

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

AUDIOLOGY - GENERAL RULES

Filed with the secretary of state on March 16, 2022

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, and 16811 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, and 333.16811, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1 and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.1a, R 338.2, R 338.3, R 338.4, R 338.5, R 338.6, R 338.7, R 338.8, R 338.9, R 338.10, R 338.11, and R 338.12 of the Michigan Administrative Code are amended, and R 338.13 is added, as follows:

PART 1. GENERAL PROVISIONS

R 338.1a Training standards for identifying victims of human trafficking; requirements.

Rule 1a. (1) Under section 16148 of the code, MCL 333.16148, an individual seeking licensure or who is licensed shall complete training in identifying victims of human trafficking that satisfies the following standards:

(a) Training content must cover all the following:

(i) Understanding the types and venues of human trafficking in this state or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized, health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved for initial licensure, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that satisfies the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training include any of the following:

- (i) Teleconference or webinar.
- (ii) Online presentation.
- (iii) Live presentation.
- (iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide acceptable proof of completion of training, that includes either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:

(i) For training completed under subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed under subrule (1)(b)(iv) of this rule, the title and author of the article, publication name of the peer review journal, health care journal, or professional or scientific journal, and the date, volume, and issue of publication, as applicable.

(3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning with the 2017 renewal cycle and for initial licenses issued after April 22, 2021.

R 338.2 Application for audiologist license; requirements.

Rule 2. (1) An applicant for an audiologist license shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Possess a master's or doctoral degree in audiology from an accredited educational program under R 338.8(1) or (2) and (3) or (4).

(c) Successfully completed a minimum of 9 months of supervised clinical experience in audiology as shown by 1 of the following requirements:

(i) For an applicant who has a doctor of audiology (Au.D.) degree, submission of an official transcript that shows the awarding of an Au.D. from an accredited educational institution under R 338.8(1) or (2) and (3) or (4).

(ii) For an applicant who has either a doctoral or master's degree in audiology, submission of a certification of clinical experience form that shows that the applicant completed the required supervised clinical experience.

(d) Successfully completed an examination in audiology under R 338.7.

(2) If an applicant for an audiologist license provides either a Certificate of Clinical Competence in Audiology (CCC-A) from the American Speech-Language-Hearing Association (ASHA) or an American Board of Audiology Certified credential from the American Board of Audiology (ABA) that has been held up to September 1, 1995, then it

is presumed that the applicant satisfies the requirements of subrule (1)(b), (c), and (d) of this rule.

R 338.3 Licensure by endorsement; audiologist.

Rule 3. (1) An applicant for an audiologist license by endorsement shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Hold a current and full audiologist license in another state or in a province of Canada.

(c) Complete the educational requirements for an audiologist license in another state or a province of Canada to obtain licensure as an audiologist in another state or a province of Canada.

(d) Receive passing scores on either of the following examinations for an audiologist license in another state or in a province of Canada to obtain licensure as an audiologist in another state or in a province of Canada:

(i) One of the examinations adopted under R 338.7.

(ii) The Canadian Entry-to-Practice Exam for Audiology (CETP Exam).

(e) If the applicant has held an audiologist license for less than 18 months, the applicant completes, in the United States, 9 months of supervised clinical experience under a licensed audiologist, and the supervised clinical experience satisfies R 338.5.

(2) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.4 Supervised clinical experience; limited license requirements.

Rules 4. (1) An applicant for an audiologist limited license who has earned a master's or doctoral degree in audiology but who still must complete the required 9 months of supervised clinical experience in audiology shall satisfy the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provide the required fee and a completed application on a form provided by the department.

(b) Graduate from an accredited educational program in audiology under R 338.8(1) or (2) and (3) or (4).

(c) Be accepted for training in a clinical situation under the supervision of an individual who is licensed in audiology in this state.

(2) The applicant shall document on a form provided by the department the completion of 9 months of clinical supervised experience (1,080 clock hours) or the equivalent of 9 months of experience after having graduated from an accredited master's degree program in audiology under R 338.8(1) or (2) and (3) or (4). Both of the following requirements apply:

(a) The experience is subject to R 338.5.

(b) Only experience obtained in an approved supervised clinical situation by an individual who holds a limited license counts toward the experience requirement.

(3) If an applicant transfers to a different supervised clinical situation, then the applicant shall provide information about the supervised clinical situation on an updated form provided by the department under subrule (2) of this rule.

R 338.5 Clinical experience requirements.

