed the requisite amount of continuing education as follows:
 - (a) Applicants currently practicing as an audiologist in good standing with another state shall submit proof of completing a minimum of twenty contact hours of continuing education in the previous two years preceding the date licensure is sought with the board.
 - (b) Applicants who have not been engaged in the practice of audiology with another state for less than twelve months shall submit proof of completing a minimum of ten contact hours of continuing education in the previous year preceding the date licensure is sought with the board.

(c) Applicants who have not been engaged in the practice of audiology with another state for twelve to twenty-four months shall submit proof of completing a minimum of twenty contact hours of continuing education in the previous two years preceding the date licensure is sought with the board.

(d) Applicants who have not been engaged in the practice of audiology with another state for twenty-five months to forty-eight months shall submit proof of completing a minimum of forty contact hours of continuing education in the previous four years preceding the date licensure is sought with the board.

(e) Applicants who have not been engaged in the practice of audiology with another state for forty-nine months to sixty months shall submit proof of completing a minimum of fifty contact hours of continuing education in the previous five years preceding the date licensure is sought with the board.

(f) Applicants who have not engaged in the practice of audiology for more than five years prior to the date the individual applies to the board for licensure may be subject to additional requirements outlined by the board and could include assigned hours of continuing education on specific topics. The board shall require additional continuing education and other activities, which may include, but are not limited to:

(i) Competency based performance appraisals.

(ii) Mentorship.

(iii) Additional continuing education, which may include topics covering:

(a) Anatomy and physiology of the speech and hearing mechanisms.

(b) Hearing disorders.

(c) Diagnostics.

(d) Electrophysiology including auditory and vestibular measures.

(e) Specialty assessment such as APD and AR.

(f) Pediatrics.

(g) Geriatrics.

(h) Treatment including such topics as hearing aid theory, hearing aid assessment, hearing aid fitting, hearing aid technologies, product training, cochlear implants, vestibular rehab, aural rehabilitation and counseling.

(i) Ethics, HIPAA and record keeping.

(iv) Extended course work.

(v) Professional development plan.

Effective: 12/01/2011

R.C. [119.032](#) review dates: 09/08/2011 and 12/01/2016

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[4753-3-05 Student clinical experience requirements for applicants in audiology applying for licensure with at least a master's degree or equivalent obtained prior to January 1, 2006 and for speech-language pathologists.](#)

(A) Definitions

(1) For purposes of division (C) of section [4753.06](#) of the Revised Code, supervised clinical experience of a student or intern means those clock hours of clinical experience obtained in direct contact with persons served through a college or university accredited by a regional or national accrediting organization recognized by the board, in a cooperating program of said college or university, or in another program approved by the board.

(2) "Clock hour" means a time increment of sixty minutes.

(3) "Evaluation" means screening, assessment and diagnosis of hearing disorders and language and speech disorders (articulation, fluency, voice and dysphagia) occurring before initiation of a treatment program.

(a) Clock hours devoted to counseling associated with the evaluation/diagnostic process may be counted.

(b) Clock hours spent in formal reevaluation may be applied to this category.

(c) Periodic assessments during treatment may not be considered as evaluation but may be applied to the treatment category.

(d) The majority of the evaluation hours in each category must be in areas other than screening activities.

(4) "Treatment for language and speech disorders" (articulation, fluency, voice, and dysphagia) means clinical management, including direct and indirect services, progress in monitoring activities, and counseling. Clock hours devoted to counseling associated with the treatment process may be counted in this category.

(5) "Treatment for hearing disorders" means clinical management and counseling, including auditory training, speech-reading, and speech and language services for those with hearing impairment.

(6) "Direct supervision" means that the supervisor provides guidance and direction to the student based upon on site observation of the student while in the same room or through an observation window or observation by video simulcast or closed-circuit television.

(7) "Indirect supervision" means that the supervisor providing guidance and direction to the student is on site during the majority of the student clinical experience.

(B) To meet requirements for licensure, the student clinical experience must meet the current accreditation standards of the "American Speech-Language-Hearing Association" or the "American Board of Audiology." Applicants who have received their graduate degree from a college or university not accredited by the "American Speech-Language-Hearing Association" or the "American Board of Audiology" must meet all of the following criteria:

(1) The documentation establishes that the applicant obtained four hundred hours of supervised clinical practicum, of which twenty-five clock hours shall be clinical observation and three hundred seventy-five clock hours shall be clinical practicum. Three hundred twenty-five of the four hundred clock hours shall be at the graduate level in the area in which licensure is sought.

(2) The documentation establishes that the following minimum requirements are met in the applicable area:

(a) In the area of speech-language pathology:

(i) Twenty clock hours shall be in each of the following eight categories: evaluation of speech disorders in children; evaluation of speech disorders in adults; evaluation of language disorders in children; evaluation of language disorders in adults; treatment of speech disorders in children; treatment of speech disorders in adults; treatment of language disorders in children; and treatment of language disorders in adults;

(ii) Twenty clock hours shall be in audiology and may include evaluation/screening and/or habilitation/rehabilitation;

(iii) Fifty clock hours shall be in each of three types of clinical settings.

(b) In the area of audiology:

(i) At least fifty clock hours shall be in each of three types of clinical settings. The student must have experience in the evaluation and treatment of children and adults and with a variety of types and severity of disorders of hearing, speech, and language, and with the selection and use of amplification and assistive devices;

(ii) At least eighty clock hours shall be in each of the following categories, with a minimum of ten hours in each category: selection and use of amplification and assistive devices for children, and selection and use of amplification and assistive devices for adults;

(iii) At least twenty clock hours shall be in the treatment of hearing disorders in children and adults;

(iv) Twenty clock hours shall be in speech-language pathology unrelated to hearing impairment and may include evaluation/screening and/or treatment.

(3) The documentation establishes that the supervision of the experience was in compliance with all of the supervision criteria set forth in paragraph (C) of this rule.

(C) Student clinical experience supervision

(1) The documentation establishes that the student clinical experience supervision was a combination of direct and indirect supervision, as follows:

(a) At least ninety-five clock hours shall be directly supervised.

(b) Two hundred eighty clock hours shall be at least indirectly supervised.

(2) Supervisor observation of student clinical experience clock hours took place on site or by closed-circuit television. It is recommended that evaluation of student performance include activities such as conferences, audio and video recordings, written evaluations, rating instruments, and inspection of lesson plans and written reports.

(a) The supervisor must directly observe at least twenty-five percent of the student's contact time with each person served.

(b) The supervisor must directly observe at least fifty percent of the student's time in each diagnostic evaluation, including screening and identification.

(D) Verification of student clinical experience shall be submitted directly from the college or university on forms prescribed by the board.

(1) The verification must bear the notarized signature of the department head or applicant's clinical supervisor. The board may at its discretion require additional verification of student clinical experience.

(2) It is the applicant's responsibility to ensure that the college or university is authorized to send student clinical experience records.

(E) The student clinical experience requirements set forth in paragraphs (B) and (C) of this rule shall be deemed to be met when the applicant presents proof that he/she was awarded a master's degree or higher in the area in which licensure is sought from a college or university program in speech-language pathology and/or audiology accredited by a regional or national specialized accrediting organization in speech-language pathology or audiology recognized by the "United States Department of Education" and "Council for Higher Education Accreditation," One Dupont Circle Northwest, Suite 50, Washington, D.C. 20036-1135, or its predecessors or successors, at the time the master's degree was awarded.

(F) The student clinical experience requirements set forth in paragraphs (B) and (C) of this rule shall be deemed to be met when the applicant holds current certification in audiology that is in good standing and received from the "American Board of Audiology" and both of the following criteria are met:

(1) Verification of certification is received from the "American Board of Audiology."

