

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 46

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO SIGN LANGUAGE INTERPRETERS; AMENDING SECTION 54-2902, IDAHO
2 CODE, TO REVISE THE DECLARATION OF POLICY REGARDING THE LICENSURE OF
3 SIGN LANGUAGE INTERPRETERS; AMENDING SECTION 54-2903, IDAHO CODE, TO
4 REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SEC-
5 TION 54-2904, IDAHO CODE, TO PROVIDE WHEN A LICENSE FOR SIGN LANGUAGE
6 INTERPRETING IS REQUIRED; AMENDING SECTION 54-2905, IDAHO CODE, TO
7 PROVIDE EXEMPTIONS FOR LICENSURE FOR SIGN LANGUAGE INTERPRETING AND
8 TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2908, IDAHO CODE,
9 TO PROVIDE THE SPEECH, HEARING AND COMMUNICATION SERVICES LICENSURE
10 BOARD, TO REVISE MEMBERSHIP, TO REVISE POWERS AND DUTIES, AND TO MAKE A
11 TECHNICAL CORRECTION; AMENDING CHAPTER 29, TITLE 54, IDAHO CODE, BY THE
12 ADDITION OF A NEW SECTION 54-2916A, IDAHO CODE, TO PROVIDE FOR LICENSURE
13 OF SIGN LANGUAGE INTERPRETERS; AMENDING SECTION 54-2917, IDAHO CODE,
14 TO PROVIDE FOR DUAL LICENSURE OF CERTAIN PROFESSIONS; AMENDING SECTION
15 54-2919, IDAHO CODE, TO PROVIDE A PROVISIONAL PERMIT FOR SIGN LANGUAGE
16 INTERPRETERS; AMENDING SECTION 54-2924, IDAHO CODE, TO ADD SIGN LAN-
17 GUAGE INTERPRETING, HEARING AID DEALING OR FITTING TO THOSE PRACTICES
18 THE BOARD MAY INVESTIGATE; AMENDING SECTION 54-2927, IDAHO CODE, TO
19 REVISE PROVISIONS FOR UNLAWFUL PRACTICE AND PENALTIES; AND PROVIDING
20 EFFECTIVE DATES.
21

22 Be It Enacted by the Legislature of the State of Idaho:

23 SECTION 1. That Section 54-2902, Idaho Code, be, and the same is hereby
24 amended to read as follows:

25 54-2902. DECLARATION OF POLICY. To protect the public health, safety
26 and welfare, and to provide for administrative supervision, licensure and
27 regulation, every person practicing or offering to practice audiology,
28 speech-language pathology, sign language interpreting or hearing aid deal-
29 ing and fitting services as defined in this chapter, who meets and maintains
30 prescribed standards of competence and conduct, shall be licensed as pro-
31 vided in this chapter. This chapter shall be liberally construed to promote
32 the public interest and to accomplish the purpose stated herein.

33 SECTION 2. That Section 54-2903, Idaho Code, be, and the same is hereby
34 amended to read as follows:

35 54-2903. DEFINITIONS. As used in this chapter:

36 (1) "Applicant" means a person applying for a license or permit under
37 this chapter.

38 (2) "Audiologist" means a natural person who meets the requirements of
39 this chapter, is duly licensed in accordance with this chapter and is engaged
40 in the practice of audiology.

1 (3) "Board" means the speech, ~~and~~ hearing and communication services
2 licensure board.

3 (4) "Bureau" means the bureau of occupational licenses.

4 (5) "Department" means the department of self-governing agencies.

5 (6) "Hearing aid" means any wearable electronic instrument or other de-
6 vice designed for the purpose of aiding or compensating for impaired human
7 hearing and any parts, attachments or accessories, including earmolds at-
8 tached to the hearing aid, but excluding batteries and cords. "Hearing aid"
9 does not include those devices classified by the federal drug administration
10 as assistive listening devices.

11 (7) "Hearing aid dealer and fitter" means a person licensed pursuant to
12 this chapter to provide hearing aid evaluations and to sell, dispense and fit
13 hearing aids in the state of Idaho.

14 (8) "Hearing aid evaluation" means the measurement of human hearing for
15 the purpose of selecting or adapting a hearing aid, and not for obtaining
16 medical diagnosis or legal documentation, and includes the following:

17 (a) Air conduction threshold testing;

18 (b) Bone conduction threshold testing;

19 (c) Speech reception threshold testing;

20 (d) Speech discrimination testing;

21 (e) Most comfortable loudness level testing; and

22 (f) Uncomfortable loudness level testing.

