

TITLE 54
PROFESSIONS, VOCATIONS, AND BUSINESSES

CHAPTER 29
SPEECH AND HEARING SERVICES PRACTICE ACT

54-2901. SHORT TITLE. This chapter shall be known and may be cited as the "Speech and Hearing Services Practice Act."

[54-2901, added 2005, ch. 277, sec. 2, p. 852.]

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

[54-2902, added 2005, ch. 277, sec. 2, p. 852; am. 2017, ch. 67, sec. 1, p. 157.]

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

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

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

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

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

(5) "Division" means the division of occupational and professional licenses.

(6) "Hearing aid" means any wearable electronic instrument or other device designed for the purpose of aiding or compensating for a loss of human hearing and any parts, attachments or accessories, including earmolds attached to the hearing aid, but excluding batteries and cords. "Hearing aid" does not include those devices classified by the federal food and drug administration as assistive listening devices.

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

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

- (a) Air conduction threshold testing;
- (b) Bone conduction threshold testing;
- (c) Speech reception threshold testing;
- (d) Speech discrimination testing;
- (e) Most comfortable loudness level testing; and
- (f) Uncomfortable loudness level testing.

(9) "Improper fitting" means a pattern of hearing aid selections or adaptations that cause physical damage to any portion of the ear in which the

electroacoustic characteristics of the hearing aid are inadequate for the consumer, or in which the hearing aid is physically or acoustically unsuited to the consumer including, but not limited to:

(a) An all-in-the-ear hearing aid that continually falls out of the ear;

(b) Any hearing aid or earmold that causes inappropriate feedback, pain or discomfort to the ear within thirty (30) days of the original delivery of the hearing aid to the consumer;

(c) Fitting a consumer with impacted cerumen; or

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

(10) "License" means a license issued by the board under this chapter.

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

(12) "Practice of fitting and dealing in hearing aids" means the selection, adaptation, dispensing, fitting or sale of hearing aids, and includes the testing of hearing by means of an audiometer, or by any other device designed specifically for these purposes. The practice also includes the making of impressions for earmolds.

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

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

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

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

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

(18) "Speech-language pathologist aide" means a natural person who meets the requirements of this chapter, is duly licensed in accordance with this chapter, and who works under the direction and supervision of a speech-language pathologist. A speech-language pathologist aide shall

not act or provide services independently of a supervising speech-language pathologist licensed in Idaho.

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

[54-2903, added 2005, ch. 277, sec. 2, p. 853; am. 2017, ch. 67, sec. 2, p. 157; am. 2020, ch. 12, sec. 4, p. 24; am. 2022, ch. 94, sec. 41, p. 309.]

54-2904. LICENSE REQUIRED. (1) Except as otherwise provided in this chapter, it shall be unlawful for any person to engage in the practice or to perform or offer to practice audiology or speech-language pathology or sign language interpreting or to act as a hearing aid dealer and fitter unless such person is duly licensed in accordance with this chapter. A license issued pursuant to this chapter shall be posted in the licensee's established place of business, or proof of licensure carried upon the person shall be presented upon demand. The proof of licensure required by this section may be produced in either paper or electronic format. Acceptable electronic formats include display of electronic images on a cellular phone or any other type of portable electronic device.

(2) It is unlawful for any person or business entity, or its employees, agents or representatives, to use in connection with his or her name, or name of activity of the business, the words "audiologist," "audiometrist," "hearing clinician," "hearing therapist," or any other title, abbreviation or insignia indicating or implying directly or indirectly that such person, business entity, employee, agent or representative is engaged in the practice of audiology, unless such services are provided by an audiologist licensed in accordance with this chapter or lawfully exempt pursuant to section [54-2905](#)(1)(c), Idaho Code.

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

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

(5) It is unlawful for any person or business entity, or its employees, agents or representatives, to use in connection with his or her name, or name

of activity of the business, the words "sign language interpreter" or any other title, abbreviation or insignia indicating or implying directly or indirectly that such person, business entity, employee, agent or representative is engaged in the practice of sign language interpreting, unless such services are provided by a sign language interpreter licensed in accordance with this chapter.

[54-2904, added 2005, ch. 277, sec. 2, p. 854; am. 2017, ch. 67, sec. 3, p. 159; am. 2019, ch. 44, sec. 1, p. 122.]

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

(a) Any person licensed or regulated by the state of Idaho from engaging in the profession or practice for which he or she is licensed or regulated including, but not limited to, any certified or accredited teacher of the deaf, nurse, physician, occupational therapist, physical therapist, surgeon, or any other licensed or regulated practitioner of the healing arts;

(b) Any employee working under the direct supervision of those persons referred to in this section, as long as such employee does not hold himself or herself out as an audiologist, speech-language pathologist, speech-language pathologist aide or assistant, sign language interpreter, hearing aid dealer or fitter, or a person engaged in the practice of audiology, speech-language pathology, sign language interpreting, or hearing aid dealing and fitting; or

(c) Any person working in an Idaho public school setting who has received and holds, in good standing, a pupil personnel services certificate with a speech-language pathologist endorsement or audiologist endorsement, or any person working as a speech-language pathologist aide or speech-language pathologist assistant, as those terms are defined in section [54-2903](#), Idaho Code, in a public school setting under the direction and supervision of a person with such endorsement in good standing. Such persons, while practicing in the public school setting, shall be exempt from all provisions of this chapter; provided however, that any such person working in an Idaho public school setting with a pupil personnel services certificate with a speech-language pathologist endorsement or audiology endorsement, or a speech-language pathologist aide or speech-language pathologist assistant, shall be prohibited from practicing independently in a setting other than a public school unless such person is duly licensed as set forth in this chapter.

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

(a) Activities and services otherwise regulated by this chapter constitute a part of a planned course of study at that institution;

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

(c) Such persons work under the supervision of a person licensed by this state to practice audiology, speech-language pathology, sign language interpreting, or hearing aid dealing and fitting in accordance with administrative rules governing supervision as adopted by the

board. The supervising audiologist, speech-language pathologist, sign language interpreter, or hearing aid dealer and fitter accepts full responsibility for the activities and services provided by such persons supervised.

(3) Nothing in this chapter shall restrict a person residing in another state or country and authorized to practice audiology, speech-language pathology, sign language interpreting, or hearing aid dealing or fitting in that jurisdiction, who is called in consultation by a person licensed in this state to practice audiology, speech-language pathology, sign language interpreting, or hearing aid dealing and fitting, or who for the purpose of furthering audiology, speech-language pathology, sign language interpreting, or hearing aid dealing and fitting education is invited into this state to conduct a lecture, clinic or demonstration, while engaged in activities in connection with the consultation, lecture, clinic or demonstration, as long as such person does not open an office or appoint a place to meet clients or receive calls in this state.

