



Notices of Exempt Rulemaking

**evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The Board did not review any study.

**8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**9. The summary of the economic, small business, and consumer impact, if applicable:**

Not applicable

**10. A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking and the final rulemaking package (if applicable):**

Not applicable

**11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**

Not applicable.

**12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:**

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

Yes, the board is issuing a license, which falls within the definition of general permit.

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, a citation to the statutory authority to exceed the requirements of federal law:**

Federal law is not applicable to the subject of the rules.

**c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**

The board did not receive such an analysis from any person.

**13. A list of any incorporated by reference material and its location in the rule:**

There are no incorporation by reference materials.

**14. Whether the rule was previously made, amended repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking package:**

Not Applicable

**15. The full text of the rule follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 16. ARIZONA MEDICAL BOARD**

**ARTICLE 2. LICENSURE**

Section

R4-16-201. Application for Licensure

**ARTICLE 2. LICENSURE**

**R4-16-201. Application for Licensure**

**A. No change**

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change

**B. No change**

1. No change
2. No change
3. No change
4. No change

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5. No change
  6. No change
  7. No change
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  17. No change
  18. No change
  19. No change
  20. No change
  21. No change
  22. No change
- C. No change
1. No change
  2. No change
  3. No change
  4. No change
  5. No change
- D. In addition to the requirements of subsections (A) and (B), an applicant for licensure to practice medicine by endorsement, by Step 3 of the USMLE, or by endorsement with the SPEX shall have the following completed by persons other than the applicant and directly submitted to the Board, electronically or by hard copy, from the entity that is responsible for the initial issuance of the document, the federation credentials verification service, veridoc, or ECFMG:
- ~~1.~~ The following forms must be included with the application and be completed by persons other than the applicant:
    1. The following certifications:
      - a. Medical College Certification,
      - b. Postgraduate Training Certification,
      - c. Clinical Instructor Certification, and
      - d. ECFMG certification if applicant is an international graduate;
    - ~~e.~~2. Federation of State Medical Boards Disciplinary Search;
    - ~~f.~~3. American Medical Association Physician Profile; and
    - ~~g.~~4. The following verifications:
      - ~~g.~~a. Verification of American Board of Medical Specialty Certification, if applicable;
      - ~~3.~~b. Verification of LMCC exam score, state written exam score, or national board exam score;
      - ~~4.~~c. Verification of licensure from every state in which the applicant has ever held a medical license; and
      - ~~5.~~d. Verification of all hospital affiliations and employment for the past five years. ~~This must be~~ submitted by the verifying entity on its official letterhead; and
  - ~~2.~~5. Examination and Board History Report scores for USMLE, FLEX, and SPEX;
- E. The Board may grant a waiver of any requirement set forth in subsection (D) under the following circumstances:
1. The applicant has filed a waiver request of one or more of the specific requirements under subsection (D) that were set forth in the deficiency notice required by R4-16-206(B)(1) that includes the following information:
    - a. The applicant's name,
    - b. The date of the request,
    - c. The specific requirement for which a waiver is requested,
    - d. A detailed description of the efforts that the applicant has made to ensure that the document was provided to the board as required by subsection (D), and
    - e. The reasons the applicant is unable to comply with the specific requirement of subsection (D) due to no fault of the applicant.
  2. The board shall consider a waiver request and any documents submitted pursuant to subsections (1) and (2) at:
    - a. Its next regularly scheduled meeting if received at least 30 days before that meeting date, or
    - b. At any subsequent meeting following its next regularly scheduled meeting if the information is received less than 30 days before its next regularly scheduled meeting date.
  3. In determining whether to grant or deny the waiver request, the board shall consider the following:
    - a. Whether the applicant has made appropriate and sufficient efforts to satisfy the specific requirement of subsec-

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- tion (D); and
- b. Whether the applicant has satisfactorily demonstrated that compliance with the specific requirement of subsection (D) is not possible because:
    - i. The entity responsible for issuance of issuing the required documentation no longer exists.
    - ii. The original of the required documentation was destroyed by accident or natural disaster.
    - iii. The entity responsible for issuing the required documentation is unable to provide it because armed conflict or internal political strife make it impossible for the entity to provide the required document, or
    - iv. Any other valid reason beyond the applicant’s control that prevents compliance with the specific requirement of subsection (D).
  - 4. In reviewing such a request, the board will consider whether it is possible for the board to directly obtain the required document from another valid source, such as another state’s regulatory board, ECFMG, the federation credential verification service, or veridoc.
  - 5. If, after considering the request, the board determines that additional information is necessary before it can determine whether to grant or deny the waiver request, it may require the applicant to obtain and provide additional information.
  - 6. In order to obtain the waiver, the applicant must satisfy the board that the applicant is unable to comply with the requirements of subsection (D) despite the applicant’s best efforts and for reasons beyond the applicant’s control. The decision whether to grant the waiver lies within the sole discretion of the board and is not subject to review.
  - 7. If the board grants the waiver, it shall notify the applicant in writing and include the written decision in its official record for that applicant.

**NOTICE OF FINAL EXEMPT RULEMAKING**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 16. DEPARTMENT OF HEALTH SERVICES  
OCCUPATIONAL LICENSING**

*Editor’s Note: The following Notice of Final Exempt Rulemaking was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 2046.) The Governor’s Office authorized the notice to proceed through the rulemaking process on July 18, 2013.*

[R14-94]

**PREAMBLE**

<b><u>1. Article, Part or Sections Affected (as applicable)</u></b>	<b><u>Rulemaking Action</u></b>
R9-16-201	Amend
R9-16-202	Repeal
R9-16-202	Renumber
R9-16-202	Amend
R9-16-203	Renumber
R9-16-203	New Section
R9-16-204	Renumber
R9-16-204	New Section
R9-16-205	Renumber
R9-16-205	Amend
R9-16-206	Renumber
R9-16-206	New Section
R9-16-207	Renumber
R9-16-207	New Section
R9-16-208	Renumber
R9-16-208	Amend
R9-16-209	Renumber
R9-16-209	Amend
Table 2.1	New Table
R9-16-210	Renumber
R9-16-210	Amend
R9-16-211	New Section
R9-16-212	Renumber
R9-16-212	Amend
R9-16-213	New Section
R9-16-214	Renumber
R9-16-214	Amend

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R9-16-215	Renumber
R9-16-215	Amend
R9-16-301	Amend
R9-16-302	Repeal
R9-16-302	New Section
R9-16-303	Repeal
R9-16-303	New Section
R9-16-304	Repeal
R9-16-304	New Section
R9-16-305	Repeal
R9-16-305	New Section
R9-16-306	Repeal
R9-16-306	New Section
R9-16-307	Repeal
R9-16-307	New Section
R9-16-308	Repeal
R9-16-308	New Section
R9-16-309	Repeal
R9-16-309	New Section
R9-16-310	New Section
R9-16-311	Repeal
R9-16-311	New Section
R9-16-312	Repeal
R9-16-312	New Section
R9-16-313	Repeal
R9-16-313	New Section
R9-16-314	Repeal
R9-16-314	New Section
R9-16-315	Repeal
R9-16-315	New Section
R9-16-316	Repeal
R9-16-316	New Section
Table 3.1	Amend
R9-16-317	New Section
R9-16-501	Amend
R9-16-502	Repeal
R9-16-503	Repeal
R9-16-503	Repeal
R9-16-503	Repeal
R9-16-504	Repeal
R9-16-504	Repeal
R9-16-504	Repeal
R9-16-505	Repeal
R9-16-505	Repeal
Table 5.1	Amend
R9-16-506	Repeal
R9-16-506	Repeal
R9-16-507	Repeal
R9-16-507	Repeal
R9-16-508	Repeal

**2. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific) and the statute or session law authorizing the exemption:**

Authorizing statutes: A.R.S. §§ 36-132(A)(1) and 36-136(F)

Implementing statutes: A.R.S. §§ 36-1901 through 36-1902; 36-1904 through 36-1910; 36-1921 through 36-1924; 36-1926; 36-1934; and 36-1940 through 36-1940.04

Statute or session law authorizing the exemption: Laws 2013, Ch. 33, § 8

**3. The effective date of the rule and the agency’s reason it selected the effective date:**

July 1, 2014

The effective date is based on the Department’s submitting the Notice of Exempt Rulemaking to the Office of the Secretary of State before July 1, 2014, consistent with the end of the exemption period in Laws 2013, Ch. 33, § 8.

**4. A list of all notices published in the Register as specified in R9-1-409(A) that pertain to the record of the exempt rulemaking:**

Notice of Public Information: 20 A.A.R. 1045, May 2, 2014

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**5. The agency's contact person who can answer questions about the rulemaking:**

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Division of Licensing Services  
150 N. 18th Ave., Suite 510  
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Fax: (602) 364-4808

E-mail: Thomas.Salow@azdhs.gov

or

Name: Jeff Bloomberg, Manager

Address: Department of Health Services  
Office of Administrative Counsel and Rules  
1740 W. Adams St., Suite 203  
Phoenix, AZ 85007

Telephone: (602) 542-1020

Fax: (602) 364-1150

E-mail: Jeff.Bloomberg@azdhs.gov

**6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:**

The statutes in Arizona Revised Statutes (A.R.S.) Title 36, Chapter 17, Articles 1 through 4, govern licensing and regulation of hearing aid dispensers, audiologists, speech-language pathologists, and speech-language pathologist assistants. Under these statutes, the Department adopted the rules in 9 A.A.C. 16, Articles 2, 3, and 5. Laws 2013, Ch. 33 requires the Department to extend the regular licensing period; to change continuing education requirements; to offer a minimum number of hearing aid dispenser examinations in a calendar year; to eliminate knowledge of the code of ethics contained in statute as part of the examination for hearing aid dispensers; to change the licensing period and examination requirements for temporary licensees; and to prescribe an examination developed by a national professional organization of hearing aid dispensers that is consistent with the requirements in A.R.S. § 36-1924. The law also requires the Department to consider adopting rules that reduce the regulatory burden on hearing aid dispensers, audiologists, speech-language pathologists, and speech-language pathologist assistants. Consistent with A.R.S. § 36-1940.04 (E) through (G), requirements were added in Article 2 for speech-language pathologists related to supervision and record maintenance for speech-language pathologist assistants. To facilitate these changes, Laws 2013, Chapter 33 gives the Department exempt rulemaking authority until July 1, 2014 to amend 9 A.A.C. 16, Articles 2, 3, and 5. The Department received an exception from the Governor's rulemaking moratorium, established by Executive Order 2012-03, for this rulemaking.

The amendments to 9 A.A.C. 16 made under Laws 2013, Ch. 33 include, definition changes to improve the clarity of the rules and streamlining and updating Sections pertaining to:

- The length of time a regular license is valid, extended from one year to two years for hearing aid dispensers, audiologists, speech-language pathologists, and speech-language pathologist assistants;
- Changes in the minimum number of required continuing education hours when renewing a regular license as a hearing aid dispenser, audiologist, and speech-language pathologist;
- Education courses developed by professional organizations of hearing aid dispensers, audiologists or speech-language pathologists, now deemed to comply with Department standards for the continuing education requirements;
- The number of hearing aid dispenser examinations offered by the Department, changed from one to two in a calendar year unless there is an insufficient number of applicants for the second examination;
- A temporary hearing aid dispenser licensure period, changed from the last day of the month following a scheduled examination to a twelve-month period;
- A temporary hearing aid dispenser now being required to take the hearing aid dispenser examination within six months after issuance of a temporary license rather than taking the next examination following issuance of the temporary hearing aid dispenser license;
- Requirements for a temporary hearing aid dispenser to renew a temporary license, before the temporary license expires;
- The requirement for taking a hearing aid dispenser examination developed by a national professional hearing aid dispenser organization that is consistent with A.R.S. § 36-1924;

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- Requirements in Article 2 for speech-language pathologists related to supervision and record maintenance for speech-language pathologist assistants; and
- Requirements for reporting to the Department changes affecting a license and licensee.

All changes conform to current rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State.

- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**  
None
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**  
Not applicable
- 9. The summary of the economic, small business, and consumer impact, if applicable:**  
Not applicable
- 10. A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and final rulemaking package, (if applicable):**  
Not applicable
- 11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**  
Not applicable
- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:**
- a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**  
A.R.S. § 36-405 authorizes the Department to issue licenses to specific applicants based on specific circumstances, so a general permit is not appropriate and is not used.
- b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of the federal law:**  
Not applicable
- c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**  
Not applicable
- 13. A list of any incorporated by reference material and its location in the rules:**  
None
- 14. Whether this rule previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:**  
The rule was not previously made, amended, repealed, or renumbered as an emergency rule.
- 15. The full text of the rules follows:**

TITLE 9. HEALTH SERVICES

CHAPTER 16. DEPARTMENT OF HEALTH SERVICES  
OCCUPATIONAL LICENSING

ARTICLE 2. LICENSING AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS

Section	
R9-16-201.	Definitions
<del>R9-16-202.</del>	<del>Qualifications for Licensure</del>
<del>R9-16-203.</del> R9-16-202.	<del>License Application for an Initial License for an Audiologist</del>
R9-16-203.	Application for an Initial License for a Speech-language Pathologist
R9-16-204.	Application for a Temporary License for a Speech-language Pathologist
<del>R9-16-206.</del> R9-16-205.	<del>License Renewal for an Audiologist</del>
R9-16-206.	License Renewal for a Speech-language Pathologist

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<del>R9-16-207.</del>	<u>License Renewal for a Temporary Speech-language Pathologist</u>
<del>R9-16-207.R9-16-208.</del>	<u>Continuing Education</u>
<del>R9-16-204.R9-16-209.</del>	<u>License Application Time-frames</u>
<u>Table 2.1.</u>	<u>Time-frames (in calendar days)</u>
<del>R9-16-205.R9-16-210.</del>	<u>Clinical Fellowship Supervisors</u>
R9-16-211.	<u>Repealed Requirements for Supervising a Speech-language Pathologist Assistant</u>
<del>R9-16-212.</del>	<u>Repealed</u>
<del>R9-16-209.R9-16-212.</del>	<u>Equipment; Records; Inspections</u>
R9-16-213.	<u>Repealed Bill of Sale Requirements</u>
<del>R9-16-214.</del>	<u>Repealed</u>
<del>R9-16-208.R9-16-214.</del>	<u>Disciplinary Actions</u>
<del>R9-16-210.R9-16-215.</del>	<u>Duplicate License Fee Changes Affecting a License or a Licensee; Request for a Duplicate License</u>

ARTICLE 3. LICENSING HEARING AID DISPENSERS

Section

R9-16-301.	<u>Definitions</u>
R9-16-302.	<del>Appointed Committees</del> <u>Individuals to Act for Applicant</u>
R9-16-303.	<del>Licensing Process</del> <u>Examination Requirements</u>
R9-16-304.	<del>Sponsors</del> <u>Written Hearing Aid Dispenser Examination</u>
R9-16-305.	<del>Examination for Licensure</del> <u>Practical Examination</u>
R9-16-306.	<del>Structure of the Examination</del> <u>Application for an Initial License by Examination</u>
R9-16-307.	<del>License Renewal</del> <u>Application for an Initial License by Reciprocity</u>
R9-16-308.	<del>Continuing Education Licensure Requirements</del> <u>Application for an Initial License to a Business Organization</u>
R9-16-309.	<del>Continuing Education Course Requirements</del> <u>Application for a Temporary License</u>
R9-16-310.	<del>Expired Sponsors</del>
R9-16-311.	<del>Dispenser Operating Guidelines</del> <u>License Renewal</u>
R9-16-312.	<del>Inspection Requirements</del> <u>Continuing Education</u>
R9-16-313.	<del>Complaint Procedure</del> <u>Responsibilities of a Hearing Aid Dispenser</u>
R9-16-314.	<del>Enforcement Actions</del> <u>Equipment and Records</u>
R9-16-315.	<del>Time-frames</del> <u>Disciplinary Actions</u>
R9-16-316.	<del>Duplicate License Fee</del> <u>Time-frames</u>
<u>Table 4.3.1.</u>	<u>Time-frames (in calendar days)</u>
<u>R9-16-317.</u>	<u>Change Affecting a License or a Licensee; Request for Duplicate License</u>

ARTICLE 5. LICENSING SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS

Section

R9-16-501.	<u>Definitions</u>
<del>R9-16-502.</del>	<del>License Qualifications</del>
<del>R9-16-503.R9-16-502.</del>	<u>Initial License Application for an Initial License</u>
<del>R9-16-504.R9-16-503.</del>	<u>License Renewal</u>
<del>R9-16-506.R9-16-504.</del>	<u>Continuing Education</u>
R9-10-505.	<u>License Application and CE Approval Time-frames</u>
<u>Table 4.5.1.</u>	<u>Time-frames (in calendar days)</u>
<del>R9-16-507.R9-16-506.</del>	<u>Disciplinary Actions</u>
<del>R9-16-508.R9-16-507.</del>	<u>Duplicate License Fee Changes Affecting a License or a Licensee; Request for a Duplicate License</u>
<u>R9-16-508.</u>	<u>Renumbered</u>

ARTICLE 2. LICENSING AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS

**R9-16-201. Definitions**

The In addition to the definitions in A.R.S. § 36-1901, the following definitions apply in this Article, unless otherwise specified:

1. "Accredited" means approved by the:
  - a. New England Association of Schools and Colleges,
  - b. Middle States ~~Association of Colleges and Secondary Schools~~ Commission on Higher Education,
  - c. North Central Association of Colleges and Schools,
  - d. Northwest ~~Association of Schools and Colleges~~ Commission on Colleges and Universities,
  - e. Southern Association of Colleges and Schools, or
  - f. Western Association of Schools and Colleges.
2. "Applicant" means:

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- a. ~~an~~ An individual who submits to the Department an initial or a renewal an application packet, to practice audiology or speech-language pathology in Arizona; or
- b. A person who submits a request for approval for a continuing education course.
3. "Application packet" means the information, documents, and fees required by the Department for licensure a license.
4. ~~"Audiology" has the meaning in A.R.S. § 36-1901(2).~~
- 5-4. "ASHA" means the American Speech-Language-Hearing Association, a national scientific and professional organization for audiologists and speech-language pathologists.
5. "Calendar day" means each day, not including the day of the act, event, or default, from which a designated period of time begins to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
6. "CCC" means Certificate of Clinical Competence, an award issued by ASHA to an individual who:
  - a. Completes a degree in audiology or speech-language pathology from an accredited college or university that includes a clinical practicum;
  - b. Passes the ETSNESPA ETSNEA or ETSNESLP; and
  - c. Completes a clinical fellowship.
7. ~~"CE" means continuing education, the ongoing process of audiology, or speech-language pathology related courses.~~
- 8-7. "Clinical fellow" means an individual engaged in a clinical fellowship.
- 9-8. "Clinical fellowship" means an individual's postgraduate professional experience assessing, diagnosing, screening, treating, writing reports, and counseling individuals exhibiting speech, language, hearing, or communication disorders, obtained:
  - a. After completion of graduate level academic course work and a clinical practicum;
  - b. Under the supervision of a clinical fellowship supervisor; and
  - c. While being employed on a full-time or part-time equivalent basis.
- 10-9. "Clinical fellowship agreement" means the document submitted to the Department by a clinical fellow to register the initiation of a clinical fellowship.
- 11-10. "Clinical fellowship report" means a document completed by a clinical fellowship supervisor containing:
  - a. A summary of a clinical fellow's the diagnostic and therapeutic procedures performed by the clinical fellow,
  - b. A verification by the clinical fellowship supervisor of the clinical fellow's performance of diagnostic and therapeutic procedures by the clinical fellowship supervisor, and
  - c. An evaluation of the clinical fellow's ability to perform the diagnostic and therapeutic procedures.
- 12-11. "Clinical fellowship supervisor" means an audiologist or a licensed speech-language pathologist who:
  - a. Is a sponsor of a temporary licensee;
  - b. Had a CCC while supervising a clinical fellow before the effective date of this Article; October 28, 1999, or
  - c. Has a CCC while supervising a clinical fellow in another state.
- 13-12. "Clinical practicum" means the experience acquired by an individual who is completing course work in audiology or speech-language pathology, while supervised by a licensed audiologist, a licensed speech-language pathologist, or an individual holding a CCC, by assessing, diagnosing, evaluating, screening, treating, and counseling individuals exhibiting speech, language, cognitive, hearing, or communication disorders.
13. "Continuing education" means a course that provides instruction and training that is designed to develop or improve the licensee's professional competence in disciplines directly related to the licensee's scope of practice.
14. "Course" means a workshop, seminar, lecture, conference, or class, or instruction.
15. "Current CCC" means documentation issued by ASHA verifying that an individual is presently certified by ASHA.
16. ~~"Days" means calendar days.~~
16. "Department-designated written hearing aid dispenser examination" means one of the following that has been identified by the Department as complying with the requirements in A.R.S. § 36-1924:
  - a. The International Licensing Examination for Hearing Healthcare Professionals, administered by the International Hearing Society; or
  - b. A test provided by the Department or other organization.
17. "Diagnostic and therapeutic procedures" means the principles and methods used by an audiologist in the practice of audiology or a speech-language pathologist in the practice of speech-language pathology.
18. "Disciplinary action" means a proceeding that is brought against a licensee by the Department under A.R.S. § 36-1934 or a state licensing entity agency or board.
19. "ETSNEA" means Educational Testing Service National Examination in Audiology, the specialty area test of the Praxis Series given by the Education Testing Service, Princeton, N.J.
- 19-20. "ETSNESPA" "ETSNESLP" means Educational Testing Service National Examination in Speech-Language Pathology and Audiology, the specialty area test of the Praxis Praxis Series given by the Education Testing Service, Princeton, N.J.
- 20-21. "Full-time" means 30 clock hours or more per week.

