



State of Nevada

Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board

## NOTICE OF PUBLIC MEETING

**Wednesday, January 25, 2023 ~ 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>*

### Teleconference Access

#### ZOOM VIDEO & AUDIO:

<https://us02web.zoom.us/j/84770846439?pwd=NTZTcmxYR3hmL2U5Q2JEW4yejVXdz09>

**AUDIO ONLY BY TELEPHONE:** (669) 900-6833

**Meeting ID:** 847 7084 6439 **Passcode:** 918074

If you are outside the United States or need **toll-free audio access**, please contact the Board office at [board@nvspeechhearing.org](mailto:board@nvspeechhearing.org) to request a toll-free number no later than 3:00pm Pacific on the day of the meeting.

## AGENDA

The **STATE OF 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 Board 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: Board Meeting of October 19, 2022 *(for possible action)*

### 4. Disciplinary Matters: License Reinstatement Application: Jaclyn Owens (formerly Jaclyn Tourin), SLP License #SP-2624, Expired August 22, 2021 *(for possible action)*

### 5. Response to Governor's Executive Orders and Update on 2023 Legislative Session *(for possible action)*

6. **Report Out and Consideration of Recommendations for Action from Advisory Committee on Fitting and Dispensing Hearing Aids Meeting of January 18, 2023**
  - a. Consideration for Recommendation to the Board on Proposed Revision to NAC 637B.0442 *(informational only per the Governor's Executive Order 2023-004)*
  - b. Consideration for Recommendation to the Board on Revisions to NRS 637B.050 "Practice of audiology" defined. and/or NRS 637B.055 "Practice of fitting and dispensing hearing aids" defined. *(for possible action)*
  - c. Update on FDA Final Rule on Over-the-Counter Hearing Aids and Consideration to Recommend Revisions to NRS and/or NAC to Align with Federal Law *(informational only per the Governor's Executive Order 2023-004)*
  - d. Update on IHS Practical Exam Revisions and Consideration for Recommendation to the Board for Revision to NAC 637B.030 to Increase Exam Fee *(informational only per the Governor's Executive Order 2023-004)*
7. **Work Session on Future Legislative (NRS) Efforts**  
*(Standing Agenda Item):*
  - a. Add Licensing of Speech-Language Pathology Assistants *(for possible action)*
  - b. Add Licensing of Audiology Assistants *(for possible action)*
  - c. Add/allow Cerumen Management by HAS to Scope of Practice *(for possible action)*
  - d. Remove NBC-HIS Certification Requirement for Standard HAS License *(for possible action)*
  - e. Address/Allow Telesupervision by AUD/SLP *(for possible action)*
8. **Recommendation to Table Work on Board Jurisprudence Exam Per Governor's Executive Order 2023-004**  
*(for possible action)*
9. **Executive Director's Report**
  - a. Licensure Statistics *(for possible action)*
  - b. FY23 Q2 Financial Report *(for possible action)*
  - c. Personnel Update: Resignation of and Recruitment for Part-Time Board Investigator
  - d. Board Member Appointments/Reappointments *(for possible action)*
  - e. Complaints *(for possible action)*
10. **Request for Approval of Proposed Revision to FY23 Budget to Compensate Expert Reviewers for Complaint Cases** *(for possible action)*
11. **Report from Legal Counsel** *(informational only)*
12. **Reports from Board Chair and Members**
  - a. Report from Board Chair and Board Members *(for possible action)*
  - b. 2023 Proposed Meeting Schedule: Next Meeting Proposed: **Wednesday, April 26, 2023 at 4:30pm.** Teleconference hosted in-person at the Board Office and virtually via ZOOM *(for possible action)*
  - c. Future Agenda Items *(for possible action)*
    - 1) Work Session: Continued work on Future Legislative Efforts (Standing Agenda Item):
      - (a) Licensing Speech-Language Pathology Assistants *(for possible action)*
      - (b) Licensing Audiology Assistants *(for possible action)*
      - (c) Address Cerumen Management Practice by HAS *(for possible action)*
      - (d) Removal of NBC-HIS Certification for Standard HAS License *(for possible action)*
      - (e) Telesupervision by AUD & SLP *(for possible action)*
    - 2) Review and Approval of Draft FY24 Budget *(for possible action)*
    - 3) Response to Governor's Executive Orders *(for possible action)*
    - 4) Election of Board Chair & Vice Chair, and Bank Signatories/Financial Reviewer Appointments (July 2023) *(for possible action)*
    - 5) Other Items As Proposed *(for possible action)*

**13. 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)*

**14. Adjournment (for possible action)**

*Public comment is welcomed by the Board. 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](mailto: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:**

**Nevada Speech-Language  
Pathology, Audiology and Hearing  
Aid Dispensing Board**  
6170 Mae Anne Avenue, Suite 1  
Reno, Nevada 89523

**Nevada Speech-Language Pathology,  
Audiology  
and Hearing Aid Dispensing Board  
Website**  
[www.nvspeechhearing.org](http://www.nvspeechhearing.org)

**State of Nevada Public Notice  
Website**  
[www.notice.nv.gov](http://www.notice.nv.gov)

This agenda has been sent to all members of the Board 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.

Supporting material relating to public meetings of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board is available at the Board's administrative offices located at 6170 Mae Anne Avenue, Suite 1, Reno, Nevada 89523 on the Board's website at <https://www.nvspeechhearing.org/about/Minutes.asp> or by contacting Jennifer R. Pierce, Executive Director by phone at (775) 787-3421 or email at [board@nvspeechhearing.org](mailto:board@nvspeechhearing.org).

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



## AGENDA ITEM 1

### Call to Order, Confirmation of Quorum

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Call to Order, Confirmation of Quorum.

**ACTION:** Meeting called to order.

**ATTACHMENT(S):** None.



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

## AGENDA ITEM 2

### Public Comment

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*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.



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

## AGENDA ITEM 3

### Approval of the Minutes: Board Meeting of October 19, 2022

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The minutes of the Board Meeting of October 19, 2022 are presented for approval.

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

**ATTACHMENT(S):**

*a. 2022 10 19 Minutes Not Yet Approved*



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

**MINUTES OF PUBLIC MEETING**

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

**October 19, 2022**

**Members Present:** Tami Brancamp, Andrea Menicucci, Lynee Anderson, Minnie Foxx, Timothy Hunsaker, Adrienne Williams

**Members Absent:** Michael Hodes

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

**Public Present:** Laura Fink, Andre Lindsey, Kim Reddig

**Call to Order, Confirmation of Quorum**

Tami Brancamp called the meeting to order at 4:31pm. A roll call confirmed a quorum was present.

**Public Comment**

Laura Fink introduced herself from Nevada DETR, Bureau of Vocational Rehabilitation and stated that she was looking forward to hearing more about the Board and updates on over the counter hearing aids.

**Approval of the Minutes: Board Meeting and Public Workshop July 19, 2022**

Tami Brancamp asked if there were any corrections or revisions to the minutes of the meeting and Public Workshop of July 19, 2022 and none were noted. Dr. Brancamp asked for a motion. Timothy Hunsaker made a motion to approve the minutes of July 19, 2022 as written, and Andrea Menicucci seconded the motion. The motion passed.

**Report Out and Consideration of Recommendations for Action from Advisory Committee on Fitting and Dispensing Hearing Aids Meeting of September 14, 2022**

Tami Brancamp acknowledged that Michael Hodes was unable to attend this meeting and asked Ms. Pierce to report out for the Committee.

**a. Proposed Revision to NAC 637B.0442**

Ms. Pierce summarized the Committee's June 2022 decision to recommend the Board pursue revisions to NAC 637B.0442 rather than licensing of Audiology Assistants. At its September 2022 meeting, the Committee came to consensus on draft NAC language which it will review and consider for approval at its next meeting. No action was taken by the Board.

**b. Examinations Required for Dispensing Audiologists and Hearing Aid Specialists**

**1) Availability/Use of Third-Party Dispensing Practical Exam Proctors**

The Committee heard updates on the availability of third-party exam proctors that could potentially be utilized by out-of-state applicants for practical exams. Only two states appear to be

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

using third-party proctors, but both only administer the exam in the home state. Thus, this Board's requirements and protocols are in-line with those of other states requiring the practical exam and there does not appear to be a viable option at this time to send out-of-state candidates to qualified proctors. No recommendation was made by the Committee. There was no discussion or action taken by the Board.

**2) Revision to NAC 637B.0373(5) Regarding Acceptance of Prior Passing Score on Written ILE Examination**

Ms. Pierce explained that this was a new matter for the Committee at this meeting for consideration to affirm or recommend revision to NAC 637B.0373(5) which currently allows the Board to accept a passing score on the written ILE examination within the preceding 12 months, with a recommendation to extend this to 24 months in an effort to reduce licensing barriers/costs for AuD-D and HAS applicants. The Committee agreed unanimously to recommend the Board pursue a revision to NAC 637B.0373 to allow this.

Lynee Anderson shared that she believes this is a good recommendation and direction to take. Tami Brancamp further commented that this will benefit applicants in reducing both costs and barriers/time to licensure. Dr. Brancamp called for a motion. Lynee Anderson made a motion to approve the Committee's recommendation and pursue a revision to NAC 637B.0373(5) to allow the Board to accept a passing score on the written ILE examination within the preceding 24 months. Timothy Hunsaker seconded the motion. The motion passed unanimously.

**c. Revisions to Board Policy 03: Dispensing Examinations**

Ms. Pierce shared that a routine review of Board policies identified needed revisions to three Board policies, including *Board Policy 03: Dispensing Examinations*. This policy was revised to incorporate Adopted Revision LCB File R095-19 which established a 30-day waiting period to retake the Dispensing Practical Exam, and new language was added to address practical exam scoring and time limits. The Committee considered the revisions and voted to approve the revisions and establish a 3-hour time limit for the IHS Practical Exam to be included in the policy. Timothy Hunsaker commented on the recommendation and concurred that a set time limit was appropriate, and three hours should be more than enough time for a prepared candidate to complete the exam. Ms. Pierce recommended, and the Board agreed to table this item until later in the meeting as this is included with other policies for review and approval as part of Agenda Item 7.

**d. Recommendations on FDA Rulemaking for Over-the-Counter Hearing Aids**

Ms. Pierce summarized that the FDA Final Rule on Over The Counter (OTC) Hearing Aids was issued August 16, 2022 and takes effect October 17, 2022. Board staff have been in consultation with the DAG and Legislative Counsel Bureau regarding the rule's potential impact on current NRS/NAC. The Committee heard concerns regarding a potentially problematic consequence of the new rule related to an informal categorization of existing hearing aids as "prescription" devices to differentiate them from OTC hearing aids, and whether this inadvertently created a "prescription" requirement for traditional hearing aids that would impact dispensers. On 10/13/2022 the FDA issued additional guidance that dispelled these concerns. However, Ms. Pierce explained that FDA final rule does impact practice here in Nevada as follows:

- OTC hearing aids do not require the involvement of a licensed person. As such, this Board's laws and regulations do not apply to them.
- Non-OTC hearing aids are now defined as prescription devices, but there is no change to the qualifications of who may provide these. Prescription sales are still subject to 21 CFR 801.109.