(2) The student clinical experience and professional experience upon which certification was granted, if completed in Ohio, were done in conformance with Ohio law and rules.

(G) The student clinical experience requirements sets forth in paragraphs (B) and (C) of this rule shall be deemed to be met when the applicant holds a current certificate of clinical competence in the area in which licensure is sought that is in good standing and received from the "American Speech-Language-Hearing Association" and both of the following criteria are met:

(1) Verification of certification is received from the "American Speech-Language-Hearing Association."

(2) The student clinical experience and professional experience upon which certification was granted, if completed in Ohio, were done in conformance with Ohio law and rules.

(H) Academic credit for student clinical experience may not be used to satisfy specific course work minimum requirements. A maximum of six semester clock hours for student clinical experience may be applied to the thirty-six semester clock hours of professional course work.

(I) Students shall not receive reimbursement or compensation for services provided during the student clinical experience, unless the board finds that extraordinary circumstances render reimbursement or compensation appropriate.

(J) Student clinical experience must have been under the supervision of a person who meets one of the following criteria:

(1) Student clinical experience obtained in the state of Ohio shall have been under the supervision of a person who during the entire student clinical experience was licensed under Chapter 4753. of the Revised Code in the area in which the applicant seeks licensure.

(2) Student clinical experience obtained outside of Ohio shall have been under the supervision of a person who during the entire student clinical experience was licensed in the area in which the applicant seeks licensure in the state in which the student clinical experience was performed.

(3) Student clinical experience obtained in a state that does not have licensure shall have been under the supervision of a person who during the entire student clinical experience was certified by the "American Speech-Language-Hearing Association" or the "American Board of Audiology," in the area in which the applicant seeks licensure.

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[4753-3-06 Examination requirements.](#)

An applicant shall have satisfied the examination requirements of the board if he/she has achieved a passing score on the "National Examination in Speech Pathology" or the "National Examination in Audiology" or "The Praxis Series II Test in Speech-Language Pathology" or "The Praxis Series II Test in Audiology" administered by the "Educational Testing Service" of Princeton, New Jersey, in the area in which licensure is sought or any other such practical and oral or written examinations as the board shall determine as necessary. Verification of the test score shall be submitted to the board by the "Educational Testing Service." Scores which cannot be reported by the "Educational Testing Service" may be submitted by another source with the approval of the board. It is the applicant's responsibility to ensure that the "Educational Testing Service" is authorized to report the test score.

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[4753-3-07 Professional experience requirements for licensure of applicants for audiology applying for licensure with at least a master's degree or equivalent obtained prior to January 1, 2006 and for speech-language pathology.](#)

(A) The purpose of the professional experience is to provide the opportunity for successful transition in status from student to independent professional by:

- (1) Developing commitment to quality speech, language, and hearing services;
- (2) Integrating and applying knowledge and skills gained in academic training;
- (3) Refining clinical skills;
- (4) Evaluating the conditional licensee's own professional skills; and
- (5) Developing a commitment to continuing education and professional growth.

(B) Conditional license for professional experience

(1) The purpose of a conditional license is to permit an individual to practice speech-language pathology or audiology while completing the supervised professional experience as required by division (D) of section [4753.06](#) of the Revised Code.

(2) A person performing speech-language pathology or audiology services in pursuit of the required supervised professional experience, as prescribed in section [4753.06](#) of the Revised Code, and as described in this rule must hold conditional licensure as prescribed in section [4753.071](#) of the Revised Code.

(3) A person holding a conditional license is authorized to practice speech-language pathology or audiology while working under an approved professional experience plan and the supervision of a person fully licensed by the board in the area in which licensure is sought and in accordance with Chapter 4753. of the Revised Code.

(a) An applicant shall not practice speech-language pathology or audiology until the conditional license has been granted.

(b) When an applicant starts employment prior to receiving the conditional license, responsibilities shall be limited to orientation, observation, and review of paperwork.

(c) The holder of a conditional license shall not provide clinical supervision for student clinical experience, professional experience, or any other intern, aide or practitioner.

(4) Requirements for conditional licensure

(a) A conditional license shall be granted only to individuals who have made application for licensure pursuant to section [4753.06](#) of the Revised Code.

(b) No person shall be eligible for a conditional license unless he/she has met the following requirements of section [4753.06](#) of the Revised Code except for the supervised professional experience:

(i) Educational requirements;

(ii) Clinical experience requirements;

(iii) Received an examination score of six hundred or above on the "National Examination in Speech Pathology" or the "National Examination in Audiology" or the "Praxis Series II Test in Speech-Language Pathology" or the "Praxis Series II Test in Audiology" administered by the "Educational Testing Service" of Princeton, New Jersey;

(iv) Submitted an application for conditional license to the board including a plan for the content of the supervised professional experience on a form prescribed by the board;

(v) Obtained appropriate signatures; and

(vi) Paid to the board the appropriate application and licensure fees.

(5) Expiration of the conditional license

(a) The length of the professional experience is determined by the professional experience year plan.

(b) The professional experience year report and supervision log must be submitted to the board within thirty days of completion of the professional experience.

(c) When the supervised professional experience has been successfully completed prior to the expiration of the conditional license:

(i) Applicant may continue to work under the conditional license and according to the plan.

(ii) The "Supervised Professional Experience Report" and "Supervision Contacts Log" shall be received within at least five business days of the next executive director review. The executive director will review licensees for approval on the first and fifteenth of each month. If the first or the fifteenth is a day the office is not open for business because of a holiday or weekend, the review will occur on the next day the office is open for business.

(d) When the supervised professional experience is not completed and the applicant applies for a second conditional license prior to the expiration of the conditional license the applicant may continue to work according to the approved plan.

(e) When the supervised professional experience is not completed and the applicant has not applied for a second conditional license prior to the expiration of the conditional license:

(i) The applicant shall discontinue providing services.

(ii) The applicant shall apply for a second conditional license.

(iii) When the second conditional license is granted the applicant may resume working according to the approved plan.

(6) Second conditional license.

(a) Upon expiration of a conditional license, the board may in its discretion grant a second conditional license for good cause shown and fix the term of the second conditional license for eighteen months.

(b) The board shall determine whether good cause for a second conditional license has been shown by evaluation of both of the following factors:

(i) The progress made toward completing the "Supervised Professional Experience", including the applicant's efforts to obtain employment, if applicable, and

(ii) The length of time needed to complete the supervised professional experience.

(c) A second conditional license shall be granted only to individuals who have filed an application and paid the appropriate fee.

(C) Requirements for professional experience

(1) Definition of professional experience

(a) Pursuant to section [4753.06](#) of the Revised Code, hours of professional experience are defined as those hours of contact with persons served, consultations, record keeping, clinical conferences, in-service training, or any other relevant duties in a paid professional setting in which bona fide clinical work has been accomplished in the major professional area, speech-language pathology or audiology, in which licensure is being sought.

(b) Full time experience consists of a minimum of thirty hours of professional experience per week, for a minimum of thirty-six weeks. Part time experience consists of a minimum of fifteen hours of professional experience per week for a minimum of seventy-two weeks.

(c) Time spent in academic teaching, research or management that does not deal directly with treatment programs of person(s) served will not be counted a professional experience for licensure.

(2) Work settings for professional experience

(a) Professional experience for licensure may be obtained in a variety of diverse employment settings providing services for persons with speech, language, and hearing disorders.

(b) An employment setting shall be appropriate for the professional experience of the particular program or program component is designed to evaluate, habilitate or rehabilitate the communicative functioning of persons with speech, language, hearing, and vestibular disorders.