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- ~~21-22.~~ "Graduate level" means leading to, or creditable towards, a master's or doctoral degree.
- ~~22.~~ "License" means the written authorization issued by the Department to practice audiology or speech-language pathology.
- ~~23-23.~~ "Local education agency" means a school district governing board established by A.R.S. §§ 15-301 through 15-396.
24. "Monitoring" means being responsible for and providing direction to a clinical fellow without directly observing diagnostic and therapeutic procedures.
25. ~~Onsite~~ "On-site" observations" means the presence of a clinical fellowship supervisor who is watching a clinical fellow perform diagnostic and therapeutic procedures.
26. "Part-time equivalent" means:
- 25-29 clock hours per week for 48 weeks,
  - 20-24 clock hours per week for 60 weeks, or
  - 15-19 clock hours per week for 72 weeks.
27. "Pupil" means a child attending a school, a charter school, or an accommodation school, ~~which are~~ as defined in A.R.S. § 15-101.
28. "Semester credit hour" means one earned academic unit of study based on completing, at an accredited college or university, a 50 to 60 minute class session per calendar week for 15 to 18 weeks.
29. "Semester credit hour equivalent" means one quarter credit, which is equal in value to 2/3 of a semester credit hour.
- ~~30.~~ "Speech language pathology" has the meaning in A.R.S. § 36-1901(17).
- ~~31-30.~~ "State-supported institution" means a school receiving funding under A.R.S. §§ 15-901 through ~~15-1086~~ 15-1045.
- ~~32-31.~~ "Supervise" means being responsible for and providing direction to:
- A clinical fellow during ~~onsite on-site observation~~ observations or monitoring of the clinical fellow's performance of diagnostic and therapeutic procedures; or
  - An individual completing a clinical practicum.
- ~~33-32.~~ "Supervisory activities" means evaluating and assessing a clinical fellow's performance of diagnostic and therapeutic procedures in assessing, diagnosing, evaluating, screening, treating, and counseling individuals exhibiting speech, language, cognitive, hearing, or communication disorders.
- ~~34-33.~~ "Week" means the period of time beginning at 12:00 a.m. on Sunday and ending at 11:59 p.m. the following Saturday.

**~~R9-16-202.~~ Qualifications for Licensure**

An applicant shall meet the requirements in A.R.S. § 36-1940 to qualify for an audiologist's license or A.R.S. § 36-1940.01 to qualify for a speech-language pathologist's license.

- An applicant shall provide the Department with written documentation of either a current CCC or completion of a minimum of 60 semester credit hours or semester credit hour equivalents in audiology or speech-language pathology from an accredited college or university as evidence of completion of an equivalent to a master's degree in audiology as required in A.R.S. § 36-1940(A)(2)(a), (B)(2)(a) or speech-language pathology as required in A.R.S. § 36-1940.01(A)(2)(a).
  - To qualify for an audiologist's license, the 60 semester credit hours shall include a minimum of 21 graduate level semester credit hours in the area of audiology and a minimum of six semester credit hours in the area of speech-language pathology.
  - To qualify for a speech-language pathologist's license, the 60 semester credit hours shall include a minimum of 21 graduate level semester credit hours in the area of speech-language pathology and a minimum of six semester credit hours in the area of audiology.
  - An applicant is allowed no more than six graduate level semester credit hours for a clinical practicum.
  - Thesis or dissertation credit hours may not be used to meet the requirements of this subsection.
- An applicant shall provide the Department with written documentation of either a current CCC or completion of a minimum of 300 clock hours in a clinical practicum at an accredited college or university as evidence of completion of a clinical practicum in audiology as required in A.R.S. § 36-1940(A)(2)(b), (B)(2)(b) or speech-language pathology as required in A.R.S. § 36-1940.01(A)(2)(b).
  - For an individual applying for an audiologist's license, the 300 clock hours shall include at least 20 clock hours in speech-language pathology and 250 clock hours or more in audiology including at least:
    - 40 clock hours in the evaluation of hearing in children;
    - 40 clock hours in the evaluation of hearing in adults;
    - 80 clock hours in the selection and use of amplification and assistive devices with a minimum of 10 clock hours with adults and a minimum of 10 clock hours with children; and
    - 20 clock hours in the treatment of hearing disorders in children and adults.
  - For an individual applying for a speech-language pathologist's license, the 300 clock hours shall include at least 20 clock hours in audiology and 250 clock hours or more in speech-language pathology including at least 20 clock hours in each of the following categories:

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- i. The evaluation of speech disorders in children;
  - ii. The evaluation of speech disorders in adults;
  - iii. The evaluation of language disorders in children;
  - iv. The evaluation of language disorders in adults;
  - v. The treatment of speech disorders in children;
  - vi. The treatment of speech disorders in adults;
  - vii. The treatment of language disorders in children;
  - viii. The treatment of language disorders in adults.
3. An applicant shall provide the Department with written documentation of either a current CCC or completion of 36 weeks or more of a clinical fellowship as evidence of completion of the postgraduate professional experience required by A.R.S. § 36-1940(A)(2)(c), (B)(2)(c), or A.R.S. § 36-1940.01(A)(2)(c);
- a. The clinical fellowship shall be completed within seven years from the date the clinical practicum was completed;
  - b. Once initiated, the clinical fellowship shall be completed in no more than 36 consecutive months; and
  - c. A minimum of 80% of the clinical fellowship hours shall be in direct client contact.

**R9-16-203-R9-16-202. License Application for an Initial License for an Audiologist**

- A.** An applicant for a regular audiology license or a regular speech language pathology license shall submit to the Department an application packet containing:
- 1. An application on in form provided by the Department and signed by the applicant that contains all of the following:
    - a. The applicant's name, social security number, current home address, business address, and home and business telephone numbers;
    - b. If applicable, the name of applicant's employer and the employer's current business address and telephone number;
    - c. A statement of whether the applicant has ever been convicted of a felony or a misdemeanor involving moral turpitude in this state or any other state;
    - d. A list of all states and countries in which the applicant is or has been licensed as an audiologist or speech language pathologist;
    - e. A statement of whether any disciplinary action, consent order, or settlement agreement is pending or has been imposed by any state or country upon the applicant's audiology or speech language pathology license; and
    - f. A statement by the applicant verifying the truthfulness of the information provided by the applicant;
  - 2. An official transcript issued to the applicant by an accredited college or university after the applicant's completion of a master's degree or 60 semester credit hours or semester credit hour equivalents as provided in R9-16-202(1) or a copy of a current CCC;
  - 3. Written documentation of the applicant's completion of a clinical practicum as required by R9-16-202(2) or a copy of a current CCC;
  - 4. A photocopy of the clinical fellowship report signed by the clinical fellowship supervisor as required by R9-16-202(3) or a copy of a current CCC;
  - 5. Written documentation of a passing grade on a ETS/NESPA or a copy of a current CCC; and
  - 6. An application fee of \$100.
- B.** An applicant for a temporary license shall submit to the Department an application packet containing:
- 1. An application on a form provided by the Department containing the information in subsections (A)(1), (A)(2), (A)(3), (A)(5), and the fee in (A)(6); and
  - 2. A copy of the clinical fellowship agreement that includes:
    - a. The clinical fellow's name, home address, and telephone number;
    - b. The clinical fellowship supervisor's name, business address, telephone number, and Arizona audiology or speech language pathology license number;
    - c. The name and address where the clinical fellowship will take place;
    - d. A statement by the clinical fellowship supervisor agreeing to comply with R9-16-205; and
    - e. The signatures of the clinical fellow and the clinical fellowship supervisor.
- C.** An applicant for an audiology license to fit and dispense hearing aids shall submit to the Department an application packet containing:
- 1. The information, documents, and fee required in subsection (A); and
  - 2. Written documentation of passing a hearing aid dispenser examination as required by A.R.S. § 36-1940(B)(4).
- D.** An applicant for a speech language pathology license limited to providing services to pupils under the authority of a local education agency or state supported institution shall submit to the Department an application packet containing:
- 1. An application on a form provided by the Department containing the information in subsection (A)(1);
  - 2. A copy of a temporary or standard certificate in speech language therapy issued by the State Board of Education;
  - 3. A copy of an employment contract or an employment contract conditioned upon the applicant's licensure, with a local education agency or state supported institution that includes:

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- a. ~~The applicant's name and social security number;~~
  - b. ~~The name of the local education agency or state-supported institution;~~
  - e. ~~The classification title of the applicant;~~
  - d. ~~The work dates or projected work dates of the employment contract, and~~
  - e. ~~Signatures of the applicant and the individual authorized by the governing board to represent the local education agency or state-supported institution, and~~
4. ~~An application fee of \$100.~~
- A.** Except as provided in subsection (B), an applicant for an audiology license or an audiology license to fit and dispense shall submit to the Department:
- 1. An application in a format provided by the Department that contains:
    - a. The applicant's name, home address, telephone number, and e-mail address;
    - b. The applicant's Social Security number, as required under A.R.S. §§ 25-320 and 25-502;
    - c. If applicable, the applicant's business address and telephone number;
    - d. If applicable, the name of applicant's employer, including the employer's business address and telephone number;
    - e. Whether the applicant is requesting an audiology license to fit and dispense;
    - f. Whether the applicant has ever been convicted of a felony or a misdemeanor involving moral turpitude in this or another state;
    - g. If the applicant has been convicted of a felony or a misdemeanor involving moral turpitude:
      - i. The date of the conviction,
      - ii. The state or jurisdiction of the conviction,
      - iii. An explanation of the crime of which the applicant was convicted, and
      - iv. The disposition of the case;
    - h. Whether the applicant is or has been licensed as an audiologist or an audiologist to fit and dispense hearing aids in another state or country;
    - i. Whether the applicant has had a license revoked or suspended by any state within the previous two years;
    - j. Whether the applicant is currently ineligible for licensing in any state because of a license revocation or suspension;
    - k. Whether any disciplinary action has been imposed by any state, territory or district in this country for an act related to the applicant's practice of audiology;
    - l. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-209;
    - m. An attestation that the information submitted is true and accurate; and
    - n. The applicant's signature and date of signature;
  - 2. If a license for the applicant has been revoked or suspended by any state within the previous two years, documentation that includes:
    - a. The date of the revocation or suspension.
    - b. The state or jurisdiction of the revocation or suspension, and
    - c. An explanation of the revocation or suspension;
  - 3. If the applicant is currently ineligible for licensing in any state because of a license revocation or suspension, documentation that includes:
    - a. The date of the ineligibility for licensing.
    - b. The state or jurisdiction of the ineligibility for licensing, and
    - c. An explanation of the ineligibility for licensing;
  - 4. If the applicant has been disciplined by any state, territory, or district of this country for an act related to the applicant's audiologist license that is grounds for disciplinary action under Title 37, Chapter 17, documentation that includes:
    - a. The date of the disciplinary action.
    - b. The state or jurisdiction of the disciplinary action.
    - c. An explanation of the disciplinary action, and
    - d. Any other applicable documents, including a legal order or settlement agreement;
  - 5. If applicable, a list of all states and countries in which the applicant is or has been licensed as an audiologist or an audiologist to fit and dispense hearing aids;
  - 6. A copy of the applicant's:
    - a. U.S. passport, current or expired;
    - b. Birth certificate;
    - c. Naturalization documents; or
    - d. Documentation of legal resident alien status;
  - 7. One of the following:

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- a. A copy of the applicant's official transcript issued to the applicant by an accredited college or university after the applicant's completion of a doctoral degree consistent with the standards of this state's universities, as required in A.R.S. § 36-1940(A)(2); or
- b. Documentation that the applicant is eligible for a waiver, according to A.R.S. § 36-1940.02(C), of the education and clinical rotation requirements in A.R.S. § 36-1940;
8. Documentation:
  - a. Of a passing grade on a ETSNEA dated within three years before the date of application required in A.R.S. § 36-1902(E);
  - b. Of a current CCC completed by the applicant within three years before the date of application; or
  - c. The applicant is eligible for a waiver, according to A.R.S. § 36-1940.02(D), of the audiology examination requirements in A.R.S. § 36-1940; and
9. A nonrefundable \$100 application fee.
- B.** An applicant for an audiology license to fit and dispense hearing aids who was awarded a master's degree before December 31, 2007 shall submit to the Department:
  1. An application in a format provided by the Department that contains the information in subsections (A)(1) through (A)(7) and (A)(9);
  2. A copy of the applicant's official transcript from an accredited college or university demonstrating the applicant's completion of a master's degree in audiology before December 31, 2007;
  3. Documentation that the applicant is eligible, according to A.R.S. § 36-1940.02(C), for a waiver of the education and clinical rotation requirements in A.R.S. § 36-1940;
  4. Documentation that the applicant:
    - a. Has a passing grade on a ETSNEA completed within three years before the date of application;
    - b. Has a CCC completed within three years before the date of application; or
    - c. Is eligible for a waiver, according to A.R.S. § 36-1940.02(D), of the audiology examination requirements in A.R.S. § 36-1940; and
  5. Documentation:
    - a. Of a passing grade obtained by the applicant on a Department designated written hearing aid dispenser's examination as required in A.R.S. § 36-1940(C); or
    - b. That the applicant is eligible for a waiver, according to A.R.S. § 36-1940.02(E), of the hearing aid dispensing examination requirements in A.R.S. § 36-1940.
- C.** The Department shall review the application packet for a license to practice as an audiologist, an audiologist to fit and dispense hearing aids, or an audiologist, who has a master's degree, to fit and dispense hearing aids, as applicable, according to R9-16-209 and Table 2.1.
- D.** An audiologist with a doctoral degree in audiology who is licensed to fit and dispense hearing aids shall take and pass a Department-provided jurisprudence and ethics examination within six months after the issue date of the audiologist's license.

**R9-16-203. Application for an Initial License for a Speech-language Pathologist**

- A.** Except as provided in subsection (B), an applicant for a speech-language pathologist license shall submit to the Department:
  1. An application in a format provided by the Department that contains:
    - a. The applicant's name, home address, telephone number, and e-mail address;
    - b. The applicant's Social Security number, as required under A.R.S. §§ 25-320 and 25-502;
    - c. If applicable, the applicant's business address and telephone number;
    - d. If applicable, the name of the applicant's employer, including the employer's business address and telephone number;
    - e. Whether the applicant has ever been convicted of a felony or a misdemeanor involving moral turpitude in this or another state;
    - f. If the applicant has been convicted of a felony or a misdemeanor involving moral turpitude:
      - i. The date of the conviction,
      - ii. The state or jurisdiction of the conviction,
      - iii. An explanation of the crime of which the applicant was convicted, and
      - iv. The disposition of the case;
    - g. Whether the applicant is or has been licensed as a speech-language pathologist in another state or country;
    - h. Whether the applicant has had a license revoked or suspended by any state within the previous two years;
    - i. Whether the applicant is currently ineligible for licensing in any state because of a license revocation or suspension;
    - j. Whether a disciplinary action has been imposed by any state, territory, or district in this country for an act related to the applicant's speech-language pathologist license;
    - k. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-



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- a. The applicant's name, home address, telephone number, and e-mail address;
- b. The applicant's Social Security number, as required under A.R.S. §§ 25-320 and 25-502;
- c. If applicable, the applicant's business address and telephone number;
- d. If applicable, the name of the applicant's employer, including the employer's business address and telephone number;
- e. Whether the applicant has ever been convicted of a felony or a misdemeanor involving moral turpitude in this or another state;
- f. If the applicant has been convicted of a felony or a misdemeanor involving moral turpitude:
  - i. The date of the conviction,
  - ii. The state or jurisdiction of the conviction,
  - iii. An explanation of the crime of which the applicant was convicted, and
  - iv. The disposition of the case;
- g. Whether the applicant is or has been licensed as a speech-language pathologist in another state or country;
- h. Whether the applicant has had a license revoked or suspended by any state within the previous two years;
- i. Whether the applicant is currently ineligible for licensing in any state because of a license revocation or suspension;
- j. Whether any disciplinary action, consent order, or settlement agreement is pending or has been imposed by any state or country upon the applicant's speech-language pathologist license;
- k. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-209;
- l. An attestation that the information submitted is true and accurate; and
- m. The applicant's signature and date of signature;
2. If applicable, a list of all states and countries in which the applicant is or has been licensed as a speech-language pathologist;
3. If a license for the applicant has been revoked or suspended by any state within the previous two years, documentation that includes:
  - a. The date of the revocation or suspension,
  - b. The state or jurisdiction of the revocation or suspension, and
  - c. An explanation of the revocation or suspension;
4. If the applicant is currently ineligible for licensing in any state because of a license revocation or suspension, documentation that includes:
  - a. The date of the ineligibility for licensing,
  - b. The state or jurisdiction of the ineligibility for licensing, and
  - c. An explanation of the ineligibility for licensing;
5. If the applicant has been disciplined by any state, territory or district of this country for an act related to the applicant's speech-language pathologist license that is grounds for disciplinary action under Title 37, Chapter 17, documentation that includes:
  - a. The date of the disciplinary action;
  - b. The state or jurisdiction of the disciplinary action;
  - c. An explanation of the disciplinary action; and
  - d. Any other applicable documents, including a legal order or settlement agreement;
6. A copy of the applicant's:
  - a. U.S. passport, current or expired;
  - b. Birth certificate;
  - c. Naturalization documents; or
  - d. Documentation of legal resident alien status;
7. Documentation of the applicant's:
  - a. Official transcript issued to the applicant by an accredited college or university after the applicant's completion of a master's degree consistent with the standards of this state's universities, as required in A.R.S. § 36-1940.01(A)(2)(a); and
  - b. Completion of a clinical practicum, as required in A.R.S. § 36-1940.01(A)(2)(b);
8. A copy of the applicant's clinical fellowship agreement that includes:
  - a. The applicant's name, home address, and telephone number;
  - b. The clinical fellowship supervisor's name, business address, telephone number, and Arizona speech-language pathology license number;
  - c. The name and address where the clinical fellowship will take place;
  - d. A statement by the clinical fellowship supervisor agreeing to comply with R9-16-210; and
  - e. The signatures of the applicant and the clinical fellowship supervisor;
9. Documentation of the applicant's completion of the ETSNESLP as required in A.R.S. § 36-1940.01(A)(3); and

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- 10. A nonrefundable \$100 application fee.
- B. A temporary license issued is effective for 12 months from the date of issuance.
- C. A temporary license may be renewed only once.
- D. An applicant issued a temporary speech-language pathologist license shall:
  - 1. Practice under the supervision of a licensed speech-language pathologist, and
  - 2. Not practice under the supervision of individual who has a temporary speech-language pathologist license.
- E. The Department shall review an application packet for a temporary speech-language pathologist license according to R9-16-209 and Table 2.1.

