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AMENDED IN ASSEMBLY MARCH 31, 1997

AMENDED IN ASSEMBLY MARCH 19, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 205

Introduced by Assembly Member Machado
(Principal coauthor: Assembly Member Honda)
(Coauthor: Assembly Member Alquist)

February 4, 1997

An act to amend Sections 2530.2 and 2534.2 of, to amend the heading of Article 6 (commencing with Section 2535) of Chapter 5.3 of Division 2 of, to amend and renumber Sections 2538 and 2539 of, to add Section 2532.6 to, and to add Article 7.5 (commencing with Section 2538) to Chapter 5.3 of Division 2 of, the Business and Professions Code, and to amend Section 56363 of the Education Code, relating to speech-language pathology, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 205, as amended, Machado. Speech-language pathologist.

(1) Existing law provides for the licensure of speech-language pathologists and prohibits the practice of speech-language pathology without a license. Existing law authorizes a speech-language pathology aide who meets the minimum requirements established by the Speech-Language Pathology and Audiology Examining ~~Committee~~ *Board* to work directly under the supervision of a speech-language pathologist who is responsible for the extent, kind, and quality of services performed by the aide, consistent with the committee's designated standards and requirements.

This bill would authorize a speech-language pathology assistant, as defined, to assist in the provision of speech-language pathology under the direction and supervision of a speech-language pathologist who shall be responsible for the extent, kind, and quality of the services provided by the speech-language pathologist assistant. The bill would establish certain requirements for a speech-language pathologist who supervises a speech-language pathology assistant and who is employed or contracted for by a public school.

The bill would require the ~~committee~~ *board* to adopt regulations, would establish certain qualifications of a speech-language pathology assistant, and would provide procedures for a speech-language pathology aide with certain qualifications to make application for registration as a speech-language pathology assistant.

~~The bill also would change the name of the Speech-Language Pathology and Audiology Examining Committee to the Speech-Language Pathology and Audiology Board.~~

(2) Existing law authorizes the ~~committee~~ *board* to direct applicants to be examined for knowledge in whatever theoretical or applied fields of speech pathology or audiology as it deems appropriate.

This bill would prohibit, after January 1, ~~2000~~ *2001*, the ~~committee~~ *board* from renewing any license or registration, unless the applicant certifies to the ~~committee~~ *board* that he or she has completed in the preceding 2 years not less than the minimum number of continuing professional development hours to be established by the ~~committee~~ *board* for the



professional practice authorized by his or her license or registration. The bill would set forth continuing professional development requirements, require the ~~committee~~ *board* to prescribe the forms to be utilized for continuing professional development and establish exceptions from the requirements, and authorize the ~~committee~~ *board* to audit and require an applicant to maintain records of completion of required continuing professional development.

(3) Existing law requires a person engaging in the practice of speech-language pathology to pay a licensing fee, to be deposited in the Speech-Language Pathology and Audiology Examining Committee Fund, a continuously appropriated fund.

This bill would impose licensing fees upon a speech-language pathology assistant. The bill would also require the committee, by regulation, to fund the administration of the continuing professional development required by this bill as provided in (2) above through provider fees to be deposited in the fund. By increasing the source of moneys in a continuously appropriated fund, this bill would make an appropriation.

Existing law provides that a violation of the provisions regulating a speech-language pathologist is subject to criminal sanction.

This bill would set forth prohibitions regarding the utilization of the title speech-language pathology assistant or a similar title and would prohibit a person who is not registered as a speech-language pathology assistant from performing the duties and functions of a speech-language pathology assistant, except as provided in the provisions regulating the practice of speech-language pathology. By expanding the class of persons subject to criminal sanction under these provisions, this bill would impose a state-mandated local program by changing the definition of a crime.

Existing law requires that a continuum of program options be available to meet the needs of individuals with exceptional needs. Existing law requires that designated instruction and services be available when necessary for the educational benefit of pupils with exceptional needs to be provided by



specified individuals. The designated services include, but are not limited to, language and speech development and remediation.

