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In accordance with the Administrative Procedures Act, R.I. Gen. Laws Section 42-35-3(a)(1), the following is a concise statement regarding this rulemaking for Speech Pathologists and Audiologists (216-RICR-40-05-33).

This amendment to the regulations creates Authority and Incorporated Materials sections, implements Secretary of State definitional requirements, removes statutory reiteration and superfluous language, revises issuance/renewal of licensure, and removes requirements for registration of speech language support personnel.

During public comment, it was suggested that requirements for registration of speech language support personnel, which had been proposed to be struck from § 33.8, be retained in the regulations. RIDOH has determined that this suggested revision will not be implemented because § 33.8 provides for the qualifications for support personnel, and § 33.8(C) requires that support personnel are supervised by providers licensed under the regulations, including ensuring that support personnel are assigned only those duties and responsibilities for which the personnel has been specifically trained and is qualified to perform, and ensuring that persons receiving services from support personnel are informed that services are being rendered by support personnel, which substantially protect public health without the burden of registration.

During public comment, it was suggested that support personnel qualifications should be revised from the current requirement of eighteen (18) hours graduate credit and twenty-five percent (25%) practicum hours for speech language pathologists, to require an associate's or bachelor's degree and one hundred (100) hours of supervised clinical experience to be completed at the educational institution of during the first year of employment. RIDOH has determined that this suggested revision will not be implemented because the current requirements adequately provide for public health, and allowing for accrual of clinical experience hours without the appropriate amount of experience could be harmful to patients.

During public comment, it was suggested that the regulations be revised to require applicants to obtain a certificate of clinical competence from the American Speech-Language Hearing Association (ASHA) as the entry level standard for professional licensure, and provide proof of maintaining ASHA certification upon Speech Pathology license renewal. RIDOH has determined that this suggested revision will not be implemented because the current qualifications for licensure under § 33.5 are substantially equivalent to the suggested qualifications.

In the development of this rule, consideration was given to: 1) alternative approaches; 2) overlap or duplication with other statutory and regulatory provisions; and 3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based on available information. RIDOH has determined that the benefits of this rule justify its costs.