EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

OCT 18 2017

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

GL#34-17-1101
Speaker Benjamin J.F. Cruz

OCT 18 2017
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Received By:

Dear Mr. Speaker:

Transmitted herewith is Bill No. 113-34 (COR), **"AN ACT TO *AMEND* §§ 121801 (DEFINITIONS), 121802 (QUALIFICATIONS FOR LICENSURE), 121803 (EXCEPTIONS TO LICENSURE REQUIREMENTS), AND 121804 (SCOPE OF PRACTICE); AND TO *ADD* A NEW § 121805 (LICENSURE RENEWAL), ALL OF ARTICLE 18, CHAPTER 12, PART 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO SPEECH-LANGUAGE PATHOLOGY"** which was signed into law on October 13, 2017, as **Public Law 34-48.**

Senseramente,

EDDIE BAZA CALVO

2017 OCT 18 PM 4:28

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 113-34 (COR)
As corrected by the Prime Sponsor.

Introduced by: Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
B. J.F. Cruz
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *AMEND* §§ 121801 (DEFINITIONS), 121802 (QUALIFICATIONS FOR LICENSURE), 121803 (EXCEPTIONS TO LICENSURE REQUIREMENTS), AND 121804 (SCOPE OF PRACTICE); AND TO *ADD* A NEW § 121805 (LICENSURE RENEWAL), ALL OF ARTICLE 18, CHAPTER 12, PART 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO SPEECH-LANGUAGE PATHOLOGY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Article 18 was added by Public Law 24-329:11 (August 14, 1998). It is the intent of this Act to enact the following amendments, revisions, and additions developed

by the Marianas Alliance of Speech Language/Hearing Professionals to update and better assist the children and adults of Guam with speech, language, and hearing difficulties.

Section 2. § 121801 of Article 18, Chapter 12, Part 2, Title 10, Guam Code Annotated, is *amended* to read:

"**§ 121801. Definitions.**

For the purposes of this Article, the following words and phrases have been defined to mean:

(a) American Speech, Language, Hearing Association (ASHA) means the recognized national association which sets ethical and practice standards for the field of Speech-Language Pathology.

(b) Speech-language Pathology-Assistant (Bachelor's level), (SLPA-B), means any individual who meets the minimum qualifications which the Board may establish for speech-language assistants, whose qualifications shall be less than those established by this Article for licensure as a speech-language pathologist, and who is licensed and works under the direct, then indirect supervision (as defined by ASHA Guidelines for Supervision) of a licensed speech-language pathologist.

(c) Licensed Speech-language Pathology-Assistant (Master's level), (SLPA-M), means any individual who meets the minimum qualifications which the Board may establish for speech-language assistants, whose qualifications shall be less than those established by this Article for licensure as a speech-language pathologist, and who is licensed and works under the indirect supervision of a licensed speech-language pathologist.

(d) Speech-language Pathologist (SLP) means any individual who is duly licensed by the Board to practice in the field of speech-language pathology.

(e) Speech-language Pathology means the application of principles, methods and procedures for the measurement, testing, evaluation, prediction, counseling, instruction, habilitation or rehabilitation related to the development and disorders of speech, voice, fluency, language, augmentative alternative communication, neurological disorders, or swallowing disorders, for the purpose of evaluating, identifying, treating, preventing, ameliorating, or modifying such disorders and conditions in children or adults.

(f) Supervision.

(1) Direct (initial) supervision shall mean supervision whereby a licensed Speech-language Pathologist diagnoses the condition to be treated, disseminates the therapy information to the SLPA-B, and remains on the premises while the procedures are being performed by an SLPA-B. The supervising SLP will also follow the ASHA guidelines for training. The SLPA-B must demonstrate proficiency in order to allow for indirect supervision.

(2) Indirect supervision shall mean supervision whereby a licensed SLP authorizes the procedures that are being carried out, but need not be present on the premises when the authorized procedures are being performed by a SLPA-M. The licensee must be available on island by telecommunications.

(3) The supervising licensed speech-language pathologist of a SLPA-B or SLPA-M *shall not* supervise more

than five (5) individuals at one (1) time. The licensed SLP sponsor will assume all responsibilities and will meet all sponsorship requirements for such individuals as set forth by the Board."

Section 3. § 121802 of Article 18, Chapter 12, Part 2, Title 10, Guam Code Annotated, is *amended* to read:

"**§ 121802. Qualifications for Licensure.**

(a) Speech-Language Pathologist. To be eligible for licensure by the Board as a speech-language pathologist, an applicant must possess a current Certificate of Clinical Competence (CCC) in Speech-Language Pathology issued by ASHA as evidence of professional training and experience. Applicants shall arrange for an official statement from ASHA to be sent directly to the GBAHE reporting present ASHA certification.

(b) A Speech-language Pathology-Assistant (SLPA-B) shall possess at least a Bachelor's degree in speech and language or communication disorders, and *shall* work under the direct or indirect supervision of a licensed Speech-Language Pathologist. The SLPA-B and supervisor will complete and submit the Supervisor Form provided by the Board upon application, renewal, and no later than three (3) working days upon any supervisory changes within a license renewal year. If any changes occur within the renewal year that affects both supervisor requirement (primary and secondary), the Supervisor Form must be revised and submitted before the SLPA-B can practice.

(c) A Speech-Language Assistant (SLPA-M) shall possess at least a Master's degree in speech-language pathology or communication disorders, and may work under the indirect supervision of a licensed Speech-Language Pathologist, respective to the individual's understanding and assessed performance of speech-language disorders. The SLPA-M and supervisor will

complete and submit the Supervisor Form provided by the Board upon application, renewal, and no later than three (3) working days upon any supervisory changes within a license renewal year. If any changes occur within the renewal year that affects both supervisor requirement (primary and secondary), the Supervisor Form must be revised and submitted before the SLPA-M can practice."

