



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

## NOTICE OF PUBLIC MEETING

### Advisory Committee on Fitting and Dispensing Hearing Aids

**Wednesday, April 10, 2024 ~ 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/81979894757?pwd=ZGIEWmhDRm5KUk40T2ZydThPaFpHdz09>

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

**Meeting ID:** 819 7989 4757    **Passcode:** 913352

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 **ADVISORY COMMITTEE ON FITTING AND DISPENSING HEARING AIDS** of the **NEVADA SPEECH-LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING AID DISPENSING BOARD** may: (a) address agenda items out of sequence (b) combine agenda items or (c) pull or remove items from the agenda at any time.

The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.020, NRS 241.030).

Action by the Committee on any item may be to approve, deny, amend, or table.

**1. Call to Order, Confirmation of Quorum**

**2. Public Comment**

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

**3. Approval of the Minutes: Advisory Committee on Fitting and Dispensing Hearing Aids of January 16, 2024 with Clarification on Recommendations Made for Revisions to NRS 637B and NAC 637B Regarding HAS License Requirements (for possible action)**

4. **Review and Recommendation to the Board on Revisions to NRS 637B Related to Board Action to Pursue Repeal of NRS 637B.205 Requiring Dispensing Examinations and License Endorsement for an Audiologist to Fit and Dispense Hearing Aids** *(for possible action)*
  - a. NRS 637B.050 “Practice of audiology” defined. *(for possible action)*
  - b. NRS 637B.075 Sponsor” defined. *(for possible action)*
  - c. NRS 637B.100 Creation; number, appointment and qualifications of members; terms; vacancies.
  - d. NRS 637B.175 Fees. *(for possible action)*
  - e. NRS 637B.191 Regulations concerning examinations for, period of validity of, renewal and reinstatement of licenses; placement of license on inactive status. *(for possible action)*
  - f. NRS 637B.236 Apprentices: Supervision of and responsibility for work; selection of hearing aid; signing of audiogram or sales document. *(for possible action)*
  - g. NRS 637B.242 Sale of hearing aids by catalog, mail or Internet: Conditions; records; regulations. *(for possible action)*
  - h. NRS 637B.243 Audiograms for use of physician or member of related profession. *(for possible action)*
5. **Review and Recommendation to the Board on Revisions to NRS 637B Definitions, and NRS 637B.055 “Practice of fitting and dispensing hearing aids defined” to Include “Ordering the Use of” Language, Cerumen Management, and Tinnitus Care** *(for possible action)*
  - a. NRS 637B.044 “Hearing aid” defined and NRS 637B.NEW “Over-the-counter hearing aid” defined. *(for possible action)*
  - b. NRS 637B.055 “Practice of fitting and dispensing hearing aids” defined. *(for possible action)*
    - 1) “Ordering the Use of” Added to “fitting and dispensing hearing aids” *(for possible action)*
    - 2) Cerumen Management & Definition *(for possible action)*
    - 3) Tinnitus Care & Definition *(for possible action)*
6. **Review and Recommendation to the Board on Possible Revisions to Examination Requirements in NRS 637B and NAC 637B for HAS License to Engage in the Practice of Fitting and Dispensing Hearing Aids** *(for possible action)*
7. **Reports from Committee Chair and Members**
  - a. Report from Committee Chair and Board Members *(for possible action)*
  - b. Next Meeting (proposed): Wednesday, July 10, 2024 at 4:30pm *(for possible action)*
  - c. Future Agenda Items *(for possible action)*
8. **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)*
9. **Adjournment** *(for possible action)*

### PUBLIC COMMENT

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

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### ACCOMMODATIONS

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.

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### AGENDA POSTING & DISSEMINATION

This meeting has been properly noticed and posted in the following locations:

- Nevada Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board
  - Board Office: 6170 Mae Anne Avenue, Suite 1, Reno, Nevada 89523
  - Board Website: [www.nvspeechhearing.org](http://www.nvspeechhearing.org)
- State of Nevada Public Notices 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.

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### SUPPORTING MATERIALS

Supporting material relating to public meetings of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board is available at the Board's administrative office 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 or [board@nvspeechhearing.org](mailto:board@nvspeechhearing.org).

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State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

Advisory Committee on Fitting and Dispensing Hearing Aids

## AGENDA ITEM 1

### Call to Order, Confirmation of Quorum

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Call to Order, Confirmation of Quorum.

**Action:** Meeting Called to Order

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State of Nevada

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

## 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).*

**CHAIR: PLEASE READ PRIOR TO CALLING FOR PUBLIC COMMENT:**

I will now review the instructions for providing public comment during this meeting:

Any person wishing to make public comment may attend this meeting and provide public comment in one of the following ways:

1. Attend the meeting and provide public comment in-person at the physical location; OR
2. Attend the meeting and provide public comment virtually through the Zoom teleconference video link listed on the agenda; OR
3. Attend the meeting and provide public comment telephonically through the Zoom telephone number listed on the agenda. Please see additional public comment instructions at the end of the agenda.

Public comment is welcomed by the Committee.

