

This is an amendment to 16.26.2 NMAC, Sections 9, 10, 17, 18, and 19 effective 2/10/2022.

16.26.2.9 PERSONS AND PRACTICES NOT AFFECTED:

A. Recognized professional groups: The act does not prohibit members of recognized professional groups, other than speech-language pathologists, audiologists [~~and/or~~ and] hearing aid dispensers, from doing appropriate work in the area of communication disorders consistent with their professional qualifications and with the standards and ethics of their respective professions. Such professional groups include, but are not limited to the following:

- (1) physicians licensed to practice medicine in New Mexico;
- (2) orthodontists;
- (3) certified teachers of the deaf.

B. Students: The act does not restrict the supervised activities of a speech-language pathology or an audiology student which constitute a part of his or her supervised course of study wherein the student is designated as a speech-language pathology student, audiology student or other such title clearly indicating the training status appropriate to his or her level of training.

[16.26.2.9 NMAC - Rp, 16 NMAC 26.2.9, 2/3/2006; A, 2/10/2022]

16.26.2.10 REQUIREMENTS FOR ALL APPLICANTS: An applicant for a license to practice under the Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Act must submit the following:

- A.** a complete and signed application on a form prescribed by the board;
- B.** a check or money order payable to the board for the applicable fee(s) outlined in 16.26.6.8 NMAC;
- C.** documentation relevant to the license sought under 16.26.2 NMAC; [~~and~~]
- D.** certification that the applicant is not guilty of any activities listed in Section 61-14B-21 NMSA 1978; and
- E.** The certification that the applicant has not been convicted of felonies listed in Subsection E of 16.26.8 NMAC

[16.26.2.10 NMAC - Rp, 16 NMAC 26.3.8, 2/3/2006; A, 11/29/2008; A, 4/6/2016; A, 2/14/2017; A, 2/10/2022]

16.26.2.17 QUALIFICATION FOR LICENSURE FOR CLINICAL FELLOWS:

A. A clinical fellow (CF) must meet all academic course work and practicum requirements for a master's degree in speech-language pathology, speech pathology, communication disorders or audiology or both or equivalent degree(s) regardless of degree name that would enable the individual to successfully be granted certification from a nationally recognized speech-language and or hearing association after completion of the clinical fellowship if the individual chooses to apply national certification.

B. Procedure for applying for licensure as a clinical fellow.

(1) An individual will complete application including appropriate fee and clinical fellow plan and submit to the board office at the initiation of the clinical fellow period. The individual shall also submit:

(a) official transcripts verifying at least a master's degree in speech-language pathology, audiology, speech-language and hearing science, communication disorders or equivalent degree regardless of degree name; or

(b) a certification bearing an official seal and attesting to completion of degree requirements from the registrar, mailed directly to the board from the conferring institution; and

(c) certify that the individual has received no reprimands of unprofessional conduct or incompetency; and

(d) file a CFY plan that meets with board approval that designates a clinical fellow supervisor who is licensed in accordance of this act and is practicing in the same field as the clinical fellow.

(e) CFY means no less than nine months full time employment defined as a minimum of 32 clock hours of work per week. This requirement also may be fulfilled by part time employment as follows:

- (i) work of 15 - 19 hours per week over 18 months;
- (ii) work of 20 - 24 hours per week over 15 months; or
- (iii) work of 25 - 31 hours per week over 12 months.

(iv) In the event that part time employment is used to fulfill a part of the CFY, one-hundred percent of the minimum hours of part time work per week requirements must be spent in direct professional experience as defined above. Professional employment of less than 15 hours per week will not fulfill any part of this requirement.

(f) a clinical fellow in audiology is not required to have a temporary hearing aid training permit.

(g) the clinical fellow must understand and abide by the code of ethics adopted by the board.

(2) Speech-language pathologist's supervision requirements for CFYs:

(a) Duties of clinical fellow supervisor: Clinical fellow supervision must be based on no less than 36 occasions of monitoring. These can include on site monitoring activities such as conferences with the clinical fellow, evaluation of written reports, evaluation by professional colleagues or may be executed by correspondence.

(b) Should the clinical fellow supervisor suspect at anytime during the clinical fellow plan that the clinical fellow under ~~her/his~~ clinical fellow supervision will not meet regulations, the clinical fellow supervisor must counsel the clinical fellow both orally and in writing and maintain careful written records of all contacts, contracts and conferences in the ensuing months.

(c) It is the responsibility of the clinical fellow to request feedback from their supervisor when the clinical fellow requires such feedback.

C. Completion of clinical fellowship: Upon completion of CFY, the CF is required to submit application for licensure as a speech-language pathologist or audiologist or both.

