

1 AN ACT relating to professions assessing hearing and speech.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 334.010 is amended to read as follows:

4 As used in this chapter, unless the context otherwise requires:

- 5 *(1) "A used or not new hearing instrument" means a hearing instrument that has*
6 *been the subject of a sale and the title to which was held by the client for a period*
7 *longer than thirty (30) days;*
- 8 *(2) "Apprentice" means any applicant in training to become a licensed specialist in*
9 *hearing instruments;*
- 10 *(3) "Apprentice permit" means a permit issued while the applicant is in training to*
11 *become a licensed specialist in hearing instruments;*
- 12 *(4) "Board" means the Kentucky Licensing Board for Specialists in Hearing*
13 *Instruments;*
- 14 *(5) "Client" means the user or purchaser of the hearing instrument;*
- 15 *(6) "License" means a license issued by the board under this chapter to specialists in*
16 *hearing instruments;*
- 17 *(7) "Over-the-counter hearing aid" means air conduction hearing aids that satisfy*
18 *the requirements in the Over-the-Counter Hearing Aid Controls, 21 C.F.R. sec*
19 *800.30, paragraphs (c) to (f), and are considered available over the counter*
20 *pursuant to 21 U.S.C. sec. 360j(q)(1)(A)(v), but do not satisfy the regulatory*
21 *requirements for prescription hearing aids;*
- 22 *(8) "Practice of fitting hearing instruments" means the measurement of human*
23 *hearing by means of an audiometer for the purpose of making selections,*
24 *adaptions, and adjustments of hearing instruments, including both over the*
25 *counter hearing aids, and prescription hearing aids. The practice of fitting*
26 *hearing instruments also includes the making of ear mold impressions and*
27 *custom earmolds;*

- 1 (9) "Prescription hearing aid" means a Class 1 or Class 2 device as defined in the
2 federal Food, Drug and Cosmetic Act, 21 U.S.C. sec. 321(h), that is not an over-
3 the-counter hearing aid as defined in Over-the-Counter Hearing Aid Controls, 21
4 C.F.R. sec 800.30, or a hearing aid that does not satisfy the regulatory
5 requirements for over-the-counter hearing aids;
- 6 (10) "Sell or sale" means any transfer of title or transfer of the right to use by lease,
7 bailment, or any other means;
- 8 (11) "Specialist in hearing instruments" means any individual licensed under this
9 chapter; and
- 10 (12) "Sponsor" means a licensed specialist in hearing instruments qualified under
11 KRS 334.090(8) who assumes professional responsibility for an apprentice
- 12 ~~{(1) "Board" means the Kentucky Licensing Board for Specialists in Hearing~~
13 ~~Instruments.~~
- 14 ~~(2) "License" means a license issued by the board under this chapter to specialists in~~
15 ~~hearing instruments.~~
- 16 ~~(3) "Apprentice permit" means a permit issued while the applicant is in training to~~
17 ~~become a licensed specialist in hearing instruments.~~
- 18 ~~(4) "Hearing instrument" means any wearable instrument or device designed for or~~
19 ~~represented as aiding or improving defective human hearing and any parts,~~
20 ~~attachments, or accessories of such an instrument or device.~~
- 21 ~~(5) "Practice of fitting hearing instruments" means the measurement of human hearing~~
22 ~~by means of an audiometer for the purpose of making selections, adaptations, and~~
23 ~~adjustments of hearing instruments. The term also includes the making of ear mold~~
24 ~~impressions and custom earmolds.~~
- 25 ~~(6) "Sell or sale" means any transfer of title or transfer of the right to use by lease,~~
26 ~~bailment, or any other means.~~
- 27 ~~(7) A used or not new hearing instrument is one (1) that has been the subject of a sale~~

1 and the title to which was held by the client for a period longer than thirty (30)
2 days.

