

KANSAS ADMINISTRATIVE REGULATIONS
RULES AND REGULATIONS FOR LICENSURE OF
KANSAS SPEECH LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

28-61-1. DEFINITIONS.

(a) "American academy of audiology" means a national professional association for audiologists that provides continuing education programs and approves continuing education sponsors in clinical audiology.

(b) "American speech-language-hearing association" means a national professional association that accredits academic and clinical practicum programs and continuing education sponsors in speech-language pathology and audiology and that issues a certificate of clinical competence in speech-language pathology and audiology.

(c) "Department" means the Kansas department of health and environment.

(d) "Licensure period" means the period of time beginning on the date a license is issued and ending on the date the license expires. All full licenses shall expire biennially on October 31.

(e) "Screening" means a pass-fail procedure to identify any individual who requires further assessment.

(f) "Sponsorship" means an approved, long-term sponsoring of programs for the purpose of fulfilling renewal or reinstatement continuing education requirements. Each approved sponsor shall be accountable for upholding the department's standards for the approval of continuing education programs. Each sponsor shall submit an application and the sponsor's annual report on department-approved forms. The authority to sanction or otherwise discipline an approved sponsor shall be maintained by the department. These sanctions may include the following:

- (1) Supplementary documentation;
- (2) program restrictions; or
- (3) temporary or permanent suspension of long-term sponsorship approval.

(g) "Supervision of methods and procedures related to hearing and the screening of hearing disorders" means consultation on at least a monthly basis by a licensed audiologist, a licensed speech-language pathologist, or any person exempted by K.S.A. 65-6511(a),(b), or (c), and amendments thereto. Any consultation may include any of the following:

- (1) On-site visits;
- (2) review of written documentation and reports; or
- (3) conference calls.

(Authorized by K.S.A. 65-6503; implementing K.S.A. 65-6501 and K.S.A. 65-6503; effective Dec. 28, 1992; amended March 16, 2001; amended Aug. 19, 2005; amended April 16, 2010.)

28-61-2. QUALIFICATIONS FOR LICENSURE.

(a) To determine whether or not an applicant has completed the educational requirements in the area for which the applicant seeks licensure pursuant to K.S.A. 65-6505 and amendments thereto, consideration shall be given to whether or not the academic course of study and practicum content are accredited by the American speech-language-hearing association or are deemed equivalent to the course of study and practicum content of Kansas universities by the secretary.

(b) Each applicant who completed the educational requirements specified in K.S.A. 65-6505, and amendments thereto, in a program not accredited by the American speech-language-hearing association shall meet both of the following requirements:

(1) Obtain an equivalency validation of the academic course of study or practicum content, or both, from a Kansas college or university with a speech-language pathology or audiology program accredited by the American speech-language-hearing association; and

(2) provide transcripts and supervised practicum records verifying that the applicant has successfully completed coursework or supervised practicum experiences related to the principles and methods of prevention, assessment, and intervention for individuals with communication and swallowing disorders in the following subject areas:

(A) Articulation;

(B) fluency;

(C) voice and resonance, including respiration and phonation;

(D) receptive and expressive language in speaking, listening, reading, writing, and manual modalities;

(E) hearing, including the impact on speech and language;

(F) swallowing;

(G) cognitive aspects of communication;

(H) social aspects of communication; and

(I) communication modalities, including oral, manual, augmentative, and alternative communication, and assistive technologies.

(c) To determine whether or not an applicant has complied with the requirement that the degree be from an educational institution with standards consistent with the standards of Kansas universities pursuant to K.S.A. 65-6505 and amendments thereto, consideration shall be given to whether or not the institution is accredited by an accrediting body recognized by either the council on postsecondary accreditation or the secretary of the U.S. department of education, or is deemed equivalent by the secretary.

