

Effective 5/6/2026

Chapter 41

Speech-Language Pathology And Audiology Licensing Act

Part 1

General Provisions

58-41-101 Definitions.

As used in this chapter:

- (1) "AAA" means the American Academy of Audiology.
- (2) "ABA" means the American Board of Audiology.
- (3) "ASHA" means the American Speech-Language-Hearing Association.
- (4) "Audiologist" means an independent hearing and balance healthcare practitioner with the education to assess, diagnose, manage, and non-medically treat disorders of the auditory and vestibular systems across the lifespan.
- (5)
 - (a) "Audiology" means the prevention, diagnosis, and treatment of a disorder related to hearing or vestibular function.
 - (b) "Audiology" includes administering and interpreting electrophysiologic measurements of neural function.
- (6) "Audiology assistant" means an individual who:
 - (a) meets the minimum qualifications the division makes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
 - (b) does not act independently; and
 - (c) works under the personal direction and direct supervision of a licensed audiologist who accepts responsibility for the acts and performance of that audiology assistant under this chapter.
- (7) "CCC" means the Certificate of Clinical Competence awarded by ASHA.
- (8)
 - (a) "Licensed individual" means an individual who is:
 - (i) licensed under this chapter; or
 - (ii) licensed in accordance with Chapter 41a, Audiology and Speech-language Pathology Interstate Compact, if the license is not expired, suspended, or revoked.
- (9) "Disorder" means the condition of decreased, absent, or impaired:
 - (a) auditory, speech, voice, or language function; or
 - (b) ability to communicate or swallow.
- (10) "Hearing instrument" means the same as that term is defined in Section 58-46a-102.
- (11) "Hearing instrument dealer" means a person who sells, repairs, and adjusts a hearing instrument.
- (12)
 - (a) "Invasive procedure" means a procedure that the division determines by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, presents a high-risk to a patient and impacts the essential functions of communication, breathing, feeding, or swallowing.
 - (b) "Invasive procedure" includes:
 - (i) endoscopy;
 - (ii) fiberoptic endoscopic evaluation of swallowing;

- (iii) pharyngeal electrical stimulation; and
 - (iv) tracheostomy management.
- (13)
- (a) "Over-the-counter hearing aid" means an air-conduction hearing aid, as defined in 21 C.F.R. Sec. 800.30(b), that is intended for use by a person that is at least 18 years old to compensate for mild to moderate hearing impairment.
 - (b) "Over-the-counter hearing aid" includes a device that is available over-the-counter, without the supervision, prescription, or other order, involvement, or intervention of a licensed person, to consumers through in-person transactions, by mail, or online.
 - (c) "Over-the-counter hearing aid" does not include a device that requires implantation or other surgical intervention.
- (14) "Practice of audiology" means rendering or offering to render to an individual, a group, an agency, an organization, an industry, or the public a service in audiology.
- (15) "Practice of speech-language pathology" means applying speech-language pathology to identify, prevent, ameliorate, or modify a disorder of speech, voice, language, cognitive communication, or swallowing.
- (16) "Prescribe" means to:
- (a) determine, specify, and give the directions, procedures, or rules for an individual to follow in determining and ordering the preparation, delivery, and use of specific mechanical, acoustic, or electronic aids to hearing or speech; and
 - (b) determine or designate a remedy for an individual.
- (17) "Prescription" means a written or oral order for the delivery or execution of that which has been prescribed.
- (18) "Speech-language pathologist" means:
- (a) an individual who practices speech-language pathology or who represents to the public as a speech-language pathologist by a service or function the individual performs, directly or indirectly, or by using the terms "speech-language pathologist," "speech-language therapist," "language disability specialist," or a variation, derivation, synonym, coinage, or expression or implication of these terms, names, or functions; or
 - (b) an individual who performs a function described in Subsection (19) or a related function.
- (19) "Speech-language pathology" means the application of principles, methods, and procedures for the measuring, testing, evaluating, predicting, counseling, treating, instructing, habilitating, or rehabilitating for speech, voice, language, communication, cognitive-communication, or the ability to swallow.
- (20) "Speech-language pathology assistant" means an individual who:
- (a) meets the minimum qualifications the division makes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
 - (b) does not act independently; and
 - (c) works under the personal direction and direct supervision of a licensed speech-language pathologist who accepts the responsibility for the acts and performances of that speech-language pathology assistant while working under this chapter.
- (21) "Treatment" means the examination, diagnosis, correction, or amelioration of a speech or hearing disorder, abnormality, or behavior.
- (22) "Unprofessional conduct" means the same as that term is defined in Section 58-1-501 and as the division may further define by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Renumbered and Amended by Chapter 140, 2026 General Session

58-41-102 Fees.

