



State of Nevada
Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board

NOTICE OF PUBLIC MEETING

Advisory Committee on Fitting and Dispensing Hearing Aids

Tuesday, June 21, 2022 ~ 4:30pm

Location: Board Office ~ 6170 Mae Anne Avenue, Suite 1, Reno, Nevada 89523

Supporting materials relating to this meeting will be physically available but in an effort to reduce costs and preserve resources, attendees are encouraged to access electronic copies on the Board's website at <https://www.nvspeechhearing.org/about/Minutes.asp>

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Meeting ID: 531 941 9132 Passcode: SPHBOARD

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AGENDA

The **ADVISORY COMMITTEE ON FITTING AND DISPENSING HEARING AIDS** of the **NEVADA SPEECH-LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING AID DISPENSING BOARD** may: (a) address agenda items out of sequence (b) combine agenda items or (c) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.020, NRS 241.030). Action by the Committee on any item may be to approve, deny, amend, or table.

1. Call to Order, Confirmation of Quorum

2. Public Comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. Approval of the Minutes: Advisory Committee on Fitting and Dispensing Hearing Aids of January 12, 2022 (for possible action)

4. Work Session and Recommendation to the Board on Draft Revisions to NRS 637B Related to NBC-HIS Certification for HAS License (for possible action)

5. Work Session and Consideration for Recommendation to the Board for Revisions to NAC 637B.0391(2) Regarding In-Service Training for Hearing Aid Specialist Apprentices (for possible action)

6. **Work Session and Consideration for Recommendation to the Board on Licensing Audiology Assistants or Revision to NAC 637B.0442**
(for possible action)
7. **Work Session and Consideration of Recommendation to the Board on Examinations Required for Dispensing Audiologists and Hearing Aid Specialists**
(for possible action)
8. **Work Session and Consideration to Revise Recommendation to the Board on Cerumen (Earwax) Management by Hearing Aid Specialists**
(for possible action)
9. **Update on FDA Rulemaking for Over-the-Counter Hearing Aids**
(for possible action)
10. **Reports from Committee Chair and Members**
 - a. Report from Committee Chair and Board Members
(for possible action)
 - b. Next Meeting: Proposed for September 2022
(for possible action)
 - c. Future Agenda Items
(for possible action)

11. Public Comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

12. Adjournment

(for possible action)

Public comment is welcomed by the Committee. Public comment will be limited to five minutes per person and comments based on viewpoint will not be restricted. A public comment time will be available prior to action items on the agenda and on any matter not specifically included on the agenda as the last item on the agenda. At the discretion of the President, additional public comment may be heard when that item is reached. The Board Chair may allow additional time to be given a speaker as time allows and in his/her sole discretion. (NRS 241.020, NRS 241.030)

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. (NRS 233B.126)

Persons with disabilities who require special accommodations or assistance at the meeting should contact the Board office at (775) 787-3421 or email at board@nvspeechhearing.org no later than 48 hours prior to the meeting. Requests for special accommodations made after this time frame cannot be guaranteed.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED IN THE FOLLOWING LOCATIONS:

<p>Nevada Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board Administrative Office 6170 Mae Anne Avenue, Suite 1 Reno, Nevada 89523</p>	<p>Nevada Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board Website www.nvspeechhearing.org</p>	<p>State of Nevada Public Notice Website www.notice.nv.gov</p>
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This agenda has been sent to all members of the Committee and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice must request so in writing on an annual basis.

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Anyone desiring additional information regarding the meeting is invited to call the Board office at (775) 787-3421.



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Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board
Advisory Committee on Fitting and Dispensing Hearing Aids

AGENDA ITEM 1

Call to Order, Confirmation of Quorum

Call to Order, Confirmation of Quorum.

ACTION: Meeting called to order.

ATTACHMENT(S): None.



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AGENDA ITEM 2

Public Comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020).

ACTION: None – INFORMATIONAL ONLY

ATTACHMENT(S): None.