Rule 5. (1) The 9 months of supervised clinical experience required for licensure in R 338.2(1)(c) and R 338.4(2) must satisfy the following requirements:

(a) The experience must be obtained under the supervision of a licensed audiologist.

(b) Except as otherwise provided in subrule (2) of this rule, experience must be full time, which means at least 30 hours per week, and be obtained within 24 consecutive months.

(2) The supervised clinical experience required under subrule (1) of this rule may be fulfilled on a part-time basis and must satisfy the following requirements:

(a) The experience must be obtained under the supervision of a licensed audiologist.

(b) The experience must be part time, which means at least 15 hours per week, and be obtained within 36 consecutive months.

R 338.6 Foreign trained applicants; licensure requirements.

Rule 6. An applicant for an audiologist license who graduated from a postsecondary institution outside of the United States or Canada shall satisfy all the following requirements:

(a) That the applicant has completed an educational degree program in audiology that is substantially equivalent to the educational requirements in R 338.2(1)(b). The department accepts as proof of an applicant's completion of the educational requirements a credential evaluation completed by a credential evaluation organization that is a current member organization of the National Association of Credential Evaluation Services (NACES).

(b) That the applicant may practice as an audiologist without limitation in a country currently recognized by the United States. An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. If licensure is granted and it is determined that sanctions

have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

(c) That the applicant has completed, in the United States, 9 months of supervised clinical experience under a licensed audiologist, and the supervised clinical experience satisfies R 338.5.

R 338.7 Examination; adoption; passing scores.

Rule 7. Examinations approved and adopted are the National Teachers Examination (NTE) in Audiology and the Praxis Series II Examination in Audiology that are administered by the Educational Testing Service (ETS) or its successor organization. Applicants must achieve a passing score on the National Teachers Examination (NTE) in Audiology or the Praxis Series II Examination in Audiology or any successor examination.

R 338.8 Educational standards; adoption by reference.

Rule 8. (1) The standards for accrediting audiology educational programs developed and adopted by the Council on Academic Accreditation in Audiology and Speech-Language Pathology (CAA), American Speech-Language-Hearing Association, 2200 Research Boulevard, #310, Rockville, Maryland 20850, in the publication entitled "Standards for Accreditation of Graduate Education Programs in Audiology and Speech-Language Pathology," effective August 1, 2017, which are available at no cost on the council's website at <https://caa.asha.org> are approved and adopted by reference. Any audiology educational program accredited by the CAA is approved.

(2) The standards for accrediting doctor of audiology programs developed and adopted by the Accreditation Commission for Audiology Education (ACAE), 11480 Commerce Park Dr., Ste. 220, Reston, Virginia 20191, in the publication entitled "Accreditation Standards for the Doctor of Audiology (Au.D.) Program," adopted March 2016, which are available at no cost on the commission's website at <https://acaeccred.org> are approved and adopted by reference. Any audiology educational program accredited by the ACAE is approved.

(3) The standards for recognition of accrediting organizations developed and adopted by the Council for Higher Education Accreditation (CHEA), One Dupont Circle NW, Suite 510, Washington, D.C. 20036, in the publication entitled "Recognition of Accrediting Organizations Policy and Procedures," effective September 24, 2018, which are available at no cost on the council's website at <https://www.chea.org> are approved and adopted by reference. Any higher education institution accredited by the accrediting body of the region in which the institution is located and the accrediting body satisfies the recognition standards of CHEA is approved.

(4) The criteria for recognition and the recognition process for the secretary's recognition of accrediting agencies of the United States Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202, in 34 CFR 602.10 to 602.39, effective July 1, 2020, which are available at no cost on the department's website at <https://www2.ed.gov/about/offices/list/ope/index.html> are approved and adopted by reference. Any higher education institution accredited by the

accrediting body of the region in which the institution is located and the accrediting body satisfies the recognition criteria and process of the United States Department of Education is approved.

(5) Copies of the standards in this rule are available for inspection and distribution at a cost of 10 cents per page from the Board of Audiology, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, Lansing, Michigan 48909.

R 338.9 Relicensure.

Rule 9. (1) An applicant may be relicensed within 3 years after the expiration date of the license under section 16201(3) of the code, MCL 333.16201, if the applicant satisfies the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Establishes good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.

(c) Provides proof to the department of accumulating not less than 20 hours of continuing education credit that satisfies the requirements of R 338.10 and R 338.11 during the 2 years immediately preceding the application for relicensure.

(2) An applicant may be relicensed more than 3 years after the expiration date of the license under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies the requirements of the code and the administrative rules promulgated under the code, as well as all the following requirements:

(a) Provides the required fee and a completed application on a form provided by the department.