(c) Evaluation and treatment programs including, but not limited to, schools, clinics, hospitals, community agencies, home health care, nursing homes, and private practice are appropriate professional experience settings.

(d) Programs which provide primarily screening services shall not be accepted.

(3) Professional experience performed in Ohio

(a) Professional experience accomplished in the state of Ohio shall be acceptable for licensure only when done under the supervision of an individual, who during the professional experience, was licensed by the board of speech-language pathology and audiology in the area in which licensure is sought and shall have twenty-four months of full time clinical experience as a licensed speech-language pathologist or audiologist or the equivalent of qualifications set forth in paragraph (D) of this rule.

(b) Applicants for Ohio licensure who received the "American Speech and Hearing Association" certificate of clinical competence or licensure in another state based upon professional experience accomplished in Ohio, in violation of Ohio law and rules, shall not be licensed by waiver.

(c) Professional experience accomplished in the state of Ohio prior to September 1, 1979 shall be acceptable for licensure only when done under the supervision of a person who during the experience met the academic, clinical practicum, experience, and examination requirements as described in rule [4753-3-04](#) of the Administrative Code, or the equivalent as determined by the board; or who during the professional experience was licensed in any state in the professional area in which licensure is sought; or

who during the professional experience was certified by the "American Speech and Hearing Association" in the professional area in which licensure is sought.

(4) Professional experience performed outside of Ohio

(a) Professional experience, when completed outside the state of Ohio, shall be acceptable for licensure only when done under the supervision of a person who during the professional experience, was licensed in the state in the professional area in which licensure is sought; or in states without licensure who during the professional experience was certified by the "American Board of Audiology" or the "American Speech and Hearing Association" in the professional area in which licensure is sought.

(5) Requirements for the professional experience shall be deemed to be met when the applicant is certified by the "American Board of Audiology" except when the professional experience obtained in Ohio was in violation of Ohio laws and rules. This does not limit or prohibit licensure by waiver based on certification by "The American Speech and Hearing Association" as listed in paragraph (C)(3)(b) of this rule.

(6) The supervised professional experience requirements are deemed to be met when an applicant has graduated from a four year post graduate doctor of audiology program from a college or university accredited as set forth in rule [4753-3-04](#) of the Administrative Code and the university chairperson provides a letter to the board attesting that the following requirements have been met;

(a) The fourth year of the program is predominately a clinical externship.

(b) Prior to beginning the fourth year externship the applicant shall have met the following requirements of section [4753.06](#) of the Revised Code except for the supervised professional experience:

(i) Educational requirements.

(ii) Clinical experience requirements.

(iii) Received a passing score on the "Praxis Series II Test in Audiology" administered by the "Educational Testing Service" of Princeton, New Jersey.

(c) The fourth year externship shall:

(i) Meet the supervision requirements of rule [4753-3-07](#) of the Administrative Code,

(ii) Full time experience consists of a minimum of thirty hours of professional experience per week, for a minimum of thirty-six weeks. Part time experience consists of a minimum of fifteen hours of professional experience, for a minimum of seventy-two weeks.

(D) Supervisor qualifications and responsibilities

(1) In order to supervise professional experience, a supervisor shall:

(a) Hold a current Ohio license in the same area as the conditional license applicant or licensee.

(b) Have twenty-four months of full time clinical experience as a licensed speech-language pathologist or audiologist or the equivalent within the last sixty months under a valid license or certification by the "American Board of Audiology" or the "American-Speech and Hearing Association."

(2) The supervisor shall agree to supervise the practice of speech-language pathology or audiology experience of the applicant according to a plan approved by the board.

(3) The supervisor of professional experience shall complete the supervisor's portion of the "Supervised Professional Experience Plan," "Supervised Professional Experience Report," and "Supervision Contacts Log" as required by this rule.

(4) The supervisor shall retain copies of all professional experience supervision documents.

(5) No supervisor of persons completing professional experience may concurrently supervise more than four supervisees unless approved by the board.

(6) The board, for purposes of licensure, recognizes only professional experience that has met the supervision requirements of this rule.

(E) Professional experience plan

(1) Pursuant to section [4753.071](#) of the Revised Code, an applicant for a conditional license shall include a plan for professional experience.

(2) Granting of the conditional license shall be based upon approval of the plan for professional experience.

(3) A completed plan shall be submitted on a form prescribed by the board.

(4) The board may approve a plan indicating that an applicant is seeking employment.

(a) Time spent seeking employment shall not be credited toward professional experience requirements for licensure.

(b) Upon employment, a new plan shall be submitted within thirty days.

(c) A new plan shall be submitted for changes in employment and supervision within thirty days of a change. When a plan is not submitted within thirty days, it will be considered late and the experience shall be adjusted to extend the plan by the number of days the plan was late.

(d) An amended plan shall be submitted for changes in supervision or in the start or end date of an approved plan within thirty calendar days of the change.

(e) Failure to submit the plan or amended plan or failure to practice according to the plan shall be considered practice without a license and, therefore, cause for suspension, probation, or revocation of the conditional license according to Chapter 119. of the Revised Code.

(F) Supervision of professional experience

(1) Professional experience shall entail the direct involvement of the supervisor in any and all ways, which may include telepractice that will permit the supervisor to monitor, improve, provide feedback, and evaluate the applicant's performance in professional employment.

(2) When onsite supervision occurs via telepractice applications, supervision shall occur using real time, synchronous, encrypted videoconferencing and shall meet the supervision requirements as specified in this rule.

(3) Asynchronous, recorded therapy sessions submitted for later review shall not meet the requirements for onsite supervision but may suffice as "Other Supervisory Activity" as outlined in the supervision log.

(4) Mentoring paradigm

(a) The supervisor's role throughout the professional experience year shall be viewed as that of a mentor. This mentoring paradigm shall include a schedule of regular monthly communication around mutually developed goals including professional, educational and personal objectives.

(b) Mentoring activities shall include, but are not limited to:

(i) Orienting the conditional licensee to employment site and professional job responsibilities;

(ii) Providing support to the conditional licensee;

(iii) Being available to answer questions; and

(iv) Providing feedback/evaluation to the conditional licensee and about clinical competencies.

(5) Supervision requirements

(a) Supervision of the professional experience shall include:

(i) Eighteen on-site conferences with the conditional licensee and the supervisor of the professional experience with at least six of the on-site conferences during each third of the professional experience.

(ii) A monthly evaluation conference which may be in conjunction with one of the on-site conferences.

(b) Supervisory activities may include, but are not limited to:

(i) Conferring with the applicant concerning clinical treatment strategies;

(ii) Monitoring changes in communication behaviors of person(s) served;

(iii) Evaluating the applicant's clinical records, including: diagnostic reports, treatment records, correspondence, plans of treatment; and summaries of clinical conferences.

(iv) Monitoring the applicant's participation in case conferences;

- (v) Evaluating the applicant's performance by professional colleagues and employers;
- (vi) Evaluating the applicant's work by person(s) served and their parents; and
- (vii) Monitoring the applicant's contributions to professional meetings and publications, as well as participation in professional growth opportunities.

(6) Conferences

(a) The supervisor shall share and discuss their evaluation with the conditional licensee in a monthly supervision conference.

(b) The supervision conference shall include:

(i) Providing detailed feedback to the conditional licensee regarding their clinical performance; and

(ii) Summarizing for the conditional licensee a list of clinical strengths and goals on the "Supervision Contacts Log".

(c) On completion of the professional experience, a conference shall be held to provide the conditional licensee the opportunity to read and discuss with the supervisor the final "Supervised Professional Experience Report."