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- A medical evaluation or signed waiver to obtain either category of hearing aids is no longer required by federal law, as 21 CFR 801.421 was repealed. However, the federal rule authorizes states to maintain existing state laws or regulations that require a medical evaluation or signed waiver.
- All existing Nevada laws and regulations in NRS and NAC 637B remain in effect in relation to prescription hearing aids, except as indicated below where federal law takes precedence over state law:
  - **NRS 637B.242** requires a licensee to obtain a medical evaluation or waiver when selling hearing aids by catalog, mail, or internet. This remains in effect, as licensees must still obtain a medical evaluation or waiver only when selling hearing aids by catalog, mail, or internet.
  - **NRS 637B.250(2)(d)(1)** includes a violation of 21 CFR 801.421 as grounds for disciplinary action. This is no longer applicable as 21 CFR 801.421 no longer exists, so a violation of the rule could not be considered grounds for disciplinary action.
  - **NAC 637B.0444** describes requirements for obtaining a waiver of a medical evaluation, and **NAC 637B.045** requires waiver of medical evaluation to be included in patient records. Both of these are now conditionally applicable as the medical evaluation requirement was repealed by the final rule. Thus, these are not applicable to in-person hearing aid fitting and dispensing but are applicable to sales of hearing aids by catalog, mail, or internet (per NRS 637b.242).

As such, Ms. Pierce asked the Board for approval to issue guidance to licensees via the Board website and email to ensure the safety and welfare of the public and align practice with regulatory requirements. Timothy Hunsaker made a motion to delegate authority to the Executive Director to issue guidance on the FDA Final Rule on OTC Hearing Aids as recommended. Lynee Anderson seconded the motion. The motion passed unanimously.

#### **Work Session on Future Legislative Efforts (Standing Agenda Item):**

##### **a. Consideration to Revise NRS 637B to Add Licensing of Speech-Language Pathology Assistants (SLPA)**

Ms. Pierce reported out on the Public Hearing held by the NDE Commission on Public Standards earlier in the day, at which a revision to NAC 391.370 was heard and adopted, which effectively “sunset” bachelor’s level SLP staff in NDE as of October 2026. There were also at least two comments made in the Hearing suggesting NDE consider adding an “assistant” licensing level.

Ms. Pierce also updated the Board on its July 2022 request for more information on Nevada Medicaid rules and current “under the direction of” billing for other assistant types such as OTAs and PTAs. A review of the Nevada Medicaid Provider Type 34 Billing Guide indicates that services furnished in whole or in part by OTAs or PTAs may be billed by the supervising provider, though there are some limits on eligible services. CMS rules also allow OTA and PTA “under the direction of billing”, however a January 2022 change to Medicare Part B rules reduced these rates to 85% of the standard Part B amount. Ms. Pierce found that at least 38 states currently regulate SLP Assistants in some form, and a sample probe of these state Medicaid plans indicates that many do allow SLPA reimbursement, though a handful appear to not allow it, or only allow it by a “trainee” (clinical fellow).

Tami Brancamp commented that higher education programs may need time to develop SLPA curricula, and called on Dr. André Lindsay of Nevada State College, who shared that NSC currently has curricula in place to support an SLPA path. It was discussed that in order to pursue this, the best approach would be collaborative and include work with NDE and Nevada Medicaid. Kim Reddig of NSHA shared that New Mexico recently added SLPAs and NSHA staff have been working with other states on this initiative.

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Many bachelors' level staff in NDE would likely already meet SLPA requirements based on their education and training. There was discussion around whether the Board could partner with NSHA and others to pursue a BDR and share financial costs for legislative services in a future session to pursue SLPA licensing, which Ms. Pierce agreed to look into. Consensus was to keep this matter as a standing agenda item and no action was taken.

**b. Work Session on Future Legislative Efforts to Consider Licensing Audiology Assistants (AuDA)**

Ms. Pierce referred back to the prior agenda item wherein the Advisory Committee is drafting NAC revisions. Consensus was to keep this matter as a standing agenda item and no action was taken.

**c. Consideration to Revise NRS 637B to Address Telehealth and Telesupervision**

Ms. Pierce reported no new information on this item and reiterated that this matter may be relevant if the Board pursues SLPA licensing in the future. Consensus was to keep this matter as a standing agenda item and no action was taken.

**d. Consideration to Revise NRS 637B to Remove NBC-HIS Certification Requirement for HAS License**

Ms. Pierce reported no updates on this item since the July 2022 Board Meeting, where the Board approved drafted revisions from the Advisory Committee on Fitting and Dispensing Hearing Aids. This language is ready for inclusion in a future BDR. Consensus was to keep this matter as a standing agenda item and no action was taken.

**Board Work Session on Jurisprudence Exam**

Ms. Pierce summarized the Board's prior work on this item which commenced after the April 2021 vote to pursue development of an exam following the revision to NAC 637B in LCB File R095-19, effective June 8, 2020 which granted this authority. An optional version of the exam was implemented in January 2022 through free online Google forms and Ms. Pierce shared trends and feedback on utilization over the past year.

The matter was brought back before the Board to consider whether to make the examination mandatory, however Board Counsel has recommended that the Board would be better positioned to require the exam only after another revision to NAC 637B to address current language stating the Board "may" require the exam, with a revision to "shall" or similar to avoid a challenge to the requirement. Additionally, the exam is not recommended for license renewals to avoid any excessive burden to maintain a license. There was lengthy discussion on the topic with consensus that if required, it would be appropriate only for new applicants and possibly reinstatements. The matter was tabled for a future meeting and no action was taken.

**Review and Approval of Revisions to Board Policies, Operating Policies & Procedures, and Personnel Policies & Procedures**

Ms. Pierce explained that a comprehensive review and revision of Board Policies, Operating Policies & Procedures, and Personnel Policies & Procedures was conducted with revisions made to each as indicated and all documents were provided to the Board for this meeting in their entirety for review and approval. Ms. Pierce summarized the relevant revisions as follows:

**a. Board Policies**

- 1) *Policy 03 - Dispensing Examinations & Scores:* Revised to include addition of 30-day waiting period for practical examination retake per NAC 637B.0373 and Adopted Revision LCB File R095-19 effective June 8, 2020. Revised and clarified other language, including establishing a time limit for the practical examination.

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- 2) *Policy 04 - Licensing*: Revised to include procedures for expedited license by endorsement. Revised and clarified language regarding application process to remove references to paper applications and replace with online applications/payments.
- 3) *Policy 05 - License Renewal*: Revised to include changes to Continuing Education requirements per NAC 637B.400 and Adopted Revision LCB File R064-21 Effective June 13, 2022. Revised and clarified other language specific to CE exceptions and renewal by license type.
- b. **Operating Policies & Procedures**: Minor edits made to this document with a notable revision to *Section 7: Record Recovery System* to reflect termination of record storage services with Puliz Records Management/Vital Records Control.
- c. **Personnel Policies**: Revisions to *Section 150: Compensation* and *Section 280 Separation from Employment* to reflect changes to law as a result of Assembly Bill 385 (2021) regarding employee bonuses, fringe benefits, and termination pay.

Andrea Menicucci pointed out that Section 280 of the Personnel Policies referenced termination policies that were not universally applicable to this Board. As that section was revised to comply with AB 385 of the 81<sup>st</sup> Legislative Session, it was suggested that the section be revised to reference that section in quotes with a citation to the bill. Tami Brancamp called for a motion. Andrea Menicucci made a motion to approve the Board Policies, Operating Policies & Procedures, and Personnel Policies as revised, with a correction to section 280 of the Personnel Policies to cite AB 385. Minnie Foxx seconded the motion. The motion passed unanimously.

#### **Disciplinary Matters: Cases Recommended for Dismissal**

Ms. Pierce reviewed two complaint cases presented to the Board with recommendations for dismissal as it has been determined that there is insufficient evidence to file a formal complaint for hearing before the Board and the facts set forth in the accusations are insufficient to establish a violation of Chapter 637B of the Nevada Revised Statutes or the Nevada Administrative Code.

**Case No. H21-01:** The Complaint alleged unprofessional conduct, fraudulent billing, conduct that is harmful to the public health and safety, and violation of federal and state law and/or regulations relating to the fitting and dispensing of hearing aids. Tami Brancamp made a motion to dismiss the case as recommended. Adrienne Williams seconded the motion. The motion passed.

**Case No. H21-04:** The Complaint alleged unprofessional conduct, fraudulent billing, conduct that is harmful to the public health and safety, and violation of federal and state law and/or regulations relating to the fitting and dispensing of hearing aids. Andrea Menicucci made a motion to dismiss the case as recommended. Tami Brancamp seconded the motion. The motion passed.

#### **Executive Director's Report**

Ms. Pierce directed the Board to the written Executive Director's Report and summarized as follows:

##### **a. Licensure Statistics**

Ms. Pierce reported that FY23 Q1 resulted in a net increase of 28 licenses, a 2% increase from the prior quarter. The 102 licenses issued this quarter is the most in a Q1 since FY15, and higher (by 1 license) than the total issued last quarter (FY22 Q4), which is typically the busiest. This report also included a breakdown of new licenses by location (57% Nevada residents vs. 43% out of state) and those with military affiliation (7%). Ms. Pierce also shared several trends reports spanning FY18-FY22 to illustrate overall census increase and changes in licensee location over time.

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**b. FY22 Q4 Financial Report/Balance Sheet & FY23 Q1 Financial Report**

Ms. Pierce shared the FY22 Q4 Summary, which resulted in a surplus of almost \$32,400. Revenue totaled \$193,581.64, an increase of over \$10,000 from FY21, and expenses totaled \$161,211.22, a decrease of over \$10,000 from FY21. Notably, the Board's end of year fund balance totaled \$103,525; an increase of over \$32,000 from FY21. These savings will continue to support the Board's effort to rebuild its financial reserves and maintain one year of operating expenses.

Ms. Pierce also explained that the increase in revenue aligns with the rising licensee census which has risen over 20% since September 30, 2019. FY22 revenue was just shy of \$200,000, which is the maximum threshold under which a Balance Sheet may be submitted in lieu of an audit. Given the Board's consistent growth, it is expected that FY23 revenue could exceed \$200,000 and as such, the FY24 budget should include funding for an annual financial audit.

The FY23 Q1 Financial Summary was also reviewed, which resulted in net income higher than budgeted (28.20% of budget), and expenses just under the quarterly projection (24.03%). License fees received were almost 40% of the annual budgeted amount, which is commensurate with the high numbers of licenses issued this quarter. Reserves (equity) now totals \$111,803.48 which is additional savings of over \$8,200 since the end of the last quarter. There were no major deviations from the budget during this quarter.

**c. Update on Implementation of License by Endorsement Application Process**

Ms. Pierce shared that the online LBE application went live on Thursday, July 21, 2022 and website content was revised to inform potential applicants of this option. As of 9/30/2022, 24 Standard expedited licenses by endorsement have been issued to 1 Audiologist and 23 Speech-Language Pathologists. Of these, 3 (all SLPs) were military spouses. The average time from application receipt to license issuance was 3 calendar days, with 8 licenses issued within 1 day.

**d. Legislative Update**

Ms. Pierce directed the members to the summary of relevant interim committees in the Executive Director's report. There are no updates from the Sunset Subcommittee of the Legislative Commission or the anticipated Governor's Bipartisan Task Force on Occupational Licensing. Ms. Pierce reported on the final meeting of the Joint Interim Standing Committee on Commerce and Labor wherein the Committee voted to pursue a BDR in the upcoming legislative session to require a number of Boards, including ours, to issue temporary licenses to military members/veterans and their spouses. Because this Board's existing NRS already includes these provisions, the Executive Director contacted the Committee Chair and LCB staff by email to clarify this and respectfully request that our Board be removed from the proposed BDR. We have been informed that our Board will be removed as requested.

