

**PROPOSED REGULATION OF THE
SPEECH-LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING AID
DISPENSING BOARD**

LCB FILE NO. R095-19I

**The following document is the initial draft regulation proposed
by the agency submitted on 10/22/2019**

Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board

Proposed NEW Regulations

Practice Within the Scope of Credential Issued under Chapter 391 (NRS 637B.080)

A person who holds a current credential issued by the Department of Education pursuant to chapter 391 is considered to practice “within the scope of that credential” if:

- (a) the person holds an active Nevada teaching license;*
- (b) is an employee of a public educational institution; and*
- (c) does not practice as an independent contractor, or*
- (d) provide services in a private practice setting.*

Citations, Administrative fines; practice without valid license or endorsement (NRS 637B.290)

1. Except as otherwise provided by subsection 2, the Board will issue a citation to cease and desist to any person practicing speech-language pathology, audiology or hearing aid dispensing without a current and valid license or dispensing endorsement. A citation may include the assessment of an administrative fine:

- (a) If the violation is for a period of 30 days or less, not less than \$50.00 or more than \$200.*
- (b) If the violation is for a period more than 30 days, not less than \$200 or more than \$5,000.*

2. The Board may waive an administrative fine assessed pursuant to subsection 1:

- (a) For the first offense.*
- (b) If the violation is due to non-renewal and the license has been reinstated within 30 days after the late renewal period;*
- (c) Upon a finding of good cause as determined by the Board.*

3. A person seeking a waiver of an administrative fine on the grounds prescribed by subsection 2 shall submit a written request to the Board which must include proof satisfactory to the Board that good cause exists. As used in this paragraph, “good cause” includes, without limitation, circumstances under which a person suffers from an illness or disability, suffers an injury, experiences a family hardship, or was subject to circumstances which were not under the person’s control.

4. A person who knowingly practices without a valid license or dispensing endorsement is subject to additional disciplinary action as determined by the Board.

Nevada Speech-Language Pathology, Audiology and Hearing Aid Dispensing Jurisprudence Examination (NRS 637B.160; NRS 637B.191)

An applicant for any license type may be required to provide proof of achieving a passing score on the Nevada Speech-Language Pathology, Audiology and Hearing Aid Dispensing Jurisprudence Examination prior to issuance of a license.

Proposed Revision to NAC 637B.0391

NAC 637B.0391 In-service training for apprentices: General requirements; direct supervision; exemption from participation, *credit for prior training*. (NRS 637B.132, 637B.194, 637B.235)

1. Except as otherwise provided in subsection 3, the in-service training of a person who has been issued an apprentice license by the Board pursuant to NRS 637B.195 must consist of:
 - (a) An academic portion, as set forth in NAC 637B.0392; and
 - (b) An on-site training and work experience portion which is competency-based, as set forth in NAC 637B.0394.
2. An apprentice shall participate in the in-service training set forth in subsection 1 under the direct supervision of a sponsor for a minimum of 2 years and, in accordance with NRS 637B.238, may not serve as an apprentice for more than 3 years without passing the examination set forth in NAC 637B.0373.
3. An apprentice is not required to participate in the in-service training required by this section if the apprentice:
 - (a) Holds an associate's degree in hearing instrument sciences which is approved by the National Board for Certification in Hearing Instrument Sciences; or
 - (b) Successfully completes a program of education or training in hearing instrument sciences which is approved by the Board.
- 4. An apprentice who is eligible for reinstatement of an expired license may be credited for up to two years of in-service training completed during the initial license period, as approved by the Board.***

Proposed Revision to NAC 637B.0396

NAC 637B.0396 Qualifications to act as sponsor of apprentice; limitation on number of apprentices or sponsors, *employment of apprentice and sponsor*. (NRS 637B.132, 637B.194, 637B.235)

1. To be eligible to act as a sponsor of an apprentice, a hearing aid specialist or dispensing audiologist must:
 - (a) Hold a standard license that is on active status;
 - (b) Have experience as a hearing aid specialist or dispensing audiologist for a minimum of 3 years; and
 - (c) Be in good standing with the Board and have no record of disciplinary action.
2. A hearing aid specialist or dispensing audiologist shall not sponsor more than two apprentices at one time, and an apprentice shall not have more than two sponsors at one time.

3. A hearing aid specialist or dispensing audiologist who is a sponsor of an apprentice, shall have the same employer as the apprentice during the term of the on-site training period.