

# WEST VIRGINIA CODE: §30-32A-2

## §30-32A-2. Definitions.

As used in this compact, except as otherwise provided, the following definitions shall apply:

“Active duty military” means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.

“Adverse action” means any administrative, civil, equitable, or criminal action permitted by a state’s laws which is imposed by a licensing board or other authority against an audiologist or speech-language pathologist, including actions against an individual’s license or privilege to practice such as revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee’s practice.

“Alternative program” means a nondisciplinary monitoring process approved by an audiology or speech-language pathology licensing board to address impaired practitioners.

“Audiologist” means an individual who is licensed by a state to practice audiology.

“Audiology” means the care and services provided by a licensed audiologist as set forth in the member state’s statutes and rules.

“Audiology and Speech-Language Pathology Compact Commission” or “Commission” means the national administrative body whose membership consists of all states that have enacted the compact.

“Audiology and speech-language pathology licensing board”, “audiology licensing board”, “speech-language pathology licensing board”, or “licensing board” means the agency of a state that is responsible for the licensing and regulation of audiologists or speech-language pathologists, or both, which in West Virginia is the West Virginia Board of Examiners for Speech-Language Pathology and Audiology (“board”).

“Compact privilege” means the authorization granted by a remote state to allow a licensee from another member state to practice as an audiologist or speech-language pathologist in the remote state under its laws and rules. The practice of audiology or speech-language pathology occurs in the member state where the patient, client, or student is located at the time of the patient, client, or student encounter.

“Current significant investigative information” means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the audiologist or speech-language pathologist to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

“Data system” means a repository of information about licensees, including, but not limited to, continuing education, examination, licensure, investigation, compact privilege, and adverse action.

“Encumbered license” means a license in which an adverse action restricts the practice of audiology or speech-language pathology by the licensee and the adverse action has been reported to the National Practitioners Data Bank (NPDB).

“Executive committee” means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

“Home state” means the member state that is the licensee’s primary state of residence.

“Impaired practitioner” means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.

“Licensee” means an individual who currently holds an authorization from the state licensing board to practice as an audiologist or speech-language pathologist.

“Member state” means a state that has enacted the compact.

“Privilege to practice” means a legal authorization permitting the practice of audiology or speech-language pathology in a remote state.

“Remote state” means a member state other than the home state where a licensee is exercising or seeking to exercise the compact privilege.

“Rule” means a regulation, principle, or directive promulgated by the commission that has the force of law.

“Single-state license” means an audiology or speech-language pathology license issued by a member state that authorizes practice only within the issuing state and does not include a privilege to practice in any other member state.

“Speech-language pathologist” means an individual who is licensed by a state to practice speech-language pathology.

“Speech-language pathology” means the care and services provided by a licensed speech-language pathologist as set forth in the member state’s statutes and rules.

“State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of audiology and speech-language pathology.

“State practice laws” means a member state’s laws, rules, and regulations that govern the practice of audiology or speech-language pathology, define the scope of audiology or speech-language pathology practice, and create the methods and grounds for imposing discipline.

“Telehealth” means the application of telecommunication, audio-visual, or other technologies that meets the applicable standard of care to deliver audiology or speech-language pathology services at a distance for assessment, intervention, or consultation.

WV Legislature