

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
SPEECH-
LANGUAGE
PATHOLOGY
ASSISTANTS**

CHAPTER 102 SPEECH-LANGUAGE PATHOLOGY ASSISTANTS

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10200 GENERAL PROVISIONS

- 10200.1 This chapter applies to applicants for and holders of a registration to practice as a speech-language pathology assistant.
- 10200.2 Chapter 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 79 (Speech-Language Pathology) of this title supplements this chapter.
- 10200.3 No person shall practice speech-language pathology assisting or as a speech-language pathology assistant without a registration issued pursuant to this chapter.
- 10200.4 Notwithstanding § 10200.3, during a period of twelve (12) months from the effective date of this chapter, a person who is practicing speech-language pathology assisting or as a speech-pathology assistant on the effective date of this chapter and continue to practice without a registration shall not be deemed to be in violation of § 10200.3.

10201 TERM OF REGISTRATION

- 10201.1 Subject to § 10201.2, a registration issued pursuant to this chapter shall expire at 12:00 Midnight of December 31st of each even-numbered year.
- 10201.2 The Director may change the renewal system and the expiration dates of registrations issued pursuant to this chapter pursuant to § 4006.3 of this title.

10202 EDUCATIONAL REQUIREMENT

- 10202.1 Except as otherwise provided in this chapter, to qualify for a registration to practice as a speech-language pathology assistant, an applicant shall have

graduated from an accredited college or university with at least an associate's degree from a technical training program in speech-language pathology assisting or a bachelor's degree in speech-language pathology.

10203 WAIVER OF EDUCATIONAL REQUIREMENT

10203.1 The Board may waive the educational requirement of § 10202.1 for an applicant who:

- (a) Provides proof that he or she was employed as a speech-language pathology assistant practicing under the supervision of a speech-language pathologist for a minimum of fifteen (15) hours per week during three (3) of the five (5) years preceding before February 5, 2014; and
- (c) Applies for registration within twelve (12) months from the effective date of this provision.

10204 REGISTRATION BY ENDORSEMENT

10204.1 An applicant for registration by endorsement may qualify for registration by endorsement if the applicant is licensed, registered, certified, or accredited by an accrediting association or a state board and recognized by the Board as a qualified professional according to standards that were the substantial equivalent of the requirements of § 10202, at the time of the licensing, registration, certification, or accreditation.

10205 SCOPE OF PRACTICE

10205.1 No person may practice as a speech-language pathology assistant unless registered in accordance with the requirements of this chapter.

10205.2 A speech-language pathology assistant may only practice under the supervision of a licensed speech-language pathologist who meets the requirements of § 10207.2 of this title.

10205.4 A speech-language pathology assistant may assist a speech-language pathologist in providing speech-language pathology services and treatments, which may include the following duties:

- (a) Participating in parent conferences, case conferences, or any interdisciplinary team;
- (b) Signing or initialing informal treatment notes to be reviewed and co-signed by the supervising speech-language pathologist;

- (c) Using a checklist or tabulating results of feeding or swallowing evaluations; or
- (d) Treating medically fragile students, patients, or clients.

10205.5 A speech-language pathology assistant shall not engage in any of the following conducts:

- (a) Representing himself or herself as a speech-language pathologist;
- (b) Performing standardized or non-standardized diagnostic tests, formal or informal evaluations, or swallowing screenings/checklists;
- (c) Performing procedures that require a high level of clinical acumen and technical skills, including but not limited to vocal tract prosthesis shaping or fitting, vocal tract imaging, and oral pharyngeal swallow therapy with bolus material;
- (d) Interpreting clinical results or observations;
- (e) Participating in formal parent conferences, case conferences, or any interdisciplinary team without the presence of the supervising speech-language pathologist or other designated supervising speech-language pathologist;
- (f) Providing interpretative information to the student/patient/client, family, or others regarding the patient/client status or service;
- (g) Writing, developing, or modifying a student's, patient's, or client's treatment plan in any way;
- (h) Assisting with students, patients, or clients without following the individualized treatment plan prepared by the certified speech-language pathologist or without access to supervision;
- (i) Signing any formal documents (e.g., treatment plans, reimbursement forms, or reports; the speech-language assistant may sign or initial informal treatment notes for review and co-sign with the supervising speech-language pathologist as requested);
- (j) Selecting students, patients, or clients for service;
- (k) Discharging a student, patient, or client from services;
- (l) Making referrals for additional service;

