Volume 33
Number 24
September 1, 2016
Pages 1139 - 1998

The Oklahoma Register

Oklahoma
Secretary of State
Office of Administrative Rules

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Secretary of State
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THE OKLAHOMA REGISTER is an official publication of the State of Oklahoma. It is published semi-monthly on the first working day of the month and on the first working day following the 14th day of the month under the authority of 75 O.S., Sections 250 et seq. and OAC 655:10-15-1. The rules of the State of Oklahoma are codified and published in the *Oklahoma Administrative Code.*

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INFORMATION ABOUT THIS PUBLICATION may be obtained by contacting the OAR by mail at Oklahoma Secretary of State, Office of Administrative Rules, 421 NW 13th Street, Suite 220, Oklahoma City, OK 73105, by phone at (405) 521-4911, or by fax at (405) 522-3555. Information may also be obtained by visiting the OAR's office, located in Suite 220, Colcord Center, 421 NW 13th Street, Oklahoma City, between 8:00 a.m. and 5:00 p.m., Monday through Friday.

This publication is issued and printed by the Secretary of State as authorized by 75 O.S., Section 255. 43 copies have been prepared and distributed at a cost of $1221.48. Copies have been deposited with the Oklahoma Department of Libraries, Publications Clearinghouse.
ISSN 0030-1728

non-FINRA broker-dealer shall file the required documentation with the Department.

(c) **Broker-dealer principal.**

(1) **Required documents.** Each person applying for initial registration under the Securities Act as a principal of a broker-dealer who is not a member of FINRA shall file with the Department:

(A) a completed Form U-4;

(B) a $50.00 filing fee;

(C) proof of successful completion of the applicable examinations specified in 660:11-5-16; and

(D) ~~an executed Applicant/Management Certification for Non-FINRA Principals Form; and~~

~~(E)~~ any additional documentation, supplemental forms and information as the Administrator may deem necessary.

(2) **Effect of registration.** Registration under the Securities Act as a principal of a broker-dealer shall constitute registration as an agent.

(d) **Issuer agent.** Agents of issuers applying for initial registration in the state of Oklahoma pursuant to Section 1-406 of the Securities Act shall file the following with the Department:

(1) a completed Form U-4;

(2) the fee specified in Section 1-612 of the Securities Act;

(3) proof of successful completion of the applicable examinations specified in 660:11-5-16;

(4) an executed Applicant/Management Certification Form; and

(5) any additional documentation, supplemental forms and information as the Administrator may deem necessary.

(e) **Requirement for continued registration.** 660:11-5-42, adopted pursuant to ~~Section~~ Sections 1-411.D.13 and 1-605.A.2. of the Securities Act, sets forth the standards of ethical practices for broker-dealers and their agents. Paragraph (22) of said rule requires that each broker-dealer establish, maintain and enforce written procedures that will enable it to supervise properly the activities of each registered agent to assure compliance with applicable securities laws, rules, regulations and statements of policy. Therefore, the initial and continued registration of a broker-dealer that is not a FINRA member is conditioned upon the designation, qualification and registration of a principal who shall be responsible for the supervision of all agents of the broker-dealer who are registered under the Securities Act. A broker-dealer applicant or registrant may apply for registration of more than one person as a principal of said broker-dealer.

SUBCHAPTER 11. EXEMPTIONS FROM SECURITIES REGISTRATION

PART 7. FEDERAL COVERED SECURITIES

660:11-11-61. Regulation D Rule 506 federal covered security notice filing

(a) **Notice requirement.** Issuers offering a security in this state in reliance upon Section 1-301.1 of the Securities Act by reason of compliance with Regulation D, Rule 506, adopted by the ~~United States Securities and Exchange Commission~~SEC, shall be required to file a notice with the Administrator pursuant to the authority of Section 1 302.C. of the Securities Act if a sale of a security in this state occurs as a result of such offering. Such notice shall be filed no later than fifteen (15) days after the first sale of a security in this state for which a notice is required.

(b) ~~Terms~~ Content **of notice filing.** ~~The issuer shall file with the Administrator no later than fifteen (15) days after the first sale of a security in this state for which a notice is required under (a) of this section~~Each required notice shall include the following:

(1) one copy of the notice of sales on Form D as most recently filed with the SEC~~, and the Appendix thereto~~;

(2) ~~a consent to service of process on Form U-2 and (if applicable) Form U-2A; and~~

~~(3)~~ the notice filing fee required by Section 1-612.A.19. of the Securities Act.

660:11-11-62. Regulation A Tier 2 federal covered security notice filing

(a) **Notice requirement.** Issuers offering a security in this state in reliance upon Section 1-301.1 of the Securities Act by reason of compliance with Tier 2 of Regulation A, adopted by the SEC, shall be required to file a notice with the Administrator pursuant to the authority of Section 1 302.C. of the Securities Act. Such notice shall be filed prior to the first offer of securities in this state that is subsequent to qualification of the offering statement by the SEC.

