**02-643**

Office of Professional and Occupational Regulation

## **BOARD OF SPEECH, AUDIOLOGY AND HEARING**

2025-2026 Regulatory Agenda

## AGENCY UMBRELLA-UNIT NUMBER: **02-643**

AGENCY NAME: Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, **Board of Speech, Audiology and Hearing**

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**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None.

**EXPECTED 2025-2026 RULEMAKING ACTIVITY**:

Rules will be established to implement P.L. 2025, c. 166 allowing a hearing aid dealer and fitter or audiologist to dispense and sell a hearing aid without examination to a prospective purchaser who is too ill or infirm to attend such an examination.

Expected rulemaking will be to implement legislation governing licensure by endorsement and provisional licensure and telehealth services. A review for conformance with statutes and current rules will be conducted and updated as may be necessary, including an update to discontinue the use of the terms “handicap,” “handicapped” and “hearing impaired” pursuant to 36 M.R.S. § 2557, sub-§2.

The board may need to amend Chapter 10 to reference the most recent Food and Drug Administration (FDA) Federal Law to increase the public’s access to hearing aids. The FDA established a new category of over-the-counter hearing aids made available to consumers without supervision, involvement or prescription of a licensed health care professional.

**CHAPTER 1: Definitions**

## STATUTORY AUTHORITY: 32 M.R.S. § 17203(2)

PURPOSE: This Chapter defines terms used in the board’s rules and includes definitions of recognized sponsors where licensees can obtain continuing education units.

SCHEDULE FOR ADOPTION: Within one year, if necessary. AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 2: Advisory Rulings**

## STATUTORY AUTHORITY: 5 M.R.S. § 9001(4)

PURPOSE: The board may review and revise this chapter, which provides for the discretionary issuance of advisory rulings by the board.

SCHEDULE FOR ADOPTION: Within one year, if necessary. AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 3: Qualifications for Pathways to Licensure as a Speech-Language Pathologist, Audiologist or Hearing Aid Dealer and Fitter**

STATUTORY AUTHORITY: 32 M.R.S. § 17203(2), 17301(1), (2), (3) and (4), 17302(1)(2)

PURPOSE: This chapter establishes guidelines for the initial licensure of speech-language pathologists, audiologists and hearing aid dealers and fitters.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 4: Qualifications for Temporary Licensure**

STATUTORY AUTHORITY: 32 M.R.S. § 17203(2), 17301(6)

PURPOSE: This chapter identifies qualifications for licensure as a temporary speech-language pathologist. Qualifications to supervise a temporary licensee is included in this chapter.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 5: Qualifications to Obtain a Trainee Hearing Aid Dealer and**

**Fitter Permit**

STATUTORY AUTHORITY: 32 M.R.S. § 17203(2), 17301(7), 17302(2)

PURPOSE: This chapter identifies the qualifications for a hearing aid dealer and fitter trainee permit.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 6: Qualifications for Licensure by Endorsement**

STATUTORY AUTHORITY: 32 M.R.S. § 17203(2); 10 M.R.S. § 8003-H, § 8003-5-A(D)(7)

PURPOSE: This chapter identifies the pathway to licensure for those individuals who

are already licensed in another U.S. jurisdiction.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 7: License Renewal; Inactive Status**

STATUTORY AUTHORITY: 32 M.R.S. § 17203(2);

32 M.R.S. §17310

PURPOSE: This chapter establishes guidelines for: (a) license renewal by speech-language pathologists, audiologists and hearing aid dealers and fitters; (b) application for and renewal of inactive status licensure; and (c) reinstatement from inactive to active status licensure.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 8: Continuing Education**

STATUTORY AUTHORITY: 32 M.R.S. § 17203(2)

PURPOSE: This chapter outlines the general requirements for continuing education for licensees of the board as described above. This chapter identifies acceptable types of continuing education activities and the required documentation. Recognized sponsors are acknowledged that licensees can access to satisfy the continuing education requirements.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 9: Speech-Language Pathology Assistants**

STATUTORY AUTHORITY: 32 M.R.S. § 17203(2), 17301(5), 17103(6)

PURPOSE: This chapter identifies specific qualifications and scope of practice for Speech-Language Pathology Assistants, including educational and practicum requirements. This chapter outlines the responsibilities of speech-language pathologists for the assistants they supervise and the scope of practice of speech-language pathology assistants.

SCHEDULE FOR ADOPTION: Within one year

AFFECTED PARTIES: Applicants for licensure and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 10: Practice of Hearing Aid Dealing and Fitting**

STATUTORY AUTHORITY: 32 M.R.S. § 17203 (2), 17305 (5)(6)

PURPOSE: The board may review and revise the practice requirements relating to the calibration of audiometers and minimum testing requirements for hearing and the model notice that the board is required to prepare pursuant to 32 MRSA §17305)(6) in the form of a Sample Hearing Aid Purchase Agreement.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 11: Code of Ethics**

## STATUTORY AUTHORITY: 32 M.R.S. § 17203(2)

PURPOSE: The board may review and revise its code of ethics.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER 12: Professional Misconduct**

STATUTORY AUTHORITY: 32 M.R.S. § 17203(2), 17307(1)

PURPOSE: The board may review and revise this chapter, which describes professional misconduct.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

## **CHAPTER NUMBER AND TITLE: N/A**

STATUTORY BASIS: 32 M.R.S. § 17203(2), 17401

PURPOSE: To adopt rules to establish standards of practice and appropriate restrictions for the various types and forms of telehealth services.

SCHEDULE FOR ADOPTION: Within the year.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A