The department shall set fees in accordance with Section 63J-1-504 and shall collect all fees.

Renumbered and Amended by Chapter 140, 2026 General Session

58-41-103 Privileged communication.

- (1) A licensed individual may not be examined or required to reveal, without the consent of the client or the client's representative:
 - (a) a finding, an examination, or a representation made to the licensed individual by the client;
 - (b) advice the licensed individual provides to the client in the course of the practice of audiology or the practice of speech-language pathology; or
 - (c) treatment the licensed individual provides to the client in the course of the practice of audiology or the practice of speech-language pathology.
- (2) An individual that a licensed individual employs may not be examined without the consent of the employer concerning a fact of which the employee has acquired knowledge in the employee's professional capacity.

Renumbered and Amended by Chapter 140, 2026 General Session

Part 2
Board

58-41-201 Board.

- (1) There is created the Speech-language Pathologist and Audiologist Licensing Board, consisting of four speech-language pathologists or audiologists and one member of the general public.
 - (a) The nonpublic members of the board shall be licensed to provide and shall be engaged in providing speech-language pathology or audiology services to the public as a major interest as follows:
 - (i) one member shall be in private practice as a primary professional interest and activity or shall be a provider or speech-language pathology or audiology services at large;
 - (ii) one member shall be from a nonschool clinic setting which provides ongoing speech-language pathology or audiology services;
 - (iii) one member shall be a provider of speech-language pathology and audiology services in the elementary or secondary schools; and
 - (iv) one member shall be a provider of a speech-language pathology and audiology college or university training program.
 - (b) At no time may the board consist of more than two members who represent speech-language pathology or more than two members who represent audiology.
- (2) The board shall be appointed and serve in accordance with Section 58-1-201.
- (3) The duties and responsibilities of the board shall be in accordance with Sections 58-1-202 and 58-1-203.

Renumbered and Amended by Chapter 140, 2026 General Session

Part 3

Licensure

58-41-301 Licensure requirements.

- (1) An individual may not engage in the practice of audiology or the practice of speech-language pathology without being a licensed individual.
- (2) To obtain a license as an audiologist an applicant shall:
 - (a) submit a completed application in a form the division approves;
 - (b) pay a fee to the department in accordance with Section 63J-1-504;
 - (c)
 - (i) submit evidence of a current and unrestricted ASHA Certificate of Clinical Competence, an ABA Certification, or an equivalent as the division approves by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; or
 - (ii)
 - (A) submit evidence that the applicant holds a clinical doctorate degree in audiology from an accredited university or college;
 - (B) comply with the regulations of conduct and the codes of ethics for the profession of audiology;
 - (C) submit evidence of having completed at least one academic year of professional experience, consisting of at least 30 hours per week of direct clinical experience in treatment and management of patients supervised and attested to by a licensed audiologist or an audiologist certified by a national organization as the division approves by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (D) pass a nationally standardized examination in audiology that is the same as, or equivalent to, the examination required for the CCC, with pass-fail criteria equivalent to current ASHA standards.
- (3)
 - (a) An individual who, before May 6, 2026, is licensed as an audiologist under this chapter, is considered to hold a current license under this chapter as an audiologist and is subject to this chapter.
 - (b) Beginning on May 6, 2026, an individual who holds a credential issued by the State Board of Education on or after July 1, 2020, and before May 6, 2026, and performs the functions of a speech-language pathologist or audiologist, shall apply to the division for licensure as a speech-language pathologist or audiologist and renew the credential in accordance with Section 58-41-303.
- (4)
 - (a)
 - (i) An audiology assistant shall meet the minimum qualifications the division makes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
 - (ii) The division shall make the minimum qualifications substantial but less than those established by this chapter for licensure as an audiologist.
 - (b) An audiology assistant shall work under the personal direction and direct supervision of a licensed audiologist who accepts the responsibility for the acts and performances of the audiology assistant.