23 (9) "Improper fitting" means a pattern of hearing aid selections or
24 adaptations, which cause physical damage to any portion of the ear, in which
25 the electroacoustic characteristics of the hearing aid are inadequate for
26 the consumer, or in which the hearing aid is physically or acoustically un-
27 suited to the consumer including, but not limited to:

28 (a) An all-in-the-ear hearing aid, which continually falls out of the
29 ear;

30 (b) Any hearing aid or earmold, which causes inappropriate feedback,
31 pain or discomfort to the ear within thirty (30) days of the original de-
32 livery of the hearing aid to the consumer;

33 (c) Fitting a consumer with impacted cerumen; or

34 (d) Fitting a consumer with either an apparent unilateral sensorineu-
35 ral hearing loss or a significant air-bone gap without prior medical
36 evaluation and approval.

37 (10) "License" means a license issued by the board under this chapter
38 ~~authorizing practice as a speech-language pathologist, audiologist, or~~
39 ~~hearing aid dealer and fitter.~~

40 (11) "Practice of audiology" means to apply the principles, methods and
41 procedures of measurement, evaluation, testing, counseling, consultation
42 and instruction that relate to the development and disorders of hearing,
43 vestibular functions and related language and speech disorders to prevent,
44 modify or rehabilitate the disorders or to assist individuals in auditory
45 and related skills for communication, and may include intraoperative moni-
46 toring and the fitting, adjustment, programming, selling and dispensing of
47 hearing aids and assistive devices.

48 (12) "Practice of fitting and dealing in hearing aids" means the selec-
49 tion, adaptation, dispensing, fitting or sale of hearing aids, and includes
50 the testing of hearing by means of an audiometer, or by any other device de-

1 signed specifically for these purposes. The practice also includes the mak-
2 ing of impressions for earmolds.

3 (13) "Practice of sign language interpreting" means the application of
4 the process of providing effective communication between and among persons
5 who are deaf, hard of hearing or deaf-blind, speech impaired and those who
6 can hear. The process includes, but is not limited to, communication between
7 American sign language or other forms of manual communication and English.
8 The process may also involve various other modalities that involve visual,
9 gestural and tactile methods.

10 (14) "Practice of speech-language pathology" means the application of
11 principles, methods and procedures of measurement, evaluation, testing,
12 counseling, rehabilitation, screening, consultation and instruction that
13 relate to the development and disorders of human communication including,
14 but not limited to, speech (articulation, fluency, voice, accent reduction)
15 and language, swallowing, cognitive communication disorders, augmentative
16 and alternative communication systems and related hearing disorders.

17 (145) "Provisional permit" means a permit issued to an applicant who is
18 registered to obtain required experience to become licensed.

19 (16) "Sign language interpreter" means a natural person who meets the
20 requirements of this chapter, is duly licensed in accordance with this chap-
21 ter, and who engages in the practice of sign language interpreting.

22 (157) "Speech-language pathologist" means a natural person who meets
23 the requirements of this chapter, is duly licensed in accordance with this
24 chapter, and who engages in the practice of speech-language pathology.

25 (168) "Speech-language pathologist aide" means a natural person who
26 meets the requirements of this chapter, is duly licensed in accordance
27 with this chapter, and who works under the direction and supervision of a
28 speech-language pathologist. A speech-language pathologist aide shall
29 not act or provide services independently of a supervising speech-language
30 pathologist licensed in Idaho.

31 (179) "Speech-language pathologist assistant" means a natural person
32 who meets the requirements of this chapter, is duly licensed in accor-
33 dance with this chapter, and works under the direction and supervision of
34 a speech-language pathologist. A speech-language pathologist assistant
35 shall not act or provide services independently of a supervising speech-lan-
36 guage pathologist licensed in Idaho.

37 SECTION 3. That Section 54-2904, Idaho Code, be, and the same is hereby
38 amended to read as follows:

39 54-2904. LICENSE REQUIRED. (1) Except as otherwise provided in this
40 chapter, it shall be unlawful for any person to engage in the practice or to
41 perform or offer to practice audiology or speech-language pathology or sign
42 language interpreting or to act as a hearing aid dealer or fitter unless such
43 person is duly licensed in accordance with this chapter. A license issued
44 pursuant to this chapter shall be posted in the licensee's established place
45 of business or carried upon the person, and shall be presented as proof of li-
46 censure upon demand.