This bill would provide that these language and speech development and remediation services may be provided by a speech-language pathologist pathology assistant.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 2530.2 of the Business and~~
2 ~~Professions Code is amended to read:~~
3 ~~2530.2. As used in this chapter, unless the context~~
4 ~~otherwise requires:~~
5 ~~(a) "Board" means the Speech Language Pathology~~
6 ~~and Audiology Board.~~
7 ~~(b) "Person" means any individual, organization, or~~
8 ~~corporate body except that only individuals can be~~
9 ~~licensed under this chapter.~~
10 ~~(c) A "speech language pathologist" is a person who~~
11 ~~practices speech language pathology.~~
12 ~~(d) "The practice of speech language pathology"~~
13 ~~means the application of principles, methods, and~~
14 ~~procedures for measurement, testing, identification,~~
15 ~~prediction, counseling, or instruction related to the~~
16 ~~development and disorders of speech, voice, or language~~
17 ~~for the purpose of identifying, preventing, managing,~~
18 ~~habilitating or rehabilitating, ameliorating, or modifying~~
19 ~~those disorders and conditions in individuals or groups of~~
20 ~~individuals; conducting hearing screenings; and the~~
21 ~~planning, directing, conducting, and supervision of~~
22 ~~programs for identification, evaluation, habilitation, and~~
23 ~~rehabilitation of disorders of speech, voice, or language.~~



1 ~~(e) “Speech-language pathology aide” means any~~
2 ~~person meeting the minimum requirements established~~
3 ~~by the board, who works directly under the supervision~~
4 ~~of a speech-language pathologist.~~

5 ~~(f) (1) “Speech-language pathology assistant” means~~
6 ~~a person who meets the academic and supervised training~~
7 ~~requirements set forth by the board and who is approved~~
8 ~~by the board to assist in the provision of speech-language~~
9 ~~pathology under the direction and supervision of a~~
10 ~~speech-language pathologist who shall be responsible for~~
11 ~~the extent, kind, and quality of the services provided by~~
12 ~~the speech-language pathology assistant.~~

13 ~~(2) The supervising speech-language pathologist~~
14 ~~employed or contracted for by a public school may hold~~
15 ~~either a valid and current license issued by the board or~~
16 ~~a valid, current, and professional clear clinical or~~
17 ~~rehabilitative services credential in language, speech,~~
18 ~~and hearing issued by the Commission on Teacher~~
19 ~~Credentialing. For purposes of this paragraph, a “clear”~~
20 ~~credential is a credential that is not issued pursuant to a~~
21 ~~waiver or emergency permit and is as otherwise defined~~
22 ~~by the Commission on Teacher Credentialing.~~

23 ~~(g) An “audiologist” is one who practices audiology.~~

24 ~~(h) “The practice of audiology” means the application~~
25 ~~of principles, methods, and procedures of measurement,~~
26 ~~testing, appraisal, prediction, consultation, counseling,~~
27 ~~instruction related to auditory, vestibular, and related~~
28 ~~functions and the modification of communicative~~
29 ~~disorders involving speech, language, auditory behavior~~
30 ~~or other aberrant behavior resulting from auditory~~
31 ~~dysfunction; and the planning, directing, conducting,~~
32 ~~supervising, or participating in programs of identification~~
33 ~~of auditory disorders, hearing conservation, aural~~
34 ~~habilitation, and rehabilitation, including, hearing aid~~
35 ~~recommendation and evaluation procedures including,~~
36 ~~but not limited to, specifying amplification requirements~~
37 ~~and evaluation of the results thereof, auditory training,~~
38 ~~and speech reading.~~



1 ~~(i) “Audiology aide” means any person, meeting the~~
2 ~~minimum requirements established by the board, who~~
3 ~~works directly under the supervision of an audiologist.~~

4 ~~(j) “Medical board” means the Medical Board of~~
5 ~~California or a division of the board.~~

6 ~~(k) A “hearing screening” performed by a~~
7 ~~speech-language pathologist means a binary puretone~~
8 ~~screening at a preset intensity level for the purpose of~~
9 ~~determining if the screened individuals are in need of~~
10 ~~further medical or audiological evaluation.~~

11 *SECTION 1. Section 2530.2 of the Business and*
12 *Professions Code is amended to read:*

13 2530.2. As used in this chapter, unless the context
14 otherwise requires:

15 (a) “Board” means the Speech-Language Pathology
16 and Audiology Board *or any successor.*

17 (b) “Person” means any individual, partnership,
18 corporation, limited liability company, or other
19 organization or combination thereof, except that only
20 individuals can be licensed under this chapter.