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

(a) A person holding a current license is allowed to interpret in a preschool and/or K-12 setting pursuant to section [33-1304](#), Idaho Code.

(b) A person working in an Idaho public school setting who engages in the practice of sign language interpreting and meets the requirements of and is interpreting within the scope of the Idaho educational interpreter act, [chapter 13, title 33](#), Idaho Code.

(c) A person who is deaf or hard of hearing and does not possess interpreter certification or credentials may, at the discretion of the board by rule, perform in the role of a deaf interpreter.

(d) A student enrolled in a sign language interpreter educational program provided by an accredited college or university performing sign language interpretation as an integral part of the student's course of study and as supervised by a licensed sign language interpreter.

(e) Individuals licensed and/or state or nationally certified as sign language interpreters in another state authorizing such individuals to practice sign language interpreting in Idaho for a period not to exceed thirty (30) days pursuant to such terms and requirements as set forth in the rules of the board.

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

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

(h) A person providing services in a private, noncommercial, family event; or

(i) Exigent emergency circumstances for temporary interpreting services until a qualified interpreter can be obtained.

(5) Interpreters and video remote interpreting services performing interpretation for the judicial department will be selected and assigned and will provide interpreting services pursuant to rules and orders promulgated by the Idaho supreme court to ensure full access to the courts and court services for all deaf and hard of hearing persons as required by the due process

provisions of the United States and Idaho constitutions and the provisions of the Americans with disabilities act (ADA).

[54-2905, added 2005, ch. 277, sec. 2, p. 855; am. 2017, ch. 67, sec. 4, p. 160; am. 2018, ch. 72, sec. 1, p. 166.]

54-2906. DEALING AND FITTING OF HEARING AIDS. (1) The board shall have the authority to promulgate, by rule, written contract forms that are in compliance with the provisions of this chapter.

(2) Any licensed audiologist or hearing aid dealer and fitter who fits and dispenses hearing aids shall provide to each client:

(a) A written contract executed between the audiologist or hearing aid dealer and fitter, and the client, in accordance with rules established by the board for each hearing aid dispensed;

(b) A minimum thirty (30) day trial period that shall include a provision for the refund of moneys paid for every hearing aid dispensed; and

(c) Written notice of the name, mailing address and telephone number of the board.

(3) A person licensed as a hearing aid dealer and fitter shall, when dealing with a person eighteen (18) years of age or younger, obtain written confirmation that such person has been examined by a licensed otolaryngologist or audiologist within thirty (30) days of the sale of any hearing aid.

[54-2906, added 2005, ch. 277, sec. 2, p. 856.]

54-2907. AUDIOLOGY, SPEECH-LANGUAGE PATHOLOGY AND HEARING AID DEALERS AND FITTERS SUPPORT PERSONNEL -- SPEECH-LANGUAGE PATHOLOGY AIDES AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS. (1) Audiology, speech-language pathology and hearing aid dealer and fitter support personnel must be trained under the direction of an audiologist, speech-language pathologist or hearing aid dealer and fitter, respectively, and may only perform designated and supervised routine audiology, speech-language pathology or hearing aid dealer and fitter tasks, respectively.

(2) Support personnel, speech-language pathology aides and speech-language pathology assistants shall not act independently and shall only work under the direction and supervision of an audiologist, speech-language pathologist or hearing aid dealer and fitter, respectively, licensed under this chapter.

(3) The supervising audiologist, speech-language pathologist or hearing aid dealer and fitter accepts full responsibility for the tasks and activities of support personnel and speech-language pathology aides and assistants under their direction and supervision.

(4) Support personnel, aides and assistants shall at all times be designated by the title "support personnel," "aide" or "assistant," respectively, which clearly identifies such person's status as support personnel or as an aide or assistant, and such person shall not use any prohibited title as set forth in section [54-2904](#), Idaho Code.

(5) The board shall establish rules to define the role of audiology, speech-language pathology and hearing aid dealer and fitter support personnel and speech-language pathology aides and assistants including, but not limited to:

(a) Supervisory responsibilities of the licensee;

(b) Ratio of support personnel, aides or assistants to licensees;

- (c) Designation of support personnel's designated and supervised routine audiology, speech-language pathology or hearing aid dealer and fitter tasks, restrictions and responsibilities;
- (d) Scope of practice for speech-language pathology aides and assistants, restrictions, and responsibilities;
- (e) Frequency, duration and documentation of direct, on-site supervision; and
- (f) The quantity and content of preservice and in-service instruction.

[54-2907, added 2005, ch. 277, sec. 2, p. 856.]

54-2908. SPEECH, HEARING AND COMMUNICATION SERVICES LICENSURE BOARD. (1) There is hereby established in the division of occupational and professional licenses a speech, hearing and communication services licensure board. The board shall consist of seven (7) members appointed by the governor. The governor may consider recommendations for appointment to the board from the Idaho speech, language, hearing association, inc. (ISHA), any Idaho association of hearing aid dealers and fitters, any Idaho association of sign language interpreters and any individual residing in this state. Two (2) members of the board shall be speech-language pathologists, one (1) member shall be licensed as a sign language interpreter, two (2) members shall be audiologists, one (1) member shall be a hearing aid dealer and fitter, and one (1) member shall be appointed from the public at large. Each nonpublic member shall:

- (a) Have been a resident of the state of Idaho for no less than one (1) year immediately preceding his or her appointment;
- (b) Have been engaged in rendering services to the public, teaching, or performing research in the field of audiology, speech-language pathology, sign language interpreting, or hearing aid dealing and fitting for a period of not less than five (5) years preceding his or her appointment;
- (c) Be a currently practicing audiologist, speech-language pathologist, sign language interpreter, or hearing aid dealer and fitter; and
- (d) At all times during such appointment to the board, maintain a valid license in audiology, speech-language pathology, sign language interpreting, or hearing aid dealing and fitting, except for the first appointees who shall meet the eligibility requirements for licensure as specified in this chapter at all times after initial appointment.

(2) The public member appointed as provided herein shall have been a resident of the state of Idaho for not less than one (1) year immediately preceding his appointment. Further, such public member shall not be associated with or financially interested in the practice or business of audiology, speech-language pathology, sign language interpreting, or hearing aid dealing and fitting, nor shall such public member be engaged in an allied or related profession or occupation.

(3) Members shall serve a term of three (3) years at the pleasure of the governor. In the event of a vacancy other than expiration of a term, the governor shall appoint a replacement to fill the vacancy for the remainder of the unexpired term.