**e. Board Member Appointments/Reappointments**

Ms. Pierce confirmed that the Board is fully appointed through July 2023 when both Tami Brancamp and Michael Hodes' terms will expire, and neither are eligible for reappointment. As Tami Brancamp is currently the Board Chair, an agenda item will be included in the Board's April 2023 meeting to elect a new Chair and Vice-Chair based on nominations made by Board Members, as well as review and consider new Bank Signatories & Financial Reviewer Appointments. Tami Brancamp suggested that Board staff begin recruitment efforts early to ensure there are no lapses in membership.

**f. Complaints**

Ms. Pierce reported that there were three open complaint cases following the July 19, 2022 Board Meeting. Two new complaints were received in July and October 2022, but only one case was opened

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for investigation. Two cases were presented earlier in this meeting and approved for dismissal, leaving two open cases.

#### **Report from Legal Counsel**

Henna Rasul, Board Counsel had no new information to report on legal matters.

#### **Reports from Board Chair and Board Members**

- a. **Report from Board Chair and Board Members:** There were no reports from the Board Chair or members.
- b. **2023 Proposed Meeting Schedule:** The next meeting was scheduled for Wednesday, January 25, 2023 at 4:30pm.
- c. **Future Agenda Items:** The following matters were identified for the January 2023 agenda:
  1. Work Session: Continued work on Future Legislative Efforts (Standing Agenda Item):
    - a) Licensing Speech-Language Pathology Assistants
    - b) Licensing Audiology Assistants
    - c) Telehealth and Telesupervision
    - d) NBC-HIS Certification for HAS License
    - e) Cerumen Management by Hearing Aid Specialists
  2. Work Session on Jurisprudence Exam
  3. Board Member Recruitment/Chair & Vice Chair Nominations/Elections

#### **Public Comment**

There was no public comment.

#### **Adjournment**

Tami Brancamp adjourned the meeting at 6:09pm.



State of Nevada

Speech-Language Pathology, Audiology &amp; Hearing Aid Dispensing Board

## AGENDA ITEM 4

### Disciplinary Matters: License Reinstatement Application: Jaclyn Owens (formerly Jaclyn Tourin), SLP License #SP-2624, Expired August 22, 2021

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On October 19, 2022 the Board office received a Reinstatement Application from Ms. Owens (formerly Tourin) for her SLP License #SP-2624, issued 8/23/2019 and expired 8/22/2021. While Ms. Owens reported she is employed by and practicing in the Washoe County School District (for which she would not require a Board license), she also disclosed that she had engaged in the private practice of Speech-Language Pathology during the 14 months since her license expired.

Ms. Owens was sent an automated renewal notice from the licensing database on June 23, 2021 and included in license renewal emails sent by the Board's Executive Director on July 27, 2021 and August 26, 2021.

A Cease & Desist letter and notice of this hearing was received by Ms. Owens via Certified Mail on October 24, 2022.

**ACTION:**

1. Take one of the following actions regarding the reinstatement application: 1) Approve; 2) Deny.
2. The Board may also consider a civil penalty (fine) not to exceed \$5,000 per NRS 637B.280. Our 2020 adopted revision to NAC 637B allows for the following:
  - If unauthorized practice occurred over a period of 30 days or less, not less than \$50 or more than \$200;
  - If the unauthorized practice occurred over a period of 30 days or more, not less than \$200 or more than \$5,000.

For reference, the Board heard 6 similar cases between 2020-2022 and imposed the following:

DURATION	ACTION	ADMINISTRATIVE FINE
< 30 DAYS	Reinstated without conditions	\$50
30 DAYS	Reinstated without conditions	\$200
2 MONTHS	Reinstated without conditions	\$200
2 MONTHS	Reinstated without conditions	\$200
4 MONTHS	Reinstated without conditions	\$200
6 MONTHS	Reinstated without conditions	\$300

**ATTACHMENT(S):**

1. *License Reinstatement Packet - Owens*

[www.nvsspeechhearing.org](http://www.nvsspeechhearing.org) Email [board@nvsspeechhearing.org](mailto:board@nvsspeechhearing.org)

License Number: SP-2624

☐ **Hearing Aid Specialist**

## License Reinstatement Application | Rev 7 6 2022 | Page 1 of 4

**Licensing History Update**

License Type	State	License #	Expiration
NBOE	Nevada	SP-2624	8/2021

**Nevada Business License Information – Check appropriate answer. An answer is mandatory.**

- ☐ I have a Nevada Business License number assigned by the Secretary of State upon compliance with the provisions of NRS Chapter 76.  
     Name on business license: \_\_\_\_\_  
     Business License #: \_\_\_\_\_
- ☒ I do NOT have a Nevada business license number.

**Child Support Information – Please check appropriate answer. An answer is mandatory**

- ☒ I am not subject to a court order for the support of a child.
- ☐ I am subject to a court order for the support of one or more children and am in compliance with the order or am in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.
- ☐ I am subject to a court order for the support of one or more children and am NOT in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

**Legal Information (YES answer requires explanation)**

Since the date of your last application or renewal, have there been any disciplinary actions or legal actions taken against your professional license for any reason? ☐ Yes ☒ No

Are there any pending legal actions, complaints, investigations, or hearings in process? ☐ Yes ☒ No

Since the date of your last application or renewal, have you had a professional license, certification or registration denied, restricted, suspended or revoked? ☐ Yes ☒ No

Since the date of your last application or renewal, have you relinquished responsibilities, resigned a position or been fired while a complaint was pending against you? ☐ Yes ☒ No

Since the date of your last application or renewal, have you been convicted of, or pled guilty or nolo contendere to, a violation of ANY federal or state statute, city or county ordinance, or any law of a foreign country? (Exclude minor traffic violations not involving drugs or alcohol.) ☐ Yes ☒ No

***If you answered "yes" to any question above, please attach a written explanation of the incident/action. Please note that your application may require further review by the Board.***

## Continuing Education Information

Requires minimum of 10 hours for all license types.

- At least 1 of the 10 hours must relate to ethics, cultural competence, cultural humility, culturally responsive practices or diversity, equity, and inclusion.
- If a dispensing audiologist, at least 3 of the 10 annual hours must relate directly to the practice of fitting and dispensing hearing aids.

List dates of completion; course(s), and CE Hours awarded for continuing education credit that was completed in the previous 12 months. If dual licensed, check applicable license for CE credit.

Date	Course	CE Hours
9/14/2022	Understanding and Treating Echolalia	1
9/14/2022	20Q: ASHA code of ethics - what do i need to know	1
10/04/2022	Emergency preparedness & AAC: essential roles & resources for SLPs	1
10/04/2022	20Q: The importance of explicit literacy instruction in early elementary grades	1
10/04/2022	Communicative Functions and AAC: quick tips to move beyond requesting	.5
10/14/2022	Animal Assisted Therapy in Communication sciences & disorders	1
10/14/2022	Cluttering: An overview of diagnosis and treatment across lifespan	1.5
10/14/2022	Autism outreach podcast: getting started with AAC	.5
10/14/2022	20Q: Cognitive communication disorder - an overview for slps	1.5
10/14/2022	Traditional vs. Modified Cycles approach for peds w/ highly unintelligible speech	1.5

## Acknowledgement and Declaration of Applicant

## Notice of Mandatory Reporting



I acknowledge I have been informed of my duty as a mandatory reporter of abuse or neglect of a child pursuant to NRS 432B. (Speech-Language Pathologist, Audiologist)

I declare, under penalty of perjury, all the information supplied herein is to the best of my knowledge true, accurate and complete and I have not withheld, misrepresented, or falsely stated any information relevant to my training or experience or my fitness to practice audiology or speech pathology.

*Jaclyn Owens*

Signature of Applicant

10/19/2022

Date

## BOARD USE ONLY

Date Received: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Fees Paid By: ☐ Credit Card ☐ Check/MO# \_\_\_\_\_ Amount Paid: \$ \_\_\_\_\_

☐ Certification Verification ☐ License Verification ☐ Continuing Education

**Stacey Whittaker**

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**From:** Owens, Jaclyn [REDACTED]  
**Sent:** Thursday, October 20, 2022 2:25 PM  
**To:** Stacey Whittaker  
**Subject:** RE: [EXTERNAL] RE: License Reinstatement Documents

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Unfortunately yes I was providing services.

---

**From:** Stacey Whittaker <[board@nvspeechhearing.org](mailto:board@nvspeechhearing.org)>  
**Sent:** Thursday, October 20, 2022 2:23 PM  
**To:** Owens, Jaclyn [REDACTED]  
**Subject:** RE: [EXTERNAL] RE: License Reinstatement Documents

Thank you for the clarification, did you provide private practice services after your state license expired on 8/22/2021?

**Stacey Whittaker, Licensing Coordinator**  
**Nevada Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board**  
 6170 Mae Anne Avenue, Suite 1, Reno, NV 89523  
 775.787.3421 P | 775.746.4105 F

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**From:** Owens, Jaclyn [REDACTED]  
**Sent:** Thursday, October 20, 2022 2:17 PM  
**To:** Stacey Whittaker <[board@nvspeechhearing.org](mailto:board@nvspeechhearing.org)>  
**Subject:** RE: [EXTERNAL] RE: License Reinstatement Documents

Hi!

I am so sorry I misread your initial email... I thought you asked if I was employed by the district and did not see that you wrote ONLY employed by the district (I was reading quickly because I'm trying to get this handled).

I was working for a private practice in which I provided in home services (I am no longer working for this practice and am only with the district)... so in that case what needs to be done? I feel so awful letting it lapse and I really thought I had renewed it until I was informed yesterday it was not in the system.

Here is my DOE license.

---

**From:** Stacey Whittaker <[board@nvspeechhearing.org](mailto:board@nvspeechhearing.org)>  
**Sent:** Thursday, October 20, 2022 1:34 PM  
**To:** Owens, Jaclyn [REDACTED]  
**Subject:** RE: [EXTERNAL] RE: License Reinstatement Documents

Hi Jaclyn,

Is there a way for you to verify with us that you are employed by NVDOE and not an independent contractor? We need to make sure there was not unlicensed practice that occurred when the state license was expired.

Also, would you mind forwarding me a copy of your DOE License? Thank you!

**Stacey Whittaker, Licensing Coordinator**

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

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.787.3421 P | 775.746.4105 F

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**From:** Owens, Jaclyn [REDACTED]  
**Sent:** Wednesday, October 19, 2022 5:35 PM  
**To:** Stacey Whittaker <[board@nvspeechhearing.org](mailto:board@nvspeechhearing.org)>  
**Subject:** RE: [EXTERNAL] RE: License Reinstatement Documents

I am attaching the certificates/transcript from Speechpathology.com just in case.  
Please let me know if anything else is needed.

---

**From:** Stacey Whittaker <[board@nvspeechhearing.org](mailto:board@nvspeechhearing.org)>  
**Sent:** Wednesday, October 19, 2022 2:17 PM  
**To:** Owens, Jaclyn [REDACTED]  
**Subject:** [EXTERNAL] RE: License Reinstatement Documents

Hi Jaclyn,

We will need proof of completion of your continuing education, you can email me the certificates or a copy of your ASHA CE transcript will suffice.

Have you only been employed by WCSD since your license expired? Do you have the DOE license/endorsement to practice SLP for the school district?

Thank you,

**Stacey Whittaker, Licensing Coordinator**

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

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

775.787.3421 P | 775.746.4105 F

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**From:** Owens, Jaclyn [REDACTED]  
**Sent:** Wednesday, October 19, 2022 1:35 PM  
**To:** Stacey Whittaker <[board@nvspeechhearing.org](mailto:board@nvspeechhearing.org)>  
**Subject:** License Reinstatement Documents

Hello,

Attached are the documents to reinstate my license as I did not renew in August of 2021. There is no significant reason as to why I did not renew other than a complete oversight on my end that resulted in me forgetting.