3 ~~(8) "Client" means the user or purchaser of the hearing instrument.~~

4 ~~(9) "Specialist in hearing instruments" means any individual licensed under this~~
5 ~~chapter.~~

6 ~~(10) "Apprentice" means any applicant in training to become a licensed specialist in~~
7 ~~hearing instruments.~~

8 ~~(11) "Sponsor" means a licensed specialist in hearing instruments qualified under KRS~~
9 ~~334.090(8) who assumes professional responsibility for an apprentice].~~

10 ➔Section 2. KRS 334.200 is amended to read as follows:

11 **(1) Any person licensed to sell hearing instruments under this chapter shall**
12 **maintain, for not less than three (3) years in a file under the name of the person**
13 **to whom a hearing instrument was sold, a true copy of the written agreement,**
14 **offer to purchase, or receipt given the person pursuant to KRS 334.030.**

15 **(2) The servicing, marketing, sale, dispensing, customer support, or distribution of**
16 **over-the-counter hearing aids, or an equivalent activity, whether through in-**
17 **person transactions, by mail, or online, shall not cause, require, or otherwise**
18 **obligate a person providing such services to obtain specialized licensing,**
19 **certification, or any other state or local sanction unless the requirement is**
20 **generally applicable to the sale of any product or to all places of business**
21 **regardless of whether they sell over-the-counter hearing aids. A person licensed**
22 **under KRS Chapters 334 and 334A may service, market, sell, dispense, provide**
23 **customer support for, or distribute over-the-counter hearing aids;**

24 **(3) Nothing in this chapter shall apply to the servicing, marketing, sale, dispensing,**
25 **use, customer support, or distribution of an over-the-counter hearing aid.**

26 ~~[(1) No individual licensed under this chapter shall sell or fit a hearing instrument to any~~
27 ~~person unless within the preceding ninety (90) days:~~

- 1 ~~(a) The person has been examined by and received a written, signed, and dated~~
2 ~~approval for a hearing instrument from a duly licensed physician. The written~~
3 ~~approval shall include a statement that the person examined has no known ear~~
4 ~~diseases or conditions of the ear which might make the fitting and wearing of a~~
5 ~~hearing instrument useless, or harmful to the person's health, or which might~~
6 ~~interfere with the proper fitting and wearing of a hearing instrument; and,~~
- 7 ~~(b) The person has received a hearing instrument evaluation, and a written, signed, and~~
8 ~~dated recommendation for a hearing instrument from a physician or an audiologist~~
9 ~~licensed or authorized to practice audiology pursuant to KRS Chapter 334A. The~~
10 ~~written recommendation may take the form of a specific recommendation as to the~~
11 ~~make and model of a hearing instrument or may include a listing of specifications~~
12 ~~for a hearing instrument.~~
- 13 ~~(2) Any client eighteen (18) years of age or older may elect to sign a waiver to the~~
14 ~~requirements of subsections (1)(a) and (b) of this section before the purchase of a~~
15 ~~hearing instrument. The waiver shall be on a separate sheet of paper, shall be read~~
16 ~~to the prospective purchaser of a hearing instrument, and shall recite: "I have been~~
17 ~~advised by the seller (name) that the Food and Drug Administration has determined~~
18 ~~that my best health interest would be served if I had a medical evaluation by a~~
19 ~~licensed physician and preferably a physician who specializes in diseases of the ear~~
20 ~~before purchasing a hearing instrument. I do not wish a medical evaluation before~~
21 ~~purchasing a hearing instrument." The waiver shall be dated and signed by seller~~
22 ~~and client.~~
- 23 ~~(3) Any person licensed to sell hearing instruments under this chapter shall maintain for~~
24 ~~not less than three (3) years, in a file under the name of the person to whom a~~
25 ~~hearing instrument was sold, a true copy of the written approval pursuant to~~
26 ~~subsection (1)(a) of this section; and a true copy of the written recommendation for~~
27 ~~a hearing instrument pursuant to subsection (1)(b) of this section or the waiver of~~

1 such written recommendation pursuant to subsection (2) of this section, and a true
2 copy of the written agreement, offer to purchase, or receipt given the person,
3 pursuant to KRS 334.030(1).]

4 ➔Section 3. KRS 334A.020 is amended to read as follows:

5 As used in this chapter, unless the context otherwise requires:

- 6 *(1) "Assisting in the practice of speech pathology" means the provision of certain*
7 *specific components of a speech or language service program provided by a*
8 *speech-language pathology assistant under the supervision and direction of an*
9 *appropriately qualified supervisor;*
- 10 *(2) "Audiologist" is defined as one who practices audiology. An audiologist may*
11 *describe himself or herself to the public by any title or description of services*
12 *incorporating the words "audiologist," "audiology," "audiological," "hearing*
13 *center," "hearing clinic," "hearing clinician," "hearing therapist,"*
14 *"audiometry," "audiometrist," "audiometrics," "otometry," "otometrist," "aural*
15 *rehabilitationist," or "hearing conservationist";*
- 16 *(3) "Board" means the Kentucky Board of Speech-Language Pathology and*
17 *Audiology;*
- 18 *(4) "Continuing professional education" in speech-language pathology and*
19 *audiology consists of planned learning experiences beyond a basic educational*
20 *program leading to a degree. These experiences are designed to promote*
21 *knowledge, skills, and attitudes of speech-language pathology and audiology*
22 *practitioners to enable them to provide professional services in their areas of*
23 *training that are based on current research and best practices;*
- 24 *(5) "Interim license" means a license issued by the board pursuant to KRS 334A.035*
25 *to a person for the purpose of completing the supervised postgraduate*
26 *professional experience required under that section prior to an application for*
27 *licensure as a speech-language pathologist or a speech-language pathology*