**R9-16-206, R9-16-205. License Renewal for an Audiologist**

- A. Before the expiration date of a regular license, a licensee shall submit to the Department an application packet containing:
  - 1. A license renewal fee of \$100;
  - 2. A completed record of compliance with the CE requirements in R9-16-207; and
  - 3. A license renewal form provided by the Department that contains:
    - a. The licensee's name, current home address, business address, and home and business telephone numbers;
    - b. If applicable, the name of the employer and the employer's current business address and telephone number;
    - c. License number and date of expiration; and
    - d. A statement of whether the licensee has been convicted of a felony or a misdemeanor involving moral turpitude since the licensee's previous license application.
- B. A licensee who submits the information and fee in subsection (A)(1) no later than 30 days after the license expiration date shall submit the information and renewal fee required in subsection (A), and a \$25 late fee, and in addition to the information and fee required by subsection (A)

A licensee who does not submit the information and the fee in subsection (A)(1) within 30 days after the license expiration date, may obtain a license by submitting the application packet required in R9-16-203(A).
- C. When renewing a temporary license, a licensee shall submit a license renewal fee of \$100 and a form provided by the Department containing:
  - 1. The applicant's name, address, and phone number;
  - 2. The name of applicant's employer, the employer's current business address, telephone number, and Arizona audiologist or speech-language pathologist license number;
  - 3. The clinical fellowship supervisor's name, business address, telephone number, and Arizona audiologist or speech-language pathologist license number;
  - 4. A statement by the clinical fellowship supervisor agreeing to comply with R9-16-205; and
  - 5. The signature of the clinical fellowship supervisor.
- A. Except as provided in subsection (B) and before the expiration date of the audiologist's license, a licensed audiologist or audiologist who fits and dispenses hearing aids shall submit to the Department:
  - 1. A renewal application in a format provided by the Department that contains:
    - a. The applicant's name, home address, telephone number, and e-mail address;
    - b. If applicable, the applicant's business address and telephone number.
    - c. If applicable, the name of the applicant's employer, including the employer's business address and telephone number;
    - d. The applicant's license number and date of expiration;
    - e. Since the previous license application, whether the applicant has been convicted of a felony or a misdemeanor involving moral turpitude in this or another state;
    - f. If the applicant was convicted of a felony or a misdemeanor involving moral turpitude:
      - i. The date of the conviction,
      - ii. The state or jurisdiction of the conviction,
      - iii. An explanation of the crime of which the applicant was convicted, and
      - iv. The disposition of the case;
    - g. Whether the applicant has had, within two years before the renewal application date, an audiologist license suspended or revoked by any state;
    - h. An attestation that the information submitted is true and accurate; and
    - i. The applicant's signature and date of signature;
  - 2. Documentation of the continuing education required in R9-16-208, completed within the two years before the expiration date of the license, including:
    - a. The name of the individual or organization providing the course;
    - b. The date and location where the course was provided;
    - c. The title of each course attended;
    - d. A description of each course's content;
    - e. The name of the instructor;
    - f. The instructor's education, training, and experience background, if applicable; and



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pathologist shall submit to the Department:

1. A renewal application in a format provided by the Department that contains:
    - a. The applicant's name, home address, e-mail address, and telephone number;
    - b. The applicant's license number and date of expiration;
    - c. The name of the applicant's employer, including the employer's business address, and telephone number;
    - d. The name, business address, telephone number, and license number of the speech language pathologist providing supervision to the applicant;
    - e. Since the previous license application, whether the applicant has been convicted of a felony or a misdemeanor involving moral turpitude in this or another state;
    - f. If the applicant was convicted of a felony or a misdemeanor:
      - i. The date of the conviction,
      - ii. The state or jurisdiction of the conviction,
      - iii. An explanation of the crime of which the applicant was convicted, and
      - iv. The disposition of the case;
    - g. An attestation that the information submitted is true and accurate; and
    - h. The applicant's signature and date of signature;
  2. A statement signed and dated by the applicant's clinical fellowship supervisor agreeing to comply with R9-16-210; and
  3. A \$100 license renewal fee.
- B.** The Department shall review the application packet for a renewal temporary license to practice as a temporary speech-language pathologist according to R9-16-209 and Table 2.1.

**~~R9-16-207-R9-16-208~~ Continuing Education**

- A.** ~~Every 12 months from 24 months~~ after the effective date of a regular license, a licensee shall complete ~~eight credit hours or more of CE~~ continuing education approved by the Department. ~~A credit hour consists of a minimum of 50 continuous minutes of instruction.~~
1. Except as provided in (A)(2), a licensed audiologist shall complete at least 20 continuing education hours related to audiology;
  2. A licensed audiologist who fits and dispenses hearing aids shall complete:
    - a. At least 20 continuing education hours related to audiology and hearing aid dispensing, and
    - b. No more than eight continuing education hours required in subsection (A)(2)(a) provided by a single manufacturer of hearing aids; and
  3. A licensed speech-language pathologist shall complete at least 20 continuing education hours in speech-language pathology related courses.
- B.** Continuing education shall:
1. Directly relate to the practice of audiology, speech-language pathology, or fitting and dispensing hearing aids;
  2. Have educational objectives that exceed an introductory level of knowledge of audiology, speech-language pathology, or fitting and dispensing hearing aids; and
  3. Consist of courses that include advances within the last five years in:
    - a. Practice of audiology,
    - b. Practice of speech-language pathology,
    - c. Procedures in the selection and fitting of hearing aids,
    - d. Pre- and post-fitting management of clients,
    - e. Instrument circuitry and acoustic performance data,
    - f. Ear mold design and modification contributing to improved client performance,
    - g. Audiometric equipment or testing techniques that demonstrate an improved ability to identify and evaluate hearing loss,
    - h. Auditory rehabilitation,
    - i. Ethics,
    - j. Federal and state statutes or rules, or
    - k. Assistive listening devices.
- C.** A continuing education course developed, endorsed, or sponsored by one of the following meets the requirements in subsection (B):
1. Hearing Healthcare Providers of Arizona,
  2. Arizona Speech-Language-Hearing Association,
  3. American Speech-Language-Hearing Association,
  4. International Hearing Society,
  5. International Institute for Hearing Instrument Studies,
  6. American Auditory Society,
  7. American Academy of Audiology,

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8. Academy of Doctors of Audiology.
9. Arizona Society of Otolaryngology-Head and Neck Surgery.
10. American Academy of Otolaryngology-Head and Neck Surgery, or
11. An organization determined by the Department to be consistent with an organization in subsection (C)(1) through (10).

~~**B-D.**~~ An individual presenting a CE course or a licensee, applicant requesting may request approval for a CE continuing education course shall submit by submitting the following to the Department:

1. The applicant's name, address, telephone number, and e-mail address, as applicable;
2. If the applicant is a licensee, the licensee's license number;
3. The title of the continuing education course;
- ~~4.~~ A brief ~~summary~~ description of the course;
- ~~5.~~ The name, educational background, and teaching experience of the individual presenting the course, if available;
- ~~6.~~ The educational objectives of the course; and
4. The name of the organization providing the CE course; and
- ~~7.~~ The date, time, and place of presentation of the CE course.

~~**C-E.**~~ If a licensee an applicant submits the information in subsection ~~(B)~~ (D) with a renewal application packet, the Department shall comply with the time frames in R9-16-204 review the request for approval for a continuing education course according to R9-16-209 and Table 2.1.

~~**D.**~~ For Department approval of a CE course, the overall time frame described in A.R.S. § 41-1072(2) is 45 days.

~~**E.**~~ For Department approval of a CE course, the administrative completeness review time frame is 30 days and begins on the date the Department receives a request for CE approval.

1. ~~If a request for CE approval is incomplete, the Department shall send to an individual presenting a CE course or a licensee, a written notice of incompleteness that states each deficiency and the information or documents needed to complete the request. The administrative completeness review time frame and the overall time frame are suspended from the date of the notice until the date the Department receives a complete request for CE approval.~~
2. ~~When the Department receives a complete request for CE approval, the Department shall send a written notice of administrative completeness to the individual presenting a CE course or the licensee.~~
3. ~~If the individual presenting a CE course or the licensee does not supply a complete request for CE approval within 60 days from the date the Department receives a request for CE approval, the Department shall consider the request for CE approval withdrawn.~~
4. ~~If the Department grants approval for a CE course during the time provided to assess administrative completeness, the Department shall not issue a separate written notice of administrative completeness.~~

~~**F.**~~ For Department approval of a CE course, the substantive review time frame described in A.R.S. § 41-1072(3) is 15 days and begins on the date the Department sends written notice of administrative completeness to an individual presenting the CE course or a licensee.

1. ~~If a CE course does not meet the requirements in subsection (G), the Department shall send a written notice of denial to the individual presenting the CE course or the licensee including a basis for the denial.~~
2. ~~If a CE course meets the requirements of subsection (G), the Department shall send written notice of approval to the individual presenting the CE course or the licensee.~~

~~**G-E.**~~ The Department shall approve a CE continuing education course if the Department determines that the CE continuing education course:

1. Is designed to provide current developments, skills, procedures, or treatment in diagnostic and therapeutic procedures in audiology, or speech-language pathology, or hearing aid dispensing;
2. Is developed and presented by individuals knowledgeable and experienced in the subject area; and
3. Contributes directly to the professional competence of a licensee.

~~**H.**~~ A licensee shall maintain a record of each CE course completed by the licensee for 36 months from the date of submitting the record to the Department as required by R9-16-206(A)(2). The record shall contain:

1. The name, address, and license number of the licensee;
2. For each CE course completed by the licensee:
  - a. The name of the organization providing the CE course, and the date and place of presentation;
  - b. The name of the CE course;
  - c. A description of the CE course's content and educational objectives;
  - d. The name and description of the educational background and teaching experience of the individual presenting each course;
  - e. The number of CE credit hours earned for the CE course; and
  - f. A statement, signed by the individual presenting the CE course, verifying the licensee's attendance; and
3. A statement, signed by the licensee, verifying the information contained in the record.

~~**I.**~~ A licensee is not permitted to carry forward CE credit hours from a previous year.

~~**R9-16-204, R9-16-209, License and Approval Application Time-frames**~~

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- A. For any of the ~~each type of license or approval issued by the Department license applications under this Article R9-16-203 or R9-16-206, Table 2.1 specifies~~ the overall time-frame described in A.R.S. § 41-1072(2) ~~is 60 days.~~
1. An applicant and the Department may agree in writing to extend the substantive review time-frame and the overall time-frame.
  2. The extension of the substantive review time-frame and the overall time-frame may not exceed 25% of the overall time-frame.
- B. For any of the ~~each type of license or approval issued by the Department license applications under this Article R9-16-203 or R9-16-206, Table 2.1 specifies~~ the administrative completeness review time-frame ~~is 30 days~~ described in A.R.S. § 41-1072(1) ~~and, which begins on the date the Department receives an application packet.~~
1. ~~If an application packet is incomplete, the Department shall send to the applicant a written notice of incompleteness that states each deficiency and the information or documents needed to complete the application packet. The administrative completeness review time-frame and the overall time-frame are suspended from the date of the notice until the date the Department receives a complete application packet.~~
  2. ~~When the Department receives a complete application packet, the Department shall send a written notice of administrative completeness to the applicant.~~
  3. ~~If the applicant does not submit a complete application packet within 90 days from the date the Department sends a written notice of incompleteness to the applicant, the Department shall consider the application withdrawn.~~
  4. ~~If the Department sends a written notice of approval to the applicant during the time provided to assess administrative completeness, the Department shall not provide a separate written notice of administrative completeness.~~
  1. The administrative completeness review time-frame begins:
    - a. The date the Department receives an application packet required in this Article, or
    - b. The date the Department receives a request for continuing education course approval according to R9-16-208.
  2. Except as provided in subsection (B)(3), the Department shall provide a written notice of administrative completeness or a notice of deficiencies to an applicant within the administrative completeness review time-frame.
    - a. If a license application packet or request for continuing education course approval is not complete, the notice of deficiencies listing each deficiency and the information or documentation needed to complete the license application packet or request for continuing education course approval.
    - b. A notice of deficiencies suspends the administrative completeness review time-frame and the overall time-frame from the date of the notice until the date the Department receives the missing information or documentation.
    - c. If the applicant does not submit to the Department all the information or documentation listed in the notice of deficiencies within 30 calendar days after the date of the notice of deficiencies, the Department shall consider the license application packet or request for continuing education course approval withdrawn.
  3. If the Department issues a license or approval during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.
- C. For any of the ~~license applications in R9-16-203 or R9-16-206~~ each type of license or approval issued by the Department under this Article, ~~Table 2.1 specifies~~ the substantive review time-frame described in A.R.S. § 41-1072(3) ~~is 30 days and, which begins on the date the Department sends a written notice of administrative completeness to an applicant.~~
1. ~~If an applicant does not meet the requirements of A.R.S. §§ 36-1901 through 36-1940.03 and this Article, the Department shall send to the applicant a written comprehensive request for additional information that states each statute and rule upon which the request is based. The substantive review time-frame and the overall time-frame are suspended from the date the written comprehensive request is sent until the date the Department receives the requested information.~~
    - a. ~~If an applicant does not submit the requested information within 90 days of the date the Department sends the comprehensive written request to the applicant, the Department shall consider the application withdrawn.~~
    - b. ~~If the information submitted by the applicant does not meet the requirements of A.R.S. §§ 36-1901 through 36-1940.03 and this Article, the Department shall send a written notice of denial to the applicant including a basis for the denial and an explanation of the applicant's right to appeal.~~
  2. ~~If an applicant meets the requirements of A.R.S. §§ 36-1901 through 36-1940.03 and this Article, the Department shall send written notice of approval to the applicant.~~
    1. Within the substantive review time-frame, the Department shall provide a written notice to the applicant that the Department approved or denied the license or continuing education course approval.
    2. During the substantive review time-frame:
      - a. The Department may make one comprehensive written request for additional information or documentation; and
      - b. If the Department and the applicant agree in writing to allow one or more supplemental requests for additional information or documentation, the Department may make the number of supplemental requests agreed to between the Department and the applicant.
    3. A comprehensive written request or a supplemental request for additional information or documentation suspends the substantive review time-frame and the overall time-frame from the date of the request until the date the Department receives all the information or documentation requested.

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4. If the applicant does not submit to the Department all the information or documentation listed in a comprehensive written request or supplemental request for additional information or documentation within 30 calendar days after the date of the request, the Department shall deny the license or approval.
- D. After receiving the written notice of approval in subsection ~~(C)(2)~~ (C)(1), an applicant for a regular license or a temporary license shall send a \$100 the required license fee to the Department. If the applicant does not submit the license fee within 30 calendar days after the date the Department sends the written notice of approval to the applicant, the Department shall consider the application withdrawn.
- E. The Department shall issue a regular license or a temporary license:
1. Within five calendar days after receiving the license fee, and
  2. From the date of issue, the license is valid for:
    - a. Two years, if a regular license, and
    - b. Twelve months, if a temporary license.
- F. An applicant who is denied a license may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.

**Table 2.1. Time-frames (in calendar days)**

<u>Type of Approval</u>	<u>Statutory Authority</u>	<u>Overall Time-Frame</u>	<u>Administrative Completeness Review Time-Frame</u>	<u>Time to Respond to Notice of Deficiency</u>	<u>Substantive Review Time-Frame</u>	<u>Time to Respond to Comprehensive Written Request</u>
<u>Application for an Initial License for an Audiologist (R9-16-202)</u>	<u>A.R.S. §§ 36-1904 and 36-1940</u>	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>
<u>Application for an Initial License for a Speech-language Pathologist (R9-16-203)</u>	<u>A.R.S. §§ 36-1904 and 36-1940.01</u>	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>
<u>Application for Temporary License for a Speech-language Pathologist (R9-16-204)</u>	<u>A.R.S. §§ 36-1904 and 36-1940.03</u>	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>
<u>License Renewal for an Audiologist (R9-16-205)</u>	<u>A.R.S. § 36-1904</u>	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>
<u>License Renewal for a Speech-language Pathologist (R9-16-206)</u>	<u>A.R.S. § 36-1904</u>	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>
<u>License Renewal for a Temporary Speech-language Pathologist (R9-16-207)</u>	<u>A.R.S. §§ 36-1904 and 36-1940.03</u>	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>
<u>Approval of Continuing Education Course (R9-16-208)</u>	<u>A.R.S. § 36-1904</u>	<u>45</u>	<u>30</u>	<u>30</u>	<u>15</u>	<u>30</u>

**~~R9-16-205-R9-16-210~~ Clinical Fellowship Supervisors**

In addition to complying with the requirements in A.R.S. § 36-1905, a clinical fellowship supervisor shall:

1. Complete a minimum of 36 supervisory activities throughout an individual's clinical fellowship. ~~Of the 36 supervisory activities, the clinical fellowship supervisor shall complete that include:~~
  - a. A minimum of 18 ~~onsite~~ on-site observations;
  - b. No more than six ~~onsite~~ on-site observations in ~~24 hours~~ a 24-hour period; and
  - c. A minimum of 18 monitoring activities;
2. Submit a copy of the clinical fellowship report to the Department within 30 calendar days ~~of~~ after the completion of

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- the clinical fellowship; and
3. Provide the Department and the clinical fellow with written notice within 72 hours ~~of~~ after the decision to stop supervising the clinical fellow if the clinical fellowship supervisor voluntarily stops supervising a clinical fellow before the completion of the clinical fellowship.