(4) Members shall disqualify themselves and, upon the motion of any interested party may, upon proper showing, be disqualified in any proceeding concerning which they have an actual conflict of interest or bias that interferes with their fair and impartial service.

[54-2908, added 2005, ch. 277, sec. 2, p. 857; am. 2008, ch. 64, sec. 1, p. 167; am. 2017, ch. 67, sec. 5, p. 161; am. 2021, ch. 222, sec. 25, p. 638.]

54-2909. OFFICERS -- QUORUM -- MEETINGS -- COMPENSATION. (1) The board, within sixty (60) days after the effective date of this act and annually thereafter, shall hold a meeting and elect one (1) of its members as chairperson, to serve a one (1) year term in such capacity, who shall preside at meetings of the board. In the event the chairperson is not present at any board meeting, the board may by majority vote of the members present appoint a temporary chairperson.

(2) Four (4) members of the board shall constitute a quorum, provided at least one (1) board member of the relevant profession is present when any board action is taken that affects the profession, its licensees or applicants. The board may act by virtue of a majority vote of members present in which a quorum is present.

(3) The board shall meet at least two (2) times per year at a place, day and hour determined by the board. Other meetings may be convened at the call of the chairperson or upon the written request of any two (2) board members.

(4) Members of the board shall be compensated as provided by section [59-509](#)(n), Idaho Code.

[54-2909, added 2005, ch. 277, sec. 2, p. 858; am. 2014, ch. 105, sec. 1, p. 312.]

54-2910. POWERS AND DUTIES OF THE BOARD. The board shall have the authority to administer, coordinate and enforce the provisions of this chapter including, but not limited to:

(1) Evaluate the qualifications of applicants for licensure, approve and administer examinations to test the knowledge and proficiency of applicants for licensure, and approve or deny the registration and issuance and renewal of licenses and permits;

(2) Authorize all disbursements necessary to carry out the provisions of this chapter;

(3) Promulgate rules not inconsistent with the laws of this state which are necessary to carry out the provisions of this chapter including, but not limited to, ethical standards of practice;

(4) Adopt rules allowing for continuing education;

(5) Obtain restraining orders and injunctions prohibiting conduct in violation of the provisions of this chapter, conduct investigations, issue subpoenas, examine witnesses and administer oaths, concerning practices which are alleged to violate the provisions of this chapter;

(6) Suspend or revoke or otherwise sanction licenses in the manner provided in this chapter, or place a person holding a license under this chapter on probation;

(7) Require as a condition of receiving or retaining a license issued under this chapter that restitution be paid to a consumer;

(8) Require the inspection of testing equipment and facilities of persons engaging in any practice pursuant to this chapter; and

(9) Authorize, by written agreement, the division of occupational and professional licenses to act as its agent in its interest.

[54-2910, added 2005, ch. 277, sec. 2, p. 858; am. 2022, ch. 94, sec. 42, p. 311.]

54-2911. DISPOSITION OF RECEIPTS -- EXPENSES. All moneys received pursuant to the provisions of this chapter shall be deposited to the occupational licenses fund. All expenses incurred pursuant to the provisions of this chapter shall be paid from the occupational licenses fund.

[54-2911, added 2005, ch. 277, sec. 2, p. 859; am. 2021, ch. 224, sec. 60, p. 682.]

54-2912. QUALIFICATIONS FOR LICENSURE -- AUDIOLOGIST. (1) To be eligible for licensure by the board as an audiologist, the applicant shall:

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

(b) Provide documentation satisfactory to the board that the applicant possesses a master's or doctoral degree with emphasis in audiology or not less than seventy-five (75) semester credit hours of post-baccalaureate study that culminates in a doctoral or other recognized degree from a nationally accredited school for audiology with a curriculum acceptable to the board;

(c) Pass an examination in audiology approved by the board;

(d) Meet the current supervised academic clinical practicum and supervised postgraduate professional experience approved by the board;

(e) Submit a full set of the applicant's fingerprints on forms supplied by the board that shall be utilized to obtain a fingerprint-based criminal history background check from the Idaho state police and the federal bureau of investigation; and

(f) Have never had a license for audiology revoked as part of disciplinary action from this or any other state and shall not be found by the board to have engaged in conduct prohibited by section [54-2923](#), Idaho Code, provided however, the board may take into consideration the rehabilitation of the applicant and other mitigating circumstances.

(2) The applicant shall disclose on his written application:

(a) Any criminal conviction or charge, other than minor traffic infractions, against the applicant;

(b) Any disciplinary action taken against the applicant by any professional regulatory agency, including any agency within the state or any other state; and

(c) Any denial of registration or licensure by any state or district regulatory body.

(3) The board may require an applicant to be personally interviewed by the board or a designated committee of the board. The interview shall be limited to a review of the applicant's qualifications and professional credentials.

[54-2912, added 2005, ch. 277, sec. 2, p. 859; am. 2022, ch. 183, sec. 2, p. 608.]

54-2913. QUALIFICATIONS FOR LICENSURE -- SPEECH-LANGUAGE PATHOLOGIST. (1) To be eligible for licensure as a speech-language pathologist, the applicant shall:

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

(b) Provide documentation satisfactory to the board that the applicant possesses a master's or doctoral degree from a nationally accredited school of speech-language pathology with a curriculum acceptable to the board;

(c) Pass an examination in speech-language pathology approved by the board;

(d) Meet the current supervised academic clinical practicum and supervised postgraduate professional experience approved by the board;

(e) Submit a full set of the applicant's fingerprints on forms supplied by the board that shall be utilized to obtain a fingerprint-based criminal history background check from the Idaho state police and the federal bureau of investigation; and

(f) Have never had a license for speech-language pathology revoked as part of disciplinary action from this or any other state and shall not be found by the board to have engaged in conduct prohibited by section [54-2923](#), Idaho Code, provided however, the board may take into consideration the rehabilitation of the applicant and other mitigating circumstances.

(2) The applicant shall disclose on his written application:

(a) Any criminal conviction or charge, other than minor traffic infractions, against the applicant;

(b) Any disciplinary action taken against the applicant by any professional regulatory agency, including any agency within the state or any other state; and

(c) Any denial of registration or licensure by any state or district regulatory body.

(3) The board may require an applicant to be personally interviewed by the board or a designated committee of the board. The interview shall be limited to a review of the applicant's qualifications and professional credentials.

[54-2913, added 2005, ch. 277, sec. 2, p. 860; am. 2022, ch. 183, sec. 3, p. 609.]