21 (c) A “speech-language pathologist” is a person who
22 practices speech-language pathology.

23 (d) “The practice of speech-language pathology”
24 means the application of principles, methods, and
25 procedures for measurement, testing, identification,
26 prediction, counseling, or instruction related to the
27 development and disorders of speech, voice, or language
28 for the purpose of identifying, preventing, managing,
29 habilitating or rehabilitating, ameliorating, or modifying
30 those disorders and conditions in individuals or groups of
31 individuals; conducting hearing screenings; and the
32 planning, directing, conducting and supervision of
33 programs for identification, evaluation, habilitation, and
34 rehabilitation of disorders of speech, voice, or language.

35 (e) “Speech-language pathology aide” means any
36 person meeting the minimum requirements established
37 by the board, who works directly under the supervision
38 of a speech-language pathologist.

39 (f) (1) “*Speech-language pathology assistant*” means
40 *a person who meets the academic and supervised training*



1 requirements set forth by the board and who is approved
2 by the board to assist in the provision of speech-language
3 pathology under the direction and supervision of a
4 speech-language pathologist who shall be responsible for
5 the extent, kind, and quality of the services provided by
6 the speech-language pathology assistant.

7 (2) The supervising speech-language pathologist
8 employed or contracted for by a public school may hold
9 either a valid and current license issued by the board or
10 a valid, current, and professional clear clinical or
11 rehabilitative services credential in language, speech,
12 and hearing issued by the Commission on Teacher
13 Credentialing. For purposes of this paragraph, a “clear”
14 credential is a credential that is not issued pursuant to a
15 waiver or emergency permit and is as otherwise defined
16 by the Commission on Teacher Credentialing.

17 (g) An “audiologist” is one who practices audiology.

18 ~~(g)~~

19 (h) “The practice of audiology” means the application
20 of principles, methods, and procedures of measurement,
21 testing, appraisal, prediction, consultation, counseling,
22 instruction related to auditory, vestibular, and related
23 functions and the modification of communicative
24 disorders involving speech, language, auditory behavior
25 or other aberrant behavior resulting from auditory
26 dysfunction; and the planning, directing, conducting,
27 supervising, or participating in programs of identification
28 of auditory disorders, hearing conservation, cerumen
29 removal, aural habilitation, and rehabilitation, including,
30 hearing aid recommendation and evaluation procedures
31 including, but not limited to, specifying amplification
32 requirements and evaluation of the results thereof,
33 auditory training, and speech reading.

34 ~~(h)~~

35 (i) “Audiology aide” means any person, meeting the
36 minimum requirements established by the board, who
37 works directly under the supervision of an audiologist.

38 ~~(i)~~

39 (j) “Medical board” means the Medical Board of
40 California or a division of the board.

1 (k) A “hearing screening” performed by a
2 speech-language pathologist means a binary puretone
3 screening at a preset intensity level for the purpose of
4 determining if the screened individuals are in need of
5 further medical or audiological evaluation.

6 (j) “Cerumen removal” means the nonroutine
7 removal of cerumen within the cartilaginous ear canal
8 necessary for access in performance of audiological
9 procedures that shall occur under physician and surgeon
10 supervision. Cerumen removal, as provided by this
11 section, shall only be performed by a licensed audiologist.
12 Physician and surgeon supervision shall not be construed
13 to require the physical presence of the physician, but shall
14 include all of the following:

15 (1) Collaboration on the development of written
16 standardized protocols. The protocols shall include a
17 requirement that the supervised audiologist immediately
18 refer to an appropriate physician any trauma, including
19 skin tears, bleeding, or other pathology of the ear
20 discovered in the process of cerumen removal as defined
21 in this subdivision.