47 (2) It is unlawful for any person or business entity, or its employ-
48 ees, agents or representatives, to use in connection with his or her name, or
49 name of activity of the business, the words "audiologist," "audiometrist,"

1 "hearing clinician," "hearing therapist," or any other title, abbreviation
 2 or insignia indicating or implying directly or indirectly that such person,
 3 business entity, employee, agent or representative is engaged in the prac-
 4 tice of audiology, unless such services are provided by an audiologist li-
 5 censed in accordance with this chapter or lawfully exempt pursuant to sec-
 6 tion 54-2905(1)(c), Idaho Code .

7 (3) It is unlawful for any person or business entity, or its employees,
 8 agents or representatives, to use in connection with his or her name, or
 9 name of activity of the business, the words "speech pathologist," "speech
 10 therapist," "speech correctionist," "speech clinician," "language ther-
 11 apist," "language pathologist," "voice therapist," "voice pathologist,"
 12 "logopedist," "communicologist," "aphasiologist," or any other title, ab-
 13 breviation or insignia indicating or implying directly or indirectly that
 14 such person, business entity, employee, agent or representative is engaged
 15 in the practice of speech-language pathology, unless such services are
 16 provided by a speech-language pathologist licensed in accordance with this
 17 chapter or lawfully exempt pursuant to section 54-2905(1)(c), Idaho Code.

18 (4) It is unlawful for any person or business entity, or its employ-
 19 ees, agents or representatives, to use in connection with his or her name, or
 20 name of activity of the business, the words "hearing aid dealer and fitter"
 21 or any other title, abbreviation or insignia indicating or implying directly
 22 or indirectly that such person, business entity, employee, agent or repre-
 23 sentative is engaged in the practice of audiology or hearing aid dealing and
 24 fitting, unless such services are provided by an audiologist or hearing aid
 25 dealer and fitter licensed in accordance with this chapter.

26 (5) It is unlawful for any person or business entity, or its employees,
 27 agents or representatives, to use in connection with his or her name, or name
 28 of activity of the business, the words "sign language interpreter" or any
 29 other title, abbreviation or insignia indicating or implying directly or in-
 30 directly that such person, business entity, employee, agent or representa-
 31 tive is engaged in the practice of sign language interpreting, unless such
 32 services are provided by a sign language interpreter licensed in accordance
 33 with this chapter.

34 SECTION 4. That Section 54-2905, Idaho Code, be, and the same is hereby
 35 amended to read as follows:

36 54-2905. EXEMPTIONS. (1) Nothing in this chapter shall be construed to
 37 restrict:

38 (a) Any person licensed or regulated by the state of Idaho from engag-
 39 ing in the profession or practice for which he or she is licensed or
 40 regulated including, but not limited to, any certified or accredited
 41 teacher of the deaf, nurse, physician, occupational therapist, physio-
 42 logical therapist, surgeon, or any other licensed or regulated practitioner
 43 of the healing arts;

44 (b) Any employee working under the direct supervision of those per-
 45 sons referred to in this section, ~~so~~ as long as such employee does not
 46 hold himself or herself out as an audiologist, speech-language pathol-
 47 ogist, speech-language pathologist aide or assistant, sign language
 48 interpreter, hearing aid dealer or fitter, or a person engaged in the

1 practice of audiology, speech-language pathology, sign language inter-
2 preting, or hearing aid dealing and fitting; or

3 (c) Any person working in an Idaho public school setting who has re-
4 ceived and holds, in good standing, a pupil personnel services certifi-
5 cate with a speech-language pathologist endorsement or audiologist en-
6 dorsement, or any person working as a speech-language pathologist aide
7 or speech-language pathologist assistant, as those terms are defined in
8 section 54-2903, Idaho Code, in a public school setting under the direc-
9 tion and supervision of a person with such endorsement in good standing.
10 Such persons, while practicing in the public school setting, shall be
11 exempt from all provisions of this chapter; provided however, that
12 any such person working in an Idaho public school setting with a pupil
13 personnel services certificate with a speech-language pathologist en-
14 dorsement or audiology endorsement, or a speech-language pathologist
15 aide or speech-language pathologist assistant, shall be prohibited
16 from practicing independently in a setting other than a public school
17 unless such person is duly licensed as set forth in this chapter.

