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HOUSE BILL NO. 2040  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Education and Health  
on February 13, 2025)  
(Patron Prior to Substitute—Delegate Seibold)

*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.*

**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, and (ii) has completed a minimum of 100 hours of supervised clinical experience under the direct supervision of a licensed speech-language pathologist.*

*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; or*

*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*

31 *Speech-Language-Hearing Association or (b) a program equivalent to the online education modules offered*  
32 *by the American Speech-Language-Hearing Association; (iii) completing the prerequisite courses required*  
33 *by subsection D; and (iv) completing the clinical field work required by subsection E; or*

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

41 *D. In order to practice as a speech-language pathology assistant, an applicant for licensure shall*  
42 *complete three one-hour prerequisite courses from an approved professional development provider,*  
43 *academic clinical practicum program, or via employee training, on each of the following topics: (i) ethics,*  
44 *(ii) universal safety precautions, and (iii) patient confidentiality.*

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

53 *F. The Board may grant a license to practice as a speech-language pathology assistant to an applicant*  
54 *licensed to practice in another jurisdiction if he (i) meets the requirements of subsection B; (ii) holds a*  
55 *current, unrestricted license to practice as a speech-language pathology assistant in another jurisdiction in*  
56 *the United States; (iii) has not committed any act that would constitute grounds for denial as set forth in §*  
57 *54.1-2706; and (iv) meets other qualifications as determined in regulations promulgated by the Board.*

58 *G. The Board shall promulgate regulations (i) establishing the number of speech-language pathology*  
59 *assistants that may practice under the supervision of one licensed speech-language pathologist, not to exceed*

60 *three speech-language pathology assistants under the supervision of one licensed speech-language*  
61 *pathologist, and (ii) defining (a) "direct supervision" as the in-view observation and guidance by a licensed*  
62 *speech-language pathologist of a speech-language pathology assistant while such speech language pathology*  
63 *assistant performs an assigned activity and (b) "indirect supervision" as the monitoring or reviewing of the*  
64 *activities performed by a speech-language pathology assistant by a licensed speech-language pathologist,*  
65 *excluding observation and guidance provided during the provision of direct services to a student, patient, or*  
66 *client.*

67 **§ 54.1-2621. Scope of practice of speech-language pathology assistants.**

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

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

72 *2. Administering and scoring screenings for clinical interpretation by the supervising speech-language*  
73 *pathologist;*

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

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

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

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

88 *7. Utilizing telecommunications technology to provide services remotely to clients as directed by the*

89 *supervising speech-language pathologist;*

90 8. *Documenting client performance and reporting such performance information to the supervising*  
91 *speech-language pathologist;*

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

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

96 11. *Assisting with programming augmentative and alternative communication devices and assisting and*  
97 *training clients with using such devices;*

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

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

102 14. *Assisting with clerical duties and site operations, including preparing materials, scheduling*  
103 *appointments and activities, preparing charts, records, or graphs, and performing checks and maintenance of*  
104 *equipment;*

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

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

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

109 1. *Representing himself as a speech-language pathologist;*

110 2. *Performing diagnostic tests or evaluations;*

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

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

114 5. *Participating in formal conferences or meetings without the presence of the supervising*  
115 *speech-language pathologist;*

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

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

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

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

121 10. *Selecting a client for service or discharging a client from service;*

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

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

126 13. *Developing or determining the swallowing or feeding strategies or precautions for a client or provid*  
127 *ing feeding or swallowing treatment.*

128 C. *A licensed speech-language pathology assistant shall be supervised by a speech-language pathologist,*  
129 *who shall retain full legal and ethical responsibility for the client.*

130 **§ 54.1-2622. Continuing education.**

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

134 **§ 54.1-2623. Revocation or suspension; other sanctions.**

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

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

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

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

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

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

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

- 147 7. *Violating, assisting, or inducing others to violate any provision of this article or any Board regulation;*
- 148 8. *Conducting his practice in a manner contrary to the standards of ethics of a speech-language*
- 149 *pathologist assistant;*
- 150 9. *Practicing or causing others to practice in a manner that is dangerous to the health and welfare of his*
- 151 *patients or to the public;*
- 152 10. *Practicing outside the scope of the speech-language pathologist assistant's education, training, and*
- 153 *experience; or*
- 154 11. *Receiving a revocation, suspension, or restriction of a license to practice as a speech-language*
- 155 *pathologist assistant in another state, possession, or territory of the United States or foreign country.*

156 **§ 54.1-2624. Grounds for revocation or suspension.**

157 *The Board may revoke or suspend the license of any speech-language pathologist assistant for any of the*

158 *causes set forth in § 54.1-2623, insofar as the action is applicable to practicing as a speech-language*

159 *pathologist assistant.*

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

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

162 **2026.**

163 **4. That for any individual practicing as an assistant speech-language pathologist pursuant to §**

164 **54.1-2605 of the Code of Virginia prior to the repeal of § 54.1-2605 of the Code of Virginia, the**

165 **provisions of the first and second enactments of this act shall become effective on July 1, 2027.**

166 **5. That the Board of Audiology and Speech-Language Pathology's initial adoption of regulations**

167 **necessary to implement the provisions of this act shall be exempt from the Administrative Process Act**

168 **(§ 2.2-4000 et seq. of the Code of Virginia), except that the Board of Audiology and Speech-Language**

169 **Pathology shall provide an opportunity for public comment on the regulations prior to adoption of**

170 **such regulations.**

171 **6. That the Board of Audiology and Speech-Language Pathology shall amend and promulgate**

172 **regulations in accordance with this act by July 1, 2026.**