(d) Each applicant who completed the educational requirements specified in K.S.A. 65-6505, and amendments thereto, outside the United States or its territories and whose transcript is not in English shall submit an officially translated English copy of the applicant's transcript to the secretary and, if necessary, supporting documents. The transcript shall be translated by a source and in a manner that are acceptable to the secretary.

(e) Each applicant who completed the educational requirements specified in K.S.A. 65-6505, and amendments thereto, outside the United States or its territories shall obtain an equivalency validation from an agency approved by the secretary that specializes in educational credential evaluations.

(f) Each applicant shall pay any transcription or equivalency validation fee directly to the transcriber or the validating agency.

(g) The supervised clinical practicum as specified in K.S.A. 65-6505, and amendments thereto, shall be at least 400 hours, 25 of which shall be observation and 375 of which shall be direct client contact. At least 325 of the 400 hours of supervised clinical practicum shall be earned at the graduate level in the area in which licensure is sought.

(h) Each applicant, after completing the requirements in K.S.A. 65-6505 and amendments thereto, shall successfully complete the supervised postgraduate professional experience requirement in the area for which the

applicant seeks licensure. The applicant may complete the requirement on a full-time or part-time basis.

- (1) "Full-time" means 35 hours per week for nine months.
- (2) "Part-time" means 15 to 19 hours per week for 18 months, 20 to 24 hours per week for 15 months, or 25 to 34 hours per week for 12 months.
- (3) Each applicant working full-time shall spend 80 percent of the week in direct client contact and activities related to client management.
- (4) Each applicant working part-time shall spend 100 percent of the week in direct client contact and activities related to client management.
- (5) "Direct client contact" means assessment, diagnosis, evaluation, screening, habilitation, or rehabilitation of persons with speech, language, or hearing handicaps.
- (6) Each postgraduate professional experience supervisor shall be currently and fully licensed in Kansas for speech-language pathology or audiology or, if the experience was completed in another state, either be currently and fully licensed in that state or hold the certificate of clinical competence issued by the American speech-language-hearing association. The supervisor's license or certificate shall be in the area for which the applicant seeks licensure.
- (7) The supervisor shall evaluate the applicant on no less than 36 occasions of monitoring activities with at least four hours per month. The supervisor shall make at least 18 on-site observations with at least two hours per month.
- (8) Monitoring occasions may include on-site observations, conferences in person or on the telephone, evaluation of written reports, evaluations by professional colleagues, or correspondence.
- (9) The supervisor shall maintain detailed written records of all contacts and conferences during this period. If the supervisor determines that the applicant is not providing satisfactory services at any time during the period, the supervisor shall inform the applicant in writing and submit written reports to the applicant during the period of resolution.
- (10) No licensee shall be approved to serve as a supervisor for a postgraduate professional experience once the secretary initiates a disciplinary proceeding pursuant to K.S.A. 65-6508, and amendments thereto. After the disciplinary action or actions have been concluded, a licensee whose license has been reinstated or otherwise determined to be in good standing may be considered as a supervisor.
 - (i) Each applicant shall be required to pass the specialty area test of the national teacher examination of the educational testing service in the area for which licensure is being sought. The passing score for the examination shall be 600.

- (1) The educational testing service shall administer the examinations at least twice a year within Kansas.

- (2) Each applicant shall register to take the examination through the educational testing service, pay the examination fee directly to the educational testing service, and request that the test score be sent directly to the department from the educational testing service.

(Authorized by K.S.A. 65-6503; implementing K.S.A. 2010 Supp. 65-6505; effective Dec. 28, 1992; amended March 16, 2001; amended April 16, 2010; amended April 8, 2011.)

28-61-3. APPLICATION FOR A LICENSE.

- (a) Each individual applying for a license shall submit to the department a completed department-approved application form, the required supporting documentation showing completion of all qualifications for licensure, and the appropriate fee as specified in K.A.R. 28-61-9.

