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LEGISLATIVE RESEARCH COMMISSION

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MEMORANDUM

TO: Sara Boswell Janes, Staff Attorney III, Board of Speech-Language Pathology and Audiology

FROM: Emily Caudill, Regulations Compiler

RE: Acknowledgement of Proposed Ordinary & Emergency Regulation – 201 KAR 017:120 & E.

DATE: August 26, 2025

A copy of the ordinary and emergency administrative regulations listed above are enclosed for your files. The information below provides an overview of the standard KRS Chapter 13A timeline. Please note that effective dates or expiration dates may be impacted by legislation or other statutes.

Emergency regulation

Pursuant to KRS 13A.190, an emergency administrative regulation becomes effective upon filing with our office on and, unless an extension on the accompanying ordinary is requested, is set to expire either in 270 days (for this regulation on **May 23, 2026**) or when replaced by its corresponding ordinary regulation, whichever occurs first. The emergency regulation is tentatively scheduled for full review by the Administrative Regulation Review Subcommittee at its **NOVEMBER 2025** meeting. We will notify you of the date and time of this meeting once it has been scheduled. Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration for this emergency regulation would be due **by noon on November 14, 2025**.

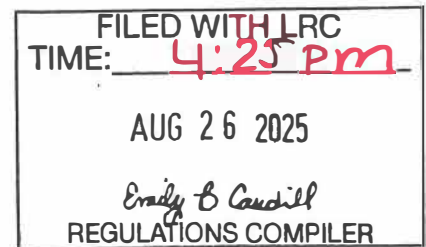
Ordinary regulation

The ordinary regulation is tentatively scheduled for full review by the Administrative Regulation Review Subcommittee at its **DECEMBER 2025** meeting. We will notify you of the date and time of this meeting once it has been scheduled. Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration for this ordinary regulation or a one-month extension request would be due **by noon on December 15, 2025**.

Please reference KRS 13A.270 and 13A.280 for other requirements relating to the public hearing and public comment periods and Statements of Consideration.

If you have questions, please contact us at RegsCompiler@LRC.ky.gov or (502) 564-8100.

Enclosures



1 GENERAL GOVERNMENT CABINET

2 Kentucky Board of Speech-Language Pathology and Audiology

3 (Amendment)

4 201 KAR 17:120. Audiology and Speech-Language Pathology Interstate Compact.

5 RELATES TO: KRS 334A.188

6 STATUTORY AUTHORITY: KRS 334A.080(3), 334A.188

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 334A.188, Section 15.B.1. requires the

8 Board of Speech-Language Pathology and Audiology to review any rule adopted by the Audiology

9 and Speech-Language Pathology Interstate Compact pursuant to Section 10 of KRS 334A.188

10 within sixty (60) days of adoption for the purpose of filing the rule as an emergency administrative

11 regulation pursuant to KRS 13A.190 and for filing the rule as an accompanying ordinary

12 administrative regulation pursuant to KRS Chapter 13A. This administrative regulation

13 incorporates by reference the rules adopted by the Audiology and Speech-Language Pathology

14 Interstate Compact.

15 Section 1. The Board of Speech-Language Pathology and Audiology shall comply with all

16 rules of the Audiology and Speech-Language Pathology Interstate Compact, which includes the

17 Audiology and Speech-Language Pathology Interstate Compact Rules as of June 30,

18 2025~~[October 7, 2023]~~.

19 Section 2. Incorporation by Reference.

(1) The following material is incorporated by reference: "The Audiology and Speech-Language Pathology Interstate Compact Rules", June 30, 2025~~[October 7, 2023]~~, and as revised.

(a) Chapter 1 – Rule on Definitions, adopted April 17, 2023;

(b) Chapter 2 – Rule on Data System Reporting Requirements, adopted April 17, 2023; and

(c) Chapter 3 – Rule on Implementation of Criminal Background Check Requirement, adopted October 7, 2023.

(d) Chapter 4 – Rulemaking on Fees, adopted June 30, 2025.