22 (2) Approval by the supervising physician of the
23 written standardized protocol.

24 (3) The supervising physician shall be within the
25 general vicinity, as provided by the physician-audiologist
26 protocol, of the supervised audiologist and available by
27 telephone contact at the time of cerumen removal.

28 (4) A licensed physician and surgeon may not at any
29 one time supervise more than two audiologists for
30 purposes of cerumen removal.

31 SEC. 2. Section 2532.6 is added to the Business and
32 Professions Code, to read:

33 2532.6. (a) The Legislature recognizes that the
34 education and experience requirements of this chapter
35 constitute only minimal requirements to assure the
36 public of professional competence. The Legislature
37 encourages all professionals licensed and registered by
38 the board under this chapter to regularly engage in
39 continuing professional development and learning that is



1 related and relevant to the professions of
2 speech-language pathology and audiology.

3 (b) After January 1, ~~2000~~ 2001, the board shall not
4 renew any license or registration pursuant to this chapter
5 unless the applicant certifies to the board that he or she
6 has completed in the preceding two years not less than
7 the minimum number of continuing professional
8 development hours established by the board pursuant to
9 subdivision (c) for the professional practice authorized
10 by his or her license or registration.

11 (c) (1) The board shall prescribe the forms utilized
12 for and the number of hours of required continuing
13 professional development for persons licensed or
14 registered under this chapter.

15 (2) The board shall have the right to audit the records
16 of any applicant to verify the completion of the
17 continuing professional development requirements.

18 (3) Applicants shall maintain records of completion of
19 required continuing professional development
20 coursework for a minimum of two years and shall make
21 these records available to the board for auditing purposes
22 upon request.

23 (d) The board shall establish exceptions from the
24 continuing professional development requirements of
25 this section for good cause as defined by the board.

26 (e) (1) The continuing professional development
27 services shall be obtained from accredited institutions of
28 higher learning, nonprofit educational or professional
29 associations, or other entities or organizations approved
30 by the board, in its discretion.

31 (2) The continuing professional development services
32 offered by these entities may, but are not required to,
33 utilize pretesting and posttesting or other evaluation
34 techniques to measure and demonstrate improved
35 professional learning and competency.

36 (f) The board, by regulation, shall fund the
37 administration of this section through professional
38 development services provider and licensing fees to be
39 deposited in the Speech-Language Pathology and
40 Audiology Examining Board Fund. The fees related to the



1 administration of this section shall be sufficient to meet,
2 but shall not exceed, the costs of administering the
3 corresponding provisions of this section.

4 (g) The continuing professional development
5 requirements adopted by the board shall comply with any
6 guidelines for mandatory continuing education
7 established by the Department of Consumer Affairs.

8 ~~SEC. 3. Section 2534.2 of the Business and Professions~~
9 ~~Code is amended to read:~~

10 ~~2534.2. The amount of the fees prescribed by this~~
11 ~~chapter is that established by the following schedule:~~

12 ~~(a) The application fee and renewal fee shall be~~
13 ~~established by the board in an amount that does not~~
14 ~~exceed one hundred fifty dollars (\$150) but is sufficient~~
15 ~~to support the functions of the board that relate to the~~
16 ~~functions authorized by this chapter.~~

17 ~~(b) The delinquency fee shall be twenty-five dollars~~
18 ~~(\$25).~~

19 ~~(c) The reexamination fee shall be established by the~~
20 ~~board in an amount which does not exceed seventy-five~~
21 ~~dollars (\$75).~~

22 ~~(d) The fee for registration of an aide shall be~~
23 ~~established by the board in an amount which does not~~
24 ~~exceed thirty dollars (\$30).~~

25 ~~(e) A fee to be set by the board of not more than one~~
26 ~~hundred dollars (\$100) shall be charged for each~~
27 ~~application for approval as a speech-language pathology~~
28 ~~assistant.~~

29 ~~(f) A fee of one hundred fifty dollars (\$150) shall be~~
30 ~~charged for the issuance of and for the renewal of each~~
31 ~~approval as a speech-language pathology assistant, unless~~
32 ~~a lower fee is established by the board.~~

