

## Subtitle 41 BOARD OF EXAMINERS FOR AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH- LANGUAGE PATHOLOGISTS

### Notice of Proposed Action

[16-323-P]

The Secretary of Health and Mental Hygiene proposes to:

- (1) Adopt new Regulation .08 under **COMAR 10.41.03 Licensure and Continuing Education**;
- (2) Amend Regulation .02 under **COMAR 10.41.08 Hearing Aid Dispensers**; and
- (3) Amend Regulation .02 under **COMAR 10.41.11 Speech-Language Pathology Assistants**.

This action was considered at a public meeting on September 15, 2016, notice of which was given by publication on the Board's website at <http://dhmh.maryland.gov/boardsahs/Pages/Index.aspx>, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

### Statement of Purpose

The purpose of this action is to:

- (1) Require, if the Board receives an incomplete application for a license, the Board to notify the applicant, within 30 days of receipt of an incomplete application, of the materials that are required;
- (2) Provide that an application is incomplete until all required materials, including fees and supporting documentation, are received by the Board;
- (3) Authorize the Board to administratively close an application if the required documentation is not received within 1 year of receipt of the incomplete application; and
- (4) Authorize an applicant whose application is administratively closed to reapply and submit with the new application proof of compliance with the Board regulations and statute.

### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

### Estimate of Economic Impact

The proposed action has no economic impact.

### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

### Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to [dhmh.regs@maryland.com](mailto:dhmh.regs@maryland.com), or fax to 410-767-6483. Comments will be accepted through January 9, 2017. A public hearing has not been scheduled.

### 10.41.03 Licensure and Continuing Education

Authority: Health Occupations Article, §§2-205, 2-302, 2-302.2, 2-304, 2-305, 2-308, 2-310, 2-310.2, 2-311(c), 2-312(b), 2-314(11) and 2-314.9, Annotated Code of Maryland

#### .08 Incomplete Applications.

A. If an incomplete application is submitted to the Board, the Board shall notify the applicant within 30 days after receipt of an incomplete application of the materials that are required.

B. An application is not complete until all required material, including the application fee and supporting documentation, is received by the Board.

C. If the applicant fails to provide the required documentation within 1 year of receipt of the initial receipt, the Board may administratively close the application.

D. An applicant whose application is administratively closed may reapply and submit with the new application proof of compliance with:

(1) This subtitle; and

(2) Health Occupations Article, Title 2, Annotated Code of Maryland.

(3) If the applicant fails to provide the required documentation within 1 year of receipt of the initial receipt, the Board may administratively close the application.

(4) An applicant whose application is administratively closed may reapply and submit with the new application proof of compliance with:

(a) This subtitle; and

(b) Health Occupations Article, Title 2, Annotated Code of Maryland.

VAN T. MITCHELL  
Secretary of Health and Mental Hygiene

### 10.41.08 Hearing Aid Dispensers

Authority: Health Occupations Article, §§2-101(d), 2-205, 2-302.1, 2-304, 2-308, 2-310.1, 2-311(c), 2-311—2-314.8, 2-314(10) and (11), and 2-314.9, Annotated Code of Maryland

#### .02 Application for License.

A.—J. (text unchanged)

#### K. Incomplete Applications.

(1) If an incomplete application is submitted to the Board, the Board shall notify the applicant within 30 days after receipt of an incomplete application of the materials that are required.

(2) An application is not complete until all required material, including the application fee and supporting documentation, is received by the Board.

(3) If the applicant fails to provide the required documentation within 1 year of receipt of the initial receipt, the Board may administratively close the application.

(4) An applicant whose application is administratively closed may reapply and submit with the new application proof of compliance with:

(a) This subtitle; and

(b) Health Occupations Article, Title 2, Annotated Code of Maryland.

### 10.41.11 Speech-Language Pathology Assistants

Authority: Health Occupations Article, §§2-205, 2-308, 2-311(c), 2-312(b), 2-314(10) and (11), and 2-319, Annotated Code of Maryland

#### .02 Speech-Language Pathology Assistant License.

A. The Board shall issue a speech-language pathology assistant license to an applicant who:

[A.] (1) Meets the following qualifications:

[(1)] (a)—[(5)] (e) (text unchanged)

[B.] (2) (text unchanged)

#### B. Incomplete Applications.

(1) If an incomplete application is submitted to the Board, the Board shall notify the applicant within 30 days after receipt of an incomplete application of the materials that are required.

(2) An application is not complete until all required material, including the application fee and supporting documentation, is received by the Board.