

25104040D

HOUSE BILL NO. 2040

Offered January 13, 2025

Prefiled January 7, 2025

A BILL to amend the Code of Virginia by adding in Chapter 26 of Title 54.1 an article numbered 3, consisting of sections numbered 54.1-2620 through 54.1-2624, and to repeal § 54.1-2605 of the Code of Virginia, relating to speech-language pathology assistants; licensure, qualifications, scope of practice; revocation or suspension of license; continuing education.

Patrons—Seibold, Anthony, Convirs-Fowler, Feggans, Keys-Gamarra and Martinez; Senators: Favola and Salim

Referred to Committee on Health and Human Services

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 26 of Title 54.1 an article numbered 3, consisting of sections numbered 54.1-2620 through 54.1-2624, as follows:

Article 3.

Licensure of Speech-Language Pathology Assistants.

§ 54.1-2620. License; application; qualifications of speech-language pathology assistants.

A. No person shall practice as a speech-language pathology assistant unless he possesses a current, active, and valid license from the Board. The licensee shall have the right to practice as a speech-language pathology assistant in the Commonwealth for the period of his license as set by the Board, under the supervision and direction of a licensed speech-language pathologist.

B. An application for such license shall be made to the Board in writing and shall be accompanied by satisfactory proof that the applicant (i) has completed a Board-approved eligibility pathway option, described in subsection C, (ii) has completed a minimum of 100 hours of supervised clinical experience under the direct supervision of a licensed speech-language pathologist, and (iii) has achieved a passing score on the American Speech-Language-Hearing Association Assistants Certification Exam.

C. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete a Board-approved eligibility pathway that includes:

1. (i) Obtaining a two-year speech-language pathology assistant program degree from an accredited institution, (ii) completing the prerequisite courses required by subsection D, and (iii) completing the clinical field work required by subsection E;

2. (i) Obtaining a bachelor's degree in communication sciences and disorders from an accredited institution; (ii) completing (a) the online education modules offered by the American Speech-Language-Hearing Association or (b) a program equivalent to the online education modules offered by the American Speech-Language-Hearing Association; (iii) completing the prerequisite courses required by subsection D; and (iv) completing the clinical field work required by subsection E; or

3. (i) Obtaining a bachelor's or associate's degree from an accredited institution; (ii) completing a speech-language pathology assistant program with equivalent course work, or completing academic course work from an accredited institution of higher education in the following areas: (a) introductory or overview course in communication disorders, (b) phonetics, (c) speech sound disorders, (d) language development, (e) language disorders, and (f) anatomy and physiology of speech and hearing mechanisms; (iii) completing the prerequisite courses required by subsection D; and (iv) completing the clinical field work required by subsection E.

D. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete three one-hour prerequisite courses on each of the following topics: (i) ethics, (ii) universal safety precautions, and (iii) patient confidentiality.

E. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete a minimum of 100 hours of clinical field work, including (i) 80 hours of direct patient/client/student services under the supervision of a certified speech-language pathologist and (ii) 20 hours of indirect patient/client/student services under the supervision of a certified speech-language pathologist. Such hours may be completed via an academic practicum or on the job under the supervision of a certified speech-language pathologist. Hours completed via an academic practicum or on the job shall be no more than five years old at the time of application for licensure. Observation, simulation, and graduate practicum hours shall not count toward such requirement.

F. The Board may grant a license to practice as a speech-language pathology assistant to an applicant licensed to practice in another jurisdiction if he (i) meets the requirements of subsection B; (ii) holds a current, unrestricted license to practice as a speech-language pathology assistant in another jurisdiction in

58 *the United States; (iii) has not committed any act that would constitute grounds for denial as set forth in §*  
59 *54.1-2706; and (iv) meets other qualifications as determined in regulations promulgated by the Board.*

60 **§ 54.1-2621. Scope of practice of speech-language pathology assistants.**

61 A. A licensed speech-language pathology assistant shall only engage in those duties that adhere to the  
62 code of ethics of the Board and are planned, designed, and supervised by a licensed speech-language  
63 pathologist, including:

64 1. Assisting with speech, language, and hearing screenings without clinical interpretation of results;

65 2. Administering and scoring screenings for clinical interpretation by the supervising speech-language  
66 pathologist;

67 3. Assisting with, but not administering or interpreting the results of, client assessments, including setting  
68 up the testing environment, gathering and preparing materials, and taking notes;

69 4. Administering and scoring assessments and progress monitoring tools without clinical interpretation of  
70 results, if the licensed speech-language pathology assistant meets the examiner requirements for such tools  
71 and the supervising speech-language pathologist has verified that such examiner requirements have been  
72 met;

73 5. Performing routine activities for therapy sessions in accordance with a plan developed and directed by  
74 the speech-language pathologist who retains the professional responsibility for such client, including (i)  
75 implementing documented care plans or protocols, (ii) providing direct therapy services to address treatment  
76 goals, (iii) adjusting and documenting the amount and type of support or scaffolding provided to the client in  
77 treatment to facilitate progress, and (iv) developing and implementing activities and materials for teaching  
78 and practice of skills to address the goals of the client;

79 6. Providing treatment through a variety of service delivery models as directed by the supervising  
80 speech-language pathologist;

81 7. Utilizing telecommunications technology to provide services remotely to clients as directed by the  
82 supervising speech-language pathologist;