33 ~~(g) The duplicate wall certificate fee is twenty-five~~
34 ~~dollars (\$25).~~

35 ~~(h) The duplicate renewal receipt fee is twenty-five~~
36 ~~dollars (\$25).~~

37 ~~SEC. 3. Section 2534.2 of the Business and Professions~~
38 ~~Code is amended to read:~~



1 2534.2. The amount of the fees prescribed by this
2 chapter is that—~~fixed~~ *established* by the following
3 schedule:

4 (a) The application fee and renewal fee shall be
5 established by the board in an amount ~~which~~ *that* does not
6 exceed one hundred fifty dollars (\$150) but is sufficient
7 to support the functions of the board ~~which~~ *that* relate to
8 the functions authorized by this chapter.

9 (b) The delinquency fee shall be twenty-five dollars
10 (\$25).

11 (c) The reexamination fee shall be established by the
12 board in an amount which does not exceed seventy-five
13 dollars (\$75).

14 (d) The fee for registration of an aide shall be
15 established by the board in an amount which does not
16 exceed thirty dollars (\$30).

17 (e) *A fee to be set by the board of not more than one*
18 *hundred dollars (\$100) shall be charged for each*
19 *application for approval as a speech-language pathology*
20 *assistant.*

21 (f) *A fee of one hundred fifty dollars (\$150) shall be*
22 *charged for the issuance of and for the renewal of each*
23 *approval as a speech-language pathology assistant, unless*
24 *a lower fee is established by the board.*

25 (g) The duplicate wall certificate fee is twenty-five
26 dollars (\$25).

27 ~~(f)~~

28 (h) The duplicate renewal receipt fee is twenty-five
29 dollars (\$25).

30 (i) *The application fee and renewal fee for a*
31 *temporary license is thirty-dollars (\$30).*

32 SEC. 4. The heading of Article 6 (commencing with
33 Section 2535) of Chapter 5.3 of Division 2 of the Business
34 and Professions Code is amended to read:

35

36 Article 6. Licensing and Registration

37

38 SEC. 5. Section 2538 of the Business and Professions
39 Code is amended and renumbered to read:



1 2537.4. (a) The name of a speech-language pathology
2 corporation under which it may render professional
3 services shall include one of the words specified in
4 subdivision (a) of Section 2530.3 and the word
5 “corporation” or wording or abbreviations denoting
6 corporate existence.

7 (b) The name of an audiology corporation under
8 which it may render professional services shall include
9 one of the words specified in subdivision (b) of Section
10 2530.3 and the word “corporation” or wording or
11 abbreviations denoting corporate existence.

12 SEC. 6. Article 7.5 (commencing with Section 2538)
13 is added to Chapter 5.3 of Division 2 of the Business and
14 Professions Code, to read:

15

16 Article 7.5. Speech-Language Pathology Assistant

17

18 2538. A person seeking approval as a speech-language
19 pathology assistant shall make application to the board for
20 that approval.

21 2538.1. (a) The board shall adopt regulations, in
22 collaboration with the State Department of Education,
23 the Commission on Teacher Credentialing, and the
24 Advisory Commission on Special Education, that set forth
25 standards and requirements for the adequate supervision
26 of speech-language pathology assistants.

27 (b) The board shall adopt regulations as reasonably
28 necessary to carry out the purposes of this article, that
29 shall include, but need not be limited to, the following:

30 (1) Procedures and requirements for application,
31 registration, renewal, suspension, and revocation.

32 (2) Standards for approval of Associate Degree
33 Speech-Language Pathology Assistant training programs
34 based upon standards and curriculum guidelines
35 established by the national Council on Academic
36 Accreditation in Audiology and Speech-Language
37 Pathology, or the American Speech-Language-Hearing
38 Association, or equivalent formal training programs
39 consisting of two years of technical education, including
40 supervised field placements.



1 (3) The scope of responsibility, duties, and functions of
2 speech-language pathology assistants, that shall include,
3 but not be limited to, all of the following:

4 (A) Conducting speech-language screening, without
5 interpretation, and using screening protocols developed
6 by the supervising speech-language pathologist.