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AGENDA ITEM 3

Approval of the Minutes: Meeting of the Advisory Committee on Fitting and Dispensing Hearing Aids of January 12, 2022

The minutes of the meeting of January 12, 2022 are presented for approval.

ACTION: Approve, table, or take no action on the matter.

ATTACHMENT(S):

1. *2022 1 12 Minutes Not Yet Approved*

Minutes have not yet been approved and are subject to revision at the next meeting.



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Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

MINUTES OF PUBLIC MEETING

Advisory Committee on Fitting and Dispensing Hearing Aids

January 12, 2022

Members Present: Michael Hodes; Lynee Anderson; Nanci Campbell; Jennifer Joy-Cornejo; Melissa Maestas

Members Absent: None

Staff Present: Jennifer Pierce, Executive Director
Stacey Whittaker, Licensing Coordinator
Henna Rasul, Sr. Deputy Attorney General

Public Present: Nancy Kuhles

Call to Order, Confirmation of Quorum

Jennifer Pierce agreed to facilitate the meeting on behalf of Michael Hodes due to his location. Ms. Pierce called the meeting to order at 4:40pm. A roll call confirmed a quorum was present.

Public Comment

Nancy Kuhles introduced herself as the ASHA COA Chair and COA Committee Ambassador for Nevada in Speech-Language Pathology. Her comments are regarding Agenda Item 5, and she stated she is looking forward to hearing and reading recommendations from the workgroup regarding Over the Counter hearing aids and awaiting the FDA ruling coming out as well. Ms. Kuhles also thanked the Committee members for all they do.

Approval of the Minutes

Ms. Pierce asked for corrections or a motion to approve the August 11, 2021 minutes as written. Melissa Maestas made a motion to approve the minutes as written. Michael Hodes seconded the motion. The motion passed.

Consideration for Recommendation to Board for Revisions to NRS 637B Related to NBC-HIS Certification Requirement for HAS License

Ms. Pierce summarized the Committee's discussion on this item during its August 11, 2021 meeting. The matter was originally brought to the Committee to consider a recommendation to the Board regarding a potential revision to NRS 637B that would remove the requirement for NBC-HIS national certification for Hearing Aid Specialist (HAS) licensure as required in NRS 637B.193(2). This requirement has presented a challenge for a handful of HAS Apprentices in transitioning to a Standard HAS license, and out-of-state HAS applicants have provided feedback that the requirement is not common in other states. The

Minutes have not yet been approved and are subject to revision at the next meeting.

Committee tabled the matter in the August meeting and asked for more information on the certification requirements elsewhere.

During this meeting, the Committee was provided with an update from NBC-HIS confirming that only two states, Nevada and Utah, require the certification for licensure. NBC-HIS reported that it does not support using this certification as an entry level requirement as it is intended to be “an optional pursuit for the advanced hearing aid dispensing professional”. NBC-HIS has offered to collaborate with the Board on revising this standard to align with national standards.

Michael Hodes suggested consideration to remove the requirement and asked for feedback from members. There was discussion on the matter including historical context provided by Melissa Maestas, who explained that it was brought over from the prior Hearing Aid Dispensing Board and may have been intended to address problems with dispensers at that time, raise standards, and ensure competency. Ms. Maestas also shared that maintaining certification is costly and does not provide commensurate value to the practitioner.

Ms. Pierce asked for a motion. Michael Hodes made a motion to recommend the Board adopt revisions to NRS 637B related to NBC-HIS Certification Requirement for HAS Licensure as a future legislative priority. Jennifer-Joy Cornejo seconded the motion. The motion passed.

Update and Consideration of Recommendations on FDA Rulemaking for Over-the-Counter Hearing Aids

This matter was originally heard during the August 2021 Committee meeting and a vote was taken to recommend the Board issue a position statement on Over the Counter hearing aids that agrees with and refers to the *ADA, AAA, AAOHNS, and ASHA Joint Statement*. The matter was on the agenda but tabled at the Board’s October 2021 meeting. It is again on the January 19, 2022 Board Meeting agenda.