- (c) An audiology assistant shall work within the audiology assistant scope of practice, as the division defines by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (5) To obtain a license as a speech-language pathologist an applicant shall:
 - (a) submit a completed application in a form the division approves;
 - (b) pay a fee to the department in accordance with Section 63J-1-504; and
 - (c)
 - (i) submit evidence of a current and unrestricted ASHA Certificate of Clinical Competence or an equivalent as the division approves by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; or
 - (ii)
 - (A) provide the division with verification that the applicant has received at least a master's degree in speech-language pathology from an accredited university or college, based on a program of studies primarily in the field of speech-language pathology;
 - (B) comply with the regulations of conduct and code of ethics for the profession of speech-language pathology;
 - (C) submit to the division certified evidence of having completed at least one academic year of professional experience, consisting of at least 30 hours per week of direct clinical experience in treatment and management of patients supervised and attested to by a licensed speech-language pathologist, or a speech-language pathologist certified by the CCC, or an equivalent organization as the division approves by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (D) pass a nationally standardized examination in speech-language pathology that is the same as, or equivalent to, the examination required for the CCC, with pass-fail criteria equivalent to current ASHA standards.
- (6) To perform an invasive procedure, a speech-language pathologist shall comply with the standards the division makes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Renumbered and Amended by Chapter 140, 2026 General Session

58-41-302 Issuance of license.

After the division reviews and approves the application, the division shall issue a license in accordance with Section 58-1-301.

Renumbered and Amended by Chapter 140, 2026 General Session

58-41-303 Term of license -- Expiration -- Renewal.

- (1)
 - (a) Each license issued under this chapter shall be issued in accordance with a two-year renewal cycle established by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
 - (b) The division may extend or shorten the renewal period by as much as one year to maintain established renewal cycles or to change an established renewal cycle.
 - (c) The division shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to determine the first renewal period of an individual described in Subsection 58-41-301(3)(b).
- (2) At the time of renewal the licensee shall show satisfactory evidence of:

- (a) completing 20 hours of continuing education that the division approves by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, within the preceding two-year renewal cycle, consistent with standards for maintaining professional competency in audiology or speech-language pathology; or
 - (b) possessing an active certification in good standing from a nationally recognized professional organization that requires continuing education equivalent to or exceeding 20 hours per two-year cycle.
- (3) Each license automatically expires on the expiration date shown on the license.

Renumbered and Amended by Chapter 140, 2026 General Session

58-41-304 Temporary licenses.

- (1) The division may issue a temporary audiology license to an applicant who:
- (a) obtains a master's or doctorate degree in audiology before July 1, 2010, or obtains a clinical doctorate degree in audiology after June 30, 2010; and
 - (b) is practicing audiology for a year of clinical fellowship that the division approves.
- (2) The division may issue a temporary speech-language pathology license to an applicant who:
- (a) completes all requirements for licensure as a speech-language pathologist, except for Subsection 58-41-301(5)(c)(ii)(A); and
 - (b) is practicing speech-language pathology for a year of clinical fellowship.
- (3) A temporary license is valid for up to 12 months from the day after the day on which the division issues the temporary license.

Renumbered and Amended by Chapter 140, 2026 General Session

58-41-305 Exemptions from chapter.

- (1) The following individuals may engage in the practice of speech-language pathology or the practice of audiology subject to the stated circumstances and limitations without being a licensed individual:
- (a) a qualified individual licensed in this state under law existing in this state before May 13, 1975, engaging in the profession for which the individual is licensed;
 - (b) a physician or a physician's assistant;
 - (c) except as provided in Subsection (2), a hearing instrument dealer or salesperson selling, fitting, adjusting, and repairing a hearing instrument, and conducting hearing tests solely for that purpose;
 - (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) an individual that a federal government agency or subdivision or, before July 1, 1989, a state or local government agency or subdivision, employs as a speech-language pathologist or audiologist while performing a speech-language pathology or audiology service within the confines of, under the direction and jurisdiction of, and in the specific interest of the agency or subdivision;
 - (f) an individual identified in Subsections (1)(d) and (e) may offer lectures for compensation without being a licensed individual;