[16.26.2.17 NMAC - Rp, 16 NMAC 26.3.14, 2/3/2006; A, 1/15/2015; A, 2/10/2022]

16.26.2.18 TEMPORARY PARAPROFESSIONAL LICENSURE AS AN APPRENTICE IN SPEECH-LANGUAGE (ASL):

A. Prerequisite requirements:

(1) Acceptance of a temporary paraprofessional licensee as an apprentice in speech-language is subject to board approval. Such licensees shall:

(a) be working towards a license pursuant to the provisions of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act;

(b) certify that ~~he/she~~ they are not guilty of any activities listed in Section 61-14B-21 of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act; and

(c) provide proof of having met educational, supervision, and employment requirements.

(2) It is the responsibility of the apprentice in speech-language and the supervising speech-language pathologist to insure the distinction between the roles of the apprentice in speech-language and the graduate student.

B. Educational requirements:

(1) a baccalaureate degree in speech-language pathology or communication disorders or baccalaureate degree in another field with 30 semester hours of credit in speech-language pathology or communication disorders;

(2) enrolled in a master's degree program in speech-language pathology or communication disorders and completes a minimum rate of nine semester hours per year of graduate courses in communication disorders per year; or

(a) if not accepted into a master's degree program in speech-language pathology or communication disorders, the applicant must be currently enrolled in nine semester hours of graduate courses per year with at least three hours in communication disorders, six hours may be taken in a related field; and

(b) acceptance in a master's degree program must take place within two years of initial license; and

(3) maintains a minimum of a 3.0 GPA in communication disorders course work or master's degree program.

C. Supervision requirements:

(1) Work of the apprentice in speech-language must be supervised by a speech-language pathologist licensed by this act and who has a minimum of two years experience in the field.

(a) Minimum of ten percent of contact time of the apprentice in speech-language must be direct supervision.

(b) Minimum of ten percent of contact time of the apprentice in speech-language must be indirect supervision.

(2) It is recommended that the speech-language pathologist's and audiologist's direct caseload size be limited to no more than 40 clients.

(a) A speech-language pathologist may supervise a maximum of three apprentices at one time.

(b) The supervising speech-language pathologist is expected to appropriately reduce their direct caseload for each apprentice they supervise, ensuring the maintenance of high professional standards as stated in the code of ethics.

(c) It is the responsibility of the supervising speech-language pathologist and the apprentice in speech-language to ensure the distinction between the roles of the apprentice in speech-language and the graduate student.

D. Employment requirements:

(1) Terms of employment must require at least a temporary paraprofessional license as an apprentice in speech-language. The role of the apprentice in speech-language shall be determined in collaboration with the supervising speech-language pathologist (SLP) and the employer.

(2) Employment duties must be limited to the following:

(a) conduct speech-language ~~and/or~~ and hearing screenings;

(b) conduct treatment programs and procedures that are planned, selected ~~and/or~~ and designed by the supervising SLP;

(c) prepare written daily plans based on the overall intervention plan designed by the supervising SLP;

(d) record, chart, graph, or otherwise display data relative to the client performance and report performance changes to the supervising SLP;

(e) maintain daily service/delivery treatment notes and complete daily charges as requested;

(f) report but not interpret data relative to client performance to teachers, family, or other professionals;

(g) assist the speech-language pathologists during assessment of clients, such as those who are difficult to test;

(h) perform clerical duties, including maintenance or therapy/diagnostic material/equipment, client files, as directed by the SLP supervisor;

(i) participate with the speech-language pathologist in research projects, in-service training, and public relations programs.

E. Employment duties must not include any of the following:

(1) administer diagnostic tests;

(2) interpret data into diagnostic statements or clinical management strategies or procedures;

(3) select or discharge clients for services;

(4) interpret clinical information including data or impressions relative to client performance;

(5) treat clients without following the individualized treatment plan;

(6) independently compose clinical reports except for progress notes to be held in the client's file;

(7) refer a client to other professionals or agencies;

(8) provide client or family counseling;

(9) develop or modify a client's individual treatment plan: IEP/IFSP/ clinical report or plan of care in anyway without the approval of the SLP supervisor;

(10) disclose clinical or confidential information;

(11) sign any formal documents without the supervising SLP co-signature;

(12) represent ~~himself/herself~~ themselves as a speech-language pathologist.