On October 20, 2021, the FDA released Proposed rules for Over the Counter Hearing Aids and Draft Guidance “*Regulatory Requirements for Hearing Aid Devices and Personal Sound Amplification Products*”, with public comments due on each by January 18, 2022, 11:59pm ET.

The matter was brought back to the Committee during this meeting as an update and to consider any revisions to the earlier recommendation regarding the joint statement for consideration by the Board at the January 19, 2022 meeting. There was discussion around how these devices may impact consumers and several members indicated they are not overly concerned, as amplification devices have already been available for some time. The discussion reinforced the Committee’s August 2021 vote to recommend adoption of the position statement. No action was taken.

Reports from Committee Chair and Members

There were no reports from the Committee Chair or Members. Ms. Pierce suggested that the next Committee meeting would be tentatively scheduled for August 2022 with the option to schedule a meeting sooner pending new matters in need of timely attention.

Public Comment

There were no public comments.

Adjournment

The meeting adjourned at 5:12pm.



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AGENDA ITEM 4

Work Session and Recommendation to the Board on Draft Revisions to NRS 637B Related to NBC-HIS Certification for HAS License

This matter was recommended to the Board to adopt as a legislative priority by this Committee on January 12, 2022, and subsequently approved by the Board at its January 19, 2022 meeting. In April 2022 the Board again heard the matter along with a number of other potential legislative issues, but no action was taken to proceed with a BDR in the 2023 legislative session. Additional work required on other issues may result in this matter being included in a potential 2025 BDR instead.

In preparation for potential legislative work, draft revisions to two sections of NRS 637B referencing NBC-HIS certification are presented below for the Committee's review and recommendation to the Board.

NRS 637B.193 Hearing aid specialists: Qualifications of applicants. An applicant for a license to engage in the practice of fitting and dispensing hearing aids must:

1. Successfully complete a program of education or training approved by the Board which requires, without limitation, that the applicant:

(a) Hold an associate's degree or bachelor's degree in hearing instrument sciences; or

(b) Hold a high school diploma or its equivalent or an associate's degree or bachelor's degree in any field other than hearing instrument sciences, and successfully complete a training program in hearing instrument sciences as prescribed by regulation of the Board.

~~2. Except as otherwise provided in NRS 637B.201, be certified by the National Board for Certification in Hearing Instrument Sciences.~~

~~3.~~ 2. Pass the examination prescribed pursuant to NRS 637B.194.

~~4.~~ 3. Comply with the regulations adopted pursuant to NRS 637B.194.

~~5.~~ 4. Include in his or her application the complete street address of each location from which the applicant intends to engage in the practice of fitting and dispensing hearing aids.

NRS 637B.201 Provisional license to practice speech-language pathology ~~or fitting and dispensing hearing aids.~~

1. Upon application and payment of the application fee required pursuant to NRS 637B.175, the Board may issue a provisional license to engage in the practice of:

~~(a)~~ Speech-language pathology to a person who is completing the clinical fellowship requirements for obtaining a certificate of clinical competence issued by the American Speech-Language-Hearing Association.

~~(b) Fitting and dispensing hearing aids to a person who:~~

~~(1) Holds a license to engage in the practice of fitting and dispensing hearing aids in another state; and~~

~~(2) Is completing the training required for certification by the National Board for Certification in Hearing Instrument Sciences.~~

2. A provisional license issued pursuant to this section may be:

(a) Renewed not more than twice; and

(b) Converted to an active license upon payment of the fee required pursuant to NRS 637B.175 for converting the license and the

award of: ~~(1) a~~ A certificate of clinical competence by the American Speech-Language-Hearing Association. ~~or~~

~~(2) Certification by the National Board for Certification in Hearing Instrument Sciences.~~

deletion • addition

ACTION: Take action, table the matter, or take no action on the request.

ATTACHMENT(S): None.



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AGENDA ITEM 5

Work Session and Consideration for Recommendation to the Board for Revisions to NAC 637B.0391(2) Regarding In-service Training for Hearing Aid Specialist Apprentices

At the recommendation of this Committee, the Board has approved pursuing future legislation to remove the requirement for a Standard HAS License applicant to hold NBC-HIS certification at the time of application (see prior agenda item).

