1	Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC)	
2	Audiology and Speech-Language Pathology Interstate Compact Commission	
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4	Title of Rule:	Rule on Rulemaking
5	Drafted:	January 12, 2022
6	Effective:	May 2, 2022
7	Amended:	
8	History for Rule:	Introduced at public meeting on January 12, 2022
9		Adopted at public meeting on May 2, 2022
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13	Chapter 1:	Rulemaking
14 15 16	Authority:	Section 12: Date of Implementation of the Interstate Commission for Audiology and Speech-Language Pathology Practice and Associated Rules, Withdrawal, and Amendment
17 18		Section 8: Establishment of the Audiology and Speech-Language Pathology Interstate Compact Commission
19		Section 10: Rulemaking
20 21 22 23 24 25 26 27	1.0 Purpose:	Pursuant to Section 10, the Audiology and Speech-Language Pathology Interstate Compact Commission shall promulgate reasonable and lawful uniform rules to facilitate and coordinate implementation and administration of the Audiology and Speech-Language Pathology Interstate Compact. This rule will become effective upon passage by the Audiology and Speech-Language Pathology Interstate Compact Commission as provided in Section 10 of the Audiology and Speech-Language Pathology Interstate Compact.
28 29 30 31	1.1 Definition(s):	(a) "Commission" means: the Audiology and Speech-Language Pathology Interstate Compact Commission, which is the national administrative body whose membership consists of all states that have enacted the Compact.
32 33		(b) "Compact" means: Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC).

(c) "Delegate" means: the appointed delegate from each state as described 34 in Section 8 of the Compact and further rules promulgated by the 35 36 Commission pursuant to the criteria set forth in Section 10. (d) "Member state" means a state, the District of Columbia, or United 37 States territory that has enacted this Compact legislation and which has 38 not withdrawn pursuant to Section 12 or has not been discharged pursuant 39 to Section 11 due to non-compliance with the provisions of Section 3. 40 (d) "Rule" means: a regulation, principle or directive promulgated by the 41 42 Commission pursuant to the criteria set forth in Section 10 that has the force and effect of statutory law in a Member State and includes the 43 amendment, repeal, or suspension of an existing rule. 44 (e) "Rules Committee" means: a committee that is established as a 45 standing committee to develop reasonable and lawful uniform rules for 46 consideration by the Commission and subsequent implementation by the 47 states and to review existing rules and recommend necessary changes to 48 the Commission for consideration. 49 (f) "State" means: any state, commonwealth, territory, or possession of 50 the United States, the District of Columbia. 51 1.2 Proposed rules or amendments: rules shall be adopted by majority vote of the Member 52 States of the Commission pursuant to the criteria set forth in Section 10 and in the following 53 54 manner: (a) New rules and amendments to existing rules proposed pursuant to Section 8 and 55 Section 10 and the Commission Bylaws shall be submitted to the Commission office for 56 referral to the Rules Committee as follows: 57 (1) Any Delegate may submit a proposed rule or rule amendment for referral to 58 the Rules Committee during the next scheduled Commission meeting, or 59 (2) Standing Committees of the Commission may propose rules or rule 60 amendments by majority vote of that Committee. 61 (3) The Commission or an authorized committee of the Commission may direct 62 revisions to a previously adopted rule or amendment for purposes of correcting 63 typographical errors, errors in format, errors in consistency, or grammatical 64 errors. Public notice of any revisions shall be posted on the website of the 65 Commission. The revision shall be subject to challenge by any person for a period 66 of thirty (30) days after posting. The revision may be challenged only on grounds 67 that the revision results in a material change to a rule. A challenge shall be made 68 in writing and delivered to the Chair of the Commission prior to the end of the 69 notice period. If no challenge is made, the revision will take effect without further 70 action. If the revision is challenged, the revision may not take effect without the 71 approval of the Commission. 72

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- 74 1.3 The Rules Committee: shall prepare a draft of all proposed rules and provide the draft to all
- 75 Delegates for review and comments. Based on the comments made by the Delegates the Rules
- 76 Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by
- the Commission not later than 30 days prior to the next Commission meeting.
- 78 1.4 Prior to promulgation and adoption of a final rule: In accordance with Section 10 of the
- 79 Compact, the Commission shall publish the text of the proposed rule or amendment prepared by
- 80 the Rules Committee not later than 30 days prior to the meeting at which the vote is scheduled,
- on the official web site of the Commission and on the website of each member state licensing
- 82 board or other publicly accessible platform or the publication in which each state would
- otherwise publish proposed rules. All written comments received by the Rules Committee on
- proposed rules shall be made available to the public upon request. In addition to the text of the
- proposed rule or amendment, the reason for the proposed rule shall be provided.

1.5 The Notice of Proposed Rulemaking shall include:

- (a) The proposed time, date and location of the meeting in which the rule shall be considered and voted upon,
- (b) The text of the proposed rule or amendment and the reason for the proposed rule.
- (c) A request for comments on the proposed rule from any interested person; and
- (d) The manner in which interested persons may submit notice to the Commission of their intention to attend the public meeting and any written comments.

1.6 Public Hearings: The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five (25) persons;

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- 2. A state or federal governmental subdivision or agency; or
- 3. An association having at least twenty-five (25) members.
- 99 If no written notice of intent to attend the public hearing by interested parties is received, the
- 100 Commission may proceed with promulgation of the proposed rule without a public hearing.
- 101 If a hearing is held on the proposed rule or amendment, the Commission shall publish the place,
- time, and date of the scheduled public hearing. If the hearing is held via electronic means, the
- 103 Commission shall publish the mechanism for access to the electronic hearing.
 - 1. All persons wishing to be heard at the hearing shall notify the executive director of the Commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.
 - 2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.
 - 3. All hearings shall be recorded. A copy of the recording shall be made available on request.

- 4. Nothing in this section shall be construed as requiring a separate hearing on each rule.
 Rules may be grouped for the convenience of the Commission at hearings required by this section.
- Following the scheduled hearing date, or by the close of business on the scheduled hearing date
- if the hearing was not held, the Commission shall consider all written and oral comments
- 116 received.

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- 1.7 Final adoption of rule: The Commission shall, by majority vote of all Member States, take
- final action on the proposed rule and shall determine the effective date of the rule, if any, based
- on the rulemaking record and the full text of the rule.
- 1. If a majority of the legislatures of the Member States rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the Compact within 4 years of the date of adoption of the rule, the rule shall have no further force and effect in any member state.
 - 2. Rules or amendments to the rules shall be adopted at a regular or special meeting of the Commission.
- 1.8 Status of Rules upon adoption of Compact additional member states: Any state that joins
- the Compact subsequent to the Commission's initial adoption of the rules shall be subject to the
- rules as they exist on the date on which the Compact becomes law in that state. Any rule that has
- been previously adopted by the Commission shall have the full force and effect of law on the day
- the Compact becomes law in that state.
- 1.9 Emergency Rulemaking: Upon determination that an emergency exists, the Commission
- may consider and adopt an emergency rule without prior notice, opportunity for comment, or
- hearing, provided that the usual rulemaking procedures provided in the Compact and in this
- section shall be retroactively applied to the rule as soon as reasonably possible, in no event later
- than ninety (90) days after the effective date of the rule. For the purposes of this provision, an
- emergency rule is one that must be adopted immediately in order to:
- 137 1. Meet an imminent threat to public health, safety, or welfare,
- 2. Prevent a loss of Commission or member state funds; or
- 3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule
- The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this
- Section and the rules adopted thereunder. Rules and amendments shall become binding as of the
- date specified in each rule or amendment.