- (m) Disclosing clinical or confidential information either orally or in writing to anyone other than the supervising speech-language pathologist unless mandated by law;
- (n) Developing or determining the swallowing strategies or precautions for patients, family, or staff;
- (o) Treating medically fragile students/patients/clients independently;
- (p) Designing or selecting augmentative and alternative communication systems or devices; or
- (q) Invoicing a payor directly for his or her services.

10205.7 A speech-language pathology assistant shall meet with the supervising speech-language pathologist at least once per month to discuss his or her practice and services.

10205.9 A speech-language pathology assistant shall cease practice immediately if there is no speech-language pathologist providing current and active supervision.

10206 STANDARDS OF CONDUCT

10206.1 A speech-language pathology assistant shall adhere to the standards set forth in the most current publication of the “Code of Ethics” as published by the American Speech-Language-Hearing Association, as it may be republished from time to time.

10206.2 A speech-language pathology assistant shall clearly identify himself or herself to patients or clients as a speech-language pathology assistant practicing under the supervision of the supervising speech-language pathologist at all times.

10206.3 A speech-language pathology assistant shall display his or her current registration in a conspicuous place in the office in which he or she is employed.

10206.4 A speech-language pathology assistant shall perform only those functions of the profession that are within his or her scope of competence, training, and experience.

10207 SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY ASSISTANTS

10207.1 The speech-language pathologist supervising a speech-language pathology assistant shall retain full professional and ethical responsibility for the professional conduct and performance of the speech-language pathology assistant

and shall delegate duties only as consistent with the training, experience, and ability of the speech-language pathology assistant.

10207.2 A speech-language pathologist supervising a speech-language pathology assistant shall meet the following requirements:

- (a) Possess a current and valid license to practice speech-language pathology in the District of Columbia;
- (b) Has practiced speech-language pathology in the District or any other jurisdiction of the United States for at least two (2) years; and
- (c) Has not been the subject of a formal or public disciplinary action by the Board or any other jurisdiction within the United States within the previous two (2) years.

10207.3 The supervising speech-language pathologist shall provide direct supervision, which shall include:

- (a) Assuming responsibility for the supervisee's conduct in the speech-language pathology office or treatment facility;
- (b) Personally diagnosing the condition to be treated;
- (c) Remaining in the speech-language pathology office or treatment facility while the procedures are being performed by the supervisee; and
- (e) Personally evaluates the performance of the supervisee before dismissal of the patient.

10207.4 The direct supervision described in § 10207.3 may include the supervisor viewing and communicating with the supervisee via telecommunication technology as the supervisee performs clinical services provided that the supervisor can directly observe and give ongoing, immediate feedback.

10207.5 A supervising speech-language pathologist may supervise no more than the equivalent of two (2) full-time speech-language pathology assistants at any given time.

10207.6 A speech-language pathologist may not supervise more than a total of four (4) individuals, inclusive of speech-language pathology assistant(s), speech-language pathology clinical fellow(s), and speech-language pathology student(s), at any given time regardless of the total number of work hours performed by the supervisees.

10207.7 The supervising speech-language pathologist shall be responsible for designing and implementing a supervisory plan that ensures the highest standard of quality

care can be maintained for patients and clients.