54-2914. QUALIFICATIONS FOR LICENSURE -- SPEECH-LANGUAGE PATHOLOGIST AIDE. (1) To be eligible for licensure as a speech-language pathologist aide the applicant shall:

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

(b) Provide documentation satisfactory to the board that the applicant possesses a baccalaureate degree from a nationally accredited school of speech-language pathology aide with a curriculum acceptable to the board;

(c) Pass an examination in speech-language pathology aide approved by the board;

(d) Have never had a license for speech-language pathology aide revoked as part of disciplinary action from this or any other state and shall not be found by the board to have engaged in conduct prohibited by section [54-2923](#), Idaho Code. Provided however, the board may take into consideration the rehabilitation of the applicant and other mitigating circumstances.

(2) The applicant shall disclose on his written application:

(a) Any criminal conviction or charge, other than minor traffic infractions, against the applicant;

(b) Any disciplinary action taken against the applicant by any professional regulatory agency, including any agency within the state or any other state; and

(c) Any denial of registration or licensure by any state or district regulatory body.

(3) The board may require an applicant to be personally interviewed by the board or a designated committee of the board. The interview shall be limited to a review of the applicant's qualifications and professional credentials.

[54-2914, added 2005, ch. 277, sec. 2, p. 860.]

54-2915. QUALIFICATIONS FOR LICENSURE -- SPEECH-LANGUAGE PATHOLOGIST ASSISTANT. (1) To be eligible for licensure as a speech-language pathologist assistant the applicant shall:

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

(b) Provide documentation satisfactory to the board that the applicant possesses an associate's degree from a nationally accredited school of speech-language pathology assistant with a curriculum acceptable to the board;

(c) Pass an examination in speech-language pathology assistant approved by the board; and

(d) Have never had a license for speech-language pathology assistant revoked as part of disciplinary action from this or any other state and shall not be found by the board to have engaged in conduct prohibited by section [54-2923](#), Idaho Code, provided however, the board may take into consideration the rehabilitation of the applicant and other mitigating circumstances.

(2) The applicant shall disclose on his written application:

(a) Any criminal conviction or charge, other than minor traffic infractions, against the applicant;

(b) Any disciplinary action taken against the applicant by any professional regulatory agency, including any agency within the state or any other state; and

(c) Any denial of registration or licensure by any state or district regulatory body.

(3) The board may require an applicant to be personally interviewed by the board or a designated committee of the board. The interview shall be lim-

ited to a review of the applicant's qualifications and professional credentials.

[54-2915, added 2005, ch. 277, sec. 2, p. 861.]

54-2916. QUALIFICATIONS FOR LICENSURE -- HEARING AID DEALER AND FITTER. To be eligible for licensure as a hearing aid dealer and fitter, the applicant shall:

- (1) Provide verification acceptable to the board of:
 - (a) Being at least twenty-one (21) years of age;
 - (b) Never having had a license revoked or otherwise sanctioned as part of disciplinary action from this or any other state;
 - (c) Never having been convicted, found guilty, or received a withheld judgment or suspended sentence in this state or in any other state of a crime that is deemed relevant in accordance with section [67-9411](#)(1), Idaho Code; and
 - (d) Never having been found by the board to have engaged in conduct prohibited by this chapter, provided however, the board may take into consideration the rehabilitation of the applicant and other mitigating circumstances when considering applications for licensure;
- (2) Provide educational documentation satisfactory to the board that the applicant has successfully graduated from a four (4) year course at an accredited high school or the equivalent; and
- (3) Provide documentation that the applicant has successfully passed an examination approved by the board.

[54-2916, added 2005, ch. 277, sec. 2, p. 862; am. 2022, ch. 246, sec. 23, p. 804.]

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

- (1) File a written application with the board on forms prescribed and furnished by the board. A nonrefundable application fee shall accompany the completed written application. Such fees shall be established by the administrative rules of the board and shall be in such amounts as are reasonable and necessary for the proper execution and enforcement of this chapter;
- (2) Provide verification acceptable to the board of the following:
 - (a) Never having had a license or certification revoked or otherwise sanctioned as part of disciplinary action from this or any other state;
 - (b) Never having been convicted of, found guilty of, or received a withheld judgment or a suspended sentence in this state or in any other state for any crime that is deemed relevant in accordance with section [67-9411](#)(1), Idaho Code; and
 - (c) Never having been found by the board to have engaged in conduct prohibited by this chapter.

The board may take into consideration the rehabilitation of the applicant and other mitigating circumstances when considering applications for licensure.

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

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

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

[54-2916A, added 2017, ch. 67, sec. 6, p. 162; am. 2018, ch. 72, sec. 2, p. 168; am. 2019, ch. 44, sec. 2, p. 123; am. 2020, ch. 175, sec. 28, p. 536; am. 2022, ch. 246, sec. 24, p. 805.]

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

[54-2917, added 2005, ch. 277, sec. 2, p. 862; am. 2017, ch. 67, sec. 7, p. 163.]

54-2918. LICENSE BY ENDORSEMENT AND EDUCATIONAL EQUIVALENCY. (1) The board may issue a license by endorsement. An applicant for licensure by endorsement shall substantiate to the board that the applicant holds a current, active and unrestricted equivalent license in another state or United States territory. The applicant shall apply for a license by endorsement on such forms, pay such fees and satisfy such other requirements as may be provided by board rule.

(2) For applicants who received their professional education outside of the United States, the board may deem such education acceptable, provided that the board is satisfied, and the applicant provides documentation acceptable to the board, that equivalent education requirements have been met. The board, in its discretion, may require by rule that applicants who received their professional education outside of the United States provide additional information to the board concerning such professional education. The board may also, in its discretion, require successful completion of additional coursework before proceeding with the application process.

[54-2918, added 2005, ch. 277, sec. 2, p. 862; am. 2011, ch. 76, sec. 1, p. 161.]

54-2918A. AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT. The terms and conditions of the audiology and speech-language pathology interstate compact are hereby enacted as follows:

AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT (ASLP-IC)

SECTION 1
PURPOSE

The purpose of this compact is to facilitate interstate practice of audiology and speech-language pathology with the goal of improving public access to audiology and speech-language pathology services. The practice of audiology and speech-language pathology occurs in the state where the patient/client/student is located at the time of the patient/client/student

encounter. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This compact is designed to achieve the following objectives:

1. Increase public access to audiology and speech-language pathology services by providing for the mutual recognition of other member state licenses;
2. Enhance the member states' ability to protect the public's health and safety;
3. Encourage the cooperation of member states in regulating multistate audiology and speech-language pathology practice;
4. Support spouses of relocating active duty military personnel;
5. Enhance the exchange of licensure, investigative, and disciplinary information between member states;
6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards; and
7. Allow for the use of telehealth technology to facilitate increased access to audiology and speech-language pathology services.