(b) **Content of notice.** Each required notice shall include the following:

(1) a copy of Part I of Federal Form 1-A in conjunction with a completed Oklahoma Notice of Regulation A - Tier 2 Offering form (or equivalent uniform form), or copies of all documents filed with the SEC;

(2) a consent to service of process (if such is not included in the submitted Notice form); and,

(3) the notice filing fee required by Section 1-612.A.19. of the Securities Act.

[OAR Docket #16-691; filed 7-8-16]

TITLE 690. BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #16-678]

RULEMAKING ACTION:
PERMANENT final adoption

RULES:
Subchapter 3. Board Organization and Proceedings
690:1-3-3. Forms [AMENDED]
AUTHORITY:
59 O.S., 2011 § 1613; Board of Examiners for Speech-Language Pathology and Audiology.
SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:
December 22, 2015
COMMENT PERIOD:
January 15, 2016 through February16, 2016
PUBLIC HEARING:
February 17, 2016
ADOPTION:
March 4, 2016
SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:
March 11, 2016
APPROVED BY GOVERNOR'S DECLARATION:
Approved by Governor's declaration on June 9, 2016
FINAL ADOPTION:
June 9, 2016
EFFECTIVE:
September 11, 2016
SUPERSEDED EMERGENCY ACTIONS:
n/a
INCORPORATIONS BY REFERENCE:
n/a
ANALYSIS:
The proposed amendment eliminates the second sentence which describes the types of license applications for which the Board must have forms.
CONTACT PERSON:
Amy Hall, Executive Secretary, 3700 N Classen Blvd. Ste. 248, Oklahoma City, OK 73118, 405-524-4955, amy.hall@obespa.ok.gov

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2016:

SUBCHAPTER 3. BOARD ORGANIZATION AND PROCEEDINGS

690:1-3-3. Forms

The Board shall have such forms as are required for conduct of Board business. ~~Such forms shall include but are not limited to application for authorization to practice as an independent practitioner, an intern, or an assistant.~~

[OAR Docket #16-678; filed 7-7-16]

TITLE 690. BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
CHAPTER 5. RULES OF PRACTICE

[OAR Docket #16-679]

RULEMAKING ACTION:
PERMANENT final adoption
RULES:
Subchapter 5. Individual Proceedings
690:5-5-1. Notice of proposed hearing [AMENDED]
AUTHORITY:
59 O.S., 2011 § 1613; Board of Examiners for Speech-Language Pathology and Audiology.
SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:
December 22, 2015
COMMENT PERIOD:
January 15, 2016 through February16, 2016
PUBLIC HEARING:
February 17, 2016
ADOPTION:
March 4, 2016
SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:
March 11, 2016
APPROVED BY GOVERNOR'S DECLARATION:
Approved by Governor's declaration on June 9, 2016
FINAL ADOPTION:
June 9, 2016
EFFECTIVE:
September 11, 2016
SUPERSEDED EMERGENCY ACTIONS:
n/a
INCORPORATIONS BY REFERENCE:
n/a
ANALYSIS:
The proposed amendment adds a missing space to correct a typographical error.
CONTACT PERSON:
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PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2016:

SUBCHAPTER 5. INDIVIDUAL PROCEEDINGS

690:5-5-1. Notice of proposed hearing

Whenever the Board chooses to exercise its statutory authority under Section 1619 of the Speech-Language Pathology and Audiology Licensing Act to conduct a hearing to determine whether suspension or revocation of a license would be ordered or a reprimand issued, ~~theBoard~~ the Board shall give at least thirty (30) calendar days written notice of such hearing to the licensee against whom the proceeding is directed. The Notice of the Hearing shall be served on the licensee either personally or by certified or registered mail and shall include the following information:

(1) the time, place, and nature of the hearing;

(2) the legal authority and jurisdiction under which the hearing is being conducted;

(3) the ground or grounds constituting or forming the basis of the charge(s) against the licensee, including reference to the particular section(s) of the statute and/or rule involved.

(4) information regarding the licensee's right to legal counsel

[OAR Docket #16-679; filed 7-7-16]

TITLE 690. BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
CHAPTER 10. LICENSURE AND FEES

[OAR Docket #16-680]