- 10207.8 The supervising speech-language pathologist shall provide supervision consistent with the speech-language pathology assistant's known and documented ability, training, education, and experience; the needs of the patients and clients; the service setting; the tasks assigned; and requirements set forth in this chapter.
- 10207.9 The supervising speech-language pathologist shall co-sign all documents and therapy notes prepared by the speech-language pathology assistant.
- 10207.10 A supervising speech-language pathologist who will not be able to supervise a speech-language pathology assistant for more than one (1) week shall:
- (a) Inform the speech-language pathology assistant of the planned absence; and
 - (b) Make other arrangements for the speech-language pathology assistant's supervision of services while the speech-language pathologist is unavailable; or
 - (c) Inform the patients or clients that services will be rescheduled.
- 10207.11 A supervising speech-language pathologist shall maintain ongoing written documentation of a systematic method of supervision of speech-language pathology assistants.
- 10207.12 The supervising speech-language pathologist shall maintain the record of all supervision and supervisory details provided to the speech-language pathology assistant continuously throughout the supervisory relationship. After the termination of the supervisory relationship, all supervision-related records shall be maintained and preserved for a minimum of three (3) years after the last adult patient or client is seen, served, or treated or all minor patients or clients have reached the age of majority, whichever is later.

10208 CONTINUING EDUCATION REQUIREMENTS

- 10208.1 This section shall apply to applicants for renewal, reinstatement, or reactivation of a registration and shall not apply to applicants for an initial registration or applicants seeking the renewal of a registration for the first time after the initial grant of the registration.
- 10208.2 To be eligible for the renewal of a registration, an applicant shall have completed, during the two (2)-year period preceding the date the registration expires, ten (10) hours of approved continuing education, which shall include the following:
- (a) One (1) hour of ethics;

- (b) Two (2) hours of LGBTQ continuing education; and
- (c) Ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.

10208.3 To qualify for the reinstatement of a registration, an applicant shall have completed ten (10) hours of continuing education described in § 10208.2 during the two (2) years preceding the submission of the reinstatement application.

10208.4 To qualify for the reactivation of a registration in accordance with D.C. Official Code § 3-1205.11(c), the following applicant shall be deemed to meet the requirement of D.C. Official Code § 3-1205.11(c)(2):

- (a) An applicant who has been actively and lawfully practicing speech-language pathology assisting in another jurisdiction or territory of the United States;
- (b) An applicant who has not been actively and lawfully practicing speech-language pathology assisting in another jurisdiction or territory of the United States, seeks the reactivation of the registration five (5) years or less after the last expiration of the registration, and has completed ten (10) hours of continuing education described in § 10208.2 during the two (2) years preceding the submission of the reactivation application; or
- (c) An applicant who has not been actively and lawfully practicing speech-language pathology assisting in another jurisdiction or territory of the United States and seeks the reactivation of the registration more than five (5) years after the last expiration of the registration who can demonstrate his or her current competency to the Board's satisfaction.

10208.5 The Board may conduct a random audit of at least ten per cent (10%) of its active registrants to determine continuing education compliance. Any registrant selected for the audit shall provide proof of his or her continuing education compliance to the Board within thirty (30) days of receiving notification of the audit.

10209 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

10209.1 A continuing education hour shall be valid and granted credit only if it is part of a program or activity approved by the Board as a program or activity that contributes to the growth of professional competence in the practice of speech-

language pathology or speech-language pathology assisting, is current in its subject matter, and is developed and taught or conducted by qualified individuals.

10209.2 Subject to § 10209.1, the Board may grant continuing education credit for programs or activities offered or sponsored by the following organizations:

- (a) The Speech-Language Hearing Association of the District of Columbia or similar speech-language hearing association of another state;
- (b) The American Academy of Audiology;
- (c) The American Speech-Language Hearing Association (ASHA) and its approved continuing education providers;
- (d) An accredited provider of The Accreditation Council on Continuing Medical Education of the American Medical Association offering Category I continuing medical education;
- (e) The International Association of Continuing Education and Training (IACET) and its authorized providers;
- (f) A health care organization accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO); or
- (g) The International Hearing Society.

10209.3 Subject to § 10209.1, the Board may grant continuing education credit for the following activities:

- (a) Attendance and completion of:
 - (1) A course given at an accredited college or university;
 - (2) A seminar or workshop;
 - (3) An educational program given at a conference; or
 - (4) An in-service training;
- (b) Serving as a presenter or speaker at a conference, seminar, workshop, or in-service training; or
- (c) Publishing an article related to audiology or speech-language pathology in a professional journal or authoring or co-authoring a book, a chapter in a book or a book review related to audiology or speech-language pathology.

