RULES
OF
THE TENNESSEE BOARD OF COMMUNICATIONS DISORDERS AND SCIENCES

CHAPTER 1370-01
RULES FOR SPEECH PATHOLOGY AND AUDIOLOGY

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1370-01-.01 DEFINITIONS. As used in these rules, the following terms and acronyms shall have the following meaning ascribed to them:

(1) ABA - The American Board of Audiology Examiners.

(2) Accredited Institution - Refers to the status of the school in relation to requirements of recognized agencies other than the Tennessee Board of Communications Disorders and Sciences. These would include U.S. Department of Education recognized regional university accrediting agencies, Council of Academic Accreditation in Audiology and Speech-Language Pathology (CAA) and the Accreditation Commission for Audiology Education (ACAE).

(3) Advertising - Informational communication to the public in any manner to attract attention to the practice of a Speech Language Pathologist or Audiologist. Includes, but is not limited to, business solicitation, with or without limiting qualifications, in a card, sign or device issued to a person; in a sign or marking in or on any building; or in any newspaper, magazine, directory, or other printed matter. Advertising also includes business solicitations communicated by individual, radio, video, television broadcasting, electronic media, or any other means designed to secure public attention.

(4) Alternate Supervision - Supervision provided in the temporary and impermanent absence of the Supervising Licensee.

(5) Applicant - Any individual seeking licensure by the Board who has submitted an official application and paid all required fees.

(6) ASHA - American Speech-Language-Hearing Association.

(7) Audiology Clinical Extern (ACE) - An Audiology student who is in the process of obtaining professional experience, as defined by a Board-approved accreditation agency, before being qualified for licensure.

(8) Board - The Board of Communication Disorders and Sciences.

(Rule 1370-01-.01, continued)

(9) Board Administrative Office - The office of the Unit Director assigned to the Board and located at 665 Mainstream Drive, Nashville, TN 37243.

(10) Board Consultant - Any person who has received a delegation of authority by the Board to perform Board functions subject to review and ratification by the full Board where provided by these rules.

(11) Certificate - The document which bears an expiration date and is issued by the Division of Health Related Boards to a licensee who has completed the licensure renewal process.

(12) Certificate of Clinical Competence (CCC) - A nationally recognized and accredited professional credential in the fields of Audiology (CCC-A) and Speech-Language Pathology (CCC-SLP).

(13) Client - The individual or patient who is receiving direct services and/or treatment.

(14) Clinical Externship - The period of professional experience required by Audiology Clinical Externs.

(15) Clinical Fellow (CF) - An individual who has completed the educational requirements for licensure as a Speech Language Pathologist, has received at least a master's degree from an accredited institution, and holds a provisional license to practice as a Clinical Fellow during the individual's period of paid supervised clinical experience.

(16) Clinical Fellowship - The period of paid supervised clinical experience for a Clinical Fellow.

(17) Clinical Fellow Provisional License - A license granted to a Clinical Fellow pursuant to T.C.A. § 63-17-110.

(18) Closed Files - An administrative action which renders an incomplete or denied file closed.

(19) Continuing Education (CE) - Education required as a condition of continued licensure.

(20) Council - The Council for Licensing Hearing Instrument Specialists.

(21) Department - Tennessee Department of Health.

(22) Direct Supervision - On-site, in view, supervision, including telesupervision as permitted in Rule 1370-01-.21, which may include directing, coordinating, inspecting, and approving each act of service.

(23) Division - The Division of Health Related Boards, Tennessee Department of Health, from which the Board receives administrative support.

(24) Fee - Money, gifts, services, or anything of value offered or received as compensation in return for rendering services.

(25) General Supervision - Direct and/or indirect supervision, including reviewing, inspecting, and approving specific acts of service.

(26) He/She Him/Her - When "he" appears in the text of these rules, the word represents both the feminine and masculine genders.

(27) Inactive License - Pro Bono Services Category - Licensure available to Speech Language Pathologists and Audiologists licensed by this Board whose practice is limited to the performance of services without compensation only for those persons receiving services from

(Rule 1370-01-.01, continued)

organizations which have received a determination of exemption under 26 U.S.C. § 501(c)(3) of the Internal Revenue Code.

(28) Inactive License - Retirement - Licensure status available to licensees who hold current licenses and do not intend to practice as a Speech Language Pathologist or Audiologist and who have completed an Affidavit of Retirement form.

(29) Indirect Supervision - Supervision accomplished by indirect means which may include: review of audio and video recordings, numerical data, and/or written progress notes.

(30) License - The document issued by the Board to an applicant who has successfully completed the application process and represents the artistically designed form for purposes of display.

(31) Over the Counter (OTC) Hearing Aid - A hearing instrument or hearing aid that meets the Food and Drug Administration's requirements for this class of device and which may be dispensed or sold without a hearing assessment, licensed hearing instrument professional fitting and dispensing engagement, or return for credit privileges as provided by federal law. OTC hearing aids are only intended for individuals age 18 years and older with perceived mild to moderate hearing impairment.

(32) Prescription Hearing Aid - A hearing instrument or hearing aid that meets the Food and Drug Administration's requirements for this class of device and which requires: a hearing assessment and prescription for medically necessary hearing aids prior to purchase, and fitting and dispensing by a licensed hearing instrument professional.

(33) Registration - The process by which a person so required is registered with the Board's Administrative Office.

(34) Speech Language Pathology Assistant (SLPA) - An individual who has registered with the Board pursuant to Rule 1370-01-.14, and who meets minimum qualifications as provided in Rule 1370-01-.14 which are less than those established for licensure as a Speech Language Pathologist, and who works under supervision of a Speech Language Pathologist.

(35) Supervising Licensee - The term used to designate any Tennessee licensed Audiologist, or Speech Language Pathologist or ASHA certified Audiologist who provides supervision of an ACE, Clinical Fellow, Speech Language Pathology Assistant, or student clinician in Speech Language Pathology or Audiology.

(36) Telesupervision - Direct supervision that is provided via synchronous telecommunications, in real-time, via audio and video rather than in person.

Authority: *T.C.A. §§ 63-17-105, 63-17-127, and 63-17-128.* ***Administrative History:*** *Original rule filed September 10, 1974; effective October 10, 1974. Amendment filed July 31, 1978; effective September 13, 1978. Amendment filed March 2, 1979; effective April 16, 1979. Repeal and new rule filed July 8, 1987; effective August 21, 1987. Amendment filed September 17, 1991; effective November 1, 1991. Amendment filed September 18, 1991; effective November 2, 1991. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed September 13, 2001; effective November 27, 2001. Amendment filed April 26, 2002; effective July 10, 2002. Amendment filed August 3, 2005; effective October 17, 2005. Amendment filed September 11, 2006; effective November 25, 2006. Amendment filed April 6, 2010; effective July 5, 2010. Amendments filed September 14, 2010; effective December 13, 2010. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 16, 2023; effective June 14, 2023. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.02 SCOPE OF PRACTICE.

(1) The practice of Speech Language Pathology and the practice of Audiology are defined by statute at T.C.A. § 63-17-103. Exceeding the scope of practice or performing functions which the licensee is not adequately trained for or experienced in may result in disciplinary action pursuant to T.C.A. §§ 63-17-117, 63-17-126, and Rule 1370-01-.13.

(2) Audiologists may, pursuant to T.C.A. § 63-17-103, engage in the assessment, selection, fitting, and sale of prescription hearing aids or over the counter hearing aids.

(3) Licensed Speech Language Pathologists and Audiologists who qualify under Rule 1370-01-.03 for the Inactive License-Pro Bono Services category shall limit their practice to performing services without compensation only for those persons receiving services from organizations which have received a determination of exemption under 26 U.S.C. § 501(c)(3) of the Internal Revenue Code. Exceeding the scope of practice set out within the practice act and these Rules may result in disciplinary action pursuant to T.C.A. §§ 63-17-117, 63-17-127, and Rule 1370-01-.13.

(4) Clinical Fellows, pursuant to T.C.A. § 63-17-114(6), shall work under the supervision of a Tennessee licensed Speech Language Pathologist or an ASHA certified Speech Language Pathologist while the Clinical Fellow is obtaining a year of paid professional experience and shall adhere to the regulations established under Rule 1370-01-.10.

(5) Clinical Externs, pursuant to T.C.A. § 63-17-114(4) and (7), shall work under the supervision of a Tennessee licensed Audiologist, an ASHA Certified Audiologist, or an ABA Certified Audiologist while the clinical extern year is completed, and shall adhere to the regulations established under Rule 1370-01-.10.

(6) Speech Language Pathology Assistants shall work under the supervision of a licensed Speech Language Pathologist at all times and shall adhere to the regulations established under Rule 1370-01-.14.

Authority: *T.C.A. §§ 63-17-103, 63-17-105, 63-17-114, 63-17-127, and 63-17-128.* ***Administrative History:*** *Original rule filed September 10, 1974; effective October 10, 1974. Amendment filed July 31, 1978; effective September 13, 1978. Amendment filed April 29, 1986; effective May 29, 1986. Repeal and new rule filed July 8, 1987; effective August 21, 1987. Amendment filed December 8, 1989; effective January 22, 1990. Amendment filed September 18, 1991; effective November 2, 1991. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed September 14, 2010; effective December 13, 2010. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.03 NECESSITY OF LICENSURE OR REGISTRATION.

(1) Prior to engaging in the practice of Speech Language Pathology or Audiology, a person must hold a current Tennessee license pursuant to T.C.A. § 63-17-110, unless the person meets the exemption requirements of T.C.A. §§ 63-17-111(g) or 63-17-114.

(2) Inactive License - Pro Bono Services category - Applicants who intend to exclusively practice Speech Language Pathology or Audiology without compensation on patients who receive Speech Language Pathology or Audiology services from organizations granted a determination of exemption pursuant to Section 501(c)(3) of the Internal Revenue Code may obtain an inactive volunteer license to do so as follows:

(a) Applicants for Inactive License - Pro Bono Services category who currently hold a valid Tennessee license to practice Speech Language Pathology or Audiology issued by the Board which is in good standing must:

(Rule 1370-01-.03, continued)

1. Retire their active licenses pursuant to the provisions of Rule 1370-01-.11; and

2. Have submitted to the Board Administrative Office directly from the qualified organization proof of the determination of exemption issued pursuant to Section 501(c)(3) of the Internal Revenue Code; and

3. Certify that they are practicing Speech Language Pathology or Audiology exclusively on the patients of the qualified entity and that such practice is without compensation.

(b) Applicants for Inactive License - Pro Bono Services category who do not currently hold a valid Tennessee license to practice Speech Language Pathology or Audiology must comply with all provisions of Rules 1370-01-.04 and 1370-01-.05.

(c) Inactive Licensees - Pro Bono Services category - Licensees are subject to all rules governing renewal, retirement, reinstatement, reactivation, and continuing education, as provided by Rules 1370-01-.09, 1370-01-.11, and 1370-01-.12. These licenses are also subject to disciplinary action for the same causes and pursuant to the same procedures as active licenses.

(d) Inactive Licensees - Pro Bono Services category, are distinguished from the inactive licensees referred to in Rules 1370-01-.09 and 1370-01-.11 only by the fact that licenses issued pursuant to this rule allow the practice of Speech Language Pathology or Audiology in Tennessee with the restrictions placed on it by this rule.

(e) Application review and licensure decisions shall be governed by Rule 1370-01-.07.

(3) Speech Language Pathology and Audiology are healing arts and, as such, the practice is restricted to those persons licensed by this Board. Persons engaging in the practice of Audiology or Speech Language Pathology, without being licensed, or expressly exempted by law, are in violation of T.C.A. § 63-17-110.

(4) It is unlawful for any person who is not licensed in the manner prescribed in T.C.A. §§ 63-17-101, et seq., or expressly exempted by law, to represent himself as a Speech Language Pathologist or Audiologist or to hold himself out to the public as being licensed by means of using any title or description of services set out in T.C.A. § 63-17-103 on signs, mailboxes, address plates, stationery, announcements, telephone listings, business cards, or other instruments or means of professional identification.

(5) Registration with the Board is required for the following classifications:

(a) Supervising Licensees are required to register Audiology Clinical Externs (ACEs), and their supervision of the ACEs, with the Board. Supervising Licensees are required to register any changes in supervision with the Board.

(b) Clinical Fellows are required to register their Supervising Licensee with the Board. The Supervising Licensee is responsible for ensuring that the Clinical Fellow registers any change in supervision with the Board.