18 (2) Licensure shall not be required for persons pursuing a course of
19 study leading to a degree in audiology, speech-language pathology, sign lan-
20 guage interpreting, or hearing aid dealing and fitting at a college or uni-
21 versity with a curriculum acceptable to the board provided that:

22 (a) Activities and services otherwise regulated by this chapter con-
23 stitute a part of a planned course of study at that institution;

24 (b) Such persons are designated by a title such as "intern," "trainee,"
25 "student," or by other such title clearly indicating the status appro-
26 priate to their level of education; and

27 (c) Such persons work under the supervision of a person licensed by
28 this state to practice audiology, speech-language pathology, sign
29 language interpreting, or hearing aid dealing and fitting in accor-
30 dance with administrative rules governing supervision as adopted by the
31 board. The supervising audiologist, speech-language pathologist, sign
32 language interpreter, or hearing aid dealer and fitter accepts full
33 responsibility for the activities and services provided by such persons
34 supervised.

35 (3) Nothing in this chapter shall restrict a person residing in another
36 state or country and authorized to practice audiology, speech-language
37 pathology, sign language interpreting, or hearing aid dealing or fitting
38 ~~there in that jurisdiction~~, who is called in consultation by a person li-
39 censed in this state to practice audiology, speech-language pathology, sign
40 language interpreting, or hearing aid dealing and fitting, or who for the
41 purpose of furthering audiology, speech-language pathology, sign language
42 interpreting, or hearing aid dealing and fitting education is invited into
43 this state to conduct a lecture, clinic or demonstration, while engaged in
44 activities in connection with the consultation, lecture, clinic or demon-
45 stration, ~~so~~ as long as such person does not open an office or appoint a place
46 to meet clients or receive calls in this state.

47 (4) The provisions of this chapter regarding licensure of sign language
48 interpreters shall not apply to the following:

1 (a) A person holding a current general license, unless the license is
 2 provisional, is allowed to interpret in a preschool and/or K-12 setting
 3 pursuant to section 33-1304, Idaho Code.

4 (b) A person who is deaf or hard of hearing and does not possess inter-
 5 preter certification or credentials may, at the discretion of the board
 6 by rule, perform in the role of a deaf interpreter.

7 (c) A student enrolled in a sign language interpreter educational pro-
 8 gram provided by an accredited college or university performing sign
 9 language interpretation as an integral part of the student's course of
 10 study and as supervised by a licensed sign language interpreter.

11 (d) Individuals licensed as sign language interpreters in another
 12 state authorizing such individuals to practice sign language inter-
 13 preting in Idaho for a period not to exceed thirty (30) days pursuant to
 14 such terms and requirements as set forth in the rules of the board.

15 (e) A person providing services to the activities and services of any
 16 religious denomination or sect;

17 (f) Interpreting in an inconsequential situation, which means the
 18 level of significance is such that a licensed interpreter would not be
 19 deemed necessary for effective communication during that interaction.
 20 Inconsequential situations may include, but are not limited to: order-
 21 ing food at a restaurant, checking into a hotel or purchasing an item
 22 from a retailer;

23 (g) A person providing services in a private, noncommercial, family
 24 event; or

25 (h) Exigent emergency circumstances for temporary interpreting ser-
 26 vices until a qualified interpreter can be obtained.

27 (5) Interpreters and video remote interpreting services performing in-
 28 terpretation for the judicial department will be selected and assigned and
 29 will provide interpreting services pursuant to rules and orders promulgated
 30 by the Idaho supreme court to ensure full access to the courts and court ser-
 31 vices for all deaf and hard of hearing persons as required by the due process
 32 provisions of the United States and Idaho constitutions and the provisions
 33 of the Americans with disabilities act (ADA).

34 SECTION 5. That Section 54-2908, Idaho Code, be, and the same is hereby
 35 amended to read as follows:

36 54-2908. SPEECH, AND HEARING AND COMMUNICATION SERVICES LICENSURE
 37 BOARD. (1) There is hereby established in the department of self-governing
 38 agencies a speech, and hearing and communication services licensure board.
 39 The board shall consist of seven (7) members appointed by the governor. The
 40 governor may consider recommendations for appointment to the board from the
 41 Idaho speech-language speech, language, hearing association, inc. (ISHA),
 42 any Idaho association of hearing aid dealers and fitters, any Idaho asso-
 43 ciation of sign language interpreters and any individual residing in this
 44 state. ~~Three~~ Two (32) members of the board shall be speech-language pathol-
 45 ogists, one (1) member shall be licensed as a sign language interpreter,
 46 two (2) members shall be audiologists, one (1) member shall be a hearing aid
 47 dealer and fitter, and one (1) member shall be appointed from the public
 48 at-large. Each nonpublic member shall:

1 (a) Have been a resident of the state of Idaho for no less than one (1)
2 year immediately preceding his or her appointment;