- Public comment will be limited to five minutes per person and comments based on viewpoint will not be restricted.
- A public comment time will be available prior to action items on the agenda and on any matter not specifically included on the agenda as the last item on the agenda.
- At the discretion of the Committee Chair, additional public comment may be heard when that item is reached.
- The Committee Chair may allow additional time to be given a speaker as time allows and in their sole discretion.
- 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.

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**Action:** None – Informational Only



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

## AGENDA ITEM 3

### Approval of the Minutes: Meeting of the Advisory Committee on Fitting and Dispensing Hearing Aids of January 16, 2024 with Clarification on Recommendations Made for Revisions to NRS 637B and NAC 637B Regarding HAS License Requirements

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The minutes of the meeting of January 16, 2024 are presented for approval.

To correctly reflect the record of the meeting, an updated version of the HAS License flowchart showing recommended changes to the HAS license options is attached on the next page.

While it was not clearly outlined in the minutes, the Committee's recommendation to the Board on **Education and Training Requirements for HAS and HAS Apprentices** included the following:

- 1) Retaining the requirement for an Apprentice to complete a 2 year training program as currently required in NRS 637B and NAC 637B; and
- 2) In conjunction with the removal of the NBC-HIS requirement in NRS 637B.193(2), revise NRS 637B and NAC 637B to require 1 year of dispensing experience for a Standard HAS applicant who is licensed or has prior training/experience in another state, with credit granted for prior training/work.

It should be noted that this proposed revision would retain the Board's ability to offer a Provisional HAS license.

- Currently, the Provisional license is available to an applicant holding an out-of-state license and who is actively completing the requirements to earn NBC-HIS certification.
- The recommended revision would make the Provisional license available to an applicant holding an out-of-state license and having completed the required HIS academic training, but who does not have 1 year of dispensing training/experience.

#### Attachments on next page:

1. *Advisory Minutes Not Yet Approved 1 16 2024*
2. *HAS License Flowchart\_New Applicant Only 1 24 2024*

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**Action:** Approve, Table, or Take No Action on the Matter

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



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board

## MINUTES OF PUBLIC MEETING

Advisory Committee on Fitting and Dispensing Hearing Aids

January 16, 2024

**Members Present:** Timothy Hunsaker; Lynee Anderson; Nanci Campbell; Jennifer Joy-Cornejo;

**Members Absent:** Melissa Maestas

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

**Public Present:** Obioma Officer, NV ADSD

### Call to Order, Confirmation of Quorum

Timothy Hunsaker called the meeting to order at 4:35pm. A roll call confirmed a quorum was present. Melissa Maestas was noted as excused absent.

### Public Comment

Timothy Hunsaker introduced this agenda item and read the following statement pursuant to AB219 (2023): "I will now review the instructions for providing public comment during this meeting: Any person wishing to make public comment may attend this meeting and provide public comment in one of the following ways: 1. Attend the meeting and provide public comment in-person at the physical location; OR 2. Attend the meeting and provide public comment virtually through the Zoom teleconference video link listed on the agenda; OR 3. Attend the meeting and provide public comment telephonically through the Zoom telephone number listed at the end of the meeting agenda with additional public comment instructions. 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 Board Chair, 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 their sole discretion. 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."

Dr. Hunsaker then called for public comment. Obioma Officer introduced herself from the Nevada Department of Health & Human Services, Aging and Disability Services Division, Commission for Persons Who Are Deaf and Hard of Hearing. Ms. Officer stated that she was attending the meeting to see how things are going and learn more about what the Committee and Board are working on. She stated that she would consider further comment at the end of the meeting after watching and listening to the meeting.

### Approval of the Minutes

Timothy Hunsaker asked for corrections or a motion to approve the September 21, 2023 minutes as written. Jennifer Joy-Cornejo made a motion to approve the minutes as written. Nanci Campbell seconded the motion. The motion passed unanimously.

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

## **Review and Recommendation to the Board on Possible NRS and/or NAC Revisions:**

### **a. Education and Training Requirements for HAS and HAS Apprentices: NRS 637B.201, NAC 637B.0391, NAC 637B.0392, and/or NAC 637B.0394**

Ms. Pierce summarized the 2022 action by the Board to pursue future legislation to remove NBC-HIS certification as a requirement for a Standard HAS License. This decision highlights the requirement in NAC 637B.0391 for a HAS Apprentice with no formal education in hearing instrument sciences to complete a 2 year in-service training program, which mirrors the NBC-HIS clinical training requirement to sit for the certification exam. The 2 year requirement was reviewed and reaffirmed as appropriate by the Advisory Committee in June 2022.

Currently, the NBC-HIS requirement ensures that an applicant has completed a 2 year training program to obtain the Standard HAS license, however, once the NBC-HIS requirement is removed, passage of the dispensing exams will be the only other requirement. The Committee considered several options for revisions to NRS and NAC to clarify the requirements for a HAS license in the absence of the NBC-HIS requirement, as well as options to grant training credit to an applicant who has completed all or a portion of a training program in another state but not licensed there.