RULEMAKING ACTION:
PERMANENT final adoption
RULES:
Subchapter 3. Licensure of Speech-Language Pathologists and Audiologists
690:10-3-4. Academic requirement [AMENDED]
690:10-3-5. Supervised clinical practicum requirement [AMENDED]
690:10-3-8. Continuing education (CE) for speech-language pathologists, audiologists, and speech-language pathology assistants [AMENDED]
690:10-3-9. Telepractice [AMENDED]
Subchapter 5. Licensure of Speech-Language Pathology Clinical Experience Interns completing Post-Graduate Clinical Experience.
690:10-5-4. Application form for clinical experience interns [AMENDED]
690:10-5-8. Direct ~~on-site~~ supervision required [AMENDED]
Subchapter 7. Licensure of Speech-Language Pathology Assistants and Audiology Assistants.
690:10-7-3. Supervision required [AMENDED]
690:10-7-9. Academic Requirements [AMENDED]
Subchapter 9. Fees
690:10-9-3. Examination fee [AMENDED]
AUTHORITY:
59 O.S., 2011 § 1613; Board of Examiners for Speech-Language Pathology and Audiology.
SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:
December 22, 2015
COMMENT PERIOD:
January 15, 2016 through February16, 2016
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ADOPTION:
March 4, 2016
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March 11, 2016
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Approved by Governor's declaration on June 9, 2016
FINAL ADOPTION:
June 9, 2016
EFFECTIVE:
September 11, 2016
SUPERSEDED EMERGENCY ACTIONS:
n/a
INCORPORATIONS BY REFERENCE:
n/a
ANALYSIS:
The proposed amendments to sections 10-3-4 and 10-3-5 remove "or audiology" from the list of acceptable degrees for a speech-language pathologist and changes the capitalization of "Clinical Experience" to lowercase.

The continuing education section, 10-3-8, is amended to add new language authorizing certain members of the armed forces to petition for hardship relief from the continuing education requirement; adds new language regarding verification of continuing education; and deletes redundant language regarding audit of continuing education.

The telepractice section, 10-3-9, is amended to update the definition of telepractice; add language requiring out-of-state practitioners to have an Oklahoma license to provide services via telepractice in Oklahoma; and add new language regarding telepractice procedures.

The proposed amendments to Subchapter 5 change the capitalization of "Letter of Agreement" to lowercase and remove "on-site" before the word supervision in 10-5-8.

The proposed amendments to Subchapter 7 change the phrase "assistants and interns" to licensees, and eliminate redundant language regarding the number of semester credit hours for general education and technical content.

Subchapter 9 proposed amendments remove an outdated reference to NTE and clean up language clarifying that the applicant pays the exam fee to the vendor.
CONTACT PERSON:
Amy Hall, Executive Secretary, 3700 N Classen Blvd. Ste. 248, Oklahoma City, OK 73118, 405-524-4955, amy.hall@obespa.ok.gov

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2016:

SUBCHAPTER 3. LICENSURE OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

690:10-3-4. Academic requirement

(a) **Degree requirement.**

(1) Each speech-language pathology applicant shall hold not less than a master's degree, or its equivalent, with a major emphasis in speech-language pathology ~~or audiology~~ from an accredited academic institution offering a graduate program in speech-language pathology.

(2) Each audiology applicant shall hold not less than a post-baccalaureate residential professional doctor of audiology degree (Au.D) from a regionally accredited academic institution, a post-masters distance education professional doctor of audiology degree (Au.D.) from a regionally accredited academic institution, a Doctor of Philosophy degree (Ph.D.) with emphasis in audiology from a regionally accredited academic institution, or its equivalent as determined by the Board.

(b) **Academic transcripts.**

(1) Each speech-language pathology applicant seeking licensure shall submit a bona fide official academic transcript(s) and verification of (Academic Preparation and Practicum Form - Verification for Licensure Application) completion of at least 75 semester credit hours from one or more accredited colleges or universities that reflect a well-integrated program of study dealing with (a) the biological/physical sciences and mathematics, (b) the behavioral and/or social sciences, including normal aspects of human behavior and communication, and the nature, prevention, evaluation, and treatment of speech, language, hearing, and related disorders. Some course work must address issues pertaining to normal and abnormal human development and behavior across the life span and to culturally diverse populations. At least twenty-seven (27) of the 75 semester credit hours must be in Basic Science Course Work. At least thirty-six (36) of the 75 semester credit hours must be in Professional Course Work at the Graduate Level.

(A) **Basic Science Course Work.** Applicants must earn at least twenty-seven (27) credit hours in the basic sciences. At least six (6) semester credit hours must be in the biological/physical sciences and

mathematics. At least six (6) semester hours must be in the behavioral and/social sciences. At least fifteen (15) semester credit hours must be in the basic human communication processes, to include course work in each of the following three areas of speech, language, and hearing: the anatomic and physiologic bases, the physical and psychophysical bases, and the linguistic, psycholinguistic and cultural aspects.

(B) **Professional Course Work.** Applicants must earn at least thirty-six (36) semester credit hours in graduate or professional courses that concern the nature, prevention, evaluation, and treatment of speech, language and hearing disorders. Those thirty-six (36) semester credit hours must encompass courses in speech, language, and hearing that concern disorders primarily affecting children as well as disorders primarily affecting adults.