(c) Speech Language Pathology Assistants who meet the qualifications of Rule 1370-01-.14 are required to register with the Board. Additionally, Speech Language Pathology Assistants are responsible to ensure their Supervising Licensees are registered with the Board. The Supervising Licensee is required to register any changes in supervision with the Board.

(Rule 1370-01-.03, continued)

(d) Persons from another state who are not licensed as a Speech Language Pathologist or Audiologist may offer Speech Language Pathology and/or Audiology services in the State of Tennessee in accordance with T.C.A. § 63-17-114.

(e) Persons licensed or certified by a similar board in another state, territory, or foreign country or province as a Speech Language Pathologist may offer Speech Language Pathology services in the State of Tennessee in accordance with T.C.A. § 63-17-114.

(f) Persons who reside in another state, territory, or foreign country or province which does not grant certification or licensure as a Speech Language Pathologist may offer Speech Language Pathology services in the State of Tennessee in accordance with T.C.A. § 63-17-114.

(6) Use of Titles

(a) Any person who possesses a valid, unsuspended and unrevoked license issued by the Board has the right to use the title “Speech Language Pathologist” and to practice Speech Language Pathology, as defined in T.C.A. § 63-17-103.

(b) Any person who possesses a valid, unsuspended and unrevoked license issued by the Board has the right to use the title “Audiologist” and to practice Audiology, as defined in T.C.A. § 63-17-103.

(c) Any person who possesses a valid, unsuspended and unrevoked registration issued by the Board has the right to use the title “Speech Language Pathology Assistant” and to practice under supervision as a Speech Language Pathology Assistant, as defined in T.C.A. § 63-17-103.

(d) Any person licensed or registered by the Board to whom this rule applies must use one of the titles authorized by this rule in every “advertisement” [as that term is defined in Rule 1370-01-.20(2)(a)] he or she publishes or the failure to do so will constitute an omission of a material fact which makes the advertisement misleading and deceptive and subjects the Audiologist or Speech Language Pathologist to disciplinary action pursuant to T.C.A. § 63-17-117.

Authority: *T.C.A. §§ 63-1-145, 63-17-105, 63-17-110, 63-17-114, 63-17-117, and 63-17-127.* ***Administrative History:*** *Original rule filed September 10, 1974; effective October 10, 1974. Amendment filed July 31, 1978; effective September 13, 1978. Repeal and new rule filed July 8, 1987; effective August 21, 1987. Amendment filed September 18, 1991; effective November 2, 1991. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed July 21, 2004; effective October 4, 2004. Amendment filed September 11, 2006; effective November 25, 2006. Amendment filed April 6, 2010; effective July 5, 2010. Amendment filed September 14, 2010; effective December 13, 2010. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.04 QUALIFICATIONS FOR LICENSURE.

(1) An applicant for licensure as a Speech Language Pathologist or Audiologist must meet the following initial requirements to be considered for licensure by the Board:

(a) Be at least eighteen (18) years of age;

(b) Be of good moral character;

(c) An applicant shall submit with their application: verification of United States citizenship or lawful presence in the United States pursuant to T.C.A. § 4-58-103.

(Rule 1370-01-.04, continued)

(d) An applicant in the area of Speech Language Pathology must possess at least a master's degree in Speech Language Pathology from an accredited institution; and

1. Possess a current Certificate of Clinical Competence (CCC) in the area of Speech Language Pathology issued through the ASHA; or

2. Have successfully completed and documented the following:

(i) A minimum of four hundred (400) clock hours of supervised clinical experience (practicum) with individuals having a variety of communications disorders, as required by ASHA. The experience shall be obtained through an accredited institution which is recognized by ASHA; and

(ii) A Clinical Fellowship in the area of Speech Language Pathology; and

(iii) Passage of the Written Professional Assessments for Beginning Teachers (Praxis Test) as required by Rule 1370-01-.08.

(e) An applicant in the area of Audiology;

1. For applications received after January 1, 2009, the applicant must possess at least a Doctor of Audiology degree or other doctoral degree with emphasis in Audiology or hearing science from an accredited institution; and

(i) Possess a current Certificate of Clinical Competence (CCC) in the area of Audiology issued through ASHA; or

(ii) Have successfully completed and documented the following:

(I) A minimum of one thousand eight hundred twenty (1820) clock hours of supervised clinical experience (practicum) by a licensed Audiologist or ASHA or ABA certified Audiologist; and

(II) Passage of the written Professional Assessments for Beginning Teachers (Praxis Test) as required by Rule 1370-01-.08.

2. When the applicant has been licensed in Tennessee or another state prior to 2009, the applicant must possess at least a master's degree in Audiology from an accredited institution; and

(i) Possess a current CCC in the area of Audiology issued through ASHA, or ABA certification; or

(ii) Have successfully completed a minimum of four hundred (400) clock hours of supervised clinical experience (practicum) with individuals having a variety of communications disorders, as required by ASHA. The experience shall be obtained through an accredited institution which is recognized by ASHA; and

(iii) The Clinical Externship in the area of Audiology; and

(iv) Passage of the written Professional Assessments for Beginning Teachers (Praxis Test) as required by Rule 1370-01-.08.

(Rule 1370-01-.04, continued)

(2) An individual who seeks licensure in the State of Tennessee and who holds a current license in another state may be granted a Tennessee license, if such person meets the qualifications of licensure by reciprocity pursuant to Rule 1370-01-.05(10).

Authority: *T.C.A. §§ 63-17-105, and 63-17-110 through 63-17-113.* ***Administrative History:*** *Original rule filed September 10, 1974; effective October 10, 1974. Amendment filed July 31, 1978; effective September 13, 1978. Repeal and new rule filed July 8, 1987; effective August 21, 1987. Amendment filed September 18, 1991; effective November 2, 1991. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed April 26, 2002; effective July 10, 2002. Amendment filed September 14, 2010; effective December 13, 2010. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.05 PROCEDURES FOR LICENSURE. To become licensed as a Speech Language Pathologist or Audiologist in Tennessee, a person must comply with the following procedures and requirements:

(1) An applicant shall download a current application from the Board's Internet web page or shall obtain a current application packet from the Board's Administrative Office, respond truthfully and completely to every question or request for information contained in the application form, and submit it, along with all documentation and fees required, to the Board's Administrative Office. This application may be submitted online. It is the intent of this rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all materials be filed simultaneously.

(2) An applicant shall submit with his application a certified birth certificate or a notarized photocopy of a certified birth certificate.

(3) An applicant shall submit with his application a "passport" style photograph taken within the preceding twelve (12) months and attach it to the appropriate page of the application.

(4) An applicant shall disclose the circumstances surrounding any of the following:

(a) Conviction of a crime in any country, state, or municipality, except minor traffic violations.

(b) The denial of certification or licensure application by any other state or country, or the discipline of the certificate holder or licensee in any state or country.

(c) Loss or restriction of certification or licensure privileges.

(d) Any judgment or settlement in a civil suit in which the applicant was a party defendant, including malpractice, unethical conduct, breach of contract, or any other civil action remedy recognized by the country's or state's statutory, common law, or case law.

(5) An applicant shall cause to be submitted to the Board's Administrative Office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.

(6) If applying by Certificate of Clinical Competence, an applicant shall file with the application documentation of proof of possessing the following certification:

(a) Audiology applicants shall file with their application documentation that they possess a current Certificate of Clinical Competence (CCC) in the area of Audiology issued through ASHA.

(Rule 1370-01-.05, continued)

(b) Speech Language Pathology applicants shall file with their application documentation that they possess a current Certificate of Clinical Competence (CCC) in the area of Speech Language Pathology issued through ASHA.

(7) An applicant shall have successfully completed the following requirements and cause the supporting documentation to be provided to the Board's Administrative Office:

(a) A master's or doctorate degree in Speech Language Pathology or Audiology. Unless already submitted pursuant to Rule 1370-01-.10, it is the applicant's responsibility to request that a graduate transcript be submitted directly from the educational institution to the Board's Administrative Office. The transcript must show that graduation with at least a master's level degree has been completed, and must carry the official seal of the institution.

(b) Documentation of the required supervised clinical experience (practicum) with individuals having a variety of communications disorders, as specified in Rule 1370-01-.04 for the discipline for which licensure is being sought. The experience must be obtained through an accredited institution. Unless already provided pursuant to Rule 1370-01-.10, the applicant shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board's Administrative Office attesting to the standards of the practicum and the applicant's successful completion.

(c) A Clinical Fellowship or Clinical Externship in the area in which licensure is being sought.

1. The applicant shall ensure that the supervising Speech Language Pathologist or Audiologist submits a letter which attests to the Clinical Fellowship or Clinical Externship pursuant to Rule 1370-01-.10 directly to the Board's Administrative Office; or

2. An Audiologist initially licensed after January 1, 2009 shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board's Administrative Office attesting that the applicant has completed the clinical externship requirement or equivalent 1820 supervised clinical clock hours.

(d) The examination for licensure pursuant to Rule 1370-01-.08. When the examination has been successfully completed, the applicant shall cause the examining agency to submit directly to the Board's Administrative Office documentation of the successful completion of the examination.

(8) Proof of good moral character

(a) An applicant shall submit evidence of good moral character. Such evidence shall include at least one (1) recent (dated within the preceding twelve (12) months) original letter from a professional attesting to the applicant's personal character and professional ethics and typed on the signator's letterhead.

(9) When necessary, all required documents shall be translated into English and such translation, together with the original document, shall be certified as to authenticity by the issuing source. Both versions must be submitted simultaneously.

(10) Reciprocity

(a) If the applicant is licensed or was ever licensed in another state, the applicant shall cause the appropriate licensing Board in each state in which he holds or has held a

(Rule 1370-01-.05, continued)

license to send directly to the Board an official statement which indicates the condition of his license in such other state, including the date on which he was so licensed and under what provision such license was granted (i.e. certificate of clinical competence, examination, reciprocity, grandfathering, etc.).

(b) In order to be licensed in the State of Tennessee by reciprocity, the Board must determine that the standards for licensure in effect in that state when the individual was licensed there are at least equivalent to, or exceed, the current requirements for licensure in Tennessee.

(11) A Speech Language Pathologist or Audiologist who holds an ASHA certification or equivalent, or holds a Doctor of Audiology degree (AuD) from an accredited institution of higher learning and has passed the examination required for licensure under § 63-17-110(b)(2), or is licensed in another state and who has made application to the Board for a license in the State of Tennessee, may perform activities and services of a Speech Language Pathology or Audiological nature without a valid license pending disposition of the application. For purposes of this rule, "pending disposition of the application" shall mean a Board member or the Board's designee has determined the application is complete and the applicant has received written authorization from the Board member or the Board designee to commence practice, pursuant to T.C.A. § 63-1-142.

(12) Upgrade from provisional licensure to full licensure

(a) If applying by Certificate of Clinical Competence, an applicant shall file with the application documentation of proof of possessing a current Certificate of Clinical Competence in the area of Speech Language Pathology issued through ASHA.

(b) If applying by a method other than Certificate of Clinical Competence, an applicant shall submit with the application documentation an original letter, dated within the preceding twelve (12) months, from the applicant's supervisor attesting to the applicant's successful completion of the required Clinical Fellowship period.

(c) An applicant must successfully complete all examinations for licensure pursuant to Rule 1370-01-.08.

Authority: *T.C.A. §§ 63-1-116, 63-17-105, 63-17-110 through 63-17-113, and 63-17-115.* ***Administrative History:*** *Repeal and new rule filed July 8, 1987; effective August 21, 1987. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed April 26, 2002; effective July 10, 2002. Amendment filed June 22, 2004; effective September 5, 2004. Amendment filed July 21, 2004; effective October 4, 2004. Amendment filed August 3, 2005; effective October 17, 2005. Amendment filed March 17, 2006; effective May 31, 2006. Amendment filed September 11, 2006; effective November 25, 2006. Amendment filed September 14, 2010; effective November 13, 2010. Amendments filed March 24, 2016; effective June 22, 2016. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.06 FEES.

(1) The fees authorized by the Licensure Act for Communication Disorders and Sciences (T.C.A. §§ 63-17-101, et seq.) and other applicable statutes are established as nonrefundable fees, as follows:

(a) Application Fee - A fee to be paid by all applicants, including those seeking licensure, provisional licensure, or licensure by reciprocity. It must be paid to the Board each time an application for licensure is filed, or a license is reactivated.

(Rule 1370-01-.06, continued)

(b) Duplicate License Fee - A fee to be paid when a licensee requests a replacement for a lost or destroyed 'artistically designed' license.