Data found for HAS training in 44 of 46 states indicated an average minimum training requirement of 10 months. Nevada is one of three states requiring a 2 year apprenticeship, with the majority (23 states) requiring one year, and at least 18 other states requiring between 2–8 months.

Potential NRS and NAC revisions were reviewed that would establish authority to require 2 years dispensing experience for HAS applicants in the absence of the NBC-HIS certification requirement. These revisions also include revising the current Provisional License to allow an out-of-state licensee to begin practicing while completing the experience requirement, as many states require less than 2 years of training for HAS licensure.

The Committee discussed the matter at length and agreed that an applicant holding a license in another state or who has received prior HAS education & training should not need to restart a full 2-year training apprenticeship. But all members agreed that the current 2 year requirement is still appropriate for a person beginning training with no relevant experience or education.

Timothy Hunsaker called for a motion. Nanci Campbell made a motion to recommend that the Board retain the requirement for an Apprentice to complete a 2 year training program as currently required in NRS 637B and NAC 637B, and in conjunction with the removal of the NBC-HIS requirement in NRS 637B.193(2), revise NRS 637B and NAC 637B to require 1 year of dispensing experience for a Standard HAS applicant who is licensed or has prior training/experience in another state, with credit granted for prior training/work. Jennifer Joy-Cornejo seconded the motion. The motion passed unanimously.

### **b. Required Dispensing Examinations and Endorsement for Fitting and Dispensing Hearing Aids for Dispensing Audiologists: NRS 637B.203, NRS 637B.204, NRS 637B.205, NAC 637B.0373, & NAC 637B.0374**

Ms. Pierce summarized that this matter was previously before the Committee in 2022, with no recommended revisions as the Committee cited the exam's protective function to ensure the licensing of qualified and skilled practitioners. A request was made in 2023 to revisit the requirement and the Committee subsequently reheard the matter in October 2023 but tabled it for future discussion.

The Committee reviewed a number of state and national trends related to the written and practical hearing aid dispensing exams and the required endorsement that a Nevada Audiologist must



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

obtain to fit and dispense hearing aids, including the following:

- Nevada is 1 of 13 states requiring a separate license/endorsement for an Audiologist to dispense hearing aids.
- Of those 13 states, 10 require the written exam, and only 4 require the practical exam.
- The written ILE is facilitated and administered by the International Hearing Society (IHS). Practical exams are administered by Nevada Board proctors at the candidate's convenience in Las Vegas, Reno, or Carson City, and require an applicant to travel to Nevada with a portable audiometer and a second person to serve as their test subject.
- Most states (33), including Nevada, require a Doctoral degree for an Audiology license.
- Between FY20-23, the Board administered 88 practical exams, of which 48 were completed by AuD-D applicants. Of those 48, only 3 exams (6%) resulted in failure on the first attempt, compared to 22% of HAS applicants and 29% of Apprentices seeking conversion to a HAS license.
- The newly established ASLP Interstate Compact does not require either a dispensing written or practical exam for Audiology licensure. While the Board has not elected to pursue efforts to join the ASLP-IC, the Nevada Speech-Hearing Association plans to pursue legislation in 2025 to join Nevada to the Compact.

The Committee discussed the matter at length and came to the consensus that a person who has completed a Doctoral program in Audiology should be considered fully qualified to practice, including fitting and dispensing hearing aids, without an additional exam or endorsement to their license.

Timothy Hunsaker made a motion to recommend the Board pursue revisions to NRS 637B and NAC 637B to remove both the dispensing examination and endorsement requirements for all Audiologist applicants.

Nanci Campbell seconded the motion. The motion passed unanimously.

### **Reports from Committee Chair and Members**

Timothy Hunsaker reported that he would be visiting Reno in March and was invited to visit the Board office.

Nanci Campbell reported that she would be out of the office for a few weeks in March due to a medical procedure. The next meeting was confirmed for Wednesday, April 10, 2024 at 4:30pm.

### **Public Comment**

Timothy Hunsaker called for public comment. Obioma Officer introduced herself again from the Nevada Commission for Persons Who Are Deaf and Hard of Hearing. Ms. Officer thanked the Committee and stated that she thought the meeting was fantastic and very productive. Ms. Officer shared that one of the biggest issues her Commission hears from the deaf and hard of hearing community during town halls and open discussions is people concerned about the availability of hearing aid dispensers and audiologists. It's an ongoing conversation within the signing community and the hearing loss community that services are needed for new babies all the way up to senior citizens. She stated that it's great to know that we have people that are monitoring this and making sure that we have the best out there for that support. One of the biggest concerns that she wanted to put on the Committee's radar is the need for a larger pool of providers for early intervention for babies. Many parents have to travel several hours just for a fitting and as children grow their ears change so often that they have to go back frequently. Many people are traveling to California for services because it's more readily available for them.

Following the public comment several Committee members stated they knew of resources they could share, and Ms. Officer was encouraged to follow up with Board staff.

### **Adjournment**

Timothy Hunsaker adjourned the meeting at 6:17pm.