(2) Specific knowledge must be demonstrated in the following areas:

(A) articulation

(B) fluency

(C) voice and resonance, including respiration and phonation

(D) receptive and expressive language (phonology, morphology, syntax, semantics, and pragmatics) in speaking, listening, reading, writing, and manual modalities

(E) hearing, including the impact on speech and language

(F) swallowing (oral, pharyngeal, esophageal, and related functions, including oral functions for feeding; orofacial myofunction)

(G) cognitive aspects of communication (attention, memory, sequencing, problem-solving, executive functioning)

(H) social aspects of communication (including challenging behavior, ineffective social skills, lack of communication opportunities);

(I) communication modalities (including oral, manual, augmentative, and alternative communication techniques and assistive technologies)

(3) Waiver of transcript. The Board shall waive the transcript requirement and grant a license to any applicant for licensure as a speech-language pathologist who holds the Certificate of Clinical Competence of the American Speech-Language-Hearing Association or its current equivalent, provided that the current requirements for such certification are equivalent to or greater than those for licensure under the Speech-Language Pathology and Audiology Licensing Act, 59 O.S. 1601, et. seq., as amended. Evidence of such certification shall be received by the Board directly from the American Speech-Language-Hearing Association. All fees associated with obtaining such evidence shall be borne by the applicant.

(4) Each audiology applicant seeking licensure shall submit a bona fide official academic transcript(s) and verification of (Academic Preparation and Practicum Form -Verification for Licensure Application) completion of at least 75 semester credit hours in graduate or professional courses from one or more accredited colleges or universities that reflect a well-integrated program of study dealing with the practice of audiology. Specific knowledge must be demonstrated in the following areas:

(A) identification, diagnosis, assessment, measurement, testing, appraisal and evaluation related to hearing, vestibular function, equilibrium, balance and fall prevention;

(B) prevention, treatment, intervention, management and counseling related to hearing, vestibular function, equilibrium, balance and fall prevention, and associated neural systems;

(C) identification, evaluation and treatment of any abnormal condition related to auditory sensitivity, acuity, tinnitus, function or processing, speech, language or other aberrant behavior resulting from hearing loss;

(D) designing, and implementing aural habilitation and rehabilitation or other related programs for the amelioration of disorders of hearing, vestibular function, equilibrium, balance, and fall prevention and associated neural systems;

(E) measurement and interpretation of sensory and motor evoked potentials, electromyography, and other electrodiagnostic tests for purposes of neurophysiologic intraoperative monitoring of central nervous system, spinal cord and cranial nerve function.

(5) Waiver of transcript. The Board shall waive the transcript requirement and grant a license to any applicant for licensure as an audiologist who holds the Certificate of Clinical Competence of the American Speech-Language-Hearing Association or its current equivalent, provided that the current requirements for such certification are equivalent to or greater than those for licensure under the Speech-Language Pathology and Audiology Licensing Act, 59 O.S. 1601, et. seq., as amended. Evidence of such certification shall be received by the Board directly from the American Speech-Language-Hearing Association or its current equivalent. All fees associated with obtaining such evidence shall be borne by the applicant.

690:10-3-5. Supervised clinical practicum requirement

(a) Speech language pathology applicants must submit evidence of satisfactory completion of four hundred (400) clock hours of supervised clinical practicum, of which at least 375 must be in direct client/patient contact and 25 in clinical observation that are provided by the educational institution or by one of its cooperating programs. At least 325 of the 400 clock hours must be completed while the applicant is engaged in graduate study in a program accredited in speech language pathology by the Council on Academic Accreditation in Audiology and Speech-Language Pathology. Each Speech-Language Pathology applicant seeking licensure from a non-accredited program shall submit a bona fide official academic transcript(s) and verification of clinical practicum hours.

(b) With the exception of post-masters professional degree (Au.D) applicants and applicants with a Ph.D. with a major emphasis in audiology, audiology applicants must demonstrate completion of a minimum of (1820) supervised clinical hours in audiology through clinical practicum, clinical rotations, or externships during their professional or graduate doctoral degree program. Audiology applicants with a post-masters distance education professional degree (Au.D.) and applicants with a Ph.D. with a major emphasis in audiology must provide evidence of a minimum of (350) supervised clinical hours obtained in audiology through clinical rotations, or externships during their masters or Ph.D. degree program. In addition, audiology applicants with a post-masters distance education professional degree (Au.D.) or a Ph.D. with a major emphasis in audiology must provide evidence of a completed ~~Clinical Experience~~clinical experience of no less than nine (9) months of successful full-time, paid clinical experience in audiology, obtained under the supervision of one or more independent practitioners licensed under the Speech-Language Pathology and Audiology Licensing Act, 59 O.S. 1601, et. seq., as amended or of one or more persons whose education and experience are the equivalent of an independent practitioner. The supervisor of clinical experience must be eligible for licensure as an audiologist. This supervision must entail the personal and direct involvement of the supervisor in any and all ways that will permit him to evaluate the applicant's performance in professional clinical employment and must include direct observation. The applicant and his supervisor must list and describe the methods of supervision employed. Specific information should be given regarding the professional activity supervised, the number of supervisory contacts per month, and the length of each supervisory contact. The supervisor shall base his total evaluation on no less than thirty-six (36) supervisory visits. This experience must follow completion of the requirements of 690:10-3-3 and 690:10-3-6. "Full-time" is defined as at least thirty (30) hours per week; the nine (9) months of full time paid experience must be obtained within a period of twenty-four consecutive months. This requirement may also be fulfilled by eighteen (18) months of half time paid experience of at least fifteen (15) hours per week which must be completed within a period of thirty-six (36) consecutive months. All clinical practicum, clinical rotations or externships adduced to satisfy this requirement must have been obtained under the supervision of an individual eligible for licensure as a speech-language pathologist or audiologist under the Speech-Language Pathology and Audiology Licensing Act, 59 O.S. 1601, et. seq., as amended, and this Chapter. The supervisor of clinical practicum, clinical rotations or externships must be eligible for licensure in the professional area (speech-language pathology or audiology) in which the supervision is provided.

