

21 NCAC 64 .1003 is amended with changes as published in 40:21 NCR 1663-1664 as follows:

21 NCAC 64 .1003 LICENSEE REQUIREMENTS

(a) Licensees who register an Assistant must have held a current, permanent license in North Carolina for two years or equivalent qualifications from another state. Temporary license holders shall not register Assistants.

(b) Licensees who register an Assistant must demonstrate understanding of the ~~basic~~ elements of the registration and supervision process (scope of practice, ethics, written protocols, record keeping), and satisfactorily complete a knowledge demonstration on the registration/supervision process.

(c) Licensees must submit the application and annual fee for registration of the Assistant to the ~~Board~~. Board, as required in Rule .1002(e) of this Section.

(d) Licensees must assure that patients are informed when services are being provided by an ~~Assistant~~. Assistant through the following methods:

(1) The Assistant must wear a badge that includes the job title: "SLP-Assistant."

(2) When services are to be rendered by an Assistant, the patient or family must be informed in writing. This notification form must be kept on file in the patient's chart, indicating the patient's name and date notified.

(e) Tasks that are within the scope of responsibilities for an Assistant are listed in Rules .1004 and .1005 of this Section. The standards for all patient services provided by the Assistant are the full responsibility of the Supervising Licensee as defined in Rule .1001(b) and cannot be delegated. Therefore, the assignment of tasks and the amount and type of supervision must be determined by the Supervising Licensee to ensure quality of care considering: the skills of the Assistant, needs of the patient, the service-setting, the tasks assigned, and any other relevant factors.

(1) Before assigning a treatment tasks to an Assistant, the Primary Supervising Licensee must have first evaluated the patient, written a general treatment plan, and provided the Assistant with a written session protocol specifying the following for patient behaviors:

(A) eliciting conditions;

(B) target behavior; and

(C) contingent response.

(2) The Primary Supervising Licensee must document the Assistant's reliable and effective application of the treatment protocol with each patient. Each time a new protocol is introduced, the Supervising Licensee must assure and document that the Assistant is utilizing all three protocol elements (A, B, C) effectively.

(3) For every patient encounter (screening or treatment) in which an Assistant provides service, there must be legible signatures of the Assistant and one Supervising Licensee.

(4) These signed and dated patient encounter records must be retained as part of the patient's file for the time period specified in Rule .0209 of this Chapter and may be requested by the Board.

(5) The Board may do random audits of records to determine compliance with its rules.

- (6) When patient services are being rendered by an Assistant, the Primary Supervising Licensee must be accessible to the Assistant in order to assure that direct observation and supervision can occur when necessary.
- (7) The Primary Supervising Licensee shall provide direct supervision for each patient for whom the Assistant is providing services. Every 90 days the Primary Supervising Licensee shall update and recertify the target behavior form. Every 90 days, the Primary Supervising Licensee shall provide to each full-time Assistant under his or her supervision a minimum of six (6) hours of direct supervision and six (6) hours of indirect supervision. Every 90 days, the Primary Supervising Licensee shall provide to each part-time Assistant under his or her supervision a minimum of three (3) hours of direct supervision and three (3) hours of indirect supervision. Activities that provide direct supervision include observing in-person or recorded therapy sessions by the Assistant, providing co-treatment with the Assistant, or modeling therapy techniques during a session with the Assistant. Activities that provide indirect supervision include reviewing therapy notes prepared by the Assistant, lesson planning for the Assistant, communicating with the Assistant about sessions by telephone or email, or providing written feedback to the Assistant about session. The dates and amount of supervision provided shall be documented, dated, and available upon Board request.
- (8) The Primary Supervising Licensee shall complete and maintain a Competency Rating Scale ("Form D") for each Assistant on a form prescribed by the Board that is available on the Board's website. The Primary Supervising Licensee shall record on the Form D his or her observations regarding the Assistant's skills, as set forth in this Rule. The Primary Supervising Licensee shall update the Form D through routine observation, feedback, and performance evaluation sessions. The Form D shall be available for Board review upon request. The Primary Supervising Licensee shall provide written feedback to each Assistant and provide evidence of written feedback to the Board upon annual registration of the Assistant, the discontinuation of supervision of the Assistant, or upon request by the Board. A completed Form D shall contain the following:
- (A) The name and registration number of the Assistant;
 - (B) The name and license number of the Primary Supervising Licensee;
 - (C) The Primary Supervising Licensee's rating of the Assistant's demonstrated competencies in the following skills:
 - (i) Clerical skills;
 - (ii) Interpersonal skills;
 - (iii) Professional conduct in the work setting;
 - (iv) Technical skills; and
 - (v) Other skills decided by the Primary Supervising Licensee as necessary for the work performed by the Assistant.
 - (D) The Primary Supervising Licensee's plan to encourage further growth of the Assistant's skills; and

1 (E) The dated signature of the Primary Supervising Licensee and the Assistant.

2 (9) The Primary Supervising Licensee shall review and approve all documentation prepared by the
3 Assistant at least once every 30 days. This review shall be documented with the date of review and
4 Primary Supervising Licensee's initials or signature. This review shall be maintained in the patient
5 and Assistant supervision records.

6 (f) The Primary Supervising Licensee shall assess the Assistant's competencies during the initial 60 days of
7 employment using the performance-based competency assessment and orientation checklist provided by the Board on
8 the Board's website. The Primary Supervising Licensee shall submit the completed checklist ~~shall be submitted~~ to the
9 Board within 90 days of registration. ~~A Each time the Primary Supervising Licensee changes, the successor Primary~~
10 ~~Supervising Licensee shall complete and file with the Board a new competency checklist must be completed and filed~~
11 ~~within 90 days each time the primary supervising Licensee changes.~~ following the change in Primary Supervising
12 Licensee.

13 (g) Any attempt to engage in those activities and responsibilities reserved solely for the Supervising Licensee shall
14 be regarded as the unlicensed practice of speech-language pathology.

15
16 *History Note:* *Authority G.S. 90-298.1; 90-304(a)(3);*

17 *Eff. July 1, 1998;*

18 *Amended Eff. December 1, 2013;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4,*
20 *2016- 2016;*

21 *Amended Eff. [September] **October** 1, 2026.*
22
23