(Proof of name change document contains proof of my ASHA Certification, marriage license, and copy of my social security card with name change.)

If any other information or documentation needs to be provided please let me know.

Thank you!



State of Nevada

**Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board**

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

(775) 787-3421 / Fax (775) 746-4105

[www.nvspeechhearing.org](http://www.nvspeechhearing.org) Email [board@nvspeechhearing.org](mailto:board@nvspeechhearing.org)

October 20, 2022

Jaclyn Owens



CERTIFIED MAIL

Via Email: 

**RE: License #SP-2624 (Expired, Formerly Jaclyn Tourin)  
Notice to Cease and Desist**

Dear Ms. Owens,

On October 19, 2022 this office received a Reinstatement Application from you for license #SP-2624, issued 8/23/2019 and expired 8/22/2021. Your reinstatement application listed ongoing employment with the Washoe County School District beginning 8/27/2018 to present, however upon request for more information, you disclosed that you had engaged in the private practice of Speech-Language Pathology services in the state of Nevada after your Board license expired.

Failing to renew your license on time and continuing to engage in private practice and/or as an independent contractor as an unlicensed Speech-Language Pathologist suggests violation of the following Speech-Language Pathology, Audiology and Hearing Aid Dispensing laws and regulations:

**Nevada Revised Statutes (NRS)**

***NRS 637B.290 Practice without license: Prohibition; penalties.***

1. *A person shall not engage in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids in this State without holding a valid license issued pursuant to the provisions of this chapter.*
2. *In addition to any other penalty prescribed by law, if the Board determines that a person has engaged in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids in this State without holding a valid license issued pursuant to the provisions of this chapter, the Board may: (a) Issue and serve on the person an order to cease and desist until the person obtains from the Board the proper license or otherwise demonstrates that he or she is no longer in violation.*

***NRS 637B.310 Injunctive relief against person practicing without license.***

1. *The Board through its Chair or Vice Chair may maintain in any court of competent jurisdiction a suit for an injunction against any person engaging in the practice of audiology, speech- language pathology or fitting and dispensing hearing aids without a license valid under this chapter.*

2. *Such an injunction:*

- (a) *May be issued without proof of actual damage sustained by any person, this provision being a preventive as well as a punitive measure.*
- (b) *Shall not relieve such person from criminal prosecution for practicing without a license.*

**NRS 637B.320 Penalty.**

*Any person who violates any of the provisions of this chapter is guilty of a misdemeanor.*

**You are hereby ordered to Cease and Desist the private or independent contract practice of Speech-Language Pathology until the Board considers your License Reinstatement Application.**

**You are hereby given notice of the Board's intent to consider your character, alleged misconduct, professional competence, or health at its next meeting on Wednesday, January 25, 2023 at 4:30pm Pacific.**

The meeting is a public meeting, and you are welcome to attend. The Board may go into closed session to consider the following general topics: your License Reinstatement Application and any alleged unlicensed practice you engaged in between August 2021 to January 2023.

You are welcome to attend the closed session, have an attorney or other representative of your choosing present during the closed meeting, present written evidence, provide testimony, and present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health.

You may appear at the meeting in person or via teleconference, but your attendance is not required for the Board to consider the matter. The meeting will be physically hosted from the Board office at 6170 Mae Anne Avenue, Suite 1, Reno, NV 89523, and accessible live via ZOOM teleconference.

A copy of the meeting agenda will be sent to you no less than three days prior to the meeting with the teleconference details.

A copy of this letter is being mailed to you via Certified Mail in accordance with the Nevada Open Meeting Law (NRS 241.033(1), which requires that a "*public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person, unless it has given written notice to that person of the time and place of the meeting.*" Such written notice must either be (a) delivered personally to that person at least five (5) working days before the meeting, or (b) sent by certified mail to the last known address of that person at least twenty-one (21) working days before the meeting."

Should the Board not receive a Certified Mail return receipt, you may be contacted to complete a *Waiver of Notice*. If neither is received, your Reinstatement Application may not be included on the meeting agenda.

Pursuant to NRS 637B.280, the Board may take any of the following actions in consideration of your application:

***NRS 637B.280 Authority of Board to take disciplinary or other action; private reprimands prohibited; orders imposing discipline deemed public records.***

1. *If, after notice and a hearing as required by law, the Board determines that the applicant or licensee has committed any act which constitutes grounds for disciplinary action, the Board may, in the case of the applicant, refuse to issue a license, and in all other cases:*
    - (a) Refuse to renew a license;*
    - (b) Revoke a license;*
    - (c) Suspend a license;*
    - (d) Administer to the licensee a public reprimand;*
    - (e) Impose conditions on the practice of the licensee;*
    - (f) Impose a civil penalty not to exceed \$5,000 for each act constituting grounds for disciplinary action; or*
    - (g) Impose any combination of the disciplinary actions described in paragraphs (a) to (f), inclusive.*
  2. *The Board shall not administer a private reprimand.*
  3. *An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.*
- (Added to NRS by 1979, 1257; A 2003, 3453; 2005, 776; 2015, 2309)*

If you have any questions regarding this process, please feel free to contact the Board office at (775) 787-3421 or [board@nvspeechhearing.org](mailto:board@nvspeechhearing.org).

Your prompt attention to this matter is greatly appreciated.

Sincerely,



Jennifer R. Pierce, Executive Director  
Nevada Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board

cc: Henna Rasul, State of Nevada, Senior Deputy Attorney General; Counsel to the Board



## AGENDA ITEM 5

### Response to Governor's Executive Orders and Update on 2023 Legislative Session

#### a. Governor's Executive Orders

Since January 1, 2023 Governor Lombardo has issued three executive orders that impact Boards and Commissions, with several deliverables required from the Board between now and July 1, 2023. All are attached intact for review and summarized for brevity below with the following recommendations:

#### **2023-004 Due: April 1, 2023**

*\*Suspends creation of new regulations\* Submit report detailing all regulations that restrict entry into any occupation or profession regulated by the board with information on regulations, fees, national trends, and reciprocity pathways.*

Due Date	Assigned To	Action Items
Jan 25, 2023	Board	<ul style="list-style-type: none"> <li>Delegate initial review &amp; report draft to ED at Board Meeting.</li> <li>Optional – delegate authority to Board Chair to approve final report.</li> </ul>
Jan - Mar 2023	Exec Dir	Conduct review & draft report.
Mar 2023	Board	Optional – interim Board meeting to review/revise/approve final report.
Apr 1, 2023	Exec Dir	Submit final report.

#### **2023-003 Due: May 1, 2023**

*Submit report to Governor on regulation review, ten regulations recommended for removal, and public hearing input.*

Due Date	Assigned To	Action Items
Jan 25, 2023	Board	Delegate initial review & report draft to ED at Board Meeting.
Apr 26, 2023	Board	<ul style="list-style-type: none"> <li>Review draft report &amp; recommendations &amp; hold Public Hearing.</li> <li>Optional – delegate authority to Board Chair to approve final report.</li> </ul>
May 1, 2023	Exec Dir	Submit final report.

#### **2023-004 Due: July 1, 2023**

*\*Suspends creation of new regulations\* Submit report with recommendations for phase-out of unnecessary licensing requirements in Nevada that are not required in 26 or more states; and implementation of reciprocity participation for an occupation or profession that is currently licensed in Nevada and allows for reciprocity in 26 or more states.*

Due Date	Assigned To	Action Items
Jan 25, 2023	Board	Delegate initial review & report draft to ED at Board Meeting.
Apr 26, 2023	Board	<ul style="list-style-type: none"> <li>Review, revise, and approve draft report at Board Meeting.</li> <li>Optional – delegate authority to Board Chair to approve final report.</li> </ul>
July 1, 2023	Exec Dir	Submit final report.

#### **2023-002 Due: July 1, 2023**

*Work with Department of Administration to develop a plan to ensure that the State workers return to pre-pandemic, normal and customary office conditions.*

Due Date	Assigned To	Action Items
TBD	TBD	TBD

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

#### **ATTACHMENT(S):**

1. Governor's Executive Orders #2023-002; 2023-003; & 2023-004



State of Nevada

**Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board****b. 2023 Legislative Session Update**

The 82nd (2023) Legislative Session will begin on February 6, 2023. To date, 139 Bill Draft Requests (BDRs) have been filed: 69 Assembly and 70 Senate.

Of these, the 17 listed below may include content that is directly or indirectly relevant to our Board and/or licensees. The Executive Director will monitor progress and provide updates to the Board throughout the session.

<a href="#">AB4</a>	Revises provisions relating to certain educational commissions. (BDR 34-280)
<a href="#">AB7</a>	Revises provisions relating to electronic health records. (BDR 40-381)
<a href="#">AB8</a>	Revises the composition of a metropolitan police committee on fiscal affairs. (BDR 22-396)
<a href="#">AB9</a>	Revises provisions governing regional behavioral health policy boards. (BDR 39-385)
<a href="#">AB21</a>	Revises provisions related to persons engaged in the transmission of money and certain related activities. (BDR 55-273)
<a href="#">AB22</a>	Revises provisions governing the issuance of cease and desist orders for unlicensed activity by the State Contractors' Board. (BDR 54-267)
<a href="#">AB23</a>	Revises provisions relating to the resolution of certain administrative citations issued by the State Contractors' Board. (BDR 54-266)
<a href="#">AB29</a>	Revises the grounds for disciplinary action against a licensed contractor. (BDR 54-268)
<a href="#">AB31</a>	Makes Juneteenth a legal holiday in this State. (BDR 19-413)
<a href="#">AB45</a>	Creates a program to repay the student education loans of certain providers of health care. (BDR 18-359)
<a href="#">AB52</a>	Makes various changes to the Open Meeting Law. (BDR 19-416)
<a href="#">AB66</a>	Revises provisions relating to ethics in government. (BDR 23-264)
<a href="#">SB32</a>	Exempts persons engaged exclusively in transporting persons between certain states for certain purposes from provisions governing private investigators and related professions. (BDR 54-420)
<a href="#">SB34</a>	Revises provisions relating to legal representation in certain actions or proceedings. (BDR 3-422)
<a href="#">SB39</a>	Provides that certain records received, obtained and compiled by the Board on Indigent Defense Services in the Department of Indigent Defense Services and the Department are confidential under certain circumstances. (BDR 14-215)
<a href="#">SB56</a>	Creates a commission to study and make recommendations concerning education statutes and regulations. (BDR S-407)
<a href="#">SB69</a>	Revises provisions relating to disciplinary proceedings against the holder of a license or registration card issued by the Cannabis Compliance Board. (BDR 56-278)

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

**ATTACHMENT(S):** None.



## EXECUTIVE ORDER 2023-002

**Order directing the Department of Administration to review and make recommendations with respect to hiring, retention and promotional rules and procedures related to State employment and to work with executive branch agencies to transition the State workforce to pre-pandemic, normal and customary office conditions by July 1, 2023**

**WHEREAS**, the various agencies of the State of Nevada play a vital role in providing services to its citizens and businesses; and

**WHEREAS**, the 17,485 men and women that make up the State workforce play an equally pivotal role in delivering those services to the people of Nevada and the conditions of State employment are critical to providing a positive and productive work environment for State workers; and

**WHEREAS**, the State currently has a workforce vacancy rate of approximately 24 percent of legislatively approved positions; and

**WHEREAS**, certain legislative, administrative and government rules and procedures impede the hiring, retention and promotion of an effective and dynamic State workforce that is necessary for the government of the State of Nevada to deliver services to its citizens and businesses; and

**WHEREAS**, primarily on account of the COVID-19 pandemic, many State workers were required to work remotely; and

**WHEREAS**, COVID-19 cases are significantly down from the height of the pandemic and COVID-19 specific vaccinations and treatments are widely available; and

**WHEREAS**, the Nevada Department of Administration ("Department") is the agency charged with overseeing public employment and buildings and grounds within the State of Nevada; and

**WHEREAS**, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada.

**NOW, THEREFORE** by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

### SECTION 1:

Beginning immediately, the Department shall conduct a thorough review of conditions of State employment including, without limitation, the hiring process, experience and degree requirements, salary ranges, and the onboarding process, promotion and retention rules. Such review shall include a thorough examination of existing statutes, regulations and other rules such as the State Administrative Manual that may impede the hiring, onboarding of new employees as well as the retention and promotion of existing employees.