690:10-3-8. Continuing education (CE) for speech-language pathologists, audiologists, and speech - language pathology assistants

(a) **Purpose.** The purpose of continuing education requirements for speech-language pathologists and audiologists is to assure that licensees update and advance their skills such that the public shall benefit from the most current and effective standards of professional practice. To further the goal of public benefit, all speech-language pathologists and audiologists are encouraged to fulfill a portion of their Continuing Education requirements in the area of ethics, professional conduct, and related legal issues.

(b) **Clock hours required for license renewal.** A licensee must obtain a minimum of twenty (20) clock hours of acceptable continuing education, including at least three clock hours of professional ethics in a ~~two-year~~two-year period. The continuing education period begins in January of every odd-numbered year. A speech-language pathologist or audiologist obtaining initial licensure during a ~~two-year~~two-year period shall have his or her continuing education requirement prorated to 2.5 clock hours per full quarter remaining in that period. If pro-rated hours are less than five clock hours, the requirement for at least three clock hours of ethics does not apply.

(c) **Approval of continuing education activities required.** Continuing education hours may be granted for acceptable educational activities which are approved by the Board, or by a committee appointed by the Board. No hours will be granted for any activities or categories of activities that have not been approved. A provider of educational activities may apply to the Board for pre-approval of an activity. The provider shall be responsible for compliance with the standards for approval of the activity, verification of participation, and for the provision of the necessary verification of attendance forms to all participants. This verification of attendance form shall include: The participant's name, the presenter's name and credentials, the presentation topic, the program sponsor or agency, the location of the presentation, the dates of presentation, and the total number of clock hours attended. A list of preapproved activities is available on the website or by contacting the board office. Any activity not included on this list will require approval by the Board for credit.

(d) **Exceptions to the requirements.** Exceptions to the pre-approval requirement may be granted at the discretion of the Board for programs presented by recognized sponsors whose programs have been pre-approved by the Board. The university academic semester hour is equivalent to fifteen (15) clock hours, and shall be verified by the presentation of an official academic transcript showing course or audit credits. The licensee is ultimately responsible for providing all information necessary for the Board to make a final determination concerning the acceptability of any requested continuing education hours.

(e) **Fee for approval.** Providers of continuing education programs may be charged a fee for approval of their program. This fee shall be set by the Board.

(f) **Kinds of educational activities for which credit may be received.** Continuing education hours may be earned through formal organized learning experiences, scientific publications, attendance at regularly scheduled meetings of international, national, regional, or state professional associations, or through presentations to appropriate groups not

related to the speech-language pathologist's or audiologist's regular employment.

(g) **Hours allowed.** Continuing education activities, whether received or presented by the speech-language pathologist or audiologist, must be targeted toward a professional audience. In those instances when the speech-language pathologist or audiologist is teaching in programs such as institutes, university or college courses, seminars, workshops, and conferences which have been granted approval by the Board, three (3) clock hours will be given for each one (1) hour that is taught, provided that such teaching is not part of the speech-language pathologists or audiologists regular employment. Publication in a professionally- related format approved by the Board shall be equal to up to twenty (20) clock hours. Completion of select job-required activities such as CPR training, etc. can be counted once in the two-year period for a maximum of 20% of the total required hours. Other activities may be credited as authorized and disseminated separately by the Board.

(h) **Petition for extension.** A speech-language pathologist or audiologist who fails to comply with the required twenty (20) hours of continuing education in the two year continuing education period ending December 31 may, by submitting an individual review fee of fifty ($50.00), petition the Board for a ninety (90) day extension. Failure to meet this deadline may result in disciplinary action. The petition for extension shall be filed prior to the expiration of the continuing education period.

(i) **Petition for hardship relief.** A speech-language pathologist or audiologist may petition the Board for partial or complete relief of the continuing education requirements upon the showing of incapacitation or serious illness of licensee or licensee's immediate family member, or licensee's absence from the United States for a period of at least eighteen (18) months during the continuing education period~~.~~, or the licensee is a member of the armed forces on full-time active duty during the continuing education period. The petition for hardship relief should be filed prior to the expiration of the continuing education period, and will be accepted no later than February 1st of the year following the audit period.

(1) Individuals with medical disabilities must provide evidence that documents the inability to work in the professions, such as a letter from a doctor or a Social Security Administration determination letter. Individuals with medical disabilities will be required to sign an affidavit confirming that they are not providing or supervising the provision of clinical services. In addition, individuals with temporary medical disabilities will be required to affirm every two years that they continue to be classified as medically disabled.

