

**ADOPTED REGULATION OF THE BOARD OF EXAMINERS  
FOR AUDIOLOGY AND SPEECH PATHOLOGY**

**LCB File No. R034-13**

Effective March 28, 2014

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

AUTHORITY: §§1-4, 6-11 and 13, NRS 637B.150; §5, NRS 637B.150 and 637B.210; §12,  
NRS 637B.150, 637B.210 and 637B.220.

A REGULATION relating to professions; revising provisions governing the licensure of audiologists and speech pathologists by the Board of Examiners for Audiology and Speech Pathology; and providing other matters properly relating thereto.

**Section 1.** Chapter 637B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this regulation.

**Sec. 2.** *The Board may:*

- 1. Appoint an Executive Director and employ such staff as it deems necessary to carry out its duties;*
- 2. Establish the duties of the Executive Director and the staff; and*
- 3. Fix the salaries of the Executive Director and the staff.*

**Sec. 3.** *1. An applicant who is required to provide the Board with:*

*(a) An official transcript for the purpose of obtaining a license as an audiologist or speech pathologist shall ensure that a sealed, official transcript is:*

- (1) Attached to his or her application; or*
- (2) Sent directly from the educational institution to the Board.*

*(b) Proof satisfactory of his or her certification by the American Board of Audiology or the American Speech-Language-Hearing Association, or a successor organization, shall ensure that a copy of the certification is:*

*(1) Attached to his or her application; or*

*(2) Sent directly from the certifying organization to the Board.*

*(c) Proof satisfactory of his or her clinical competency shall ensure that such proof is sent directly to the Board on a form provided by the Board.*

*(d) Proof satisfactory that he or she passed an examination approved by the Board shall ensure that such proof is sent directly to the Board by the entity that administered the examination.*

*(e) Proof satisfactory of his or her current employment shall ensure that such proof is provided to the Board.*

*(f) Proof satisfactory of the completion of any requirements for continuing education shall ensure that such proof is provided to the Board.*

*2. If an applicant holds or has held a valid license from another state or territory in the United States, the applicant shall ensure that:*

*(a) A copy of each license is attached to his or her application; and*

*(b) Verification of each license held during the 5 years immediately preceding the date of application is sent directly to the Board by the licensing authority.*

*3. An applicant shall include with his or her application any additional information that the Board may require for the purpose of reviewing an application.*

*Sec. 4. An application for renewal of a license as an audiologist and a license as a speech pathologist may be submitted on a single application.*

**Sec. 5. 1.** *An applicant for reinstatement of his or her license shall include with the application for reinstatement:*

*(a) Proof satisfactory that the applicant has completed at least 15 hours of continuing education approved by the Board for each year or portion of a year for which the license has been expired.*

*(b) The fees imposed by the Board pursuant to subsection 3 of NRS 637B.210 for the reinstatement of a license.*

**2.** *The reinstatement of a license that has been expired for 30 days or more must not be retroactive. The reinstatement becomes effective on the date of the approval of the application for reinstatement.*

**Sec. 6.** *If a person's license has been expired for 3 years or more, he or she must apply for a license as an applicant for an original license.*

**Sec. 7.** *A licensee shall not alter a license or license card issued by the Board.*

**Sec. 8. 1.** *A licensee shall not practice audiology or speech pathology under any name under which the licensee does not hold a license issued by the Board.*

**2.** *If a licensee changes his or her legal name after the issuance of his or her license, the licensee shall submit a copy of a marriage certificate or court decree to the Board not later than 30 days after the change. The Board will, upon receiving sufficient evidence that a licensee has changed his or her legal name, issue a new license with the licensee's legal name thereon.*

**3.** *The Board may issue a duplicate license to any licensee who certifies that his or her license has been lost or destroyed.*

**Sec. 9. 1.** *Each licensee shall:*

*(a) Maintain with the Board the licensee's current residential address, business address or other contact information, including, without limitation, the telephone number and electronic mail address of the licensee, if available.*

*(b) Notify the Board of any change in the information maintained pursuant to paragraph (a) not later than 30 days after the change.*

*2. Except as otherwise provided in subsection 3, the Board will provide by United States mail to the last known residential address of the licensee provided pursuant to paragraph (a) of subsection 1 any notice to a licensee that is required by law or regulation.*

*3. The Board may provide a notice to a licensee by electronic mail upon the prior written consent of the licensee.*

**Sec. 10.** *A person may request that the Board verify his or her license to another organization or to the licensing authority of another state or territory of the United States by submitting a written request for verification to the Board.*

**Sec. 11.** NAC 637B.035 is hereby amended to read as follows:

637B.035 1. ~~Each applicant must attach to the application his or her official transcript from the accredited educational institution where the applicant obtained:~~

- ~~—(a) His or her master's or doctorate degree in audiology or in speech pathology; or~~
- ~~—(b) At least 60 semester credits, or equivalent quarter credits, in courses related to the normal development, function and use of speech and language or hearing, including, but not limited to, the management of disorders of speech or hearing and the legal, professional and ethical practices of audiology or speech pathology.~~

~~—2.]~~ Each completed application for a license as an audiologist or speech pathologist must be accompanied by ~~[a check or money order for]~~ *payment of* the appropriate fee. ~~[The]~~ *If the*

*payment is in the form of a check or money order, the* check or money order must be payable to the “Board of Examiners for Audiology and Speech Pathology.”