On or before April 1, the Department shall report to the Governor and make recommendations to simplify and otherwise improve the process for state agencies to hire, retain and promote employees and to remove any unnecessary barriers to entry for State employment. Such recommendations may include proposed changes to existing law and the suspension or modification of existing regulations.

### SECTION 2:

The Department shall immediately begin working with all State agencies to develop a plan to ensure that the State workers return to pre-pandemic, normal and customary office conditions by July 1, 2023. The Department shall also work with State agencies to ensure that sufficient office space is available.

Legislature


This Order is effective upon signature and shall remain in force, unless amended, modified, terminated or rescinded by the Governor, until the Department completes the assignments outlined in Section 1 and prepares and transmits a report to the Governor with findings and recommendations.





IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 6th day of January, in the year two thousand twenty-three.

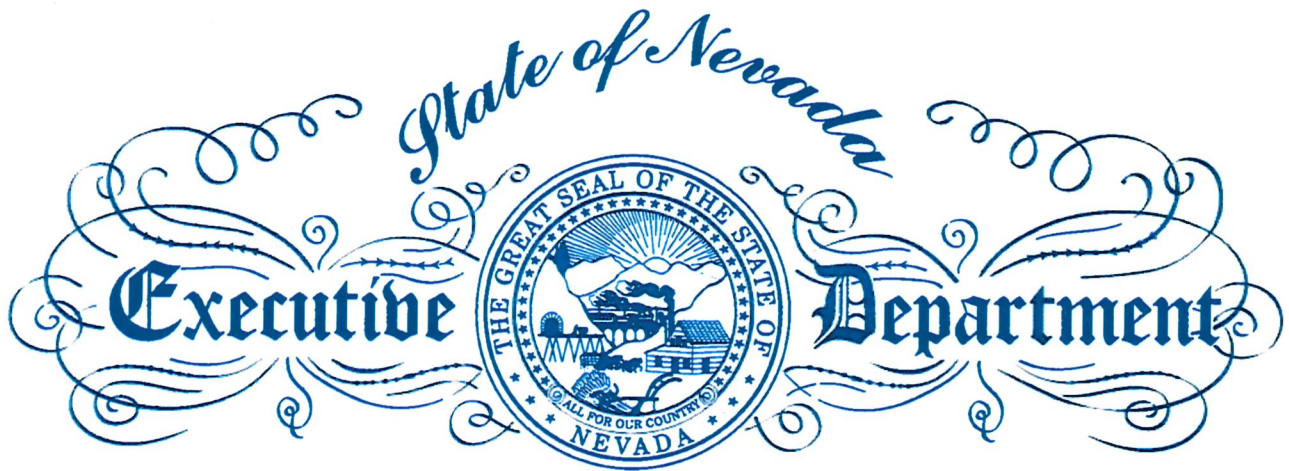
Nevada State Senate

Nevada State Assembly

  
Governor

  
Secretary of State

  
Deputy



## EXECUTIVE ORDER 2023-004

### **Order Directing All Nevada Occupational and Professional Licensing Boards to Suspend the Issuance of Any New Regulations, Show Cause for All Occupational Licensing Requirements and to Provide a Recommended Pathway for Facilitating Licensure Reciprocity**

**WHEREAS**, Nevada's economic growth and vitality is dependent upon the depth and quality of the State's workforce; and

**WHEREAS**, Nevada currently has 1.7 job openings for every unemployed person actively looking for work and there are acute shortages of employees in core sectors of the economy, including, without limitation, education, health care and technology; and

**WHEREAS**, Nevada has been identified nationally as having among the nation's most onerous occupational licensing requirements, and it is in the State's best long-term economic interest to have a fair, open, competitive and inclusive economy; and

**WHEREAS**, the Sunset Subcommittee of the Nevada State Legislature identified financial disparities and expressed concerns with practices of Nevada's occupational and professional licensing boards including, without limitation, those involving hearing officers, training, operating reserves, fines and fee structures, electronic access and payments, use of outside counsel and lobbyists and centralized coordination of expenditures; and

**WHEREAS**, The State Division of Internal Audits concluded that the current composition and actions of Nevada occupational and professional licensing Boards may expose the State to anti-trust liability; and

**WHEREAS**, it is in the best interest of Nevada that its occupational and professional licensing boards are seeking opportunities to attract and retain qualified workers to the State and not create unnecessary barriers to entry; and

**WHEREAS**, Nevada's occupational and professional licensing boards are subject to oversight by both the legislative and executive branch of government; and

**WHEREAS**, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada."

**NOW, THEREFORE** by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

#### **SECTION 1:**

Effective immediately and until the suspension of this order, all Nevada occupational and professional licensing boards shall suspend the creation of any new regulations that limit or otherwise impact the ability persons to enter any occupation or profession in Nevada.

#### **SECTION 2:**

Before April 1, 2023, all Nevada occupational and professional licensing boards shall provide a report to the Office of the Governor and the Director of the Legislative Counsel Bureau detailing all regulations that restrict entry into any occupation or profession regulated by the board. Section 1 of the report shall include, at a minimum, all pertinent regulations, fees and other costs, examinations and any other requirements for entry into any occupation or profession regulated by the board. Section 2 of the report shall include, at a minimum, the board's justification for the regulations, fees and other costs, examinations and other requirements set forth in Section 1 of the report. Section 2 shall also include an analysis of the number of states that currently license

each profession or occupation regulated by the board. Section 3 of the report shall provide, at a minimum, any recommended revisions to the current regulatory construct that would expedite licensure for new workers. Finally, Section 4 of the report shall identify state compacts or any other pathways to professional licensure reciprocity that exist regionally, nationally or internationally. Section 4 shall also include a summary of states currently providing reciprocity for each profession or occupation regulated by the board to include those states that do not license the profession or occupation, and therefore, do not require reciprocity. To the extent Nevada does not currently participate in any identified reciprocity opportunity, the board's report shall provide a justification as to why Nevada does not currently participate and shall set forth an action plan should the state decide it should participate in such a reciprocity program.

### SECTION 3:

To the extent an occupation or profession is currently licensed in Nevada but is not subject to licensure requirements in the majority of states (26 or more), licensure shall be presumed to be unnecessary and that board shall provide a recommendation for phasing out such a licensing requirement by July 1, 2023.

### SECTION 4:

To the extent an occupation or profession that is currently licensed in Nevada allows for licensing reciprocity in the majority of states (26 or more), reciprocity shall be presumed to be possible and appropriate, and the board shall provide a recommendation for implementing a program for reciprocity participation by July 1, 2023.

### SECTION 5:

Failure for any board to fully comply with the provisions of this order shall trigger an immediate operational and financial audit of the board by the Division of Internal Audits as well as recommendation to the Legislature that the board be subject to sanctions.

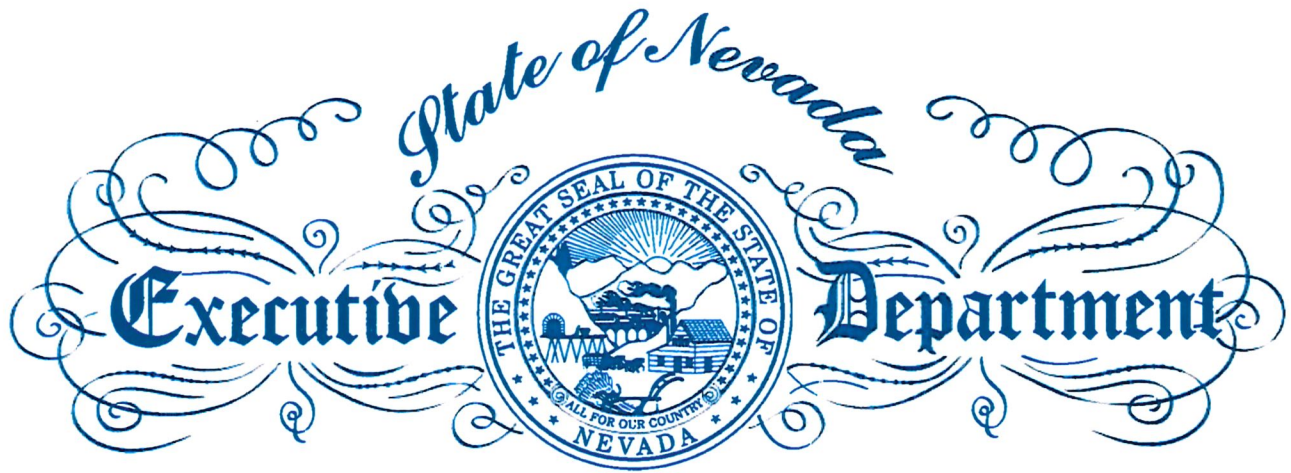
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twentythree.



  
Governor

  
Secretary of State

  
Deputy



## EXECUTIVE ORDER 2023-003

### Order Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations by All Executive Branch Agencies, Departments, Boards and Commissions

**WHEREAS**, state regulations should protect workers, consumers and the environment, while promoting entrepreneurship and economic growth; and

**WHEREAS**, state regulations can become outdated, result in unintended consequences, create conflicts or impose an unnecessary burden on citizens, businesses or government entities; and

**WHEREAS**, it is in the best interest of the state of Nevada that its regulatory environment be concise, transparent, stable, balanced, predictable and thoughtfully constructed; and

**WHEREAS**, Nevada's current regulatory structure is too often unfocused and inefficient, contains regulations that are obsolete and includes regulations that are unnecessarily onerous, thereby limiting the economic potential of the State; and

**WHEREAS**, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;

**NOW, THEREFORE**, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

#### SECTION 1

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor's office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

#### SECTION 2:

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

#### SECTION 3:

Prior to submitting their respective reports, every executive branch department, agency, board and commission shall hold a public hearing, after having provided reasonable notice consistent with Chapter 233B of the Nevada Revised Statutes, to key industry stakeholders, to: (i) vet their recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration. Stakeholder input shall be reflected in the summary of findings and recommendations included in each submitted report.

#### SECTION 4:

Unless specifically exempt from this Executive Order as set forth in Section 5, no new regulations shall be proposed, approved or acted on by any executive branch agency, department, board or commission until such time as this Executive Order is rescinded.

#### SECTION 5:

The following regulations are not subject to the suspension set forth in Section 4:

- (a) Regulations that affect public health;


- (b) Regulations that affect public safety and security;
- (c) Regulations that are necessary in the pursuit of federal funds and certifications;
- (d) Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;
- (e) Regulations that affect pending judicial deadlines; and
- (f) Regulations necessary to comply with federal law.