(2) Members of the armed forces on full-time active duty will be required to provide a copy of their deployment orders and a signed affidavit stating they will not practice during their deployment. They will be assigned a new 2-year maintenance interval that will start on January 1 of the year following their return. If licensees are deployed for the purpose of providing clinical services or supervising the provision of clinical services, an exemption will be considered on a case-by-case basis.

(j) **Audits of continuing education.** The Board will conduct audits every two years (every even year) of licensee compliance with continuing education requirements.

(1) A minimum of 3% of licensees will be audited.

(2) Those audited will be required to submit ~~a listing of~~verification of completion for~~all~~ each continuing education ~~activities~~activity completed within the audited period~~, including~~. The verification shall be signed by the course provider and shall include the title of the activity, the course description, the number of contact hours and a contact for verification of participation. An official continuing education transcript from a Board approved provider is acceptable verification. The verification must be submitted within thirty (30) days of receipt of notification of selection for audit. Failure to submit verification as required shall be considered non-compliance with the continuing education requirements, and the licensee shall be subject to the provisions of paragraph four of this subsection.

(3) Licensees will maintain all original documentation of attendance, course agendas and/or other supporting documentation. The Board may request copies of such documentation as is necessary to determine if an activity will be accepted for continuing education credit. The Board will destroy all such copies following the audit.

(4) Licensees found to be non-compliant with the continuing education requirement shall have ninety (90) calendar days from receipt of notification of continuing education deficiency to ~~provide evidence of continuing education hours sufficient to meet this requirement AND must pay a penalty fee equal to half of the licensure renewal fee. This fee is in addition to any fees for late license renewal. Such hours may not be counted toward fulfillment of future continuing education requirements. Failure to provide evidence of continuing education hours within the ninety (90) calendar day period may result in disciplinary action.~~complete the following:

(A) obtain Continuing Education hours sufficient to meet this requirement;

(B) submit verifications of completion to the Board;

(C) pay a penalty fee equal to half of the licensure renewal fee. This fee is in addition to any fees for late license renewal. Such hours may not be counted toward fulfillment of future Continuing Education requirements. Failure to comply with the provisions of the paragraph within the ninety (90) calendar day period may result in disciplinary action.

690:10-3-9. Telepractice

~~Use of telepractice.~~

(a~~1~~) Licensees may ~~evaluate and treat patients/~~provide speech-language pathology and audiology services to clients ~~receiving clinical services~~ in Oklahoma by utilizing telepractice. Telepractice ~~is defined as the application of telecommunications technology to deliver professional services at a distance by linking clinician to patient/client or clinician to clinician for assessment, intervention and/or~~

~~consultation.~~means the use of audio, video, or data communication to provide speech-language pathology and audiology services to clients who are not present at the same site as the licensee when the service is provided.

(b~~2~~) ~~Telepractice shall be obtained in real-time and in a manner sufficient to ensure patient confidentiality.~~ Except as provided in 59 O.S.§ 1604, no practitioner licensed in another state may deliver speech-language pathology and audiology services via telepractice to clients located in Oklahoma, unless licensed in Oklahoma.

(c~~3~~) Telepractice ~~is subject to the same standard of practice as if~~must conform to the same standards of practice required when~~the person being treated were~~ the client is ~~physically~~ present ~~with the licensee.~~at the same site as the licensee when the service is provided. ~~Telepractice is the responsibility of the licensee and shall not be delegated.~~

(d~~4~~) ~~Licensees and staff involved in telepractice~~Speech-language pathologists and audiologists providing services via telepractice must be trained in the use of telepractice equipment~~.~~, and are responsible for ensuring that support persons who assist with service delivery at the site where the client is located are properly trained. The telecommunications technology used for service delivery must meet standards established by professional organizations recognized by the Board, and comply with applicable state and federal laws and regulations.

(e) Telepractice must be an appropriate method of service delivery for the service provided and for the unique needs and abilities of each client.

SUBCHAPTER 5. LICENSURE OF SPEECH-LANGUAGE PATHOLOGY CLINICAL EXPERIENCE INTERNS COMPLETING POST-GRADUATE CLINICAL EXPERIENCE

690:10-5-4. Application form for clinical experience interns

Application for authorization to practice as a clinical experience intern under supervision shall be made in the same manner and on the same forms that are used to apply for licensure as a speech-language pathologist and/or audiologist. A notarized ~~Letter of Agreement~~letter of agreement shall be provided with each application. The ~~Letter of Agreement~~letter of agreement must be signed by both the applicant and the proposed supervisor, and must be submitted with the application. Said notarized ~~Letter of Agreement~~letter of agreement shall explicitly indicate that the supervisor agrees to supervise the clinical experience intern's practice of speech-language pathology or audiology and that the supervisor accepts complete and full responsibility for the clinical experience intern's activities and services.

