

**Adopt Sphe 500 to read as follows:**

CHAPTER Sphe 500 ETHICAL STANDARDS

PART Sphe 501 DEFINITIONS

Sphe 501.01 Definitions. The following terms shall have the following meanings:

(a) "American Speech-Language-Hearing Association (ASHA)" means the national professional organization of speech-language pathologists and audiologists.

(b) "Certificate of Clinical Competence (CCC)" means the professional credential issued by the Council for Clinical Certification of ASHA on the basis of successful completion of specified academic requirements, specified practicum requirements, an examination, and specified post-graduate professional experience.

PART Sphe 502 SCOPE

Sphe 502.01 Scope.

(a) The ethical standards in Sphe 503 shall apply to speech-language pathologists, whether or not they hold the certificate of clinical competence; and individuals certified as speech-language assistants.

(b) The ethical standards in Sphe 504 shall apply to audiologists and registered hearing aid dealers.

PART Sphe 503 ETHICAL STANDARDS FOR SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGAUGE ASSISTANTS

Sphe 503.01 Ethical Standards for Speech-Language Pathologists and Speech-Language Assistants. The ethical standards for speech-language pathologists and speech-language assistants shall be the ASHA code of ethics effective March 1, 2023 with the modifications described in Sphe 503.02, available as noted in Appendix II at no cost.

Sphe 503.02 Modifications of the ASHA Code of Ethics. Modifications to the ASHA code of ethics shall be as follows:

(a) The exclusion of the preamble to the ASHA code of ethics;

(b) The exclusion of B under Principle of Ethics II; and

(c) The exclusion of F., G., Q., T., and U. under Principle of Ethics IV.

PART Sphe 504 ETHICAL STANDARDS FOR AUDIOLOGISTS AND REGISTERED HEARING AID DEALERS

Sphe 504.01 Standards of Conduct. A licensed audiologist or a registered hearing aid dealer shall:

- (a) Submit only truthful, correct and complete information in any application or other document filed with or statement made to the licensing bureau;
- (b) Inform the licensing bureau of a principal business address to which all official board communications should be directed, and also of all addresses where the audiologist or hearing aid dealer is practicing;
- (c) Report the establishment of a business address or the change or abandonment of a business address to the licensing bureau within 30 days;
- (d) Refrain from revealing information acquired in the course of treating a patient unless the patient consents to the release of the information or the release is ordered by a court;
- (e) Offer no assistance to any dishonest practice or scheme such as preparing or verifying reports which support feigned or exaggerated claims of physical disability or the concealment of physical disability, regardless of the purpose for which the report is offered;
- (f) Provide each patient with the highest degree of skill and care which he or she is capable, and otherwise maintain the health and welfare of the patient as the paramount objective of their practice;
- (g) Continually endeavor to improve their skill and knowledge in the field of audiology or hearing aid dispensing, as appropriate, keep abreast of new developments in the field, and offer the same good quality of care to each patient treated;
- (h) Report to the licensing bureau persons who might attempt to practice audiology without a license or dispense hearing aids without registration, and otherwise violate the laws or rules pertaining to the practice of audiology or hearing aid dispensing in New Hampshire;
- (i) Annually calibrate any and all equipment utilized for the purpose of testing or evaluating a person's hearing. Calibration records shall be retained for a period of 5 years and available to the board upon demand; and
- (j) Comply with the reporting requirements of the New Hampshire Department of Health and Human Services' Early Hearing Detection and Intervention (EHDI) program as outlined in He-P 3008.15 through He-P 3008.18.

Sphc 504.02 Mandatory Medical Referral.

- (a) A licensed audiologist or registered hearing aid dealer shall refer a patient to a physician if the audiologist or hearing aid dealer determines by any method that the patient has or might have any of the following conditions:
  - (1) Visible congenital or traumatic deformity of the outer ear;
  - (2) History of active drainage from the ear within the previous 90 days;
  - (3) History of sudden or rapidly progressive hearing loss with the previous 90 days;
  - (4) Acute or chronic dizziness;
  - (5) Unilateral hearing loss of sudden or recent onset with the previous 90 days;
  - (6) Audiometric air-bone gap equal to or greater than 15 decibels at 500Hz, 1000Hz, and 2000Hz;

(7) Visible evidence of significant cerumen accumulation or a foreign body in the ear canal;  
or

(8) Pain or discomfort in the ear.

(b) An audiologist or hearing aid dealer shall have a duty to inquire or otherwise determine whether any of the conditions listed in (a) above are present.

**Appendix A**

<b>Rule</b>	<b>Statute Implemented</b>
Sphc 501 through Sphc 504	RSA 541-A:7; RSA 328-F:11, II(b)
Sphc 503.02	RSA 541-A:12, VII

**Appendix B Incorporation by Reference Information**

<b>Rule</b>	<b>Title</b>	<b>Obtain at:</b>
Sphc 503.01	American Speech-Language Hearing Association Code of Ethics  Effective March 1, 2023	American Speech-Language Hearing Association  Obtain online <a href="http://www.asha.org/policy">www.asha.org/policy</a>  Cost: None