# HAS LICENSE NEW TO NEVADA LICENSURE **PROPOSED/DRAFT** FLOWCHART

BOARD APPROVED PLANNED REVISIONS 1.24.2024

- NBC-HIS REQUIREMENT

+ APPRENTICE 2 YEAR TRAINING

+ OUT-OF-STATE LICENSED OR HAS STANDARD APPLICANT 1 YEAR TRAINING

Applicant Background	Out of State License	Dispensing Training/Experience	Dispensing Exams	License Option	Requirement(s) for Conversion to Standard License
Degree in Hearing Instrument Sciences (AA/BA/BS) ~ OR ~ NBC-HIS Certification (current)	Not Required	Not Required	Required	Standard HAS	
Out of State License (current & good standing)	Not Required	1 year or more	Required	Standard HAS	
	Required	1 year or more	Not Required	Temporary HAS	<ul style="list-style-type: none"> <li>Limited to 12 months</li> <li>Renews at 6 months with proof of attempt to complete exams</li> <li>Converted to Standard upon passage of dispensing exams</li> </ul>
	Required	Less than 1 year	Required	Provisional HAS	<ul style="list-style-type: none"> <li>Limited to 3 years - renews annually</li> <li>Converted to Standard upon <del>NBC-HIS Certification</del> completion of 1 year dispensing experience</li> </ul>
HS Diploma/GED or Other Degree (Non-HIS AA/BA/BS) ~ AND ~ HIS Academic Program Complete	Not Required	1 year or more	Required	Standard HAS	
	Not Required	Less than 1 year	Not Required	HAS Apprentice	<ul style="list-style-type: none"> <li>Complete 2 Year Apprenticeship</li> <li>Pass dispensing exams</li> <li><del>[NBC-HIS Certification]</del></li> </ul>
HS Diploma/GED or Other Degree (Non-HIS AA/BA/BS) ~ AND ~ HIS Academic Program Incomplete ~ OR ~ No Prior Training/Experience	Not Required	Not Required	Not Required	HAS Apprentice	<ul style="list-style-type: none"> <li>Complete 2 Year Apprenticeship</li> <li>Pass dispensing exams</li> <li><del>[NBC-HIS Certification]</del></li> </ul>



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Advisory Committee on Fitting and Dispensing Hearing Aids

## AGENDA ITEM 4

### Review and Recommendation to the Board on Revisions to NRS 637B Related to Board Action to Pursue Repeal of NRS 637B.205 Requiring Dispensing Examinations and License Endorsement for an Audiologist to Fit and Dispense Hearing Aids

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The following sections of NRS 637B are proposed for revision in relation to the proposed repeal of NRS 637B.205 which would eliminate examination and endorsement requirement for an Audiologist to fit and dispense hearing aids.

These revisions remove references to a “dispensing” audiologist or “endorsement” and are presented as a set for review and recommendation to the Board.

**a. NRS 637B.050 “Practice of audiology” defined.**

“Practice of audiology” means the application of principles, methods and procedures relating to hearing and balance, hearing disorders and related speech and language disorders and includes, without limitation:

1. The conservation of auditory system functions;
2. Screening, identifying, assessing and interpreting, preventing and rehabilitating auditory and balance system disorders;
3. The **ordering the use of**, selection, fitting, programming and dispensing of hearing aids, the programming of cochlear implants and other technology which assists persons with hearing loss and training persons to use such technology; [**“only when holding the dispensing endorsement required pursuant to NRS 637B.205”.**]
4. Providing vestibular and auditory rehabilitation, cerumen management and associated counseling services;
5. Conducting research on hearing and hearing disorders for the purpose of modifying disorders in communication involving speech, language and hearing;
6. Providing referral services for medical diagnosis and treatment; and
7. At the request of a physician, participating in the diagnosis of a person.

**b. NRS 637B.075 “Sponsor” defined.**

“Sponsor” means a hearing aid specialist or [**dispensing**] audiologist who is responsible for the direct supervision and in-service training of an apprentice in the practice of fitting and dispensing hearing aids.

**c. NRS 637B.100 Creation; number, appointment and qualifications of members; terms; vacancies.**

1. The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board, consisting of seven members appointed by the Governor, is hereby created.
2. The Governor shall appoint:
  - (a) Three members who are speech-language pathologists, each of whom must practice in a different setting, including, without limitation, a university, public school, hospital or private practice;
  - (b) Two members who are audiologists[, **at least one of whom must be a dispensing audiologist**];
  - (c) One member who is a hearing aid specialist; and
  - (d) One member who is a representative of the general public. This member must not be:
    - (1) A speech-language pathologist, a hearing aid specialist or an audiologist; or
    - (2) The spouse or the parent or child, by blood, marriage or adoption, of a speech-language pathologist, a hearing aid specialist or an audiologist.



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3. Each member of the Board who is an audiologist, a speech-language pathologist or a hearing aid specialist must:
  - (a) Have practiced, taught or conducted research in his or her profession for the 3 years immediately preceding the appointment; and
  - (b) Hold a current license issued pursuant to this chapter.
4. A person who is a stockholder in a manufacturer of hearing aids may not be selected to or serve as a member of the Board.
5. After the initial terms, each member of the Board serves a term of 3 years.
6. A member of the Board shall not serve for more than two terms.
7. If a vacancy occurs during the term of a member, the Governor shall appoint a person similarly qualified to replace that member for the remainder of the unexpired term.