(d) When the conditional licensee has not made satisfactory progress, the supervisor shall counsel the applicant verbally and document on the "Supervision Contacts Log".

(G) Supervised professional experience report and supervision contacts log

(1) Upon completion of the professional experience year or when there is a change in the professional experience year plan, the conditional licensee shall submit a "Supervised Professional Experience Report" and a "Supervision Contacts Log" of the supervisory contacts that occurred during the experience to the board within thirty calendar days.

(2) After submission of the "Supervised Professional Experience Report" and "Supervision Contacts Log," the conditional licensee shall abide by the requirements for conditional licensure until full licensure is granted.

(3) Completion of professional experience

(a) The "Supervised Professional Experience Report" and "Supervision Contacts Log" are due within thirty days of completion of the professional experience.

(b) The "Supervised Professional Experience Report" and "Supervision Contacts Log" shall be submitted on forms prescribed by the board.

(c) If no report and log are submitted, the conditional licensee's application remains open until expiration of the conditional license.

(d) If the conditional licensee discontinues pursuit of Ohio licensure, written notice by either the supervisor or the conditional licensee may be submitted in lieu of the report and log.

(e) Unsuccessful completion of the professional experience shall result in extending the supervised professional experience or repeating the entire supervised professional experience.

(4) Partial completion of professional experience

(a) Interim completion of professional experience means supervised professional experience that is completed prior to meeting requirements as set forth in paragraph (C)(1)(b) of this rule.

(b) The "Supervised Professional Experience Report" and "Supervision Contacts Log" are due within thirty days of completion of the partial professional experience.

(c) If no "Supervised Professional Experience Report" and "Supervision Contacts Log" are submitted, the conditional licensee's application remains open until expiration of the conditional license.

(d) If the conditional licensee discontinues pursuit of Ohio licensure, written notice by either the supervisor or the conditional licensee may be submitted in lieu of the report and log.

(5) Non-approval of the supervised professional experience.

(a) When the supervisor does not approve the professional experience, the supervisor shall:

(i) Indicate the disapproval on the "Supervision Contacts Log" and sign the "Supervised Professional Experience Report."

(ii) Submit the "Supervision Contacts Log" and the "Supervised Professional Experience Report."

(b) The applicant may request that the board accept this experience toward the requirements for licensure by submitting a letter of explanation and supporting documentation.

(c) The board may share this information with the applicant and supervisor.

(d) The board shall review the "Supervised Professional Experience Report", documentation, and the "Supervision Contacts Log" to determine if approval of the supervised professional experience shall be granted.

(e) When the board rejects the experience, the applicant shall be offered the opportunity for a hearing according to Chapter 119. of the Revised Code.

(H) Reimbursement for services

(1) A person holding a conditional license may perform services for which reimbursement will be sought under the medicare program established under Title XVIII of the "Social Security Act" but all requests for reimbursement for such services shall be submitted by the person who supervises the person performing the services.

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[4753-3-09 Reinstatement of license.](#)

In evaluating an application for reinstatement of a license previously revoked or suspended, or reconsideration of denial of license, the board shall consider the following:

- (A) The nature and severity of the acts which resulted in denial, revocation or suspension of license;
- (B) The time elapsed since the commission of the acts;
- (C) Possible additional violations occurring after the denial, revocation or suspension;
- (D) Compliance with previous orders of the board; and,
- (E) Evidence of rehabilitation which the applicant may submit to the board.
- (F) Applicants who have not engaged in the practice of speech-language pathology or audiology for more than five years prior to the date the individual applies to the board for reinstatement may be subject to additional requirements outlined by the board and could include assigned hours of continuing education on specific topics. The board shall require additional continuing education and other activities, which may include, but are not limited to:
 - (1) Competency based performance appraisals;
 - (2) Mentorship;
 - (3) Additional continuing education, which may include, but is not limited to topics covering:
 - (a) Anatomy and physiology of the speech and hearing mechanisms.
 - (b) Hearing disorders.
 - (c) Diagnostics.
 - (d) Electrophysiology including auditory and vestibular measures.
 - (e) Specialty assessment such as apd and ar.
 - (f) Pediatrics.
 - (g) Geriatrics.

(h) Treatment including such topics as hearing aid theory, hearing aid assessment, hearing aid fitting, hearing aid technologies, product training, cochlear implants, vestibular rehab, aural rehabilitation and counseling.

(i) Ethics, HIPPA and record keeping.

(4) Extended coursework; and

(5) Professional development plan.

(G) Treatment including such topics as hearing aid theory, hearing aid assessment, hearing aid fitting, hearing aid technologies, product training, cochlear implants, vestibular rehab, aural rehabilitation and counseling.

(H) Ethics, HIPPA and record keeping.

(I) Extended course work.

(J) Professional development plan.

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[4753-3-10 Exempt practice; renewal.](#)

(A) All persons who are duly licensed by this board shall be considered to be actively practicing the profession of speech-language pathology or audiology, regardless of work setting. Persons who are exempted from licensure, pursuant to section [4753.12](#) of the Revised Code, are not required to be licensed by this board. However, if such persons voluntarily choose to be licensed by this board, such license shall be controlled by the rules of this board.

All persons licensed by this board, including those licensed by waiver pursuant to divisions (D) and (E) of section [4753.08](#) of the Revised Code, shall meet all requirements for license renewal in accordance with agency 4753 of the Administrative Code.

(B) Failure to biennially renew a license shall cause such licensure to expire as of the second December thirty-first of the biennium such failure occurred. Pursuant to section [4753.09](#) of the Revised Code, the board may renew the license of a person who applies to renew the license within one year after such expiration. If the application for renewal is made after one year, the person shall apply for licensure as provided in section [4753.06](#) or division (B) or (C) of section [4753.08](#) of the Revised Code. Any practice after expiration of the license is a violation of section [4753.02](#) of the Revised Code and shall be reported to the employer of the applicant when applicable.

(C) License renewal:

(1) Not less than thirty days prior to the deadline for licensure renewal all licensees shall be notified by the board office of the requirement to renew the license and submit the necessary fee and renewal application attesting to completion of continuing education hours within the two year renewal period.

(2) All licensees shall submit to the board a renewal application attesting to completion of the required continuing education hours within the two year renewal period.

(3) All legal requirements must be fulfilled before the license is renewed. Those requirements are the completion of the required hours of continuing education, attesting that the licensee has completed all required hours of continuing education by the end of the renewal period, completion of the application, and payment of all fees, including any late fees incurred.

(4) Licensees who submit the renewal application, attesting to continuing education or fee after the deadline shall be assigned a late fee.

(5) Continuing education hours submitted for late renewal shall not be used again for the next renewal.

(6) Upon completion of the requirements for renewal of the license, all licensees shall receive the renewal certificate.

(D) Late renewal

(1) Failure to complete legal requirements for renewal after December thirty-first of the renewal year shall result in the expiration of the license after that date. Renewal applications must be postmarked or electronically registered no later than December thirty-first of the renewal year. A renewal application received after December thirty-first of the renewal year shall be a late renewal and incur the late fee specified in rule [4753-5-01](#) of the Administrative Code.

(E) Expired license:

(1) A speech-language pathologist or audiologist may apply for renewal of an expired license if the license has been expired for one year or less. The board shall issue the license if the speech-language pathologist or audiologist:

(a) Submits to the board a completed application;

(b) Submits to the board an attestation of completing continuing education hours required for the two-year period immediately preceding the year of the application for renewal; and

(c) Pays to the board the renewal and late fees set by the board.

