

June 14, 2019

Representative Jim Cox  
Room 209 Ryan Office Building  
451 North Third Street  
Harrisburg, PA 17120

RE: H.B. 811—Recommended Clarification to Specify Application of Bill Provisions to **State-Issued**  
Licensure/Certification

Dear Representative Cox:

On behalf of the American Academy of Audiology (“The Academy”), I am writing to express some concerns with the current bill text of H.B. 811 and to recommend some possible clarifying amendments to prevent any unintended consequences. The Academy is the largest professional organization of, by and for audiologists, in the world. The Academy promotes quality hearing and balance care by advancing the profession of audiology through leadership, advocacy, education, public awareness and support of research. The Academy also is affiliated with and administers a certification program credential through the American Board of Audiology. Individuals that meet the requisite educational and supervised experience and other requirements are then permitted to use the designation of “ABA Certified in Audiology.”

It appears as though the intent of the bill is to prohibit the State from using an individual’s criminal record as an automatic bar to obtaining a state license or certification. However, several of the provisions included in the bill are ambiguous and, as drafted, could apply to private credentialing bodies such as the American Board of Audiology as well. To mitigate the risk of this misinterpretation, the Academy requests that the definition of “licensing or credentialing body” in both Chapter 31 and Chapter 33 be amended to read, “the **state-** issuing body to whom an individual has applied for a license or certification...”

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The Academy would also recommend that Section 3108 be amended to further clarify that individuals that do not receive certification from such state-issuing entity “may also perform the lawful occupation for compensation but not use the title “state-certified.” This change would clarify that said individual would still be permitted to use his or her private credential or certification.

Many private credentialing or certification programs maintain their own codes of conduct or ethics applicable to individuals who hold that credential. To protect this dynamic, the Academy would recommend the addition of the following clarifying language: “The language of this act should not be construed to interfere with the ethics code enforcement of any private credentialing or certifying organization.”

The Academy appreciates the opportunity to provide these comments. If you have any questions regarding the Academy or the suggestions provided in this letter, please contact me at [spilch@audiology.org](mailto:spilch@audiology.org) or at (703) 226-1036.

Sincerely,

Susan Pilch, J.D.

Senior Director, Government Affairs