

**H.562 Testimony – Speech Language Pathologist Fees  
Vermont Speech-Language Hearing Association  
April 21, 2016**

**Intent of Act 38**

The intent of Act 38 last year was to move licensing and fees for Speech Language Pathologists (SLP) from the Agency of Education (AOE) to the Office of Professional Regulation (OPR). SLPs have always paid only one fee for their license, regardless of whether they worked in schools or elsewhere. The Legislature did not intend to require SLPs to pay a new second fee to AOE after regulation transferred to OPR.

**Act 38 (H.282) Language Re: Fees**

Act 38 clearly moved the fees from AOE to OPR.

26 V.S.A. § 4459. FEES

(a) Each applicant and licensee shall ~~be subject to~~ pay the following fees:

- ~~(1) Initial processing of application \$35.00~~
- ~~(2) Issuance of initial license \$35.00 per year for the term of the license~~
- ~~(3) Renewal of license \$35.00 per year for the term of the renewal~~
- ~~(4) Replacement of license \$10.00~~
- ~~(5) Duplicate license \$3.00~~

~~(b) Fees collected under this section shall be credited to special funds established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available to the department to offset the costs of providing those services set forth in 3 V.S.A. § 125~~

**Act 57 (H.489) Revenues**

Act 57, passed last year, had 3 relevant provisions to this issue that show that SLPs are required to pay fees under Title 26, not Title 16.

- Section 6 - increased fees for teachers (other than SLPs) who paid fees under Title 16 from \$40 to \$50
- Section 7 - increased fees for SLPs under Title 26 from \$35 to \$50
- Section 7a - stated that Section 7 would not go into effect if “the General Assembly enacts legislation to transfer the licensure of speech-language pathologists and audiologists from the Agency of Education to the Office of Professional Regulation”
  - Section 7a was added by the Senate Finance Committee, because if Act 38 passed, it would amend Title 26 fees for SLPs; the language in Section 7 would no longer exist and the SLP fees no longer went to AOE.

**New Title 16 Fee**

After passage of Act 38, AOE must have realized that they were going to lose the revenue from SLP fees, which are only about \$16,000/year. In response, they unilaterally decided to begin charging SLPs an “educator fee” under Title 16, in addition to the statutory licensing fees under Title 26, which they had never been charged before.

**Amendment**

In light of the clear legislative language in Acts 38 and 57, as well as the historical practice of AOE to only require all SLPs, regardless of workplace, to pay one fee under Title 26, we request the following amendment to H.562:

Sec. XX. 16 V.S.A. § 1697 is amended to read:

§ 1697. FEES

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(c) Pursuant to Act 38 enacted during the 2015 Session of the Vermont General Assembly, Speech Language Pathologists who meet the definition of “teacher” pursuant to § 1691a of this title shall not be required to pay a fee to the Agency of Education for any license issued under this chapter.