[NAC 637B.0391](#) requires that the in-service training of an Apprentice with no formal education in hearing instrument sciences must include both academic and work experience portions. The required work experience must be on-site, competency-based, and under the direct supervision of a sponsor for a **minimum of 2 years**. This requirement mirrors the NBC-HIS requirement to have a minimum of 2 years of full-time dispensing experience within the preceding 5 years to sit for their certification exam. It is unclear if the two are related and the current NAC has some basis in the NBC-HIS requirement. But as the NBC-HIS certification has been identified for removal, this matter is brought to the Committee to consider whether a change to the minimum 2 year in-service requirement should also be recommended.

- [NAC 637B.0398](#) allows an Apprentice to work without physical on-site supervision by the Sponsor once they have completed **1 year** of training under direct supervision, and the Sponsor provides notice in writing to the Board that the Apprentice is competent to do so.
 - National trends for Apprenticeships were requested from IHS but not received prior to this meeting. Should the Committee choose to pursue the matter, Board staff can conduct state-by-state research to compare requirements. Anecdotally, the Board has received feedback from HAS applicants in other states who were not required to complete a 2 year apprenticeship.
 - The U.S. Department of Labor (DOL) includes HAS Apprenticeships in its Registered Apprenticeship Program. DOL provides employers with an [approved set of work activities and educational coursework](#), with a recommended timeframe of **1 year** for training.
-

ACTION: Take action, table the matter, or take no action on the request.

ATTACHMENT(S): None.



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AGENDA ITEM 6

Work Session and Consideration for Recommendation to the Board on Licensing Audiology Assistants or Revision to [NAC 637B.0442](#)

This matter was initially undertaken with SLP Assistant licensing discussions, then separated as a discrete matter in January 2021. In April 2021, the topic was adopted as a standing agenda item and subsequently tabled to again align with consideration for licensing SLP Assistants, which was revisited in both January and April 2022. To date, no action has been taken by the Board but there was consensus that more work was needed, with referral to this Committee.

The matter is before the Committee to consider and make recommendations to the Board on the following:

1. Whether to pursue licensing of Audiology Assistants in a future legislative session.
OR
2. As an alternative, whether to consider revisions to NAC 637B.0442 which delineates duties that may be delegated to an unlicensed individual.

The following is provided for the Committee's consideration:

Background on Audiology Assistants

- **National Use**

Per the [ASHA State Support Personnel](#) matrix, national trends in AuDA regulation are listed below. cursory research into specific state rules indicates that regulations vary widely from state to state, and several states listed below may include exceptions.

Licensed 13	Arizona; Idaho; Illinois; Kentucky; Louisiana; Maryland; Massachusetts; Minnesota; New Mexico; Ohio; Oklahoma; South Carolina; Texas
Registered 20	Alabama; Alaska; Arkansas; California; Delaware**; Georgia; Indiana; Kansas; Maine; Massachusetts; Mississippi; Missouri; Montana; Nebraska; North Carolina; Pennsylvania; Rhode Island; Utah; West Virginia; Wyoming
Certified 2	Florida; New Hampshire
None 15	Colorado; Connecticut; District of Columbia; Hawaii; Iowa; Kentucky; Michigan; Nevada; New Jersey; New York; Oregon*; Tennessee*; Washington*; Wisconsin; Virginia

*SLPA Only

**AuDA Only

- **AAA Not in Support of Assistant Licensing**

The American Academy of Audiology (AAA) [released a position statement on Audiology Assistants in 2021](#), stating that it ***“does not see a need for state licensing of audiology assistants since these individuals should only work under the supervision of a state-licensed audiologist. The creation of a separate state licensure category for these types of support personnel is unnecessary and could prove confusing to consumers who may interpret such a separate licensure “category” as an indication that audiology assistants are independent practitioners.”***

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No position statement was found from IHS and it appears that this role is typically only used to support Audiologists. Future research may be useful in understanding whether other states allow delegation to an unlicensed support role by a HAS, as allowed by this Board's NAC.

