



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

MINUTES OF PUBLIC MEETING
Advisory Committee on Fitting and Dispensing Hearing Aids

June 21, 2022

Members Present: Michael Hodes; Lynee Anderson; Melissa Maestas

Members Absent: Nanci Campbell; Jennifer Joy-Cornejo

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

Public Present: Obioma Officer, Nevada Commission for Persons Who Are Deaf and Hard of Hearing

Call to Order, Confirmation of Quorum

Michael Hodes called the meeting to order at 4:34pm. A roll call confirmed a quorum was present.

Public Comment

Obioma Officer introduced herself as the Executive Director of the Nevada Commission for Persons Who Are Deaf and Hard of Hearing and attending the meeting to become acquainted with the Board's work.

Approval of the Minutes

Michael Hodes asked for corrections or a motion to approve the January 12, 2022 minutes as written. Melissa Maestas made a motion to approve the minutes as written. Lynee Anderson seconded the motion. The motion passed.

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

Ms. Pierce summarized that in January 2022 the Board approved this Committee's recommendation to pursue removal of the NBC-HIS requirement for a Standard HAS license from NRS 637B in a future legislative session. In preparation for potential legislative work, draft revisions to two sections of NRS 637B referencing the certification were presented for the Committee's review and recommendation to the Board. All Members were in agreement that the drafted language looked appropriate, and Michael Hodes called for a motion. Lynee Anderson made a motion to approve and recommend the drafted language to the Board. Melissa Maestas seconded the motion. The motion passed.

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

Ms. Pierce referred the Committee to the prior agenda item regarding future legislation to remove NBC-HIS certification as a requirement for a Standard HAS License. This decision highlighted the requirement in NAC 637B.0391 for a HAS Apprentice with no formal education in hearing instrument sciences to complete a 2 year in-service training program, which mirrors NBC-HIS requirements. The matter was brought to this Committee to consider whether this requirement is still appropriate given the decision to remove NBC-HIS certification.

Michael Hodes, having sat on the previous Board of Examiners for Hearing Aid Specialists, recalled that the intent of the NAC requirement was directly tied to the NBC-HIS requirement. Dr. Hodes shared that in his opinion, the 2-year requirement is still very appropriate, especially for an apprentice entering the field with no prior education or experience. Melissa Maestas and Lynee Anderson agreed strongly, both citing the complexity of knowledge and skills that must be mastered and giving anecdotal examples of those who could not demonstrate mastery after two years. All members were in consensus that to ensure the safety of the public and consumers and uphold high training standards, 2 years is an appropriate minimum to maintain. Stacey Whittaker also pointed out that an apprentice who feels ready may begin the process of taking the IHS written/practical and NBC-HIS examinations once they have completed 18 months of training. This allows an apprentice the opportunity to convert to a Standard HAS license once the 2 year requirement is met, rather than waiting to the 2-year mark and having to wait to convert while completing the exams.

No action was taken as the Committee agreed that no recommendation for change was necessary.

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

Ms. Pierce explained that the Board has recently revisited this matter with consensus that more work is needed and referred the matter to this Committee. The Committee was asked to consider and make recommendations to the Board on whether to pursue licensing of Audiology Assistants in a future legislative session or, as an alternative, to consider revisions to NAC 637B.0442 which delineates duties that may be delegated to an unlicensed individual.

The members discussed pros and cons of both assistant licensing and pursuit of a NAC revision and the ultimate responsibility of the supervising Audiologist or HAS to oversee the work performed by an assistant or unlicensed individual. It was agreed that the most appropriate option would be a revision to the NAC to expand the list of duties that could be delegated to an unlicensed individual. The Committee agreed that it would like to hold a work session in the next meeting to work on drafting revised NAC language. Michael Hodes called for a motion. Melissa Maestas made a motion to bring the matter back to the next Committee meeting for a work session to work on new NAC language. Lynee Anderson seconded the motion. The motion passed.

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

Ms. Pierce introduced this as a new matter raised at the Board's April 2022 meeting related to streamlining reciprocal licensing practices for individuals already licensed in another state. Research around reciprocity revealed that Nevada is 1 of 13 states requiring a separate license/endorsement for an Audiologist to dispense hearing aids. Of those 13 states, 10 require the written dispensing exam, and only 4 require the practical exam. For a HAS license, Nevada is 1 of 44 states requiring the written dispensing exam, and one of 16 states requiring the practical exam. Ms. Pierce explained that applicants must 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 pass the exams. The practical exam requires that an applicant travel to Nevada with a second adult to sit as their test subject and

bring a portable audiometer. Several options were presented for consideration should the Committee wish to recommend a change, including a revision to Board policy, issuance of a Dispensing Audiologist license by endorsement, and use of a third-party practical exam administrator as an alternative to requiring travel to Nevada. The matter is before the Committee to affirm the current requirement or consider recommendations to change them.

Discussion resulted in a unanimous consensus that there should be no changes made to the current examination requirements. Citing the safety of the public and consumers, it was agreed that both examinations serve important protective functions to ensure that only qualified and skilled practitioners are licensed in Nevada. Specific examples were cited of states not requiring any examinations to fit and dispense hearing aids, and anecdotal examples of practical exam test-takers licensed elsewhere who performed poorly on the exam. A suggestion was made that if skilled and knowledgeable proctors in other states or through a testing company could be located, this could offer an alternative to requiring travel to Nevada while still upholding exam standards. Michael Hodes called for a motion. Melissa Maestas made a motion for Board staff to gather more information for consideration at the next Committee meeting on the use of outside proctors. Lynee Anderson seconded the motion. The motion passed.

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

Ms. Pierce summarized this Committee's prior recommendation to the Board to consider revisions to NRS in a future legislative session to clarify the practice of cerumen management by Hearing Aid Specialists, as it is currently neither allowed nor prohibited in the HAS scope of practice. Upon hearing the matter, the Board agreed that it needed further consideration and sent it back to the Committee for continued discussion.

There was discussion around current legislative trends, training to perform the services, and alternative providers who patients can seek out for care. The discussion resulted in agreement that the practice should be allowed by Hearing Aid Specialists. Michael Hodes called for a motion. Lynee Anderson made a motion to reaffirm the Committee's prior decision to recommend the Board pursue a revision to NRS 637B and to specifically allow this practice by Hearing Aid Specialists. Melissa Maestas seconded the motion. The motion passed.

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

Ms. Pierce reported that 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. No action was taken.

Reports from Committee Chair and Members

There were no reports from the Committee Chair or Members. The next Committee meeting was proposed for September 2022 and Ms. Pierce stated that she would poll the members for availability. No future agenda items were suggested.

Public Comment

Obioma Officer thanked the Committee for their work and allowing her to attend. She stated that the meeting was very informative, and she learned a great deal on the state level. She encouraged members to contact her for more information on the Nevada Commission for Persons Who Are Deaf and Hard of Hearing.

Adjournment

Michael Hodes adjourned the meeting at 5:39pm.