1 assistant;

2 (6) "Person" means any individual, organization, or corporate body, except that only
3 individuals can be licensed under this chapter;

4 (7) "Speech-language pathologist" means one who practices speech-language
5 pathology. A speech-language pathologist may describe himself or herself to the
6 public by any title or description of services incorporating the words "speech-
7 language pathologist," "speech-language pathology," "speech-language
8 therapy," "speech-language correction," "speech-language correctionist,"
9 "speech-language therapist," "speech clinic," "speech clinician," "speech
10 pathologist," "language pathologist," "language pathology," "language
11 therapist," "logopedics," "logopedist," "communicology," "communicologist,"
12 "aphasiologist," "voice therapy," "voice therapist," "voice pathology," "voice
13 pathologist," "phoniatrist," "communication disorders," or "verbal therapist";

14 (8) "Speech-language pathology assistant" means one who assists in the practice of
15 speech-language pathology only under the supervision and direction of an
16 appropriately qualified supervisor and only within the public school system in the
17 Commonwealth. Any speech-language pathology services provided without
18 appropriate supervision or outside the public school system shall be deemed to be
19 the unlicensed practice of speech-language pathology and shall subject the
20 offending party to penalties established pursuant to KRS 334A.990;

21 (9) "Supervisor" means a person who holds a Kentucky license as a speech-
22 language pathologist or who holds Education Professional Standards Board
23 master's level certification as a teacher of exceptional children in the areas of
24 speech and communication disorders as established by administrative regulation;

25 (10) "Temporary license" means a license that may be issued by the board
26 administrator pursuant to KRS 334A.181 to any applicant who has met all the
27 requirements for permanent licensure in accordance with that section;

1 (11) "The practice of audiology" means the application of principles, methods, and
2 procedures of measurement, testing, appraisal, prediction, consultation,
3 counseling, and instruction related to hearing and disorders of hearing for the
4 purpose of modifying communicative disorders involving speech, language,
5 auditory behavior, or other aberrant behavior related to hearing loss; planning,
6 directing, conducting, or participating in identification and hearing conservation
7 programs; and habilitative and rehabilitative programs, including hearing aid
8 recommendations and evaluation, selling or fitting of both prescription hearing
9 aids and over-the-counter hearing aids, auditory training, or speech reading; and

10 (12) "The practice of speech pathology" means the application of principles, methods,
11 and procedures for the measurement, testing, audiometric screening,
12 identification, appraisal, determination of prognosis, evaluation, consultation,
13 remediation, counseling, instruction, and research related to the development and
14 disorders of speech, voice, verbal and written language,
15 cognition/communication, or oral and pharyngeal sensori-motor competencies
16 for the purpose of designing and implementing programs for the amelioration of
17 these disorders and conditions. Any representation to the public by title or by
18 description of services, methods, or procedures for the evaluation, counseling,
19 remediation consultation, measurement, testing, audiometric screening,
20 identification, appraisal, instruction, and research of persons diagnosed with
21 conditions or disorders affecting speech, voice, verbal, and written language,
22 cognition/communication, or oral and pharyngeal sensori-motor competencies
23 shall be considered to be the practice of speech-language pathology.