- **Potential Need in Nevada**

More work may be needed to identify whether a need for Audiology Assistants in Nevada exists to justify revisions to NRS 637B to add a new license type. ASHA's definition of an [Audiology Assistant](#) only allows for supervision by "a certified and/or licensed audiologist." By this definition, this role could not support Hearing Aid Specialists. As of March 31, 2022, Nevada licenses less than 200 Audiologists statewide (AuD = 65, AuD-D= 98). These numbers may not support the cost involved in legislation to create a new license type for this role.

In the Board's 2020 Licensee Survey, over 51% of AuD and HAS respondents (44 of 85) indicated that they already delegate duties to an unlicensed office assistant, aide, or technician as allowed in NAC 637B.0442

- **Licensee Support**

- In the Board's 2020 Licensee Survey, 48% of AuD and HAS respondents indicated "yes" to a need for licensing AuD Assistants: 19% = "no"; 32% = "unsure/need more information".
- The three highest benefits cited were: 1) increased productivity by reduced wait times and enhanced patient satisfaction; 2) increased access to services, and 3) allows AuDs to spend time on tasks/services that are more profitable.
- Conversely, approximately 15% of respondents cited concerns around AuDA licensing (44% = "no concerns"; 41% = "unsure/need more information").
- The three highest concerns cited were 1) supervision/oversight, 2) encroachment on current AuD role, and 3) "other".

- **Higher Education Capacity**

This does not appear to be an area of concern with these practitioners. ASHA currently only lists one formal audiology assistant training program in the country, at Nova Southeastern University in Florida, and historically AuD assistants have gained most of their training on-the-job. As described below, ASHA recommends several educational paths by which an assistant may demonstrate eligibility.

Notably, states' minimum education requirements vary significantly, with consensus lacking even between states providing the same level of oversight. Of the 6 states that license: 4 require a high school diploma or equivalent, 1 requires an associate degree, and 1 is pending legislation and not determined. Of the 7 states that register: 2 require a bachelor's degree, 3 require an associate degree or equivalent, and 3 require a high school diploma or equivalent.

- **ASHA AuDA Certification & Model Bill**

The [ASHA Audiologist Assistants Certification Program](#) is active and provides several eligibility pathways to obtain certification. The [ASHA Model Bill](#) was last updated in 2014 and includes language around definitions, eligibility, supervision, and unlicensed practice which could be used to draft initial NRS language to add this role. The ASHA AuDA Scope of Practice was out for peer review as of April 2022 with no current update found. ASHA offers three educational options for its Certification program through a combination of education and or military services.



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- **Reimbursement** (per [ASHA AuDA FAQ's](#)):
Medicare does not recognize/reimburse; Medicaid varies from state to state and is limited, and private insurance coverage and rates vary by company.
- **NRS & NAC Revisions**
At a minimum, to add AuDA licensing to NRS 637B, the Board would need to consider and draft multiple new sections of NRS 637B and then follow up with related additions to NAC 637B.
- **Potential Fiscal Impact**
Adding AuD Assistants may increase revenue through fees from new licensing type, with the total dependent on fees charged and number of applicants. Expenses may include costs for changes to the Board website and revisions to online application/renewal forms, lobbyist services to support a BDR, potential Increase in legal costs should increase in licensees heighten risk of NRS/NAC violations, and /or potential increase in staff costs for administrative/oversight work due to increased licensee census.

