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FISCAL IMPACT REPORT

SPONSOR Wallace DATE TYPED 03/08/05 HB 308/aHF1#1
 SHORT TITLE Speech-Language Pathology Scope of Practice SB _____
 ANALYST McSherry

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
	See Narrative			

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files
 Regulations and Licensing Department (RLD)

SUMMARY

Synopsis of HF1 Amendment #1

House Floor amendment #1 to House Bill 308 would retain, rather than remove as was proposed in the original House Bill 308, language which contributes to the description of the scope of practice for apprentices in Speech and Language: “F. reporting but not interpreting data relative to client performance to teacher, family or other professionals;”

Synopsis of Original Bill

House Bill 308 proposes to amend the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act to separate the speech-language pathologist/audiologist license into two separate licenses.

Licensure for a speech language pathologist is proposed to be maintained, except that under the proposed amendments, passing a recognized exam in audiology would no longer qualify a person to be licensed in speech pathology.

Licensure for audiology is proposed to require: filing of a complete application, not being guilty of activities listed in the board’s: actions warranting disciplinary proceedings and either:
 (1) holding of a master’s degree in audiology, communications disorders or the equivalent

awarded prior to January 1, 2007, meeting academic requirements for nationally recognized speech-language or hearing association and holding a certificate of clinical competence from a nationally recognized speech language or hearing association,

(2) having completed a academic practicum and employment experience requirements for a certificate of clinical competence in audiology from a nationally recognized standard examination, or

(3) holding a doctoral degree in audiology or equivalent-type degree and having completed the academic practicum and employment requirements of a nationally recognized speech-language or hearing association.

New language is proposed to describe the “Scope of Practice” and “Requirements for Licensure” for the Apprentice in Speech and Language which would allow an individual to be enrolled in speech-language pathology classes, in addition to the already recognized communicative disorders classes, if the individual is accepted into a master’s level program in speech-language pathology.

Significant Issues

According to the Department of Health (DOH), if HB 308 is adopted, some DOH divisions may need or desire to modify existing standards and reimbursement rates to recognize licensed apprentice positions and to recognize distinct Speech Language Pathologist and Audiologist licenses.

FISCAL IMPLICATIONS

No fiscal impacts can be determined. The Board may incur additional fiscal impact related to creating an additional type of license to be regulated.

ADMINISTRATIVE IMPLICATIONS

The Department of Health (DOH) asserts that should HB 308 be enacted, DOH divisions that provide or contract for Speech and Audiology Services would need to review and perhaps modify existing standards to insure compliance with new licensing requirements.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 308 is related to HB 306 which proposes to extend the board’s sunset date and HB 310 which proposes language specifying the legislature’s role in appropriating of boards and commission funds.

OTHER SUBSTANTIVE ISSUES

The Department of Health asserts that by creating a licensed apprentice position, HB 308 would enable academic apprenticeship programs in Speech and Language to be recognized, which could assist the state in drawing apprentices to New Mexico who may some day become fully licensed Speech and Language Pathologists or Audiologists. DOH further states that apprenticeship programs would provide a new resource for speech services, particularly in underserved areas of the state.

According to the Health Policy Commission, licensure for specific health care providers has been viewed as a method of consumer protection. The Commission further states that practitioners must document a specific level of education and experience in order to obtain licensure and consumers have a method to lodge complaints against specific practitioners if any harm has taken place. The commission comments that licensure boards often require evidence of continuing education, thereby attempting to ensure that all licensed practitioners stay current and up-to-date with knowledge in their respective fields.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

Speech-language pathologists and audiologists would continue to be licensed under the same type of licensure.

According to RLD, the current minimal standards would remain in effect and public protection would be ensured.

According to the NM Health Policy Board, if the Speech-Language Pathology, the scope of practice would remain unchanged for Speech-Language pathologists, and current licensure for Audiologist would remain unchanged.

POTENTIAL QUESTIONS

With the current statute in place, can speech pathologists practice audiology and audiologists practice speech pathology?

Will the proposed changes decrease the potential available professionals in either of these fields?

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