

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066**

LCB FILE R129-15

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 637B.

1. A clear and concise explanation of the need for the adopted regulation.

Assembly Bill No. 115 of the 78th Legislative Session combined the Board of Hearing Aid Specialists with the Board of Examiners for Audiology and Speech Pathology to create the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board.

The need and purpose of the proposed regulation is to protect the public health, safety and welfare by ensuring that only qualified and competent speech-language pathologists, audiologists and hearing aid specialists are licensed in the state.

The proposed regulation will provide clarity for the public, individuals and licensees through regulation regarding provisions concerning the examination given to persons who wish to engage in the practice of fitting and dispensing hearing aids; establishing provisions concerning a program of in-service training for apprentice hearing aid specialists; authorizing a hearing aid specialist or dispensing audiologist to delegate certain duties to certain persons not licensed to engage in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids; establishing certain duties of hearing aid specialists and dispensing audiologists; requiring licensees to prepare and retain certain client records; establishing provisions concerning requirements for continuing education; establishing provisions concerning the renewal and reinstatement of certain expired licenses; establishing certain fees to be charged and collected by the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board; and providing other matters properly relating thereto.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Copies of the proposed regulation, notices of workshops and notices of intent to act upon the regulation were sent by U.S. mail to persons who were known to have an interest in speech-language pathology, audiology and the fitting and dispensing of hearing aids as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board, www.nvspeechhearing.org, mailed to all county libraries in Nevada and posted at the following locations:

Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board
Administrative Office
6160 Mae Anne Ave., Suite 3, Reno, Nevada 89523
Office of the Attorney General, 100 North Carson Street, Carson City, Nevada 89701

Office of the Attorney General, 5420 Kietzke Lane, Ste 202, Reno, Nevada 89511
Office of the Attorney General, Grant Sawyer State Office Building,
555 E. Washington Avenue #3900, Las Vegas, Nevada 89101
Washoe County Court House, 75 Court Street, Reno, Nevada 89520
Washoe County Clerk, 1001 E. 9th St. Bldg A, P.O. Box 30083, Reno, Nevada 89502

A Workshop was held to solicit comments on the proposed regulations on November 21, 2015. There were ten (10) individuals representing small businesses and the public in attendance at the workshop, no written comments were received. Thereafter, on or about March 25, 2016, a Notice of Intent to Act Upon Regulations was issued.

A Public Hearing was held on April 30, 2016; no oral comments were heard; there was one written comment received.

A copy of this summary of the public response to the adopted regulation may be obtained from the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board, P.O. Box 34540, Reno, Nevada 89533-4540, 775-787-3421, or email to board@nvspeechhearing.org.

3. The number of persons who:

(a) Attended each workshop:	Las Vegas, November 21, 2015	10
(b) Attended public hearing:	Reno, April 30, 2016	1
(c) Testified at hearing:	Reno, April 30, 2016	0
(d) Submitted written comments:		1

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

(a) Name;	Paula Berkley
(b) Telephone number;	775-323-7430
(c) Business address;	908 Nixon Ave, Reno, NV 89502
(d) Business telephone number;	775-323-7430
(e) Electronic mail address;	paulaberkley@gmail.com
(f) Name of entity or organization represented.	Paula Berkley & Associates

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public. No comments were received from businesses.

A copy of this summary of the public response to the adopted regulations may be obtained from the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board, P.O. Box 34540, Reno, Nevada 89533-4540, 775-787-3421, or email to board@nvspeechhearing.org.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board adopted the regulation on April 30, 2016 and included all of the changes suggested at the workshop on November 21, 2015. The written comments received as a result of the Notice of Public Hearing on April 30, 2016, was considered by the Board prior to adoption of the regulation; the questions raised in the written comments were addressed in SB115 and did not require a regulatory change, one comment requesting the addition of a criteria for extenuating circumstances for exemption from continuing education was determined not necessary as the regulation does not exclude other criteria for a determination of extenuating circumstances.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

(a) Both adverse and beneficial effects

There will be no adverse economic effect of these adopted regulations on the businesses which it is to regulate (speech-language pathologists, audiologists, hearing aid specialists) or the public. The adopted regulations will benefit the speech-language pathology, audiology and hearing aid dispensing practitioners and the public by providing clarity to the regulations.

(b) Both immediate and long-term effects.

Direct effect will be to improve and clarify existing law and regulatory requirements. Businesses may experience the indirect effect of having more knowledgeable practitioners.

Long-term effect will be clarity and consistency in regulation and licensing of speech-language pathologist, audiologist and hearing aid specialists in Nevada.

8. The estimated cost to the agency for enforcement of the adopted regulations.

There are no additional costs involved in the enforcement of these adopted regulations.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board is not aware of any similar federal, state or local standards regulating speech-language pathology, audiology and hearing aid dispensing professions. These adopted regulations do not duplicate any federal, state or local standards.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board is not aware of any similar federal regulations of the same activity in which the adopted regulations are more stringent.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The regulation revises the licensing fee structure to conform with AB115 revisions to NRS, standardizing the fee structure for all professions. The annual revenue from all fees is estimated at \$130,000; fees will be utilized to support the Board functions to license and regulate the professions of Speech-Language Pathology, Audiology and Hearing Aid Specialists.