(b) Each applicant shall provide to the department the applicant's academic transcripts and proof of completion of the educational requirements specified in K.S.A. 65-6505, and amendments thereto. These documents shall be provided directly to the department by the academic institution.

(c) Each applicant who seeks licensure in both speech-language pathology and audiology shall submit a separate application for each license, meet the qualifications for each license, and pay the fee for each license as specified in K.A.R. 28-61-9.

(Authorized by K.S.A. 65-6503; implementing K.S.A. 2010 Supp. 65-6505 and K.S.A. 65-6506; effective Dec. 28, 1992; amended March 16, 2001; amended April 8, 2011.)

28-61-4. APPLICATION FOR A TEMPORARY LICENSE.

(a) Each applicant who has completed the education and clinical practicum pursuant to K.S.A. 65-6505, and amendments thereto, but has not completed a supervised postgraduate professional experience or examination, or both, shall apply for a temporary license. This temporary license shall be issued for a period of 12 months and may be renewed for one subsequent 12-month period upon request and with the secretary's approval.

(b) Each applicant applying for a temporary license shall submit to the department a completed department-approved application form, the required supporting documentation showing completion of education and clinical practicum, and the appropriate fee as specified in K.A.R. 28-61-9.

(c) Each applicant shall provide to the department the applicant's academic transcripts and proof of completion of the educational requirements specified in K.S.A. 65-6505, and amendments thereto. These documents shall be provided directly to the department by the academic institution.

(d) Each applicant seeking a temporary license for the purpose of completing a supervised postgraduate professional experience shall receive a temporary license before beginning the supervised postgraduate professional experience.

(1) Each applicant shall provide to the department a plan for completion of the supervised postgraduate professional experience that has been signed by a supervisor who is currently fully licensed in Kansas in the area in which the applicant seeks licensure.

(2) Each applicant shall report any changes in the plan to the department.

(3) At the conclusion of the supervised postgraduate professional experience, each supervisor shall sign and submit to the department a report that documents satisfactory completion of the supervised postgraduate professional experience.

(e) To renew a temporary license, each applicant shall submit to the secretary a letter of appeal, supporting documentation showing that the examination or supervised postgraduate professional experience, or both, was not completed, and the temporary licensure fee as specified in K.A.R. 28-61-9.

(f) Each applicant who seeks temporary licensure in both speech-language pathology and audiology shall submit a separate application for each temporary license, and pay the fee for each temporary license.

(g) A temporary license may be issued to enable an applicant for reinstatement to complete the continuing education requirements. This license shall be valid for not more than 12 months and shall not be renewed.

(Authorized by K.S.A. 65-6503; implementing K.S.A. 2010 Supp. 65-6505 and K.S.A. 65-6506; effective Dec. 28, 1992; amended March 16, 2001; amended April 8, 2011.)

28-61-5. LICENSE RENEWAL.

(a) Each applicant for renewal of a license shall submit the following to the secretary:

- (1) A completed secretary-approved application form;
- (2) the required supporting documentation; and
- (3) the license renewal fee as specified in K.A.R. 28-61-9.

(b) Each applicant for renewal of a license shall have completed the required clock-hours of documented and approved continuing education during each licensure period immediately preceding renewal of the license. Approved continuing education clock-hours completed in excess of the requirement shall not be carried over to the subsequent renewal period. There shall be 20 hours of approved continuing education required for each applicant holding a single two-year license and 30 hours required if the applicant is licensed in both speech-language pathology and audiology.

(c) Each applicant shall maintain individual records consisting of documentation and validation of approved continuing education clock-hours, a summary of which shall be submitted to the secretary on the approved form as part of the license renewal application.

(d) For the purpose of measuring continuing education credit, "one clock-hour" shall mean at least 50 minutes of direct instruction, exclusive of registration, breaks, and meals.

(e) The content and objective of the continuing education activity shall be primarily related to the practice of speech-language pathology as defined by K.S.A. 65-6501, and amendments thereto, or the practice of audiology as defined by K.S.A. 65-6501, and amendments thereto.