**R9-16-211. ~~Repeated Requirements for Supervising a Speech-language Pathologist Assistant~~**

A licensed speech-language pathologist who provides direct supervision or indirect supervision to a speech-language pathologist assistant shall:

1. Have at least two years of full-time professional experience as a licensed speech-language pathologist;
2. Provide direct supervision or indirect supervision to no more than two full-time or three part-time speech-language pathologist assistants at one time;
3. Ensure that the amount and type of direct supervision and indirect supervision provided is consistent with:
  - a. The speech-language pathologist assistant's skills and experience,
  - b. The needs of the clients served,
  - c. The setting where the services are provided, and
  - d. The tasks assigned;
4. Inform a client when the services of a speech-language pathology assistant is being provided;
5. Document each occurrence of direct supervision and indirect supervision provided to a speech-language pathology assistant, including:
  - a. The speech-language pathologist assistant's name and license number,
  - b. The name and address of business where services occurred, and
  - c. The date and type of supervision provided;
6. Ensure that the amount and type of direct supervision and indirect supervision provided to a speech-language pathology assistant is:
  - a. A minimum of 20 per cent direct supervision and 10 per cent indirect supervision during the first 90 days of employment; and
  - b. Subsequent to the first 90 days of employment, a minimum of 10 per cent direct supervision and 10 per cent indirect supervision;
7. If more than one licensed speech-language pathologist provides direct supervision or indirect supervision to a speech-language pathology assistant, designate one speech-language pathologist as the primary speech-language pathologist who is responsible for coordinating direct supervision and indirect supervision provided by other speech-language pathologists;
8. Establish a record for each speech-language pathologist assistant who receives direct supervision and indirect supervision from the speech-language pathologist that includes:
  - a. The speech-language pathologist assistant's name, home address, telephone number, and e-mail;
  - b. A plan indicating the types of skills and the number of hours allocated to the development of each skill that the speech-language pathologist assistant is expected to complete;
  - c. A document listing each occurrence of direct supervision or indirect supervision provided to the speech-language pathologist assistant that includes:
    - i. Business name and address where supervision occurred;
    - ii. The times when the supervision started and ended,
    - iii. The types of clinical interactions provided; and
    - iv. Notation of speech-language pathologist assistant's progress;
  - d. Documentation of evaluations provided to the speech-language pathologist assistant during the time supervision was provided; and
  - e. Documentation of when supervision was terminated; and
9. Maintain a speech-language pathologist assistant record:
  - a. Throughout the period that the speech-language pathologist assistant receives direct supervision and indirect supervision clinical interactions from the supervisor; and
  - b. For at least two years after the last date the speech-language pathologist assistant received clinical interactions from the supervisor.

**R9-16-212. ~~Repeated~~**

**R9-16-209-R9-16-212. Equipment; Records; ~~Inspections~~**

- A. A licensee shall maintain equipment used by the licensee in the practice of audiology or the practice of speech-language pathology according to the manufacturer's specifications.
- B. If a licensee uses equipment that requires calibration, the licensee shall ensure that:
  1. The equipment is calibrated a minimum of every 12 months and according to the American National Standard - Specifications for Audiometers, ~~S3.6-1996~~ S3.6-2010, Standards Secretariat, c/o Acoustical Society of America, ~~420 Wall Street, 32nd Floor, New York, New York 10005-3993~~ January 12, 1996 1305 Walt Whitman Road, Suite 300, Mel-

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ville, New York, 11747-4300, November 2, 2010, incorporated by reference and on file with the Department and the Office of the Secretary of State. ~~This incorporation by reference contains~~ with no future additions or amendments; and

2. A written record of the calibration is maintained in the same location as the calibrated equipment for at least 36 months ~~from~~ after the date of the calibration.
- C. A licensee shall maintain the following records according to A.R.S. § 32-3211 for each client for at least 36 months from ~~from~~ after the date the licensee provided a service or dispensed a product while engaged in the practice of audiology, practice of speech-language pathology, or practice of fitting and dispensing hearing aids:
1. The name, address, and telephone number of the individual to whom services are provided;
  2. The name or description and the results of each test and procedure used in evaluating speech, language, and hearing disorders or determining the need for dispensing a product or service; and
  3. If a product such as a hearing aid, augmentative communication device, or laryngeal device is dispensed, a record of the following:
    - a. The name of the product dispensed;
    - b. The product's serial number, if any;
    - c. The product's warranty or guarantee, if any;
    - d. The refund policy for the product, if any;
    - e. A statement of whether the product is new or used;
    - f. The total amount charged for the product;
    - g. The name of the licensee; and
    - h. The name of the intended user of the product.
- D. ~~A licensee shall permit the Department to inspect the equipment in subsection (A) and the records listed in subsections (B) and (C).~~

**R9-16-213. ~~Repealed~~ Bill of Sale Requirements**

An audiologist who dispenses hearing aids shall provide a bill of sale to a client at the time the audiologist provides a hearing aid to the client or at a time requested by the client that complies with the requirements in R9-16-314.

**~~R9-16-214. Repealed~~**

**~~R9-16-208-R9-16-214.~~ Disciplinary Actions**

- A. ~~In determining the length of license suspension or revocation, or the level of disciplinary action for any violation of A.R.S. §§ 36-1901 through 36-1940.03 or this Article, the Department shall consider~~ The Department may, as applicable:
1. Deny, revoke, or suspend an audiologist or speech-language pathologist's license under A.R.S. § 36-1934;
  2. Request an injunction under A.R.S. § 36-1937; or
  3. Assess a civil money penalty under A.R.S. § 36-1939.
- B. In determining which disciplinary action specified in subsection (A) is appropriate, the Department shall consider:
1. The type of violation,
  2. The severity of the violation,
  3. The danger to the public health and safety,
  4. The number of violations,
  5. The number of clients affected by the violations,
  - 5-6. The degree of harm to the consumer,
  - 6-7. A pattern of noncompliance, and
  - 7-8. Any mitigating or aggravating circumstances.
- C. A licensee may appeal a disciplinary action taken by the Department according to A.R.S. Title 41, Chapter 6, Article 10.
- D. The Department shall notify a licensee's employer within five calendar days after the Department initiates a disciplinary action against a licensee.

**~~R9-16-210-R9-16-215.~~ Duplicate License Fee Changes Affecting a License or a Licensee; Request for a Duplicate License**

- A. A licensee shall submit a notice to the Department in writing within 30 calendar days after the effective date of a change in:
1. The licensee's home address or e-mail address, including the new home address or e-mail address;
  2. The licensee's name, including a copy of one of the following with the licensee's new name:
    - a. Marriage certificate,
    - b. Divorce decree, or
    - c. Other legal document establishing the licensee's new name; and
  3. The place or places, including address or addresses, where the licensee engages in the practice of audiology, speech-language pathology, or fitting and dispensing hearing aids.
- B. ~~An individual licensed under 9 A.A.C. 16, Article 2;~~ A licensee may obtain a duplicate license by submitting to the

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Department a written request for a duplicate license in a format provided by the Department that containing includes:

1. ~~the individual's~~ The licensee's name and address,
2. ~~the~~ The licensee's license number and expiration date of the license to be duplicated,
3. ~~the individual's~~ The licensee's signature and date of signature, and
4. ~~a~~ A \$25 duplicate license fee.

**ARTICLE 3. LICENSING HEARING AID DISPENSERS**

**R9-16-301. Definitions**

~~In this Article, unless the context otherwise requires, "CE" means continuing education or the on-going process of receiving in-service education and training that directly relates to the practice of fitting and dispensing hearing aids as defined in A.R.S. § 36-1901(6).~~

In addition to the definitions in A.R.S. § 36-1901, the following definitions apply in this Article unless otherwise specified:

1. "Applicant" means an individual or a business organization that submits to the Department an approval to test, or initial, renewal or temporary license application packet to practice as a hearing aid dispenser.
2. "Application packet" means the information, documents, and fees required by the Department to apply for a license.
3. "Business organization" means an entity identified in A.R.S. § 36-1910.
4. "Calendar day" means each day, not including the day of the act, event, or default from which a designated period of time begins to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
5. "Continuing education" means a course that provides instruction and training that directly relates to the practice of fitting and dispensing hearing aids as specified in A.R.S. § 36-1904.
6. "Continuing education hour" means 50 minutes of continuing education.
7. "Controlling person" has the same meaning as in A.R.S. § 36-881.
8. "Course" means a workshop, seminar, lecture, conference, or class.
9. "Department-designated written hearing aid dispenser examination" means one of the following that has been identified by the Department as complying with the requirements in A.R.S. § 36-1924:
  - a. The International Licensing Examination for Healthcare Professionals, administered by the International Hearing Society; or
  - b. A test provided by the Department or other organization.
10. "Designated agent" means an individual who is authorized by an applicant or hearing aid dispenser to receive communications from the Department, including legal service of process, and to file or sign documents on behalf of the applicant or hearing aid dispenser.
11. "Disciplinary action" means a proceeding that is brought against a licensee by the Department under A.R.S. § 36-1934 or a state licensing entity.
12. "In-service education" means organized instruction or information that is provided to a licensed hearing aid dispenser.

**R9-16-302. ~~Appointed Committees~~ Individuals to Act for Applicant**

**~~A.~~ Advisory committee**

1. ~~The advisory committee members appointed by the Director pursuant to A.R.S. § 36-1902(A)(1) and (C) shall assist the Director by making recommendations to the Department regarding the following:~~
  - a. ~~Hearing aid dispenser licensing program;~~
  - b. ~~Resolution of any consumer complaint referred to the committee by the Department involving alleged unethical conduct or incompetence by a dispenser;~~
  - e. ~~Hearing aid dispenser licensing examination;~~
  - d. ~~Membership on the examining committee, and~~
  - e. ~~Membership on the advisory committee.~~
2. ~~Committee members shall serve a three-year term except for the Department's hearing aid dispenser program manager who shall serve as a permanent member of the committee.~~

**~~B.~~ Examining committee**

~~The examining committee members appointed by the Director pursuant to A.R.S. § 36-1902(B)(4) and (D) shall assist the Director as follows:~~

1. ~~Examine applicants for licensure;~~
2. ~~Score delegated sections of the examination;~~
3. ~~Provide testimony at administrative hearings related to the examination for licensure, and~~
4. ~~Evaluate examination materials and procedures and make recommendations for change to the Department.~~

When an applicant or a hearing aid dispenser is required by this Article to provide information on or sign an application form or other document, the following shall satisfy the requirement on behalf of the applicant or hearing aid dispenser:

1. If the applicant or the hearing aid dispenser is an individual, the individual: or

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2. If the applicant or hearing aid dispenser is a business organization, the designated agent who:
  - a. Is a controlling person of the business organization,
  - b. Is a U.S. citizen or legal resident, and
  - c. Has an Arizona address.

**R9-16-303. Licensing Process Examination Requirements**

**~~A.~~** For a hearing aid dispenser license by examination:

1. ~~At least 75 days before the date the Department gives a hearing aid dispenser examination, an applicant shall submit to the Department a nonrefundable \$250 application fee and an application on a form provided by the Department that contains:~~
  - a. ~~The applicant's name, social security number, home address, and home telephone number;~~
  - b. ~~If applicable, the name of the applicant's employer and the employer's business address and business telephone number;~~
  - e. ~~Whether the applicant has been convicted in any state of a felony or of a misdemeanor involving moral turpitude and a list that includes each conviction;~~
  - d. ~~Whether the applicant currently has or had, within the five years before the application date, a condition that impairs the applicant's ability to dispense hearing aids safely;~~
  - e. ~~A statement that the applicant completed at least a four-year course in an accredited high school or passed the general education development tests and:~~
    - i. ~~A list of each high school and post-secondary school attended; and~~
    - ii. ~~A copy of the applicant's high school diploma, general education development diploma, or post-secondary degree;~~
  - f. ~~A list of each state that has issued the applicant a hearing aid dispenser license;~~
  - g. ~~Whether:~~
    - i. ~~Any state has, within the two years before the application date, suspended or revoked a hearing aid dispenser license issued to the applicant; and~~
    - ii. ~~The applicant currently is not eligible to apply for a hearing aid dispenser license in any state due to a suspension or revocation; and~~
  - h. ~~A statement signed by the applicant verifying the truthfulness of the information provided on the application form.~~
2. ~~The Department shall give one hearing aid dispenser examination in August and may give additional examinations according to A.R.S. § 36-1923(C).~~
3. ~~According to R9-16-315 and Table 1, the Department shall notify an applicant:~~
  - a. ~~By certified mail to the applicant's address on the application, that the applicant does not meet the requirements of A.R.S. § 36-1923(A) and subsection (A)(1) and the Department denies a regular hearing aid dispenser license to the applicant; or~~
  - b. ~~By regular mail to the applicant's address on the application, that the applicant meets the requirements of A.R.S. § 36-1923(A) and subsection (A)(1), and the date, time, and place of the examination.~~
4. ~~According to R9-16-315 and Table 1, the Department shall notify an applicant whose examination results do not meet the requirements in R9-16-305:~~
  - a. ~~By certified mail to the applicant's address on the application, unless the applicant provided a different address at the examination;~~
  - b. ~~Of the applicant's examination results; and~~
  - e. ~~That the Department denies a regular hearing aid dispenser license to the applicant.~~
5. ~~According to R9-16-315 and Table 1, the Department shall notify an applicant whose examination results meet the requirements in R9-16-305:~~
  - a. ~~By regular mail to the applicant's address on the application, unless the applicant provided a different address at the examination;~~
  - b. ~~Of the applicant's examination results; and~~
  - e. ~~That the Department approves a regular hearing aid dispenser license for the applicant.~~
6. ~~The Department shall issue a regular hearing aid dispenser license to an applicant who is notified under subsection (A)(5) and who submits to the Department a nonrefundable \$100 license fee. If the applicant does not submit the license fee within 30 days after the date of the notification in subsection (A)(5), the Department shall consider the application withdrawn. The applicant may reapply by submitting the application fee and information required in subsection (A)(1) at least 75 days before the date the Department gives a hearing aid dispenser examination.~~
7. ~~If an applicant who was notified under subsection (A)(3)(b) does not take the examination on the date provided in the notification, the Department shall consider the application withdrawn. The applicant may reapply by submitting the application fee and information required in subsection (A)(1) at least 75 days before the date the Department gives a hearing aid dispenser examination.~~
8. ~~Except for an applicant who fails the hearing aid dispenser examination three times, an applicant who fails an exam-~~

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ination may reapply to take the next examination by submitting to the Department the application fee and information required in subsection (A)(1) at least 75 days before the date the Department gives a hearing aid dispenser examination.

9. An applicant who fails the hearing aid dispenser examination three times may reapply by submitting the application fee and information required under subsection (A)(1) no earlier than one year after the date of the third examination failed by the applicant.
10. An applicant who is denied a regular hearing aid dispenser license by examination may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.

**B.** For a hearing aid dispenser license by reciprocity:

1. An applicant shall submit to the Department an application packet that contains:
  - a. A nonrefundable \$100 application fee and a \$100 license fee;
  - b. An application on a form provided by the Department with the information required in subsections (A)(1)(a) through (A)(1)(h) and:
    - i. The name of each state that issued the applicant a current hearing aid dispenser license;
    - ii. The license number of each current hearing aid dispenser license; and
    - iii. The date each current hearing aid dispenser license was issued; and
  - c. For each state named in subsection (B)(1)(b)(i):
    - i. A statement, on the letterhead of the government agency that issued the hearing aid dispenser license and signed by an officer of the government agency, that the applicant holds a current hearing aid dispenser license in good standing;
    - ii. A copy of the state statutes and administrative rules for hearing aid dispensers;
    - iii. A copy of the written and practical portions of a hearing aid dispenser examination taken by the applicant or a detailed description of each portion of the examination;
    - iv. The government agency's statement of the applicant's score on each section of a hearing aid dispenser examination taken by the applicant, of the minimum passing score for each section, and of the minimum passing score for the examination; and
    - v. A copy of the applicant's current license.
2. Based on the information submitted under subsections (B)(1)(b) and (B)(1)(c), the Department shall determine whether:
  - a. The content of a hearing aid dispenser examination taken by the applicant is substantially the same as the content of the Department's examination as described in R9-16-306;
  - b. The applicant's scores on the written and practical portions of a hearing aid dispenser examination taken by the applicant meet the requirements in R9-16-305 for passing the Department's hearing aid dispenser examination; and
  - c. The applicant meets the requirements in A.R.S. §§ 36-1922 and 36-1923(A) and subsections (B)(1), (B)(2)(a), and (B)(2)(b) for a regular hearing aid dispenser license by reciprocity.
3. If an applicant meets the requirements in the statutes and rules listed in subsection (B)(2)(c), the Department shall:
  - a. According to R9-16-315 and Table 1, notify the applicant:
    - i. By regular mail to the applicant's address on the application, and
    - ii. That the Department approves a regular hearing aid dispenser license by reciprocity for the applicant; and
  - b. Issue a regular hearing aid dispenser license by reciprocity to the applicant.
4. If an applicant does not meet a requirement in the statutes and rules listed in subsection (B)(2)(c), the Department shall:
  - a. According to R9-16-315 and Table 1, notify the applicant:
    - i. By certified mail to the applicant's address on the application, and
    - ii. That the Department denies a regular hearing aid dispenser license by reciprocity to the applicant; and
  - b. Return the license fee to the applicant.
5. An applicant who is denied a regular hearing aid dispenser license by reciprocity may:
  - a. Appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10; and
  - b. Apply for:
    - i. A regular hearing aid dispenser license by examination by submitting the application fee and information required in subsection (A)(1) at least 75 days before the date the Department gives a hearing aid dispenser examination; or
    - ii. A temporary hearing aid dispenser license by submitting the application fee and information required in subsection (D)(1).

