



AttorneyGeneral@doj.state.or.us

June 1, 2024

The Honorable Ellen F. Rosenblum
Attorney General of Oregon
Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301-4096

Re: 681.250: Interpretation of “Purport to be” Language in the Oregon Speech-Language Pathology and Audiology Statutes

Dear Madam Attorney General:

I am writing this letter on behalf of American Speech-Language-Hearing Association (ASHA) members in Oregon. This letter is in reference to the interpretation of language in Oregon Code Section 681.250.

ASHA is the national professional, scientific, and credentialing association for 234,000 members, certificate holders, and affiliates who are audiologists; speech-language pathologists (SLPs); speech, language, and hearing scientists; audiology and speech-language pathology assistants; and students. Over 2,500 ASHA members reside in Oregon.¹

Interpretation of “Purport to Be” Language in the Oregon Statute: ORS § 681

An ASHA member contacted us to request assistance with an issue related to 681.250, which prohibits a person from “purporting to be” an SLP without a license. The licensure board advised her that she is not able to use the ASHA certification credential, CCC-SLP, without an active license.

ASHA has reviewed the definition of practice in 681.205 (4)(a) and 681.205 (5), which defines audiology and SLP practice as either applying the principles, methods and procedures that relate to the development and disorders of hearing, speech and language or assisting individuals in developing auditory and communication skills.

The term purport is not defined in the statute, but it is generally understood to mean to have the “appearance of being, intending, or claiming”² to do something. In the OR statute, the term “purport” is clearly tied to the subject of audiologist or SLP.

Audiologist is defined in statute (ORS § 681.205 (2) as:

“a person who practices audiology and who uses publicly any title or description of services incorporating the words audiologist, hearing clinician, hearing therapist or any similar titles...”

Speech-Language Pathologist is defined in statute (ORS § 681.205 (6)) as:

“a person who practices speech-language pathology and who uses publicly any title or description of services including but not limited to the words ‘speech-language pathologist, speech correctionist, speech therapist... or any similar titles or description of services.’”

In the context of one who purports to be an audiologist or speech-language pathologist (SLP) under ORS § 681, it appears reasonable to assume that they must:

1. Either be (a) actively applying principles and methods of the discipline or (b) otherwise assisting individuals in these fields and
2. Publicly using a title that implies that they are an audiologist or SLP.

As a result, someone who does not:

- Apply principles and methods of the discipline or
- Assist any individuals in these fields

may not be holding themselves out as (or purporting to be) an audiologist or SLP under the OR statute by merely using the CCC-SLP credential in a limited context.

Licensure vs. National Certification

While ASHA fully appreciates and strongly supports the intent of licensure to protect consumers from harm by prohibiting “unqualified” individuals from describing themselves in a way that may mislead or harm the public, we believe that using an earned credential that is awarded by a national certifying entity, while not engaged in practice or applying the principles of practice, should not be prohibited by the Oregon Board of Examiners. The Certificate of Clinical Competence, or CCC, is a national credential earned by individual professionals that signifies a widely recognized professional standard. We believe that the use of the CCC (or any other widely recognized credential) should only be regulated by the granting entity—in this case, ASHA. Further, since the CCC-SLP is a registered mark, the professional holding the credential must use the mark in its entirety.

We urge your office to reexamine the interpretation of “purport to be” language in ORS § 681 and allow those individuals who rightly hold the CCC-SLP (or CCC-A) but are not applying principles or engaged in practice to use the earned credential without maintaining a state license.

We would be happy to provide any additional information or answer questions regarding this matter. Please contact Susan Adams, ASHA’s director of state legislative and regulatory affairs, at sadams@asha.org.

Thank you in advance for your consideration. We look forward to your prompt reply.

Sincerely,

A handwritten signature in black ink that reads "Tena L. McNamara". The signature is written in a cursive style with a large initial "T" and "M".

Tena L. McNamara, AuD, CCC-A/SLP
2024 ASHA President

Cc: Erin Haag, Executive Director
speechaud.board@state.or.us

¹ American Speech-Language-Hearing Association. (2023). *Oregon* [Quick Facts]. <https://www.asha.org/siteassets/advocacy/state-fliers/oregon-state-flyer.pdf>

² "Purport." *Merriam-Webster.com*. (May 2024). <https://www.merriam-webster.com>