3 (b) Have been engaged in rendering services to the public, teaching, or
4 performing research in the field of audiology, speech-language pathol-
5 ogy, sign language interpreting, or hearing aid dealing and fitting for
6 a period of not less than five (5) years preceding his or her appoint-
7 ment;

8 (c) Be a currently practicing audiologist, speech-language patholo-
9 gist, sign language interpreter, or hearing aid dealer and fitter; and

10 (d) At all times during such appointment to the board, maintain a valid
11 license in audiology, speech-language pathology, sign language inter-
12 preting, or hearing aid dealing and fitting, except for the first ap-
13 pointees who shall meet the eligibility requirements for licensure as
14 specified in this chapter at all times after initial appointment.

15 (2) The public member appointed as provided herein shall have been a
16 resident of the state of Idaho for not less than one (1) year immediately pre-
17 ceding his appointment. Further, such public member shall not be associ-
18 ated with or financially interested in the practice or business of audiol-
19 ogy, speech-language pathology, sign language interpreting, or hearing aid
20 dealing and fitting, nor shall such public member be engaged in an allied or
21 related profession or occupation.

22 (3) Members shall serve a term of three (3) years at the pleasure of the
23 governor ~~and shall be staggered as follows: two (2) members whose terms ex-~~
24 ~~pire July 1, 2008; two (2) members whose terms expire July 1, 2009; and three~~
25 ~~(3) members whose terms expire July 1, 2010. The governor shall appoint mem-~~
26 ~~bers and their terms shall begin July 1, 2008.~~ In the event of a vacancy other
27 than expiration of a term, the governor shall appoint a replacement to fill
28 the vacancy for the remainder of the unexpired term.

29 (4) Members shall disqualify themselves and, upon the motion of any in-
30 terested party may, upon proper showing, be disqualified in any proceeding
31 concerning which they have an actual conflict of interest or bias that inter-
32 feres with their fair and impartial service.

33 SECTION 6. That Chapter 29, Title 54, Idaho Code, be, and the same is
34 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
35 ignated as Section 54-2916A, Idaho Code, and to read as follows:

36 54-2916A. QUALIFICATIONS FOR LICENSURE -- SIGN LANGUAGE INTER-
37 PRETER. To be eligible for licensure as a sign language interpreter, the
38 applicant shall:

39 (1) File a written application with the board on forms prescribed and
40 furnished by the board. A nonrefundable application fee shall accompany the
41 completed written application. Such fees shall be established by the admin-
42 istrative rules of the board and shall be in such amounts as are reasonable
43 and necessary for the proper execution and enforcement of this chapter;

44 (2) Provide verification acceptable to the board of the following:

45 (a) Be at least twenty-one (21) years of age;

46 (b) Good moral character;

47 (c) Never having had a license or certification revoked or otherwise
48 sanctioned as part of disciplinary action from this or any other state;

1 (d) Never having been convicted, found guilty or received a withheld
2 judgment for any felony; and

3 (e) Never having been found by the board to have engaged in conduct pro-
4 hibited by this chapter.

5 The board may take into consideration the rehabilitation of the applicant
6 and other mitigating circumstances when considering applications for licen-
7 sure.

8 (3) Provide evidence satisfactory to the board of having successfully
9 passed a nationally recognized competency examination approved by the board
10 or achieved certification defined by board rule;

11 (4) Provide educational documentation satisfactory to the board that
12 the applicant has successfully graduated from a four-year course at an ac-
13 credited high school or the equivalent; and

14 (5) Provide documentation that the applicant has successfully passed
15 an examination approved by the board.

16 SECTION 7. That Section 54-2917, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 54-2917. DUAL LICENSURE. A person may be licensed as both an audiolo-
19 gist and a speech-language pathologist or sign language interpreter, if such
20 person duly meets the requirements of licensure for ~~both~~ each such license.
21 A person obtaining licensure as ~~both~~ an audiologist and a speech-language
22 pathologist or sign language interpreter shall be charged fees as though the
23 person had obtained only one (1) license.

24 SECTION 8. That Section 54-2919, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 54-2919. PROVISIONAL PERMIT. The board shall adopt rules providing
27 for a provisional permit to allow a person to engage in the practice of au-
28 diology or speech-language pathology while completing either the required
29 postgraduate experience or a comparable experience as part of a doctoral
30 program in audiology as required by this chapter. The board may further
31 provide for a provisional permit to allow a person to engage in fitting and
32 dealing hearing aids or sign language interpreting pursuant to rules adopted
33 by the board. The holder of a provisional permit may practice only while
34 under the supervision of a person fully licensed under this chapter.