690:10-5-8. Direct ~~on-site~~ supervision required

The applicant must practice in a setting which permits ~~direct, on-site~~direct supervision by the supervising speech-language pathologist or audiologist. The supervising speech-language pathologist and audiologist must engage in no fewer than thirty-six (36) supervisory activities during the clinical experience. This supervision must include at least eighteen (18) on-site observations of direct client contact at the clinical experience intern's work site (one (1) hour equals one (1) on-site observation; a maximum of six (6) on-site observations may be accrued in one (1) day.) "On-site" is defined as physical presence at the clinical experience intern's work site. At least six (6) observations must be accrued during each third of the clinical experience. These on-site observations must be of the clinical experience intern providing screening, evaluation assessment, habilitation, and rehabilitation. In addition, the supervision must include at least eighteen (18) other monitoring activities. At least six (6) other monitoring activities must be completed during each of the three segments of the clinical experience. These other monitoring activities may be executed by correspondence, review of video tapes and/or audio tapes, evaluation of written reports, phone conferences and/or other telepractice activities with the clinical experience intern, and evaluations by professional colleagues.

SUBCHAPTER 7. LICENSURE OF SPEECH-LANGUAGE PATHOLOGY ASSISTANTS AND AUDIOLOGY ASSISTANTS

690:10-7-3. Supervision required

(a) The speech-language pathology assistant must be supervised by a speech-language pathologist who has been licensed for two years. Each supervisor shall accept no more than two assistants. Licensure as a clinical experience intern does not count toward the two-year license requirement. Each practitioner licensed in both speech-language pathology and audiology is likewise restricted to two assistants in aggregate. Further, the total number of ~~assistants and interns (licensed under Subchapter 3 of these rules)~~licensees supervised by a single supervisor shall not exceed two.

(b) Beginning January 2017, the supervising speech-language pathologist must have successfully completed at least six hours of Board approved training in clinical supervision. Three hours must include instruction in the knowledge and skills areas necessary for speech-language pathology assistant's supervisors as identified by the American Speech-Language Hearing Association (ASHA), other organization or entity the Board deems acceptable.

(c) A speech-language pathology assistant shall practice under a minimum of 30% supervision weekly, of which 20% is direct and 10% is indirect for the first 90 workdays. After successful completion of the first 90 workdays, a minimum of 10% of direct supervision is required with 20% indirect supervision. The supervising speech-language pathologist must be available by electronic means at all times when the speech-language pathology assistant is performing clinical activities. The supervision must be documented in the client/patient record

and on a supervision log. Records of supervision are subject to inspection by the Board.

(1) Direct supervision: in-view observation and guidance by a speech-language pathologist while the speech-language pathology assistant is providing an assigned clinical service to a patient. While directly supervising, the speech-language pathologist may not perform any clinical services unrelated to the client/patient receiving services from the speech-language pathology assistant.

(2) Indirect supervision means the supervising speech-language pathologist is engaged in supervisory activities other than direct supervision, observation and guidance of the assistant while the assistant is providing an assigned clinical service to a patient. Indirect supervision activities performed by the supervising speech-language pathologist may include but are not limited to demonstration, record review, review and evaluation of audio or videotaped sessions, and interactive television and supervising conferences that may be conducted by telephone, email or live webcam.

(d) The supervising speech-language pathologist is responsible for exercising his or her professional judgment to determine the appropriate level of supervision at or above the required minimum necessary to ensure that each client/patient receives competent services. The supervising speech-language pathologist should consider:

(1) the individual speech-language pathology assistant's knowledge, experience and competence;

(2) the treatment setting;

(3) the client/patient's diagnosis/prognosis; and

(4) the nature of the assigned clinical service.

(e) For audiology assistants, direct supervision is required when the assistant is performing activities involving direct patient care. Direct supervision requires the supervising audiologist to be present on-site for supervision and guidance of the assistant. Indirect supervision of the audiology assistant is permissible when the audiology assistant is performing duties or activities that do not involve direct patient care. Indirect supervision requires the supervising audiologist to be available for instruction or guidance but does not require the supervising audiologist to be present on-site. The audiology assistant must be supervised by an audiologist who has been ~~fully~~ licensed for two years. Each supervisor shall accept no more than two assistants.

690:10-7-9. Academic Requirements

(a) **Academic requirements for speech-language pathology assistants.**

(1) Each speech-language pathology assistant applicant shall hold not less than an associate's degree, or its equivalent, with a major emphasis in speech-language pathology from an accredited academic institution.

(2) Each speech-language pathology assistant applicant shall submit a bona fide official transcript(s) and verification of academic preparation and clinical experience reflecting a minimum of eighteen (18) semester credit hours in general education, a minimum of twenty (20) semester credit hours in technical content, a minimum of twenty five (25) hours of observation which precede a minimum of 100 clock hours of supervised clinical experience.

(A) **General education.** ~~Applicants must earn at least eighteen (18) semester credit hours~~The general education component typically includes, but is not limited to, course work in oral and written communication, mathematics, computer applications, social sciences and natural sciences.

(B) **Technical content.** ~~Applicants must earn a minimum of twenty (20) semester credit hours in~~The technical content component must include, but is not limited to the following areas:

(i) Normal processes of communication.