83 8. Documenting client performance and reporting such performance information to the supervising  
84 speech-language pathologist;

85 9. Providing caregiver coaching, including modeling and teaching communication strategies and  
86 providing feedback regarding caregiver-client interactions for facilitation and carryover of skills;

87 10. Sharing objective information regarding client performance without interpretation or  
88 recommendations as directed by the supervising speech-language pathologist;

89 11. Assisting with programming augmentative and alternative communication devices and assisting and  
90 training clients with using such devices;

91 12. Demonstrating strategies and assisting clients with skills included in the feeding and swallowing plan  
92 developed by the supervising speech-language pathologist;

93 13. Signing or initialing informal treatment notes and, upon request, co-signing formal documents with  
94 the supervising speech-language pathologist;

95 14. Assisting with clerical duties and site operations, including preparing materials, scheduling  
96 appointments and activities, preparing charts, records, or graphs, and performing checks and maintenance of  
97 equipment;

98 15. Assisting clients with transitioning to and from therapy sessions; and

99 16. Performing duties not otherwise restricted to the practice of speech-language pathology.

100 B. A speech-language pathologist assistant shall not engage in the practice of speech-language  
101 pathology, including the following:

102 1. Representing himself as a speech-language pathologist;

103 2. Performing diagnostic tests or evaluations;

104 3. Performing procedures that require a professional level of clinical judgment and technical skill;

105 4. Interpreting results and observations of feeding and swallowing evaluations or screenings performed  
106 by a speech-language pathologist;

107 5. Participating in formal conferences or meetings without the presence of the supervising  
108 speech-language pathologist;

109 6. Providing interpretative information to a client, the family of a client, or any other individual;

110 7. Writing, developing, or modifying a client's treatment plan;

111 8. Assisting in or providing services described in subsection A unless directed by the supervising  
112 speech-language pathologist;

113 9. Signing any formal documents in place of the supervising speech-language pathologist;

114 10. Selecting a client for service or discharging a client from service;

115 11. Making a decision regarding the need for additional services or making a referral for service;

116 12. Disclosing clinical or confidential information either orally or in writing to anyone other than the  
117 supervising speech-language pathologist, unless mandated by law or authorized by the supervising  
118 speech-language pathologist; or

119 13. Developing or determining the swallowing or feeding strategies or precautions for a client or provid

120 *ing feeding or swallowing treatment.*

121 **§ 54.1-2622. Continuing education.**

122 *The Board shall promulgate regulations requiring continuing education for any speech-language*  
 123 *pathology assistant license renewal or reinstatement. The Board may grant exceptions or exemptions from*  
 124 *these continuing education requirements.*

125 **§ 54.1-2623. Revocation or suspension; other sanctions.**

126 *The Board may refuse to issue a license to any applicant; suspend, for a stated period or indefinitely, or*  
 127 *revoke any license; or censure or reprimand any licensee or place such person on probation for such time as*  
 128 *it may designate for any of the following causes:*

129 *1. Obtaining a license through fraud, deceit, or misrepresentation;*

130 *2. Being convicted of any felony or being convicted of any crime involving moral turpitude;*

131 *3. Using alcohol or drugs to the extent that such use renders the person unsafe to practice as a*  
 132 *speech-language pathologist assistant;*

133 *4. Any unprofessional conduct likely to defraud or to deceive the public or patients;*

134 *5. Practicing in an intentional or negligent manner that causes or is likely to cause injury to a patient or*  
 135 *patients;*

136 *6. Assisting persons whom he knew or had reason to believe were unlicensed to practice as a*  
 137 *speech-language pathologist or speech-language pathologist assistant;*

138 *7. Violating, assisting, or inducing others to violate any provision of this article or any Board regulation;*

139 *8. Conducting his practice in a manner contrary to the standards of ethics of a speech-language*  
 140 *pathologist assistant;*

141 *9. Practicing or causing others to practice in a manner that is dangerous to the health and welfare of his*  
 142 *patients or to the public;*

143 *10. Practicing outside the scope of the speech-language pathologist assistant's education, training, and*  
 144 *experience; or*

145 *11. Receiving a revocation, suspension, or restriction of a license to practice as a speech-language*  
 146 *pathologist assistant in another state, possession, or territory of the United States or foreign country.*

147 **§ 54.1-2624. Grounds for revocation or suspension.**

148 *The Board may revoke or suspend the license of any speech-language pathologist assistant for any of the*  
 149 *causes set forth in § 54.1-2623, insofar as the action is applicable to practicing as a speech-language*  
 150 *pathologist assistant.*

151 **2. That § 54.1-2605 of the Code of Virginia is repealed.**

152 **3. That the provisions of the first and second enactments of this act shall become effective on July 1,**  
 153 **2026.**

154 **4. That the Board of Audiology and Speech-Language Pathology's initial adoption of regulations**  
 155 **necessary to implement the provisions of this act shall be exempt from the Administrative Process Act**  
 156 **(§ 2.2-4000 et seq. of the Code of Virginia), except that the Board of Audiology and Speech-Language**  
 157 **Pathology shall provide an opportunity for public comment on the regulations prior to adoption of**  
 158 **such regulations.**

159 **5. That the Board of Audiology and Speech-Language Pathology shall amend and promulgate**  
 160 **regulations in accordance with this act by July 1, 2026.**