**C.** For an organization hearing aid dispenser license:

1. A corporation, partnership, trust, unincorporated association, or other organization with an Arizona business address shall submit to the Department a nonrefundable \$100 application fee, a \$100 license fee, and an application on a form provided by the Department that contains:

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- a. The name of the organization;
  - b. The organization's Arizona business name, address, and telephone number;
  - c. The name, address, and telephone number of the individual authorized by the organization to receive service of process in Arizona for the organization;
  - d. The name, business telephone number, and Arizona hearing aid dispenser license number of each hearing aid dispenser employed by the organization in Arizona;
  - e. Whether the organization or a hearing aid dispenser working for the organization has had a hearing aid dispenser license suspended or revoked by any state within two years before the application date;
  - f. Whether the organization or a hearing aid dispenser working for the organization currently is not eligible for licensing in any state due to a suspension or revocation; and
  - g. A statement verifying the truthfulness of the information provided on the application form and signed by:
    - i. If the organization is a corporation, two officers;
    - ii. If the organization is a partnership, two partners;
    - iii. If the organization is a trust, the trustee, or two trustees if the trust has multiple trustees;
    - iv. If the organization is an unincorporated association, two officers;
    - v. If the organization is a limited liability company, the designated manager, or two members if a manager is not designated;
    - vi. If the organization is a political subdivision or government agency, the political subdivision head or agency head; or
    - vii. If the organization is a sole proprietorship, the owner.
2. If an organization meets the requirements in A.R.S. § 36-1910 and subsection (C)(1), the Department shall:
    - a. According to R9-16-315 and Table 1, notify the organization:
      - i. By regular mail to the organization's Arizona business address on the application, and
      - ii. That the Department approves a regular hearing aid dispenser license for the organization; and
    - b. Issue a regular hearing aid dispenser license to the organization.
  3. If an organization does not meet the requirements in A.R.S. § 36-1910 and subsection (C)(1), the Department shall:
    - a. According to R9-16-315 and Table 1, notify the organization:
      - i. By certified mail to the organization's Arizona business address on the application, and
      - ii. That the Department denies a regular hearing aid dispenser license to the organization; and
    - b. Return the license fee to the organization.
  4. An organization notified under subsection (C)(3) may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.
- D.** For a temporary hearing aid dispenser license:
1. An applicant shall submit to the Department a nonrefundable \$100 application fee and an application on forms provided by the Department that contain:
    - a. The information required in subsections (A)(1)(a) through (A)(1)(h);
    - b. The sponsor's name, business address, business telephone number, and Arizona hearing aid dispenser license number; and
    - c. A statement signed by the sponsor that the sponsor is a licensed hearing aid dispenser who agrees to train, supervise, and be responsible for the applicant's hearing aid dispenser practice.
  2. According to R9-16-315 and Table 1, the Department shall notify:
    - a. An applicant who does not meet the requirements in A.R.S. § 36-1926 and subsection (D)(1):
      - i. By certified mail to the applicant's address on the application, and
      - ii. That the Department denies a temporary hearing aid dispenser license to the applicant; or
    - b. An applicant who meets the requirements in A.R.S. § 36-1926 and subsection (D)(1):
      - i. By regular mail to the applicant's address on the application, and
      - ii. That the Department approves a temporary hearing aid dispenser license for the applicant.
  3. The Department shall issue a temporary hearing aid dispenser license to an applicant who is notified under subsection (D)(2)(b) and who submits to the Department a nonrefundable \$100 license fee. If the applicant does not submit the license fee within 30 days after the date of the notification in subsection (D)(2)(b), the Department shall consider the application withdrawn. The applicant may reapply by submitting the application fee and information required in subsection (D)(1).
  4. An applicant notified under subsection (D)(2)(a) may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.
- A.** Within two years after the date an applicant receives the approval notification in R9-16-304(C)(1), or a hearing aid dispenser with a temporary license receives the approval in R9-16-309(C), the applicant or hearing aid dispenser with a temporary license shall take and obtain a passing score on the Department-designated:
1. Written hearing aid dispenser examination required R9-16-304, and
  2. Practical examination required in R9-16-305.

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- B.** An applicant approved to take the Department-designated practical examination according to R9-16-304(C)(1), the examination required in R9-16-307(E), or a hearing aid dispenser with a temporary license approved to take the Department-designated practical examination according to R9-16-309(F)(1) shall:
  - 1. Arrive on the scheduled date and time of the examination.
  - 2. Provide proof of identity by a government-issued photographic identification card that is provided by the applicant or hearing aid dispenser with a temporary license upon the request of the individual administering the examination, and
  - 3. Exhibit ethical conduct during the examination process.
- C.** An applicant or hearing aid dispenser with a temporary license who does not comply with subsection (B)(1) or (B)(2) is ineligible to take the examination on the scheduled date and time.
- D.** An applicant or hearing aid dispenser with a temporary license taking the examination:
  - 1. Required in R9-16-307(E), will receive:
    - a. A passing score if 75% or more of the responses are correct, as determined by the Department; or
    - b. A failing score if fewer than 75% of the responses are incorrect, as determined by the Department; and
  - 2. Required in R9-16-304(C)(1) or R9-16-309(F)(1) will receive a passing score on the examination if the applicant or hearing aid dispenser with a temporary license demonstrates the proficiencies in A.R.S. § 36-1924(A)(4), as determined by the Department.
- E.** The Department shall notify an applicant or hearing aid dispenser with a temporary license that the applicant or hearing aid dispenser with a temporary license may apply for an initial hearing aid dispenser license when the applicant or hearing aid dispenser with a temporary license has received a passing score on both of the examinations in subsection (A).

**R9-16-304. Sponsors Written Hearing Aid Dispenser Examination**

A sponsor of a temporary dispenser shall be responsible for the following:

- 1. Providing a minimum of 64 hours per month of onsite training and supervision. The supervision shall include coordinating, directing, watching, inspecting, and evaluating the fitting and dispensing activities of the temporary dispenser. The training shall directly relate to the type of training and education needed to pass the licensing examination as described in A.R.S. § 36-1924.
- 2. Maintaining a record, signed by the temporary dispenser, that details the date, time and content of the training and supervision provided to the temporary dispenser by the sponsor during the sponsorship period. The record shall be maintained and available for inspection by the Department for one year following the end of the sponsorship agreement.
- 3. When terminating a sponsorship agreement, complying with the following:
  - a. Provide a written statement to the temporary dispenser indicating the sponsorship agreement is terminated and that the temporary dispenser shall return the temporary license to the Department, and
  - b. Provide a copy of the written statement of termination and documentation that the temporary dispenser received the termination notice to the Department.
- 4. Complying with the other requirements in A.R.S. § 36-1926.01.

**A.** An applicant applying for an approval to take the Department-designated written hearing aid dispenser examination shall submit to the Department:

- 1. An application in a format provided by the Department that contains:
  - a. The applicant's name, home address, telephone number, and e-mail address;
  - b. The applicant's Social Security number, as required under A.R.S. §§ 25-320 and 25-502;
  - c. If applicable, the name of the applicant's employer and the employer's business address and business telephone number;
  - d. Whether the applicant has ever been convicted of a felony or a misdemeanor in this or another state or jurisdiction; and
  - e. If the applicant was convicted of a felony or misdemeanor:
    - i. The date of the conviction,
    - ii. The state or jurisdiction of the conviction,
    - iii. An explanation of the crime of which the applicant was convicted, and
    - iv. The disposition of the case;
  - f. Whether within the two years before the application date, a hearing aid dispenser license issued to the applicant was suspended or revoked;
  - g. Whether the applicant is currently ineligible to apply for a hearing aid dispenser license due to a prior revocation or suspension of the applicant's hearing aid dispenser license;
  - h. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-316;
  - i. An attestation that the information submitted as part of the application is true and accurate; and
  - j. The applicant's signature and date of signature;
- 2. A copy of the applicant's:
  - a. U.S. passport, current or expired;

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- b. Birth certificate;
- c. Naturalization documents; or
- d. Documentation of legal resident alien status;
- 3. Documentation that the applicant:
  - a. Received a high school diploma from an accredited high school;
  - b. Passed the general education development tests;
  - c. Completed an associate degree or higher from an accredited college or university; or
  - d. Continuously engaged in the practice of fitting and dispensing hearing aids during the three years before August 11, 1970;
- 4. If the applicant was issued a hearing aid dispenser license in another state or jurisdiction, where the applicant was issued a hearing aid dispenser license; and
- 5. A nonrefundable \$100 application fee.
- B.** The Department shall review an application for an approval to take the Department-designated written hearing aid examination according to R9-16-316 and Table 3.1.
- C.** Within five calendar days after the Department receives the applicant's Department-designated written hearing aid dispenser examination results, the Department shall provide written notification to the applicant of:
  - 1. A passing score that includes approval to take the Department-designated practical examination in R9-16-305; or
  - 2. A failing score that includes, as applicable, approval to retake the Department-designated written hearing aid dispenser examination.

**R9-16-305. Examination for Licensure Practical Examination**

- A.** ~~An applicant, upon appearing at the examination site, shall present a current driver's license or other government-issued photo identification before the applicant shall be allowed to take the examination.~~
- B.** ~~An applicant who fails to arrive for, or is not allowed to take, the examination pursuant to subsection (A) may reapply for the next scheduled examination by submitting all fees and information required in R9-16-303(A).~~
- C.** ~~An applicant admitted late for the examination shall be limited to the time remaining to complete the examination.~~
- D.** ~~An applicant found cheating shall fail the examination and shall be ineligible to take the examination or renew a hearing aid license for two years.~~
- E.** ~~Each applicant shall bring another person who is not taking the examination to the examination to serve as a test subject along with impression material, cotton or foam dam, syringe, Scopes, and packing box to take an impression of the test subject's ear canal for the purpose of fitting a hearing aid. The applicant may bring additional equipment and materials to accomplish this task.~~
- F.** ~~Each applicant shall bring to the examination an otoscope, a listening tube, and a screwdriver to evaluate different types and models of hearing aids and to identify the major problem that renders the hearing aid inoperable. The applicant may bring additional equipment to accomplish this task.~~
- G.** ~~The successful applicant shall pass a practical and written examination with a combined average score of 75% or above for the two parts of the examination; however, no more than one section of either the practical or the written examination shall have a score under 75%. A rounding procedure shall not be used in determining any score.~~
- A.** After an applicant takes the Department-designated practical examination required in R9-16-303(A), the Department shall provide written notification to the applicant within five calendar days after the Department receives the applicant's examination results whether the applicant received:
  - 1. A passing score; or
  - 2. A failing score and, as applicable, approval to retake the Department-designated practical examination.
- B.** The Department shall administer the Department-designated practical exam that complies with A.R.S. § 36-1924(A)(4):
  - 1. In October each calendar year, and
  - 2. According to A.R.S. § 36-1923.

**R9-16-306. Structure of the Examination Application for an Initial License by Examination**

- A.** ~~The written and practical part of the examination shall be administered on the same day. The practical part shall include the following subjects:~~
  - 1. ~~Identification of medical aspects or conditions relating to abnormal middle ear problems;~~
  - 2. ~~Oral exam on pure tone audiometry;~~
  - 3. ~~Oral exam on speech audiometry;~~
  - 4. ~~Obtaining air and bone conduction thresholds using simulators;~~
  - 5. ~~Hearing aid maintenance and service;~~
  - 6. ~~Selecting a particular hearing aid based on an audiogram review;~~
  - 7. ~~Determining the effects of different earmold modifications, and~~
  - 8. ~~Taking an earmold impression.~~
- B.** ~~The written part of the examination shall contain the following:~~
  - 1. ~~Examination booklet provided by the International Hearing Society;~~

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2. Questions on the Arizona Revised Statutes, and Arizona and federal rules; and
3. Questions on the evaluation and rehabilitation services for the hearing impaired in Arizona.

**A.** Within six months after receiving the written notice in R9-16-303(E), an applicant for an initial license by examination shall submit to the Department:

1. An application in a format provided by the Department that contains:
  - a. The applicant's name, home address, telephone number, and e-mail address;
  - b. An attestation that the information submitted as part of the application for approval to take the Department-designated written hearing aid dispenser examination required in R9-16-304 is currently true and accurate; and
  - c. The applicant's signature and date signed; and
2. A license fee of \$200.

**B.** The Department shall review an application for an initial hearing aid dispenser license by examination according to R9-16-316 and Table 3.1.

**C.** If the Department does not issue an initial hearing aid dispenser license by examination to an applicant, the Department shall return the license fee to the applicant.

**D.** An initial hearing aid dispenser license is valid for two years from the date of issue.

**R9-16-307. License Renewal Application for an Initial License by Reciprocity**

**A.** ~~This subsection applies to renewal of a hearing aid dispenser license initially issued under R9-16-303(A) or R9-16-303(B).~~

1. ~~A hearing aid dispenser shall submit to the Department, before the license expiration date:~~
  - a. ~~A nonrefundable \$100 license renewal fee;~~
  - b. ~~Confirmation of CE hours according to R9-16-308(C) and R9-16-308(D), and~~
  - c. ~~A license renewal application on a form provided by the Department that contains:~~
    - i. ~~The hearing aid dispenser's name, home address, and home telephone number;~~
    - ii. ~~If applicable, the name of the hearing aid dispenser's employer and the employer's business address and business telephone number;~~
    - iii. ~~The hearing aid dispenser's license number and expiration date;~~
    - iv. ~~Whether the hearing aid dispenser has been convicted of a felony or of a misdemeanor involving moral turpitude since the hearing aid dispenser's previous license application;~~
    - v. ~~Whether the hearing aid dispenser has had, within two years before the renewal application date, a hearing aid dispenser license suspended or revoked by any state;~~
    - vi. ~~Whether the hearing aid dispenser currently is under investigation by any state or government agency, has a disciplinary action pending in any state, or has an agreement with any state or government agency that resolves a violation by the hearing aid dispenser; and~~
    - vii. ~~A statement signed by the hearing aid dispenser verifying the truthfulness of the information on the application form.~~
2. ~~According to A.R.S. § 36-1904(B), the Department shall allow a hearing aid dispenser to renew the license within 30 days after the expiration date of the license by submitting to the Department the information and renewal fee required in subsection (A)(1) and a \$25 late fee.~~
3. ~~If a hearing aid dispenser does not meet the requirements in A.R.S. § 36-1904 and subsections (A)(1) and (A)(2), the Department shall notify the hearing aid dispenser:~~
  - a. ~~According to R9-16-315 and Table 1,~~
  - b. ~~By certified mail to the hearing aid dispenser's address on the renewal application, and~~
  - e. ~~That the Department denies a renewal license to the hearing aid dispenser.~~
4. ~~If a hearing aid dispenser meets the requirements in A.R.S. § 36-1904 and subsections (A)(1) and (A)(2), the Department shall~~
  - a. ~~Notify the hearing aid dispenser:~~
    - i. ~~According to R9-16-315 and Table 1,~~
    - ii. ~~By regular mail to the hearing aid dispenser's address on the renewal application, and~~
    - iii. ~~That the Department approves a renewal license for the hearing aid dispenser; and~~
  - b. ~~Issue a renewal license, valid for one year after the expiration date of the previous license, to the hearing aid dispenser.~~
5. ~~An individual notified under subsection (A)(3) may appeal the denial of a renewal license according to A.R.S. Title 41, Chapter 6, Article 10.~~
6. ~~If a hearing aid dispenser does not submit to the Department, within 30 days after the expiration date of the previous license, the renewal fee and information required in subsection (A)(1) and the late fee required in subsection (A)(2), the license is nonrenewable. The individual may apply for a new license under subsection (A)(7) or subsection (A)(8).~~
7. ~~An individual whose hearing aid dispenser license is nonrenewable under subsection (A)(6) may apply for a new license by submitting to the Department, within one year after the expiration date of the nonrenewable license:~~

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- a. A nonrefundable \$100 application fee;
  - b. A \$100 license fee;
  - c. The information required in R9-16-303(A)(1)(a) through R9-16-303(A)(1)(h), and
  - d. Confirmation of CE hours according to R9-16-308(C) and R9-16-308(D).
8. An individual who applies for a new license more than one year after the expiration date of a license that is nonrenewable under subsection (A)(6) shall follow the licensing process in R9-16-303(A).
- B.** This subsection applies to renewal of a hearing aid dispenser license initially issued under R9-16-303(C).
- 1. An organization renewing a hearing aid dispenser license shall submit to the Department the information required in R9-16-303(C)(1)(a) through R9-16-303(C)(1)(g) and a nonrefundable \$100 renewal fee. According to A.R.S. § 36-1904(B), the Department shall assess a \$25 late fee for a renewal application submitted within 30 days after the expiration of the previous license.
  - 2. If an organization meets the requirements in A.R.S. § 36-1910 and subsection (B)(1), the Department shall:
    - a. Notify the organization:
      - i. According to R9-16-315 and Table 1,
      - ii. By regular mail to the organization's address on the application, and
      - iii. That the Department approves a renewal license for the organization; and
    - b. Issue a renewal license to the organization.
  - 3. If an organization does not meet the requirements in A.R.S. § 1910 and subsection (B)(1), the Department shall notify the organization:
    - a. According to R9-16-315 and Table 1,
    - b. By certified mail to the organization's address on the application, and
    - c. That the Department denies a renewal license to the organization.
  - 4. An organization notified under subsection (B)(3) may appeal the denial of a renewal license according to A.R.S. Title 41, Chapter 6, Article 10.
  - 5. If an organization does not submit to the Department, within 30 days after the expiration of the previous license, the renewal fee and information required in subsection (B)(1) and the \$25 late fee, the license is nonrenewable. The organization may apply for a new organization hearing aid dispenser license according to subsection R9-16-303(C)(1).
- C.** This subsection applies to renewal of an initial temporary hearing aid dispenser license issued under R9-16-303(D).
- 1. An individual whose temporary hearing aid dispenser license expires according to A.R.S. §§ 36-1926(B) or 36-1926(G) may renew the license according to subsection (C)(2) without taking the next hearing aid dispenser examination.
  - 2. According to A.R.S. §§ 36-1926(E) and 36-1926(F), the Department shall allow one renewal of a temporary hearing aid dispenser license by submitting to the Department, by the expiration date of the initial temporary hearing aid dispenser license, a nonrefundable \$100 renewal fee and the following:
    - a. The individual's name, home address, and home telephone number;
    - b. The name of the individual's employer and the employer's business address and business telephone number; and
    - c. The information required in R9-16-303(D)(1)(a) through R9-16-303(D)(1)(c).
  - 3. If an individual meets the requirements in A.R.S. § 36-1926 and subsection (C)(2), the Department shall:
    - a. Notify the individual:
      - i. According to R9-16-315 and Table 1,
      - ii. By regular mail to the individual's address on the renewal application, and
      - iii. That the Department approves a renewal license for the individual; and
    - b. Issue a renewal license to the individual.
  - 4. If an individual does not meet the requirements in A.R.S. § 36-1926 and subsection (C)(2), the Department shall and notify the individual:
    - a. According to R9-16-315 and Table 1,
    - b. By certified mail to the individual's address on the renewal application, and
    - c. That the Department denies a renewal license to the individual.
  - 5. An individual notified under subsection (C)(4) may appeal the denial of a renewal license according to A.R.S. Title 41, Chapter 6, Article 10.
  - 6. If an individual does not submit the renewal fee and information required in subsection (C)(2) by the expiration date of the initial temporary hearing aid dispenser license, the license is nonrenewable. The individual may apply for a new temporary hearing aid dispenser license by submitting the application fee and information required in R9-16-303(D)(1).
  - 7. An individual whose initial temporary hearing aid dispenser license terminates according to A.R.S. § 36-1926(D) may apply for a new temporary hearing aid dispenser license by submitting the application fee and information required in subsection R9-16-303(D)(1).
- A.** An applicant for an initial license by reciprocity shall submit to the Department:
- 1. An application in a format provided by the Department that contains:

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- a. The information required in R9-16-304(A)(1)(a) through (A)(1)(j).
- b. The name of each state that issued the applicant a current hearing aid dispenser license.
- c. The license number of each current hearing aid dispenser license, and
- d. The date each current hearing aid dispenser license was issued;
2. The documents required R9-16-304(A)(2) through (A)(5);
3. For each state named in subsection (A)(1)(b):
  - a. A statement, on the letterhead of the state licensing entity that issued the hearing aid dispenser license and signed by an official of the state licensing entity, that the applicant holds a current hearing aid dispenser license in good standing;
  - b. A copy of the written and practical portions of the Department -designated hearing aid dispenser examination taken by the applicant or a detailed description of each portion of the examination;
  - c. The state licensing entity's statement of:
    - i. The applicant's score on each section of the hearing aid dispenser examination taken by the applicant.
    - ii. The minimum passing score for each section of the hearing aid dispenser examination taken by the applicant, and
    - iii. The minimum passing score for the hearing aid dispenser examination taken by the applicant;
  - d. A copy of the applicant's current license;
  - e. An attestation that the information submitted as part of the application for an initial license by reciprocity is true and accurate; and
  - f. The applicant's signature and date of signature; and
4. A \$200 license fee.
- B.** Based on the information submitted under subsections (A)(1) through (A)(3), the Department shall determine whether:
  1. The content of the examination taken by the applicant is substantially the same as the content of the Department's examinations in:
    - a. The Department-designated written hearing aid dispenser examination, and
    - b. The Department-designated practical examination;
  2. The applicant's scores on the examinations in (A)(3)(c) meet the requirements in R9-16-303 for passing; and
  3. The applicant complies with A.R.S. §§ 36-1922 and 36-1923(A), and this Article.
- C.** The Department shall review an application for an initial license by reciprocity according to R9-16-316 and Table 3.1.
- D.** If the Department does not issue an initial license by reciprocity to an applicant, the Department shall return the license fee to the applicant.
- E.** If the Department issues an initial license by reciprocity to an applicant, the Department shall provide notification to the applicant that the applicant is approved to take and required to pass the examination identified in A.R.S. § 36-1922 within six months after the initial license by reciprocity is issued.
- F.** After an applicant takes the examination in subsection (E), the Department shall provide written notification to the applicant within five calendar days after the Department receives the applicant's examination results whether the applicant received:
  1. A passing score; or
  2. A failing score and, as applicable, approval to retake the examination.
- G.** An initial license by reciprocity issued to an applicant is valid for two years from the date of issue.