Section 4. § 121803 of Article 18, Chapter 12, Part 2, Title 10, Guam Code Annotated, is *amended* to read:

"**§ 121803. Exceptions to Licensure Requirements.**

These rules and regulations shall not be construed as preventing or restricting:

(a) any person licensed on Guam under any other law, from engaging in the profession or occupation for which he or she is licensed;

(b) the activities and services of persons pursuing a course of study leading to a degree in Speech-Language Pathology at a college or university, if such activities and services constitute a part of an approved supervised course of study, and such person is designated as a speech-language intern or trainee; or

(c) the activities and services of persons presently working on their Clinical Fellowship Year ("CFY"), and such person is registered as a "CFY-Speech-Language Pathologist" by ASHA, working under a licensed SLP on Guam."

Section 5. § 121804 of Article 18, Chapter 12, Part 2, Title 10, Guam Code Annotated, is *amended* to read:

"**§ 121804. Scope of Practice.**

(a) Speech-Language Pathologist. The scope of practice for speech-language pathology includes:

(1) screening, identifying, assessing and interpreting, diagnosing, rehabilitating and preventing disorders of speech (e.g. articulation, fluency, voice,) and language;

(2) screening, identifying, assessing and interpreting, diagnosing, rehabilitating and preventing disorders of dysphagia (swallowing), and related disorders;

(3) screening, identifying, assessing and interpreting, diagnosing, and rehabilitating cognitive and communication disorders (e.g. individuals who have been diagnosed with mental deficiency, traumatic brain injury, aphasia, stroke or other neurological disorders);

(4) assessing, selecting and developing augmentative and alternative communication systems, and providing training in their use;

(5) providing aural rehabilitation and related counseling services to hearing impaired individuals and their families;

(6) enhancing speech-language proficiency and communication effectiveness (e.g. accent reduction); and

(7) screening of hearing and other factors for the purpose of speech-language evaluation or the initial identification of individuals with other communication disorders.

(b) A licensed Speech-Language Pathologist is professionally and legally responsible for patient/client care given by SLPA-B and SLPA-M under the Speech-Language Pathologist's supervision. If a Speech-Language Pathologist fails to adequately supervise the patient/client care by supportive personnel, as strictly provided and authorized pursuant to this Article, the Board may take disciplinary action against the licensee. Supervision of supportive personnel requires that the Licensed Speech-Language Pathologist perform the following activities:

(1) assess the competence of supportive personnel to perform assigned tasks; and

(2) document sufficient in-service training and periodic evaluation of performance to assure safe performance of the tasks assigned to supportive personnel.

(c) A Speech-Language Pathology Assistant (Bachelor's level) (SLPA-B) must work under the direct or indirect supervision of the supervising licensed SLP, and may only implement the therapeutic plan designed by the supervising licensed SLP in conjunction with treatment goals, and be responsible for all documentation of treatment which is co-signed by the supervising speech-language pathologist.

(d) A Speech-Language Pathology Assistant (Master level) (SLPA-M) (without the CCC) must work under the indirect supervision of the supervising licensed SLP, and *shall* confer with and have all reports co-signed by the supervising licensed SLP. The Master level speech-language assistant *shall* perform all of the following duties: diagnostic testing, interpreting evaluation results, documenting all evaluation results, developing written goals and objectives based upon evaluation results, teacher/parent reports, attending all informal/formal student meetings, maintaining a therapeutic and consultative case load, performing and documenting all therapeutic intervention, designing or selecting appropriate therapy materials or augmentative or alternative communication systems or devices."

Section 6. A new § 121805 is *added* to Article 18, Chapter 12, Part 2, Title 10, Guam Code Annotated, to read:

"**§ 121805. Licensure Renewal.**

(a) The licensed Speech-Language Pathologist, SLPA-B, and SLPA-M will follow license renewal requirements as provided pursuant to §

12824 of Article 8, Chapter 12, Part 1, Title 10, Guam Code Annotated. In addition:

(1) registration with the Board is required for both SLPA-B and SLPA-M within the renewal period every two (2) years. This includes filling out the Board form naming two (2) licensed Speech-Language Pathology Supervisors; and

(2) submission of proof of continuing education hours during the renewal period every two (2) years (§ 12809, Article 8, Part 1 of this Chapter 12):

(A) for an SLPA-B, fifteen (15) approved continuing education hours directly related to speech-language pathology, as approved by the Board; and

(B) for an SLPA-M, twenty (20) approved continuing education hours, fifteen (15) direct hours and five (5) indirect hours related to speech-language pathology, as approved by the Board."

Section 7. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid, or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Bill No. 113-34 (COR), "AN ACT TO *AMEND* §§ 121801 (DEFINITIONS), 121802 (QUALIFICATIONS FOR LICENSURE), 121803 (EXCEPTIONS TO LICENSURE REQUIREMENTS), AND 121804 (SCOPE OF PRACTICE); AND TO *ADD* A NEW § 121805 (LICENSURE RENEWAL), ALL OF ARTICLE 18, CHAPTER 12, PART 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO SPEECH-LANGUAGE PATHOLOGY,"** was on the 29th day of September 2017, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Dennis G. Rodriguez, Jr.
Acting Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 2nd day of Oct, 2017, at 4:40 o'clock P.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: OCT 13 2017

Public Law No. 34-48