**d. NRS 637B.175 Fees.**

1. The Board shall charge and collect only the following fees whose amounts must be determined by the Board, but may not exceed:
 

Application fee.....	[ <del>\$150</del> ] \$ 300
License fee.....	[ <del>100</del> ] 200
Fee for the renewal of a license.....	[ <del>100</del> ] 200
Reinstatement fee.....	[ <del>100</del> ] 300
Examination fee.....	[ <del>300</del> ] 500
Fee for converting to a different type of license.....	50
Fee for each additional license [ <del>or endorsement</del> ].....	50
Fee for obtaining license information.....	[ <del>50</del> ] 200
2. If an applicant submits an application for a license by endorsement pursuant to NRS 637B.204, the Board shall collect not more than one-half of the fee set forth in subsection 1 for the initial issuance of the license.
3. All fees are payable in advance and may not be refunded.

**e. NRS 637B.191 Regulations concerning examinations for, period of validity of, renewal and reinstatement of licenses; placement of license on inactive status.**

1. The Board shall adopt regulations prescribing:
  - (a) The examinations required pursuant to NRS 637B.160 and concerning the practice of audiology and the practice of speech-language pathology;
  - (b) The period for which a license issued pursuant to the provisions of this chapter is valid which, except as otherwise provided in NRS 637B.200 and 637B.202, must be not less than 1 year; and
  - (c) The manner in which a license [~~or endorsement~~] issued pursuant to this chapter must be renewed, which may include requirements for continuing education.
2. The Board may adopt regulations providing for the late renewal of a license and the reinstatement of an expired license, except that the Board must not renew or reinstate a license more than 3 years after the license expired.
3. The Board may, at the request of a person licensed pursuant to this chapter, place a license on inactive status if the holder of the license:
  - (a) Does not engage in, or represent that the person is authorized to engage in, the practice of audiology, speech-language pathology or fitting and dispensing hearing aids in this State; and
  - (b) Satisfies any requirements for continuing education prescribed by the Board pursuant to this section.

**f. NRS 637B.236 Apprentices: Supervision of and responsibility for work; selection of hearing aid; signing of audiogram or sales document.**

1. All work performed by a licensed apprentice must be directly supervised by a hearing aid specialist or [~~dispensing~~] audiologist, and the hearing aid specialist or [~~dispensing~~] audiologist is responsible and civilly liable for the negligence or incompetence of the licensed apprentice under his or her supervision.



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2. Any selection of a hearing aid for a customer made by a licensed apprentice must be approved by a hearing aid specialist or [dispensing] audiologist.
3. Any audiogram or sales document prepared by a licensed apprentice must be signed by the apprentice and the supervising hearing aid specialist or [dispensing] audiologist.
4. As used in this section:
  - (a) "Incompetence" means a lack of ability to practice safely and skillfully as a licensed apprentice arising from:
    - (1) A lack of knowledge or training; or
    - (2) An impaired physical or mental capability, including an alcohol or other substance use disorder.
  - (b) "Negligence" means a deviation from the normal standard of professional care exercised generally by apprentices.

**g. NRS 637B.242 Sale of hearing aids by catalog, mail or Internet: Conditions; records; regulations.**

- (1) A hearing aid specialist or [dispensing] audiologist licensed pursuant to this chapter may sell hearing aids by catalog, mail or the Internet if[:]  
 [(a) The hearing aid specialist or dispensing audiologist has received:
  - (1) A written statement signed by:
    - (I) A physician or physician assistant licensed pursuant to chapter 630 or 633 of NRS, an advanced practice registered nurse licensed pursuant to NRS 632.237, an audiologist or a hearing aid specialist which verifies that he or she has performed an otoscopic examination of the person to whom the hearing aid will be sold and the results of the examination indicate that the person may benefit from the use of a hearing aid;
    - (II) A physician or physician assistant licensed pursuant to chapter 630 or 633 of NRS, an audiologist or a hearing aid specialist which verifies that he or she has performed an audiometric examination of the person to whom the hearing aid will be sold and the results of the examination indicate that the person may benefit from the use of a hearing aid; and
    - (III) A dispensing audiologist or a hearing aid specialist which verifies that an ear impression has been taken of the person to whom the hearing aid will be sold; or
- (2) A waiver of the medical evaluation signed by the person to whom the hearing aid will be sold as authorized pursuant to 21 C.F.R. § 801.421(a)(2); and]
  - [(b) T]the person to whom the hearing aid will be sold has signed a statement acknowledging that the hearing aid specialist or [dispensing] audiologist is selling him or her the hearing aid by catalog, mail or the Internet based upon the information submitted by the person in accordance with this section.
- (2) A hearing aid specialist or [dispensing] audiologist who sells hearing aids by catalog, mail or the Internet pursuant to this section shall maintain a record of each sale of a hearing aid made pursuant to this section for not less than 5 years.
- (3) The Board may adopt regulations to carry out the provisions of this section, including, without limitation, the information that must be included in each record required to be maintained pursuant to subsection 2.

