

# Senate Bill 943

Sponsored by Senator HAYDEN

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes some changes to the laws on the practice of audiology. (Flesch Readability Score: 69.9).

Changes the definitions of "audiologist" and "practice of audiology." Specifies actions within the audiologist scope of practice. Requires the State Board of Examiners for Speech-Language Pathology and Audiology to establish by rule a timeline for investigations and provide certain information to a person under investigation by the board.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to audiology; creating new provisions; amending ORS 681.205, 681.230, 681.250, 681.270,  
3 681.290, 681.300, 681.490 and 681.495; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 681.**

6 **SECTION 2. An audiologist may:**

7 (1) **For the correction or relief of a condition for which they are used, prescribe, order,**  
8 **sell, dispense and fit to an individual:**

9 (a) **Hearing aids;**

10 (b) **Hearing assistive technologies and assistive listening devices;**

11 (c) **Tinnitus treatment devices;**

12 (d) **Vestibular treatment devices;**

13 (e) **Auditory processing treatment devices; and**

14 (f) **Auditory rehabilitation devices;**

15 (2) **For the correction or relief of a condition for which they are used, prescribe, order,**  
16 **sell, dispense and externally fit a sound processor to an osseointegrated device, cochlear**  
17 **implant or an auditory brainstem implant; and**

18 (3) **Perform the following:**

19 (a) **Conduct health screenings;**

20 (b) **Remove a cerumen from the external auditory canal;**

21 (c) **Remove a foreign body from the external auditory canal;**

22 (d) **Order and perform an in-office, nonradiographic scanning or imaging of the external**  
23 **auditory canal;**

24 (e) **Order radiographic and nonradiographic imaging; and**

25 (f) **Order cultures of blood work.**

26 **SECTION 3. ORS 681.205 is amended to read:**

27 681.205. As used in this chapter, unless the context requires otherwise:

28 (1) "Approved college or university" means a college or university offering a graduate program

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 of study in speech-language pathology or audiology, leading to a master's or doctoral degree, that  
 2 is [fully accredited or conditionally approved by the American Speech-Language-Hearing Association,  
 3 or its successor agency, or has been otherwise determined by the State Board of Examiners for  
 4 Speech-Language Pathology and Audiology to meet the association standards as incorporated into  
 5 board rules.]:

6 **(a) Fully accredited or conditionally approved by the Council on Academic Accreditation,**  
 7 **or its successor organization, or the Accreditation Commission for Audiology Education, or**  
 8 **its successor organization, and approved by the State Board of Examiners for Speech-**  
 9 **Language Pathology and Audiology; or**

10 **(b) Otherwise determined by the board to meet the standards of another association**  
 11 **similar to those described in this subsection, as adopted by the board by rule.**

12 (2) "Audiologist" means a person [who practices audiology] **licensed under this chapter to**  
 13 **practice audiology** and who uses publicly any title or description of services incorporating the  
 14 words "audiologist," "**doctor of audiology,**" "hearing clinician," "**hearing specialist,**" "hearing  
 15 therapist" or any similar titles or descriptions of service.

16 (3) "Conditional license" means a license issued to an applicant under ORS 681.325.

17 (4)(a) "Practice of audiology" means:

18 *[(a) To apply the principles, methods and procedures of measurement, prediction, evaluation, test-*  
 19 *ing, counseling, consultation and instruction that relate to the development and disorders of hearing,*  
 20 *vestibular functions and related language and speech disorders to prevent or modify the disorders or*  
 21 *to assist individuals in auditory and related skills for communication.]*

22 *[(b) To fit or sell hearing aids.]*

23 **(A) To screen for, prevent, diagnose, measure, identify, monitor, test, interpret, evaluate,**  
 24 **manage, treat, modify and rehabilitate auditory or vestibular conditions of the human ear**  
 25 **and the auditory and vestibular systems and related language, speech and communication**  
 26 **disorders;**

27 **(B) To counsel, consult, educate and instruct on auditory or vestibular conditions of the**  
 28 **human ear and the auditory and vestibular systems and related language, speech and com-**  
 29 **munication disorders; and**

30 **(C) Perform or undertake an action described in section 2 of this 2025 Act.**

31 **(b) "Practice of audiology" does not include osseointegrated device surgery or cochlear**  
 32 **implant surgery.**

33 (5) "Practice speech-language pathology" means to apply the principles, methods and procedures  
 34 of measurement, prediction, evaluation, testing, counseling, consultation and instruction that relate  
 35 to the development and disorders of speech, voice, swallowing and related language and hearing  
 36 disorders to prevent or modify the disorders or to assist individuals in cognition-language and com-  
 37 munication skills.

