

**H.86: An act relating to Vermont’s adoption of
the Audiology and Speech-Language Pathology Interstate Compact**

H.86 would enter Vermont into the Audiology and Speech-Language Pathology Interstate Compact¹ (or “ASLP Compact” or “ASLP-IC”) as amended by the ASLP-IC Commission. There are currently 23 states in the Compact, including New Hampshire.² By entering the ASLP Compact, Vermont agrees to mutually recognize other member states’ audiologist and speech-language pathologists licenses³ as well as rules promulgated by the ASLP-IC Commission. By enacting this bill into law, Vermont would be essentially entering into a contract with other states that are parties to the ASLP Compact; therefore, the ASLP Compact provisions of the bill cannot be amended.⁴ The ASLP Compact provisions, however, may be supplemented with provisions for Vermont’s implementation and administration of the Compact so long as those provisions are not inconsistent with the Compact.

The ASLP Compact contains the following main provisions:

- State Participation in the Compact. Each participating state must, among other items, 1) require criminal background checks using Federal Bureau of Investigation records check results, 2) use the ASLP Compact data system, and 3) follow certain educational requirements for licensure and renewal.⁵
- Compact privilege. An audiologist or speech-language pathologist may practice in each state that is a party to the Compact.⁶

¹ As defined on the ASLP-IC Commission’s webpage, <https://aslpcompact.com/>, “ASLP-IC is an interstate compact, a contractual, legislatively enacted agreement between states to address a particular policy issue.

² <https://aslpcompact.com/compact-map/>

³ Preexisting Vermont statutes controlling audiologists can be found in [26 V.S.A. chapter 67](#) and statutes controlling speech-language pathologists can be found in [26 V.S.A. chapter 87](#).

⁴ Compact, Black’s Law Dictionary (11th ed. 2019) (defining “compact” as “[a]n agreement or covenant between two or more parties, esp. between governments or states”).

⁵ Sec. 1. 26 V.S.A. § 4503.

⁶ Sec. 1, 26 V.S.A. §§ 4503(a), 4505.

- Requirements for licensure & Compact privilege.
 - An audiologist or speech-language pathologist is licensed by their “home state,” that is, their primary state of residence.⁷ To qualify for Compact privilege, an audiologist or speech-language pathologist’s primary state of residence must be a member state.⁸ An audiologist or speech-language pathologist must meet the home state’s qualifications for licensure, which at a minimum must include a criminal background check and meeting education and exam requirements.⁹
 - An audiologist or speech-language pathologist must have no encumbrance on *any* state license within the two years prior to applying for licensure, regardless of whether the state is a member state or not.¹⁰
- Compliance with state laws where practicing. When an audiologist or speech-language pathologist is practicing in a member state, the audiologist or speech-language pathologist is required to comply with that state’s laws.¹¹
- Discipline of audiologists and speech-language pathologists. A home state shall have exclusive power to discipline and impose adverse action against a license issued by the home state.¹²
 - This includes the ability to discipline based on the factual findings of another member state.¹³
 - If a home state disciplines the audiologist or speech-language pathologist’s license, the audiologist or speech-language pathologist’s ability to practice under the Compact license is suspended until all encumbrances have been removed from the home state license.¹⁴

⁷ Sec. 1, 26 V.S.A. § 4504(a)(1), (c).

⁸ Sec. 1, 26 V.S.A. § 4503(a)(1).

⁹ Sec. 1, 26 V.S.A. § 4503(e), (f).

¹⁰ Sec. 1, 26 V.S.A. § 4504(a)(2), (4). See also 26 V.S.A. § 4502(11) which defines an “encumbered license” as “a license in which an adverse action restricts the practice of audiology or speech-language pathology by the licensee and said adverse action has been reported to the National Practitioners Data Bank (NPDB).”

¹¹ Sec. 1, 26 V.S.A. § 4503(g).

¹² Sec. 1, 26 V.S.A. § 4507(a).

¹³ Sec. 1, 26 V.S.A. § 4507(e).

¹⁴ Sec. 1, 26 V.S.A. § 4507(g).

- A remote/non-home member state has the authority to take adverse action against an audiologist’s or speech-language pathologist’s privilege to practice within that remote/non-home member state.¹⁵
- A member state’s decision that participation in an alternative program may be used in lieu of adverse action.¹⁶
- Compact Licensure Data System. Member states are required to share licensure information, including any disciplinary actions, in the Compact’s Coordinated Licensure Information System.¹⁷
- Audiology and Speech-Language Pathology Interstate Compact Commission (“ASLP-IC Commission”).
 - The ASLP-IC Commission promulgates uniform rules to facilitate and coordinate the implementation and administration of this Compact.¹⁸ These rules have the force and effect of law and shall be binding in all member states.^{19, 20}
 - Each member state has two delegates on the PT Commission; one audiologist and one speech-language pathologist. The state licensing board—in Vermont’s case, the Director of the Office of Professional Regulation—selects the delegates.²¹
- Withdrawal from Compact. A state may withdraw from the Compact by repealing the enabling law, but the withdrawal does not take effect until six months after that repeal, and the state must comply with the Compact terms until that time.²²

¹⁵ Sec. 1, 26 V.S.A. § 4507(a)(3).

¹⁶ Sec. 1, 26 V.S.A. § 4507(i).

¹⁷ Sec. 1, 26 V.S.A. § 4509.

¹⁸ Sec. 1, 26 V.S.A. §§ 4503(k), 4508(b)(6).

¹⁹ *Id.*

²⁰ The current rules, the “ASLP-IC Rule on Rulemaking (as adopted 5/2/22),” can be found here: <https://aslpcompact.com/wp-content/uploads/2022/05/Final-ASLP-Rule-on-Rulemaking-May-2022-for-website.pdf>

²¹ Sec. 1, 26 V.S.A. § 4508(b)(5).

²² Sec. 1, 26 V.S.A. § 4512(c).