24 ~~{(1) "Board" means the Kentucky Board of Speech Language Pathology and Audiology;~~

25 ~~(2) "Person" means any individual, organization, or corporate body, except that only~~
26 ~~individuals can be licensed under this chapter;~~

27 ~~(3) "Speech language pathologist" means one who practices speech language~~

1 pathology. A speech language pathologist may describe himself to the public by
2 any title or description of services incorporating the words "speech language
3 pathologist," "speech language pathology," "speech language therapy," "speech-
4 language correction," "speech language correctionist," "speech language therapist,"
5 "speech clinic," "speech clinician," "speech pathologist," "language pathologist,"
6 "language pathology," "language therapist," "logopedics," "logopedist,"
7 "communicology," "communicologist," "aphasiologist," "voice therapy," "voice
8 therapist," "voice pathology," "voice pathologist," "phoniatriest," "communication
9 disorders," or "verbal therapist";

10 (4) ~~"The practice of speech pathology" means the application of principles, methods,~~
11 ~~and procedures for the measurement, testing, audiometric screening, identification,~~
12 ~~appraisal, determination of prognosis, evaluation, consultation, remediation,~~
13 ~~counseling, instruction, and research related to the development and disorders of~~
14 ~~speech, voice, verbal and written language, cognition/communication, or oral and~~
15 ~~pharyngeal sensori motor competencies for the purpose of designing and~~
16 ~~implementing programs for the amelioration of these disorders and conditions. Any~~
17 ~~representation to the public by title or by description of services, methods, or~~
18 ~~procedures for the evaluation, counseling, remediation consultation, measurement,~~
19 ~~testing, audiometric screening, identification, appraisal, instruction, and research of~~
20 ~~persons diagnosed with conditions or disorders affecting speech, voice, verbal and~~
21 ~~written language, cognition/communication, or oral and pharyngeal sensori motor~~
22 ~~competencies shall be considered to be the practice of speech language pathology;~~

23 (5) ~~"Audiologist" is defined as one who practices audiology. An audiologist may~~
24 ~~describe himself to the public by any title or description of services incorporating~~
25 ~~the words "audiologist," "audiology," "audiological," "hearing center," "hearing~~
26 ~~clinic," "hearing clinician," "hearing therapist," "audiometry," "audiometrist,"~~
27 ~~"audiometrics," "otometry," "otometrist," "aural rehabilitationist," or "hearing~~

1 conservationist";

2 ~~(6) "The practice of audiology" means the application of principles, methods, and~~
3 ~~procedures of measurement, testing, appraisal, prediction, consultation, counseling,~~
4 ~~and instruction related to hearing and disorders of hearing for the purpose of~~
5 ~~modifying communicative disorders involving speech, language, auditory behavior,~~
6 ~~or other aberrant behavior related to hearing loss; planning, directing, conducting,~~
7 ~~or participating in identification and hearing conservation programs; and~~
8 ~~habilitative and rehabilitative programs, including hearing aid recommendations~~
9 ~~and evaluation, selling or fitting of hearing instruments, auditory training, or speech~~
10 ~~reading;~~

11 ~~(7) "Continuing professional education" in speech language pathology and audiology~~
12 ~~consists of planned learning experiences beyond a basic educational program~~
13 ~~leading to a degree. These experiences are designed to promote knowledge, skills,~~
14 ~~and attitudes of speech language pathology and audiology practitioners to enable~~
15 ~~them to provide professional services in their areas of training that are based on~~
16 ~~current research and best practices;~~

17 ~~(8) "Speech language pathology assistant" means one who assists in the practice of~~
18 ~~speech language pathology only under the supervision and direction of an~~
19 ~~appropriately qualified supervisor and only within the public school system in the~~
20 ~~Commonwealth. Any speech pathology services provided without appropriate~~
21 ~~supervision or outside the public school system shall be deemed to be the~~
22 ~~unlicensed practice of speech pathology and shall subject the offending party to~~
23 ~~penalties established pursuant to KRS 334A.990;~~

24 ~~(9) "Assisting in the practice of speech pathology" means the provision of certain~~
25 ~~specific components of a speech or language service program provided by a speech-~~
26 ~~language pathology assistant under the supervision and direction of an appropriately~~
27 ~~qualified supervisor.~~