38 (6) "Speech-language pathologist" means a person who practices speech-language pathology and  
 39 who uses publicly any title or description of services including but not limited to the words  
 40 "speech-language pathologist," "speech correctionist," "speech therapist," "speech clinician," "lan-  
 41 guage pathologist," "language therapist" or any similar titles or descriptions of services.

42 (7) "Speech-language pathology assistant" means a person who provides speech-language  
 43 pathology services under the direction and supervision of a speech-language pathologist licensed  
 44 under ORS 681.250.

45 (8) "Unethical conduct" means:

- 1 (a) Obtaining any fee by fraud or misrepresentation.
- 2 (b) Employing directly or indirectly any person who is unlicensed or whose license is suspended  
3 to perform any work covered by this chapter.
- 4 (c) Using or causing or promoting the use of any advertising matter, promotional literature,  
5 testimonial, guarantee, warranty, label, brand, insignia, or any other representation, however dis-  
6 seminated or published, that is misleading, deceiving, improbable or untruthful.
- 7 (d) Representing that the services or advice of a person licensed to practice medicine will be  
8 used or made available in the practice of speech-language pathology or audiology if that is not true,  
9 or using the word “doctor” or “professor” or other like words, abbreviations, or symbols inaccurately.  
10
- 11 (e) Permitting a person other than the license or conditional license holder to use the license  
12 or conditional license.
- 13 (f) Violating the ethical standards of practice adopted by the board under ORS 681.420.
- 14 **SECTION 4.** ORS 681.230 is amended to read:
- 15 681.230. (1) Without obtaining a license under this chapter, a person may use a procedure in-  
16 cluded in the practice of speech-language pathology or audiology if the procedure is within the  
17 person’s scope of practice and the person is:
- 18 (a) Licensed by a health professional regulatory board as defined in ORS 676.160;
- 19 (b) Performing basic audiometric testing under the **direct supervision or general** supervision  
20 of **an audiologist**, a physician licensed under ORS chapter 677 or a naturopathic physician licensed  
21 under ORS chapter 685 [*and representing that the person is a medical assistant or audiology*  
22 *assistant*];
- 23 (c) A teacher who:
- 24 (A) Is licensed by the Teacher Standards and Practices Commission [*and who*];
- 25 (B) Holds [*a hearing impaired*] **an endorsement related to the education of individuals who**  
26 **are deaf or hard of hearing that is** issued by the commission; **and**
- 27 (C) **Is working in consultation with a speech-language pathologist or audiologist;**
- 28 (d) A student participating in supervised field work or supervised course work in speech-  
29 language pathology or audiology as part of a college or university program approved by the State  
30 Board of Examiners for Speech-Language Pathology and Audiology; or
- 31 (e) A student taking an undergraduate course in speech-language pathology approved by the  
32 board.
- 33 (2) A person practicing speech-language pathology or audiology without a license under sub-  
34 section (1) of this section may not represent or imply that the person is a speech-language  
35 pathologist, speech-language pathology assistant or audiologist.
- 36 (3) A person practicing speech-language pathology or audiology without a license under sub-  
37 section (1)(d) or (e) of this section:
- 38 (a) [*Must*] **Shall** use a title that indicates that the person is a student trainee.
- 39 (b) May not be paid for speech-language pathology or audiology services provided by the person,  
40 except that the person may be provided a reasonable educational stipend.
- 41 (4) Without obtaining a license under this chapter, a person may:
- 42 (a) Consult with or disseminate the person’s research findings and scientific information to an  
43 accredited academic institution or a governmental agency; and
- 44 (b) Offer lectures to the public for a fee, monetary or otherwise.
- 45 **(5) As used in this section:**

1 (a) “Consultation” means the approval and review of the activities of a person not li-  
 2 censed under this chapter, without the assumption of responsibility for conduct, by a person  
 3 licensed under this chapter.