Alternative to AuDA: Overview of NAC 637B.0442

An alternative to formal oversight through licensing Audiology Assistants may be a revision to [NAC 637B.0442](#) which provides rules for duties that an AuD-D or HAS may delegate to an unlicensed office assistant, aide, or technician, as follows:

NAC 637B.0442 Delegation of duties by hearing aid specialist or dispensing audiologist to unlicensed office assistant, aide or technician. ([NRS 637B.132](#))

1. *Except as otherwise provided in subsection 2, a hearing aid specialist or dispensing audiologist may delegate certain duties to an office assistant, aide or technician who is not licensed pursuant to this chapter and [chapter 637B](#) of NRS and (who) does not possess the professional or advanced training required for the practice of fitting and dispensing hearing aids if the hearing aid specialist or dispensing audiologist determines, before delegating a duty, that the office assistant, aide or technician possesses the necessary knowledge, competence, training and skills to perform the duty. The duties that may be delegated to an office assistant, aide or technician pursuant to this section include, without limitation:*
 - (a) *Cleaning a hearing aid;*
 - (b) *Repairing or replacing a broken part of a hearing aid with the same part;*
 - (c) *Replacing a thin tube or dome with a similar size or style;*
 - (d) *Replacing filters;*
 - (e) *Returning to a client a repaired hearing aid that does not require fitting, programming or adjusting;*
 - (f) *Accepting an in-office return of a hearing aid if a receipt is provided to the client to document proof of the return; and*
 - (g) *Performing clerical, secretarial and general administrative duties, including, without limitation, providing information that is readily available to the general public.*
2. *A hearing aid specialist or dispensing audiologist shall not delegate any duty to an office assistant, aide or technician pursuant to this section that requires professional or advanced training for the practice of fitting and dispensing hearing aids. Duties that may not be delegated pursuant to this section include, without limitation:*
 - (a) *Removing a hearing aid from or placing a hearing aid into a client's ear;*
 - (b) *Programming, adjusting or fitting a hearing aid;*
 - (c) *Conducting an interview, examination or evaluation relating to a client's hearing or hearing loss; and*
 - (d) *Conducting any activity involving direct physical contact with a client and a hearing-related procedure or Instrument.*



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- In the Board's 2020 Licensee Survey, over 51% of respondents, both AuD and HAS (44 of 85), responded "yes" to currently delegating as allowed by NAC 637B.
- As noted earlier, [AAA does not support licensing of audiology assistants](#) and believes "*these individuals should only work under the supervision of a state-licensed audiologist.*" No specific information could be found on national prevalence or recommendations for use of support staff by Hearing Aid Specialists.
- Below are samples of regulations from states that do not license but allow Assistants to work under a licensed Audiologist. Many vary in educational and supervision requirements, including the number of assistants/aides that may be supervised at one time.

Connecticut	An audiology assistant must work under the direct, on-site supervision of a licensed audiologist. An audiologist supervising an assistant must assume responsibility for all services provided by the assistant.
Idaho	The supervising audiologist is responsible for the training of audiology support personnel and for maintaining a written record of completed training activity.
Indiana	Assistants allowed but not licensed by the Board. They must work under the direction and supervision of a licensed audiologist.
Iowa	An assistant is an unlicensed person who works under the supervision of an Iowa-licensed audiologist under rules outlined by the Board and a plan developed by the licensee.
Louisiana	Audiology aides are exempted from licensure requirements but must be reported on the annual renewal form. Supervision for audiology aides must be periodic direct observation by a licensed audiologist once per month during the initial year.
Rhode Island	Audiometric aides must hold a high school diploma, receive intensive on-the-job training by the supervising licensed audiologist, in accordance with ASHA or American Academy of Audiology (AAA) guidelines, prior to providing services. Audiometric aides do not act independently and are limited to hearing screening with pass/fail criteria.
Utah	A licensed audiologist supervising an aide must have a current written utilization plan outlining the specific manner in which the aide will be employed and supervised. The supervisor shall be responsible for the direct supervision of the aide. A licensed audiologist may not supervise more than three aides at one time.
Virginia	A licensed audiologist must provide documented supervision to unlicensed assistants. A supervising licensed audiologist shall be held fully responsible for an assistant's performance and activities, and shall ensure that they perform only those activities that do not constitute the practice of audiology or speech-language pathology and that are commensurate with their level of training. The identity of the unlicensed assistant shall be disclosed to the client prior to treatment.
Wisconsin	Audiologists must provide comprehensive, periodic, documented supervision of assistants that includes identifying specific roles and tasks for the individual, ensuring that the tasks performed do not require the exercise of professional judgement or entail interpretation of results or the development or modification of treatment plans, and providing appropriate training that is competency-based and specific to job performance.