**R9-16-308. Continuing Education Licensure Requirements Application for an Initial License to a Business Organization**

- ~~**A.** Each dispenser shall complete eight hours of continuing education approved under R9-16-309 within 12 months of the effective date of the regular license.~~
- ~~**B.** A CE hour shall contain 60 minutes of actual course work instruction.~~
- ~~**C.** If the CE course work complies with the preapproved provisions of R9-16-309 (B) or (C), the dispenser shall complete a CE form provided by the Department that contains the information required in subsections (D)(1), (2), (3), (7), (8) and (9).~~
- ~~**D.** A dispenser submitting confirmation of CE hours earned which do not comply with the preapproved provisions of R9-16-309(B) or (C) shall complete the CE form that contains the following information:~~
  1. ~~Name, business address, and license number of the dispenser;~~
  2. ~~Name of the organization providing the course work, date, and location;~~
  3. ~~Specific courses attended;~~
  4. ~~Detailed description of each course's content;~~
  5. ~~Description of each course's educational objectives;~~
  6. ~~Description of each instructor's education, training and experience background;~~
  7. ~~Number of CE hours earned for each course;~~
  8. ~~Statement indicating if the course work was preapproved in accordance with R9-16-309; and~~
  9. ~~Signed statement under penalty of perjury that the dispenser attended the CE course and that all information on the CE form is complete and accurate.~~

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- ~~E.~~ The Director shall approve course work that meets the course requirements outlined in R9-16-309(A). The Director shall notify the dispenser stating whether or not the CE hours have been approved.
- ~~F.~~ The Director shall not give a dispenser credit for CE course work which is substantially the same in content to courses utilized to meet the CE requirements within the preceding year.
- ~~G.~~ A dispenser who does not complete eight hours of approved CE may be issued a renewal license if the dispenser applies for and obtains a waiver issued by the Director in accordance with R9-16-310.
- ~~H.~~ The dispenser shall maintain, for a period of three years, CE receipts, canceled checks, certificates, attendance sheets, or other documentation which establishes completion of the CE requirement. The Department may randomly audit the dispenser's compliance with the CE requirements.
- A.** An applicant that is a business organization shall submit to the Department:
  - 1. An application for an initial hearing aid dispenser license in a format provided by the Department that contains:
    - a. The name of the business organization;
    - b. The business organization's Arizona business name, address, and telephone number;
    - c. The name, address, telephone number, and e-mail address of the individual authorized by the business organization to be the designated agent;
    - d. The name, business telephone number, and Arizona hearing aid dispenser license number of each hearing aid dispenser employed by the business organization in Arizona;
    - e. Whether the business organization or a hearing aid dispenser working for the business organization has had a hearing aid dispenser license suspended or revoked by any state within two years before the application date;
    - f. Whether the business organization or a hearing aid dispenser working for the business organization currently is not eligible for licensing in any state due to a suspension or revocation;
    - g. An attestation that information required as part of the application has been submitted and is true and accurate;  
and
    - h. The signature and date of signature from the designated agent;
  - 2. A nonrefundable \$100 application fee; and
  - 3. A \$200 license fee.
- B.** The Department shall review an application for an initial hearing aid dispenser license to a business organization according to R9-16-316 and Table 3.1.
- C.** If the Department does not issue an initial hearing aid dispenser license to a business organization, the Department shall return the license fee in subsection (A)(3) to the applicant.
- D.** A business organization licensed according to this Section shall comply with A.R.S. § 36-1910.
- E.** An initial license issued to a business organization according to this Section is valid for two years from the date of issue.

**R9-16-309. Continuing Education Course Requirements Application for a Temporary License**

- A.** For course work to be eligible for preapproval for CE hours, the course content shall directly relate to the practice of fitting and dispensing hearing aids and the educational objectives shall exceed an introductory level of knowledge as it relates to fitting and dispensing hearing aids. The course work shall include advances, within the last five years, in the field as follows:
  - 1. ~~Procedures in the selection and fitting of hearing aids;~~
  - 2. ~~Pre- and post-fitting management of clients;~~
  - 3. ~~Instrument circuitry and acoustic performance data;~~
  - 4. ~~Earmold design and modification contributing to improved client performance;~~
  - 5. ~~Audiometric equipment or testing techniques which demonstrate an improved ability to identify and evaluate hearing loss;~~
  - 6. ~~Auditory rehabilitation;~~
  - 7. ~~Ethics;~~
  - 8. ~~Federal and state statutes or rules; or~~
  - 9. ~~Assistive listening devices~~
- B.** Course work that meets the requirements of subsection (A) and is endorsed or sponsored by the following organizations shall be deemed preapproved for CE hours:
  - 1. ~~Arizona Hearing Aid Society;~~
  - 2. ~~Arizona Speech Language Hearing Association;~~
  - 3. ~~American Speech Language Hearing Association;~~
  - 4. ~~International Hearing Society;~~
  - 5. ~~National Institute of Hearing Instrument Studies;~~
  - 6. ~~National Society of Hearing Professionals;~~
  - 7. ~~American Academy of Audiology;~~
  - 8. ~~Academy of Dispensing Audiologists;~~
  - 9. ~~Arizona Society of Otolaryngology Head and Neck Surgery; or~~
  - 10. ~~American Academy of Otolaryngology Head and Neck Surgery.~~

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- ~~C.~~ The Director shall preapprove other CE course work that complies with subsection (A) upon the following:
  - ~~1.~~ The organization providing the course work shall submit the following information 45 days before the course is offered:
    - a. Name, date, and location of the CE course work;
    - b. Detailed description of the course content;
    - c. Description of the educational objectives;
    - d. Description of each instructor's education, training, and experience background; and
    - e. CE hours offered for completing the course.
  - ~~2.~~ The provider shall report any change in the course content or instructor to the Department before the course begins.
- ~~D.~~ The Director shall withdraw the approval of any CE provider for failure to comply with the provisions of this Section.
- A.** An applicant for a temporary license shall submit to the Department:
  - 1.** An application in a format provided by the Department that contains:
    - a. The information in R9-16-304(A)(1)(a) through(A)(5); and
    - b. The applicant's sponsor's:
      - i. Name,
      - ii. Business address,
      - iii. Business telephone number, and
      - iv. Arizona hearing aid dispenser license number;
  - 2.** A statement signed by the sponsor that the sponsor is a licensed hearing aid dispenser who agrees to train, supervise, and be responsible for the applicant's hearing aid dispenser practice according to A.R.S. § 36-1905; and
  - 3.** A \$100 license fee.
- B.** The Department shall review an application for a temporary license according to R9-16-316 and Table 3.1.
- C.** If the Department issues a temporary license to the applicant, the Department shall also provide written notification to the applicant of approval to take the Department-designated written hearing aid dispenser examination within six months after the temporary license is issued.
- D.** If the Department does not issue an applicant a temporary license, the Department shall return the license fee in subsection (A)(3) to the applicant.
- E.** If a hearing aid dispenser with a temporary license takes and fails the Department-designated written hearing aid dispenser examination required in subsection (C), the temporary hearing aid dispenser may:
  - 1.** Renew the temporary license once according to R9-16-311(F), and
  - 2.** Take the Department-designated written hearing aid dispenser examination within the six months after renewal of the temporary license.
- F.** Within five calendar days after the Department receives an individual's Department-designated written hearing aid dispenser examination results, the Department shall provide written notification to the individual of:
  - 1.** A passing score that includes approval to take the Department-designated practical examination; or
  - 2.** A failing score that includes, as applicable, approval to retake the Department-designated written hearing aid dispenser examination.
- G.** A temporary license is no longer valid on the date the Department receives notice from the sponsor that the sponsor is terminating sponsorship.
- H.** A hearing aid dispenser whose temporary license is terminated according to subsection (G), shall:
  - 1.** Not practice until issued a new license, and
  - 2.** May apply for an initial license as a hearing aid dispenser according to this Article or a temporary license according to this Section.
- I.** A temporary license is valid for 12 months from the date of issue.

**R9-16-310. Expired Sponsors**

- A.** A sponsor shall:
  - 1.** Provide to a hearing aid dispenser with a temporary license a minimum of 64 hours per month of on-site training and supervision that:
    - a. Consists of coordinating, directing, watching, inspecting, and evaluating the fitting and dispensing activities of the hearing aid dispenser with a temporary license; and
    - b. Directly relates to the type of training and education needed to pass the licensing examination required in A.R.S. § 36-1924;
  - 2.** Maintain a record that:
    - a. Is signed by the hearing aid dispenser with a temporary license;
    - b. Has the date, time, and content of the training and supervision provided to the hearing aid dispenser with a temporary license, as required in subsection (A)(1); and
    - c. Is available for inspection by the Department for at least 12 months after the end of the sponsorship agreement; and
  - 3.** Not provide sponsorship to more than two hearing aid dispensers with temporary licenses, at one time.

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- B.** When a sponsor terminates a sponsorship agreement with a hearing aid dispenser with a temporary license:
  - 1. The sponsor shall:
    - a. Provide a written notice to the hearing aid dispenser with a temporary license indicating termination of the sponsorship agreement; and
    - b. Provide a copy of the written notice required in subsection (B)(1)(a), and documentation that the hearing aid dispenser with a temporary license received the written notice, to the Department; and
  - 2. The hearing aid dispenser with a temporary license shall return the temporary license to the Department.

**R9-16-311. Dispenser Operating Guidelines License Renewal**

- A.** ~~A dispenser shall conduct audiometric tests, before selecting a hearing aid for a prospective user, that provide detailed information about the client's hearing loss as follows:~~
  - 1. ~~Type, degree, and configuration of hearing loss;~~
  - 2. ~~Ability, as measured by the percentage of words the client is able to repeat correctly, to discriminate speech; and~~
  - 3. ~~Client's most comfortable and uncomfortable loudness levels in decibels.~~
- B.** ~~Audiometric testing may be excluded prior to selling a client a hearing aid if the client presents to the dispenser the information outlined in subsection (A) which was obtained within the last 12 months for an adult or within the last six months for a person under the age of 18.~~
- C.** ~~Audiometric tests listed in subsection (A) that cannot be performed due to the young age or mental or physical disability of the client may be excluded; however, documentation shall be maintained by the dispenser for three years that supports the exclusion of the specific audiometric tests.~~
- D.** ~~Prior to any hearing aid sale, the dispenser shall evaluate the performance characteristics of the hearing aid for the purpose of assessing the degree of benefit to the client.~~
- E.** ~~Prior to any hearing aid sale, the dispenser shall follow the requirements contained in 21 CFR 801.420 and 801.421, April 1, 1989, and no further amendments, incorporated herein by reference and on file with the Office of the Secretary of State.~~
- F.** ~~In addition to complying with the requirements in A.R.S. § 36-1932, the bill of sale, signed by the client, shall include the following:~~
  - 1. ~~Detailed description of warranty information;~~
  - 2. ~~Year hearing aid was manufactured, and~~
  - 3. ~~Full disclosure of the conditions of any offer of a trial period with a money back guarantee or partial refund. A trial period shall not include any time that the hearing aid is in the possession of the dispenser or the manufacturer.~~
- G.** ~~A dispenser shall notify the Director in writing of any change in business address within 30 days of the change.~~
- A.** A licensee, except for a hearing aid dispenser with a temporary license, shall submit a renewal application in a format provided by the Department that contains:
  - 1. For an individual licensed as a hearing aid dispenser:
    - a. The applicant's name, home address, telephone number, and e-mail address;
    - b. The applicant's Social Security Number, as required under A.R.S. §§ 25-320 and 25-502;
    - c. If applicable, the name of the applicant's employer and the employer's business address and business telephone number;
    - d. The applicant's license number and expiration date;
    - e. Since the hearing aid dispenser's previous license application, whether the applicant has been convicted of a felony or a misdemeanor involving moral turpitude in this or another state or jurisdiction;
    - f. If the applicant was convicted of a felony or misdemeanor involving moral turpitude:
      - i. The date of the conviction;
      - ii. The state or jurisdiction of the conviction;
      - iii. An explanation of the crime of which the applicant was convicted, and
      - iv. The disposition of the case;
    - g. Whether the applicant has had a license revoked or suspended by any state within the previous two years;
    - h. Whether the applicant is currently ineligible for licensure in any state because of a prior license revocation or suspension;
    - i. Whether any disciplinary action has been imposed by any state, territory or district in this country for an act upon the applicant's hearing aid dispenser license;
    - j. An attestation that information required as part of the application has been submitted and is true and accurate; and
    - k. The applicant's signature and date of signature;
  - 2. In addition to the requirements in subsection (A)(1) an individual shall submit:
    - a. Documentation of 24 continuing education hours completed within the 24 months before the expiration date on the license, including:
      - i. The name of the organization providing the course;
      - ii. The date and location where the course was provided;
      - iii. The title of each course attended;

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- iv. A description of each course's content;
- v. Whether the course was taught in-person;
- vi. The name of the instructor;
- vii. The instructor's education, training, and experience background, if available; and
- viii. The number of continuing education hours earned for each course; and
- b. A \$200 license renewal fee; or
- 3. For a business organization licensed as a hearing aid dispenser:
  - a. The information in subsection R9-16-308(A)(1), and
  - b. A \$200 license renewal fee.
- B.** A licensee, except for a hearing aid dispenser with a temporary license, who renews a license within 30 calendar days after the expiration date of the license, shall submit to the Department:
  - 1. The information and renewal fee required in subsection (A), and
  - 2. A \$25 late fee.
- C.** A renewal license issued to a licensee, except for a hearing aid dispenser with a temporary license, is valid for two years after the expiration date of the previous license issued by the Department.
- D.** If a licensee does not comply with subsections (A) or (B), the license is nonrenewable and:
  - 1. The hearing aid dispenser may apply for a new license according to subsection (E), or
  - 2. The business organization may apply for a new license according to R9-16-308.
- E.** A licensee whose license is nonrenewable according to subsection (D)(1) and it is within one year after the expiration date of the hearing aid dispenser's license:
  - 1. The applicant shall submit an application in a format provided by the Department that contains:
    - a. The information required in R9-16-304(A)(1) through (A)(4), and
    - b. Documentation of continuing education according to R9-16-312; and
  - 2. A nonrefundable \$100 application fee and a \$100 license fee.
- F.** If allowed in R9-16-309(E)(1), a hearing aid dispenser with a temporary license shall submit at least 30 calendar days before the expiration date on the license, a renewal application in a format provided by the Department that contains:
  - 1. The information in R9-16-304(A)(1) through (A)(4);
  - 2. The applicant's sponsor's:
    - a. Name,
    - b. Business address,
    - c. Business telephone number, and
    - d. Arizona hearing aid dispenser license number;
  - 3. A statement signed by the sponsor that the sponsor is a licensed hearing aid dispenser who agrees to train, supervise, and be responsible for the applicant's hearing aid dispenser practice according to A.R.S. § 36-1905; and
  - 4. A \$100 license renewal fee.
- G.** A renewal license issued to a licensee according to subsection (F) is valid for one year after the expiration date of the previous license issued by the Department.
- H.** The Department shall review a renewal application according to R9-16-316 and Table 3.1.

**R9-16-312. Inspection Requirements Continuing Education**

- A.** A dispenser's place of business shall have available for inspection by the Department the following:
  - 1. Audiometer that performs the audiometric tests as outlined in R9-16-311(A);
  - 2. Documentation which provides evidence of annual calibration of the audiometer in accordance with the American National Institute Standards, S3.6-1989, Standards Secretariat, c/o Acoustical Society of America, 335 East 45th Street, New York, New York 10017-3483, May 23, 1989, and no further amendments, incorporated herein by reference and on file with the Office of the Secretary of State;
  - 3. Customer record for each client which shall include the following:
    - a. Written statement from a licensed physician that the customer has medical clearance to use hearing aids or a medical waiver signed by the customer 18 years of age or older,
    - b. Copy of the bill of sale,
    - e. Audiometric test results by date performed and signed by the person performing the tests, and
    - d. Contracts, agreements, warranties, trial periods, or other documents involving the client.
- B.** The records referenced in subsection (A) shall be retained for 36 months from date of sale.
- A.** Continuing education shall:
  - 1. Directly relate to the practice of fitting and dispensing hearing aids;
  - 2. Have educational objectives that exceed an introductory level of knowledge of fitting and dispensing hearing aids; and
  - 3. Consist of courses that include advances within the last five years in:
    - a. Procedures in the selection and fitting of hearing aids,
    - b. Pre- and post-fitting management of clients,

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- c. Instrument circuitry and acoustic performance data.
  - d. Ear mold design and modification contributing to improved client performance.
  - e. Audiometric equipment or testing techniques that demonstrate an improved ability to identify and evaluate hearing loss.
  - f. Auditory rehabilitation.
  - g. Ethics.
  - h. Federal and state statutes or rules, or
  - i. Assistive listening devices.
- B.** A continuing education course developed, endorsed, or sponsored by one of the following meets the requirements in subsection (A):
- 1. Hearing Healthcare Providers of Arizona.
  - 2. Arizona Speech-Language-Hearing Association.
  - 3. American Speech-Language-Hearing Association.
  - 4. International Hearing Society.
  - 5. International Institute for Hearing Instrument Studies.
  - 6. American Auditory Society.
  - 7. American Academy of Audiology.
  - 8. Academy of Doctors of Audiology.
  - 9. Arizona Society of Otolaryngology-Head and Neck Surgery.
  - 10. American Academy of Otolaryngology-Head and Neck Surgery, or
  - 11. An organization determined by the Department to be consistent with an organization in subsection (B)(1) through (10).
- C.** A hearing aid dispenser shall comply with the continuing education requirements in A.R.S. § 36-1904.