(1) The educational activity shall be for the purpose of furthering the applicant's education in one of the following three content areas:

(A) Basic communication processes, including information applicable to the normal development and use of speech, language, and hearing. Issues related to this content area may include any of the following:

- (i) Anatomic and physiologic bases of the normal development and use of speech, language, and hearing;
- (ii) physical bases and processes of the production and perception of speech, language, and hearing;
- (iii) linguistic and psycholinguistic variables related to normal development and use of speech, language, and hearing; or
- (iv) technological, biomedical, engineering, and instrumentation information;

(B) professional areas, including information pertaining to disorders of speech, language, and hearing. Issues related to this content area may include any of the following:

- (i) Various types of communication disorders, their manifestations, classification, and causes;
- (ii) evaluation skills, including procedures, techniques, and instrumentation for assessment; or
- (iii) management procedures and principles in habilitation and rehabilitation of communication disorders; or

(C) related areas, including study pertaining to the understanding of human behavior, both normal and abnormal, as well as services available from related professions that apply to the contemporary practice of speech-language pathology, audiology, or both. Issues related to this content area may include any of the following:

- (i) Theories of learning and behavior;
 - (ii) services available from related professions that also deal with persons who have disorders of communications;
 - (iii) information from these professions about the sensory, physical, emotional, social, or intellectual states of child or adult; or
 - (iv) other areas, including general principles of program management, professional ethics, clinical supervision, counseling, and interviewing.
- (2) Unacceptable content areas shall include marketing, personal development, time management, human relations, collective bargaining, and tours.
- (3) The educational activity shall not be a part of the applicant's job responsibilities. In-service shall be considered part of the applicant's job responsibilities.
- (f) Continuing education may be accrued by any of the following methods:
- (1) Academic coursework related to the contemporary practice of speech-language pathology or audiology, offered by a regionally accredited college or university and documented by transcript or grade sheet:
 - (A) One academic-semester credit hour shall be equivalent to 15 clock-hours of continuing education. One academic-trimester credit hour shall be equivalent to 14 clock-hours of continuing education. One academic-quarter credit hour shall be equivalent to 10-clock hours of continuing education; and
 - (B) one audited academic-semester credit hour shall be equivalent to eight clock-hours of continuing education. One audited academic-trimester credit hour shall be equivalent to seven clock-hours of continuing education. One audited academic-quarter credit hour shall be equivalent to five clock-hours of continuing education;
 - (2) workshops, seminars, poster sessions, and educational sessions sponsored by an organization, agency, or other entity that has been approved by the secretary:
 - (A) One clock-hour of contact between either a presenter or instructor and the applicant shall be equivalent to one clock-hour of continuing education for the applicant;
 - (B) contact time shall be rounded down to the nearest one-half hour interval; and
 - (C) one-half clock-hour of continuing education credit shall be awarded for attendance at two poster displays, with a maximum of two clock-hours of continuing education awarded for attendance at poster displays per licensure period;
 - (3) preparation and presentation of a new seminar, lecture, or workshop according to the following criteria:
 - (A) "New" shall mean that the applicant is preparing and making the presentation for the first time in any setting;
 - (B) credit shall be awarded only for the first presentation at the rate of two clock-hours of continuing education for every one clock-hour of contact between the instructor and attendees; and
 - (C) if the presentation was given by more than one instructor, the continuing education clock-hours shall be prorated among the instructors;
 - (4) preparation and presentation of a new undergraduate or graduate course in speech-language

pathology or audiology at an accredited college or university:

- (A) "New" shall mean that the applicant is teaching the course for the first time in any setting;
 - (B) six clock-hours of credit shall be awarded per new course, up to a maximum of 12 clock-hours per licensure period; and
 - (C) if the course was prepared and presented by more than one instructor, the continuing education clock-hours shall be prorated among the instructors;
- (5) the successfully completed supervision of a postgraduate professional experience as specified in K.A.R. 28-61-2 and K.A.R. 28-61-4:
- (A) The licensee's name and signature shall appear as the supervisor on the temporary license application submitted by the supervisee as specified in K.A.R. 28-61-4(d)(1);
 - (B) five clock-hours of credit per supervisee shall be awarded to the licensee; and
 - (C) the maximum amount of credit awarded for the supervision of a postgraduate professional experience shall be five clock-hours per licensee per licensure period; or
 - (6) self-directed study courses that are directly oriented to improving the applicant's professional competence and that are approved by the secretary:
 - (A) Self-directed study courses shall receive prior approval from the secretary;
 - (B) courses shall be sponsored by a nationally recognized professional organization in audiology or speech-language pathology and shall be accompanied by an examination or measurement tool to determine successful completion of the course;
 - (C) self-study materials may include audiotapes, videotapes, study kits, digital video discs (DVDs), and courses offered through the internet or other electronic medium; and
 - (D) one clock-hour of time required to complete the self-directed study material, as specified by the sponsor of the material, shall be equivalent to one clock-hour of continuing education.
 - (g) Continuing education sponsors seeking prior approval for a single offering of a continuing education activity shall apply to the secretary. Approval may be granted by the secretary by one of the following methods.
 - (1) An organization, institution, agency, or individual shall be qualified for approval as a sponsor of a continuing education activity if, after review of the application, the secretary determines that the applicant meets all of the following conditions:
 - (A) The sponsor presents organized programs of learning.
 - (B) The sponsor presents subject matters that integrally relate to the practice of speech-language pathology or audiology, or both, as specified in subsection (e).
 - (C) The sponsor's program activities contribute to the professional competency of the licensee.
 - (D) The sponsor's program presenters are individuals who have education, training, or experience that qualifies them to present the subject matter of the program.
 - (2) An organization, institution, agency, or individual shall be qualified for approval as a sponsor of continuing education if the American speech-language-hearing association or the American academy of audiology has approved the organization, institution, agency, or individual as a continuing education sponsor and the sponsor presents subject matter as specified in subsection (e).

(h) Continuing education sponsors seeking long-term sponsorship for continuing education activities shall apply to the secretary. Approval may be granted by the secretary if the organization, institution, agency, or individual agrees to perform all of the following:

- (1) Present organized programs of learning;
- (2) present subject matter that integrally relates to the practice of speech-language pathology or audiology, or both, and subsection (e);
- (3) approve and present program activities that contribute to the professional competency of the licensee; and
- (4) sponsor program presenters who are individuals with education, training, or experience that qualifies them to present the subject matter of the programs.

(i) All approved continuing education sponsors that received approval by the method specified in subsection (g) shall provide the following:

(1) A certificate of attendance to each licensee who attends a continuing education activity. The certificate shall state the following:

- (A) The sponsor's name and approval number;
- (B) the date of the program;
- (C) the name of the participant;
- (D) the total number of clock-hours of the program, excluding introductions, registration, breaks, and meals;
- (E) the program's title and its presenter;
- (F) the program site; and
- (G) a designation of whether the program is approved for speech-language pathology or audiology, or both; and

(2) a list of attendees, license numbers, and the number of continuing education clock-hours completed by each licensee upon request and in a format approved by the secretary.

(j)(1) Each licensee who attends any activities of continuing education sponsored by the American speech-language-hearing association or the American academy of audiology shall retain either of the following:

(A) The letter of confirmation received from the continuing education registry of the American speech-language-hearing association or the American academy of audiology that includes the following:

- (i) The licensee's name, address, and social security number;
 - (ii) the course title;
 - (iii) the sponsor's name; and
 - (iv) the number of continuing education units awarded; or
- (B) the licensee's transcript from the continuing education registry of the American speech-language-hearing association or the American academy of audiology.