(2)

(a) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Board of Speech-Language Pathology and Audiology, 500 Mero Street, 2 SC 32, Frankfort, Kentucky 40602, Monday through Friday, 8 a.m. to 4:30 p.m.; or

(b) This material may also be obtained on the Board of Speech-Language Pathology and Audiology Web site at <https://slp.ky.gov/>.

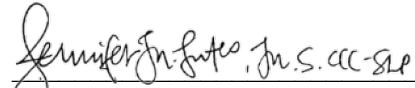
(3) This material may also be obtained at:

(a) The Audiology and Speech-Language Pathology Interstate Compact Commission, 1776 Avenue of the States, Lexington, Kentucky 40511; or

(b) <https://aslpcompact.com/commission/commission-governance-documents/>.

201 KAR 17:120

APPROVED BY AGENCY:

A handwritten signature in cursive script, reading "Jennifer Lutes, M.S., SLP". The signature is written in black ink and is positioned above a horizontal line.

Jennifer Lutes, M.S., SLP

Chair, Board of Speech-Language Pathology and Audiology

Date: August 26, 2025

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on November 25, 2025, at 2:00 P.M. Eastern Time, at the Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky in PPC Conference Room 127 CW. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to https://ppc.ky.gov/reg_comment.aspx or the contact person.

CONTACT PERSON:

Name: Sara Boswell Janes

Title: Staff Attorney III

Agency: Department of Professional Licensing, Office of Legal Services

Address: 500 Mero Street, 2 NC WK#2

Phone Number: (502) 782-2709 (office)

Fax: (502) 564-4818

Email: Sara.Janes@ky.gov

Link to public comment portal: https://ppc.ky.gov/reg_comment.aspx

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No. 201 KAR 17:120

Contact Person: Sara Boswell Janes

Phone Number: (502) 782-2709 (office)

Email: sara.janes@ky.gov

Subject Headings: Speech-Language Pathology, Audiology, Compacts, Interstate

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation implements KRS 334A.188, the Audiology and Speech-Language Pathology Interstate Compact (“ASLP-IC”).

(b) The necessity of this administrative regulation: This administrative regulation is necessary because KRS 334A.188, SECTION 15.B.1. requires rules adopted by the Audiology and Speech-Language Pathology Interstate Compact to be promulgated as administrative regulations pursuant to KRS Chapter 13A.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation conforms to the specific requirements of the authorizing statute, KRS 334A.188, SECTION 15.B.1. which requires rules adopted by the ASLP-IC to be promulgated as administrative regulations pursuant to KRS Chapter 13A.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation conforms to the content of KRS 334A.188 which requires this promulgation.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment will add a new rule on fees, as adopted by the ASLP-IC on June 30, 2025.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to meet the statutory requirements of KRS 334A.188, SECTION 15.B.1. which requires rules adopted by the ASLP-IC to be promulgated as administrative regulations pursuant to KRS Chapter 13A.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms with the authorizing statute by being filed within the sixty (60) day period after adoption of the new rule by the ASLP-IC.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will put all licensees who wish to participate in the ASLP-IC the cost of the application for the privilege to practice.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? Yes. 2021 Ky. Acts ch. 45, sec. 1, effective June 29, 2021.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation will affect the 4021 active and 102 inactive licensees in some capacity, and will also affect new applicants for licensure.

(5) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: No action is necessary.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There is no additional cost imposed by this administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): They will be in compliance with the regulation.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There is no additional cost.

(b) On a continuing basis: There is no additional cost.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: The board's operations are funded by fees paid by credential holders and applicant.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in state fees or funding will be required.

(9) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish fees or directly or indirectly increase any fees in Kentucky. However, if a Kentucky licensee wishes to obtain the privilege to practice in another compact state, they will be required to pay an application fee to the ASLP-IC to obtain the privilege.

(10) TIERING: Is tiering applied? (Explain why or why not): Tiering was not applied as the changes apply to all equally.

