

## CHAPTER 468

## H.B. No. 2004

An Act relating to speech, hearing, and language screening, professional examination, and remedial services for preschool and school children.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 3(5), Chapter 568, Acts of the 68th Legislature, Regular Session, 1983 (Article 4419g, Vernon's Texas Civil Statutes), is amended to read as follows:

(5) "Professional examination" means a diagnostic evaluation performed by *an appropriately [a] licensed professional or, if no license exists in this state, by a certified or sanctioned individual [; certified, or sanctioned individual]* whose expertise addresses the diagnostic needs of the individual identified as having a possible special senses or communication disorder.

**SECTION 2.** Section 4(a), Chapter 568, Acts of the 68th Legislature, Regular Session, 1983 (Article 4419g, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) The board shall adopt rules for the mandatory screening of individuals who attend public or private preschools or schools to detect vision and hearing disorders and any other special senses or communication disorders that the board may specify. The board shall adopt a schedule for implementing the screening requirements and shall give priority to age groups that may derive the greatest educational and social benefits from early identification of special senses and communication disorders. In developing the rules, the board may consider the number of individuals to be screened, the availability of personnel qualified to administer the required screening tests, the availability of appropriate screening equipment, and the availability of state and local funds for screening activities. The rules shall *include provisions [provide]* for acceptance of screening test results if the screening test has been conducted by a *licensed [qualified] professional whose legally defined scope of practice includes the area for which screening is being performed* utilizing acceptable screening procedures, regardless of whether that professional is under contract with the department. *Nothing in this section shall be construed so as to prohibit a volunteer from participating in the department's screening programs.*

**SECTION 3.** Section 4(g), Chapter 568, Acts of the 68th Legislature, Regular Session, 1983 (Article 4419g, Vernon's Texas Civil Statutes), is amended to read as follows:

(g) The department may coordinate the special senses and communication disorders screening activities of school districts, private schools, state agencies, volunteer organizations, and other entities so that the efforts of each entity are complementary rather than *fragmented* [~~augmented~~] and duplicative. The department may provide technical assistance to those entities in developing screening programs. *The department may provide screening personnel, equipment, and services only if there are no other means for meeting the screening requirements.*

**SECTION 4.** Section 8, Chapter 568, Acts of the 68th Legislature, Regular Session, 1983 (Article 4419g, Vernon's Texas Civil Statutes), is amended to read as follows:

**Sec. 8. SPECIAL PROVISIONS FOR SPEECH, LANGUAGE, AND HEARING SCREENING, PROFESSIONAL EXAMINATION, AND REMEDIAL SERVICES.** (a) A person who provides speech and language screening services authorized by this Act must be appropriately licensed [~~or certified~~] or trained *and monitored* by a person who is appropriately licensed [~~or certified~~].

(b) *If the screening of hearing authorized by this Act is conducted by persons other than appropriately licensed professionals, hearing screening shall be limited to the screening of hearing sensitivity, and individuals unable to respond reliably to such screening shall be referred to an appropriately licensed professional.*

(c) [~~(b)~~] A person who provides a professional examination or remedial services authorized by this Act for speech, language, or hearing disorders must be appropriately licensed [~~or certified~~].

**SECTION 5.** Section 11(b), Chapter 568, Acts of the 68th Legislature, Regular Session, 1983 (Article 4419g, Vernon's Texas Civil Statutes), is amended by amending Subdivisions (1) and (2) to read as follows:

(b) The advisory committee is composed of:

(1) a *speech-language* [~~speech~~] pathologist who is *licensed by the State Committee of Examiners for Speech-Language Pathology and Audiology* [~~certified by the American Speech, Language, and Hearing Association~~];

(2) an audiologist who is *licensed by the State Committee of Examiners for Speech-Language Pathology and Audiology* [~~certified by the American Speech, Language, and Hearing Association~~];

(3) a physician who is licensed by the Texas State Board of Medical Examiners and who specializes in problems of the ear, nose, and throat;

(4) a specialist in communications disorders who specializes in treatment of preschool children; and

(5) a person who has an expressed interest in children's speech, hearing, and language problems or is a parent of such a child.

**SECTION 6.** Chapter 568, Acts of the 68th Legislature, Regular Session, 1983 (Article 4419g, Vernon's Texas Civil Statutes), is amended by adding Section 12 to read as follows:

**Sec. 12. APPLICATION OF ACT.** *This Act shall be implemented in accord with the provisions of professional license laws that pertain to professional examination and remedial services for persons with special senses and communication disorders.*

**SECTION 7.** This Act takes effect September 1, 1985.

**SECTION 8.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 25, 1985, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2004 on May 20, 1985, by a non-record vote; passed by the Senate, with amendments, on May 17, 1985, by the following vote: Yeas 30, Nays 0.

Approved: June 11, 1985

Effective: September 1, 1985