(2) One continuing education unit shall be equivalent to 10 clock-hours of continuing education.

(k) All continuing education sponsors that received approval by the method outlined in subsection (g) shall report to the secretary annually to maintain the designation as an approved sponsor. The application shall require a list of all continuing education programs provided by the approved sponsor during the previous calendar year and any additional documentation deemed necessary by the secretary to ensure that the approved sponsor is meeting or exceeding the standards set forth in this article.

(l) Each licensee who completes a continuing education activity that was not sponsored by an approved continuing education sponsor shall retain course documentation for review by the secretary at the time of license renewal.

(m) Each licensee whose initial licensure period is less than 24 months shall be required to obtain at least one clock-hour of continuing education for each month in the initial licensure period if the licensee holds a single license and at least one-quarter clock-hours of continuing education for each month in the initial licensure period if the licensee holds a dual license.

(Authorized by K.S.A. 65-6503; implementing K.S.A. 65-6506; effective Dec. 28, 1992; amended March 16, 2001; amended April 16, 2010.)

28-61-6. APPLICATION FOR PERSON WITH LICENSE ISSUED BY ANOTHER STATE.

(a) Each applicant applying for a license who is presently or has been licensed in another state shall submit a completed department approved-application form with the license fee as specified in K.A.R. 28-61-9.

(b) Each application shall be evaluated by comparing the qualifications met to obtain the original license, and any subsequent licenses, with the current qualifications for Kansas licensure. The qualifications of one of the states that issued a license shall be equal to or in excess of the Kansas licensure qualifications at the time the applicant seeks a Kansas license.

(c) Each applicant shall be in good standing with each licensing agency that has issued a license to the applicant.

(d) "Good standing" means both of the following:

- (1) The applicant's license is not under any administrative proceeding.
- (2) The applicant's license is not under any disciplinary action.

(Authorized by K.S.A. 65-6503; implementing K.S.A. 1999 Supp. 65-6506; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-7. REINSTATEMENT OF A LAPSED LICENSE.

(a) Each applicant whose license has lapsed shall pay the reinstatement fee and license renewal fee as specified in K.A.R. 28-61-9.

(b) Each applicant whose license has lapsed shall, within five years of the most recent expiration date, reinstate that license by submitting evidence that the applicant has accumulated, within the past two calendar years before the date of application for reinstatement, 20 contact hours of approved continuing education.

(c) Each applicant whose Kansas license has lapsed for more than five years beyond its expiration date shall reinstate by submitting any of the following types of evidence:

(1) Current licensure in another jurisdiction that requires completion of a number of contact hours of continuing education for license renewal that is equivalent to or greater than the number of hours required in Kansas;

(2) licensure in another jurisdiction sometime during the preceding five-year period, and completion of 20 contact hours of approved continuing education within two calendar years before the date of application for reinstatement; or

(3) satisfactory completion of a plan for reinstatement that has been submitted to and approved by the speech-language pathology and audiology advisory board and by the department.

(Authorized by K.S.A. 65-6503; implementing K.S.A. 1999 Supp. 65-6506; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-8. ASSISTANTS.

(a) Each speech-language pathology assistant and each audiology assistant shall meet the following criteria:

(1) Have received a high school diploma or equivalent;

(2) complete a training program conducted by a Kansas-licensed speech-language pathologist or audiologist. This training shall include the following:

(A) Ethical and legal responsibilities;

(B) an overview of the speech, language, and hearing disorders;

(C) response discrimination skills;

(D) behavior management;

(E) charting of behavioral objectives and recordkeeping;

(F) teaching principles, if applicable to the employment setting; and

(G) other skill training as required by the employment setting; and

(3) receive ongoing supervised training by a Kansas-licensed speech-language pathologist or audiologist for at least one hour per month.