(2) The board shall not renew the license of a speech-language pathologist or audiologist who fails to apply for renewal of the license within one year after the license expires. A speech-language pathologist or audiologist whose license has been expired for more than one year may become licensed if he/she:

- (a) Presents proof of a current certificate of clinical competence in speech-language pathology or audiology that is in good standing and received from the "American Speech-Language-Hearing Association" in the area in which licensure is sought and/or proof of a current certificate in audiology from the "American Board of Audiology" stating "Board Certified in Audiology"; or
 - (b) Presents proof of current certification or licensure in good standing in the area in which licensure is sought in a state that has standards at least equal to the standards for licensure that are in effect in this state at the time the applicant applies for the license; or
 - (c) Submits to the board documentation of completion of continuing education hours required of a licensee during the period prior to expiration of the license and for each renewal period of expiration, or forty hours within the two years prior to the application or as approved by the board; and
 - (d) Pays to the board the application fee set by the board.
- (F) Applicants who have not engaged in the practice of speech-language pathology or audiology for more than five years prior to the date the individual applies to the board for relicensure may be subject to additional requirements outlined by the board and could include assigned hours of continuing education on specific topics. The board shall require additional continuing education and other activities, which may include, but are not limited to:
- (1) Competency based performance appraisals;
 - (2) Mentorship;
 - (3) Additional continuing education, which may include, but is not limited to, topics covering:
 - (a) Anatomy and physiology of the speech and hearing mechanisms.
 - (b) Hearing disorders.
 - (c) Diagnostics.
 - (d) Electrophysiology including auditory and vestibular measures.
 - (e) Specialty assessment such as APD and AR.
 - (f) Pediatrics.
 - (g) Geriatrics.
 - (h) Treatment including such topics as hearing aid theory, hearing aid assessment, hearing aid fitting, hearing aid technologies, product training, cochlear implants, vestibular rehab, aural rehabilitation and counseling.
 - (i) Ethics, HIPPA, and record keeping.
 - (4) Extended coursework; and

(5) Professional development plan.

(G) Treatment including such topics as hearing aid theory, hearing aid assessment, hearing aid fitting, hearing aid technologies, product training, cochlear implants, vestibular rehab, aural rehabilitation and counseling.

(H) Ethics, HIPPA, and record keeping.

(I) Professional development plan.

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[4753-5-02 Speech-language pathology aide or audiology aide; fee for initial license; fee for renewal of license.](#)

The initial licensing fee for a speech-language pathology aide or an audiology aide shall be fifty dollars. The biennial renewal licensing fee shall be fifty dollars. A license shall be renewed on or before the thirty-first day of December of every other year pursuant to division (B) of section [4753.11](#) of the Revised Code. The prescribed fee shall be submitted to the state treasurer or the board with the application for renewal. Any practice after the expiration of a license is a violation of sections [4753.02](#) and [4753.99](#) of the Revised Code.

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Prior Effective Dates: 4-22-76; 2-16-80; 5-5-86; 11-26-92 (Emer.); 2-9-93; 7-22-01

[4753-6-01 Screening.](#)

Screening is for the purpose of initial identification of persons who may have hearing, speech and/or language disorders. Verbal or written indications or descriptive statements about the results of a screening shall be limited to whether the individual passed or failed the screening procedure(s). The report of the findings shall state that the findings should not be construed as a complete evaluation, nor shall it offer remedial steps other than appropriate referral for complete examination by an audiologist, speech-language pathologist, or physician, as applicable. Criteria for failure shall be developed in consultation with an individual licensed in the area of the procedure pursuant to Chapter 4753. or Chapter 4731. of the Revised Code.

(A) "Audiologic screening" means the performance of audiologic testing procedures for the purpose of initial identification of persons who may have hearing disorders and includes, but is not limited to, the following procedures:

(1) Pure tone air conduction screening, tympanometry screening, and acoustic reflex screening.

(a) "Pure tone air conduction screening" means a pass/fail procedure performed at 20 dB HL at the frequencies of 1000, 2000, and 4000 Hz, obtained with earphones to prevent or detect early auditory impairment, disorder, and disability and to identify individuals who require further audiologic assessment or treatment or referral for other professional services.

(b) "Tympanometry screening" means a pass/fail dynamic measure of middle ear compliance of no less than .2ml of H₂O, within the pressure range of +150 to -150 daPa obtained with screening tips.

(c) "Acoustic reflex screening" means a test measuring the presence or absence of acoustic reflexes when assessed with stimuli of 1000 and 2000 Hz at 100 dB at the point of maximum middle ear compliance.

(d) Pure tone air conduction screening, tympanometry screening, and acoustic reflex screening must be performed by one of the following persons:

(i) An audiologist licensed under section [4753.07](#) of the Revised Code;

(ii) An audiology aide licensed under section [4753.072](#) of the Revised Code when working under the supervision of a licensed audiologist, in accordance with the supervision plan on file in the board office;

(iii) A speech-language pathologist licensed under section [4753.07](#) of the Revised Code when performing the screening limited to a pass/fail determination;

(iv) A speech-language pathology aide licensed under section [4753.072](#) of the Revised Code when working under the supervision of a licensed speech-language pathologist in accordance with the supervision plan on file in the board office.

(2) "Newborn and infant hearing screening" means the use of audiological procedures to identify newborn and infants from birth through twenty-three months with hearing impairment, as defined in rule pursuant to division (A) of section [3701.504](#) of the Revised Code and section [3701.508](#) of the Revised Code.

(a) Newborn and infant hearing screening includes the use of audiological procedures including, but not limited to, auditory brainstem response and/or otoacoustic emissions.

(b) Newborn and infant hearing screening must be performed in compliance with rules promulgated by the "Public Health Council" and administered by the Ohio department of health.

(c) Section [3701.505](#) of the Revised Code authorizes speech-language pathologists and speech-language pathology aides to perform the screenings without holding a license as an audiology aide.

(3) "School hearing screening" means a pure tone air conduction screening, tympanometry screening, or acoustic reflex screening conducted for the purpose of hearing conservation programs for children.

(a) School hearing screenings must be performed by one of the following persons:

(i) An audiologist licensed under section [4753.07](#) of the Revised Code;

(ii) An audiology aide licensed under section [4753.072](#) of the Revised Code when working under the supervision of a licensed audiologist, in accordance with the supervision plan on file in the board office;

(iii) A speech-language pathologist licensed under section [4753.07](#) of the Revised Code when performing the screening limited to a pass/fail determination for the identification of individuals with other disorders of communication;

(iv) A speech-language pathology aide licensed under section [4753.072](#) of the Revised Code when working under the supervision of a licensed speech-language pathologist in accordance with the supervision plan on file in the board office.

(b) "Hearing conservation programs for children" means the programs and activities of the Ohio department of health pursuant to sections [3313.50](#), [3313.673](#), [3313.68](#), [3313.69](#), [3313.73](#), and [3709.22](#) of the Revised Code.

(4) "Physiologic screening test" means an objective screening measure of a body process involved in communication.

(a) Physiologic screening tests include, but are not limited to, automated auditory evoked response screening and otoacoustic emission screening.

(b) Physiologic screening tests must be performed by one of the following persons:

(i) An audiologist licensed under section [4753.07](#) of the Revised Code;

(ii) An audiology aide licensed under section [4753.072](#) of the Revised Code when working under the supervision of a licensed audiologist in accordance with the supervision plan on file in the board office;

(iii) A person performing newborn and infant screening in accordance with the rules promulgated by the "Public Health Council" and administered by the Ohio department of health.

(B) "Speech-language screening" means the use of procedures for the purpose of initial identification of persons who may have speech or language disorders.

(1) Speech-language screening includes, but is not limited to the following procedures:

(a) "Speech screening" means a pass/fail procedure to identify individuals who require further speech (articulation, voice, resonance, and fluency) or orofacial myofunctional assessment or referral for other professional services.