- (g) an individual an accredited college or university employs as a speech-language pathologist or audiologist performing a service or function this chapter describes if the individual provides the service or function:
 - (i) solely as an assigned teaching function of the individual's employment;
 - (ii) solely in academic interest and pursuit as a function of the individual's employment;
 - (iii) in no way for the individual's own interest; and
 - (iv) for no compensation other than the individual's institutional salary;
 - (h) an individual 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 individual's study, and in no other interest;
 - (ii) that examinations, tests, histories, charts, progress notes, reports, correspondence, documents, and records the individual produces are clearly identified as having been conducted and prepared by a student in training;
 - (iii) that the individual is obviously identified and designated by appropriate title clearly indicating the individual's training status; and
 - (iv) that the individual does not hold out directly or indirectly to the public or otherwise represent that the individual is qualified to practice independently;
 - (i) an individual 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) an individual 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 individual is obtaining the required professional experience, if the individual meets the training requirements;
 - (k) a person engaging in speech-language pathology or audiology services without certification or license, if acting only through an employee who is a licensed individual or consisting only of licensed individuals;
 - (l) an individual who is not a resident of this state performing a speech-language pathology or audiology service in this state if:
 - (i) the individual performs the service for no more than one month in any calendar year in connection with a licensed speech-language pathologist or a licensed audiologist; and
 - (ii) the individual meets the qualifications and examination requirements for application for licensure described in Section 58-41-301;
 - (m) an individual certified under Title 53E, Public Education System -- State Administration, as a teacher of the deaf, providing a service or performing a function that the individual is certified to perform;
 - (n) an individual who is:
 - (i) trained in newborn hearing screening as the Department of Health and Human Services describes in rules made 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 the Department of Health and Human Services makes under Section 26B-4-319; and
 - (o) an individual who is exempt under Section 58-1-307.
- (2)
- (a)

- (i) A hearing instrument specialist may not fit or test an individual's hearing aid, or test the individual's hearing if the individual is less than 18 years old unless the hearing instrument specialist receives a written statement that the individual's hearing loss has received a medical evaluation and that the individual may be considered a candidate for a hearing aid.
- (ii) A hearing instrument specialist may not fit or test an individual's hearing aid, or test the individual's hearing if the individual is less than six years old.
- (b) The medical evaluation in Subsection (2)(a)(i) shall have taken place no more than six months before the day on which the hearing instrument specialist fits or tests the hearing aid or the hearing of the individual.
- (c) The written statement in Subsection (2)(a)(i) shall be signed by:
 - (i) a physician or surgeon licensed under Title 58, Chapter 67, Utah Medical Practice Act;
 - (ii) an osteopathic physician licensed under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;
 - (iii) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician Assistant Act; or
 - (iv) an audiologist licensed under this chapter.
- (3) No individual is exempt from this chapter if the individual performs or provides a service as a speech-language pathologist or an audiologist:
 - (a) for compensation that the recipient of the service pays; or
 - (b) for compensation that is outside the scope of the individual's employment position as a speech-language pathologist or an audiologist in a branch or subdivision of local, state, or federal government, or as otherwise identified in this section.
- (4) The State Board of Education may not issue a credential to a person performing the functions of a speech-language pathologist or audiologist on or after May 6, 2026.

Renumbered and Amended by Chapter 140, 2026 General Session

58-41-306 Requirements for selling a hearing instrument.

- (1) A person that offers to sell a hearing instrument to a consumer shall inform the consumer about hearing instruments that work with assistive listening systems that are compliant with the ADA Standards for Accessible Design adopted by the United States Department of Justice in accordance with the Americans with Disabilities Act, 42 U.S.C. Sec. 12101 et seq.
- (2) A person that sells a hearing instrument to a consumer shall provide a written receipt or written contract to the consumer that provides the consumer with a 30-day right to cancel the purchase and to obtain a refund if the consumer returns a hearing instrument to the seller in the same condition as when purchased, excluding ordinary wear and tear.
- (3) The written receipt or contract shall notify the consumer of the 30-day right to cancel in at least 12-point font.
- (4) The 30-day right to cancel period shall commence from the later of the day after the day on which:
 - (a) the hearing instrument is originally delivered to the consumer;
 - (b) the written receipt is dated; or
 - (c) the contract is delivered to the consumer.
- (5) The 30-day right to cancel period is paused while the hearing instrument dealer possesses or controls the hearing instrument after the hearing instrument's original delivery.
- (6) Upon exercise of the 30-day right to cancel a hearing instrument purchase, the seller of the hearing instrument may collect from the purchaser a cancellation fee equal to the actual cost the seller incurs returning the hearing instrument to the manufacturer, if the written receipt or contract states the exact amount that the seller will retain as a cancellation fee.

Renumbered and Amended by Chapter 140, 2026 General Session

58-41-307 Single license for speech-language pathologist and audiologist -- Single fee.

- (1) An applicant who qualifies to be licensed as both a speech-language pathologist and audiologist shall receive a single license reflecting licensure in both classifications.
- (2) The division may assess a fee only for a single license.

Renumbered and Amended by Chapter 140, 2026 General Session

Part 4 License Denial And Discipline

58-41-401 Grounds for denial of license -- Resumption of practice.

