

Text of amendments recommended by the committee on Ways and Means to the Senate Bill providing for the licensing of voice therapists and the establishment of the board of registration of voice therapy (House, No. 6967).

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Five.

Striking out all after the enacting clause and inserting in place thereof the following: —

1 "SECTION 1. Chapter 111 of the General Laws is hereby
2 amended by adding after section 202 the following new sections: —

3 Section 203. There is hereby established a board of certifica-
4 tion of voice therapy. The board shall consist of seven persons
5 who are residents of the commonwealth. Of these, one shall be
6 an otolaryngologist connected with a hospital or medical clinic,
7 and the other six, voice therapists, who have been engaged in
8 rendering service, teaching, or research in voice therapy for a
9 period of at least five years. They shall be required to have
10 eight years of study in singing and pedagogy, a two-year course
11 in voice therapy, anatomy and physiology together with five
12 years of practice in the field. Said members shall serve until the
13 expiration of the term of which they have been appointed or
14 until their successors are qualified.

15 Appointment to said board shall be made by the governor as
16 follows: Initially, of the six voice therapists on the board, two
17 members of the board shall be appointed for a term of three
18 years, two members of the board shall be appointed for a term
19 of two years and two members of the board shall be appointed
20 for a term of one year. The otolaryngologist shall be appointed for
21 a term of three years and then reappointed for another term,
22 or replaced by another otolaryngologist. All appointments
23 made thereafter shall be for a term of three years. The board
24 shall reorganize annually and select a chairman. No person
25 shall be appointed to serve more than three consecutive terms.

26 Section 204. The board shall have the duty to administer,
27 coordinate, and enforce the provisions of this act, evaluate the
28 qualifications of applicants, supervise the examination of appli-
29 cants, administer oaths, and shall investigate persons engaging
30 in practices which violate the provisions of this act. The board
31 shall conduct such hearings and keep such records and minutes
32 as shall be necessary. The board shall adopt responsible rules
33 and regulations, including, but not limited to regulations which
34 establish ethical standards of practice under the provisions of
35 chapter thirty A. The secretary of the board shall issue annu-
36 ally a list stating the names of the persons licensed under the
37 provisions of this act. Regular meeting of the board shall be
38 held at such time and places as it prescribes and special meet-
39 ings may be held upon the call of the chairman provided that
40 at least one regular meeting be held annually.

41 Section 205. The members of the board shall receive no
42 compensation for their services but shall be entitled to reason-
43 able travel and other expenses, provided that the expenses of
44 the members of the board, the cost of personnel providing
45 services to the board, and all other expenses associated with
46 the operation of the board are generated by licensure fees.

47 Section 206. The following definitions shall have the follow-
48 ing meanings unless the context otherwise requires: —

49 (A) "Board" shall mean the board of certification of voice
50 therapy established under section one of this chapter;

51 (B) "Person" shall mean an individual licensed under this
52 act;

53 (C) "Voice Therapist" shall mean any person who represents
54 to the public by title or description of services, methods or
55 procedures as one who provides technique and exercises for
56 those suffering from laryngeal disorders; chronic laryngitis,
57 bowed vocal cords, dysphonia plica ventricularis, vocal nodules,
58 polyps or polypoid tissue, contact ulcers, granuloma, hysterical
59 or spastic dysphonia, aphonia, puberphonic voice, cases of
60 laryngeal paralysis and cases of postoperative trauma. These
61 cases shall be referred by an otolaryngologist. A person is
62 deemed to be acting as a voice therapist if he provides such
63 services to the public under any title incorporating such terms

64 as "Voice Therapist", "Vocal Therapy", or any similar titles or
65 description of services.

66 Section 207. No person shall practice voice therapy in this
67 state for a fee unless he is licensed in accordance with the
68 provisions of this chapter, provided, however, that the provi-
69 sions of this chapter do not apply to the activities and services
70 of a student, intern or trainee in voice therapy who is pursuing
71 a course of study at an accredited university or college, if these
72 activities and services constitute a part of his course of study
73 and are performed under the supervision of a voice therapist
74 licensed by the commonwealth.

75 Section 208. Any person who desires to be licensed as a
76 voice therapist shall apply to the board in writing on an appli-
77 cation form prescribed and furnished by the board. At the time
78 of filing the application, an applicant for licensure shall pay to
79 the board a fee which shall be set by the commissioner of
80 administration. The board shall license as a voice therapist any
81 applicant who meets the requirements set forth in section five
82 of this chapter. It shall issue to each person so licensed a cer-
83 tificate of licensure which shall be conclusive evidence of such
84 person's right to practice voice therapy.