7 (B) Providing direct treatment assistance to patients
8 or clients under the supervision of a speech-language
9 pathologist.

10 (C) Following and implementing documented
11 treatment plans or protocols developed by a supervising
12 speech-language pathologist.

13 (D) Documenting patient or client progress toward
14 meeting established objectives, and reporting the
15 information to a supervising speech-language
16 pathologist.

17 (E) Assisting a speech-language pathologist during
18 assessments, including, but not limited to, assisting with
19 formal documentation, preparing materials, and
20 performing clerical duties for a supervising
21 speech-language pathologist.

22 (F) When competent to do so, as determined by the
23 supervising speech-language pathologist, acting as an
24 interpreter for non-English-speaking patients or clients
25 and their family members.

26 (G) Scheduling activities and preparing charts,
27 records, graphs, and data.

28 (H) Performing checks and maintenance of
29 equipment, including, but not limited to, augmentative
30 communication devices.

31 (I) Assisting with speech-language pathology research
32 projects, in-service training, and family or community
33 education.

34 The regulations shall provide that speech-language
35 pathology assistants are not authorized to conduct
36 evaluations, interpret data, alter treatment plans, or
37 perform any task without the express knowledge and
38 approval of a supervising speech-language pathologist.



1 (4) The requirements for the wearing of
2 distinguishing name badges with the title of
3 speech-language pathology assistant.

4 (5) Minimum continuing professional development
5 requirements for the speech-language pathology
6 assistant, not to exceed 12 hours in a two-year period. The
7 speech-language pathology assistant's supervisor shall act
8 as a professional development advisor. The
9 speech-language pathology assistant's professional
10 growth may be satisfied with successful completion of
11 state or regional conferences, workshops, formal
12 in-service presentations, independent study programs, or
13 any combination of these concerning communication and
14 related disorders.

15 (6) Minimum continuing professional development
16 requirements for the supervisor of a speech-language
17 pathology assistant.

18 (7) The type and amount of direct and indirect
19 supervision required for speech-language pathology
20 assistants.

21 (8) The maximum number of assistants permitted per
22 supervisor.

23 (9) A requirement that the supervising
24 speech-language pathologist shall remain responsible and
25 accountable for clinical judgments and decisions and the
26 maintenance of the highest quality and standards of
27 practice when a speech-language pathology assistant is
28 utilized.

29 2538.3. (a) A person applying for approval as a
30 speech-language pathology assistant shall have graduated
31 from a speech-language pathology assistant associate of
32 arts degree program, or equivalent course of study,
33 approved by the board. A person who has successfully
34 graduated from a board approved bachelor's degree
35 program in speech-language pathology or
36 communication disorders shall be deemed to have
37 satisfied an equivalent course of study.

38 (b) On or before January 1, 2001, a speech-language
39 pathology aide who has worked as a speech-language
40 pathology aide for a period of at least 12 months, may



1 make application for registration as a speech-language
2 pathology assistant based upon the board's recognition of
3 that aide's job training and experience and the
4 performance of functions and tasks similar to the
5 speech-language pathology assistant category.

6 2538.5. This article shall not be construed to limit the
7 utilization of a speech aide or other personnel employed
8 by a public school working under the direct supervision
9 of a credentialed speech-language pathologist as set forth
10 in subdivision (c) of Section 3051.1 of Title 5 of the
11 California Code of Regulations.

12 2538.7. (a) No person who is not registered as a
13 speech-language pathology assistant shall utilize the title
14 speech-language pathology assistant or a similar title that
15 includes the words speech or language when combined
16 with the term assistant.

17 (b) No person who is not registered as a
18 speech-language pathology assistant shall perform the
19 duties or functions of a speech-language pathology
20 assistant, except as provided by this chapter.