- 1 (a) ~~If the training, supervision, documentation, and planning are appropriate, the~~
2 ~~following tasks may be delegated to a speech-language pathology assistant:~~
- 3 1. ~~Conduct speech language and hearing screenings without interpretation~~
4 ~~following specified screening protocols developed by a speech language~~
5 ~~pathologist and audiologist, respectively;~~
 - 6 2. ~~Follow documented treatment plans or protocols as prescribed by the~~
7 ~~supervisor;~~
 - 8 3. ~~Document student progress toward meeting established objectives as~~
9 ~~stated in the treatment plan;~~
 - 10 4. ~~Provide direct treatment assistance to identified students under the~~
11 ~~supervision of the supervisor;~~
 - 12 5. ~~Assist with clerical and other related duties as directed by the~~
13 ~~supervisor;~~
 - 14 6. ~~Report to the supervisor about the treatment plan based on a student's~~
15 ~~performance;~~
 - 16 7. ~~Schedule activities, prepare charts, records, graphs, or otherwise display~~
17 ~~data. This shall not include report generation;~~
 - 18 8. ~~Perform simple checks and maintenance of equipment;~~
 - 19 9. ~~Participate with the supervisor in research projects, inservice training,~~
20 ~~and public relations programs;~~
 - 21 10. ~~Assist in the development and maintenance of an appropriate schedule~~
22 ~~for service delivery;~~
 - 23 11. ~~Assist in implementing collaborative activities with other professionals;~~
 - 24 12. ~~Assist in administering tests for diagnostic evaluations and progress~~
25 ~~monitoring; and~~
 - 26 13. ~~Participate in parent conferences, case conferences, or any~~
27 ~~interdisciplinary team in consultation with, or in the presence of, the~~

1 supervisor.

2 ~~(b) The following activities shall be outside the scope of practice of the speech-~~
3 ~~language pathology assistant:~~

4 1. ~~Performing any activity which violates the code of ethics promulgated~~
5 ~~by the board by administrative regulation;~~

6 2. ~~Interpreting test results, or performing diagnostic evaluations without~~
7 ~~supervision;~~

8 3. ~~Conducting client or family counseling without the recommendation,~~
9 ~~guidance, and approval of the supervisor;~~

10 4. ~~Writing, developing, or modifying a student's individualized treatment~~
11 ~~plan in any way without the recommendation, guidance, and approval of~~
12 ~~the supervisor;~~

13 5. ~~Treating students without following the individualized treatment plan~~
14 ~~prepared by the supervisor or without access to supervision;~~

15 6. ~~Signing any due process document without the co signature of the~~
16 ~~supervisor;~~

17 7. ~~Selecting or discharging students;~~

18 8. ~~Disclosing clinical or confidential information, either orally or in~~
19 ~~writing, to anyone not designated by the supervisor;~~

20 9. ~~Making referrals for additional services; and~~

21 10. ~~Representing himself or herself as something other than a speech-~~
22 ~~language pathology assistant;~~

23 ~~(10) "Supervisor" means a person who holds a Kentucky license as a speech language~~
24 ~~pathologist or who holds Education Professional Standards Board master's level~~
25 ~~certification as a teacher of exceptional children in the areas of speech and~~
26 ~~communication disorders as established by administrative regulation;~~

27 ~~(11) "Interim license" means a license issued by the board pursuant to KRS 334A.035 to~~

1 a person for the purpose of completing the supervised postgraduate professional
2 experience required under that section prior to an application for licensure as a
3 speech-language pathologist or a speech-language pathology assistant; and

4 ~~(12) "Temporary license" means a license that may be issued by the board administrator
5 pursuant to KRS 334A.183 to any applicant who has met all the requirements for
6 permanent licensure in accordance with that section].~~

7 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 334A IS CREATED TO
8 READ AS FOLLOWS:

9 *(1) If the training, supervision, documentation, and planning are appropriate, the*
10 *following tasks may be delegated to a speech-language pathology assistant:*

11 *(a) Conduct speech-language and hearing screenings without interpretation*
12 *following specified screening protocols developed by a speech-language*
13 *pathologist and audiologist, respectively;*

14 *(b) Follow documented treatment plans or protocols as prescribed by the*
15 *supervisor;*

16 *(c) Document student progress toward meeting established objectives as stated*
17 *in the treatment plan;*

18 *(d) Provide direct treatment assistance to identified students under the*
19 *supervision of the supervisor;*

20 *(e) Assist with clerical and other related duties as directed by the supervisor;*

21 *(f) Report to the supervisor about the treatment plan based on a student's*
22 *performance;*

23 *(g) Schedule activities, prepare charts, records, graphs, or otherwise display*
24 *data. This shall not include report generation;*

25 *(h) Perform simple checks and maintenance of equipment;*

26 *(i) Participate with the supervisor in research projects, inservice training, and*
27 *public relations programs;*