**h. NRS 637B.243 Audiograms for use of physician or member of related profession.**

A hearing aid specialist or [dispensing] audiologist, upon request by a physician or a member of a related profession specified by the Board, may make audiograms for the physician's or member's use in consultation with a person who suffers from impaired hearing.



State of Nevada

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

## AGENDA ITEM 5

Review and Recommendation to the Board on Revisions to NRS 637B Definitions, and NRS 637B.055 *“Practice of fitting and dispensing hearing aids” defined* to Include “Ordering the Use of” Language, Cerumen Management, and Tinnitus Care

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**a. NRS 637B.044 “Hearing aid” defined and NRS 637B.NEW “Over-the-counter hearing aid” defined.**

Following the FDA Final Rule on Over the Counter hearing aids and related NRS revisions already identified, this definition was identified for review. Should the Committee recommend a revision, three examples of alternate definitions are presented below for consideration.

**NRS 637B.044 “Hearing aid” defined.**

“Hearing aid” means any:

1. Device worn by a person who suffers from impaired hearing for the purpose of amplifying sound to improve hearing or compensate for impaired hearing, including, without limitation, an earmold; and
2. Part, attachment or accessory for such a device.

**FDA Definition:** Wearable device designed for, offered for the purpose of, or represented as aiding persons with or compensating for, impaired hearing.

**CFR Definition:** Hearing aid as defined by the United States Food and Drug Administration in 21 C.F.R. § 800.30 and is not an over the counter (OTC) hearing aid as defined in 21 C.F.R. § 800.30.

**North Carolina Definition:** Instrument or device designed for or represented as aiding, improving or compensating for defective human hearing and any parts, attachments or accessories of such an instrument or device.

Additionally, the Committee may consider recommending a new definition for over-the-counter hearing aids:

**NRS 637B.NEW Over-the-counter hearing aid” defined.**

“Over-the-counter hearing aid” means any device as defined in 21 C.F.R. § 800.30(b).

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**Action:** Approve, Table, or Take No Action on the Matter





State of Nevada

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**b. NRS 637B.055 “Practice of fitting and dispensing hearing aids” defined.**

This section of NRS has been under review and revision since 2021, and the proposed version below was presented to the Board at its January 2024 meeting. Concerns were raised specific to the addition of cerumen management and the matter was sent back to the Committee for further deliberation and recommendation.

**NRS 637B.055 “Practice of ordering the use of, fitting, and dispensing hearing aids” defined.**

“Practice of ordering the use of, fitting, and dispensing hearing aids” means measuring human hearing and selecting, adapting, distributing or selling hearing aids and includes, without limitation:

1. Making impressions for earmolds;
2. Administering and interpreting tests of human hearing and middle ear functions;
3. Determining whether a person who suffers from impaired hearing would benefit from a hearing aid;
4. Ordering the use of, [S]selecting, and fitting hearing aids;
5. Providing assistance to a person after the fitting of a hearing aid;
6. Providing services relating to the care and repair of hearing aids;
7. Providing supervision and in-service training concerning measuring human hearing and ordering the use of, selecting, adapting, distributing or selling hearing aids; [and]
8. Providing referral services for clinical evaluation, rehabilitation and medical treatment of hearing impairment.
9. Providing cerumen management removal in the course of inspecting ears, or for the purpose of making ear impressions, or fitting and/or maintaining hearing instruments; and
10. Providing tinnitus management, only when holding a tinnitus care provider certificate awarded by the International Hearing Society or its successor organization, or another equivalent program approved by the Board.

**1) “Ordering the Use of” Language**

The [FDA Final Rule on Over the Counter \(OTC\) Hearing Aids](#) (October 2022) prompted some concern around the possibility of a new “prescription” requirement for traditional hearing aids, and whether existing state laws granted providers authority to “prescribe” these devices. Both IHS and the FDA issued guidance confirming that the language did not present a problem for practitioners, as it did not:

- Change the necessary qualifications of who may provide hearing healthcare with prescription hearing aids, including the recommendation, selection, fitting, and dispensing of these devices;
- Require an additional professional to take actions, for example, does not in any way require a physician’s involvement prior to fitting these devices; and
- Require an examination of any kind to obtain a prescription hearing aid.

However, it has been recommended by IHS that states add “ordering the use of” language to clarify this in scope of practice.