(b) "Language screening" means a pass/fail procedure to identify individuals who require further language assessment or treatment or referral for other professional services.

(2) Speech or language screening must be performed by one of the following persons:

(a) A speech-language pathologist licensed under section [4753.07](#) of the Revised Code;

(b) A speech-language pathology aide licensed under section [4753.072](#) of the Revised Code when working under the supervision of a licensed speech-language pathologist in accordance with the supervision plan on file in the board office;

(c) An audiologist licensed under section [4753.07](#) of the Revised Code when performing speech or language screening limited to a pass/fail determination.

(C) "Occupational hearing test" means a diagnostic test of auditory sensitivity performed by the use of air conduction threshold testing that is conducted for the purpose of environmental hearing conservation/prevention programs, pursuant to regulations promulgated by the United States department of labor, occupational safety and health administration.

(1) Air conduction threshold testing is not a hearing screening.

(2) "Environmental hearing conservation/prevention programs" as used in this rule means programs designed to reduce the effect of noise exposure in the workplace on the hearing of employees or on the community, pursuant to regulations promulgated by the United States department of labor, occupational safety and health administration.

(3) Occupational hearing tests must be performed by one of the following persons:

(a) An audiologist licensed under section [4753.07](#) of the Revised Code;

(b) An audiology aide licensed under section [4753.072](#) of the Revised Code when working under the supervision of a licensed audiologist in accordance with the supervision plan on file in the board office, under both of the following conditions, unless waived by the board for good cause shown:

(i) The aide is trained to perform occupational hearing tests and holds current certification by the "Council for Accreditation in Occupational Hearing Conservation" ("CAOHC");

(ii) The testing is conducted by automatic pure tone audiometry.

(D) All of the following conditions must be met whenever an aide licensed under section [4753.072](#) of the Revised Code performs a pure tone air conduction screening, physiologic screening, speech screening, or language screening:

(1) The criteria for failure of the screening shall be established by the supervising licensed audiologist or speech-language pathologist.

(2) The aide's verbal or written indication or descriptive statements about the screening results shall be limited to a statement of whether the client passed or failed the procedure.

(3) Nothing in the aide's report of the findings shall be construed as a complete evaluation.

(4) The aide's report shall not suggest remedial steps other than a referral for a complete examination by a licensed professional.

(E) This rule shall not be construed to restrict the following persons from conducting screening in the practice of their profession in compliance with the laws and rules governing their profession:

(1) A hearing aid dealer or fitter licensed under Chapter 4747. of the Revised Code when engaging in the measurement and testing of a person's hearing for the purpose of selecting, adapting, and selling a hearing aid to the person.

(2) A physician licensed under Chapter 4731. of the Revised Code or an individual carrying out any properly delegated responsibilities within the normal practice of medicine and surgery or osteopathic medicine and surgery.

(3) A nurse registered or licensed under Chapter 4723. of the Revised Code when performing those acts and utilizing those procedures that are within the scope of practice of professional or practical nursing as defined in Chapter 4723. of the Revised Code and the ethics of the nursing profession, provided the nurse does not claim to the public to be a speech-language pathologist or audiologist, and provided that the nurse has been properly trained to perform screening.

Effective: 12/01/2011

R.C. [119.032](#) review dates: 09/08/2011 and 12/01/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#)

Rule Amplifies: [4753.01\(C\)](#), [4753.01\(G\)](#)

Prior Effective Dates: 11/16/92 (Emer.), 2/9/93 06/26/2003, 4/24/06

[4753-7-01 Licensure of aides.](#)

(A) A license for a speech-language pathology aide or an audiology aide shall be issued only to a person working under an application approved by the board.

(B) A "speech-language pathology aide" is a person who, after appropriate training, performs tasks that are planned, prescribed, delegated, directed, and supervised by a licensed speech-language pathologist, according to an application approved by the board.

(C) An "audiology aide" is a person who after appropriate training, performs tasks that are planned, prescribed, delegated, directed, and supervised by a licensed audiologist, according to an application approved by the board.

(D) The licensed speech-language pathologist or audiologist who signs the application for the aide shall supervise that particular aide. The aide may provide services only under the supervision of the speech-language pathology or audiology supervisor of record for that applicant. If more than one supervisor is to be involved with the aide, a plan shall be submitted by each supervisor.

(E) Qualifications for aides shall be:

- (1) A high school degree or equivalent;
- (2) Successful completion of training requirements as outlined in the approved application.

(F) Training for aides shall be well-defined and specific to the approved application and the assigned tasks. The licensed supervisor shall ensure that the scope and intensity of training encompass all of the activities assigned to the aide. Training shall be competency based and provided through a variety of formal and informal instructional methods. Licensed supervisors shall provide aides with information on roles, functions, and any related laws. Continuing education opportunities shall be provided to ensure that practices are current and that skills are maintained. The licensed supervisor shall maintain written documentation of training activities.

(G) The aide application shall be filed with the board for approval and the application shall include, but need not be limited to:

- (1) The location (name and address) where the aide will work;
- (2) The business name and address of the employer of the aide;
- (3) A description of the activities to be performed by the aide;
- (4) A description of the training the aide has received that will enable the aide to perform the planned activities;
- (5) A description of the direct supervision that the aide will receive in the performance of the aide's duties.
- (6) An agreement to abide by the speech-language pathology and audiology code of ethics.

(H) Any experience obtained while acting as a speech-language pathology aide or audiology aide shall not be creditable toward the supervised clinical experience required in division (C) of section [4753.06](#) of the Revised Code or the required professional experience required in division (D) of section [4753.06](#) of the Revised Code.

(I) The purpose of aides is to support licensed speech-language pathologists or audiologists in specified aspects of testing and recordkeeping. Aides shall not act independently and shall not:

- (1) Perform diagnostic testing, including but not limited to use of an otoscope. An aide may use an otoscope when all of the requirements under paragraphs (C)(3)(b) and (C)(3)(b)(i) of rule [4753-6-01](#) of the Administrative Code have been met for environmental hearing conservation/prevention programs,

pursuant to regulations promulgated by the United States department of labor, occupational safety and health administration.

- (2) Interpret observations or data into diagnostic statements of clinical management strategies or procedures;
- (3) Determine case selection;
- (4) Initiate, modify, plan or develop therapy procedures;
- (5) Implement therapy procedures;
- (6) Function without direct supervision;
- (7) Transmit clinical information, either verbally or in writing to anyone without the approval of the licensed supervisor;
- (8) Compose clinical reports except for notes to be reviewed by the supervisor and held in the patient's/client's records;
- (9) Refer a patient/client to other professionals or agencies;
- (10) Refer to himself or herself either orally or in writing with a title other than "aide;"
- (11) Sign any formal documents such as treatment plans, reimbursement forms or reports;
- (12) Discharge a patient/client from services.
- (13) Communicate with the patient/client, family, or others regarding any aspect of patient/client status or service without the specific consent of the supervisor and in accordance with the application approved by the board;
- (14) Act for the licensed person at treatment team meetings or in any matter related to direct care of patients/clients which requires judgment or decision-making;
- (15) Provide consultation, counseling, recommendation for assessment, assessment, treatment protocols, results/outcomes, recommendations, treatment/intervention plans, or patient/client referrals on any matter regarding care of patients/clients;
- (16) Provide professional training of other staff;
- (17) Provide program review for individualized habilitation plans or other forms of care planning for patients/clients;
- (18) Supervise or manage infant hearing screening programs or occupational hearing conservation/prevention programs. The supervision and management of infant hearing screening programs and occupational hearing conservation/prevention screening programs must be performed by a licensed audiologist;

(19) Perform any duties not prescribed in the approved license application nor work for any other speech-language pathologist or audiologist who is not specified as the supervisor on the approved license application;

(20) Perform any duties without proper training; and

Use influence in clinical matters, when the aide is the owner of a practice/business providing services, while being supervised by an employee or consultant of their business/practice.