FISCAL IMPACT STATEMENT

Regulation No. KAR 17:120E

Contact Person: Sara Boswell Janes

Phone Number: (502) 782-2709 (office)

Email: sara.janes@ky.gov

(1) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 334A.080(3), 334A.188. Interstate compacts are specifically authorized under the federal constitution (Article 1, Section 10, Clause 3- the Compacts Clause) and take precedence over any conflicting state law pursuant to the Compacts Clause and the Contracts Clause, U.S. Constitution, Article 1, Section 10, Clause 1.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: This administrative regulation is expressly authorized by KRS 334A.188, Section 15.B.1.

(3) Identify the promulgating agency and any other affected state units, parts, or divisions:

(a) The Kentucky Board of Speech-Language Pathology and Audiology is the promulgating agency and the only affected state unit, part or division.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: The compact may become operational in 2025, however, the expenditures needed in the first year are currently indeterminable. There will likely be some state expenditures necessary for data system programming, administering applications for compact privileges within and without the Commonwealth, as well as administering complaint and enforcement actions for those with the privilege to practice in Kentucky, and possibly for Kentucky licensees with the privilege to practice in other states.

For subsequent years: The expenditures needed in subsequent years are currently indeterminable. There will likely be some state expenditures necessary for data system programming, administering applications for compact privileges within and without the Commonwealth, as well as administering complaint and enforcement actions for those with the privilege to practice in Kentucky, and possibly for Kentucky licensees with the privilege to practice in other states.

2. Revenues:

For the first year: The board will establish a fee for licensees in other states who wish to obtain a privilege to practice in Kentucky under the ASLP-IC to cover the cost of administration. However, at this time potential revenues are indeterminable.

For subsequent years: The board will also establish a renewal fee for out of state licensees who obtain the privilege to practice in Kentucky. However, at this time potential revenues are indeterminable.

3. Cost Savings:

For the first year: Indeterminable.

For subsequent years: Indeterminable.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): None anticipated.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: N/A

For subsequent years: N/A

2. Revenues:

For the first year: N/A

For subsequent years: N/A

3. Cost Savings:

For the first year: N/A

For subsequent years: N/A

(5)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): None anticipated.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: N/A

For subsequent years: N/A

2. Revenues:

For the first year: N/A

For subsequent years: N/A

3. Cost Savings:

For the first year: N/A

For subsequent years: N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (6)(a):

(a) Fiscal impact of this administrative regulation: The fiscal impact is currently indeterminable since there are no known duties outlined for the state in relation to the compact. It is possible there will be a fiscal impact for administering applications for compact privileges for in-state licensees who apply for the privilege to practice in another state, and for out of state licensees who apply for the privilege to practice in Kentucky. The ASLP-IC remains in its infancy and the work to be conducted by the state board as a result of the compact is yet to be determined.

(b) Methodology and resources used to reach this conclusion: Methodology and resources used are the fiscal department within the Public Protection Cabinet, Department of Professional Services.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a “major economic impact”, as defined by KRS 13A.010(13): There are no known duties outlined for the state in relation to the compact; however, given the number of licensees, current budget and anticipated number of applications for in-state licensees to practice in another state and out of state licensees to obtain the privilege to practice in Kentucky, this administrative regulation will not have a major economic impact to the entities identified.

(b) The methodology and resources used to reach this conclusion: Methodology and resources used are the fiscal department within the Public Protection Cabinet, Department of Professional Services.

SUMMARY OF MATERIALS INCORPORATED BY REFERENCE

201 KAR 17.120

(1) The following material is incorporated by reference: "The Audiology and Speech-Language Pathology Interstate Compact Rules", October 7, 2023, and as revised.

- (a) Chapter 1 – Rule on Definitions, adopted April 17, 2023;
- (b) Chapter 2 – Rule on Data System Reporting Requirements, adopted April 17, 2023; and
- (c) Chapter 3 – Rule on Implementation of Criminal Background Check Requirement, adopted October 7, 2023.