- (1) The division may:
 - (a) refuse to issue a license to an applicant;
 - (b) refuse to renew a license;
 - (c) revoke, suspend, or restrict a license;
 - (d) place a licensed individual on probation;
 - (e) issue a public or private reprimand to a licensed individual; or
 - (f) issue a cease and desist order.
- (2) A licensed individual who has a license revoked may submit an application for licensure to the division after one year from the day after the day on which the division revoked the licensed individual's license.
- (3) The division shall perform an act listed in Subsection (1) in accordance with Section 58-1-401.

Renumbered and Amended by Chapter 140, 2026 General Session

Part 5 Unlawful And Unprofessional Conduct - Penalties

58-41-501 Unprofessional conduct.

A licensed individual engages in unprofessional conduct if the individual:

- (1) fails to make an appropriate referral to a qualified health care provider with respect to a condition the licensed individual detects in a patient if the condition is generally recognized in the profession as one the licensed individual should refer;
- (2) designates a hearing instrument for a patient whose hearing will not be sufficiently improved to justify prescribing and selling the hearing instrument;
- (3) makes false, misleading, deceptive, fraudulent, or exaggerated claims with respect to the practice of audiology or the practice of speech-language pathology;
- (4) fails to exercise caution in providing a patient a prognosis to ensure the patient is not led to expect results that the individual cannot accurately predict;
- (5) fails to provide appropriate follow-up care and consultation with respect to a patient to whom the individual prescribed and sold a hearing instrument after being informed by the patient that the hearing instrument does not produce the results represented by the licensed individual;

- (6) fails to disclose in writing to the patient the charge for all services and hearing instruments prescribed and sold to a patient before providing the services or hearing instrument;
- (7) fails to refund fees paid by a patient for a hearing instrument and all accessories, upon a determination by the division that the patient has not obtained the recovery of hearing the licensed individual represented in writing before sale of the hearing instrument;
- (8) pays a professional individual consideration for referral of a patient;
- (9) fails, when acting as a supervising speech-language pathologist or a supervising audiologist, to provide supervision and training;
- (10) fails to describe in any advertisement, presentation, purchase, or trial agreement, the circuitry of a hearing instrument as being either "digital" or "analog" or other acceptable terms as the division determines by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- (11) fails to follow the guidelines or policies of the United States Federal Trade Commission in any advertisement;
- (12) fails to adhere to the rules and regulations prescribed by the United States Food and Drug Administration as pertaining to a hearing instrument;
- (13) fails to keep the equipment used in the practice of speech-language pathology and audiology properly calibrated and in good working condition;
- (14) fails to comply with Section 58-41-306;
- (15) fails to provide as part of each transaction between a licensed individual and a patient related to testing for hearing loss and selling of a hearing instrument, written documentation that includes:
 - (a) identification of services and products provided to a patient and the charges for each service or product; and
 - (b) a statement whether any hearing instrument provided to a patient is "new," "used," or "reconditioned" and the terms and conditions of any warranty or guarantee that applies to each instrument;
- (16) before providing services or products to a patient, fails to:
 - (a) advise the patient about the expected results of the services and products; or
 - (b) obtain written informed consent from the patient regarding offered services, products, and the expected results of the services and products in a form the division approves;
- (17) fails to obtain the patient's informed consent and agreement to purchase the hearing instrument before designating an appropriate hearing instrument;
- (18) if a hearing instrument does not substantially enhance the patient's hearing consistent with the representations of the licensed individual at the time informed consent was given before the sale and fitting of the hearing instrument, fails to provide:
 - (a) necessary intervention to produce satisfactory hearing recovery results consistent with representations made; or
 - (b) for the refund of fees the patient paid for the hearing instrument to the licensed individual within a reasonable time after finding that the hearing instrument does not substantially enhance the patient's hearing;
- (19) fails to maintain a level of professional practice consistent with all initial and subsequent requirements by which licensure is achieved or maintained under this chapter;
- (20) utilizes substandard or inappropriate facilities or equipment; or
- (21) treats a disorder for which the licensed individual has not had the necessary training and experience.

Enacted by Chapter 140, 2026 General Session

58-41-502 Violation of chapter -- Penalties.

- (1) An individual who violates a provision of this chapter is guilty of a class A misdemeanor.
- (2) If an individual other than a licensed individual engages in conduct that violates this chapter, a court with jurisdiction may issue an injunction or other appropriate order to restrain the conduct.

Renumbered and Amended by Chapter 140, 2026 General Session