SECTION 2 DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall apply:

A. "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. 1209 and 1211.

B. "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws imposed by a licensing board or other authority against an audiologist or speech-language pathologist, including actions against an individual's license or privilege to practice, such as revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice.

C. "Alternative program" means a nondisciplinary monitoring process approved by an audiology or speech-language pathology licensing board to address impaired practitioners.

D. "Audiologist" means an individual who is licensed by a state to practice audiology.

E. "Audiology" means the care and services provided by a licensed audiologist as set forth in the member state's statutes and rules.

F. "Audiology and speech-language pathology compact commission" or "commission" means the national administrative body whose membership consists of all states that have enacted the compact.

G. "Audiology and speech-language pathology licensing board," "audiology licensing board," "speech-language pathology licensing board," or "licensing board" means the agency of a state that is responsible for the licensing and regulation of audiologists and/or speech-language pathologists.

H. "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as an audiologist or speech-language pathologist in the remote state under its laws and rules. The practice of audiology or speech-language pathology occurs in the member state where the patient/client/student is located at the time of the patient/client/student encounter.

I. "Current significant investigative information" means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the audiologist or speech-language pathologist to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

J. "Data system" means a repository of information about licensees, including but not limited to continuing education, examination, licensure, investigative information, compact privilege, and adverse action.

K. "Encumbered license" means a license in which an adverse action restricts the practice of audiology or speech-language pathology by the licensee and said adverse action has been reported to the national practitioners data bank (NPDB).

L. "Executive committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

M. "Home state" means the member state that is the licensee's primary state of residence.

N. "Impaired practitioner" means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.

O. "Licensee" means an individual who currently holds an authorization from the state licensing board to practice as an audiologist or speech-language pathologist.

P. "Member state" means a state that has enacted the compact.

Q. "Privilege to practice" means a legal authorization permitting the practice of audiology or speech-language pathology in a remote state.

R. "Remote state" means a member state other than the home state where a licensee is exercising or seeking to exercise the compact privilege.

S. "Rule" means a regulation, principle, or directive promulgated by the commission that has the force of law.

T. "Single-state license" means an audiology or speech-language pathology license issued by a member state that authorizes practice only within the issuing state and does not include a privilege to practice in any other member state.

U. "Speech-language pathologist" means an individual who is licensed by a state to practice speech-language pathology.

V. "Speech-language pathology" means the care and services provided by a licensed speech-language pathologist as set forth in the member state's statutes and rules.

W. "State" means any state, commonwealth, district, or territory of the United States that regulates the practice of audiology and speech-language pathology.

X. "State practice laws" means a member state's laws, rules, and regulations that govern the practice of audiology or speech-language pathology, define the scope of audiology or speech-language pathology practice, and create the methods and grounds for imposing discipline.

Y. "Telehealth" means the application of telecommunication technology to deliver audiology or speech-language pathology services at a distance for assessment, intervention, and/or consultation.

A. A license issued to an audiologist or speech-language pathologist by a home state to a resident in that state shall be recognized by each member state as authorizing an audiologist or speech-language pathologist to practice audiology or speech-language pathology, under a privilege to practice, in each member state.

B. A state must implement or utilize procedures for considering the criminal history records of applicants for initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the federal bureau of investigation and the agency responsible for retaining that state's criminal records.

1. A member state must fully implement a criminal background check requirement within a time frame established by rule by receiving the results of the federal bureau of investigation record search on criminal background checks and use the results in making licensure decisions.

2. Communication between a member state, the commission, and among member states regarding the verification of eligibility for licensure through the compact shall not include any information received from the federal bureau of investigation relating to a federal criminal records check performed by a member state under P.L. [92-544](#).

C. Upon application for a privilege to practice, the licensing board in the issuing remote state shall ascertain, through the data system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on any license or privilege to practice held by the applicant, and whether any adverse action has been taken against any license or privilege to practice held by the applicant.

D. Each member state shall require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable state laws.

E. An audiologist must:

1. Meet one (1) of the following educational requirements:

a. On or before December 31, 2007, have graduated with a master's degree or doctorate in audiology, or equivalent degree regardless of degree name, from a program that is accredited by an accrediting agency recognized by the council for higher education accreditation, or its successor, or by the United States department of education and operated by a college or university accredited by a regional or national accrediting organization recognized by the licensing board;

b. On or after January 1, 2008, have graduated with a doctoral degree in audiology, or equivalent degree regardless of degree name, from a program that is accredited by an accrediting agency recognized by the council for higher education accreditation, or its successor, or by the United States department of education and operated by a college or university accredited by a regional or national accrediting organization recognized by the licensing board; or

c. Have graduated from an audiology program housed in an institution of higher education outside of the United States: (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country; and (b) for which the degree program has been verified by an independent cre-

credentials review agency comparable to a licensing board-approved program;

2. Have completed a supervised clinical practicum experience from an accredited educational institution or its cooperating programs as required by the commission;
3. Have successfully passed a national examination approved by the commission;
4. Hold an active, unencumbered license;
5. Have not been convicted or found guilty, and have not entered into an agreed disposition, of a felony related to the practice of audiology, under applicable state or federal criminal law; and
6. Have a valid United States social security or national practitioner identification number.

F. A speech-language pathologist must:

1. Meet one (1) of the following educational requirements:
 - a. Have graduated with a master's degree from a speech-language pathology program accredited by an organization recognized by the United States department of education and operated by a college or university accredited by a regional or national accrediting organization recognized by the licensing board; or
 - b. Have graduated from a speech-language pathology program that is housed in an institution of higher education outside of the United States: (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country; and (b) for which the degree program has been verified by an independent credentials review agency comparable to a licensing board-approved program;
2. Have completed a supervised clinical practicum experience from an educational institution or its cooperating programs as required by the commission;
3. Have completed a supervised postgraduate professional experience as required by the commission;
4. Have successfully passed a national examination approved by the commission;
5. Hold an active, unencumbered license;
6. Have not been convicted or found guilty, and have not entered into an agreed disposition, of a felony related to the practice of speech-language pathology, under applicable state or federal criminal law; and
7. Have a valid United States social security or national practitioner identification number.

G. The privilege to practice is derived from the home state license.

H. An audiologist or speech-language pathologist practicing in a member state must comply with the state practice laws of the state in which the client is located at the time service is provided. The practice of audiology and speech-language pathology shall include all audiology and speech-language pathology practice as defined by the state practice laws of the member state in which the client is located. The practice of audiology and speech-language pathology in a member state under a privilege to practice shall subject an audiologist or speech-language pathologist to the jurisdiction of the licensing board, the courts, and the laws of the member state in which the client is located at the time service is provided.