(J) An aide shall be clearly identified as an aide by a badge worn during all contact with patients/clients.

Effective: 12/01/2011

R.C. [119.032](#) review dates: 09/08/2011 and 12/01/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#), [4753.072](#)

Rule Amplifies: [4753.05](#), [4753.071](#), [4753.072](#)

Prior Effective Dates: 2-9-93; 11-16-92 (Emer.); 7-22-01, 4/24/06

[4753-7-02 Supervision requirements; aides.](#)

(A) Supervision of a speech-language pathology aide or an audiology aide shall be provided by a person who is actively licensed as a speech-language pathologist or audiologist under section [4753.06](#) of the Revised Code. The licensed speech-language pathologist or audiologist who signs the application for the aide shall supervise that particular aide. The aide may provide services only under the supervision of the speech-language pathologist or audiologist of record for that applicant. If more than one supervisor is to be involved with the aide, an application shall be submitted by each supervisor.

(B) The supervisor shall be able to provide direct, comprehensive, documented and immediate supervision to the aide. "Direct supervision of an aide" shall be defined as that given by a supervisor who is either present in the room in which the services are being given, or, who is immediately available to provide assistance to the aide within that particular contact with patient/client(s) served. A licensed speech-language pathologist or audiologist may supervise no more than two aides concurrently unless specifically authorized by the board. The board shall consider the public welfare in determining authorization for supervision of additional aides.

(C) The supervisor of an aide shall maintain the legal and ethical responsibilities for all assigned activities provided by the aide; shall make all decisions relating to the diagnosis, treatment, management and future disposition of the patient/client(s) served; and shall have the responsibility for the health, safety and welfare of the patient/client(s) served by the aide. The supervisor shall be responsible for the aide's competence to perform board approved activities and adherence to the code of ethics as defined by rule [4753-9-01](#) of the Administrative Code.

(D) An aide shall not begin practice until approved by the board.

(E) The supervisor of an aide shall notify the board of any changes in the approved application required in rule [4753-7-01](#) of the Administrative Code as a condition of licensure, including termination of employment of either party. Failure to notify the board of a change or termination of an approved application shall be grounds for discipline in accordance with division (M) of section [4753.10](#) of the Revised Code. Supervision of an unlicensed aide shall be aiding and abetting unlicensed practice and shall be grounds for discipline in accordance with division (D) of section [4753.10](#) of the Revised Code.

R.C. [119.032](#) review dates: 08/09/2011 and 08/09/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#), [4753.072](#)

Rule Amplifies: [4753.05](#), [4753.071](#), [4753.072](#)

Prior Effective Dates: 2-9-93; 11-16-92 (Emer.); 7-22-01

[4753-7-03 Renewal of aide license.](#)

Licensure of an aide shall be valid only under the circumstances of the specific application approved by the board. An application for renewal of the license of an aide must be accompanied by an application from the supervisor, as prescribed by the board and a detailed statement of any proposed modification of the original plan. An aide may not practice with an expired license. Any practice by an aide with an expired license shall be a criminal violation of sections [4753.02](#) and [4753.99](#) of the Revised Code.

R.C. [119.032](#) review dates: 08/09/2011 and 08/09/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#)

Rule Amplifies: [4753.05](#), [4753.02](#)

Prior Effective Dates: 4-22-76; 7-22-01

[4753-10-03 Supervision of speech-language pathology permit holders.](#)

(A) The speech-language pathology student permit holder will be supervised by a speech-language pathologist licensed in Ohio, and under the direction of the college or university graduate program of the speech-language pathology student permit holder.

(B) In order to supervise a student permit holder, a supervisor shall hold a current Ohio license in speech-language pathology and have at least twenty-four months of full time clinical experience or the equivalent within the last sixty months under a valid license as a speech-language pathologist or certification by the American-speech language hearing association.

(C) Supervision of the speech-language pathology student permit holder will be detailed in the student permit plan.

(D) Credit for student clinical experience may be granted when supervision is conducted in accordance with requirements of the American speech-language-hearing association and this board. Minimum supervision of the student permit holder will consist of twenty-five per cent direct supervision of treatment activities and must be in real time and must never be less than twenty-five per cent of the

student permit holder's total contact with each client or patient and must take place periodically throughout the experience. The supervisor will be accessible to the student permit holder during all client contact.

(E) No supervisor of persons holding a student permit may supervise more than one student permit holder unless approved by the board.

Effective: 12/01/2011

R.C. [119.032](#) review dates: 09/08/2011 and 12/01/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05](#)

Rule Amplifies: [4753.02](#), [4753.073](#)

Prior Effective Dates: 08/24/2007 (Emer), 12/10/07

[4753-11-01 Definitions for accessing confidential personal information.](#)

(A) "Access" as a noun means an opportunity to copy, view, or otherwise perceive whereas "access" as a verb means to copy, view, or otherwise perceive.

(B) "Acquisition of a new computer system" means the purchase of a "computer system," as defined in this rule, that is not a computer system currently in place nor one for which the acquisition process has been initiated as of the effective date of the board rule addressing requirements in section [1347.15](#) of the Revised Code.

(C) "Computer system" means a "system," as defined by section [1347.01](#) of the Revised Code, that stores, maintains, or retrieves personal information using electronic data processing equipment.

(D) "Confidential personal information" (CPI) has the meaning as defined by division (A)(1) of section [1347.15](#) of the Revised Code and identified by rules promulgated by the board in accordance with division (B)(3) of section [1347.15](#) of the Revised Code that reference the federal or state statutes or administrative rules that make personal information maintained by the board confidential.

(E) "Employee of the board" means each employee of the board regardless of whether he/she holds an elected or appointed office or position within the board. "Employee of the board" is limited to the Ohio board of speech-language pathology and audiology.

(F) "Incidental contact" means contact with the information that is secondary or tangential to the primary purpose of the activity that resulted in the contact.

(G) "Individual" means natural person or the natural person's authorized representative, legal counsel, legal custodian, or legal guardian.

(H) "Information owner" means the individual appointed in accordance with division (A) of section [1347.05](#) of the Revised Code to be directly responsible for a system.

(I) "Person" means natural person.

(J) "Personal information" has the same meaning as defined in division (E) of section [1347.01](#) of the Revised Code.

(K) "Personal information system" means a "system" that "maintains" "personal information" as those terms are defined in section [1347.01](#) of the Revised Code. "System" includes manual and computer systems.

(L) "Research" means a methodical investigation into a subject.

(M) "Routine" means common place, regular, habitual, or ordinary.

(N) "Routine information that is maintained for the purpose of internal office administration, the use of which would not adversely affect a person" as that phrase is used in division (F) of section [1347.01](#) of the Revised Code means personal information relating to the board's employees that is maintained by the board for administrative and human resource purposes.

(O) "System" has the same meaning as defined by division (F) of section [1347.01](#) of the Revised Code.

(P) "Upgrade" means a substantial redesign of an existing system for the purpose of providing a substantial amount of new application functionality, or application modifications that would involve substantial administrative or fiscal resources to implement, but would not include maintenance, minor updates and patches, or modifications that entail a limited addition of functionality due to changes in business or legal requirements.