Until the suspension of this Executive Order, each executive branch department, agency, board and commission that intends to continue with the enactment of a proposed regulation under an exception to the freeze set forth in Section 4 shall submit a report to the Governor's office identifying which exemption the proposed regulation falls within and detailing the problem the regulation addresses or the value to the public of the regulation, how the regulation addresses the problem or the benefits provided by the regulation, why alternate forms of regulation are insufficient to address the problem and whether other regulations currently address the problem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twenty-three.



  
 \_\_\_\_\_  
 Governor

  
 \_\_\_\_\_  
 Secretary of State

  
 \_\_\_\_\_  
 Deputy



## AGENDA ITEM 6

### Report Out and Consideration of Recommendations for Action from Advisory Committee on Fitting and Dispensing Hearing Aids Meeting of January 18, 2023

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**a. Consideration for Recommendation to the Board on Proposed Revision to NAC 637B.0442**

At its September 2022 meeting, the Committee reviewed and approved sample lists of allowable and prohibited activities created by ASHA for Audiology Assistants, as well as examples of language used in other states describing the use of assistants/aides and the responsibility of the supervising practitioner. Language was revised and drafted for approval in advance of the meeting, however the matter was not discussed and instead tabled in per the Governor's Executive Order 2023-004.

**ACTION:** INFORMATIONAL ONLY per the Governor's Executive Order 2023-004.  
**ATTACHMENT(S):** None.

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**b. Consideration for Recommendation to the Board on Revisions to NRS 637B.050 "Practice of audiology" defined. and/or NRS 637B.055 "Practice of fitting and dispensing hearing aids" defined.**

[NRS 637B.205](#) requires that "an audiologist or an applicant for a license to engage in the practice of audiology who wishes to engage in the practice of fitting and dispensing hearing aids" must also hold the required Dispensing Endorsement to do so. However, we have noted an overlap between the two sections of NRS that define the "practice of Audiology" and "practice of fitting and dispensing hearing aids", listed below. Fitting and dispensing activities are currently included in the "practice of audiology" despite not being allowed without the required endorsement. This overlap in language may have occurred when the formerly separate Boards merged in 2015.

This matter was brought to the Committee to consider a recommendation to the Board for revision or removal of the highlighted area and/or any other language below in a future legislative session to clarify both scopes of practice.

The Committee voted unanimously to request a draft a revision to NRS 637B.050 that clarifies/cites the dispensing endorsement requirement in NRS 637B.205 for review at a future meeting and consideration to recommend revision to the Board.

**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****c. FDA Update on FDA Final Rule on Over-the-Counter Hearing Aids and Consideration to Recommend Revisions to NRS and/or NAC to Align with Federal Law**

Per the Final Rule, all existing laws and regulations in [NRS 637B](#) and [NAC 637B](#) remain in effect in relation to prescription hearing aids except where federal law takes precedence over state law. LCB legal counsel advised in October 2022 that the Board could choose to pursue revisions to NRS and/or NAC to align with the final rule as it deemed appropriate.

Specifically, a medical evaluation or signed waiver to obtain either category of hearing aids is no longer required by federal law, as [21 CFR 801.421](#) was repealed. However, the federal rule authorizes states to maintain existing state laws or regulations that require a medical evaluation or signed waiver.

Thus, one section of NRS, and two sections of NAC (below) remain in effect, but only apply to the sale of hearing aids by catalog, mail or Internet. These were presented to the Committee to affirm or consider recommendations to the Board.

There was no discussion of proposed NAC revision per the Governor's Executive Order 2023-004. The Committee voted unanimously to affirm/recommend no changes to [NRS 637B.242](#).

Section	Section Title	Status After Final Rule	Impact on Practice
<a href="#">NRS 637B.242</a>	<i>Sale of hearing aids by catalog, mail or Internet: Conditions; records; regulations.</i>	REMAINS IN EFFECT	Licensees must still obtain a medical evaluation or waiver ONLY WHEN selling hearing aids by catalog, mail, or Internet.
<a href="#">NRS 637B.250(2)(d)(1)</a>	<i>Grounds for Initiating Disciplinary Action</i>	NO LONGER APPLICABLE	21 CFR 801.421 was included as grounds for disciplinary action, but no longer exists, so cannot be a reason for disciplinary action.
<a href="#">NAC 637B.0444</a>	<i>Requirements concerning waiver by client of medical evaluation.</i>	CONDITIONALLY APPLICABLE	.0444 Describes requirements for obtaining a waiver of medical evaluation. .045 Requires waiver of medical evaluation be included in patient records. Both are NO LONGER APPLICABLE to in-person hearing aid fitting and dispensing but STILL APPLICABLE to sales of hearing aids by catalog, mail, or Internet. (per NRS 637B.242 above)
<a href="#">NAC 637B.045</a>	<i>Preparation and retention of health care records and other records.</i>		

**ACTION:** INFORMATIONAL ONLY per the Governor's Executive Order 2023-004.

**ATTACHMENT(S):** None.

**d. Update on IHS Practical Exam Revisions and Consideration for Recommendation to the Board for Revision to NAC 637B.030 to Increase Exam Fee**

IHS held a Licensing Board Conference on December 7, 2022 and reported that they have revised the Dispensing Practical Examination, which should be released in the next few months. Our understanding is that much of the content will remain the same, but administration of the exam has changed. IHS reports it has tested the exam on four candidates and it is taking about 2.5 hours to complete.

IHS has also reported that there will most likely be an increase in cost as the current rate hasn't been changed in quite some time. Most entities pay \$100 per exam, while our Board has enjoyed a negotiated



State of Nevada

**Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board**

rate of \$50 per exam booklet. This rate, coupled with the \$100 paid to the exam proctor, nets the Board \$50 of the \$200 paid by the applicant to cover staff & scheduling costs. Should the exam booklet cost increase to \$100, the Board's budget may be negatively impacted with no revenue to cover administrative costs in setting up these exams.

The Committee was provided the following update regarding changes to the IHS practical exam, and **there was no discussion of proposed NAC revision per the Governor's Executive Order 2023-004.**

**ACTION:** **INFORMATIONAL ONLY** per the Governor's Executive Order 2023-004.

**ATTACHMENT(S):** None.



## AGENDA ITEM 7

### Work Session on Future Legislative (NRS) Efforts (*Standing Agenda Item*):

#### a. SLP Assistants

**Overview:** Add new licensing type for SLP Assistants

**NRS Section(s):** New

**Status:** Under discussion

**Update:** NDE adopted regulations in October 2022 to sunset bachelor's level staff in October 2026 but were not heard by the Legislative Commission in December 2022 as expected. NO response for update from NDE. No other updates.

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

**ATTACHMENT(S):** None.

#### b. Audiology Assistants

**Overview:** Add new licensing type for Audiology Assistants

**NRS Section(s):** New

**Status:** Under discussion

**Update:** See prior agenda item. **Previously proposed NAC revision work tabled by the Advisory Committee per the Governor's Executive Order 2023-004.**

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

**ATTACHMENT(S):** None.

#### c. Cerumen Management

**Overview:** Add/allow cerumen management by HAS to Scope of Practice

**NRS Section(s):** NRS 637B.045; NRS 637B.055

**Status:** Approved (July 2022) to pursue BDR.

**Update:** Drafted language is pending. No recent updates.

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

**ATTACHMENT(S):** None.

#### d. NBC-HIS Certification for HAS License

**Overview:** Remove NBC-HIS certification requirement for HAS Standard license.

**NRS Section(s):** NRS 637B.193(2) & NRS 637B.201

**Status:** Approved(July 2022) to pursue BDR & drafted language approved.

**Update:** Drafted language is ready for inclusion in a future BDR. No new updates.

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

**ATTACHMENT(S):** None.

#### e. Telehealth and Telesupervision

**Overview:** Address/allow telesupervision by AUD/SLP.

**NRS Section(s):** New

**Status:** Under discussion

**Update:** No updates. Recommend considering in context of SLP Assistants.

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

**ATTACHMENT(S):** None.



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## AGENDA ITEM 8

### Recommendation to Table Work on Board Jurisprudence Exam Per Governor's Executive Order 2023-004

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This matter was discussed at the Board's October 2022 meeting with consideration to make the examination mandatory, however at that time a revision to NAC 637B was recommended to address current language stating the Board "may" require the exam, with a revision to "shall" or similar to avoid a challenge to the requirement.

It is recommended that the Board formally table this matter per Governor's Executive Order 2023-004.

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

**ATTACHMENT(S):** None.



## AGENDA ITEM 9

### Executive Director's Report

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Please see the Written Executive Director's Report.

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

**ATTACHMENT(S):**

1. *ED Report 1 25 2023*
2. *FY23 Q2 Financial Reports*



State of Nevada

**Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board**

6170 Mae Anne Avenue, Suite 1, Reno, NV 89523

(775) 787-3421 / Fax (775) 746-4105

[www.nvspeechhearing.org](http://www.nvspeechhearing.org) Email [board@nvspeechhearing.org](mailto:board@nvspeechhearing.org)**EXECUTIVE DIRECTOR'S REPORT**

January 25, 2023

**a. Licensure Statistics**

The following chart provides licensing statistics for the period October 1, 2022 through December 31, 2022 with a net increase of 13 licenses (50 issued/37 expired), a less-than-1% increase from the prior quarter. These totals are commensurate with FY21 Q2, where we added 42 and expired 41 licenses. Notably, the HAS Apprentice census has decreased, with none of the four expired licenses this quarter converting to a Standard HAS license.

Description	Total Licensees	Speech Pathologists	Audiologists	Dispensing Audiologists	Hearing Aid Specialists	Apprentices
<b>Sept 30, 2022</b>	<b>1501</b>	<b>1232</b>	<b>65</b>	<b>106</b>	<b>81</b>	<b>17</b>
Issued	50	39	2	5	2	2
Expired	37	26	2	5	0	4
<b>Dec 31, 2022</b>	<b>1514</b>	<b>1245</b>	<b>65</b>	<b>106</b>	<b>83</b>	<b>15</b>
Net Change	+13	+13	-	-	+2	-2
	<1%	1%	0%	0%	2%	-12%

Type	TOTAL	SLP	AUD	AUD-D	HAS	HAS-A
	<b>50</b>	<b>39</b>	<b>2</b>	<b>5</b>	<b>2</b>	<b>2</b>
<b>Nevada</b>	<b>19</b> 38%	<b>17<sup>1</sup></b> 44%	<b>0</b> 0%	<b>1<sup>2</sup></b> 0%	<b>0</b> 0%	<b>2<sup>3</sup></b> 100%
<b>Out of State</b>	<b>28</b> 56%	<b>22<sup>4</sup></b> 56%	<b>2</b> 100%	<b>4<sup>5</sup></b> 100%	<b>2</b> 100%	<b>0</b> 0%
<b>Military</b>	<b>5</b> 10%	<b>5<sup>6</sup></b> 13%	<b>0</b> 0%	<b>0</b> 0%	<b>0</b> 0%	<b>0</b> 0%
<b>License by Endorsement</b>	<b>21</b> 42%	<b>20<sup>7</sup></b> 51%	<b>1<sup>8</sup></b> 50%	N/A	N/A	N/A

<sup>1</sup> Clark (16); Washoe (1)      <sup>2</sup> Washoe (1)      <sup>3</sup> Clark County (2)<sup>4</sup> AZ (2); CA (3); CO (2); CT (1); GA (2); ID (1); IL (1); MI (1); MO (1); NJ (1); NM (1); NY (1); OH (1); OR (1); PA (1); TX (2)<sup>5</sup> AR (1); CO (1); OH (1); UT (1)      <sup>6</sup> Military Spouse (3); Veteran Spouse (2)      <sup>8</sup> NV (4); Out of State (16)      <sup>8</sup> Out of State (2)**b. FY23 Q2 Financial Report**

The FY23 Q2 Financial Summary is attached for the Board's review, with income higher than budgeted (54% of budget) and expenses lower than expected (47% of budget). **Reserves (equity) now total \$117,334.32 which is additional savings of \$5,531 since the end of last quarter.**

**Profit and Loss Through Q2**

- Total Revenue: \$100,193.59      Percent of Budget: 54.10%
- Deferred Revenue: \$105,850.07
- Total Expenses: \$86,459.60      Percent of Budget: 47.28%
- **Net Income: \$13,733.99**

**FY23 Q2 Balance Sheet**

- Total Cash Assets: \$231,980.73
- Total Liabilities: \$124,504.32
- **Total Equity: \$117,334.32** (Increase of \$5,531 from FY23 Q1; \$24,931.14 from FY22 Q2)

**FY23 Q2 Deviations from Budget**

There were no major deviations from the budget during this quarter.

