

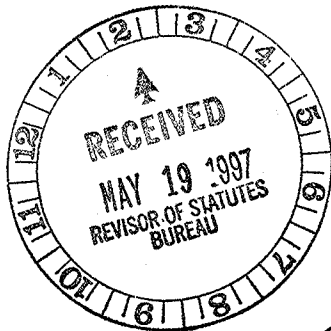
CERTIFICATE

**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Patrick D. Braatz, Director, Bureau of Health Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Hearing and Speech Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Hearing and Speech Examining Board on the 19th day of May, 1997.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 19th day of May, 1997.

Patrick D. Braatz, Director, Bureau of Health Professions, Department of Regulation and Licensing

STATE OF WISCONSIN
HEARING AND SPEECH EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : HEARING AND SPEECH
HEARING AND SPEECH : EXAMINING BOARD ADOPTING RULES
EXAMINING BOARD : (CLEARINGHOUSE RULE 96-162)

ORDER

An order of the Hearing and Speech Examining Board to renumber and amend HAS 4.03; to amend HAS 5.02 (2) (f) and 6.09 (2) (t) and (u); and to create HAS 4.03 (2) and (3), 5.02 (2) (fm), 6.02 (4r) and 6.065 relating to calibration of audiometric equipment and the use of support personnel.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b) and 227.11 (2) (a), Stats., and ss. 459.085 and 459.12 (2), Stats., as amended by 1995 Wisconsin Act 170.

Statutes interpreted: ss. 459.085, 459.12 (2) and 459.34 (2), Stats.

In this proposed rule-making order the Hearing and Speech Examining Board renumbers and amends s. HAS 4.03 and creates ss. HAS 4.03 (2) and (3) and 5.02 (2) (fm), relating to the conduct of hearing instrument specialists. The proposed rules establish the frequency of the calibrations of audiometric equipment, clarify the requirements relating to masking sources and define unprofessional conduct to include the failure to maintain adequate records of certification of calibrations for a period of 5 years and failure to provide access to those records when requested by the board or its representative.

Several provisions in Chapter HAS 6 are created relating to the supervision of unlicensed individuals by speech-language pathologists and audiologists. The proposed rules define "direct supervision" for purposes of monitoring unlicensed individuals and identify the number of unlicensed individuals which may be supervised by a speech-language pathologist or audiologist at any given time. In addition, the proposed rules amend s. HAS 6.09 (2) (u), to clarify that "knowingly permitting an unlicensed person to provide clinical services that exceed that person's competence, education, training and experience" constitutes a ground for discipline.

TEXT OF RULE

SECTION 1. HAS 4.03 is renumbered 4.03 (1) and amended to read:

HAS 4.03 EQUIPMENT USED TO MEASURE HEARING. (1) Pure tone audiometry must be conducted with a pure tone audiometer which conforms to the American National Standards Institute, Standard ANSI S3.6 1969 (R1989 1996) approved June 19, 1969. ~~A copy of such standard may be obtained by writing to: American National Institute, 1430 Broadway, New York, NY 10018. Copies are on file at the offices of the department, the secretary of state and the revisor of statutes.~~ Such audiometer shall be capable of generating a minimum of 9 discrete frequencies, ranging from 250 Hz through 8 Khz (250, 500, 1000, 1500, 2000, 3000, 4000, 6000, 8000 Hz). Output levels over the frequency range shall conform to standard ANSI S3.6 specified above. ~~A masking source shall be either available within, or capable of being attached to, the audiometer. The masking source must have white noise or narrow band capability.~~

Note: A copy of Standard ANSI S3.6 may be obtained by writing to: The American National Standards Institute, 11 West 42nd Street, New York, NY 10036. Copies of the Standard are on file at the office of the Department of Regulation and Licensing, the Secretary of State and the Revisor of Statutes.