I. Individuals not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws

of each member state. However, the single-state license granted to these individuals shall not be recognized as granting the privilege to practice audiology or speech-language pathology in any other member state. Nothing in this compact shall affect the requirements established by a member state for the issuance of a single-state license.

J. Member states may charge a fee for granting a compact privilege.

K. Member states must comply with the bylaws and rules and regulations of the commission.

SECTION 4 COMPACT PRIVILEGE

A. To exercise the compact privilege under the terms and provisions of the compact, the audiologist or speech-language pathologist shall:

1. Hold an active license in the home state;
2. Have no encumbrance on any state license;
3. Be eligible for a compact privilege in any member state in accordance with section 3 of this compact;
4. Have not had any adverse action against any license or compact privilege within the previous two (2) years from date of application;
5. Notify the commission that the licensee is seeking the compact privilege within a remote state or states;
6. Pay any applicable fees, including any state fee, for the compact privilege; and
7. Report to the commission any adverse action taken by a nonmember state within thirty (30) days from the date the adverse action is taken.

B. For the purposes of the compact privilege, an audiologist or speech-language pathologist shall hold only one (1) home state license at a time.

C. Except as provided in section 6 of this compact, if an audiologist or speech-language pathologist changes primary state of residence by moving between two (2) member states, the audiologist or speech-language pathologist must apply for licensure in the new home state, and the license issued by the prior home state shall be deactivated in accordance with applicable rules adopted by the commission.

D. The audiologist or speech-language pathologist may apply for licensure in advance of a change in primary state of residence.

E. A license shall not be issued by the new home state until the audiologist or speech-language pathologist provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a license from the new home state.

F. If an audiologist or speech-language pathologist changes primary state of residence by moving from a member state to a nonmember state, the license issued by the prior home state shall convert to a single-state license, valid only in the former home state.

G. The compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of section 4A of this compact to maintain the compact privilege in the remote state.

H. A licensee providing audiology or speech-language pathology services in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

I. A licensee providing audiology or speech-language pathology services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws,

remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and take any other necessary actions to protect the health and safety of its citizens.

J. If a home state license is encumbered, the licensee shall lose the compact privilege in a remote state until the following occur:

1. The home state license is no longer encumbered; and
2. Two (2) years have elapsed from the date of the adverse action.

K. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of section 4A of this compact to obtain a compact privilege in a remote state.

L. Once the requirements of section 4J of this compact have been met, the licensee must meet the requirements in section 4A of this compact to obtain a compact privilege in a remote state.

SECTION 5 COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

Member states shall recognize the right of an audiologist or speech-language pathologist, licensed by a home state in accordance with section 3 of this compact and under rules promulgated by the commission, to practice audiology or speech-language pathology in any member state via telehealth under a privilege to practice as provided in the compact and rules promulgated by the commission.

SECTION 6 ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state.

SECTION 7 ADVERSE ACTIONS

A. In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

1. Take adverse action against an audiologist's or speech-language pathologist's privilege to practice within that member state.
2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Only the home state shall have the power to take adverse action against an audiologist's or speech-language pathologist's license issued by the home state.

B. For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

C. The home state shall complete any pending investigations of an audiologist or speech-language pathologist who changes primary state of residence during the course of the investigations. The home state shall also have the authority to take appropriate action and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any adverse actions.

D. If otherwise permitted by state law, the member state may recover from the affected audiologist or speech-language pathologist the costs of investigations and disposition of cases resulting from any adverse action taken against that audiologist or speech-language pathologist.

E. The member state may take adverse action based on the factual findings of the remote state, provided that the member state follows the member state's own procedures for taking the adverse action.

F. Joint investigations:

1. In addition to the authority granted to a member state by its respective audiology or speech-language pathology practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

G. If adverse action is taken by the home state against an audiologist's or speech-language pathologist's license, the audiologist's or speech-language pathologist's privilege to practice in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against an audiologist's or speech-language pathologist's license shall include a statement that the audiologist's or speech-language pathologist's privilege to practice is deactivated in all member states during the pendency of the order.

H. If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

I. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

SECTION 8 ESTABLISHMENT OF THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION

A. The compact member states hereby create and establish a joint public agency known as the audiology and speech-language pathology compact commission:

1. The commission is an instrumentality of the compact states.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

B. Membership, voting, and meetings:

1. Each member state shall have two (2) delegates selected by that member state's licensing board. The delegates shall be current members of the licensing board. One (1) shall be an audiologist and one (1) shall be a speech-language pathologist.

2. An additional five (5) delegates, who are either public members or board administrators from a licensing board, shall be chosen by the executive committee from a pool of nominees provided by the commission at large.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state board shall fill any vacancy occurring on the commission within ninety (90) days.

5. Each delegate shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

6. A delegate shall vote in person or by other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

C. The commission shall have the following powers and duties:

1. Establish the fiscal year of the commission;

2. Establish bylaws;

3. Establish a code of ethics;

4. Maintain financial records in accordance with the bylaws;

5. Meet and take actions as are consistent with the provisions of this compact and the bylaws;

6. Promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all member states;

7. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state audiology or speech-language pathology licensing board to sue or be sued under applicable law shall not be affected;

8. Purchase and maintain insurance and bonds;

9. Borrow, accept, or contract for services of personnel, including but not limited to employees of a member state;

10. Hire employees, elect or appoint officers, fix compensation, define duties, grant individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

11. Accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same; provided, that at all times the commission shall avoid any appearance of impropriety or conflict of interest;
12. Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use any property, real, personal, or mixed; provided, that at all times the commission shall avoid any appearance of impropriety;
13. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;
14. Establish a budget and make expenditures;
15. Borrow money;
16. Appoint committees, including standing committees composed of members and other interested persons, as may be designated in this compact and the bylaws;
17. Provide and receive information from, and cooperate with, law enforcement agencies;
18. Establish and elect an executive committee; and
19. Perform other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of audiology and speech-language pathology licensure and practice.

D. The executive committee:

1. The executive committee shall have the power to act on behalf of the commission according to the terms of this compact.
2. The executive committee shall be composed of ten (10) members:
 - a. Seven (7) voting members who are elected by the commission from the current membership of the commission;
 - b. Two (2) ex officio members, consisting of one (1) nonvoting member from a recognized national audiology professional association and one (1) nonvoting member from a recognized national speech-language pathology association; and
 - c. One (1) ex officio nonvoting member from the recognized membership organization of the audiology and speech-language pathology licensing board.