(c) Examination Fee - The fee to be paid each time an examination is taken or retaken.

(d) Initial Licensure Fee - A fee to be paid when the Board has granted licensure or provisional licensure and prior to the issuance of the 'artistically designed' wall license.

(e) Late Renewal Fee - A fee to be paid when an individual fails to timely renew and is in addition to the Licensure Renewal Fee.

(f) Licensure Renewal Fee - To be paid biennially by all licensees except retired licensees and inactive volunteers. This fee also applies to licensees who reactivate a retired, inactive, or expired license.

(g) State Regulatory Fee - To be paid by all individuals at the time of application and biennially (every other year) with all renewal applications.

(h) Clinical Fellows shall not be charged a fee to upgrade from provisional licensure to full licensure.

(2) All fees may be paid in person, by mail or electronically by cash, check, money order, or by credit and/or debit cards accepted by the Division. If the fees are paid by certified, personal or corporate check they must be drawn against an account in a United States Bank, and made payable to the Tennessee Board of Communications Disorders and Sciences.

(3) Fee Schedule

(a) Speech Language Pathologist or Clinical Fellow		Amount
1.	Application	$50.00
2.	Duplicate License Fee	25.00
3.	Inactive Volunteer Licensure Renewal Fee	0.00
4.	Initial Licensure Fee	100.00
5.	Late Renewal Fee	120.00
6.	Licensure Renewal Fee (biennial)	60.00
7.	State Regulatory Fee (initial and biennial)	10.00

(b) Audiologist		Amount
1.	Application	$50.00
2.	Duplicate License Fee	25.00
3.	Inactive Volunteer Licensure Renewal Fee	0.00
4.	Initial Licensure Fee	100.00
5.	Late Renewal Fee	120.00

(Rule 1370-01-.06, continued)

	6.	Licensure Renewal Fee (biennial)	60.00
	7.	State Regulatory Fee (initial and biennial)	10.00
(c)	Dual Licenses (Speech Language Path/Audiologist)		Amount
	1.	Application	$50.00
	2.	Duplicate License Fee	25.00
	3.	Inactive Volunteer Licensure Renewal Fee	0.00
	4.	Initial Licensure Fee	100.00
	5.	Late Renewal Fee	120.00
	6.	Licensure Renewal Fee (biennial)	60.00
	7.	State Regulatory Fee (initial and biennial)	10.00
(d)	Speech Language Pathology Assistant		Amount
	1.	Application	$10.00
	2.	Duplicate Registration Fee	25.00
	3.	Initial Registration Fee	10.00
	4.	Late Renewal Fee	25.00
	5.	Registration Renewal Fee	25.00
	6.	State Regulatory Fee (initial and biennial)	10.00

(4) Persons who are licensed as a Speech Language Pathologist and an Audiologist at the same time shall pay according to the fees established for Dual Licenses. Persons who are licensed at separate times for these specialties shall pay the application, initial license, and state regulatory fees for that additional license, but only at the time of application. After these initial applications, only one renewal and state regulatory fee will be required.

Authority: *T.C.A. §§ 63-1-103, 63-1-106, 63-1-112, 63-17-105, 63-17-110, 63-17-115, and 63-17-128.* ***Administrative History:*** *Original rule filed February 23, 1990; effective April 9, 1990. (Formerly 1370-01-.09) Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed April 26, 2002; effective July 10, 2002. Amendment filed June 22, 2004; effective September 5, 2004. Amendment filed July 21, 2004; effective October 4, 2004. Amendment filed September 11, 2006; effective November 25, 2006. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.07 APPLICATION REVIEW, APPROVAL, AND DENIAL FOR LICENSES, PROVISIONAL LICENSES, AND REGISTRATIONS.

(1) Applications will be accepted throughout the year and processed in the Board's Administrative Office.

(Rule 1370-01-.07, continued)

(2) Completed applications received in the Board's Administrative Office shall be submitted to a member of the Board or a Board designee for review. If the completed application was received before the thirtieth (30th) day of the month preceding the next Board meeting, an initial determination shall be made prior to the next Board meeting.

(3) Issuance decisions pursuant to this rule may be preliminarily made upon review by any Board member or a Board designee.

(4) The initial determination shall be presented to the full Board for review. The license, provisional license, or registration will not be issued until such time as the full Board ratifies the initial determination. [A Speech Language Pathologist or Audiologist who is ASHA certified (or equivalent) or is licensed in another state and has made application in Tennessee may practice in Tennessee pending disposition of the application.]

(5) If an application is incomplete when received in the Board's Administrative Office, or the reviewing Board member determines additional information is required from an applicant before an initial determination can be made, the applicant shall be notified and the necessary information requested by the Administrative Office. The applicant shall cause the requested information to be received in the Board's Administrative Office on or before the sixtieth (60th) day after receipt of the notification.

(a) If the requested information is not received within the sixty (60) day period, the application file shall be closed and the applicant notified that the Board will not consider licensure, provisional licensure, or registration until a new application is received pursuant to the rules governing that process, including another payment of all applicable fees.

(b) Once a file has been closed, no further Board action will take place until a new application is submitted. Failure to complete all forms, provide requested information, submit all fees, take or retake required examinations within the specified time frame will be just cause for the application file to be closed. This action may be made by the Board's Unit Director.

(6) If a completed application file has been initially denied by the reviewing Board member and ratified as such by the Board, the action will become final and the following shall occur:

(a) A notification of the denial shall be sent to the applicant by the Board's Administrative Office by certified mail, return receipt requested. Specific reasons for the denial will be stated, such as incomplete information, unofficial records, failure of examination, and other matters judged insufficient for licensure, and such notification shall contain all the specific statutory and rule authorities for the denial.

(b) The notification, when appropriate, shall also contain a statement of the applicant's right to request a contested case hearing under the Tennessee Administrative Procedures Act (T.C.A. §§ 4-5-301, et seq.) to contest the denial and the procedure necessary to accomplish that action.

(c) An applicant has a right to a contested case hearing only if the licensure denial was based on subjective or discretionary criteria.

(7) If the Board finds that it has erred in the issuance of a license, provisional license, or registration, the Board will give written notice by certified mail, return receipt requested, of intent to revoke the license, provisional license, or registration. The notice will allow the applicant the opportunity to meet the requirements of licensure within thirty (30) days from the date of receipt of the notification. If the applicant does not concur with the stated reason

(Rule 1370-01-.07, continued)

and the intent to revoke the license, the applicant shall have the right to proceed according to Rule 1370-01-.07(6)(b).

Authority: *T.C.A. §§ 63-1-142, 63-17-105, 63-17-110, 63-17-112, 63-17-115, and 63-17-117.* ***Administrative History:*** *Original rule filed March 11, 1991; effective April 25, 1991. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed January 31, 2003; effective April 16, 2003. Amendment filed August 3, 2005; effective October 17, 2005. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.08 EXAMINATIONS. All persons intending to apply for licensure as a Speech Language Pathologist or Audiologist in Tennessee must successfully complete examinations pursuant to this rule.

(1) The Specialty Area Tests in Speech-Language Pathology and Audiology of the Professional Assessments for Beginning Teachers (Praxis Test) must be completed prior to application for licensure.

(2) Evidence of successful completion must be submitted by the examining agency directly to the Board's Administrative Office as part of the application process pursuant to Rule 1370-01-.05.

(3) The Board adopts the Praxis Test, or its successor examination, as its licensure examination. Successful completion of examination is a prerequisite to licensure pursuant to Rule 1370-01-.05.

(4) The Board adopts the ASHA determination as to the passing score on the Praxis Test or successor examination.

(5) The Tennessee Jurisprudence Exam, established by the Board on the rules and statutes, must be successfully completed prior to licensure and/or reinstatement of licensure.

Authority: *T.C.A. §§ 63-17-105, 63-17-110, and 63-17-111.* ***Administrative History:*** *Original rule filed March 11, 1991; effective April 25, 1991. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed April 26, 2002; effective July 10, 2002. Amendment filed September 11, 2006, effective November 25, 2006. Amendments filed March 24, 2016; effective June 22, 2016. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.09 RENEWAL OF LICENSE OR REGISTRATION.

(1) Renewal Application.

(a) The due date for license renewal is the expiration date indicated on the renewal certificate.

(b) Methods of Renewal

1. Internet Renewals - Individuals may apply for renewal and pay the necessary fees via the Internet. The application to renew can be accessed at:

https://apps.tn.gov/hlrs/

2. Paper Renewals - For individuals who have not renewed their license or registration online via the Internet, a renewal application form will be mailed to each individual licensed or registered by the Board to the last address provided to the Board. Failure to receive such notification does not relieve the licensee or registrant from the responsibility of meeting all requirements for renewal.

(Rule 1370-01-.09, continued)

(c) To be eligible for license or registration renewal, an individual must submit to the Board's Administrative Office on or before the due date for renewal all of the following:

1. A completed Renewal Application form;

2. The renewal and state regulatory fees as provided in Rule 1370-01-.06; and

3. Attestation on the Renewal Application form to indicate and certify completion of continuing education requirements pursuant to Rule 1370-01-.12.

(d) Licensees and registrants who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses or registrations processed pursuant to Rule 1200-10-01-.10.

(2) Exemption from Licensure or Registration Renewal - A licensee or registrant who does not plan to practice in Tennessee and who therefore does not intend to use the title 'Speech Language Pathologist' or 'Audiologist' or any title which conveys to the public that he is currently licensed or registered by this Board may apply to convert an active license or registration to retired, or inactive, status. These licensees must comply with the requirements of Rule 1370-01-.11.

(3) Reinstatement of an Expired License or Registration.

(a) Licensees and registrants who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licensure processed pursuant to Rule 1200-10-01-.10.

(b) Licensees and registrants who wish to reinstate a license or registration that has been expired for five (5) years or less shall meet the following conditions:

1. Payment of the renewal fee and state regulatory fees, pursuant to Rule 1370-01-.06; and

2. Payment of the late renewal fee, pursuant to Rule 1370-01-.06, which shall not exceed twice the renewal fee; and

3. Provide documentation of successfully completing continuing education requirements for every year the license or registration was expired, pursuant to Rule 1370-01-.12.

4. License and registration reinstatement applications hereunder shall be treated as license and registration applications, and review and decisions shall be governed by Rule 1370-01-.07.

(c) Licensees and registrants who wish to reinstate a license or registration that has been expired for more than five (5) years shall be required to reapply for licensure in accordance with applicable laws and rules of the Board. As part of the application, the licensee or registrant shall include documentation of current ASHA certification or equivalent and documentation of having successfully completed continuing education requirements for each year the license or registration was expired pursuant to Rule 1370-01-.12.

Authority: *T.C.A. §§ 63-1-107, 63-17-105, 63-17-116, and 63-17-128.* ***Administrative History:*** *Original rule filed September 18, 1991; effective November 2, 1991. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed April 26, 2002; effective July 10, 2002. Amendment filed July 22, 2003; effective October 5, 2003. Amendment filed September 11, 2006; effective November 25, 2006.*

(Rule 1370-01-.09, continued)

Amendment filed June 28, 2013; effective September 26, 2013. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.

1370-01-.10 CLINICAL FELLOWSHIPS, CLINICAL EXTERNSHIPS, AND SUPERVISION.

(1) Clinical Fellows must hold a provisional license and must work under the supervision of a Tennessee Licensed or ASHA Certified Speech Language Pathologist ("Supervising Licensee"). The Clinical Fellow, working under the provisional license during the Clinical Fellowship, is authorized to perform all functions specified in T.C.A. § 63-17-103 for Speech Language Pathologists.

(a) The Clinical Fellowship experience shall include no less than thirty-six (36) supervisory activities in the following combination:

1. Eighteen (18) direct supervision observations, with one (1) hour equaling one (1) observation.

2. Eighteen (18) indirect supervision activities which may, for example, include telephone conferences, tape reviews, and record reviews.

(b) Each month of the Clinical Fellowship shall include two (2) direct supervision observations and two (2) other indirect supervision activities.

(c) Nothing within this paragraph shall require the Supervising Licensee to be on site at all times while supervising a Clinical Fellow.

(2) Clinical Fellowship Procedures for Provisional Licensure

(a) An applicant for a provisional license as a Clinical Fellow shall cause a graduate transcript to be submitted directly from the educational institution to the Board's Administrative Office. The transcript must show that graduation with at least a master's or doctorate level degree has been completed and must carry the official seal of the institution.