4 (b) “Direct supervision” means on-site and personal oversight by a person licensed under  
 5 this chapter who assumes responsibility for the conduct of the person being supervised.

6 (c) “General supervision” means personal review of clinical work and documentation of  
 7 work by a person licensed under this chapter who assumes responsibility for the conduct of  
 8 the person being supervised.

9 **SECTION 5.** ORS 681.250 is amended to read:

10 681.250. (1)(a) [A license shall be issued to qualified persons either in speech-language pathology  
 11 or audiology.] **The State Board of Examiners for Speech-Language Pathology and Audiology**  
 12 **shall issue a license to practice speech-language pathology or audiology.**

13 (b) A person may be licensed in both [areas] **speech-language pathology and audiology** if the  
 14 person meets the respective qualifications [and in such instances the license fee shall be as though  
 15 for one license] **for licensure.**

16 (2) [No person shall] **A person may not** practice speech-language pathology or audiology or  
 17 purport to be a speech-language pathologist or audiologist in this state unless the person is licensed  
 18 in accordance with the provisions of this chapter.

19 **SECTION 6.** ORS 681.270 is amended to read:

20 681.270. (1) [A person desiring] **In order** to obtain a license or conditional license from the State  
 21 Board of Examiners for Speech-Language Pathology and Audiology **to practice speech-language**  
 22 **pathology or audiology, a person** shall [make application] **apply** to the board.

23 (2) The application [shall be made upon] **must be on** a form and in the manner prescribed by  
 24 the board.

25 (3) The application required by this section [shall] **must** be accompanied by a nonrefundable  
 26 application fee established by the board. **If a person applies for a license or conditional license**  
 27 **to practice both speech-language pathology and audiology, the application fee may not be**  
 28 **higher than the application fee for a license or conditional license to practice in only one**  
 29 **area.**

30 **SECTION 7.** ORS 681.290 is amended to read:

31 681.290. (1) The State Board of Examiners for Speech-Language Pathology and Audiology may  
 32 examine by written or oral examination, or by both. Standards for acceptable performance shall be  
 33 determined by the board. The board may examine or direct the applicant to be examined for  
 34 knowledge in whatever theoretical or applied fields in speech-language pathology or audiology [it]  
 35 **the board** considers appropriate. The board may also examine the candidate with regard to the  
 36 professional skills and judgment of the candidate in the utilization of speech-language pathology or  
 37 audiology techniques and methods.

38 (2) The board may waive the written examination if the applicant has successfully passed the  
 39 Educational Testing Service Praxis II Specialty Area Examination in speech-language pathology, **as**  
 40 **adopted by the board by rule, or a national examination in** audiology, **as adopted by the board**  
 41 **by rule.**

42 (3) The board shall grade the examination or direct [it] **the examination** to be graded. **The**  
 43 **board shall retain** examination papers [shall be retained by the board] for at least one year.

44 **SECTION 8.** ORS 681.300 is amended to read:

45 681.300. The State Board of Examiners for Speech-Language Pathology and Audiology may waive

1 the examination described in ORS 681.290 and [*grant*] **issue** a license to:

2 (1) An applicant who holds the Certificate of Clinical Competence, **approved by the board by**  
3 **rule**, of the American Speech-Language-Hearing Association, **or its successor organization**, in the  
4 area for which the person is applying for a license[.]; **or**

5 (2) An **applicant for a license to practice** audiology [*applicant*] who is certified by the Ameri-  
6 can Board of Audiology, **or its successor organization, and that certification is approved by**  
7 **the State Board of Examiners for Speech-Language Pathology and Audiology by rule.**

8 **SECTION 9.** ORS 681.490 is amended to read:

9 681.490. (1) The State Board of Examiners for Speech-Language Pathology and Audiology:

10 (a) May, upon its own motion, investigate any alleged violation of this chapter.