**c. Personnel Update: Resignation of and Recruitment for Part-Time Board Investigator**

The Board office has received and accepted Wayne Springmeyer's two-week notice of resignation effective January 25, 2023. Per the Board's Personnel Policy manual, an open, competitive announcement will be pursued to find a replacement and any subsequent employment contract will be brought before the Board for final review and approval.

**d. Board Member Appointments/Reappointments**

Name	Credential/Role	Location	Term	Term Expires	Eligible for Reappointment
Tami Brancamp	SLP/Board Chair	Reno	1	7/1/2023	No
Andrea Menicucci	SLP/Board Vice Chair	Reno	2	7/1/2024	Yes
Lynee Anderson	BC-HIS/Board Member	Reno	2	7/1/2024	Yes
Minnie Foxx	Public Member	Las Vegas	1	7/1/2023	Yes
Michael Hodes	AuD/Board Member	Reno	2	7/1/2023	No
Timothy Hunsaker	AuD/Board Member	Las Vegas	2	7/1/2025	No
Adrienne Williams	SLP/Board Member	Las Vegas	1	7/1/2025	Yes

The Board is fully staffed through July 2023 when both Tami Brancamp and Michael Hodes' terms will expire, and neither are eligible for reappointment. Minnie Foxx's first term will also expire in July 2023 and she is eligible to apply for reappointment.

Board staff will begin recruitment efforts, including an email to all licensees and posting on the Board website for the following:

- One (1) Audiologist OR Dispensing Audiologist; and
- One (1) Speech-Language Pathologist working/practicing in a University or Hospital setting.

As Tami Brancamp is currently the Board Chair, and Michael Hodes chairs the Advisory Committee, an agenda item will be included in the Board's July 2023 meeting to include the following:

- Election of a new Board Chair and Vice-Chair based on nominations made by Board Members;
- Appointments of Bank Signatories & Financial Reviewers;
- Appointment of a Dispensing Audiologist to the Advisory Committee on Fitting and Dispensing Hearing Aids.
- Appointment/reappointment of non-Board members to the Advisory Committee on Fitting and Dispensing Hearing Aids.

At its next meeting following these appointments, the Advisory Committee on Fitting and Dispensing Hearing Aids will also be tasked with electing a new Committee Chair from its appointed Board members.

**e. Complaints**

There was **one** open complaint case following the October 19, 2022 Board Meeting. Two new complaints were received in November 2022 and January 2023 respectively, resulting in **three** open cases at this time.

**Profit Loss Budget vs. Actual**  
**July through December 2022**

	<b>Annual Budget</b>	<b>Actuals July - Dec 22</b>	<b>Remaining Balance</b>	<b>% of Budget Spent</b>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Fees	29,000.00	16,475.00	12,525.00	56.81%
License Fees	148,650.00	79,586.51	69,063.49	53.54%
Exams, List and Interest	7,550.00	4,132.08	3,417.92	54.73%
<b>Total Income</b>	<b>185,200.00</b>	<b>100,193.59</b>	<b>85,006.41</b>	<b>54.10%</b>
<b>Expense</b>				
Personnel Cost	144,913.00	71,101.10	73,811.90	49.07%
Attorney General / Legal Fees	8,000.00	2,050.29	5,949.71	25.63%
Audit Fees	0.00	0.00	0.00	0.00%
Bank Service Charges	4,500.00	2,354.09	2,145.91	52.31%
Board Compensation	2,700.00	1,125.00	1,575.00	41.67%
Dues	700.00	100.00	600.00	14.29%
Equipment Purchase	200.00	0.00	200.00	0.00%
Examinations	3,630.00	1,517.64	2,112.36	41.81%
Insurance	1,350.00	0.00	1,350.00	0.00%
Licensing Program Subscription	7,650.00	4,893.14	2,756.86	63.96%
Meeting Expenses	100.00	0.00	100.00	0.00%
Office Lease	3,360.00	1,425.82	1,934.18	42.44%
Office Supplies	850.00	120.44	729.56	14.17%
Postage	400.00	112.84	287.16	28.21%
Printing	200.00	0.00	200.00	0.00%
<b>Professional Fees</b>				
Legislative Services	0.00	0.00	0.00	0.00%
Accounting	3,000.00	1,500.00	1,500.00	50.00%
IT / Technical Support	500.00	0.00	500.00	0.00%
<b>Total Professional Fees</b>	<b>3,500.00</b>	<b>1,500.00</b>	<b>2,000.00</b>	<b>42.86%</b>
Telephone	600.00	159.24	440.76	26.54%
<b>Travel</b>				
In-state Travel	200.00	0.00	200.00	0.00%
Out of State Travel	0.00	0.00	0.00	0.00%
<b>Total Travel</b>	<b>200.00</b>	<b>0.00</b>	<b>200.00</b>	<b>0.00%</b>
<b>Total Expense</b>	<b>182,853.00</b>	<b>86,459.60</b>	<b>96,393.40</b>	<b>47.28%</b>
<b>Net Ordinary Income</b>	<b>2,347.00</b>	<b>13,733.99</b>	<b>-11,386.99</b>	<b>585.17%</b>
<b>Net Income</b>	<b>2,347.00</b>	<b>13,733.99</b>	<b>-11,386.99</b>	<b>585.17%</b>

**Balance Sheet**  
**As of December 31, 2022**

	<u>Dec 31, 22</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
Wells Fargo Bank - Checking	129,101.91
Wells Fargo Bank - Savings	102,878.82
Total Checking/Savings	<u>231,980.73</u>
Other Current Assets	
Accounts Receivable	0.00
Prepaid Expenses	8,521.92
Total Other Current Assets	<u>240,502.65</u>
Fixed Assets	
Capital Assets	1,335.99
Total Fixed Assets	<u>1,335.99</u>
<b>TOTAL ASSETS</b>	<u><u>241,838.64</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
Current Liabilities	
Accounts Payable	
Accounts Payable	0.00
Total Accounts Payable	<u>0.00</u>
Other Current Liabilities	
Deferred Revenue	105,850.07
Paid Time Off	13,484.66
Payroll Liabilities	4,804.45
Payroll Tax Liability	365.14
Total Other Current Liabilities	<u>124,504.32</u>
Total Current Liabilities	<u>124,504.32</u>
Total Liabilities	124,504.32
<b>Equity</b>	
Invested in Capital Assets	1,335.99
Retained Earnings	102,264.34
Net Income	13,733.99
Total Equity	<u>117,334.32</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>241,838.64</u></u>

**BEASP**  
**Transaction Detail by Account**  
October to December 2022

**PAGE 41**

Type	Date	Num	Name	Memo	Amount
<b>Wells Fargo Bank - Checking</b>					
Deposit	10/01/2022			Deposit	100.00
Deposit	10/03/2022			Deposit	425.00
Deposit	10/04/2022			Deposit	600.00
Check	10/04/2022	1772	Board of Occupational Therapy	Postage	-48.49
Check	10/04/2022	1771	Numbers, Inc.	Bookkeeping services	-750.00
Deposit	10/05/2022			Deposit	775.00
Deposit	10/06/2022			Deposit	700.00
Check	10/06/2022	1773	Attorney General	Legal fees	-746.29
Deposit	10/07/2022			Deposit	850.00
Deposit	10/09/2022			Deposit	100.00
Deposit	10/10/2022			Deposit	475.00
Deposit	10/11/2022			Deposit	50.00
Check	10/11/2022		AT&T	Telephone expense	-28.78
Check	10/11/2022	1774	State of Nevada IT	Telephone expense	-2.63
Liability Check	10/12/2022		QuickBooks Payroll Service	Payroll expense	-3,808.39
Deposit	10/12/2022			Deposit	400.00
Paycheck	10/13/2022	DD1237	Stacey Whittaker	Direct Deposit	0.00
Paycheck	10/13/2022	DD1236	Jennifer Pierce	Direct Deposit	0.00
Check	10/13/2022		Voya	Payroll expense	-363.93
Check	10/13/2022			Merchant fees	-229.69
Deposit	10/14/2022			Deposit	25.00
Deposit	10/15/2022			Deposit	100.00
Deposit	10/16/2022			Deposit	100.00
Deposit	10/18/2022			Deposit	450.00
Deposit	10/19/2022			Deposit	250.00
Deposit	10/20/2022			Deposit	575.00
Check	10/20/2022	1775	Attorney General	Legal fees	-407.50
Check	10/20/2022		Lynee Anderson2		-75.00
Check	10/20/2022		Tami Brancamp		-75.00
Check	10/20/2022		Minnie Foxx		-75.00
Check	10/20/2022		Tim Hunsaker		-75.00
Check	10/20/2022		Andrea Menicucci		-75.00
Check	10/20/2022		Adrienne Williams		-75.00
Deposit	10/21/2022			Deposit	325.00
Deposit	10/24/2022			Deposit	50.00
Deposit	10/25/2022			Deposit	400.00
Check	10/25/2022		Wells Fargo	Licensing system, Retail Assoc, po	-7,507.85
Liability Check	10/26/2022		QuickBooks Payroll Service	Created by Payroll Service on 10/2	-3,808.41
Paycheck	10/27/2022	DD1238	Jennifer Pierce	Direct Deposit	0.00
Paycheck	10/27/2022	DD1239	Stacey Whittaker	Direct Deposit	0.00
Deposit	10/27/2022			Deposit	200.00
Check	10/27/2022		Voya	Payroll expense	-363.93
Liability Check	10/28/2022	E-pay	US Treasury	88-0309622 QB Tracking # -596225	-2,682.20