21 ~~SEC. 7. Section 2539 of the Business and Professions~~
22 ~~Code is amended and renumbered to read:~~

23 ~~2537.5. The board may adopt and enforce regulations~~
24 ~~to carry out the purposes and objectives of this article, and~~
25 ~~the Moscone-Knox Professional Corporation Act,~~
26 ~~including regulations requiring any of the following:~~

27 ~~(a) That the bylaws of a speech-language pathology~~
28 ~~corporation or an audiology corporation shall include a~~
29 ~~provision whereby the capital stock of the corporation~~
30 ~~owned by a disqualified person as defined in Section 13401~~
31 ~~of the Corporations Code, or by the estate of a deceased~~
32 ~~person shall be sold to the corporation or to the remaining~~
33 ~~shareholders of the corporation within such time as the~~
34 ~~regulations may provide.~~

35 ~~(b) That a speech-language pathology corporation or~~
36 ~~an audiology corporation shall provide adequate security~~
37 ~~by insurance or otherwise for claims against it by its~~
38 ~~patients arising out of the rendering of professional~~
39 ~~services.~~



1 SEC. 7. Section 2539 of the Business and Professions
2 Code is amended and renumbered to read:

3 ~~2539.~~

4 2537.5. The board may adopt and enforce regulations
5 to carry out the purposes and objectives of this article, and
6 the Moscone-Knox Professional Corporation Act,
7 including regulations requiring ~~(a) that~~ any of the
8 following:

9 (a) That the bylaws of a speech-language pathology
10 corporation or an audiology corporation shall include a
11 provision whereby the capital stock of the corporation
12 owned by a disqualified person as defined in Section 13401
13 of the Corporations Code, or by the estate of a deceased
14 person shall be sold to the corporation or to the remaining
15 shareholders of the corporation within ~~such~~ that time as
16 the regulations may provide, ~~and (b) that~~.

17 (b) That a speech-language pathology corporation or
18 an audiology corporation shall provide adequate security
19 by insurance or otherwise for claims against it by its
20 patients arising out of the rendering of professional
21 services.

22 SEC. 8. Section 56363 of the Education Code is
23 amended to read:

24 56363. (a) Designated instruction and services as
25 specified in the individualized education program shall
26 be available when the instruction and services are
27 necessary for the pupil to benefit educationally from his
28 or her instructional program. The instruction and
29 services shall be provided by the regular class teacher, the
30 special class teacher, or the resource specialist if the
31 teacher or specialist is competent to provide the
32 instruction and services and if the provision of the
33 instruction and services by the teacher or specialist is
34 feasible. If not, the appropriate designated instruction
35 and services specialist shall provide the instruction and
36 services. Designated instruction and services shall meet
37 standards adopted by the board.

38 (b) These services may include, but are not limited to,
39 the following:



1 (1) Language and speech development and
2 remediation. The language and speech development and
3 remediation services may be provided by a
4 speech-language pathology assistant as defined in
5 subdivision (f) of Section 2530.2 of the Business and
6 Professions Code.

7 (2) Audiological services.

8 (3) Orientation and mobility instruction.

9 (4) Instruction in the home or hospital.

10 (5) Adapted physical education.

11 (6) Physical and occupational therapy.

12 (7) Vision services.

13 (8) Specialized driver training instruction.

14 (9) Counseling and guidance.

15 (10) Psychological services other than assessment and
16 development of the individualized education program.

17 (11) Parent counseling and training.

18 (12) Health and nursing services.

19 (13) Social worker services.

20 (14) Specially designed vocational education and
21 career development.

22 (15) Recreation services.

23 (16) Specialized services for low-incidence disabilities,
24 such as readers, transcribers, and vision and hearing
25 services.

26 SEC. 9. No reimbursement is required by this act
27 pursuant to Section 6 of Article XIII B of the California
28 Constitution because the only costs that may be incurred
29 by a local agency or school district will be incurred
30 because this act creates a new crime or infraction,
31 eliminates a crime or infraction, or changes the penalty
32 for a crime or infraction, within the meaning of Section
33 17556 of the Government Code, or changes the definition
34 of a crime within the meaning of Section 6 of Article
35 XIII B of the California Constitution.

36 Notwithstanding Section 17580 of the Government
37 Code, unless otherwise specified, the provisions of this act



1 shall become operative on the same date that the act
2 takes effect pursuant to the California Constitution.

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