



**MONTANA
ADMINISTRATIVE
REGISTER**

**BOARD OF PHYSICAL, REHABILITATIVE, AND DEVELOPMENTAL HEALTH CARE PROFESSIONALS
DEPARTMENT OF LABOR AND INDUSTRY**

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2026-320.1

Summary

Implementation of House Bill 744, establishing qualifications and scope of practice for unlicensed speech-language pathology and audiology aides

Hearing Date and Time

Thursday, August 13, 2026, at 11:00 a.m.

Virtual Hearing Information

A public hearing will be held via remote conferencing to consider the proposed changes to the agency's rules. There will be no in-person hearing. Interested parties may access the remote conferencing platform in the following ways:

Join Zoom Meeting: <https://mt-gov.zoom.us/j/82756102640>

Meeting ID: 827 5610 2640; Password: 7526866458

Dial by Telephone: +1 646 558 8656

Meeting ID: 827 5610 2640; Password: 7526866458

Comments

Concerned persons may present their data, views, or arguments at the hearing. Written data, views, or arguments may also be submitted at dli.mt.gov/rules or P.O. Box 1728, Helena, Montana 59624. Comments must be received by Friday, August 21, 2026, at 5:00 p.m.

Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Thursday, August 6, 2026, at 5:00 p.m.

Contact

Department of Labor and Industry
(406) 444-5466
laborlegal@mt.gov
Montana Relay: 711

General Reasonable Necessity Statement

The board is implementing House Bill (HB) 744 (2025) which authorizes the use of speech-language pathology and audiology aides. The bill requires the board establish the qualifications and scope of work for aides. After engaging with stakeholders, the board is proposing NEW RULE 1, which sets the qualifications and permitted activities for aides. The board is further amending ARM 24.119.1210, to limit the number of aides a speech-language pathologist or audiologist may use, and to clarify that speech-language pathologists and audiologists may not be required to use aides. More specific reasonable necessity statements accompany each rule.

Rulemaking Actions

AMEND

The rule proposed to be amended is as follows, stricken matter interlined, new matter underlined:

24.119.1210 ~~CHANGE OF SUPERVISOR SUPERVISION~~

- (1) A supervisor may not be responsible for more than two aides at any time.
- {1}(2) Speech-language pathology and audiology assistants must notify the board within ten days of any change in supervisor.
- {2}(3) Limited licensees and professional experience supervisors must both notify the board within ten days of any change in supervisor.

- (4) A speech-language pathologist or audiologist may refuse to use an aide.

Authorizing statute(s): ~~37-15-202~~, 37-15-301, 37-78-201, MCA

Implementing statute(s): ~~37-15-102~~, 37-15-301, 37-78-201, MCA

Reasonable Necessity Statement

The board is amending this rule to limit the number of aides a licensee may supervise at any given time. After engaging with stakeholders, the board determined two aides is sufficient, as each aide must work under supervision at least 20% of the time, and licensees must still have time to see clients. Further, after becoming aware of concerns about being required to use aides, the board is deferring to the clinical judgment of licensees as to whether an aide is appropriate for the practice setting and the clients being served.

ADOPT

The rule proposed to be adopted is as follows:

NEW RULE 1 QUALIFICATIONS AND PERMITTED ACTIVITIES FOR AIDES

- (1) The speech-language pathology or audiology supervisor and/or appropriate administrative agency is responsible for ensuring that the speech-language pathology or audiology aide is adequately trained for the tasks the aide will perform. Training may be conducted by observation or be ASHA-approved, and must include:
 - (a) for all aides:
 - (i) ethical and legal responsibilities;
 - (ii) observation and data collection specific to the patient population; and
 - (iii) recordkeeping;
 - (b) for speech-language pathology aides:
 - (i) an overview of assessment, disorders, and care relative to speech and language disorders and hearing and balance;
 - (c) for audiology aides:
 - (i) an overview of assessment, disorders, and care relative to hearing and hearing disorders; and

- (ii) basic training in screening for hearing, including audiometry, tympanometry, and otoacoustic emissions.
- (2) The amount and type of training required must be based on the following:
 - (a) the skills and experience of the aide;
 - (b) the needs of the patients/clients served;
 - (c) the service setting;
 - (d) the tasks assigned; and
 - (e) any other factors as determined by the supervising speech-language pathologist or audiologist.
- (3) A speech-language pathology aide or audiology aide is limited to:
 - (a) conducting services not requiring independent clinical judgment which the supervising speech-language pathologist or audiologist has deemed safe and appropriate to delegate;
 - (b) clerical tasks associated with scheduling, filing records, and filling out paperwork; and
 - (c) facilitating telehealth as described in 37-15-102(5), MCA. If an aide is physically present with the client assisting with therapy, and the speech-language pathologist or audiologist is remote, the aide must have 25 hours of training and 25 hours of observation.

Authorizing statute(s): 37-15-301, MCA

Implementing statute(s): 37-15-301, MCA

Reasonable Necessity Statement

The board is establishing qualifications and permitted activities for aides as required by HB 744. In setting training requirements, the board consulted with licensees who work in school settings and with school administrators to balance training requirements with responsibilities of the speech-language pathologist or audiologist, and to allow flexibility in obtaining the necessary hours for training.

The board's list of permitted activities reflects the flexibility of training, the independent clinical judgment of the audiologist or speech-language pathologist, and the need for more extensive training if the aide is facilitating telehealth.

Small Business Impact

The board identifies speech-language pathologists and audiologists who contract with schools as the primary group of small businesses that will probably be affected by these rules. Impacts may include further training needs, but the impacts are not significant and direct.

Bill Sponsor Notification

The primary bill sponsor was notified on August 12, 2025, by email.

Interested Persons

The agency maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by the agency. Persons wishing to have their name added to the list may sign up at dli.mt.gov/rules or by sending a letter to P.O. Box 1728, Helena, Montana 59624 and indicating the program or programs about which they wish to receive notices.

Rule Reviewer

Jennifer Stallkamp

Approval

Sarah Swanson, Commissioner

Approval

Trent Gahl, Chair, Board of Physical, Rehabilitative, and Developmental Health Care Professionals