**BEASP**  
**Transaction Detail by Account**  
**October to December 2022**

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Deposit	10/28/2022		Deposit	425.00
Deposit	10/30/2022		Deposit	100.00
Deposit	10/31/2022		Deposit	450.00
Deposit	10/31/2022		interest	0.80
Deposit	11/01/2022		Deposit	3,875.00
Deposit	11/02/2022		Deposit	2,850.00
Deposit	11/03/2022		Deposit	2,325.00
Deposit	11/04/2022		Deposit	1,550.00
Deposit	11/05/2022		Deposit	250.00
Deposit	11/06/2022		Deposit	675.00
Deposit	11/07/2022		Deposit	925.00
Deposit	11/08/2022		Deposit	775.00
Check	11/08/2022	AT&T	Telephone expense	-24.67
Check	11/08/2022	1776 Michael Hodes	Examination fees	-100.00
Liability Check	11/09/2022	QuickBooks Payroll Service	Payroll expense	-3,808.38
Deposit	11/09/2022		Deposit	1,475.00
Paycheck	11/10/2022	DD1240 Jennifer Pierce	Direct Deposit	0.00
Paycheck	11/10/2022	DD1241 Stacey Whittaker	Direct Deposit	0.00
Deposit	11/10/2022		Deposit	975.00
Deposit	11/10/2022		Deposit	200.00
Check	11/10/2022	Voya	Payroll expense	-363.93
Check	11/10/2022		Merchant fees	-174.84
Deposit	11/11/2022		Deposit	400.00
Deposit	11/12/2022		Deposit	375.00
Deposit	11/13/2022		Deposit	800.00
Deposit	11/14/2022		Deposit	1,900.00
Deposit	11/15/2022		Deposit	1,025.00
Deposit	11/16/2022		Deposit	200.00
Deposit	11/17/2022		Deposit	1,025.00
Deposit	11/17/2022		Deposit	100.00
Deposit	11/18/2022		Deposit	1,200.00
Deposit	11/19/2022		Deposit	500.00
Deposit	11/20/2022		Deposit	400.00
Deposit	11/21/2022		Deposit	1,200.00
Liability Check	11/22/2022	QuickBooks Payroll Service	Payroll expense	-3,808.39
Deposit	11/22/2022		Deposit	1,225.00
Check	11/22/2022	1777 State of Nevada IT	Telephone expense	-1.31
Paycheck	11/23/2022	DD1242 Jennifer Pierce	Direct Deposit	0.00
Paycheck	11/23/2022	DD1243 Stacey Whittaker	Direct Deposit	0.00
Liability Check	11/23/2022	E-pay US Treasury	Payroll expense	-2,682.26
Deposit	11/23/2022		Deposit	750.00
Check	11/23/2022	Voya	Payroll expense	-363.93
Deposit	11/24/2022		Deposit	100.00
Deposit	11/25/2022		Deposit	500.00
Deposit	11/26/2022		Deposit	500.00

## Transaction Detail by Account

October to December 2022

Deposit	11/27/2022		Deposit	400.00
Deposit	11/28/2022		Deposit	1,550.00
Deposit	11/29/2022		Deposit	1,700.00
Check	11/29/2022	Wells Fargo	Licensing system, NCSB renewal, C	-1,897.23
Deposit	11/30/2022		Deposit	850.00
Deposit	11/30/2022		Deposit	100.00
Deposit	11/30/2022		Interest	2.80
Deposit	12/01/2022		Deposit	2,350.00
Deposit	12/02/2022		Deposit	2,350.00
Deposit	12/03/2022		Deposit	1,150.00
Deposit	12/04/2022		Deposit	650.00
Deposit	12/05/2022		Deposit	1,400.00
Deposit	12/06/2022		Deposit	1,375.00
Liability Check	12/07/2022	QuickBooks Payroll Service	Payroll expense	-3,808.40
Deposit	12/07/2022		Deposit	1,200.00
Paycheck	12/08/2022	DD1244 Jennifer Pierce	Direct Deposit	0.00
Paycheck	12/08/2022	DD1245 Stacey Whittaker	Direct Deposit	0.00
Deposit	12/08/2022		Deposit	1,400.00
Check	12/08/2022	Voya	Payroll expense	-363.93
Check	12/08/2022	AT&T	Telephone expense	-25.17
Deposit	12/09/2022		Deposit	1,575.00
Deposit	12/10/2022		Deposit	200.00
Deposit	12/11/2022		Deposit	1,125.00
Deposit	12/12/2022		Deposit	2,100.00
Check	12/12/2022	1778 Jacquelyn Demetroff Jacquelyn L	Refund overpayment	-50.00
Check	12/12/2022		Merchant fees	-718.21
Deposit	12/13/2022		Deposit	925.00
Check	12/13/2022	Melissa Maestas	Examination fees	-100.00
Deposit	12/14/2022		Deposit	1,975.00
Deposit	12/15/2022		Deposit	1,400.00
Deposit	12/16/2022		Deposit	1,550.00
Deposit	12/17/2022		Deposit	775.00
Deposit	12/18/2022		Deposit	550.00
Deposit	12/19/2022		Deposit	1,000.00
Deposit	12/19/2022		Deposit	50.00
Check	12/19/2022	1779 Attorney General	Legal fees	-244.50
Check	12/19/2022	Tim Hunsaker	Examination fees	-100.00
Deposit	12/20/2022		Deposit	800.00
Liability Check	12/21/2022	QuickBooks Payroll Service	Payroll expense	-3,808.40
Deposit	12/21/2022		Deposit	700.00
Paycheck	12/22/2022	DD1246 Jennifer Pierce	Direct Deposit	0.00
Paycheck	12/22/2022	DD1247 Stacey Whittaker	Direct Deposit	0.00
Liability Check	12/22/2022	E-pay US Treasury	Payroll expense	-2,682.20
Deposit	12/22/2022		Deposit	1,250.00
Check	12/22/2022	Voya	Payroll expense	-363.93

**BEASP**  
**Transaction Detail by Account**  
October to December 2022

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Deposit	12/23/2022		Deposit	1,325.00
Deposit	12/24/2022		Deposit	250.00
Deposit	12/26/2022		Deposit	650.00
Deposit	12/27/2022		Deposit	1,600.00
Check	12/27/2022	Wells Fargo	Zoom, GoDaddy, postage	-349.63
Deposit	12/28/2022		Deposit	2,325.00
Deposit	12/29/2022		Deposit	2,050.00
Deposit	12/30/2022		Deposit	1,850.00
Deposit	12/30/2022		Interest	9.81
Deposit	12/31/2022		Deposit	1,325.00
Total Wells Fargo Bank - Checking				<u>32,801.01</u>
<b>TOTAL</b>				<b><u>32,801.01</u></b>



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

## AGENDA ITEM 10

### Request for Approval of Proposed Revision to FY23 Budget to Compensate Expert Reviewers for Complaint Cases

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A proposed revised FY23 budget is presented for the Board's consideration with a recommendation to approve the addition of up to \$1,000 for compensation to Expert Reviewers for complaint cases.

Typically, if an Expert Reviewer is used, a Non-Disclosure Agreement is executed, and the review is completed without compensation. However, some cases demand review of copious amounts of medical and other records and would be appropriate and fair to reimburse these professionals for their time.

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

**ATTACHMENT(S):**

1. *Revised/Proposed FY 23 Budget*

**State of Nevada**  
**Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board**  
**REVISED/APPROVED 4/28/2022 - REVISED/PROPOSED 1/25/2023**

REVENUE				
<b>Fees</b>	New apps; late renewals	\$	<b>29,000.00</b>	Aligned with FY21 & FY22 Actuals
<b>License Fees</b>	New; renewals; reinstate; conversions	\$	<b>148,650.00</b>	
<b>Exams, List, Interest</b>	Exams; lists; verifications; interest	\$	<b>7,550.00</b>	
<b>Total Revenue</b>		\$	<b>185,200.00</b>	

EXPENSES				Expense Narrative
<b>Personnel/Payroll</b>		\$	<b>144,913.00</b>	
	Executive Director	\$	90,190.00	Change to full time status effective 4/25/2022
	Licensing Coordinator	\$	34,725.00	
	Investigator	\$	2,000.00	Hourly at \$30/hour not to exceed \$2,000.
	Payroll Taxes	\$	9,585.00	
	Deferred Comp	\$	8,280.00	
	Direct Deposit Fees	\$	133.00	\$1.75 per DD (JP/SW @ 52 = \$91; WS @ 24 = \$42)
<b>Legal Fees</b>	Attorney General	\$	<b>8,000.00</b>	\$154.36/hr: 6 Mtgs @ 2 hrs ea= \$1,852 + \$4k complaints
<b>Bank Fees</b>	Merchant Svcs/Checking	\$	<b>4,500.00</b>	
<b>Board Compensation</b>	Salary	\$	<b>2,700.00</b>	6 ZOOM meetings/hearings @ max \$75 x 6 members
<b>Dues</b>	NCSB; RAN	\$	<b>700.00</b>	NCSB \$450; RAN \$100
<b>Equipment</b>		\$	<b>200.00</b>	No equipment anticipated.
<b>Examinations</b>		\$	<b>3,630.00</b>	
	Exam Proctors	\$	2,400.00	24 exams @ \$100/proctor
	Exam Materials	\$	1,230.00	24 booklets @ \$50 each + \$28.90 shipping
<b>Insurance</b>	Tort & Liability/Worker's Comp	\$	<b>1,350.00</b>	Tort Liability \$750; Worker's Comp \$600
<b>Database/Website</b>	Albertson Consulting	\$	<b>7,650.00</b>	Annual \$7,200; JP Exam 6k (optional); Support Overage \$405 (3 hrs @ \$135/hr)
<b>Meeting Expense</b>	Rooms/lunches	\$	<b>100.00</b>	Recommend no in-person meetings.
<b>Ofc Lease/Cost Share</b>	OT Board	\$	<b>3,360.00</b>	Shared office, supplies, equipment, & internet.
<b>Office Supplies</b>	ZOOM, Ofc 365, Staples	\$	<b>850.00</b>	ZOOM: \$150; Office365: \$400; Misc: \$300
<b>Postage</b>	USPS	\$	<b>400.00</b>	
<b>Printing</b>	State Printer	\$	<b>200.00</b>	Envelopes, misc.
<b>Professional Fees</b>		\$	<b>4,500.00</b>	
	Accounting	\$	3,000.00	\$750/quarter.
	<b>Investigation Fees</b> Various	\$	<b>1,000.00</b>	<b>Expert reviewer services.</b>
	Leg Services	\$	-	
	IT/Tech Support	\$	500.00	None used in FY21/FY22
<b>Telephone/Tech</b>	AT&T; State of NV	\$	<b>600.00</b>	Local \$300 (\$25/mo). LD \$25 (\$2/month). Telecon \$200.
<b>Travel</b>		\$	<b>200.00</b>	
	Travel - In State	\$	200.00	Local mileage. Reduce & hold all meetings via ZOOM.
	Travel - Out of State	\$	-	Conference travel. Recommend no NCSB travel this year.
<b>Total Operating Expenses</b>		\$	<b>184,853.00</b>	

<b>Revenue in Excess of Operating Expense</b>	\$	<b>347.00</b>
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State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

## AGENDA ITEM 11

### Report from Legal Counsel

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Henna Rasul, Board Counsel will provide the Board with a general update on legal activities.

**ACTION:** None – INFORMATIONAL ONLY

**ATTACHMENT(S):** None.



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

## AGENDA ITEM 12

### Reports from Board Chair and Board Members

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**a. Report from Board Chair and Board Members**

- b. 2023 Proposed Meeting Schedule:** Next meeting proposed: **Wednesday, April 26, 2023 at 4:30pm.**  
Teleconference hosted in-person at the Board Office and virtually via ZOOM.

**c. Future Agenda Items**

- 1) Work Session: Continued Work on Future Legislative Efforts (Standing Agenda Item):
  - (a) Licensing Speech-Language Pathology Assistants
  - (b) Licensing Audiology Assistants
  - (c) Address Cerumen Management Practice by HAS
  - (d) Removal of NBC-HIS Certification for Standard HAS License
  - (e) Telesupervision by AUD & SLP
- 2) Review and Approval of Draft FY24 Budget
- 3) Response to Governor's Executive Orders
- 4) Election of Board Chair & Vice Chair and Bank Signatories & Financial Reviewer Appointments (July 2023)

**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

## AGENDA ITEM 13

### Public Comment

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*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.



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

## AGENDA ITEM 14

### Adjournment

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**ACTION:** Meeting adjourned.

**ATTACHMENT(S):** None.