- 1 (j) Assist in the development and maintenance of an appropriate schedule for
2 service delivery;
- 3 (k) Assist in implementing collaborative activities with other professionals;
- 4 (l) Assist in administering tests for diagnostic evaluations and progress
5 monitoring; and
- 6 (m) Participate in parent conferences, case conferences, or any interdisciplinary
7 team in consultation with, or in the presence of, the supervisor.
- 8 (2) The following activities shall be outside the scope of practice of the speech-
9 language pathology assistant:
- 10 (a) Performing any activity which violates the code of ethics promulgated by the
11 board by administrative regulation;
- 12 (b) Interpreting test results, or performing diagnostic evaluations, without
13 supervision;
- 14 (c) Conducting client or family counseling without the recommendation,
15 guidance, and approval of the supervisor;
- 16 (d) Writing, developing, or modifying a student's individualized treatment plan
17 in any way without the recommendation, guidance, and approval of the
18 supervisor;
- 19 (e) Treating students without following the individualized treatment plan
20 prepared by the supervisor or without access to supervision;
- 21 (f) Signing any due process document without the co-signature of the
22 supervisor;
- 23 (g) Selecting or discharging students;
- 24 (h) Disclosing clinical or confidential information, either orally or in writing, to
25 anyone not designated by the supervisor;
- 26 (i) Making referrals for additional services; and
- 27 (j) Representing himself or herself as something other than a speech-language

1 *pathology assistant.*

2 ➔Section 5. KRS 334A.040 is amended to read as follows:

- 3 (1) Nothing in this chapter shall be construed to prevent a qualified person licensed in
4 this state under any other law from engaging in the profession for which the person
5 is licensed.
- 6 (2) Nothing in this chapter shall be construed to prevent qualified hearing aid
7 dispensers from engaging in those practices and procedures used solely for the
8 fitting and selling of hearing aids.
- 9 (3) Nothing in this chapter shall be construed as restricting or preventing activities of a
10 speech-language pathology or audiology nature or the use of the official title of the
11 position for which they were employed on the part of the following persons:
- 12 (a) Speech-language pathologists or audiologists employed by the federal
13 government, if they are performing such activities solely within the confines
14 or under the jurisdiction of the organization in which they are employed and
15 do not offer to render speech-language pathology or audiology services as
16 defined in ~~subsections (4) and (6) of~~ KRS 334A.020 to the public outside of
17 the institutions or organizations in which they are employed. However, such
18 persons may, without obtaining a license under this chapter, consult or
19 disseminate their research findings and scientific information to other such
20 accredited academic institutions or governmental agencies. They also may
21 offer lectures to the public for a fee, monetary or otherwise, without being
22 licensed under this chapter; or
- 23 (b) Registered and practical nurses or others trained to perform audiometric
24 testing under the direct supervision of a licensed physician or surgeon.
- 25 (4) Nothing in this chapter shall be construed as restricting the activities and services of
26 a student or speech-language pathology intern pursuing a course of study leading to
27 a degree in speech-language pathology at an accredited or approved college or

1 university or an approved clinical training facility, if these activities and services
2 constitute a part of the planned course of study and if such persons are designated
3 by such title as "speech-language pathology intern," "speech-language pathology
4 trainee," or other such title clearly indicating the training status appropriate to his or
5 her level of training under the supervision of a licensed speech-language
6 pathologist.

7 (5) Nothing in this chapter shall be construed as restricting the activities and services of
8 a student or audiology intern pursuing a course of study leading to a degree in
9 audiology at an accredited or approved college or university or an approved clinical
10 training facility, if these activities and services constitute a part of the planned
11 course of study and if such persons are designated by such title as "audiology
12 intern," "audiology trainee," or other such title clearly indicating the training status
13 appropriate to his or her level of training, under supervision of a licensed
14 audiologist.

15 (6) Nothing in this chapter shall be construed as restricting a speech-language
16 pathologist or audiologist from another state from offering his or her speech-
17 language pathology or audiology services in this state if the services are performed
18 for no more than five (5) days in any calendar year and if that person meets the
19 qualifications and requirements stated in the section on qualifications, except that
20 such person need not apply for licensure under this chapter.

21 (7) This chapter shall not apply to a person while he or she is engaged in the practice of
22 fitting hearing instruments and assistive listening devices if his or her practice is
23 part of the academic curriculum of an accredited institution of higher education or
24 part of a program conducted by a public, charitable institution, or nonprofit
25 organization, which is primarily supported by voluntary contributions.

26 (8) This chapter shall not be construed to prevent any person who is a medical or
27 osteopathic physician licensed to practice in the Commonwealth of Kentucky from

1 treating or fitting hearing instruments to the human ear, which includes the making
2 of ear molds, so long as he or she does not engage in the sale of hearing
3 instruments.