**Action:** Approve, Table, or Take No Action on the Matter



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## 2) Cerumen Management & Definition

- Cerumen management is not mentioned as allowed or prohibited for Hearing Aid Specialists in NRS 637B or NAC 637B and questions have been raised on this matter through requests for guidance and complaint cases.
- There is also no reference in the NRS definitions of a Hearing Aid Specialist (NRS 637B.045) or the Practice of Fitting and Dispensing Hearing Aids (NRS 637B.055), though it is specifically included in the Practice of Audiology (NRS 637B.050).
- The [IHS Position Statement on the Practice of Hearing Aid Dispensing](#) includes “administering cerumen management in the course of examining ears, taking ear impressions and/or fitting of hearing aids” in its scope of practice for Hearing Aid Specialists.
- Nationally, four states currently address cerumen management:

<a href="#">North Carolina</a>	§ 93D-1.1. “Hearing aid specialist; scope of practice. The scope of practice of a hearing aid specialist regulated pursuant to this Chapter shall include the following activities: (11) Administering cerumen management in the course of examining ears.” (does not include cerumen management education specific requirements.
<a href="#">South Dakota</a> (January 2024)	Chapter <a href="#">34-24</a> : The scope of practice of licensed hearing aid dispensing involves: (3) The removal of cerumen only as needed when cerumen is impeding the fitting, verification, or function of a hearing aid or other hearing instrument.
<a href="#">Tennessee</a>	<p>63-17-223. Cerumen management.  A licensed hearing instrument specialist shall comply with the following cerumen management principles:</p> <p>(1) The indications for cerumen management for a licensed hearing instrument specialist include:</p> <ul style="list-style-type: none"> <li>(A) Enabling audiometric testing;</li> <li>(B) Making ear impressions;</li> <li>(C) Fitting hearing protection or prosthetic devices; and</li> <li>(D) Monitoring continuous use of hearing aids;</li> </ul> <p>(2) The licensed hearing instrument specialist shall refer a patient who exhibits any of the following contraindications to cerumen removal for medical consultation or medical intervention to an otolaryngologist or a licensed physician:</p> <ul style="list-style-type: none"> <li>(A) An age less than twelve (12) years of age;</li> <li>(B) A perforated tympanic membrane;</li> <li>(C) History of pain, active drainage, or bleeding from the ear;</li> <li>(D) Evidence of congenital or traumatic deformity of the ear;</li> <li>(E) Ear surgery within the last six (6) months;</li> <li>(F) Tympanostomy tubes, such that irrigation should not be used;</li> <li>(G) A bleeding disorder;</li> <li>(H) Actual or suspected foreign body in the ear;</li> <li>(I) Stenosis or bony exostosis of the ear canal;</li> <li>(J) Cerumen impaction that totally occludes the ear canal;</li> <li>(K) Cerumen located medial to the cartilaginous external auditory canal; or</li> <li>(L) A tympanic membrane that the licensee is unable to see;</li> </ul> <p>(3) In performing cerumen removal, a licensed hearing instrument specialist shall only remove cerumen lateral to the external auditory canal using the following instruments:</p> <ul style="list-style-type: none"> <li>(A) Cerumen loop;</li> <li>(B) Cerumenolytic liquid;</li> <li>(C) Irrigation, for patients with intact tympanic membranes and a closed mastoid cavity, no tympanostomy tubes, no recent ear surgery, and no recent dizziness; or</li> <li>(D) Suction used lateral to the bony canal, only for patients with no recent surgery, intact tympanic membranes and no clear otorrhea;</li> </ul>





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	<p>(4) If the patient, while undergoing cerumen management that did not present contraindications, complains of significant pain, exhibits uncontrolled bleeding or a laceration of the external auditory canal, or notices the acute onset of dizziness or vertigo or sudden hearing loss, then the licensed hearing instrument specialist shall immediately stop the procedure and refer the patient to an otolaryngologist or a licensed physician;</p> <p>(5) The licensed hearing instrument specialist shall maintain the following proper infection control practices:</p> <p>(A) Universal health precautions;</p> <p>(B) Decontamination;</p> <p>(C) Cleaning, disinfection, and sterilization of multiple use equipment; and</p> <p>(D) Universal precautions for prevention of the transmission of human immunodeficiency virus (HIV), hepatitis B virus, and other bloodborne pathogens, as defined by occupational safety and health standards promulgated pursuant to 29 CFR 1910;</p> <p>(6) The licensed hearing instrument specialist who performs cerumen management shall maintain a case history for every patient and informed consent signed by the patient as part of the patient's records;</p> <p>(7) The licensed hearing instrument specialist shall carry appropriate professional liability insurance before performing cerumen removal; and</p> <p>(8) The licensed hearing instrument specialist is prohibited from requiring patients to sign any form that eliminates liability if the patient is harmed.</p> <p>63-17-224. Cerumen management course.</p> <p>(a) A licensed hearing instrument specialist who engages in cerumen management under § 63-17-223, must have completed a cerumen management course approved by the International Hearing Society, the American Academy of Otolaryngology-Head and Neck Surgery, or another organization approved by the council for licensing hearing instrument specialists. The course must:</p> <p>(1) Be overseen by a physician, preferably an otolaryngologist;</p> <p>(2) Consist of at least six (6) hours of a participant practicing removing cerumen from an ear canal model using a variety of safe techniques; and</p> <p>(3) Result in a certificate of completion and attestation of competence signed by the overseeing physician.</p> <p>(b) The council for licensing hearing instrument specialists is authorized to promulgate rules to effectuate the requirements of the course outlined in this section only after consultation with the board of medical examiners established at § 63-6-101. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.</p>
<p><a href="#">Wisconsin</a> (Dec 2023)</p>	<p>"The examining board shall issue a certificate to engage in cerumen management to a person licensed under this subchapter who completes a course on cerumen management identified by the department."</p>