(b) An applicant for a provisional license as a Clinical Fellow shall have successfully completed a minimum of four hundred (400) clock hours of supervised clinical experience (practicum) with individuals having a variety of communications disorders, as required by ASHA. The experience shall have been obtained through an accredited institution. The applicant shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board's Administrative Office attesting to the standards of the practicum and the applicant's successful completion.

(c) An applicant shall complete a current application, respond truthfully and completely to every question or request for information contained in the application form, and submit it, along with all documentation and fees required, to the Board's Administrative Office. It is the intent of this rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all materials be filed simultaneously.

(d) An applicant shall submit with the application a certified birth certificate or a notarized photocopy of a certified birth certificate.

(e) An applicant shall submit with the application a "passport" style photograph taken within the preceding twelve (12) months and attach it to the appropriate page of the application.

(Rule 1370-01-.10, continued)

(f) An applicant shall disclose the circumstances surrounding any of the following:

1. Conviction of a crime in any country, state, or municipality, except minor traffic violations.

2. The denial of certification or licensure application by any other state or country, or the discipline of the certificate holder or licensee in any state or country.

3. Loss or restriction of certification or licensure privileges.

4. Any judgment or settlement in a civil suit in which the applicant was a party defendant, including malpractice, unethical conduct, breach of contract, or any other civil action remedy recognized by the country's or state's statutory, common law, or case law.

(g) An applicant shall cause to be submitted to the Board's Administrative Office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.

(h) An applicant shall submit evidence of good moral character. Such evidence shall include at least one (1) recent (dated within the preceding twelve (12) months) original letter from a professional attesting to the applicant's personal character and fitness for provisional licensure.

(i) A Clinical Fellow must register the Clinical Fellow's Supervising Licensee with the Board on a registration form provided in the application. Registration must be made before or within ten (10) days of retaining the supervisor.

(3) Clinical Fellowship Period of Effectiveness: The Board adopts the ASHA standard for the speech language pathology clinical fellowship period of provisional effectiveness, published by the ASHA 2020 Standards and Implementation Procedures for the Certification of Clinical Competence in Speech-Language Pathology, as revised effective January 1, 2023.

(4) Supervision Limitations

(a) Supervising Licensees shall serve as primary supervisors for no more than three (3) individuals concurrently. Supervising Licensees may also serve as an alternate supervisor for one (1) additional SLPA.

1. Supervising Licensees shall supervise no more than two (2) Speech Language Pathology Assistants concurrently.

2. Supervising Licensees shall supervise no more than three (3) Clinical Fellows concurrently.

(b) Supervising Licensees shall be at least two (2) years removed from the completion of their Clinical Fellowship work.

(5) Clinical Externs must work under the supervision of a licensed, ASHA certified or ABA certified Audiologist (Supervising Licensee).

(6) Clinical Externs: Procedures for Registration

(a) An applicant for registration as a Clinical Extern shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board administrator

(Rule 1370-01-.10, continued)

verifying that he or she has successfully completed sufficient academic course work to engage in outside supervised clinical practice.

(b) An applicant for registration as a Clinical Extern shall have successfully completed a minimum of four hundred (400) clock hours of supervised clinical experience (practicum) with individuals having a variety of communications disorders. The experience shall have been obtained through an accredited institution. The applicant shall have a letter transmitted directly from the authorized individual at the accredited institution to the Board's Administrative Office attesting to the standards of the practicum and the applicant's successful completion.

(c) All Supervising Licensees must register any and all Clinical Externs working under their supervision with the Board on a registration form to be provided by the Board at the request of the Supervising Licensee. Registration must be made by the Supervising Licensee prior to the start of the externship.

(7) Clinical Externship: Period of Effectiveness

(a) Registration of a Clinical Extern is effective for a period of fifteen (15) continuous months, beginning with the month after the month in which the registration is made.

(b) The length of the externship is set by the accredited institution.

(c) Notwithstanding the provisions of subparagraph (a), the clinical externship's period of effectiveness may be extended for a period not to exceed four (4) additional months for applicants for licensure who are awaiting national certification and subsequent Board review of their application. Such extension will cease to be effective if national certification or Board licensure is denied. At all times while awaiting national certification results and until licensure is received, Clinical Externs shall practice only under supervision as set forth in this rule.

(d) In the case of extenuating circumstances, a Supervising Licensee may request an extension of the Clinical Externship registration. The Board or its designee will determine if an extension will be granted.

(e) In order to request an extension, a Supervising Licensee must submit an Audiology Clinical Externship (ACE) Change Form (found on the Board's website at https://www.tn.gov/content/dam/tn/health/healthprofboards/ACE_Change_Form.pdf).

(8) Clinical Externs: Supervision Limitations. Supervising Licensees shall concurrently supervise no more than two (2) Clinical Externs.

Authority: *T.C.A. §§ 63-17-105, 63-17-110, 63-17-114, and 63-17-116.* ***Administrative History:*** *Original rule filed December 18, 1995; effective March 1, 1996. Repeal and new rule filed January 31, 2000; effective April 15, 2000. Amendment filed January 31, 2003; effective April 16, 2003. Amendment filed June 22, 2004; effective September 5, 2004. Amendment filed August 3, 2005; effective October 17, 2005. Amendment filed September 11, 2006; effective November 25, 2006. Amendment filed April 6, 2010; effective July 5, 2010. Amendment filed September 14, 2010; effective December 13, 2010. Amendment filed June 28, 2013; effective September 26, 2013. Amendment filed April 17, 2014; effective July 16, 2014. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed April 21, 2025; to have become effective July 20, 2025. However, the Government Operations Committee filed a 90-day stay of the effective date of the rules; new effective date October 18, 2025. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.11 RETIREMENT AND REACTIVATION OF LICENSE OR REGISTRATION.

(1) (a) A licensee who holds a current license and does not intend to practice as a Speech Language Pathologist or Audiologist or intends to obtain an Inactive-Pro Bono Services license may apply to convert an active license to an Inactive-Retired status. Such licensee who holds a retired license may not practice and will not be required to pay the renewal fee.

(b) A registrant who holds a current registration and does not intend to practice as a Speech Language Pathology Assistant may apply to convert and active registration to an Inactive-Retired status. Such registrant who holds a retired registration may not practice and will not be required to pay the renewal fee.

(2) A person who holds an active license or registration may apply for retired status in the following manner:

(a) Obtain, complete and submit to the Board's Administrative Office an Affidavit of Retirement form; and

(b) Submit any documentation which may be required by the form to the Board's Administrative Office.

(3) A licensee or registrant who holds a retired license may apply to reactivate his license in the following manner:

(a) Submit a written request for licensure or registration reactivation to the Board's Administrative Office;

(b) Pay the licensure or registration renewal fee and state regulatory fee as provided in Rule 1370-01-.06; and

(c) Provide documentation of successfully completing continuing education requirements pursuant to Rule 1370-01-.12.

(4) License and registration reactivation applications shall be treated as licensure applications and review decisions shall be governed by Rule 1370-01-.07.

Authority: *T.C.A. §§ 63-1-111, 63-17-105, 63-17-115, 63-17-116, 63-17-124, 63-17-127, and 63-17-128.* ***Administrative History:*** *Original rule filed January 31, 2000; effective April 15, 2000. Amendment filed April 26, 2002; effective July 10, 2002. Amendment filed September 11, 2006; effective November 25, 2006. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.12 CONTINUING EDUCATION. All Speech Language Pathologists, Audiologists, and Speech Language Pathology Assistants must comply with the following continuing education rules as a prerequisite to licensure and registration renewal.

(1) Continuing Education - Hours Required

(a) All Speech Language Pathologists and Audiologists must complete twenty (20) hours of continuing education during the two calendar years (January 1–December 31) that precede the licensure renewal year.

1. Ten (10) hours of the twenty (20) hour requirement must have been obtained in the licensee's area of practice (Speech Language Pathology or Audiology); and

(Rule 1370-01-.12, continued)

2. Ten (10) hours of the twenty (20) hour requirement may regard either Speech Language Pathology or Audiology.

3. For new licensees, proof of successful completion of all education and training requirements required for licensure in Tennessee, pursuant to Rule 1370-01-.04, which have been completed during the twelve (12) months preceding licensure, shall constitute continuing education credit for the initial period of licensure.

(b) All Speech Language Pathology Assistants must complete a minimum of ten (10) hours of continuing education during the two (2) calendar years (January 1–December 31) that precede the licensure renewal year cycle. For new registrants, proof of successful completion of all education and training requirements required for registration in Tennessee, pursuant to Rule 1370-01-.14, which have been completed during the twelve (12) months preceding registration, shall constitute continuing education credit for the initial period of registration.

(c) The Board does not pre-approve continuing education programs. It is the responsibility of the licensee or registrant, using his/her professional judgment, to determine whether or not the continuing education course is applicable and appropriate and meets the guidelines specified in this rule. Continuing education credit will not be allowed for the following

1. Regular work activities, administrative staff meetings, case staffing/reporting, etc.

2. Membership or holding office in or participation on boards or committees, or business meetings of professional organizations.

3. Independent unstructured, or self-structured, learning.

4. Training specifically related to policies and procedures of an agency.

5. Seminars, conferences or courses not directly related to Speech Language Pathology or Audiology (i.e. computers, finance, business management, etc.) or inconsistent with the requirements of subparagraph (a).

(d) Persons who hold dual licenses (Speech Language Pathology and Audiology) must complete a minimum of twenty (20) hours of continuing education during the two (2) calendar years that precede the licensure renewal cycle. The hours must be distributed equally between each specialty.

(e) For purposes of these Rules, one-tenth (0.1) Continuing Education Unit (CEU), as defined by ASHA and other CE course providers, is equivalent to sixty (60) minutes or one (1) hour of continuing education.

(f) Multi-Media - With successful completion of a written post-experience examination to evaluate material retention, multi-media courses may be taken for continuing education credit.

1. For Speech Language Pathologists and Audiologists, all of the hours required in subparagraph (a) may be granted for multi-media courses during each calendar year.

2. For Speech Language Pathology Assistants, all of the hours required in subparagraph (b) may be granted for multi-media courses during each calendar year.

(Rule 1370-01-.12, continued)

3. Multi-Media courses may include courses utilizing:

(i) Group: Synchronous, live event. Instruction requires the simultaneous participation of all students and instructors in real time. Learners interact with the learning materials and the instructor at a specific location and time. Examples include but are not limited to workshops, seminars, symposium, webinar/videoconference, journal group, grand rounds, conventions, and conferences.

(ii) Individual: Asynchronous. Learners choose their own instructional time frame and location and interact with the learning materials and instructor according to their own schedules. Examples include but are not limited to video recordings, correspondence courses, audio recordings, programmed study, computer-assisted learning, and reading peer review journals/newsletters.

(iii) Blended: Combines elements of both group and individual learning experiences. These may be distance learning/online as well as face-to-face/in person. These courses might have prerequisite reading, videotaping/case study viewing that must be completed prior to, during, or after the face-to-face/in person portion. Examples include but are not limited to live webinar that has required reading/case study review for which the participant will earn credit for successfully completing prior to, during, or after the live segment.

(iv) Independent Study: A learning event proposed by the learner and reviewed, monitored and approved by a Board approved independent study provider.

(g) The Board, in cases of documented illness, disability, other undue hardship or retirement, may

1. Waive the continuing education requirements; or

2. Extend the deadline to complete continuing education requirements.

(h) To be considered for a waiver of continuing education requirements, or for an extension of the deadline to complete the continuing education requirements, a licensee or registrant must request such in writing with supporting documentation before the end of the calendar year in which the continuing education requirements were not met.

(2) Documentation - Proof of Compliance.

(a) Each licensee and registrant must retain documentation of attendance and completion of all continuing education. If asked by the Board for inspection and/or verification purposes, the licensee or registrant must produce one (1) of the following:

1. Verification of continuing education by evidencing certificates which verify attendance at continuing education program(s); or

2. An original letter on official stationery from the continuing education’s program’s sponsor verifying the continuing education and specifying date, hours of actual attendance, program title, licensee or registrant name and number.

(Rule 1370-01-.12, continued)

(b) Each licensee and registrant on the biennial renewal form must attest to completion of the required continuing education hours and that such hours were obtained during the two (2) calendar years (January 1–December 31) that precede the licensure or registration renewal year.

(c) Each licensee and registrant shall maintain, for a period of not less than four (4) years, all documentation pertaining to continuing education.

(3) Violations.