- 10209.4 The Board shall not grant credit for work done in the course of a requestor's normal occupation or incident to the performance of his or her regular duties, such as teaching courses, research, or course preparation in the case of a teacher or professor.
- 10209.5 A person seeking continuing education credits shall have the burden of verifying whether a program or activity is approved by the Board.
- 10209.6 Satisfactory proof of completion of a seminar, a workshop, or an educational program given at a conference or an in-service training shall include:
- (a) The name and address of the provider of the program;
 - (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
 - (c) The dates on which the applicant attended the program;
 - (d) The hours of credit claimed; and
 - (e) Verification by the course provider or accreditor of completion of the course, by signature, stamp, or official transcript in the case of accreditors.

10210 CONTINUING EDUCATION CREDITS

- 10210.1 For the purposes of this chapter, one (1) credit hour shall mean sixty (60) minutes of learning time.
- 10209.2 The Board may grant ten (10) continuing education hours for completion of each credit hour of an academic course offered at an accredited college or university provided that the continuing education credit may only be granted for courses completed during a particular licensure cycle.
- 10209.3 The Board may grant two (2) continuing education hours for the audit of a three (3)-credit-hour academic course offered at an accredited college or university.
- 10209.4 A requestor may receive a maximum of six (6) continuing education hours for attendance and completion of in-service training programs.
- 10209.5 The Board may grant credit for serving as a presenter or speaker at a conference, seminar, workshop, or in- service training, subject to the following restrictions:
- (a) Hours granted pursuant to this section shall not exceed six (6) hours per licensure cycle;

- (b) If a requestor has previously received credit in connection with a particular presentation, the Board shall not grant credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject;
- (c) The presentation was completed during the licensure cycle for which credit is claimed; and
- (d) The maximum amount of credit which may be granted for preparation time is twice the amount of the associated presentation time or twice the amount of contact hours awarded to the participants.

10209.6 The Board may grant credit for publication of an article related to audiology or speech-language pathology in a professional journal or publication of a book, a chapter in a book or a book review related to audiology or speech-language pathology, subject to the following restrictions as relevant:

- (a) The Board may grant up to eight (8) continuing education hours per licensure cycle to the author or sole editor of a published book if the book was published or accepted for publication during the period for which credit is claimed;
- (b) The Board may grant four (4) continuing education hours per licensure cycle to the sole author or a co-author of a peer-reviewed, published original paper; or
- (c) The Board may grant one (1) continuing education hour per licensure cycle to the sole author of a published book review.

10299 DEFINITIONS

10299.1 As used in this chapter, the following terms shall have the meanings ascribed:

Approved continuing education – A continuing education program or activity that meets the requirements of § 10209.

Board – the Board of Audiology and Speech-Language Pathology, established by section 841 of the Audiology and Speech-Language Pathology Amendment Act of 2006, effective March 6, 2007 (D.C. Law 16-219; D.C. Official Code § 3-1208.41 (2016 Repl.)).

Director – The Director of the Department of Health, or the Director’s designee.

LGBTQ continuing education – continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”) meeting the requirements of section 510(b)(5) of the Act

(D.C. Official Code § 3-1205.10 (b)(5) (2016 Repl.)).

Speech-language pathology assistant – a person duly registered and authorized to practice as a speech-language pathology assistant under this chapter.

Supervisor – A speech-language pathologist who is supervising a speech-language pathology assistant.

Registration Cycle – A period of two (2) years between January 1 of each odd-numbered year, when a registration issued pursuant to this chapter begins to be effective, to December 31 of each even-numbered year, when a registration issued pursuant to this chapter expires.

Reinstatement – The reinstatement of a registration in accordance with D.C. Official Code § 3-1205.12.

10299.2 The definitions in § 4099 of this title are incorporated by reference into and are applicable to this chapter.