(b) Any speech-language pathology assistant or audiology assistant may perform the following:

(1) Follow documented treatment plans and protocols that are planned, designed, and supervised by a Kansas-licensed speech-language pathologist or audiologist;

(2) record, chart, graph, report, or otherwise display data relative to client performance, including hearing screenings, and report this information to a supervising speech-language pathologist or audiologist;

(3) participate with a Kansas-licensed speech-language pathologist or audiologist in research projects, public relations programs, or similar activities;

(4) perform clerical duties, including preparing materials and scheduling activities as directed by a Kansas-licensed speech-language pathologist or audiologist;

(5) prepare instructional materials; and

(6) perform equipment checks and maintain equipment, including hearing aids.

(c) A speech-language pathology assistant or audiologist assistant shall not perform any of the following:

- (1) Perform standardized or nonstandardized diagnostic tests, conduct formal or informal evaluations, or provide clinical interpretations of test results;
 - (2) participate in parent conferences, case conferences, or any interdisciplinary team without the presence of a supervising Kansas-licensed speech-language pathologist or audiologist;
 - (3) perform any procedure for which the assistant is not qualified, has not been adequately trained, or is not receiving adequate supervision;
 - (4) screen or diagnose clients for feeding or swallowing disorders;
 - (5) write, develop, or modify a client's individualized treatment plan in any way;
 - (6) assist clients without following the individualized treatment plan prepared by a Kansas-licensed speech-language pathologist or audiologist or without access to supervision;
 - (7) sign any formal documents, including treatment plans, reimbursement forms, or reports. An assistant shall sign or initial informal treatment notes for review and signing by a Kansas-licensed speech-language pathologist or audiologist.
 - (8) select clients for services;
 - (9) discharge a client from services;
 - (10) make referrals for additional services;
 - (11) use a checklist or tabulate results of feeding or swallowing evaluations;
 - (12) demonstrate swallowing strategies or precautions to clients, family, or staff; or
 - (13) represent that person as a speech-language pathologist or audiologist.
- (d) Each assistant shall be supervised by a Kansas-licensed speech-language pathologist or audiologist. The supervisor shall be licensed to practice in the field in which the assistant is providing services.
- (1) Each supervisor shall be responsible for determining that the assistant is satisfactorily qualified and prepared for the duties assigned to the assistant.
 - (2) Each supervisor shall obtain, retain, and maintain on file documentation of the assistant's qualifications and training outlined in subsection (a).
 - (3) Only the supervisor shall exercise independent judgment in performing professional procedures for the client. The supervisor shall not delegate the exercise of independent judgment to the assistant.
 - (4) A speech-language pathologist or audiologist who holds a temporary license shall not be eligible to supervise assistants.
 - (e) Each supervisor shall directly supervise at least 10 percent of the assistant's client contact time. No portion of the assistant's direct client contact shall be counted toward the ongoing training required in subsection (a). No portion of the assistant's time performing activities under indirect supervision shall be counted toward client contact time.
 - (f) "Direct supervision" shall mean the on-site, in-view observation and guidance provided by a speech-language pathologist or audiologist to an assistant while the assistant performs an assigned activity.
 - (g) "Indirect supervision" shall mean the type of guidance, other than direct supervision, that a

speech-language pathologist or audiologist provides to an assistant regarding the assistant's assigned activities. This term shall include demonstration, record review, and review and evaluation of audiotaped sessions, videotaped sessions, or sessions involving interactive television.

(h) Each supervisor shall, within 30 days of employing an assistant, submit written notice to the department of the assistant's name, employment location, and verification that the assistant meets the qualifications listed in subsection (a). Each supervisor shall notify the department of any change in the status of an assistant.

(i) Each supervisor shall perform all of the following tasks:

(1) Develop a system to evaluate the performance level of each assistant under the licensee's supervision;

(2) retain and maintain on file documentation of the performance level of each assistant supervised; and

(3) report to the department at the time of the supervisor's license renewal, on a department-approved form, the name and employment location of each assistant.