(a) Any licensee or registrant who falsely certifies attendance and completion of the required hours of continuing education requirements, or who does not or can not adequately substantiate completed continuing education hours with the required documentation, may be subject to disciplinary action pursuant to Rule 1370-01-.13.

1. Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrants the intended action.

2. The licensee or registrant has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the license or registration.

3. Any licensee or registrant who fails to show compliance with the required continuing education hours in response to the notice contemplated by part (3)(a)1. above may be subject to disciplinary action

(4) Continuing Education for Reactivation or Reinstatement of Retired or Expired Licenses and Registrations.

(a) An individual whose license or registration has been retired or has expired must complete the continuing education requirements for each year the license or registration was retired or expired as a prerequisite to reactivation or reinstatement. The number of continuing education hours to be obtained, and the modality through which the continuing education hours may be obtained, shall be in accordance with the continuing education rules in place at the time the application for reactivation or reinstatement is submitted. The number of continuing education hours required for reactivation or reinstatement shall not exceed 100 hours. The continuing education hours obtained will be considered replacement hours and cannot be counted during the next licensure or registration renewal period.

Authority: *T.C.A. §§ 63-17-105, 63-17-124, and 63-17-128.* ***Administrative History:*** *(Formerly 1370-01-.10) New rule filed January 31, 2000; effective April 15, 2000. Amendment filed September 13, 2001; effective November 27, 2001. Amendment filed April 26, 2002; effective July 10, 2002. Amendment filed January 31, 2003; effective April 16, 2003. Amendment filed July 22, 2003; effective October 5, 2003. Amendment filed September 11, 2006; effective November 25, 2006. Amendments filed June 28, 2013; effective September 26, 2013. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.13 UNPROFESSIONAL AND UNETHICAL CONDUCT. The Board has the authority to refuse to issue a license, a provisional license, or registration, or may suspend, revoke, or condition a license, a provisional license or registration for a period of time, or assess a civil penalty against any person holding a license to practice as a Speech Language Pathologist, or Audiologist, or Clinical Fellow or registration as a Speech Language Pathology Assistant. In addition to the statute at T.C.A. § 63-17-117, unprofessional and/or unethical conduct shall include, but not be limited to the following:

(Rule 1370-01-.13, continued)

(1) Engaging in clinical work when the licensee or registrant is not properly qualified to do so, pursuant to Rules 1370-01-.04 and 1370-01-.14, by successful completion of training, course work and/or supervised practicum;

(2) Failure to take precautions to avoid injury to the client;

(3) The guarantee or warranty of any sort, whether expressed orally or in writing, of the results of any speech, language, or hearing consultative or therapeutic procedure for the client;

(4) Diagnosis or treatment (excluding general information of an educational nature) of any individual speech, language or hearing disorders by correspondence;

(5) Willfully betraying a professional secret;

(6) Accepting for treatment, and/or continuing treatment of, any client where benefit cannot reasonably be expected to accrue or is unnecessary;

(7) Violation, or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of the practice act or any lawful order of the Board issued pursuant thereto;

(8) Making false statements or representations, being guilty of fraud or deceit in obtaining admission to practice, or being guilty of fraud or deceit in the practice as a Speech Language Pathologist, Audiologist, or Speech Language Pathology Assistant;

(9) Engaging in the practice as a Speech Language Pathologist, Audiologist, or Speech Language Pathology Assistant under a false or assumed name, or the impersonation of another practitioner under a like, similar or different name;

(10) Violation of the continuing education provisions of Rule 1370-01-.12;

(11) Conviction of a felony or any offense involving moral turpitude;

(12) Failing to provide adequate supervision for any Speech Language Pathology Assistant pursuant to Rule 1370-01-.14;

(13) Failing to provide adequate supervision for any Clinical Fellow pursuant to Rule 1370-01-.10;

(14) Failing to provide adequate supervision for any Audiology Clinical Extern pursuant to Rule 1370-01-.10.

(15) Failing to timely register supervision with the Board; and

(16) Supervising a quantity of Speech Language Pathology Assistants, Clinical Fellows, or Audiology Clinical Externs inconsistent with the provisions of Rules 1370-01-.14 and/or 1370-01-.10.

Authority: *T.C.A. §§ 63-1-134, 63-1-146, 63-17-105, 63-17-117, and 63-17-128.* ***Administrative History:*** *Original rule filed January 31, 2000; effective April 15, 2000. Amendment filed September 11, 2006; effective November 25, 2006. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.14 SPEECH LANGUAGE PATHOLOGY ASSISTANTS AND SUPERVISION.

(1) Requirements.

(Rule 1370-01-.14, continued)

(a) Speech Language Pathology Assistants.

1. Speech Language Pathology Assistants must work under the supervision of a licensed Speech Language Pathologist (“Supervising Licensee”).

2. The minimum qualifications for persons employed as Speech Language Pathology Assistants shall be as follows:

(i) The applicant must have completed a program of study designed to prepare the student to be a Speech Language Pathology Assistant. The applicant must have earned sixty (60) college-level semester credit hours in a program of study that includes general education and the specific knowledge and skills for a Speech Language Pathology Assistant. The training program shall include a minimum of one hundred (100) clock hours of field experience supervised by a licensed Speech Language Pathologist.

(I) At least twenty (20) semester credit hours of the sixty (60) hour requirement shall be in general education.

(II) At least twenty (20) semester credit hours of the sixty (60) hour requirement shall be in technical content. The course content must include the following:

I. Overview of normal processes of communication and overview of communication disorders;

II. Instruction in assistant-level service delivery practices;

III. Instruction in workplace behaviors;

IV. Cultural and linguistic factors in communication; and

V. Observation.

(III) The one hundred (100) hours of supervised fieldwork experience must provide appropriate experience for learning the job responsibilities and workplace behaviors of a Speech Language Pathology Assistant. This experience is not intended to develop independent practice.

3. If the applicant’s academic institution does not provide for the full one hundred (100) hours of supervised field work experience by a licensed Speech Language Pathologist, then the applicant shall register with the Board and shall have a minimum of thirty (30) days up to a maximum of ninety (90) days to acquire the full one hundred (100) clock hours of field experience needed to become a fully credentialed Speech Language Pathology Assistant.

(2) Scope of Practice.

(a) A Speech Language Pathology Assistant shall not perform the following:

1. Interpret test results or perform diagnostic evaluations;

2. Conduct parent or family conferences or case conferences;

3. Perform client or family counseling;

(Rule 1370-01-.14, continued)

4. Write, develop, or modify a client's individualized treatment plan;

5. Treat clients without following the established plan;

6. Sign any document without the co-signature of the supervising Speech Language Pathologist;

7. Select or discharge clients for services;

8. Disclose clinical or confidential information, either orally or in writing, to anyone not designated by the Speech Language Pathologist;

9. Refer clients for additional outside service.

(3) Supervision by and Responsibilities of the Supervising Licensee.

(a) Prior to the commencement of training and/or employment, individuals seeking to be Speech Language Pathology Assistants must be registered by the Supervising Licensee with the Board on a registration form provided at the request of the Supervising Licensee.

1. The registration form shall be completed by the Supervising Licensee who shall return the completed form to the Board's Administrative Office with a copy of the written plan of training to be used for that Speech Language Pathology Assistant.

2. The Speech Language Pathology Assistant shall not begin training and/or employment until he/she has registered with the Board and paid the required fees, as provided in Rule 1370-01-.06.

3. For those applicants whose academic institution does not provide for the full one hundred (100) hours of supervised field work experience by a licensed Speech Language Pathologist:

(i) The registration form shall be completed by the Supervising Licensee who shall return the completed form to the Board's Administrative Office with a copy of the written plan of training to be used by the applicant.

(ii) The applicant shall not begin training and/or employment until he/she has registered with the Board. No fee shall be required during the thirty (30) to ninety (90) day period in which the applicant obtains the full one hundred (100) hours of supervised field work experience. Upon the completion of the full one hundred (100) hours, the applicant shall pay the required fees, as provided in Rule 1370-01-.06, to become a fully credentialed Speech Language Pathology Assistant.

(b) The Supervising Licensee is responsible for designating an alternate licensed Speech Language Pathologist and ensuring that the designated alternate licensed Speech Language Pathologist is available to provide supervision when he/she is unavailable for any period of time. The designated alternate licensed Speech Language Pathologist must be registered with the Board as the alternate and should be documented on all written materials for training.

(c) Notice of employment, change of supervisor, or termination of any Speech Language Pathology Assistant must be forwarded by the Supervising Licensee to the Board's Administrative Office within thirty (30) days of such action.

(Rule 1370-01-.14, continued)

(d) Prior to utilizing a Speech Language Pathology Assistant, the licensed Speech Language Pathologist who is responsible for his or her direction shall carefully define and delineate the role and tasks. The Speech Language Pathologist shall:

1. Define and maintain a specific line of responsibility and authority; and

2. Assure that the Speech Language Pathology Assistant is responsible only to him or her in all client-related activities.

(e) Any licensed Speech Language Pathologist may delegate specific clinical tasks to a registered Speech Language Pathology Assistant who has completed sufficient training. However, the legal, ethical, and moral responsibility to the client for all services provided, or omitted, shall remain the responsibility of the Supervising Licensee or of the licensed Speech Language Pathologist acting as supervisor in the absence of the Supervising Licensee. A Speech Language Pathology Assistant shall be clearly identified as an assistant by a badge worn during all contact with the client.

(f) When a Speech Language Pathology Assistant assists in providing treatment, a Supervising Licensee shall:

1. Provide a minimum of fifteen (15) hours of training for the competent performance of the tasks assigned. This training shall be completed during the first thirty (30) days of employment. A written plan for this training shall be submitted with registration. This training should include, but not be limited to, the following:

(i) Normal processes in speech, language, and hearing;

(ii) A general overview of disorders of speech, language, and hearing;

(iii) An overview of professional ethics and their application to the Speech Language Pathology Assistant activities;

(iv) Training for the specific job setting shall include information on:

(I) The primary speech, language, and hearing disorders treated in that setting;

(II) Response discrimination skills pertinent to the disorders to be seen;

(III) Equipment to be used in that setting;

(IV) Program administration skills, including stimulus presentation, data collection, and reporting procedures, screening procedures, and utilization of programmed instructional materials; and

(V) Behavior management skills appropriate to the population being served.

2. Evaluate each client prior to treatment.

3. Outline and direct the specific program for the clinical management of each client assigned to the Speech Language Pathology Assistant.

4. Provide direct/indirect supervision according to the following minimum standards:

(i) Provide direct supervision for the first ten (10) hours of client contact upon completion of training, provided however, that this subpart shall not apply to telephone calls or emails to clients;

(ii) Provide direct supervision of at least ten percent (10%) of a Speech Language Pathology Assistant's time each week;

(iii) Provide indirect supervision of at least twenty percent (20%) of a Speech Language Pathology Assistant's time each week;

(iv) The Supervising Licensee or any Speech Language Pathologist acting as supervisor in the absence of the Supervising Licensee shall be available at all times;

(v) All direct and indirect supervision shall be documented and shall include information on the quality of a Speech Language Pathology Assistant's performance;

(vi) Whenever the Speech Language Pathology Assistant's performance is judged to be unsatisfactory after two (2) consecutive observations, the Speech Language Pathology Assistant shall be retrained in the necessary skills. Direct supervision shall be increased to one hundred percent (100%) of all clinical sessions, until the Speech Language Pathology Assistant's performance is judged to be satisfactory over two (2) consecutive observations;

(vii) Ensure that the termination of services is initiated by the Speech Language Pathologist responsible for the client; and

(viii) Make all decisions regarding the diagnosis, management, and future disposition of the client.

5. Provide direct/indirect supervision for an individual who is completing the required one hundred (100) hours of supervised field work experience pursuant to part (3)(a)3., as follows:

(i) Fifty percent (50%) of the remaining hours must be supervised directly;

(ii) Of the hours remaining pursuant to subpart (3)(f)5.(i), at least twenty-five percent (25%) must be supervised directly; and

(iii) Any remaining hours must be supervised indirectly.

(iv) Example: If the individual needs to complete eighty (80) of the required 100 hours of supervised field work experience, the first forty (40) hours (50%) must be supervised directly. Of the remaining forty (40) hours, at least ten (10) of those hours (25%) must be supervised directly, and the remaining thirty (30) hours must be supervised indirectly.

(g) Supervision limitations.

1. Supervising Licensees shall supervise no more than three (3) individuals concurrently. Supervising Licensees may also serve as an alternate supervisor for one (1) additional SLPA.