85 Section 209. To be eligible for licensure by the board as
86 voice therapist, the applicant shall: —

- 87 1. be of good moral character;
- 88 2. hold a master's degree in voice and a certificate of com-
89 pletion of advanced courses in voice therapy; and
- 90 3. pass an examination approved and administered by the
91 board. Any person who fails to pass the examination may be
92 re-examined at a subsequent examination date upon payment
93 of another licensing fee.

94 Section 210. Every licensed voice therapist shall apply to the
95 board every two years, on dates determined by the board, for
96 renewal of his license and shall pay a fee which shall be set by
97 the commissioner of administration.

98 Section 211. The license of any voice therapist may be sus-
99 pended or revoked by the board upon proof that he obtained
100 his license by means of fraud, misrepresentation, or conceal-
101 ment of material facts, has been guilty of fraud or deceit in
102 connection with his services rendered as a voice therapist, has

103 been guilty of unprofessional conduct as defined by the rules
104 established by the board or has violated the code of ethics
105 made and published by the board, has violated any lawful
106 order, rule or regulation rendered or adopted by the board, or
107 has violated any provisions of this act.

108 Section 212. Any person convicted of violating any provi-
109 sions of this chapter shall be punished by a fine of not more
110 than one thousand dollars.

111 Notice in writing of a proposed revocation or suspension of
112 a license, of the cause therefore in sufficient particularity, and
113 of the date of hearing thereon, shall be sent by registered or
114 certified mail to the licensee at his last known address at least
115 fifteen days before the date of such hearing. The person against
116 whom a charge is filed shall have a right to appear before the
117 board with counsel if desired or be represented by counsel
118 solely, may produce witness and evidence in his behalf, and
119 may question witnesses. No license shall be revoked without
120 such hearing, but the nonappearance of the licensee, after
121 notice, shall not prevent such hearing. All matters upon which
122 the decision is based shall be presented as evidence at the
123 proceeding. The licensee shall be notified in writing of the
124 board's decision. The board may make such rules and regula-
125 tions as it deems proper for the filing of charges and the con-
126 duct of hearings.

127 After issuing an order or revocation or suspension the board
128 may also file a complaint in the superior court in a county in
129 which the respondent resides or transacts business, to ensure
130 appropriate injunctive relief to expedite and secure the enforce-
131 ment of its order, pending the final determination.

132 After one year from the date of revocation, an application
133 for reinstatement may be made to the board, which may, upon
134 the affirmative vote of a majority of its members, grant such
135 reinstatement.

136 Section 213. The board may waive the educational require-
137 ments for any person who is, on the effective date of this act,
138 actively engaged in the practice of voice therapy in this state
139 upon proof of practice presented to the board in the manner
140 prescribed by regulations adopted by the board. Any such
141 application shall be filed with the board on or before December

142 thirty-first, nineteen hundred and eighty-six. Any person who,
143 on the effective date of this act, is actively engaged in the prac-
144 tice of voice therapy, who holds a bachelor's degree, and who
145 has not received such a waiver, may continue to practice voice
146 therapy under the supervision of a licensed voice for a period
147 of two years, during which time such person shall complete the
148 educational requirements set forth in section two hundred and
149 nine of this chapter.

150 Section 214. Any person, who on the effective date of this
151 act, is actively engaged in the practice of voice therapy, who
152 meets the requirements and applies for licensure within sixty
153 days of when the board first accepts applications for licensure,
154 may continue to practice voice therapy until the results of the
155 first examination have been announced. If such person so prac-
156 ticing voice therapy fails to pass the first announced examina-
157 tion, he shall cease to practice voice therapy upon notification
158 of the examination results from the board. This section shall
159 cease to be effective on December thirty-first, nineteen hundred
160 and eighty-eight.

1 SECTION 2. If any of the provisions of this act or the appli-
2 cation of such provisions to any person or circumstances, shall
3 be held invalid, the remainder thereof or the application of
4 such provisions to persons or circumstances other than those
5 wherein it is held invalid, shall not be affected thereby.”; and
6 by striking out the title and inserting in place thereof the fol-
7 lowing title: “An Act providing for the licensing of voice thera-
8 pists and the establishment of the board of certification of
9 voice therapy.”.

HOUSE No. 2718

OF THE HOUSE OF REPRESENTATIVES

IN SENATE, FEBRUARY 1, 1878.

REPORT OF THE COMMISSIONERS OF THE LAND OFFICE, IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE, FEBRUARY 1, 1878, RELATIVE TO THE REPORT OF THE COMMISSIONERS OF THE LAND OFFICE, MADE AT THE ANNUAL MEETING OF THE SENATE, DECEMBER 15, 1877.

WASHINGTON: GOVERNMENT PRINTING OFFICE: 1878.