35 SECTION 9. That Section 54-2924, Idaho Code, be, and the same is hereby
36 amended to read as follows:

37 54-2924. INVESTIGATIONS AND DISCIPLINARY ACTIONS -- PROCEDURES. (1)
38 The board is authorized to institute any investigation, hearing or other le-
39 gal proceeding necessary to effect compliance with this chapter.

40 (2) The board or its hearing officer, upon a finding that action is nec-
41 essary, shall have the power pursuant to this chapter to administer oaths,
42 take depositions of witnesses within or without the state in the manner pro-
43 vided by the administrative rules adopted by the board, and shall have power
44 throughout the state of Idaho to require the attendance of such witnesses and
45 the production of such books, records and papers as it may desire at any hear-

1 ing and for that purpose the board may issue a subpoena for any witness or a
 2 subpoena duces tecum to compel the production of any books, records or pa-
 3 pers, directed to the sheriff of any county of the state of Idaho, where such
 4 witness resides or may be found, which shall be served and returned. The
 5 board may require a licensee to be examined to determine his or her mental
 6 or physical competence when the board has probable cause to believe the li-
 7 censee is suffering from an impairment that might impede his or her ability
 8 to practice competently. The board may accept a voluntary restriction of-
 9 fered by a licensee on a licensee's scope of practice due to impairment of the
 10 licensee's competence.

11 (3) When it is brought to the attention of the board by the written
 12 statement of any person that a person licensed under this chapter has done
 13 any act or thing in violation of any provision of this chapter, the board
 14 shall make an investigation of such person and, if it is determined there is
 15 probable cause to institute proceedings against such person, the board shall
 16 commence a formal proceeding against the person in accordance with chapter
 17 52, title 67, Idaho Code, and with the administrative rules adopted by the
 18 board.

19 (4) The board may investigate any person to the extent necessary to de-
 20 termine if the person is engaged in the unlawful practice of audiology, ~~or~~
 21 speech-language pathology, sign language interpreting or hearing aid deal-
 22 ing or fitting. If an investigation indicates that a person may be practic-
 23 ing audiology, sign language interpreting, hearing aid dealing or fitting,
 24 or speech-language pathology unlawfully, the board shall inform the person
 25 of the alleged violation. The board shall refer all violations of this sec-
 26 tion made known to it to appropriate prosecuting attorneys whether or not the
 27 person ceases the unlawful practice. The board may render assistance to a
 28 prosecuting attorney in the prosecution of a case pursuant to this section.

29 (5) The board may, in the name of the people of the state of Idaho, apply
 30 for injunctive relief in any court of competent jurisdiction to enjoin any
 31 person from committing any act in violation of this chapter. Such injunction
 32 proceedings shall be in addition to, and not in lieu of, all penalties and
 33 other remedies provided for in this chapter.

34 SECTION 10. That Section 54-2927, Idaho Code, be, and the same is hereby
 35 amended to read as follows:

36 54-2927. UNLAWFUL PRACTICE -- PENALTIES. (1) It shall be unlawful
 37 for any person to practice or offer to practice audiology, speech-language
 38 pathology, sign language interpreting, or hearing aid dealing and fitting in
 39 this state, or to use in connection with his or her name or otherwise assume,
 40 use or advertise any title or description tending to convey the impression
 41 that he or she is an audiologist, speech-language pathologist, sign language
 42 interpreter, or hearing aid dealer and fitter, unless such person has been
 43 appropriately licensed under the provisions of this chapter.

44 (2) It shall be unlawful for any person to aid, abet or require another
 45 person, licensed or unlicensed, to directly or indirectly violate or evade
 46 any provision of this chapter, or to combine or conspire with another person,
 47 or permit one's license to be used by another person, or to act as an agent,
 48 partner, associate or otherwise, of another person with the intent to vio-
 49 late or evade the provisions of this chapter.

1 (3) A violation of the provisions of this chapter shall constitute a
2 misdemeanor and any person convicted thereof shall be fined an amount not to
3 exceed one thousand dollars (\$1,000), or imprisoned in a county jail for a
4 period not to exceed six (6) months, or shall be punished by both such fine
5 and imprisonment.

6 SECTION 11. Sections 1, 2, and 4 through 9 of this act shall be in full
7 force and effect on and after July 1, 2017, and Sections 3 and 10 of this act
8 shall be in full force and effect on and after July 1, 2018.