SUMMARY OF CHANGES TO MATERIALS INCORPORATED BY REFERENCE

201 KAR 17.120E

The following changes have been made to materials incorporated by reference, as follows:
"The Audiology and Speech-Language Pathology Interstate Compact Rules", June 30, 2025, and as revised, to add:

- (d) Chapter 4 – Rulemaking on Fees, adopted June 30, 2025.



Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC)

Audiology and Speech-Language Pathology Interstate Compact Commission

Title of Rule: Rule on ASLP-IC Fees

Drafted: November 14, 2024

Commission Meeting at which Rule will be discussed and voted on:

ASLP-IC Special Commission Meeting

Monday, June 30, 2025 at 4 p.m. ET

Virtual Meeting Link:

<https://us06web.zoom.us/j/88319496998?pwd=o5zp8y4ABCKjgidFh6FwPmlv74DBbu.1>

Effective: 30 days after Full Commission Approval: July 30, 2025

Reason for Rule: To establish fees for the application for a privilege to practice pursuant to **Section 8.E.3.a.** and **Section 8.E.8.c** of the ASLP-IC.

History for Rule: January 9, 2025: Rules Committee votes to forward to Executive Committee
February 10, 2025: Executive Committee votes to forward to full Commission
June 30, 2025: Adopted by full Commission

Chapter 4: Rulemaking on Fees

Authority: **Section 3:** State Participation in the Compact

Section 8: Establishment of the Audiology and Speech-Language Pathology Interstate Compact Commission

Section 10: Rulemaking

Purpose: Pursuant to **Section 3.J.**, member states may charge a fee for granting a compact privilege.

Pursuant to **Section 8.E.3.a.**, the Executive Committee shall have the following duties and responsibilities: Recommend to the entire Commission changes to the rules or bylaws, changes to this Compact legislation, fees paid by Compact member states such as annual dues, and any commission Compact fee charged to licensees for the compact privilege;



Pursuant to **Section 8.E.8.c**, the Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.

4.1 Definitions:

“Commission Administrative Fee” means a fee paid as part of a Privilege to Practice request and paid to the Commission.

“State Fee” means a non-refundable fee established by each individual Member State. The fee is collected by the Commission and forwarded to the Member State.

4.2 Commission Administrative Fees:

A non-refundable Commission Administrative Fee of \$50.00 (fifty USD) shall be paid by the licensee to the Commission for each state in which a Privilege to Practice that is requested in addition to each individual State’s Fee.

The Commission Administrative Fee is subject to change through the Rulemaking authority of the Commission.

4.3 State Fees:

Member States may establish their State Fee in accordance with the Member State’s required processes to be paid by the licensee to the Commission.

The Commission shall remit to the Member State 100% (one hundred percent) of the State Fee on a basis as established in this Rule.

State Fees may be changed by the Member State with 30 (thirty) days’ notice of intent to the Commission to change the fee in accordance with the Member State’s required processes. The notice shall be posted to the Member State’s website and the Commission website.

4.4 Acceptable Forms of Payment for Administrative and State Fees:

The Commission Administrative Fee and any applicable State Fee shall be remitted electronically via the Commission’s databank system. Payment of fees submitted through the mail will not be accepted.

4.5 Delegation of Collection and Disbursement of Fees:



On its behalf and on behalf of the Member State, the Commission shall provide and administer a process to collect Commission Administrative Fees and State Fees from licensees. The Commission shall remit the collected fees to the Member States in accordance with the provisions of this rule.

The Commission shall provide an itemization sufficient to permit the Member State to reconcile the fees.

The Commission shall effectuate fund disbursement of collected Member State Fees starting on the 15th of the month after which the fee was collected.

4.6 Failed Payments

A non-refundable service fee of \$100.00 may be imposed on an individual who submits an electronic payment to the Commission for administrative or state fees without sufficient funds in the payer's account. 100% (one hundred percent) of the fee shall be deposited in the Commission's general fund to cover costs incurred in attempting to recover failed payment transaction(s).