

**Effective 5/3/2023**

**Renumbered 5/6/2026**

**58-41-4 Exemptions from chapter.**

- (1) In addition to the exemptions from licensure in Section 58-1-307, the following persons may engage in the practice of speech-language pathology and audiology subject to the stated circumstances and limitations without being licensed under this chapter:
  - (a) a qualified person licensed in this state under any law existing in this state prior to May 13, 1975, engaging in the profession for which the person is licensed;
  - (b) a medical doctor, physician, physician assistant, or surgeon licensed in this state, engaging in his or her specialty in the practice of medicine;
  - (c) a hearing aid dealer or salesperson selling, fitting, adjusting, and repairing hearing aids, and conducting hearing tests solely for that purpose. However, a hearing aid dealer may not conduct audiologic testing on persons younger than 18 years old except under the direct supervision of an audiologist licensed under this chapter;
  - (d) a person who has obtained a valid and current credential issued by the State Board of Education while specifically performing the functions of a speech-language pathologist or audiologist solely within the confines of, under the direction and jurisdiction of, and in the academic interest of the school employing the person;
  - (e) a person employed as a speech-language pathologist or audiologist by federal government agencies or subdivisions or, prior to July 1, 1989, by state or local government agencies or subdivisions, while specifically performing speech-language pathology or audiology services solely within the confines of, under the direction and jurisdiction of, and in the specific interest of the agency or subdivision;
  - (f) a person identified in Subsections (1)(d) and (e) may offer lectures for a fee, or monetary or other compensation, without being licensed;
  - (g) a person employed by an accredited college or university as a speech-language pathologist or audiologist performing the services or functions described in this chapter if the services or functions are:
    - (i) performed solely as an assigned teaching function of the person's employment;
    - (ii) solely in academic interest and pursuit as a function of the person's employment;
    - (iii) in no way for the person's own interest; and
    - (iv) provided for no fee, monetary or otherwise, other than the person's agreed institutional salary;
  - (h) a person pursuing a course of study leading to a degree in speech-language pathology or audiology while enrolled in an accredited college or university, provided:
    - (i) those activities constitute an assigned, directed, and supervised part of the person's curricular study, and in no other interest;
    - (ii) that all examinations, tests, histories, charts, progress notes, reports, correspondence, documents, and records the person produces be identified clearly as having been conducted and prepared by a student in training;
    - (iii) that the person is obviously identified and designated by appropriate title clearly indicating the person's training status; and
    - (iv) that the person does not hold out directly or indirectly to the public or otherwise represent that the person is qualified to practice independently;
  - (i) a person trained in elementary audiometry and qualified to perform basic audiometric tests while employed by and under the direct supervision of a licensed medical doctor to perform solely for the licensed medical doctor, the elementary conventional audiometric tests of air conduction screening, air conduction threshold testing, and tympanometry;

- (j) a person performing the functions of a speech-language pathologist or audiologist for the sole purpose of obtaining required professional experience under the provisions of this chapter and only during the period the person is obtaining the required professional experience, if the person:
    - (i) meets all training requirements; and
    - (ii) is professionally responsible to and under the supervision of a speech-language pathologist or audiologist who holds the CCC or a state license in speech-language pathology or audiology;
  - (k) a corporation, partnership, trust, association, group practice, or similar organization engaging in speech-language pathology or audiology services without certification or license, if acting only through employees or consisting only of persons who are licensed under this chapter;
  - (l) a person who is not a resident of this state performing speech-language pathology or audiology services in this state if:
    - (i) the services are performed for no more than one month in any calendar year in association with a speech-language pathologist or audiologist licensed under this chapter; and
    - (ii) the person meets the qualifications and requirements for application for licensure described in Section 58-41-5;
  - (m) a person certified under Title 53E, Public Education System -- State Administration, as a teacher of the deaf, from providing the services or performing the functions the person is certified to perform; and
  - (n) a person who is:
    - (i) trained in newborn hearing screening as described in rules made by the Department of Health and Human Services in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
    - (ii) working under the indirect supervision of a licensed audiologist responsible for a newborn hearing screening program established by the Department of Health and Human Services under Section 26B-4-319.
- (2) No person is exempt from the requirements of this chapter who performs or provides any services as a speech-language pathologist or audiologist for which a fee, salary, bonus, gratuity, or compensation of any kind paid by the recipient of the service; or who engages any part of his professional work for a fee practicing in conjunction with, by permission of, or apart from his position of employment as speech-language pathologist or audiologist in any branch or subdivision of local, state, or federal government or as otherwise identified in this section.