(Rule 1370-01-.14, continued)

(i) Supervising Licensees shall supervise no more than two (2) Speech Language Pathology Assistants concurrently.

(ii) Supervising Licensees shall supervise no more than three (3) Clinical Fellows concurrently.

2. Supervising Licensees shall be at least two (2) years removed from the completion of their Clinical Fellowship work.

Authority: *T.C.A. §§ 63-17-103, 63-17-105, and 63-17-128.* ***Administrative History:*** *Original rule filed January 31, 2000; effective April 15, 2000. Amendment filed June 22, 2004; effective September 5, 2004. Amendment filed August 3, 2005; effective October 17, 2005. Amendment filed September 11, 2006; effective November 25, 2006. Amendment filed April 6, 2010; effective July 5, 2010. Repeal and new rule filed June 28, 2013; effective September 26, 2013. Amendments filed March 24, 2016; effective June 22, 2016. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.15 DISCIPLINARY ACTIONS, CIVIL PENALTIES, ASSESSMENT OF COSTS, AND SUBPOENAS.

(1) Upon a finding by the Board that the Speech Language Pathologist, Audiologist, Clinical Fellow, or Speech Language Pathology Assistant has violated any provision of the T.C.A. §§ 63-17-101, et seq., or the rules promulgated thereto, the Board may impose any of the following actions separately or in any combination deemed appropriate to the offense:

(a) Letter of Warning or Letter of Concern - This is a written action issued to the Speech Language Pathologist, Audiologist, Clinical Fellow, or Speech Language Pathology Assistant for minor or near infractions. It is informal and advisory in nature and does not constitute a formal disciplinary action. If the Board takes this action as a result of a contested case hearing, it shall be considered an adverse act by the Board and reportable to the National Practitioner Databank and/or similar agency.

(b) Formal Censure or Reprimand - This is a written action issued to a Speech Language Pathologist, Audiologist, Clinical Fellow, or Speech Language Pathology Assistant for one (1) time and less severe violations. It is a formal disciplinary action which must be accepted by the Speech Language Pathologist, Audiologist, Clinical Fellow, or Speech Language Pathology Assistant and ratified by the Board.

(c) Probation - This is a formal disciplinary action which places a Speech Language Pathologist, Audiologist, Clinical Fellow, or Speech Language Pathology Assistant on close scrutiny for a fixed period of time. This action may be combined with conditions which must be met before probation will be lifted and/or which restrict the individual's activities during the probationary period.

(d) Suspension of License, Provisional License, or Registration - This is a formal disciplinary action which suspends the right to practice for a fixed period of time. It contemplates the re-entry into practice under the licensure, provisional licensure, or registration previously issued.

(e) Revocation of License, Provisional License, or Registration - This is the most severe form of disciplinary action which removes an individual from the practice of the profession and terminates the license, provisional license, or registration previously issued. If revoked, it relegates the violator to the status he possessed prior to application for licensure, provisional licensure, or registration. Application for reinstatement of a revoked license, provisional license, or registration shall be treated as a new application for licensure, provisional licensure, or registration which shall not

(Rule 1370-01-.15, continued)

be considered by the Board prior to the expiration of at least one (1) year, unless otherwise stated in the Board's revocation order.

(f) Civil Penalty - A monetary disciplinary action assessed by the Board pursuant to paragraph (4) of this rule.

(g) Conditions - Any action deemed appropriate by the Board to be required of a disciplined licensee, provisional licensee, or registrant in any of the following circumstances:

1. During any period of probation, suspension; or

2. During any period of revocation after which the licensee, provisional licensee, or registrant may petition for an order of compliance to reinstate the revoked license; or

3. As a prerequisite to the lifting of probation or suspension or as a prerequisite to the reinstatement of a revoked license, provisional license, or registration; or

4. As a stand-alone requirement(s) in any disciplinary order.

(h) Once ordered, probation, suspension, assessment of a civil penalty, or any other condition of any type of disciplinary action may not be lifted unless and until the licensee, provisional licensee, or registrant petitions, pursuant to paragraph (2) of this rule and all conditions placed on the probation or suspension have been met, and after any civil penalties assessed have been paid.

(2) Order of Compliance - This procedure is a necessary adjunct to previously issued disciplinary orders and is available only when a petitioner has completely complied with the provisions of a previously issued disciplinary order, including an unlicensed or unregistered practice civil penalty order, and wishes or is required to obtain an order reflecting that compliance.

(a) The Board will entertain petitions for an Order of Compliance as a supplement to a previously issued order upon strict compliance with the procedures set forth in subparagraph (b) in only the following two (2) circumstances:

1. When the petitioner can prove compliance with all the terms of the previously issued order and is seeking to have an order issued reflecting that compliance; or

2. When the petitioner can prove compliance with all the terms of the previously issued order and is seeking to have an order issued lifting a previously ordered suspension or probation.

(b) Procedures

1. The petitioner shall submit a Petition for Order of Compliance, as contained in subparagraph (c), to the Board's Administrative Office that shall contain all of the following:

(i) A copy of the previously issued order; and

(ii) A statement of which provision of subparagraph (a) the petitioner is relying upon as a basis for the requested order; and

(Rule 1370-01-.15, continued)

(iii) A copy of all documents that prove compliance with all the terms or conditions of the previously issued order. If proof of compliance requires testimony of an individual(s), including that of the petitioner, the petitioner must submit signed statements from every individual the petitioner intends to rely upon attesting, under oath, to the compliance. The Board's consultant and administrative staff, in their discretion, may require such signed statements to be notarized. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, the petition.

2. The Board authorizes its consultant and administrative staff to make an initial determination on the petition and take one of the following actions:

(i) Certify compliance and have the matter scheduled for presentation to the Board as an uncontested matter; or

(ii) Deny the petition, after consultation with legal staff, if compliance with all of the provisions of the previous order is not proven and notify the petitioner of what provisions remain to be fulfilled and/or what proof of compliance was either not sufficient or not submitted.

3. If the petition is presented to the Board the petitioner may not submit any additional documentation or testimony other than that contained in the petition as originally submitted.

4. If the Board finds that the petitioner has complied with all the terms of the previous order an Order of Compliance shall be issued.

5. If the petition is denied either initially by staff or after presentation to the Board and the petitioner believes compliance with the order has been sufficiently proven the petitioner may, as authorized by law, file a petition for a declaratory order pursuant to the provisions of T.C.A. § 4-5-223 and Rule 1200-10-01-.11.

(c) Form Petition

Petition for Order of Compliance
Board of Communications Disorders and Sciences

Petitioner's Name: _____
Petitioner's Mailing Address: _____
_____
_____
Petitioner's E-Mail Address: _____
Telephone Number: _____

Attorney for Petitioner: _____
Attorney's Mailing Address: _____
_____
_____
Attorney's E-Mail Address: _____
Telephone Number: _____

The petitioner respectfully represents, as substantiated by the attached documentation, that all provisions of the attached disciplinary order have been complied with and I am respectfully requesting: (circle one)

(Rule 1370-01-.15, continued)

1. An order issued reflecting that compliance; or

2. An order issued reflecting that compliance and lifting a previously ordered suspension or probation.

Note – You must enclose all documents necessary to prove your request including a copy of the original order. If any of the proof you are relying upon to show compliance is the testimony of any individual, including yourself, you must enclose signed statements from every individual you intend to rely upon attesting, under oath, to the compliance. The Board's consultant and administrative staff, in their discretion, may require such signed statements to be notarized. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, this petition.

Respectfully submitted this the _____ day of _____, 20___.

_____
Petitioner's Signature

(3) Order Modifications - This procedure is not intended to allow anyone under a previously issued disciplinary order, including an unlicensed or unregistered practice civil penalty order, to modify any findings of fact, conclusions of law, or the reasons for the decision contained in the order. It is also not intended to allow a petition for a lesser disciplinary action, or civil penalty other than the one(s) previously ordered. All such provisions of Board orders were subject to reconsideration and appeal under the provisions of the Uniform Administrative Procedures Act (T.C.A. §§ 4-5-301, et seq.). This procedure is not available as a substitute for reconsideration and/or appeal and is only available after all reconsideration and appeal rights have been either exhausted or not timely pursued. It is also not available for those who have accepted and been issued a reprimand.

(a) The Board will entertain petitions for modification of the disciplinary portion of previously issued orders upon strict compliance with the procedures set forth in subparagraph (b) only when the petitioner can prove that compliance with any one or more of the conditions or terms of the discipline previously ordered is impossible. For purposes of this rule the term "impossible" does not mean that compliance is inconvenient or impractical for personal, financial, scheduling or other reasons.

(b) Procedures

1. The petitioner shall submit a written and signed Petition for Order Modification on the form contained in subparagraph (c) to the Board's Administrative Office that shall contain all of the following:

(i) A copy of the previously issued order; and

(ii) A statement of why the petitioner believes it is impossible to comply with the order as issued; and

(iii) A copy of all documents that proves that compliance is impossible. If proof of impossibility of compliance requires testimony of an individual(s), including that of the petitioner, the petitioner must submit signed and notarized statements from every individual the petitioner intends to rely upon attesting, under oath, to the reasons why compliance is impossible. No documentation or testimony other than that submitted will be

(Rule 1370-01-.15, continued)

considered in making an initial determination on, or a final order in response to, the petition.

2. The Board authorizes its consultant and administrative staff to make an initial determination on the petition and take one of the following actions:

   (i) Certify impossibility of compliance and forward the petition to the Office of General Counsel for presentation to the Board as an uncontested matter; or

   (ii) Deny the petition, after consultation with legal staff, if impossibility of compliance with the provisions of the previous order is not proven and notify the petitioner of what proof of impossibility of compliance was either not sufficient or not submitted.

3. If the petition is presented to the Board the petitioner may not submit any additional documentation or testimony other than that contained in the petition as originally submitted.

4. If the petition is granted a new order shall be issued reflecting the modifications authorized by the Board that it deemed appropriate and necessary in relation to the violations found in the previous order.

5. If the petition is denied either initially by staff or after presentation to the Board and the petitioner believes impossibility of compliance with the order has been sufficiently proven the petitioner may, as authorized by law, file a petition for a declaratory order pursuant to the provisions of T.C.A. § 4-5-223 and Rule 1200-10-01-.11.

(c) Form Petition

Petition for Order Modification
Board of Communications Disorders and Sciences

Petitioner's Name: _____
Petitioner's Mailing Address: _____
_____
_____
Petitioner's E-Mail Address: _____
Telephone Number: _____

Attorney for Petitioner: _____
Attorney's Mailing Address: _____
_____
_____
Attorney's E-Mail Address: _____
Telephone Number: _____

The petitioner respectfully represents that for the following reasons, as substantiated by the attached documentation, the identified provisions of the attached disciplinary order are impossible for me to comply with:

_____
_____
_____
_____

_____
_____
_____
_____

Note – You must enclose all documents necessary to prove your request including a copy of the original order. If any of the proof you are relying upon to show impossibility is the testimony of any individual, including yourself, you must enclose signed and notarized statements from every individual you intend to rely upon attesting, under oath, to the reasons why compliance is impossible. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, this petition.

Respectfully submitted this the _____ day of _____, 20___.

_____
Petitioner's Signature

(4) Civil Penalties.

(a) Purpose - The purpose of this rule is to set out a schedule designating the minimum and maximum civil penalties which may be assessed pursuant to T.C.A. § 63-1-134.

(b) Schedule of Civil Penalties.

1. A Type A Civil Penalty may be imposed whenever the Board finds a person who is required to be licensed or registered by the Board guilty of a willful and knowing violation of the Act, or regulations pursuant thereto, to such an extent that there is, or is likely to be, an imminent substantial threat to the health, safety, and welfare of an individual client or the public. For purposes of this section, willfully and knowingly practicing as a Speech Language Pathologist, Audiologist or Speech Language Pathology Assistant without a license, registration, or an exempted classification, constitutes a violation for which a Type A Civil Penalty shall be assessed.

2. A Type B Civil Penalty may be imposed whenever the Board finds a person who is required to be licensed or registered by the Board guilty of a violation of the Act, or regulations pursuant thereto, in such a manner as to impact directly on the care of clients or the public.

3. A Type C Civil Penalty may be imposed whenever the Board finds a person who is required to be licensed or registered by the Board guilty of a violation of the Act, or regulations pursuant thereto, which is neither directly detrimental to the client or the public, nor directly impacts their care, but which only has an indirect relationship to the care of clients or the public.