(Authorized by K.S.A. 65-6503; implementing K.S.A. 65-6501; effective Dec. 28, 1992; amended March 16, 2001; amended April 16, 2010.)

28-61-9. FEES.

(a) The license fee shall be \$135.00. The license application fee for an initial licensure period of less than 24 months shall be prorated at \$5.50 per month for any full or partial month, until October 31 of the calendar year that is not less than 12 months and not more than 24 months from the date of application.

(b) The temporary license fee and temporary license renewal fee shall be \$65.00.

(c) The license renewal fee shall be \$135.00.

(d) The late license renewal fee shall be \$50.00.

(e) The license reinstatement fee shall be \$135.00.

(f) The wall or wallet card license replacement fee shall be \$10.00.

(g) The sponsorship application fee shall be \$150.00.

(Authorized by and implementing K.S.A. 1999 Supp. 65-6512; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-10. CHANGE OF NAME OR ADDRESS.

(a) Each licensee shall notify the department of any name or address change within 15 days of the change. Each licensee who fails to comply with this regulation may be subject to disciplinary action by the department pursuant to K.S.A. 65-6508, and amendments thereto.

(1) Notice of each address change shall be submitted to the department and shall include the licensee's name, license number, previous mailing address, and new mailing address.

(2) Complete notification of each name change shall meet the following criteria:

(A) Be submitted to the department in writing within 90 days of the change;

(B) include the licensee's previous name, new name, and license number; and

(C) be accompanied by a copy of a marriage certificate, court decree evidencing the change, or a social security card reflecting the new name.

(b) Each licensee seeking a replacement license or license renewal card, or both, shall perform the following:

- (1) Submit a department-approved form for each and payment of the applicable replacement fee; and
- (2) return, if possible, the most recently issued license or license renewal card, or both.

(Authorized by and implementing K.S.A. 65-6503; effective Dec. 28, 1992; amended March 16, 2001.)

28-61-11. UNPROFESSIONAL CONDUCT.

Each of the following acts by a licensee shall be evidence of unprofessional conduct:

- (a) Misrepresenting any professional qualification or credentials, including any of the following:
 - (1) Impersonating another licensed professional;
 - (2) knowingly allowing the use of one's license or license number by another person; or
 - (3) using an academic title that has not been conferred by an accredited educational institution;
- (b) improper certification of services rendered when these services were not provided or supervised by the licensee;
- (c) falsifying documents of personal data or qualifications in the application for licensure;
- (d) aiding in the submission of false information or sanctioning the submission of false information for the purpose of another person obtaining licensure;
- (e) misrepresenting services provided under one's professional license;
- (f) promoting or endorsing products in a false or misleading manner;
- (g) making unsupported or misleading claims about the efficacy of any professional service;
- (h) performing services that fall under the scope of practice but for which the licensee has not received training that can be documented by an academic transcript or a certificate of training completion;
- (i) performing or offering to perform services that are unwarranted;
- (j) billing or receiving remuneration for services not rendered;
- (k) withholding or failing to provide information that might affect a client's decision regarding the establishment or continuation of the professional relationship;
- (l) failing to disclose to a client a proprietary interest in any commercial enterprise that might affect the client's decision regarding services;
- (m) using undue influence, the threat of harm, or any false claim of future risk in order to promote sales, services, or products for personal gain or profit;
- (n) failing to exercise appropriate supervision over clinical practicum students, temporarily licensed postgraduate professionals, or assistants with whom the licensee has a supervisory relationship;
- (o) failing to report to the department alleged violations by speech-language pathologists and

audiologists of Kansas statutes or regulations pertaining to the practice of speech-language pathology and audiology; and

(p) refusing to cooperate in a timely manner with the investigation of complaints under the jurisdiction of the Kansas department of health and environment.

(Authorized by K.S.A. 65-6503 and 65-6508; implementing K.S.A. 65-6508; effective March 16, 2001; amended April 25, 2008.)