F. Documentation required: All applicants for temporary paraprofessional license as an apprentice in speech-language are required to provide the following documentation to the board each year:

(1) a completed board approved license application form, signed in the presence of a notary public;

(2) the required license application fee; and

(3) a completed board approved verification of employment form verifying:

(a) applicant's employment;

- (b) performance responsibilities of the apprentice in speech-language;
- (c) limitations on employment practices of the apprentice in speech-language license holder (apprentice in speech-language);
- (d) provision for supervision by an SLP licensed according to this act;
- (4) a completed board approved verification of education form verifying:
 - (a) course work completed in communication disorders or other courses as outlined in the degree plan with a minimum GPA of 3.0;
 - (b) current degree plan once the applicant is admitted to a master's degree program; and
 - (c) official copy of transcripts from college or university.

[16.26.2.18 NMAC - Rp, 16 NMAC 26.2.15, 2/3/2006; A, 11/29/2008; A, 6/7/2010; A, 1/15/2015; A, 2/10/2022]

16.26.2.19 BILINGUAL MULTICULTURAL ENDORSEMENT:

A. Prerequisites for an endorsement: Any person applying for bilingual-multicultural endorsement shall:

- (1) file a completed application;
- (2) pay the fees required under 16.26.6 NMAC;
- (3) submit required documentation as outlined in Subsections B through D below; and
- (4) certify that the applicant is not guilty of any of the activities listed in Section 61-14B-21 NMSA 1978.

B. Eligibility of non-licensed speech language pathology applicants: A speech-language pathology applicant who applies for a bilingual-multicultural endorsement must submit the following documentation:

- (1) a copy of a board-approved application for a license to practice as a New Mexico speech language pathologist or license issued by another state or country as a SLP or bilingual SLP; and
- (2) proof of language(s) proficiency and experience as evidenced by:
 - (a) an official transcript from a university's bilingual or multicultural speech-language pathology certificate program with a minimum eighty percent score in courses taken, and proof that the applicant has passed a board-approved language proficiency assessment; or
 - (b) if a university transcript and a language proficiency assessment are not available, a letter of verification from a university, tribe or other recognized official entity documenting successful completion of a language proficiency rubric with a minimum of seventy percent in all domains/areas that apply to the specified language, and proof of five years of experience; or
 - (c) in the event that an applicant cannot provide the documentation required in Subparagraphs (a) or (b) of Paragraph (2) of Subsection B of 16.26.2.19 NMAC, the board may consider other evidence of proficiency and experience on a case-by-case basis.

C. Eligibility of currently licensed New Mexico speech-language pathology applicants: A New Mexico licensed speech-language pathologist who applies for a bilingual-multicultural endorsement must submit the following documentation:

- (1) proof that the applicant has a New Mexico license to practice as a speech-language pathologist that is in good standing, or licensed by another state or country as a SLP or bilingual SLP that is in good standing; and
- (2) proof that the applicant is proficient in the specified language(s) as evidenced by:
 - (a) having passed a board-approved language proficiency assessment; or
 - (b) a letter of verification from a university, tribe or other recognized official entity documenting successful completion of a language proficiency rubric with a minimum of seventy percent in all domains/areas that apply to the specified language; or
 - (c) in the event that an applicant cannot provide the documentation required in Subparagraphs (a) or (b) of Paragraph (2) of Subsection C of 16.26.2.19 NMAC, the board may consider other evidence of proficiency on a case-by-case basis; and

~~[(3) proof that the applicant has a current bilingual endorsement from the New Mexico public education department; or]~~

~~[(4)]~~ (3) proof that the applicant has a minimum of five years practicing with clients who utilize a language other than English as evidenced by a sworn and notarized affidavit from the applicant.

D. Eligibility of licensees from other jurisdictions: A speech-language pathologist licensed by another jurisdiction who applies for a bilingual-multicultural endorsement must submit the following:

(1) proof that the applicant has a license to practice as a speech-language pathologist in good standing in another jurisdiction;

(2) a copy of a board-approved application for a license to practice as a New Mexico speech language pathologist;

~~[(3) proof that the applicant has a minimum of five years practicing with clients who utilize a language other than English as evidenced by a sworn and notarized affidavit from the applicant; and~~

~~_____ (4)]~~ (3) proof that the applicant is proficient in the specified language(s) as evidenced by:

(a) ~~[a current bilingual endorsement issued by a state public education department; or] the applicant has a minimum of five years practicing with clients who utilize a language other than English as evidenced by a sworn and notarized affidavit from the applicant; or~~

(b) having passed a board-approved language proficiency assessment; or

(c) a letter of verification from a university, tribe or other recognized official entity documenting successful completion of a language proficiency rubric with a minimum of seventy percent in all domains/areas that apply to the specified language; or

(d) in the event that an applicant cannot provide the documentation required in Subparagraphs (a), (b) or (c) of Paragraph (4) of Subsection D of 16.26.2.19 NMAC, the board may consider other evidence of proficiency on a case-by-case basis.

[16.26.2.19 NMAC - N, 4/6/2016; A, 2/10/2022]