(c) Amount of Civil Penalties

1. Type A Civil Penalties shall be assessed in an amount not less than $500 nor more than $1,000.

2. Type B Civil Penalties shall be assessed in an amount not less than $100 nor more than $500.

3. Type C Civil Penalties shall be assessed in an amount not less than $50 nor more than $100.

(Rule 1370-01-.15, continued)

(d) Procedures for Assessing Civil Penalties

1. The Division of Health Related Boards may initiate a civil penalty assessment by filing a Memorandum of Assessment of Civil Penalty. The Division shall state in the memorandum the facts and the law upon which it relies in alleging a violation, the proposed amount of civil penalty and the basis for such penalty. The Division may incorporate the Memorandum of Assessment of Civil Penalty with a Notice of Charges which may be issued attendant thereto.

2. Civil Penalties may also be initiated and assessed by the Board during consideration of any Notice of Charges. In addition, the Board may, upon good cause shown, assess type and amount of civil penalty which was not recommended by the Division.

3. In assessing the civil penalties pursuant to these Rules, the Board may consider the following factors:

(i) Whether the amount imposed will be a substantial economic deterrent to the violator;

(ii) The circumstances leading to the violation;

(iii) The severity of the violation and the risk of harm to the public;

(iv) The economic benefits gained by the violator as a result of non-compliance; and

(v) The interest of the public.

(5) Assessment of costs in disciplinary proceedings shall be as set forth in T.C.A. §§ 63-1-144 and 63-17-219.

(6) Subpoenas

(a) Purpose - Although this rule applies to persons and entities other than Speech Language Pathologists and Audiologists, it is the Board's intent as to Speech Language Pathologists and Audiologists that they be free to practice their profession without fear that such practice or its documentation will be unduly subjected to scrutiny outside the profession. Consequently, balancing that intent against the interest of the public and patients to be protected against substandard care and activities requires that persons seeking to subpoena such information and/or materials must comply with the substance and procedures of these rules.

It is the intent of the Board that the subpoena power outlined herein shall be strictly proscribed. Such power shall not be used by the division or council investigators to seek other incriminating evidence against Speech Language Pathologists and Audiologists when the division or Board does not have a complaint or basis to pursue such an investigation. Thus, unless the division or its investigators have previously considered, discovered, or otherwise received a complaint from either the public or a governmental entity, then no subpoena as contemplated herein shall issue.

(b) Definitions - As used in this chapter of rules the following words shall have the meanings ascribed to them:

1. Probable Cause

(i) For Investigative Subpoenas - Shall mean that probable cause, as defined by case law at the time of request for subpoena issuance is made, exists that a violation of the Licensure Act for Communication Disorders and Sciences or rules promulgated pursuant thereto has occurred or is occurring and that it is more probable than not that the person(s), or items to be subpoenaed possess or contain evidence which is more probable than not relevant to the conduct constituting the violation.

(ii) The utilization of the probable cause evidentiary burden in proceedings pursuant to this rule shall not in any way, nor should it be construed in any way to establish a more restrictive burden of proof than the existing preponderance of the evidence in any civil disciplinary action which may involve the person(s) or items that are the subject of the subpoena.

2. Presiding Officer - For investigative subpoenas shall mean any elected officer of the Board, or any duly appointed or elected chairperson of any panel of the Board.

(c) Procedures

1. Investigative Subpoenas

(i) Investigative Subpoenas are available only for issuance to the authorized representatives of the Tennessee Department of Health, its investigators and its legal staff.

(ii) An applicant for such a subpoena must either orally or in writing notify the Board's Unit Director of the intention to seek issuance of a subpoena. That notification must include the following:

(I) The time frame in which issuance is required so the matter can be timely scheduled; and

(II) A particular description of the material or documents sought, which must relate directly to an ongoing investigation or contested case, and shall, in the instance of documentary materials, be limited to the records of the patient or patients whose complaint, complaints, or records are being considered by the division or Board.

I. In no event shall such subpoena be broadly drafted to provide investigative access to Speech Language Pathology or Audiology records of other patients who are not referenced either in a complaint received from an individual or governmental entity, or who have not otherwise sought relief, review, or Board consideration of any Speech Language Pathologist's or Audiologist's conduct, act, or omission.

(III) Whether the proceedings for the issuance are to be conducted by physical appearance or electronic means; and

(IV) The name and address of the person for whom the subpoena is being sought, or who has possession of the items being subpoenaed.

(iii) The Board's Unit Director shall cause to have the following done:

(Rule 1370-01-.15, continued)

(I) In as timely a manner as possible arrange for either an elected officer of the Board, or any duly appointed or elected chairperson of any panel of the Board, to preside and determine if issuing the subpoena should be recommended to the full Board; and

(II) Establish a date, time and place for the proceedings to be conducted and notify the presiding officer, the applicant and the court reporter; and

(III) Maintain a complete record of the proceedings in such a manner as to:

I. Preserve a verbatim record of the proceeding; and

II. Prevent the person presiding over the proceedings and/or signing the subpoena from being allowed to participate in any manner in any disciplinary action of any kind formal or informal which may result which involves either the person or the documents or records for which the subpoena was issued.

(iv) The Proceedings

(I) The applicant shall do the following:

I. Provide for the attendance of all persons whose testimony is to be relied upon to establish probable cause; and

II. Produce and make part of the record copies of all documents to be utilized to establish probable cause; and

III. Obtain, complete and provide to the presiding officer a subpoena which specifies the following:

A. The name and address of the person for whom the subpoena is being sought or who has possession of the items being subpoenaed; and

B. The location of the materials, documents or reports for which production pursuant to the subpoena is sought if that location is known; and

C. A brief, general description of any items to be produced pursuant to the subpoena; and

D. The date, time and place for compliance with the subpoena.

IV. Provide the presiding officer testimony and/or documentary evidence, which in good faith, the applicant believes is sufficient to establish that probable cause exists for issuance of the subpoena, as well as sufficient proof that all other reasonably available alternative means of securing the materials, documents or items have been unsuccessful.

(II) The presiding officer shall do the following:

I. Have been selected only after assuring the Board's Unit Director that he or she has no prior knowledge of or any direct or indirect interest in or relationship with the person(s) being subpoenaed and/or the licensee who is the subject of the investigation; and

II. Commence the proceedings and swear all necessary witnesses; and

III. Hear and maintain the confidentiality, if any, of the evidence presented at the proceedings and present to the full Board only that evidence necessary for an informed decision; and

IV. Control the manner and extent of inquiry during the proceedings and be allowed to question any witness who testifies; and

V. Determine based solely on the evidence presented in the proceedings whether probable cause exists and if so, make such recommendation to the full Board; and

VI. Sign the subpoena as ordered to be issued; and

VII. Not participate in any way in any other proceeding whether formal or informal, which involves the matters, items or person(s) which are the subject of the subpoena. This does not preclude the presiding officer from presiding at further proceedings for issuance of subpoenas in the matter.

(III) The Board shall do the following:

I. Issue the subpoena for the person(s) or items specifically found to be relevant to the inquiry, or quash or modify an existing subpoena by a majority vote; and

II. Sign the subpoena as ordered to be issued, quashed or modified.

2. Post-Notice of Charges Subpoenas - If the subpoena is sought for a contested case being heard with an Administrative Law Judge from the Secretary of State's office presiding, this definition shall not apply and all such post-notice of charges subpoenas should be obtained from the office of the Administrative Procedures Division of the Office of the Secretary of State pursuant to the Uniform Administrative Procedures Act and rules promulgated pursuant thereto.

(d) Subpoena Forms

1. All subpoenas shall be issued on forms approved by the Board.

2. The subpoena forms may be obtained by contacting the Board's Administrative Office.

(e) Subpoena Service - Any method of service of subpoenas authorized by the Tennessee Rules of Civil Procedure or the rules of the Tennessee Department of State,

(Rule 1370-01-.15, continued)

Administrative Procedures Division may be utilized to serve subpoenas pursuant to this rule.

Authority: *T.C.A. §§ 63-1-134, 63-1-146, 63-17-105, 63-17-117, and 63-17-128.* ***Administrative History:*** *Original rule filed January 31, 2000; effective April 15, 2000. Amendment filed February 10, 2000; effective April 25, 2000. Amendments filed May 3, 2001; effective July 17, 2001. Amendment filed July 22, 2003; effective October 5, 2003. Amendments filed September 24, 2004; effective December 8, 2004. Amendments filed September 11, 2006; effective November 25, 2006. Amendment filed September 14, 2010; effective December 13, 2010. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.16 DISPLAY/REPLACEMENT OF LICENSE OR REGISTRATION.

(1) Display of License or Registration - Every person licensed, provisionally licensed, or registered by the Board shall display his license or registration in a conspicuous place in his office and, whenever required, exhibit such license to the Board or its authorized representative.

(2) Replacement License - A licensee whose 'artistically designed' wall license has been lost or destroyed may be issued a new wall license upon receipt of a written request to the Board's Administrative Office. Such written request shall be accompanied by an affidavit (signed and notarized) stating the facts concerning the loss or destruction of the original wall license.

Authority: *T.C.A. §§ 63-1-106, 63-1-109, and 63-17-105.* ***Administrative History:*** *Original rule filed January 31, 2000; effective April 15, 2000. Amendment filed September 11, 2006; effective November 25, 2006. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.17 CHANGE OF ADDRESS AND/OR NAME.

(1) Before engaging in practice, the licensee, provisional licensee, or registrant shall notify the Board's Administrative Office, in writing, of the address of his/her primary business.

(2) If any changes occur in the address of his/her place of business, the licensee, provisional licensee, or registrant must notify the Board's Administrative Office, in writing, within thirty (30) days of such change; such written notification must reference the licensee's, provisional licensee's, or registrant's name, profession, and number. Failure to give such notice of business address change shall be deemed just cause for disciplinary action by the Board.

(3) If any changes occur in the licensee's, provisional licensee's or registrant's name, the licensee, provisional licensee, or registrant must notify the Board's Administrative Office within thirty (30) days of the name change. Said notification must be made in writing and must also reference the licensee's, provisional licensee's, or registrant's prior name and number. A copy of the official document evidencing the name change must be forwarded with the written notification.

Authority: *T.C.A. §§ 63-1-106, 63-1-108, and 63-17-105.* ***Administrative History:*** *Original rule filed January 31, 2000; effective April 15, 2000. Amendment filed September 11, 2006; effective November 25, 2006. Amendments filed June 8, 2022; effective September 6, 2022. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.18 CONSUMER RIGHT-TO-KNOW REQUIREMENTS.

(1) Criminal Conviction Reporting Requirements - For purposes of the Health Care Consumer Right-To-Know Act of 1998, the following criminal convictions must be reported:

(Rule 1370-01-.18, continued)

(a) Conviction of any felony; and

(b) Conviction or adjudication of guilt of any misdemeanor, regardless of its classification, in which any element of the misdemeanor involves any one or more of the following:

1. Sexual misconduct on the part of the practitioner.

2. Alcohol or drug abuse on the part of the practitioner.

3. Life-threatening, physical injury or threat of life-threatening, physical injury by the practitioner.

4. Abuse or neglect of any minor, spouse, or the elderly by the practitioner.

5. Fraud or theft on the part of the practitioner.

(2) If any misdemeanor conviction reported under this rule is ordered expunged, a copy of the order of expungement signed by the judge must be submitted to the Department before the conviction will be expunged from any profile in accordance with the requirements of T.C.A. § 63-32-105(a)(1).

Authority: *T.C.A. §§ 63-17-105, 63-17-117, and 63-32-101, et seq.* ***Administrative History:*** *Original rule filed February 17, 2000; effective May 2, 2000. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.19 BOARD MEETINGS, OFFICERS, CONSULTANTS, DECLARATORY ORDERS AND SCREENING PANELS.

(1) Board meetings - The time, place, and frequency of Board meetings shall be at the discretion of the Chairperson or after the written request of any two (2) members of the Board, except at least one (1) meeting shall be held annually.

(2) The Board shall elect annually from its membership a chairperson and a secretary who each shall hold office for one (1) year, or until the election and qualification of a successor. In the absence of the Board's chair, the meeting shall be chaired by the Board's Secretary.

(a) Chairperson - Presides at all Board meetings.

(b) Secretary - Who along with the Board's administrator shall be responsible for correspondence from the Board.

(c) If a need arises, the Board can elect by majority vote a chair Pro Tem to serve as Chairperson for that Board meeting.