Effective: 01/01/2011

R.C. [119.032](#) review dates: 01/01/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05\(A\)](#)

Rule Amplifies: [1347.15](#)

[4753-11-02 Procedures for accessing confidential personal information.](#)

For personal information systems, whether manual or computer systems, that contain confidential personal information, the board shall do the following:

(A) Criteria for accessing confidential personal information. Personal information systems of the board are managed on a "need-to-know" basis whereby the information owner determines the level of access required for an employee of the board to fulfill his/her job duties. The determination of access to confidential personal information shall be approved by the employee's supervisor and the information owner prior to providing the employee with access to confidential personal information within a personal information system. The board shall establish procedures for determining a revision to an employee's access to confidential personal information upon a change to that employee's job duties including, but not limited to, transfer or termination. Whenever an employee's job duties no longer require access to confidential personal information in a personal information system, the employee's access to confidential personal information shall be removed.

(B) Individual's request for a list of confidential personal information. Upon the signed written request of any individual for a list of confidential personal information about the individual maintained by the board, the board shall do all of the following:

(1) Verify the identity of the individual by a method that provides safeguards commensurate with the risk associated with the confidential personal information;

(2) Provide to the individual the list of confidential personal information that does not relate to an investigation about the individual or is otherwise not excluded from the scope of Chapter 1347. of the Revised Code; and

(3) If all information relates to an investigation about that individual, inform the individual that the board has no confidential personal information about the individual that is responsive to the individual's request.

(C) Notice of invalid access.

(1) Upon discovery or notification that confidential personal information of a person has been accessed by an employee for an invalid reason, the board shall notify the person whose information was invalidly accessed as soon as practical and to the extent known at the time. However, the board shall delay notification for a period of time necessary to ensure that the notification would not delay or impede an investigation or jeopardize homeland or national security. Additionally, the board may delay the notification consistent with any measures necessary to determine the scope of the invalid access, including which individuals' confidential personal information invalidly was accessed, and to restore the reasonable integrity of the system.

"Investigation" as used in this paragraph means the investigation of the circumstances and involvement of an employee surrounding the invalid access of the confidential personal information. Once the board determines that notification would not delay or impede an investigation, the board shall disclose the access to confidential personal information made for an invalid reason to the person.

(2) Notification provided by the board shall inform the person of the type of confidential personal information accessed and the date(s) of the invalid access.

(3) Notification may be made by any method reasonably designed to accurately inform the person of the invalid access, including written, electronic, or telephone notice.

(D) Appointment of a data privacy point of contact. The board director shall designate an employee of the board to serve as the data privacy point of contact. The data privacy point of contact shall work with the chief privacy officer within the office of information technology to assist the board with both the implementation of privacy protections for the confidential personal information that the board maintains and compliance with section [1347.15](#) of the Revised Code and the rules adopted pursuant to the authority provided by that chapter.

(E) Completion of a privacy impact assessment. The board director shall designate an employee of the board to serve as the data privacy point of contact who shall timely complete the privacy impact assessment form developed by the office of information technology.

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R.C. [119.032](#) review dates: 01/01/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05\(A\)](#)

Rule Amplifies: [1347.15](#)

[4753-11-03 Valid reasons for accessing confidential personal information.](#)

Pursuant to the requirements of division (B)(2) of section [1347.15](#) of the Revised Code, this rule contains a list of valid reasons, directly related to the board's exercise of its powers or duties, for which only employees of the board may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

(A) Performing the following functions constitute valid reasons for authorized employees of the board to access confidential personal information:

- (1) Responding to a public records request;
- (2) Responding to a request from an individual for the list of CPI the board maintains on that individual;
- (3) Administering a constitutional provision or duty;
- (4) Administering a statutory provision or duty;
- (5) Administering an administrative rule provision or duty;
- (6) Complying with any state or federal program requirements;
- (7) Processing or payment of claims or otherwise administering a program with individual participants or beneficiaries;
- (8) Auditing purposes;
- (9) Licensure [or permit, eligibility, filing, etc.] processes;
- (10) Investigation or law enforcement purposes;
- (11) Administrative hearings;
- (12) Litigation, complying with an order of the court, or subpoena;
- (13) Human resource matters (e.g., hiring, promotion, demotion, discharge, salary/compensation issues, leave requests/issues, time card approvals/issues);

(14) Complying with an executive order or policy;

(15) Complying with a board policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state agency; or

(16) Complying with a collective bargaining agreement provision.

(B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the board, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

(1) Conducting investigations of persons licensed by the board, including the review of information collected on subjects, witnesses, or records associated with the investigation;

(2) Reporting administrative actions and disciplinary records, pursuant to state or federal law;

(3) Monitoring compliance of board administrative actions, including the review of all internal and external reports and data used to facilitate the monitoring process;

(4) Records maintenance processes, including filing, copying, scanning, and monitoring, or

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Promulgated Under: [119.03](#)

Statutory Authority: [4753.05\(A\)](#)

Rule Amplifies: [1347.15](#)

[4753-11-04 Confidentiality statutes.](#)

The following federal statutes or regulations or state statutes and administrative rules make personal information maintained by the board confidential and identify the confidential personal information within the scope of rules promulgated by the board in accordance with section [1347.15](#) of the Revised Code:

(A) Social security numbers: 5 U.S.C. 552 a. , unless the individual was told that the number would be disclosed.

(B) "Bureau of Criminal Investigation and Information" criminal records check results: section [4776.04](#) of the Revised Code.

(C) Confidential information obtained during an investigation: division (E) of section [4753.05](#) of the Revised Code.

Effective: 01/01/2011

R.C. [119.032](#) review dates: 01/01/2016

Promulgated Under: [119.03](#)

Statutory Authority: [4753.05\(A\)](#)

Rule Amplifies: [1347.15](#)

[4753-11-05 Restricting and logging access to confidential personal information in computerized information systems.](#)

For personal information systems that are computer systems and contain confidential personal information, the board shall do the following:

(A) Access restrictions. Access to confidential personal information that is kept electronically shall require a password or other authentication measure.

(B) Acquisition of a new computer system. When the board acquires a new computer system that stores, manages or contains confidential personal information, the board shall include a mechanism for recording specific access by employees of the board to confidential personal information in the system.

(C) Upgrading existing computer systems. When the board modifies an existing computer system that stores, manages or contains confidential personal information, the board shall make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system shall include a mechanism for recording specific access by employees of the board to confidential personal information in the system.

(D) Logging requirements regarding confidential personal information in existing computer systems.

(1) The board shall require employees of the board who access confidential personal information within computer systems to maintain a log that records that access.

(2) Access to confidential information is not required to be entered into the log under the following circumstances:

(a) The employee of the board is accessing confidential personal information for official board purposes, including research, and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(b) The employee of the board is accessing confidential personal information for routine office procedures and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(c) The employee of the board comes into incidental contact with confidential personal information and the access of the information is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(d) The employee of the board accesses confidential personal information about an individual based upon a request made under either of the following circumstances:

(i) The individual requests confidential personal information about himself/herself.

(ii) The individual makes a request that the board takes some action on that individual's behalf and accessing the confidential personal information is required in order to consider or process that request.

(3) For purposes of this paragraph, the board may choose the form or forms of logging, whether in electronic or paper formats.

(E) Log management. The board shall issue a policy that specifies the following:

(1) Who shall maintain the log;

(2) What information shall be captured in the log;

(3) How the log is to be stored; and

(4) How long the information kept in the log is to be retained.

Nothing in this rule limits the board from requiring logging in any circumstance that it deems necessary.

Effective: 01/01/2011

R.C. [119.032](#) review dates: 01/01/2016

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Statutory Authority: [4753.05\(A\)](#)

Rule Amplifies: [1347.15](#)