(b) Establishes good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.

(c) Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.

(d) Satisfies either of the following requirements:

(i) Passes an examination required under R 338.7.

(ii) Presents proof to the department that the applicant was licensed as an audiologist in another state or a province of Canada during the 2-year period prior to the application for relicensure.

(3) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. If licensure is granted and it is determined that sanctions have been imposed, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.10 License renewal; requirements; applicability.

Rule 10. (1) An applicant for renewal shall satisfy the requirements of the code and the administrative rules promulgated under the code.

(2) An applicant for license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license shall accumulate not less than 20 hours of continuing education in activities approved under these rules during the 2 years preceding the end of the license cycle.

(3) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. A licensee shall keep documentation of satisfying the requirements of this rule for a period of 4 years from the date of applying for license renewal. Failure to satisfy this rule is a violation of section 16221(h) of the code, MCL 333.16221.

R 338.11 Acceptable continuing education; requirements; limitations.

Rule 11. (1) The 20 hours of continuing education required under R 338.10(2) for the renewal of an audiology license must satisfy the following requirements:

(a) For the purpose of this rule, "instruction" means education time, exclusive of breakfast, lunch, or dinner periods, or any other breaks in the program.

(b) Not more than 10 hours of continuing education may be earned during a 24-hour period.

(c) A licensee may not earn credit for a continuing education program or activity that is identical or substantially equivalent to a program or activity the licensee has already earned credit for during the license cycle.

(d) Under section 16204 of the code, MCL 333.16204, at least 1 hour of continuing education must be earned in pain and symptom management. Continuing education hours in pain and symptom management may include, but are not limited to, courses in behavior management, behavior modification, stress management, and clinical applications, as they relate to professional practice under sections 16801 to 16811 of the code, MCL 333.16801 to 333.16811.

(2) The following are acceptable continuing education activities:

Activity Code	Activity and Proof Required	Number of continuing education hours granted/allowed per activity
(a)	<p>Initial presentation of a continuing education program related to the practice of audiology provided to a state, regional, national, or international audiology organization.</p> <p>To receive credit, the presentation must not be a part of the licensee's regular job description and must satisfy the standards in R 338.12.</p>	<p>Three hours of continuing education are granted for each 50 to 60 minutes of presentation.</p> <p>No other credit is granted for preparation of a presentation.</p> <p>A maximum of 9 hours of continuing education are allowed for this activity in each renewal period.</p>

	<p>If audited, the licensee shall provide a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter, and the name of the organization that approved or offered the presentation for continuing education credit.</p>	<p>Under subrule (1)(c) of this rule, credit for a presentation is granted once per renewal period.</p>
(b)	<p>Initial presentation of a scientific exhibit, paper, or clinical demonstration to an audiology organization.</p> <p>To receive credit, the presentation must not be part of the licensee's regular job description or performed in the normal course of the licensee's employment.</p> <p>If audited, the licensee shall provide a copy of the document presented with proof of presentation or a letter from the program sponsor verifying the length and date of the presentation.</p>	<p>Two hours of continuing education are granted for each 50 to 60 minutes of presentation.</p> <p>No other credit is granted for preparation of a presentation.</p> <p>A maximum of 6 hours of continuing education are allowed for this activity in each renewal period.</p> <p>Under subrule (1)(c) of this rule, credit for a presentation is granted once per renewal period.</p>
(c)	<p>Passing a postgraduate academic course related to the practice of audiology offered in an educational program approved under R 338.8(1) or (2) and (3) or (4).</p> <p>If audited, the licensee shall provide an official transcript documenting successful completion of the course.</p>	<p>Five hours of continuing education are granted for each academic credit hour passed.</p> <p>Three hours of continuing education are granted for each academic term or quarter credit hour passed.</p> <p>A maximum of 20 hours of continuing education are allowed for this activity in each renewal period.</p>
(d)	<p>Attendance at a continuing education program approved under R 338.12.</p> <p>If audited, the licensee shall provide a program description, a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the</p>	<p>One continuing education hour is granted for each 50 to 60 minutes of program attendance.</p> <p>A maximum of 20 hours of continuing education are allowed for this activity in each renewal period.</p>