11 (b) Shall, upon the complaint of any resident of this state, investigate any alleged violation of  
12 this chapter.

13 **(2)(a) Upon opening an investigation, the board shall notify in writing the person who is**  
14 **the subject of the investigation that a complaint has been filed against the person or that**  
15 **the person is otherwise under investigation by the board. The notice must also provide to the**  
16 **person:**

17 **(A) A statement of the person's rights during the investigation and general information**  
18 **about the investigation process; and**

19 **(B) An expected timeline of the investigation.**

20 **(b) In conjunction with the notice described in this subsection, or at the earliest practi-**  
21 **cable time, the board shall provide to the person a copy of the complaint by mail or elec-**  
22 **tronic mail. The board may redact portions of the complaint as necessary.**

23 **(c) The board shall allow the person to submit a written response to the complaint not**  
24 **later than 21 calendar days after the date on which the board sent the copy of the complaint**  
25 **under paragraph (b) of this subsection. The board shall consider a response submitted under**  
26 **this subsection in the investigation.**

27 [(2)] **(3)** In the conduct of investigations, the board may:

28 (a) Take evidence;

29 (b) Take the depositions of witnesses, including the person charged, in the manner provided by  
30 law in civil cases;

31 (c) Compel the appearance of witnesses, including the person charged, before the board in per-  
32 son the same as in civil cases;

33 (d) Require answers to interrogatories; and

34 (e) Compel the production of books, papers, accounts, documents and testimony pertaining to the  
35 matter under investigation.

36 [(3)] **(4)** In exercising its authority under subsection [(2)] **(3)** of this section, the board may issue  
37 subpoenas over the signature of the board chairperson, vice chairperson or executive director and  
38 the seal of the board in the name of the State of Oregon.

39 [(4)] **(5)** The board may bring a cause of action for injunction or other appropriate remedy to  
40 enforce any provision of this chapter.

41 [(5)] **(6)** In addition to or in lieu of any other sanction permitted under this chapter, the board  
42 may impose a civil penalty of up to \$5,000 for each violation of the provisions of this chapter or  
43 rules adopted by the board under this chapter. A civil penalty imposed under this section shall be  
44 imposed in the manner provided in ORS 183.745.

45 **(7) The board shall adopt rules to establish a reasonable timeline for carrying out inves-**

1 **tigations under this section. The rules must include specified times for at least the following:**

2 **(a) Responding to complaints;**

3 **(b) Issuing notices;**

4 **(c) Holding hearings;**

5 **(d) Issuing decisions; and**

6 **(e) Holding appeals.**

7 **(8) Subject to relevant state and federal laws, upon request from a licensing authority**  
8 **or similar body of another state or jurisdiction or interstate compact governing body, the**  
9 **board shall provide information regarding an ongoing or closed investigation for the purpose**  
10 **of assisting the regulatory and enforcement duties of the requesting licensing authority,**  
11 **similar body or interstate compact governing body.**

12 **SECTION 10. ORS 681.495 is amended to read:**

13 681.495. Upon receipt of a complaint under this chapter, the State Board of Examiners for  
14 Speech-Language Pathology and Audiology shall conduct an investigation as described under ORS  
15 676.165 and 681.490.

16 **SECTION 11. (1) Section 2 of this 2025 Act and the amendments to ORS 681.205, 681.230,**  
17 **681.250, 681.270, 681.290, 681.300, 681.490 and 681.495 by sections 3 to 10 of this 2025 Act become**  
18 **operative on January 1, 2026.**

19 **(2) The State Board of Examiners for Speech-Language Pathology and Audiology may**  
20 **take any action before the operative date specified in subsection (1) of this section that is**  
21 **necessary to enable the board to exercise, on and after the operative date specified in sub-**  
22 **section (1) of this section, all of the duties, functions and powers conferred on the board by**  
23 **section 2 of this 2025 Act and the amendments to ORS 681.205, 681.230, 681.250, 681.270,**  
24 **681.290, 681.300, 681.490 and 681.495 by sections 3 to 10 of this 2025 Act.**

25 **SECTION 12. This 2025 Act takes effect on the 91st day after the date on which the 2025**  
26 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

27