

SUBJECT: Creating an audiology and speech-language pathology interstate compact

COMMITTEE: Public Health — favorable, without amendment

VOTE: 10 ayes — Klick, Campos, Collier, Jetton, J. Jones, V. Jones, Oliverson,
Price, Smith, Tinderholt

0 nays

1 absent — A. Johnson

WITNESSES: For — Marjorie Grantham, Vickie Tuten, Texas Academy of Audiology;
Lori Colletti, Lawrence Higdon, Texas Speech Language Hearing
Association; Lila Almond (*Registered, but did not testify*: Lindsay
Lanagan, Legacy Community Health; Christine Yanas, Methodist
Healthcare Ministries; Bradford Shields, Texas Academy of Audiology;
Nora Belcher, Texas e-Health Alliance; Michelle Evans)

Against — (*Registered, but did not testify*: Chad Whited, Texas
Association of Otolaryngology; Ben Wright, Texas Medical Association)

On — (*Registered, but did not testify*: Katie Brice, Texas Department of
Licensing and Regulation)

BACKGROUND: Some have suggested that allowing for the interstate practice of audiology
and speech-language pathology could help to increase access to these
health services.

DIGEST: HB 1875 would create the Audiology and Speech-Language Pathology
Interstate Compact to facilitate interstate practice of audiology and
speech-language pathology with the goal of improving public access to
these services by providing for the mutual recognition of member state
licenses. The bill would encourage cooperation among member states in
regulating multistate audiology and speech-language pathology practice
and allow for the use of telehealth technology to facilitate increased
access.

Objectives of the compact would include enhancing states' ability to protect the public's health and safety, supporting spouses of relocating active duty military personnel, and enhancing the exchange of licensure, investigative, and disciplinary information between member states.

The compact would include relevant definitions, compact privileges, requirements for a data system as well as oversight, dispute resolution, and enforcement mechanisms.

HB 1875 would establish the Audiology and Speech-Language Pathology Compact Commission as a joint public agency with two delegates from each member state and an additional five delegates selected by the commission's executive committee. The compact would preserve the regulatory authority of states to protect public health and safety through the current system of state licensure. The bill would establish the commission's powers and duties as well as its voting and meeting procedures.

The bill would include state and individual participation requirements for membership in the compact. Each member state would be required to recognize a license issued to an audiologist or speech-language pathologist by another member state. A member state would be required to implement or utilize criminal background check procedures in considering the criminal history of applicants for initial privilege to practice and would have to use background check results in making licensure decisions. The bill also would specify educational, clinical, and exam requirements for audiologists and speech-language pathologists.

Active duty military personnel or their spouses could designate a home state where the individual had a current license in good standing. The individual could retain the home state designation during periods that the service member was on active duty.

The bill also would specify provisions for the compact relating to:

- the authority of a member state to take adverse action against an

- audiologist or speech-language pathologist;
- venue, jurisdictional defenses, and prohibition against the compact's provisions being construed as a waiver of sovereign immunity;
- a prohibition against the commission incurring obligations and a requirement to keep accurate accounts of all receipts and disbursements;
- the construction and severability of compact provisions, as well as the binding effect of the compact and other state laws; and
- the process for amending or withdrawing from the compact.

The compact would take effect on the date that the compact was enacted into law in the 10th member state. The bill would designate the Texas Department of Licensing and Regulation as the administrator of the compact and would authorize the Texas Commission of Licensing and Regulation to adopt rules necessary to implement the bill's provisions.

The bill would take effect September 1, 2023.