

**ARIZONA DEPARTMENT OF HEALTH SERVICES  
PUBLIC HEALTH LICENSING SERVICES  
BUREAU OF SPECIAL LICENSING  
#SP-037-PHL-SPL**

**CLARIFICATION OF  
ARIZONA REVISED STATUTES (A.R.S.) §§ 36-1940.04(C)(3) AND 36-1940.04(D)(13)**

*This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes § 41-1033 for a review of the statement.*

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The purpose of this substantive policy statement is to provide the public with clarification of statutory language found in A.R.S. Title 36, Chapter 17, Article 4 in the following statutes: §§ 36-1940.04(C)(3) and 36-1940.04(D)(13). This substantive policy statement clarifies that documentation by a speech language pathology assistant of patient, client or student progress toward meeting objectives in a treatment plan, individual support plan, or individualized education program is statutorily permissible and is a dissimilar act from the writing of a formal screening, diagnostic, progress or discharge note by a speech language pathology assistant which is prohibited by statute.

A.R.S. § 36-1940.04(C)(3) states that under the supervision of a licensed speech-language pathologist a speech language pathology assistant may, “document patient, client or student progress toward meeting established objectives as stated in the treatment plan, individual support plan or individualized education program without interpretation of the findings, and report this information to the supervising speech-language pathologist.”

The Department interprets A.R.S. § 36-1940.04(C)(3) to mean that a speech language pathology assistant is authorized to document a progress note under the supervision of a licensed speech-language pathologist. This supervision includes communication of the documented information without analysis or explanation of the information, by the speech-language pathology assistant to the licensed speech-language pathologist.

A.R.S. § 36-1940.04(D)(13) states that a speech language pathology assistant shall not, “write a formal screening, diagnostic, progress, or discharge note.”

The Department interprets A.R.S. § 36-1940.04(D)(13) to mean that a speech language pathology assistant is not authorized to write a formal progress note because such documentation is an official accounting, which likely includes an analysis or explanation of progress, and therefore, must be written by a person with particular skill and expertise, such as a licensed speech-language pathologist.

The Department concludes that a distinction exists between A.R.S. § 36-1940.04(C)(3) and 36-1940.04(D)(13). Specifically, the authorship of a progress note is determined by whether it is a formal notation of progress. A formal screening, diagnostic, progress or discharge note must be written by a licensed speech-language pathologist. Otherwise a speech-language pathologist assistant may author a progress note under conditions specified in statute.