ACTION: Take action, table the matter, or take no action on the request.

ATTACHMENT(S): None.



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AGENDA ITEM 7

Work Session and Consideration for Recommendation to the Board on Examinations Required for Dispensing Audiologists and Hearing Aid Specialists

This is a new matter raised at the Board's April 2022 meeting related to streamlining reciprocal licensing practices for individuals already licensed in another state and who may also be military-affiliated. Reciprocity continues to be at the forefront of occupational licensing conversations nationally and in the Nevada Legislature.

Our Board's licensing trends show a consistent rise in out-of-state licensees since FY18, with **22% of all licensees residing outside Nevada** at the end of FY22 Q3 (6% increase since FY18). Additionally, of the 61 licenses issued to military-affiliated applicants since FY18, **31% provided an out-of-state address**. FY18-FY22 out-of-state averages by license type are as follows: AuD: 3% AuD-D: 2% SLP: 16% HAS: 1% HAS-A: 0%

This issue was not historically a significant priority for our Board, as we are typically able to issue a license within 3-5 business days of receiving a complete application. However, this requires that an applicant submit the standard application with related documents/examinations, which may present barriers such as the following example:

Dispensing Audiologist Applicant OR Hearing Aid Specialist Applicant: Licensed in good standing in another state; no Board actions; many years of hearing aid fitting & dispensing experience.

Potential Barrier(s): Required to submit a full application and wait to be licensed until exams are complete, or apply for a Temporary license which allows them a year to first pass the written ILE exam, then travel to Nevada with: 1) a second adult to sit as their test subject and 2) a portable audiometer to take the practical dispensing exam.

Considerations:

- **National Exam Trends:**
 - AUD: Nevada is 1 of only 13 states that requires a separate license/endorsement for an Audiologist to dispense hearing aids. Of those 13 states, 10 require the ILE written exam, and only 4 require the IHS practical exam.
 - HAS: Nevada is 1 of 44 states requiring the Written ILE exam, and one of 16 states requiring the IHS Practical Exam for a HAS license.
- **AuD Hearing Aid Fitting and Dispensing Training**

Content varies within AuD programs and the Praxis exam does not include a practical component, so it cannot be assumed that any AuD-D applicant has received comprehensive training in this area as part of the AuD degree.
- **Exam Waivers**

The Board's current *Policy 03 – Dispensing Exams*, waives the written and practical exam requirements for a Dispensing AuD or HAS applying for Nevada license reinstatement if they 1) passed the examinations within the past five (5) years, or 2) did not pass the examinations within the past five (5) years but are currently licensed and actively practicing in another state.



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- **Acceptance of Proof of Training**

Some states allow dispensing with an AuD license upon submission of additional documentation, such as passage of a practical exam in another state or proof of relevant training. For example, Louisiana will accept documentation of 350 supervised clinical practicum hours obtained during graduate training, with at least 80 hours covering specific topics. Consideration may be made to require similar documentation of training/experience for candidates applying for reciprocity to issue a Dispensing Endorsement.

- **Practical Exam Logistics**

Nevada may be the only state scheduling individual practical exams with a Board-appointed proctor at the convenience of the candidate, as many administer group exams on a quarterly or similar basis. At least two states (Georgia & Utah) appear to utilize a third-party exam administrator.

- **License by Endorsement**

[NRS 637B.203](#) already gives our Board authority to issue an expedited license by endorsement for an AUD or SLP applicant who is currently licensed in another state. [NRS 637B.204](#) expands this for a licensed, military-affiliated out-of-state applicant. In April 2022, the Board voted to delegate the creation and implementation of a LBE process to the Executive Director and we hope to begin accepting applications soon. However, as noted earlier, current NRS does not allow this for a Hearing Aid Specialist.