	date on which the program was held or activity completed.	
(e)	<p>Attendance at a continuing education program approved by another state board of audiology.</p> <p>If audited, the licensee shall provide a program description, a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.</p>	<p>One continuing education hour is granted for each 50 to 60 minutes of program attendance.</p> <p>A maximum of 20 hours of continuing education are allowed for this activity in each renewal period.</p>
(f)	<p>Initial publication of an article related to the practice of audiology in a non-peer reviewed journal or newsletter.</p> <p>If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>One hour of continuing education is granted for each article.</p> <p>A maximum of 5 hours of continuing education are allowed for this activity in each renewal period.</p> <p>Under subrule (1)(c) of this rule, credit for publication is granted once per renewal period.</p>
(g)	<p>Initial publication of a chapter related to the practice of audiology in either of the following:</p> <p>A professional or health care textbook. A peer-reviewed journal.</p> <p>If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>Five hours of continuing education are granted for serving as the primary author.</p> <p>Two hours of continuing education are granted for serving as the secondary author.</p> <p>Under subrule (1)(c) of this rule, credit for publication is granted once per renewal period.</p>
(h)	<p>Reading an audiology professional journal and successfully completing an evaluation created for continuing education credit in audiology practice education.</p>	<p>One hour of continuing education is granted for each 50 to 60 minutes of this activity.</p> <p>A maximum of 5 hours of continuing education are allowed</p>

	If audited, the licensee shall provide a copy of the publication and the evaluation created for continuing education credit in audiology practice education.	for this activity in each renewal period.
(i)	<p>Attendance at a program approved for continuing education by the board of medicine or the board of osteopathic medicine related to audiology practice.</p> <p>If audited, the licensee shall provide a program description, a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.</p>	<p>One continuing education hour is granted for each 50 to 60 minutes of program attendance.</p> <p>A maximum of 5 hours of continuing education are allowed for this activity in each renewal period.</p>
(j)	<p>Participating on a state or national committee, board, council, or association related to the field of audiology. A committee, board, council, or association must enhance the participant's knowledge and understanding of the field of audiology.</p> <p>If audited, the licensee shall provide documentation verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association.</p>	<p>Two hours of continuing education are granted for each committee, board, council, or association.</p> <p>A maximum of 2 hours of continuing education are allowed for this activity in each renewal period.</p>

R 338.12 Continuing audiology education providers and programs; methods of approval.

Rule 12. (1) Any continuing education provider or program approved by ASHA is approved. The standards for continuing education providers developed and adopted by the American Speech-Language-Hearing Association Continuing Education Board (ASHA-CEB), 2200 Research Boulevard, Rockville, Maryland 20850-3289, in the publication entitled "American Speech-Language-Hearing Association Continuing Education Board Manual," updated June 2021, which are available at no cost on the association's website at <https://www.asha.org>, are approved and adopted by reference.

(2) Any continuing education provider or program approved by the American Academy of Audiology is approved. The standards for continuing education programs developed and adopted by the American Academy of Audiology, 11480 Commerce Park Drive, Suite 220, Reston, Virginia 20191, in the publication entitled “CE Provider Course Application Requirements and Guidelines,” revised October 1, 2020, which are available at no cost on the academy’s website at <https://www.audiology.org>, are approved and adopted by reference.

(3) Any continuing education provider or program approved by the board is approved. Providers or programs that need to be reviewed and preapproved must provide the following requirements:

- (a) Course content related to current issues in audiology practice.
 - (b) An outline of the course or program provided with time allotted for each section of the program.
 - (c) Documentation of qualifications of presenters.
 - (d) Description of the method for delivering the course or program.
 - (e) Inclusion of defined measurements of pre-knowledge and post-knowledge or skill improvement.
 - (f) Monitoring of participant attendance at the program or course.
 - (g) Records of a course or program kept that include the number of participants in attendance, the date of the program, the program's location, the credentials of the presenters, rosters of the individuals who attended, and the continuing education time awarded to each participant.
 - (h) A participant must receive a certificate or written proof of attendance at a program that shows a participant's name, the date of the program, the location of program, the sponsor or program approval number, and the hours of continuing education awarded.
- (4) Copy of the standards in this rule are available for inspection and distribution at a cost of 10 cents per page from the Michigan Board of Audiology, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

R 338.13 Telehealth.

Rule 13. (1) A licensee shall obtain consent from the patient for treatment before providing a telehealth service under section 16284 of the code, MCL 333.16284.

(2) A licensee shall keep proof of consent for telehealth treatment in the patient’s up-to-date medical record and satisfy section 16213 of the code, MCL 333.16213.

(3) A licensee providing any telehealth service shall do both of the following:

- (a) Act within the scope of the licensee’s practice.
- (b) Exercise the same standard of care applicable to a traditional, in-person health care service.