**R9-16-313. ~~Complaint Procedure~~ Responsibilities of a Hearing Aid Dispenser**

- A.** ~~All complaints filed against a dispenser relating to the practice of fitting and dispensing hearing aids shall be submitted in writing to the Department. The complainant shall submit a statement of the facts and provide copies of all documentation which may support the alleged violation of state statutes or rules.~~
- B.** ~~The Department shall send a certified letter to the dispenser describing each complaint. The dispenser shall provide to the Department, within 15 days of receipt of the certified letter, a written response addressing each allegation.~~
- C.** ~~The Department shall review each complaint and the corresponding response by the dispenser. A certified letter shall be sent to both the complainant and the dispenser notifying them of any action to be taken by the Department.~~
- D.** ~~A dispenser may appeal an action taken by the Department in accordance with 9 A.A.C. 1, Article 1, Rules of Practice and Procedures.~~
- A.** A hearing aid dispenser licensed according to subsections R9-16-306 or R9-16-307 shall:
- 1. Upon licensure, notify the Department in writing of the address where the hearing aid dispenser practices the fitting and dispensing of hearing aids;
  - 2. Conspicuously post the license received according to subsections R9-16-306 or R9-16-307 in the hearing aid dispenser's office or place of business;
  - 3. Except as specified in subsections (A)(4) or (A)(5), conduct audiometric tests before selecting a hearing aid for a client that provides detailed information about the client's hearing loss, including:
    - a. Type, degree, and configuration of hearing loss;
    - b. Ability, as measured by the percentage of words the client is able to repeat correctly, to discriminate speech; and
    - c. The client's most comfortable and uncomfortable loudness levels in decibels;
  - 4. Have the option to conduct audiometric testing required in subsection (A)(3) before selling a client a hearing aid if the client provides to the dispenser the information required in subsection (A)(3) from a licensed professional and the information was:
    - a. Obtained within the previous 12 months for an adult, or
    - b. Within the previous six months for an individual under the age of 18;
  - 5. Have the option to conduct audiometric testing required in subsection (A)(3) if the tests cannot be performed on the client due to:
    - a. The client's young age, or
    - b. A physical or mental disability;
  - 6. Maintain documentation for three years from the date of receipt of the information, that supports the exclusion of specific audiometric tests according to subsections (A)(4) and (A)(5);
  - 7. Evaluate the performance characteristics of the hearing aid as it functions on the client's ear for the purpose of assessing the degree of audibility provided by the device and benefit to the client;
  - 8. Provide a bill of sale to a client according to A.R.S. § 36-1909(A) that contains:
    - a. Information required in A.R.S. § 36-1909;
    - b. A complete description of:

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- i. Warranty information, and
  - ii. The conditions of any offer of a trial period with a money back guarantee or partial refund; and
  - c. The client's signature and date of signature; and
9. Not:
- a. Practice without a license according to A.R.S. § 36-1907.
  - b. Commit unlawful acts according to A.R.S. § 36-1936, or
  - c. Commit actions described in A.R.S. § 36-1934(A).

**B.** The trial period described in subsection (A)(8)(b)(ii) shall not include any time that the hearing aid is in the possession of the hearing aid dispenser or the manufacturer of the hearing aid.

**R9-16-314. Enforcement Actions Equipment and Records**

**A.** In accordance with A.R.S. § 36-1934, the following factors shall be considered in determining the length of suspension or revocation, or conditions thereof, or the level of disciplinary action for any violation of A.R.S., Title 36, Chapter 17 or this Article:

- 1. Severity of the offense;
- 2. Danger to the public;
- 3. Number of specified offenses;
- 4. Degree of damage, physical or otherwise, to the consumer;
- 5. Number and nature of prior offenses;
- 6. Degree of cooperation displayed in resolving past or recent complaints and violations;
- 7. Degree of negligence pertaining to any violation; and
- 8. Other mitigating or aggravating circumstances.

**B.** Upon consideration of the factors outlined in subsection (A), the Director may revoke or suspend a license permanently or for a fixed period and may impose the following:

- 1. Suspend all or certain areas of the dispenser's practice where the dispenser has shown unethical conduct or incompetence in the conduct of the practice;
- 2. Restrict the practice of a dispenser to only those activities that are directly supervised by a licensed dispenser; and
- 3. Prescribe a period of probation in which the dispenser shall obtain a specified number of CE hours in areas where the dispenser has shown negligence, unethical behavior, or incompetence in the conduct of the practice.

**A.** A licensee shall maintain an audiometer that performs the audiometric tests as described in R9-16-313 according to the manufacturer's specifications.

**B.** If a licensee uses equipment that requires calibration, the licensee shall ensure that:

- 1. The equipment is calibrated at least every 12 months and according to the American National Standard - Specifications for Audiometers, S3.6-2010, Standards Secretariat, c/o Acoustical Society of America, 1305 Walt Whitman Road, Suite 300, Melville, New York, 11747-4300, November 2, 2010, incorporated by reference and on file with the Department and the Office of the Secretary of State, with no future additions or amendments; and
- 2. A written record of the calibration is maintained in the same location as the calibrated equipment for at least 36 months after the date of the calibration.

**C.** A licensee shall maintain a record according to A.R.S. § 32-3211 for each client with the following documents for at least 36 months after the date the licensee provided a service or dispensed a product while engaged in the practice of fitting and dispensing hearing aids:

- 1. The name, address, and telephone number of the individual to whom services are provided;
- 2. A written statement from a licensed physician that the client has medical clearance to use hearing aids or a medical waiver signed by the client who is 18 years of age or older;
- 3. For each audiometric test conducted for the client, the:
  - a. Audiometric test results by date and procedure used in evaluating hearing disorders or determining the need for dispensing a product or service,
  - b. Name of the individual who performed the audiometric tests, and
  - c. Signature of the individual who performed the audiometric tests;
- 4. A copy of the bill of sale required in R9-16-313(A)(8);
- 5. Documented verification of the effectiveness of the hearing aid required in R9-16-313 (A)(7); and
- 6. The contracts, agreements, warranties, trial periods, or other documents involving the client.

**R9-16-315. Time frames Disciplinary Actions**

**A.** For purposes of this Section, "application packet" means the information, documents, and fees required by the Department for:

- 1. Approval to take an examination;
- 2. An initial regular license or renewal of a regular license;
- 3. An initial temporary license or renewal of a temporary license, or

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4. Approval of a continuing education course that is requested separately from an application for renewal of a license.
- B.** The overall time frame described in A.R.S. § 41-1072 for each type of approval granted by the Department under this Article is specified in Table 1. The applicant and the Department may agree in writing to extend the substantive review time frame and the overall time frame. An extension of the substantive review time frame and the overall time frame may not exceed 25% of the overall time frame.
- C.** The administrative completeness review time frame described in A.R.S. § 41-1072 for each type of approval granted by the Department under this Article is specified in Table 1.
  1. The administrative completeness review time frame begins:
    - a. For approval to take an examination, on the date the Department receives an application packet;
    - b. For approval of a regular license by examination, when the applicant takes the examination; and
    - c. For approval of a regular license by reciprocity, a regular license for a business, an initial temporary license, a renewal of a regular license, a renewal of a temporary license, or approval of a continuing education course that is requested separately from an application for renewal of a license, on the date the Department receives an application packet.
  2. When an application packet is complete, or when an applicant for approval of a regular license by examination submits an examination for scoring, the Department shall provide a written notice of administrative completeness to the applicant.
  3. If the Department grants an approval during the administrative completeness review time frame, the Department shall not issue a separate written notice of administrative completeness.
  4. If an application packet is incomplete, the Department shall provide to the applicant a written notice of deficiencies specifying the missing documents or incomplete information. The administrative completeness review time frame and the overall time frame are suspended from the date of the notice until the date the Department receives a complete application packet from the applicant.
  5. If the applicant fails to submit to the Department all of the items and information listed in the notice of deficiencies within 90 days from the date of the notice of deficiencies, the Department shall consider the application withdrawn.
- D.** The substantive review time frame described in A.R.S. § 41-1072 is specified in Table 1 and begins on the date of the notice of administrative completeness.
  1. During the substantive review time frame, the Department may make one comprehensive written request for additional documents or information, or a supplemental request for additional documents or information by mutual written agreement with the applicant.
  2. If the Department provides to the applicant a comprehensive written request or a supplemental request for additional documents or information, the substantive review time frame and the overall time frame are suspended from the date of the request until the date the Department receives all of the documents or information requested.
  3. If the applicant fails to submit to the Department the documents or information requested by the Department in a comprehensive written request or supplemental request for additional documents or information within 90 days from the date of the request, the Department shall consider the application withdrawn.
- A.** The Department may, as applicable:
  1. Take an action under A.R.S. § 36-1934,
  2. Request an injunction under A.R.S. § 36-1937, or
  3. Assess a civil money penalty under A.R.S. § 36-1939.
- B.** In determining which disciplinary action specified in subsection (A) is appropriate, the Department shall consider:
  1. The type of violation.
  2. The severity of the violation.
  3. The danger to the public health and safety.
  4. The number of violations;
  5. The number of clients affected by the violations.
  6. The degree of harm to the consumer.
  7. A pattern of noncompliance, and
  8. Any mitigating or aggravating circumstances.
- C.** A licensee may appeal a disciplinary action taken by the Department according to A.R.S. Title 41, Chapter 6, Article 10.
- D.** The Department shall notify a licensee's employer within five days after the Department initiates a disciplinary action against a licensee.

**R9-16-316. Duplicate License Fee Time-frames**

- A.** An individual licensed under 9 A.A.C. 16, Article 3, may obtain a duplicate license by submitting to the Department a request for a duplicate license containing the individual's name and address, the number and expiration date of the license to be duplicated, the individual's signature, and a nonrefundable \$25 duplicate license fee.
- B.** An organization licensed under 9 A.A.C. 16, Article 3, may obtain a duplicate license by submitting to the Department a request for a duplicate license containing the organization's name and address, the number and expiration date of the license to be duplicated, the titles and signatures of the individuals specified in R9-16-303(C)(1)(g) for the type of organi-

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zation requesting the duplicate license, and a nonrefundable \$25 duplicate license fee.

- A.** The overall time-frame described in A.R.S. § 41-1072 for each type of license or approval granted by the Department is specified in Table 3.1. The Department and an applicant may agree in writing to extend the substantive review time-frame and the overall time-frame. The substantive review time-frame and the overall time-frame may not be extended by more than 25 percent of the overall time-frame.
- B.** The administrative completeness review time-frame described in A.R.S. § 41-1072 for each type of license or approval granted by the Department is specified in Table 3.1.
  - 1.** The administrative completeness review time-frame begins:
    - a.** For an applicant submitting an application for approval to take the Department-designated written hearing aid dispenser examination, when the Department receives the application required in R9-16-304(A);
    - b.** For an applicant submitting an application for initial hearing aid dispenser license by examination, when the Department receives the application required in R9-16-306;
    - c.** For an applicant submitting an application for initial hearing aid dispenser license by reciprocity, when the Department receives the application required in R9-16-307;
    - d.** For a business organization submitting an application for an initial hearing aid dispenser license to a business organization, when the Department receives the application required in R9-16-308;
    - e.** For an applicant submitting an application for a temporary license, when the Department receives the application required in R9-16-309;
    - f.** For a licensed hearing aid dispenser applying to renew a hearing aid dispenser license, when the Department receives the application required in R9-16-311;
    - g.** For a business organization applying to renew a business organization hearing aid dispenser license, when the Department receives the application required in R9-16-311; and
    - h.** For a temporary hearing aid dispenser applying to renew a temporary license, when the Department receives the application required in R9-16-311.
  - 2.** If an application is incomplete, the Department shall provide a notice of deficiencies to the applicant or licensee describing the missing documents or incomplete information. The administrative completeness review time-frame and the overall time-frame are suspended from the date of the notice until the date the Department receives the documentation or information listed in the notice of deficiencies. An applicant or licensee shall submit to the Department the documentation or information listed in the notice of deficiencies within the time specified in Table 3.1 for responding to a notice of deficiencies.
  - 3.** If the applicant or licensee submits the documentation or information listed in the notice of deficiencies within the time specified in Table 3.1, the Department shall provide a written notice of administrative completeness to the applicant or licensee.
  - 4.** If the applicant or licensee does not submit the documentation or information listed in the notice of deficiencies within the time specified in Table 3.1, the Department shall consider the application withdrawn.
  - 5.** When an application is complete, the Department shall provide a notice of administrative completeness to the applicant or licensee.
  - 6.** If the Department issues a license or notice of approval during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.
- C.** The substantive review time-frame described in A.R.S. § 41-1072 is specified in Table 3.1 and begins on the date of the notice of administrative completeness.
  - 1.** If an application complies with this Article and A.R.S. Title 36, Chapter 17, Articles 1 through 4, the Department shall issue a notice of approval to an applicant or a license to an applicant or licensee.
  - 2.** If an application does not comply with this Article and A.R.S. Title 36, Chapter 17, Articles 1 through 4, the Department shall make one comprehensive written request for additional information, unless the applicant or licensee has agreed in writing to allow the Department to submit supplemental requests for information. The substantive review time-frame and the overall time-frame are suspended from the date that the Department sends a comprehensive written request for additional or a supplemental request for information until the date that the Department receives all of the information requested.
  - 3.** An applicant or licensee shall submit to the Department all of the information requested in a comprehensive written request for additional information or a supplemental request for information within the time specified in Table 3.1.
  - 4.** If the applicant or licensee does not submit the additional information within the time specified in Table 3.1 or the additional information submitted by the applicant or licensee does not demonstrate compliance with this Article and A.R.S. Title 36, Chapter 17, Articles 1 through 4, the Department shall provide to the applicant or licensee a written notice of denial that complies with A.R.S. § 41-1092.03(A).
  - 5.** If the applicant or licensee submits the additional information within the time specified in Table 3.1 and the additional information submitted by the applicant or licensee demonstrates compliance with this Article and A.R.S. Title 36, Chapter 17, Articles 1 through 4, the Department shall issue a license to an applicant or licensee or a notice of approval to an applicant.

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**Table 4-3.1. Time-frames (in calendar days)**

<b>Type of Approval</b>	<b>Statutory Authority</b>	<b>Overall Time-frame</b>	<b>Administrative Completeness Review Time-frame</b>	<b>Substantive Review Time-frame</b>
Approval to take an examination (R9-16-303(A)(1) and (A)(2))	A.R.S. §§ 36-1904, 36-1923	60	30	30
Regular License by Examination (R9-16-303(A)(3), (A)(4), and (A)(5))	A.R.S. §§ 36-1904, 36-1923	60	30	30
Regular License by Reciprocity (R9-16-303(B))	A.R.S. §§ 36-1904, 36-1922	60	30	30
Regular License for a Business (R9-16-303(C))	A.R.S. §§ 36-1904, 36-1910	60	30	30
Initial Temporary License (R9-16-303(D))	A.R.S. § 36-1926	60	30	30
Renewal of a Temporary License (R9-16-303(D))	A.R.S. § 36-1926	60	30	30
Renewal of a Regular License (R9-16-303(C) and R9-16-307)	A.R.S. §§ 36-1904, 36-1904, 36-1910	60	30	30
Approval of a continuing education course that is requested separately from an application for renewal of a license (R9-16-308 and R9-16-309)	A.R.S. § 36-1904(C)	60	30	30

<b>Type of Approval</b>	<b>Statutory Authority</b>	<b>Overall Time-frame</b>	<b>Administrative Completeness Review Time-frame</b>	<b>Time to Respond to Notice of Deficiency</b>	<b>Substantive Review Time-frame</b>	<b>Time to Respond to Comprehensive Written Request</b>
Approval to take the Department-designated Written Hearing Aid Dispenser Examination	A.R.S. §§ 36-1923, 36-1924	60	30	60	30	30
Initial License by Examination	A.R.S. §§ 36-1904, 36-1923	60	30	30	30	15
Initial License by Reciprocity	A.R.S. § 36-1922	60	30	30	30	15
Initial License to a Business Organization	A.R.S. § 36-1910	60	30	30	30	15
Temporary License	A.R.S. § 36-1926	60	30	30	30	15
Renewal of a Hearing Aid Dispenser License	A.R.S. § 36-1904	60	30	30	30	15

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Renewal of a Business Organization License	A.R.S. § 36-1910	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>15</u>
Renewal of a Temporary License	A.R.S. § 36-1926	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>15</u>

**R9-16-317. Change Affecting a License or a Licensee; Request for Duplicate License**

- A.** A licensee shall submit a written notice to the Department in writing within 30 calendar days after the effective date of a change in:
1. The licensee's home address or e-mail address, including the new home address or e-mail address;
  2. The licensee's name, including a copy of one of the following with the licensee's new name:
    - a. Marriage certificate,
    - b. Divorce decree, or
    - c. Other legal document establishing the licensee's new name; or
  3. The place or places where the licensee engages in the practice of hearing aid dispensing, including the address or addresses of the place or places where the licensee engages in the practice of hearing aid dispensing.
- B.** A licensee may obtain a duplicate license by submitting to the Department a request for a duplicate license in a format provided by the Department that includes:
1. The licensee's name and address,
  2. The licensee's license number and expiration date,
  3. The licensee's signature and date of signature, and
  4. A \$25 duplicate license fee.