SECTION 2. HAS 4.03 (2) and (3) are created to read:

HAS 4.03 (2) A masking source shall be either available within, or capable of being attached to, the audiometer. The masking source shall have one of the following:

- (a) White noise capability.
- (b) Speech noise capability.
- (c) Narrow band noise and white noise or narrow band noise and speech noise capability.

(3) Audiometric equipment used in the evaluation of hearing sensitivity for the fitting and sale of hearing instruments shall be calibrated not less than once every 12 months.

SECTION 3. HAS 5.02 (2) (f) is amended to read:

HAS 5.02 (2) (f) Failing to maintain proper calibration ~~and record of audiometer of audiometric equipment~~, as specified in s. 459.085, Stats. s. HAS 4.03 (3).

SECTION 4. HAS 5.02 (2) (fm) is created to read:

HAS 5.02 (2) (fm) Failing to maintain adequate records of certification of calibrations of audiometric equipment for a period of 5 years or failing to provide access to those records when requested by the board or its representative.

SECTION 5. HAS 6.02 (4r) is created to read:

HAS 6.02 (4r) "Direct supervision" means:

(a) For purposes of monitoring unlicensed persons who assist in the practice of speech-language pathology, providing direct observation of the clinical services provided by the individual to patients during 220 of the first 720 hours following the individual's training and providing on-site observation and evaluation of clinical care provided by the individual to each patient a minimum of 2 out of every 10 sessions, or 2 sessions each month including the final session, whichever is sooner.

(b) For purposes of monitoring unlicensed persons who assist in the practice of audiology, providing comprehensive, periodic and documented supervision which includes, but is not limited to:

1. Identifying specific roles and tasks for the individual.
2. Ensuring that the tasks performed by the individual do not require the exercise of professional judgment or entail interpretation of results or the development or modification of treatment plans.
3. Providing appropriate training that is competency-based and specific to job performance.

SECTION 6. HAS 6.065 is created to read:

HAS 6.065 SUPERVISION OF UNLICENSED PERSONS. For purposes of supervising unlicensed persons who assist in the practice of speech-language pathology or audiology:

(1) A speech-language pathologist may supervise up to 3 individuals at any given time.

(2) An audiologist may supervise up to 10 individuals at any given time.

SECTION 7. HAS 6.09 (2) (t) and (u) are amended to read:

HAS 6.09 (2) (t) Delegating the provisions of clinical services to unlicensed persons for whom the licensee does not provide direct supervision and assume full responsibility. ~~In this paragraph, 'direct supervision' means providing direct observation of the clinical services rendered by an employe to a patient during the first 10 hours following the employe's training, and providing on-site observation and evaluation of clinical care provided by the employe to each patient during the first session following the assessment, and thereafter, a minimum of one out of every 10 sessions or one session each month including the final session, whichever is sooner.~~

(u) Knowingly permitting any professional staff or unlicensed person to provide clinical services that exceed that staff person's competence, education, training and experience.

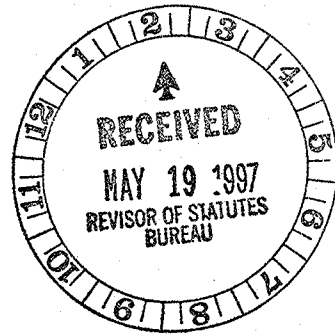
(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated 5/19/97

Agency James Ogunde
Chairperson
Hearing and Speech Examining Board

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3/21/97





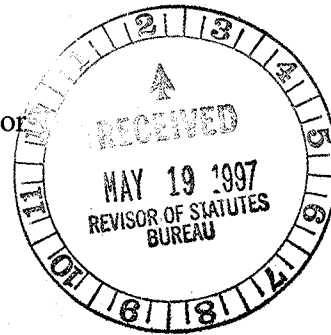
State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE/MEMORANDUM

DATE: May 19, 1997

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Rules Center Coordinator
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: HEARING AND SPEECH EXAMINING BOARD

Clearinghouse Rule 96-162

Attached is a copy and a certified copy of a final order adopting rules. Would you please publish these rules in the register.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.