

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

LCB FILE R140-17

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 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 establishes examination requirements for a hearing aid specialist or dispensing audiologist for renewal of a temporary license; establishes examination requirements for a hearing aid specialist for renewal of provisional license; exempts a hearing aid apprentice from in-service training requirements under certain circumstances; and provides other matters 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

A Workshop was held to solicit comments on the proposed regulations on January 27, 2018. There were no individuals representing small business or the public in attendance at the workshop, one written comment was received from the American Speech-Language-Hearing Association (ASHA) expressing their opposition to dispensing examinations for Audiologists. Thereafter, on or about March 20, 2018, a Notice of Intent to Act Upon Regulations was issued.

A Public Hearing was held on April 20, 2018; there were no oral comments; one written comment was received from the American Speech-Language-Hearing Association (ASHA) expressing their opposition to dispensing examinations for Audiologists.

A copy of this summary of the public response to the adopted regulation may be obtain 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, January 27, 2018	0
(b)	Attended public hearing:	Reno, April 20, 2018	0
(c)	Testified at hearing:	Reno, April 20, 2018	0
(d)	Submitted written comments:		1

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

There were no public individuals present at neither the public workshop nor public hearing. One written comment was received from:

Elise Davis-McFarland, PhD, CCC-SLP, 2018 ASHA President
American Speech-Language-Hearing Association
2200 Research Boulevard
Rockville, Maryland 20850-3289
(301) 296-5700
ecrowe@asha.org

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 20, 2018 without change. The Board considered the written comments submitted by ASHA and determined that the dispensing examination for Audiologists are required to be identical to the examination required for licensure of hearing aid specialists per statute, NRS 637B.205(2). The proposed regulation clarifies the examination timeline and applicability for temporary licenses for both audiologists and hearing aid specialists.

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 practitioners and the public by providing clarity to the regulations.

- (b) Both immediate and long-term effects.

Immediate 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 pathologists, audiologists and hearing aid specialists business practices in Nevada, and will provide the public access to qualified professionals.

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 does not provide for any new or increased fees.