- **ASLP-Interstate Compact (ASLP-IC)**

The Board previously heard a presentation from the ASLP-IC, an interstate compact intended to provide a single-point entry for AuD and SLP licensure through a home state with expedited "privilege to practice" in participating compact states. The ASLP-IC Commission held its initial meeting in January 2022 to begin establishing rules and bylaws and may begin issuing privileges to practice in member states by 2022/2023. As of March 2022, legislation has passed in 15 states, is pending in 11, and was proposed but failed in three. Again however, this would not capture Hearing Aid Specialists.

- **Universal License Recognition (ULR)**

ULR is a form of occupational licensing in which a state establishes a uniform process to grant recognition to professional licenses issued by another state, often specifying that a license may be granted for "substantially equivalent" or "substantially similar" experience and/or scopes of practice. While this provides some level of reciprocity, the "substantially equivalent" language has been noted as a potential barrier, given the need to interpret and compare standards.

Given these considerations, there are several options that may be considered should the Committee wish to recommend a change to the current requirements:

- A revision to the Board Policy described above which currently waives exams for Reinstatement some applicants. ULR methods as described above could expand this waiver to new applicants.
- Issuance of a Dispensing Audiologist license by endorsement upon submission of additional documentation, such as passage of a practical exam in another state or proof of relevant training as described above.
- If available and depending on cost, use of a third-party practical exam administrator as an alternative to requiring travel to Nevada.
- Other options as suggested by the Committee.

ACTION: Take action, table the matter, or take no action on the request.

ATTACHMENT(S): None.



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board
Advisory Committee on Fitting and Dispensing Hearing Aids

AGENDA ITEM 8

Work Session and Consideration to Revise Recommendation to the Board on Cerumen (Earwax) Management by Hearing Aid Specialists

In August 2021, this Committee voted to recommend the Board consider revisions to NRS in a future legislative session to clarify the practice of cerumen management by Hearing Aid Specialists, which is neither specifically allowed or prohibited by NRS 673B or NAC 637B.

The matter was heard by the Board in January 2022, with both support for considering a revision, and concerns noted around formally sanctioning the practice given the risks involved. The discussion resulted in agreement that the matter needed further consideration and is before the Committee again for continued discussion.

- [NRS 637B.050\(4\)](#) explicitly allows the practice by Audiologists, though notably, Nevada is only one of 23 states with this allowance [according to ASHA](#).
- A [2013 IHS Position Statement on the Practice of Hearing Aid Dispensing](#) includes “administering cerumen management in the course of examining ears, taking ear impressions and/or fitting of hearing aids” in its scope of practice for Hearing Aid Specialists.
- A [previously-discussed bill in Tennessee was recently passed](#) allowing a Hearing Aid Specialist who has completed a cerumen management course approved by the International Hearing Society to engage in cerumen management. Both [ASHA](#) and [AAA](#) expressed opposition to the legislation with AAA specifically citing that “cerumen management requires specialized training and experience that cannot be obtained through a short-term workshop as proposed by this legislation.”

ACTION: Take action, table the matter, or take no action on the request.

ATTACHMENT(S): None.



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AGENDA ITEM 9

Update on FDA Rulemaking for Over-the-Counter Hearing Aids

Public comments on the FDA's [Proposed Rules for Over the Counter Hearing Aids](#) were due by January 18, 2022. No update has been received and it is expected that comments are currently under review.

ACTION: Take action, table the matter, or take no action on the request.

ATTACHMENT(S): None.



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Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board
Advisory Committee on Fitting and Dispensing Hearing Aids

AGENDA ITEM 10

Reports from Committee Chair and Members

- a. Report from Committee Chair and Board Members
- b. Next Meeting: Proposed for September 2022
- c. Future Agenda Items

ACTION: Take action, table the matter, or take no action on the request.

ATTACHMENT(S): None.



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AGENDA ITEM 11

Public Comment

No vote may be taken upon a matter raised during a period devoted to public comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

ACTION: None – INFORMATIONAL ONLY.

ATTACHMENT(S): None.



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Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

Advisory Committee on Fitting and Dispensing Hearing Aids

AGENDA ITEM 12

Adjournment

ACTION: Meeting adjourned.

ATTACHMENT(S): None.