E. The ex officio members shall be selected by their respective organizations.

1. The commission may remove any member of the executive committee as provided in the bylaws.
2. The executive committee shall meet at least annually.
3. The executive committee shall have the following duties and responsibilities:
 - a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the compact privilege;
 - b. Ensure compact administration services are appropriately provided, contractual or otherwise;
 - c. Prepare and recommend the budget;
 - d. Maintain financial records on behalf of the commission;
 - e. Monitor compact compliance of member states and provide compliance reports to the commission;
 - f. Establish additional committees as necessary; and

- g. Other duties as provided in rules or bylaws.
4. All meetings of the commission shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 10 of this compact.
 5. The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:
 - a. Noncompliance of a member state with its obligations under the compact;
 - b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;
 - c. Current, threatened, or reasonably anticipated litigation;
 - d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
 - e. Accusing any person of a crime or formally censuring any person;
 - f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
 - g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
 - h. Disclosure of investigative records compiled for law enforcement purposes;
 - i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or
 - j. Matters specifically exempted from disclosure by federal or member state statute.
 6. If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.
 7. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.
 8. Financing of the commission:
 - a. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.
 - b. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.
 - c. The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the

cost of the operations and activities of the commission and its staff, which assessment must be in an amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based on a formula to be determined by the commission, which shall promulgate a rule binding on all member states.

9. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same or pledge the credit of any of the member states, except by and with the authority of the member state.

10. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

F. Qualified immunity, defense, and indemnification:

1. The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this paragraph shall be construed to protect any person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

SECTION 9
DATA SYSTEM

A. The commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

B. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;
4. Nonconfidential information related to alternative program participation;
5. Any denial of application for licensure, and the reason or reasons for denial; and
6. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

C. Investigative information pertaining to a licensee in any member state shall be available only to other member states.

D. The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state shall be available to any other member state.

E. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

F. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

SECTION 10 RULEMAKING

A. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

B. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four (4) years of the date of adoption of the rule, the rule shall have no further force and effect in any member state.

C. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

D. Prior to promulgation and adoption of a final rule or rules by the commission, and at least thirty (30) days in advance of the meeting at which the rule shall be considered and voted on, the commission shall file a notice of proposed rulemaking:

1. On the website of the commission or other publicly accessible platform; and
2. On the website of each member state audiology or speech-language pathology licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

E. The notice of proposed rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule shall be considered and voted on;
2. The text of the proposed rule or amendment and the reason for the proposed rule;
3. A request for comments on the proposed rule from any interested person; and
4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

F. Prior to the adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

G. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five (25) persons;
2. A state or federal governmental subdivision or agency; or
3. An association having at least twenty-five (25) members.

H. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings shall be recorded. A copy of the recording shall be made available on request.

4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

J. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

K. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

L. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible and in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of commission or member state funds; or
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule.

M. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

SECTION 11
OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Dispute resolution:

1. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.
2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes, as appropriate.

B. Enforcement:

1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.
2. By majority vote, the commission may initiate legal action in the United States district court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of litigation, including reasonable attorney's fees.
3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

SECTION 12
DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENTS

A. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

B. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

C. Any member state may withdraw from this compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's audiology or speech-language pathology licensing board to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

D. Nothing contained in this compact shall be construed to invalidate or prevent any audiology or speech-language pathology licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

E. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

SECTION 13 CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable, and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

SECTION 14 BINDING EFFECT OF COMPACT AND OTHER LAWS

A. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

B. All laws in a member state in conflict with the compact are superseded to the extent of the conflict.

C. All lawful actions of the commission, including all rules and bylaws promulgated by the commission, are binding on the member states.

D. All agreements between the commission and the member states are binding in accordance with their terms.

E. In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

[54-2918A, added 2022, ch. 183, sec. 1, p. 594; am. 2023, ch. 218, sec. 16, p. 626.]

54-2919. PROVISIONAL PERMIT. The board shall adopt rules providing for a provisional permit to allow a person to engage in the practice of audiology or speech-language pathology while completing either the required postgrad-

uate experience or a comparable experience as part of a doctoral program in audiology as required by this chapter. The board may further provide for a provisional permit to allow a person to engage in fitting and dealing hearing aids or sign language interpreting pursuant to rules adopted by the board. The holder of a provisional permit may practice only while under the supervision of a person fully licensed under this chapter.

[54-2919, added 2005, ch. 277, sec. 2, p. 863; am. 2017, ch. 67, sec. 8, p. 163.]

54-2920. DENIAL OF APPLICATION. An application for licensure that has been denied by the board shall be considered a contested case as provided for in [chapter 52, title 67](#), Idaho Code, and shall be subject to the provisions of that chapter as well as the administrative rules adopted by the board governing contested cases.

[54-2920, added 2005, ch. 277, sec. 2, p. 863.]

54-2921. RENEWAL AND REINSTATEMENT OF LICENSES -- PUBLIC DISPLAY -- INACTIVE LICENSE. (1) All licenses issued under the provisions of this chapter shall be subject to annual renewal and shall expire unless renewed in the manner prescribed by the board regarding applications for renewal, continuing education, and fees. License renewal and reinstatement shall be in accordance with section [67-2614](#), Idaho Code.

(2) Each person licensed pursuant to this chapter shall, on or before the expiration of his or her license, submit an application and pay to the board a license fee for a renewal of the license and shall keep such license posted in his or her office or established place of business at all times.

(3) The board may issue inactive licenses pursuant to rules adopted by the board that may specify the terms and procedures necessary to maintain an inactive license. The holder of an inactive license shall not engage in any practice defined by this chapter.

[54-2921, added 2005, ch. 277, sec. 2, p. 863.]

54-2922. REPORTING OF NAME OR ADDRESS CHANGE. All licensed audiologists, speech-language pathologists, speech-language pathology aides and assistants, and hearing aid dealers and fitters shall report to the board any name change or changes in business and home addresses prior to the expiration of thirty (30) days after the change becomes final.

[54-2922, added 2005, ch. 277, sec. 2, p. 863.]

