

**ADOPTED REGULATION OF THE
BOARD OF HEARING AID SPECIALISTS**

LCB File No. R114-01

Effective November 1, 2001

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 637A.100 and 637A.210.

Section 1. NAC 637A.070 is hereby amended to read as follows:

637A.070 The following fees must be paid by ~~[each licensee]~~ *licensees* to the secretary of the board:

<i>Application fee</i>	<i>\$250</i>
Initial license fee	100
Annual license fee <i>for a hearing aid specialist</i>	[150] <i>200</i>
<i>Annual license fee for an apprentice to a hearing aid specialist</i>	<i>100</i>
<i>Duplicate license fee</i>	<i>20</i>
<i>Inactive status fee</i>	<i>100</i>
Lapsed renewal fee	100
Reinstatement fee	100

NOTICE OF ADOPTION OF REGULATIONS

The Nevada State Board of Hearing Aid Specialists adopted regulations assigned LCB File No. R114-01 and R062-01, which pertain to Chapter 637A of the Nevada Administrative Code on October 6, 2001. A copy of the regulations as adopted is attached hereto.

INFORMATION STATEMENT FOR THE ADOPTED REGULATIONS OF THE NEVADA STATE BOARD OF HEARING AID SPECIALISTS LCB File No. R114-01 and R062-01

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

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

In compliance with the Open Meeting Law, the Board posted its notices of a workshop to be held on October 6, 2001, in Reno, Nevada. A draft of the proposed regulations were available at the workshop and was discussed by the Board. The following comments were received at the October 6, 2001 workshop:

There was one public individual present.

There were no comments.

On August 30, 2001, the Board posted its notices of the public hearing for the adoption of amendments of the regulations in NAC 637A to be held on October 6, 2001. On that date the public hearing was held in Reno, Nevada. The draft regulations were amended by the Board and were adopted. There was one members of the public present or offered comments. The following individuals provided written comments:

Thomas Rainford offered testimony on various sections and requested that the Board clarify language and shorter period of time allowances for refunds. Mr. Rainford also suggested that the Board, at a later date, define “taking possession”.

2. The number of persons who:

- a) Attended from the public: 1;
- b) Testified at the hearing: 1;
- c) Submitted written comments to the Board: 0.

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

Comments were solicited as described in Item #1.

- 4. 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 Board made amendments to the proposed regulations.

- 5. The estimated economic effect of the regulations on the business 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 effect.**

- a) The adverse economic effect of the regulations on the business it regulates includes the added cost for licensure and to take the examination for licensure. The licensee must also comply with the cancellation policy and return the necessary funds to the individual.

The beneficial economic effects of the regulations for the public is that offices that dispense hearing aids must be compliant with the American with Disabilities Act to accommodate disabled individuals and set cancellation policy for individuals who order hearing aids and cancel the order within 5 days and never take possession of the hearing aids.

- b) The immediate and long-term economic effect on the business it that it will cost more to be licensed and to take the examination to be licensed. The immediate and long-term economic effect on the public is that offices that dispense hearing aids must be compliant with the American with Disabilities Act to accommodate disabled individuals and must comply with

the set cancellation policy for individuals who order hearing aids and cancel the order within 5 days and never take possession of the hearing aids.

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

There is no additional cost to the agency for the enforcement of these regulations.

7. 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.

There is no other state or government agency regulations that the proposed regulations duplicate or overlap.

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

The proposed regulations are not more stringent than any known federal regulations. The Board is not aware of any federal regulations on the subject of the proposed regulations.

9. 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.

It is difficult to estimate the total amount of funds the Board expects to collect, as the increased fee is for licensure and the examination of new licensees because the number of individuals who will apply and qualify to take the examination this year will and can vary greatly. The additional fee will be used to pay the IHS for the examination and to score the examination.