**ARTICLE 5. LICENSING SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS**

**R9-16-501. Definitions**

In addition to the definitions in A.R.S. § 36-1901, the following definitions apply in this Article unless otherwise specified:

1. "Accredited" means approved by the:
  - a. New England Association of Schools and Colleges,
  - b. Middle States ~~Association of Colleges and Secondary Schools~~ Commission on Higher Education,
  - c. North Central Association of Colleges and Schools,
  - d. Northwest ~~Association of Schools and Colleges~~ Commission on Colleges and Universities,
  - e. Southern Association of Colleges and Schools, or
  - f. Western Association of Schools and Colleges.
2. "Applicant" means:
  - a. An individual who submits a license application packet, or
  - b. A person who submits a request for approval of a continuing education course.
- ~~2-3.~~ "Application packet" means the information, documents, and fees required by the Department to apply for a license ~~or renewal of a license.~~
4. "Calendar day" means each day, not including the day of the act, event, or default from which a designated period of time begins to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
- ~~3.~~ "CE" means continuing education, ~~the ongoing process of receiving instruction related to the practice of speech-language pathology.~~
- ~~4.~~ "CE hour" means ~~50 to 60 minutes of continuous instruction.~~
5. "Client" means an individual who receives speech-language pathology services from a speech-language pathologist assistant.
6. "Continuing education" means a course that provides instruction and training that is designed to develop or improve a licensee's professional competence in disciplines that directly relate to the licensee's scope of practice.
7. "Continuing education hour" means 50 to 60 minutes of continuous instruction.
- ~~6-8.~~ "Course" means a workshop, seminar, lecture, conference, or class.
- ~~7.~~ "Credit hour" means an academic unit earned at an accredited college or university:
  - a. By attending a one-hour class session each calendar week during a semester or equivalent shorter course term, or
  - b. Completing practical work for a course as determined by the accredited college or university.
- ~~8-9.~~ "Documentation" means a written statement, such as an e-mail or a fax, or "documented" means information in written, photographic, electronic, or other permanent form.
- ~~9-10.~~ "General education" means instruction that includes:
  - a. Oral communication,

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- b. Written communication,
  - c. Mathematics,
  - d. Computer instruction,
  - e. Social sciences, and
  - f. Natural sciences.
10. ~~“Good moral character” means an individual has:~~
- a. ~~Not been convicted of a felony or a misdemeanor in the five years before submitting an initial application to the Department, and~~
  - b. ~~Has never been convicted of a felony involving moral turpitude or a misdemeanor involving moral turpitude.~~
11. “Observation” means to witness:
- a. The provision of speech-language pathology services to a client, or
  - b. A demonstration of how to provide speech-language pathology services to a client.
12. “Semester credit hour” means one earned academic unit of study completed, at an accredited college or university, by:
- a. Attending a 50 to 60 minute class session each calendar week for at least 16 weeks, or
  - b. Completing practical work for a course as determined by the accredited college or university.
- ~~12-13.~~ “Speech-language pathologist” means an individual who is licensed under A.R.S. § 36-1940.01.
- ~~13.~~ “Speech-language pathology services” means the same as “speech-language pathology” in A.R.S. § 36-1901.
14. “Speech-language pathology technical coursework course work” means a curriculum that provides knowledge to develop core skills and assume job responsibilities, including:
- a. Language acquisition,
  - b. Speech development,
  - c. Communication disorders,
  - d. Articulation and phonology, and
  - e. Intervention techniques for speech and language disorders.
15. “Supervision” means instruction and monitoring provided by a ~~master’s level~~ licensed speech-language pathologist as required in R9-16-203(A) to an individual training to become a speech-language pathologist assistant that includes:
- a. ~~Onsite; observation; and guidance; and~~
  - b. ~~Activities, such as consultation, record review, and review and evaluation of an audiotaped or videotaped screening evaluation; or clinical session.~~

**R9-16-502. License Qualifications**

To qualify for a speech-language pathologist assistant license, an individual shall:

- 1. ~~Complete an approved training program that contains at least 60 credit hours of general education and speech-language pathology technical coursework from an accredited college or university, of which at least:~~
  - a. ~~20 credit hours are in general education, and~~
  - b. ~~20 credit hours are in speech-language pathology technical coursework;~~
- 2. ~~Complete at least 100 hours of clinical interaction that does not include observation, under the supervision of a licensed master’s level speech-language pathologist;~~
- 3. ~~Be of good moral character;~~
- 4. ~~Not have had a license revoked or suspended by any state within the previous two years before the date of the application; and~~
- 5. ~~Not be currently ineligible for licensure in any state because of a prior license revocation or suspension.~~

**R9-16-503-R9-16-502. Initial License Application for an Initial License**

A. An applicant for a speech-language pathologist assistant initial license shall submit to the Department an application packet ~~containing an initial license to practice~~ that includes:

- 1. ~~A Department provided~~ An application form in a format provided by the Department that contains:
  - a. ~~The applicant’s name, Social Security number, date of birth, current home address, and home telephone number, and e-mail address;~~
  - b. The applicant’s Social Security number, as required under A.R.S. §§ 25-320 and 25-502;
  - ~~b.c.~~ If applicable, the name of the applicant’s employer and the employer’s ~~current~~ business address and telephone number;
  - ~~e.d.~~ A statement of whether Whether the applicant has ever been convicted of a felony or of a misdemeanor involving moral turpitude in this state or ~~any other~~ another state;
  - e. If the applicant has been convicted of a felony or a misdemeanor involving moral turpitude:
    - i. The date of the conviction,
    - ii. The state or jurisdiction of the conviction,
    - iii. An explanation of the crime of which the applicant was convicted, and
    - iv. The disposition of the case;

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- ~~d.f.~~ ~~A statement of whether~~ Whether the applicant has ever had a license revoked or suspended by any state within the previous two years;
- ~~e.g.~~ ~~A statement of whether~~ Whether the applicant is currently ineligible for licensure in any state because of a prior license revocation or suspension; ~~and~~
- h. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-505;
- i. An attestation that the information submitted is true and accurate; and
- ~~f.j.~~ ~~A statement signed and dated by the applicant verifying the accuracy of the information provided by the applicant;~~ The applicant's signature and date of signature;
- 2. If applicable, a list of all states and countries in which the applicant is or has been licensed as an speech-language pathologist assistant;
- 3. If a license for an applicant has been revoked or suspended by any state within the previous two years, documentation that includes:
  - a. The date of the revocation or suspension.
  - b. The state or jurisdiction of the revocation or suspension, and
  - c. An explanation of the revocation or suspension;
- 4. If the applicant is currently ineligible for licensure in any state because of a prior license revocation or suspension, documentation that includes:
  - a. The date of the ineligibility for licensure.
  - b. The state or jurisdiction of the ineligibility for licensure, and
  - c. An explanation of the ineligibility for licensure;
- 5. A copy of the applicant's:
  - a. U.S. passport, current or expired;
  - b. Birth certificate;
  - c. Naturalization documents; or
  - d. Documentation of legal resident alien status;
- ~~2-6.~~ An official transcript issued to the applicant from an accredited college or university, showing completion of at least 60 semester credit hours of general education and speech-language pathology technical ~~coursework~~ course work, as required in ~~R9-16-502(1)~~ A.R.S. § 36.1940.04(A);
- ~~3-7.~~ Documentation, signed by a licensed ~~master's level~~ speech-language pathologist as required in R9-16-203(A) who provided supervision to the applicant, confirming the applicant's completion of at least 100 hours of clinical interaction that did not include observation;
- ~~4-8.~~ A nonrefundable \$100 application fee; and
- ~~5-9.~~ A ~~\$100~~ \$200 license fee.
- B.** The Department shall review the application packet for an initial license to practice as a speech-language pathologist assistant according to R9-16-505 and Table 5.1.
- C.** If the Department does not issue an initial license to an applicant, the Department shall refund the license fee to the applicant.

~~R9-16-504~~R9-16-503, License Renewal

- A.** Before the expiration date of a speech-language pathologist assistant license, ~~a licensee~~ an applicant shall submit to the Department ~~an application packet containing:~~
  - 1. A Department provided renewal application form An application for renewal of a speech-language pathologist assistant license in a format provided by the Department that contains:
    - a. The licensee's ~~applicant's~~ name, Social Security number, date of birth, ~~current~~ home address, ~~business address,~~ and home and business telephone numbers number, and e-mail address;
    - b. If applicable, the name of the licensee's ~~applicant's~~ employer and the employer's ~~current~~ business address and telephone number;
    - c. If applicable, the name of the licensee's ~~applicant's~~ supervising speech-language pathologist;
    - d. The licensee's ~~applicant's~~ license number and ~~license expiration~~ date of expiration;
    - e. ~~Since the previous license application, whether the applicant has been convicted of a felony or a misdemeanor involving moral turpitude in this or another state;~~
  - ~~e.f.~~ A statement of whether If the licensee ~~applicant~~ has been convicted of a felony or a misdemeanor involving moral turpitude since the licensee's previous license application:
    - i. The date of the conviction,
    - ii. The state or jurisdiction of the conviction,
    - iii. An explanation of the crime of which the applicant was convicted, and
    - iv. The disposition of the case; ~~and~~
  - g. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-505;

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- h. An attestation that the information submitted is true and accurate; and
- f.i. A statement signed by the applicant verifying the accuracy of the information provided by the applicant; The applicant's signature and date of signature;
- 2. A Department provided continuing education form completed and signed by the licensee that states the licensee meets the requirements in R9-16-506; Documentation of continuing education as required in R9-16-504 and completed within 24 months before the expiration date on the license, including:
  - a. The name of the individual or organization providing the course;
  - b. The date and location where the course was provided;
  - c. The title of each course attended;
  - d. A description of each course's content;
  - e. The name of the instructor;
  - f. The instructor's education, training, and experience background, if applicable; and
  - g. The number of continuing education hours earned for each course; and
- 3. A ~~\$100~~ \$200 license renewal fee.
- B. According to A.R.S. § 36-1904, the Department shall allow a speech-language pathologist assistant to renew a license within 30 calendar days after the expiration date of the license by submitting to the Department:
  - 1. The renewal application packet required in subsection (A), and
  - 2. A \$25 late fee.
- C. An individual who does not submit a renewal application packet required according to subsection (A) or (B); shall reapply for an initial license ~~by submitting; according to R9-16-502.~~
  - 1. ~~An initial license application packet required in R9-16-503, and~~
  - 2. ~~The form required in subsection (A)(2).~~

**R9-16-506, R9-16-504, Continuing Education**

- A. ~~Before the expiration date of a license~~ According to A.R.S. § 36-1904, a licensee shall complete at least ~~40 CE~~ 20 continu-  
ing education hours.
- B. ~~A licensee may request approval of a CE course by submitting the following to the Department:~~
  - 1. ~~The title of the CE course;~~
  - 2. ~~The name of the organization providing the CE course;~~
  - 3. ~~The date, time, and location of the CE course;~~
  - 4. ~~A description of the CE course's content and educational objectives;~~
  - 5. ~~The name and educational background of the individual presenting the CE course; and~~
  - 6. ~~The number of CE hours in the CE course.~~
- C. ~~The Department shall approve a CE course if the Department determines that the CE course:~~
  - 1. ~~Provides instruction on:~~
    - a. ~~Current developments in speech language pathology, or~~
    - b. ~~Methods and procedures used to screen and treat speech language pathology disorders;~~
  - 2. ~~Contributes directly to the competence of a licensee;~~
  - 3. ~~Is developed and presented by an individual who is licensed:~~
    - a. ~~As a speech language pathologist according to A.R.S. § 36-1940.01(A),~~
    - b. ~~To provide speech language pathology in another state, or~~
    - e. ~~To provide audiology in this state or another state, and~~
  - 4. ~~Was completed during the licensee's current licensing period.~~
- D. ~~A licensee shall maintain a record for each completed CE course that contains:~~
  - 1. ~~The name, address, and license number of the licensee;~~
  - 2. ~~The title of the CE course;~~
  - 3. ~~The name of the organization providing the CE course;~~
  - 4. ~~The date, time, and location of the CE course;~~
  - 5. ~~A description of the CE course's content and educational objectives;~~
  - 6. ~~The name, educational background, and teaching experience of the individual presenting the CE course;~~
  - 7. ~~The number of CE hours earned for the CE course;~~
  - 8. ~~A statement, signed by the individual presenting the CE course, verifying the licensee's completion of the CE course; and~~
  - 9. ~~A statement signed by the licensee verifying the accuracy of information contained in the record.~~
- E. ~~A licensee shall maintain a record required in subsection (D) for at least 36 months after the date the licensee completed the CE course.~~
- B. Continuing education shall:
  - 1. Directly relate to the practice of speech-language pathology;
  - 2. Have educational objectives that exceed an introductory level of knowledge of speech-language pathology; and
  - 3. Consist of courses that include advances within the last five years in:

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- a. Practice of speech-language pathology.
  - b. Auditory rehabilitation.
  - c. Ethics, or
  - d. Federal and state statutes or rules.
- C.** A continuing education course developed, endorsed, or sponsored by one of the following meets the requirements in subsection (B):
- 1. Hearing Healthcare Providers of Arizona.
  - 2. Arizona Speech-Language-Hearing Association.
  - 3. American Speech-Language-Hearing Association.
  - 4. International Hearing Society.
  - 5. International Institute for Hearing Instrument Studies.
  - 6. American Auditory Society.
  - 7. American Academy of Audiology.
  - 8. Academy of Doctors of Audiology.
  - 9. Arizona Society of Otolaryngology-Head and Neck Surgery.
  - 10. American Academy of Otolaryngology-Head and Neck Surgery, or
  - 11. An organization determined by the Department to be consistent with an organization in subsection (C)(1) through (10).
- D.** An applicant may request approval for a continuing education course by submitting the following to the Department:
- 1. The applicant's name, address, telephone number, and e-mail address, as applicable;
  - 2. If a licensee, the licensee's license number;
  - 3. The title of the continuing education course;
  - 4. A brief description of the course;
  - 5. The name, educational background, and teaching experience of the individual presenting the course, if available;
  - 6. The educational objectives of the course; and
  - 7. The date, time, and place of presentation of the course, if applicable.
- E.** If an applicant submits the information in subsection (D), the Department shall review the request for approval for a continuing education course according to R9-16-505 and Table 5.1.
- F.** The Department shall approve a continuing education course if the Department determines that the continuing education course:
- 1. Is designed to provide current developments, skills, procedures, or treatment in diagnostic and therapeutic procedures in speech-language pathology;
  - 2. Is developed and presented by individuals knowledgeable and experienced in the presented subject area; and
  - 3. Contributes directly to the professional competence of a licensee.
- G.** A speech-language pathologist assistant shall comply with the requirements in A.R.S. § 36-1904.

**R9-16-505. License Application and CE Approval Time-frames**

- A.** For each type of license or approval issued by the Department under this Article, ~~Table 4~~ Table 5.1 specifies the overall time-frame described in ~~A.R.S. § 41-1072~~ A.R.S. § 41-1072(2).
- ~~1.~~ A regular license is valid for two years.
  - ~~2.~~ An applicant and the Department may agree in writing to extend the substantive review time-frame and the overall time-frame.
  - ~~3.~~ An extension of the substantive review time-frame and the overall time-frame may not exceed 25% of the overall time-frame.
- B.** For each type of license or approval issued by the Department under this Article, ~~Table 4~~ Table 5.1 specifies the administrative completeness review time-frame described in ~~A.R.S. § 41-1072~~ A.R.S. § 41-1072(1).
- 1. The administrative completeness review time-frame begins on the date the Department receives:
    - a. ~~On the date the Department receives a license~~ An application packet required in R9-10-502 and R9-10-503, or
    - b. ~~On the date the Department receives a request~~ A request for CE continuing education course approval according to R9-10-504.
  - 2. Except as provided in subsection (B)(3), the Department shall provide a written notice of administrative completeness or a notice of deficiencies to an applicant within the administrative completeness review time-frame.
    - a. If a license application packet or request for ~~CE~~ continuing education course approval is not complete, the notice of deficiencies shall list each deficiency and the documents or information needed to complete the license application packet or request for ~~CE~~ continuing education course approval.
    - b. A notice of deficiencies suspends the administrative completeness review time-frame and the overall time-frame from the ~~post-mark~~ date of the notice until the date the Department receives the missing documents or information.
    - c. If the applicant does not submit to the Department all the documents and information listed in the notice of deficiencies within 30 calendar days after the ~~post-mark~~ date of the notice of deficiencies, the Department ~~considers~~

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- shall consider the license application packet or request for ~~CE~~ continuing education course approval withdrawn.
3. If the Department issues a license or approval during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.
- C. For each type of license or approval issued by the Department under this Article, ~~Table 4~~ Table 5.1 specifies the substantive review time-frame described in ~~A.R.S. § 41-1072~~ A.R.S. § 41-1072(3), which begins on the ~~post-mark~~ date of the notice of administrative completeness.
1. Within the substantive review time-frame, the Department shall provide a written notice to the applicant that the Department issued or denied the license or ~~CE~~ continuing education course approval.
  2. During the substantive review time-frame:
    - a. The Department may make one comprehensive written request for additional ~~documents or information or documentation~~; and
    - b. If the Department and the applicant agree in writing to allow one or more supplemental requests for additional ~~documents or information or documentation~~, the Department may make the number of supplemental requests agreed to between the Department and the applicant.
  3. A comprehensive written request or a supplemental request for additional ~~documents or information or documentation~~ suspends the substantive review time-frame and the overall time-frame from the ~~post-mark~~ date of the request until the date the Department receives all the documents and information requested.
  4. If the applicant does not submit to the Department all the ~~documents or information or documentation~~ listed in a comprehensive written request or supplemental request for ~~documents or information or documentation~~ within 30 calendar days after the ~~post-mark~~ date of the request, the Department shall deny the license or approval.
- D. An applicant who is denied a license may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.

**Table ~~4-5.1~~ 5.1. Time-frames (in calendar days)**

<b>Type of Approval or License</b>	<b>Statutory Authority</b>	<b>Overall Time-frame</b>	<b>Administrative Completeness Review Time-frame</b>	<b>Substantive Review Time-frame</b>
Initial License Application	A.R.S. §§ 36-1904 and 36-1940.04	60	30	30
Renewal License Application	A.R.S. § 36-1904	60	30	30
Approval of Continuing Education	A.R.S. § 36-1904	45	30	15

<b>Type of Approval</b>	<b>Statutory Authority</b>	<b>Overall Time-Frame</b>	<b>Administrative Completeness Review Time-Frame</b>	<b>Time to Respond to Notice of Deficiency</b>	<b>Substantive Review Time-Frame</b>	<b>Time to Respond to Comprehensive Written Request</b>
Initial License (R9-16-502)	A.R.S. §§ 36-1904 and 36-1904.04	60	30	30	30	30
Renewal License (R9-16-503)	A.R.S. § 36-1904	60	30	30	30	30
Continuing Education (R9-16-504)	A.R.S. § 36-1904	45	30	30	15	30

**~~R9-16-507~~ R9-16-506. Disciplinary Actions**

- A. If the Department determines that a licensee violated A.R.S. §§ 36-1901 through 36-1940.04 or this Article, the Department may, as applicable:
1. ~~Take an action~~ Deny, revoke, or suspend an speech-language pathologist assistant license under A.R.S. § 36-1934; or
  2. Request an injunction under A.R.S. § 36-1937; or
  3. Assess a civil money penalty under A.R.S. § 36-1939.
- B. In determining which disciplinary action specified in subsection (A) is appropriate, the Department shall consider:
1. The type of violation,

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2. The severity of the violation,
  3. The danger to public health and safety,
  4. The number of violations,
  5. The number of clients affected by the violations,
  6. The degree of harm to a client,
  7. A pattern of noncompliance, and
  8. Any mitigating or aggravating circumstances.
- C. A licensee may appeal a disciplinary action taken by the Department according to A.R.S. Title 41, Chapter 6, Article 10.

**R9-16-508, R9-16-507, Duplicate License Fee Changes Affecting a License or a Licensee; Request for a Duplicate License**

- A.** A licensee shall submit a notice to the Department in writing within 30 calendar days after the effective date of a change in:
1. The licensee's home address or e-mail address, including the new home address or e-mail address;
  2. The licensee's name, including one of the following with the licensee's new name:
    - a. Marriage certificate,
    - b. Divorce decree, or
    - c. Other legal document establishing the licensee's new name; or
  3. The place or places, including address or addresses, where the licensee engages in the practice of speech-language pathology.
- B.** A licensee may obtain a duplicate license by submitting to the Department a written request for a duplicate license in a format provided by the Department that contains:
1. The licensee's name and address,
  2. The licensee's license number and ~~license~~ expiration date,
  3. The licensee's signature and date of signature, and
  4. A \$25 duplicate license fee.

**R9-16-508. Renumbered**