54-2923. GROUNDS FOR DISCIPLINARY ACTION AND DENIAL. The following conduct, acts or conditions shall constitute grounds for disciplinary action and grounds for denial of an application for licensure or renewal:

(1) The conviction of any felony or being convicted of any crime which has a bearing on any practice pursuant to this chapter. Conviction, as used in this subsection (1), shall include a finding of verdict of guilt, an admission of guilt, or a plea of nolo contendere or its equivalent. The record of conviction, or a certified copy thereof, certified by the clerk of the court or by the judge in whose court the conviction occurred, shall be conclusive evidence of such conviction;

(2) Obtaining or attempting to obtain a license or registration by fraud, misrepresentation, omission or deceit, or making misleading, deceptive, untrue or fraudulent representations in violation of this chapter or in the practice of the profession;

(3) When related to the practice for which licensure is required by this chapter, engaging in incompetent or unethical conduct, or practicing or offering to practice beyond the scope of the practice as defined in this chapter, or committing an intentional, negligent, or reckless act or failing to act, or engaging in practice that fails to meet the standard of care provided by licensees in the same or similar communities;

(4) Practicing when physical or mental abilities are impaired by including, but not limited to, the use of controlled substances or other drugs, chemicals or alcohol, or having been adjudged mentally incompetent by a court of competent jurisdiction;

(5) Engaging in practice under a false name or alias or using or attempting to use an invalid license or a license that has been unlawfully purchased, fraudulently obtained, counterfeited or materially altered;

(6) Failing to administer necessary tests utilizing appropriate, established procedures and instrumentation;

(7) Engaging in improper practice or promoting unnecessary devices, treatment, intervention or service for the financial gain of the practitioner or of a third party;

(8) Failing to pay a valid judgment that arose out of any practice pursuant to this chapter within two (2) months of the date that the judgment became final;

(9) Having had a license revoked or suspended, other disciplinary action taken or an application for licensure or license renewal refused, revoked or suspended by the proper authorities of another state, territory or country, or omitting such information from any application to the board, or failure to divulge such information when requested by the board;

(10) Failing to notify the board of any change of address of a place of business within thirty (30) days of the date of such change;

(11) Failing to meet continuing education requirements as established by the board;

(12) Failing to provide refunds pursuant to the terms of a written contract entered into by the consumer and the licensee;

(13) Failing to properly or adequately supervise any permit holder, support person, or assistant in accordance with this chapter and the administrative rules adopted by the board, or aiding or abetting a person not licensed in this state who directly or indirectly performs activities requiring a license;

(14) Committing any act of sexual contact, misconduct, exploitation or intercourse with a client or former client or related to the licensee's practice, provided:

(a) Consent of the client shall not be a defense;

(b) This subsection (14) shall not apply to sexual contact between a licensee and such licensee's spouse or a person in a domestic relationship with the licensee who is also a client;

(c) A former client means a client for whom the licensee is not at the relevant time providing services but for whom the licensee has provided services within the last twelve (12) months; and

(d) Sexual or romantic relationships with former clients beyond the period of time set forth herein may also be a violation if the licensee

uses or exploits the trust, knowledge, emotions or influence derived from the prior professional relationship with the client;

(15) Failing to report to the board any act or omission of a licensee, applicant, or any other person, which violates any provision of this chapter;

(16) Interfering with a board investigation or disciplinary proceeding by willful misrepresentation of facts, failure to provide information upon request from the board, or by use of threats or harassment against any client or witness to prevent them from providing evidence in a disciplinary proceeding, investigation or other legal action;

(17) Violating any provisions of this chapter, board rules, adopted codes of ethics or other applicable federal or state statutes or rules including, but not limited to, the Idaho consumer protection act, relating directly or indirectly to any practice pursuant to this chapter.

[54-2923, added 2005, ch. 277, sec. 2, p. 863.]

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

(2) The board or its hearing officer, upon a finding that action is necessary, shall have the power pursuant to this chapter to administer oaths, take depositions of witnesses within or without the state in the manner provided by the administrative rules adopted by the board, and shall have power throughout the state of Idaho to require the attendance of such witnesses and the production of such books, records and papers as it may desire at any hearing and for that purpose the board may issue a subpoena for any witness or a subpoena duces tecum to compel the production of any books, records or papers, directed to the sheriff of any county of the state of Idaho, where such witness resides or may be found, which shall be served and returned. The board may require a licensee to be examined to determine his or her mental or physical competence when the board has probable cause to believe the licensee is suffering from an impairment that might impede his or her ability to practice competently. The board may accept a voluntary restriction offered by a licensee on a licensee's scope of practice due to impairment of the licensee's competence.

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

(4) The board may investigate any person to the extent necessary to determine if the person is engaged in the unlawful practice of audiology, speech-language pathology, sign language interpreting or hearing aid dealing or fitting. If an investigation indicates that a person may be practicing audiology, sign language interpreting, hearing aid dealing or fitting, or speech-language pathology unlawfully, the board shall inform the person of the alleged violation. The board shall refer all violations of this section made known to it to appropriate prosecuting attorneys whether or not the person ceases the unlawful practice. The board may render

assistance to a prosecuting attorney in the prosecution of a case pursuant to this section.

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

[54-2924, added 2005, ch. 277, sec. 2, p. 865; am. 2017, ch. 67, sec. 9, p. 163.]

54-2925. DISCIPLINARY ACTIONS -- PENALTIES. (1) The board, upon receipt of a recommendation received from the licensure board that a person has violated any provision of this chapter, may take the following disciplinary actions singly or in combination:

- (a) Issue a formal reprimand;
- (b) Require additional education as a requirement for continued practice;
- (c) Impose restrictions and/or conditions as to scope of practice, place of practice, supervision of practice, duration of license status, or type or condition of client served. The board may require a licensee to report regularly to the board on matters regarding the restricted license;
- (d) Suspend a license, the duration of which shall be determined by the board;
- (e) Revoke a license;
- (f) Refuse to issue or renew a license; or
- (g) Impose a fine not to exceed one thousand dollars (\$1,000) for each violation of this chapter.

(2) The assessment of costs and attorney's fees for any investigation and prosecution or defense in an administrative proceeding against a licensee shall be governed by the provisions of section [12-117](#)(5), Idaho Code.

[54-2925, added 2005, ch. 277, sec. 2, p. 866; am. 2018, ch. 348, sec. 16, p. 813.]

54-2926. JUDICIAL REVIEW. Any person who is aggrieved by any action of the board in denying, refusing to renew, suspending or revoking a license, issuing a censure, imposing any restriction upon a license, or imposing any fine, may seek judicial review thereof in accordance with the provisions of [chapter 52, title 67](#), Idaho Code.

[54-2926, added 2005, ch. 277, sec. 2, p. 866.]

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

(2) It shall be unlawful for any person to aid, abet or require another person, licensed or unlicensed, to directly or indirectly violate or evade

any provision of this chapter, or to combine or conspire with another person, or permit one's license to be used by another person, or to act as an agent, partner, associate or otherwise, of another person with the intent to violate or evade the provisions of this chapter.

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

[54-2927, added 2005, ch. 277, sec. 2, p. 866; am. 2011, ch. 76, sec. 2, p. 161; am. 2017, ch. 67, sec. 10, p. 164.]