(ii) Overview of communication disorders.

(iii) Instruction in assistant-level service delivery practices.

(iv) Instruction in work-place behaviors.

(v) Cultural and linguistic factors in communication.

(vi) Observation experiences include direct on-site observation of a ~~fully~~ licensed speech-language pathologist. Additional observation experiences may include on-site, video or digital observation of a fully licensed speech-language pathologist.

(C) **Clinical experience.** Applicants must complete 100 clock hours of clinical experience supervised by a speech-language pathologist. The clinical experience requirement must be completed through an accredited academic institution with a Board approved degree program.

(b) **Academic requirements for audiology assistants.** Each audiology assistant applicant shall hold not less than a high school diploma or its equivalent.

SUBCHAPTER 9. FEES

690:10-9-3. Examination fee

The fee for examination or re-examination ~~by NTE~~is separate from the license application fee and shall be ~~borne~~ paid by the applicant directly to the exam provider~~, and is separate from the license application fee.~~

[OAR Docket #16-680; filed 7-7-16]

TITLE 690. BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
CHAPTER 15. RULES OF PRACTICE

[OAR Docket #16-681]

RULEMAKING ACTION:
PERMANENT final adoption

RULES:
690:15-1-4. Ethical proscriptions [AMENDED]
AUTHORITY:
59 O.S., 2011 § 1613; Board of Examiners for Speech-Language Pathology and Audiology.
SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:
December 22, 2015
COMMENT PERIOD:
January 15, 2016 through February16, 2016
PUBLIC HEARING:
February 17, 2016
ADOPTION:
March 4, 2016
SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:
March 11, 2016
APPROVED BY GOVERNOR'S DECLARATION:
Approved by Governor's declaration on June 9, 2016
FINAL ADOPTION:
June 9, 2016
EFFECTIVE:
September 11, 2016
SUPERSEDED EMERGENCY ACTIONS:
n/a
INCORPORATIONS BY REFERENCE:
n/a
ANALYSIS:
The proposed amendments delete the word telepractice and define "correspondence" to eliminate perceived conflicts between 10-3-9 and this section.
CONTACT PERSON:
Amy Hall, Executive Secretary, 3700 N Classen Blvd. Ste. 248, Oklahoma City, OK 73118, 405-524-4955, amy.hall@obespa.ok.gov

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2016:

690:15-1-4. Ethical proscriptions

Ethical Proscriptions are formal statements of prohibitions that are derived from the Principles of Ethics.

(1) The following proscriptions are derived from 690:15-1-3(1):

(A) Licensees must not exploit persons in the delivery of professional services, including accepting persons for treatment when benefit cannot reasonably be expected or continuing treatment unnecessarily.

(B) Licensees must not guarantee the results of any therapeutic procedures, directly or by implication. A reasonable statement of prognosis may be made, but caution must be exercised not to mislead persons served professionally to expect results that cannot be predicted from sound evidence.

(C) Licensees must not use persons for teaching or research in a manner that constitutes invasion of privacy or fails to afford informed free choice to participate.

(D) Licensees must not provide clinical services except in a professional relationship. They must not evaluate or treat solely by correspondence~~or telepractice~~. Correspondence means a type of practice in which services are delivered through communication methods that do not involve same-time interactivity between the licensee and the patient, such as regular mail, email, and facsimile. This does not preclude follow-up correspondence with persons previously seen, or providing them with general information of an educational nature.

(E) Licensees must not reveal to unauthorized persons any professional or personal information obtained from the person served professionally, unless required by law or unless necessary to protect the welfare of the person or the community.

(F) Licensees must not discriminate in the delivery of professional services on any basis that is unjustifiable or irrelevant to the need for and potential benefit from such services, such as race, sex religion or condition.

(G) Licensees must not charge for services not rendered.

(H) Licensees shall not violate any provisions of the Speech-Language Pathology and Audiology Licensing Act or Rules.

(2) The following proscriptions are derived from 690:15-1-3(2):

(A) Licensees must neither provide services nor supervision of services for which they have not been properly prepared, nor permit services to be provided by any of their staff who are not properly prepared.

(B) Licensees must not provide clinical services by prescription of anyone who does not hold a license or its equivalent in the appropriate area.

(C) Licensees must not offer clinical services by supportive personnel for whom they do not provide appropriate supervision and assume full responsibility.

(D) Licensees must not require anyone under their supervision to engage in any practice that is a violation of the Code of Ethics.

(3) The following proscriptions are derived from 690:15-1-3(3):

(A) Licensees must not misrepresent their training or competence. Academic degrees, if listed, must be those awarded by a college or university listed in the Education Directory: Higher Education (published by the United States Department of Education).

(B) Licensees' public statements providing information about professional services and products must not contain representations or claims that are false, deceptive or misleading.

(C) Licensees must not use professional or commercial affiliations in any way that would mislead or limit services to persons served professionally.

[OAR Docket #16-681; filed 7-7-16]