*2. The Board will accept payment of fees in the following forms:*

*(a) Personal check;*

*(b) Money order;*

*(c) Cashier’s check; and*

*(d) Credit card.*

*3. The Board will not accept payment of fees in cash.*

*4. The Board may recover any charge from a financial institution for a personal check returned to the Board as the result of insufficient money in the account from which the check is drawn or due to a stop-payment order on the check. Not later than 15 days after receiving notice from the Board, the person who submitted the check as payment shall remit to the Board an amount equal to the amount of the original check plus the amount of the charge.*

**Sec. 12.** NAC 637B.400 is hereby amended to read as follows:

637B.400 1. As a prerequisite for each renewal of ~~his or her~~ a license to practice audiology or speech pathology, a licensee must complete, during the annual period immediately preceding the renewal, at least 15 hours of continuing education approved by the Board, unless the licensee has been granted a waiver or deferral pursuant to NAC 637B.430.

~~2. The licensee must, upon application for the renewal of his or her license, submit to the Board a statement signed by the licensee, under penalty of perjury, that he or she has complied with the requirements for continuing education prescribed in subsection 1. For each course of continuing education which the licensee has completed, the statement must include:~~

~~—(a) The title and sponsor of the course;~~

- ~~—(b) The date on which the licensee attended the course;~~
  - ~~—(c) The number of hours of continuing education earned by the licensee; and~~
  - ~~—(d) If applicable, proof that the licensee received a minimum passing score on the final examination of the course.~~
- ~~—3.]~~ Legible copies of all receipts, records of attendance, certificates and any other evidence of a licensee’s completion of a course of continuing education must be retained by the licensee and made available to the Board for inspection for not less than 3 years after the completion of the course.

~~{4.]~~ 3. The Board will conduct random audits of licensees to ensure compliance with the requirements of this section.

~~{5.]~~ 4. If a licensee completes more than the required number of hours of continuing education during one licensing period, the licensee is not allowed to credit the excess hours toward the required education for a subsequent period.

**Sec. 13.** NAC 637B.015 and 637B.020 are hereby repealed.

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### TEXT OF REPEALED SECTIONS

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**637B.015 Administrator: Appointment; duties; salary. (NRS 637B.150)**

1. The Board will appoint a person to administrate the Office of the Board. The Administrator is responsible for the daily operation of the Office of the Board.

2. The Administrator shall provide office space to maintain the principal Office of the Board.

3. The Administrator is entitled to receive a salary, the amount of which will be determined by the Board.

**637B.020 Salary of members. (NRS 637B.130, 637B.150)** A member of the Board is entitled to receive a salary of \$60 per day while engaged in the business of the Board.

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

**INFORMATIONAL STATEMENT**

**LCB FILE R034-13**

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.**

The need for the adopted regulations is to protect the public health, safety and welfare by ensuring that only qualified and competent audiologists and speech pathologists are licensed in the state.

The purpose of the adopted regulations are to provide clarity for the public, individuals and licensees through regulations regarding initial licensure requirements; requirements for renewal and reinstatement of a license; requirements for maintenance of licensee information including name changes, contact information and current addresses; prohibitions on alteration of a license; verification of a license to another entity; and revises language regarding documentation of continuing education. The adopted regulations also address administrative functions of the board by clarifying staffing authority and methods of acceptable payment of fees.

**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 regulations, 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 audiology and speech pathology as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Board of Examiners for Audiology and Speech Pathology, [www.nvaud-sp.org](http://www.nvaud-sp.org), mailed to all county libraries in Nevada and posted at the following locations:

Board of Examiners for Audiology and Speech Pathology, Administrative Office  
1595 Robb Drive, Unit 1, 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. 9<sup>th</sup> St. Bldg A, P.O. Box 30083, Reno, Nevada 89502

Workshops were held to solicit comments on the proposed regulations on November 22, 2013, and November 23, 2013. There were no individuals from the public in attendance at either workshop, and no written comments were received. Thereafter, on or about January 3, 2014, a



Notice of Intent to Act Upon Regulations was issued. A Public Hearing was held on February 8, 2014; there were no comments received orally or in writing.

A copy of this summary of the public response to the adopted regulations may be obtain from the Board of Examiners for Audiology and Speech Pathology, P.O. Box 34540, Reno, Nevada 89533-4540, 775-787-3421, or email to [info@nvaud-sp.org](mailto:info@nvaud-sp.org).

**3. The number of persons who:**

<b>(a) Attended each workshop:</b>	Reno, November 22, 2013	0
	Las Vegas, November 23, 2013	0
<b>(b) Attended public hearing:</b>	Las Vegas, February 8, 2014	1
<b>(c) Testified at hearing:</b>	Las Vegas, February 8, 2014	0
<b>(d) Submitted written comments:</b>	0	

**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:**

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

Board of Examiners for Audiology and Speech Pathology

**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 obtain from the Board of Examiners for Audiology and Speech Pathology, P.O. Box 34540, Reno, Nevada 89533-4540, 775-787-3421, or email to [info@nvaud-sp.org](mailto:info@nvaud-sp.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 Board of Examiners for Audiology and Speech Pathology adopted the regulation without change on February 8, 2014. No public comments were provided or submitted at either of the public workshops or the public hearing; no changes were requested.

**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 (audiologists and speech pathologists) or the public. The adopted regulations will benefit the audiology and speech pathology practitioners and the public by providing clarifications to the regulations.

(b) Both immediate and long-term effects.

Immediate effect will be improved administration through clarification of existing law and regulatory requirements. Long-term effect will be clarity and consistency in regulation and licensing of audiologists and speech pathologists 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 Board of Examiners for Audiology and Speech Pathology is not aware of any similar regulations of other state or government agencies that the adopted regulations overlap or duplicate.

**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 Board of Examiners for Audiology and Speech Pathology 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 does not provide for any new or increased fees.