(3) The Board has the authority to select a Board Consultant who shall serve as a Consultant to the Division and who is vested with the authority to do the following acts:

(a) Review complaints and recommend whether and what type disciplinary actions should be instituted as the result of complaints received or investigations conducted by the Division of Legal Services and Enforcement;

(b) Recommend whether and upon what terms a complaint, case or disciplinary action might be settled. Any matter proposed for settlement must be subsequently reviewed, evaluated, and ratified by the Board before it becomes effective; and

(Rule 1370-01-.19, continued)

(c) Undertake any other matter authorized by a majority vote of the Board of Communications Disorders and Sciences.

(4) Declaratory Orders - The Board adopts, as if fully set out herein, Rule 1200-10-01-.11, of the Division of Health Related Boards and as it may from time to time be amended, as its rule governing the declaratory order process. All declaratory order petitions involving statutes, rules or orders within the jurisdiction of the Board shall be addressed by the Board pursuant to that rule and not by the Division. Declaratory Order Petition forms can be obtained from the Board's Administrative Office

(5) Screening Panels - The Board adopts, as if fully set out herein, Rule 1200-10-01-.13, of the Division of Health Related Boards and as it may from time to time be amended, as its Rule governing the screening panel process.

(6) Reconsiderations and Stays - The Board authorizes the member who chaired the Board for a contested case to be the agency member to make the decisions authorized pursuant to Rule 1360-04-01-.18 regarding petitions for reconsiderations and stays in that case.

Authority: *T.C.A. §§ 63-1-138, 63-17-104, and 63-17-105.* ***Administrative History:*** *Original rule filed January 31, 2000; effective April 15, 2000. Amendment filed February 17, 2000; effective May 2, 2000. Amendment filed September 11, 2006; effective November 25, 2006. Amendment filed April 6, 2010; effective July 5, 2010. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.20 ADVERTISING.

(1) Policy Statement. The lack of sophistication on the part of many of the public concerning communications disorder services, the importance of the interests affected by the choice of a Speech Language Pathologist or Audiologist and the foreseeable consequences of unrestricted advertising by Speech Language Pathologists or Audiologists which is recognized to pose special possibilities for deception, require that special care be taken by Speech Language Pathologists or Audiologists to avoid misleading the public. The Speech Language Pathologist or Audiologist must be mindful that the benefits of advertising depend upon its reliability and accuracy. Since advertising by Speech Language Pathologists or Audiologists is calculated and not spontaneous, reasonable regulation designed to foster compliance with appropriate standards serves the public interest without impeding the flow of useful, meaningful, and relevant information to the public.

(2) Definitions

(a) Advertisement - Informational communication to the public in any manner designed to attract public attention to the practice of a Speech Language Pathologist or Audiologist who is licensed to practice in Tennessee.

(b) Licensee - Any person holding a license to practice Speech Language Pathology and/or Audiology in the State of Tennessee. Where applicable this shall include partnerships and/or corporations.

(c) Material Fact - Any fact which an ordinary reasonable and prudent person would need to know or rely upon in order to make an informed decision concerning the choice of practitioners to serve his or her particular needs.

(d) Bait and Switch Advertising - An alluring but insincere offer to sell a product or service which the advertiser in truth does not intend or want to sell. Its purpose is to switch consumers from buying the advertised service or merchandise, in order to sell something else, usually for a higher fee or on a basis more advantageous to the advertiser.

(e) Discounted Fee - Shall mean a fee offered or charged by a person for a product or service that is less than the fee the person or organization usually offers or charges for the product or service. Products or services expressly offered free of charge shall not be deemed to be offered at a "discounted fee."

(3) Advertising Fees and Services

(a) Fixed Fees. Fixed fees may be advertised for any service. It is presumed unless otherwise stated in the advertisement that a fixed fee for a service shall include the cost of all professional recognized components within generally accepted standards that are required to complete the service.

(b) Range of Fees. A range of fees may be advertised for services and the advertisement must disclose the factors used in determining the actual fee, necessary to prevent deception of the public.

(c) Discount Fees. Discount fees may be advertised if:

1. The discount fee is in fact lower than the licensee's customary or usual fee charged for the service; and

2. The licensee provides the same quality and components of service and material at the discounted fee that are normally provided at the regular, non-discounted fee for that service.

(d) Related Services and Additional Fees. Related services which may be required in conjunction with the advertised services for which additional fees will be charged must be identified as such in any advertisement.

(e) Time Period of Advertised Fees.

1. Advertised fees shall be honored for those seeking the advertised services during the entire time period stated in the advertisement whether or not the services are actually rendered or completed within that time.

2. If no time period is stated in the advertisement of fees, the advertised fee shall be honored for thirty (30) days from the last date of publication or until the next scheduled publication whichever is later whether or not the services are actually rendered or completed within that time.

(4) Advertising Content. The following acts or omissions in the context of advertisement by any licensee shall constitute unprofessional conduct, and subject the licensee to disciplinary action pursuant to T.C.A. § 63-17-117.

(a) Claims that the services performed, personnel employed, materials or office equipment used are professionally superior to that which is ordinarily performed, employed, or used, or that convey the message that one licensee is better than another when superiority of services, personnel, materials or equipment cannot be substantiated.

(b) The misleading use of an unearned or non-health degree in any advertisement.

(c) Promotion of professional services which the licensee knows or should know are beyond the licensee's ability to perform.

(Rule 1370-01-.20, continued)

(d) Techniques of communication which intimidate, exert undue pressure or undue influence over a prospective client.

(e) Any appeals to an individual's anxiety in an excessive or unfair manner.

(f) The use of any personal testimonial attesting to a quality or competency of a service or treatment offered by a licensee that is not reasonably verifiable.

(g) Utilization of any statistical data or other information based on past performances for prediction of future services, which creates an unjustified expectation about results that the licensee can achieve.

(h) The communication of personal identifiable facts, data, or information about a patient without first obtaining patient consent.

(i) Any misrepresentation of a material fact.

(j) The knowing suppression, omission or concealment of any material fact or law without which the advertisement would be deceptive or misleading.

(k) Statements concerning the benefits or other attributes of professional procedures or products that involve significant risks without including:

1. A realistic assessment of the safety and efficiency of those procedures or products; and

2. The availability of alternatives; and

3. Where necessary to avoid deception, descriptions or assessment of the benefits or other attributes of those alternatives.

(l) Any communication which creates an unjustified expectation concerning the potential results of any treatment.

(m) Failure to comply with the rules governing advertisement of fees and services, or advertising records.

(n) The use of "bait and switch" advertisements. Where the circumstances indicate "bait and switch" advertising, the Board may require the licensee to furnish data or other evidence pertaining to those sales at the advertised fee as well as other sales.

(o) Misrepresentation of a licensee's credentials, training, experience, or ability.

(p) Failure to include the corporation, partnership or individual licensee's name, address, and telephone number in any advertisement. Any corporation, partnership or association which advertises by use of a trade name or otherwise fails to list all licensees practicing at a particular location shall:

1. Upon request provide a list of all licensees practicing at that location; and

2. Maintain and conspicuously display at the licensee's office, a directory listing all licensees practicing at that location.

(q) Failure to disclose the fact of giving compensation or anything of value to representatives of the press, radio, television or other communicative medium in anticipation of or in return for any advertisement (for example, newspaper article)

(Rule 1370-01-.20, continued)

unless the nature, format or medium of such advertisement make the fact of compensation apparent.

(r) After thirty (30) days of the licensee's departure, the use of the name of any licensee formerly practicing at or associated with any advertised location or on office signs or buildings. This rule shall not apply in the case of a retired or deceased former associate who practiced in association with one or more of the present occupants if the status of the former associate is disclosed in any advertisement or sign.

(s) Stating or implying that a certain licensee provides all services when any such services are performed by another licensee.

(t) Directly or indirectly offering, giving, receiving, or agreeing to receive any fee or other consideration to or from a third party for the referral of a client in connection with the performance of professional services.

(5) Advertising Records and Responsibility

(a) Each licensee who is a principal partner, or officer of a firm or entity identified in any advertisement, is jointly and severally responsible for the form and content of any advertisement. This provision shall also include any licensed professional employees acting as an agent of such firm or entity.

(b) Any and all advertisement are presumed to have been approved by the licensee named therein.

(c) A recording of every advertisement communicated by electronic media, and a copy of every advertisement communicated by print media, and a copy of any other form of advertisement shall be retained by the licensee for a period of two (2) years from the last date of broadcast or publication and be made available for review upon request by the Board or its designee.

(d) At the time any type of advertisement is placed, the licensee must possess and rely upon information which, when produced, would substantiate the truthfulness of any assertion, omission or representation of material fact set forth in the advertisement or public communication.

(6) Severability. It is hereby declared that the sections, clauses, sentences and parts of these rules are severable, are not matters of mutual essential inducement, and any of them shall be rescinded if these rules would otherwise be unconstitutional or ineffective. If any one or more sections, clauses, sentences or parts shall for any reason be questioned in court, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provision or provisions so held unconstitutional or invalid, and the inapplicability or invalidity of any section, clause, sentence or part in any one or more instances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance.

Authority: *T.C.A. §§ 63-1-145, 63-1-146, 63-17-105, and 63-17-117.* ***Administrative History:*** *Original rule filed January 31, 2000; effective April 15, 2000. Amendment filed September 11, 2006; effective November 25, 2006. Amendments filed March 18, 2026; effective June 16, 2026.*

1370-01-.21 TELECOMMUNICATIONS AND TELESUPERVISION.

(1) Policy Statement. Telecommunications may be used to deliver services to clients who are physically present in Tennessee at the time they receive the services. Such use of

(Rule 1370-01-.21, continued)

telecommunications is in the public interest provided the practitioners comply with the requirements of T.C.A. § 63-1-155 and this rule.

(2) Pursuant to T.C.A. § 63-1-155, Audiologists, Speech Language Pathologists, Clinical Fellows, Speech Language Pathology Assistants, and Audiology Clinical Externs are considered healthcare providers authorized to engage in telecommunications. Pursuant to T.C.A. § 63-1-155(a)(1)(D), graduates or students are also considered healthcare providers authorized to engage in telecommunications.

(3) For purposes of this rule, "synchronous telecommunications" and "asynchronous telecommunications" shall have the same definitions found in T.C.A. §§ 63-1-155(a)(3)(A) for "Telehealth" and 63-1-155(a)(2) for "Store-and-forward telemedicine services", respectively.

(4) Telecommunications shall include but not be limited to dedicated video systems, computers, and other similar electronic devices linked via hardwired or internet connections.

(5) The services delivered through the use of telecommunications shall be equivalent in quality to services delivered face-to-face.

(6) Providers using telecommunications to deliver services must have the necessary knowledge and skills, obtained through education, training, and experience, to utilize such technology in a competent manner.

(7) Synchronous telecommunications is preferred, but asynchronous telecommunication, as authorized in T.C.A. § 63-1-155, may be utilized in the provider's discretion provided that requirements of T.C.A. §§ 63-17-101, et seq. do not require a face-to-face interaction.

(8) Providers utilizing telecommunications to deliver services to a client are responsible for:

(a) Assessment of the ability of the client to participate meaningfully in the services delivered in this manner, including but not limited to the client's physical, cognitive, and behavioral abilities; and

(b) Proper calibration of the clinical instruments utilized to deliver services in accordance with standard operating procedures and manufacturer's specifications.

(9) The client and/or the client's family members or caregivers shall be informed of the available service delivery options and shall give consent to the use of telecommunications before that method of service delivery is utilized.

(10) When delivering services through the use of telecommunications, providers shall:

(a) Comply with all laws and rules governing the maintenance of client records, including but not limited to client confidentiality requirements; and

(b) Comply with all professional standards governing the delivery of services.

(11) This rule applies only to the delivery of services to patients physically located within the state of Tennessee, which requires a license under T.C.A. §§ 63-17-101, et seq., unless such services are being rendered by a volunteer under T.C.A. § 63-1-155(g). Any provider who is licensed by the Board and who wishes to deliver telecommunications services to a patient located in another state must comply with the applicable laws of the other state.

(12) Telesupervision of Clinical Fellows, Speech Language Pathology Assistants, and Clinical Externs by the Supervising Licensee is authorized as part of direct supervision.

(Rule 1370-01-.21, continued)

Authority: *T.C.A. §§ 63-1-155 and 63-17-105.* ***Administrative History:*** *Original rule filed April 10, 2014; effective July 9, 2014. Amendments filed March 16, 2023; effective June 14, 2023. Amendments filed March 18, 2026; effective June 16, 2026.*