Should the Committee recommend this revision, it is proposed that the recommendation also include a new definition for cerumen management, as suggested below for consideration and revision:

**NRS 637B.NEW "Cerumen Management" defined.**

**"Cerumen Management" means the removal of cerumen for the purpose of inspecting the ears, making impressions, and/or fitting and maintaining hearing aids.**

**Action:** Approve, Table, or Take No Action on the Matter



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### 3) Tinnitus Care & Definition

- The use of hearing aids for tinnitus masking and treatment is not the same as fitting hearing aids for hearing loss, as tinnitus treatment requires training and counseling beyond the initial hearing aid fitting.
- The [IHS Position Statement on the Practice of Hearing Aid Dispensing](#) includes “determining candidacy for hearing aids, tinnitus management devices, and other assistive listening devices” in its scope of practice for Hearing Aid Specialists.
- IHS offers a [Tinnitus Care Provider Certificate](#) earned during a three-day training workshop and assessment that culminates in a Tinnitus Care Provider certificate. IHS also advises practitioners using the title “Tinnitus Care Provider” to include “Holding a Certificate from the International Hearing Society.” IHS also advises that the certificate title does not replace the job title and practitioners should check their state rules, regulations and scope of practice regarding providing tinnitus care. IHS Tinnitus Care Provider Certificate Program participants and certificate holders are expected to understand and abide by all applicable local, state/provincial, and federal laws and rules governing scope of practice, licensure/registration requirements, and permissible titles.
- Nationally, only [North Carolina](#) currently addresses tinnitus care in rules and regulations:  
*§ 93D-1.1. “Hearing aid specialist; scope of practice. The scope of practice of a hearing aid specialist regulated pursuant to this Chapter shall include the following activities: (7) Providing hearing aid, tinnitus management device, and assistive device recommendations and selection.*

Should the Committee recommend this revision, it is proposed that the recommendation also include a new definition for tinnitus care, as suggested below for consideration and revision:

**NRS 637B.NEW** “Tinnitus Care” defined.

“Tinnitus Care” means the assessment of tinnitus symptoms and advising patients on sound therapy techniques and other strategies to address tinnitus symptoms.

**Action:** Approve, Table, or Take No Action on the Matter

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## AGENDA ITEM 6

### Review and Recommendation to the Board on Examination Requirements in NRS 637B and NAC 637B for HAS License to Engage in the Practice of Fitting and Dispensing Hearing Aids

Following discussions on HAS training and licensing requirements at the January 2024 Committee and Board meetings, the Board office received a request from IHS for the Board to consider waiving both the written and practical dispensing examinations for an applicant holding current NBC-HIS certification.

The matter is before the Committee to consider the suggestion and make a recommendation to the Board to either 1) affirm the current examination requirements with no revisions recommended, or 2) recommend revisions to the requirements in NRS 637B, NAC 637B, or applicable Board policies.

#### Background

IHS's request suggests that since NBC-HIS certification includes an exam demonstrating skills and knowledge, a person who has passed that exam and is maintaining board certification (including ongoing CEs), should be able to move from one state (where licensed) to another without taking the entry licensure exam. [Florida's HAS license requirements](#) were cited as an example, though Florida does not require a practical examination.

Currently, 40 states require a HAS applicant to pass both a written and practical examination, and 9 states require only a written examination, as outlined below. Many states indicate some level of reciprocity granted, but the number of states that fully waive examination requirements for those holding NBC-HIS certification and/or out-of-state licensure is unknown.

#### Hearing Aid Dispensing Examinations for HAS License by State

Written + Practical (40)	Alabama	Indiana	Missouri	North Carolina	Tennessee
	Arizona	Kansas	Montana	North Dakota	Texas
	Arkansas	Kentucky	Nebraska	Ohio	Utah
	California	Louisiana	Nevada	Oklahoma	Virginia
	Connecticut	Maine	New Hampshire	Oregon	Washington
	Georgia	Michigan	New Jersey	Rhode Island	West Virginia
	Idaho	Minnesota	New Mexico	South Carolina	Wisconsin
	Illinois	Mississippi	New York	South Dakota	Wyoming
	Colorado	Maryland			
	Delaware	Massachusetts			
Written Only (9)	Florida*	Pennsylvania			
	Hawaii	Vermont			
	Iowa				
None (2)	Alaska	*Exam waived when holding NBC-IHS certification			
	DC				

  

Exam Versions Used (# of states)	Written	Practical
IHS	43	23
IHS or State	1	0
State	5	17



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### Recommendation Options

- **OPTION 1:** Affirm the current examination requirements with no revisions recommended.

- **OPTION 2:** Recommend revision to [NRS 637B.193\(2\)](#) to waive one or both exams.

BLUE = ALREADY APPROVED ADDITION | RED = ALREADY APPROVED DELETION | PURPLE = REVISION FOR CONSIDERATION

#### **NRS 637B.193 Hearing aid specialists: Qualifications of applicants.**

An applicant for a license to engage in the practice of fitting and dispensing hearing aids must:

1. Successfully complete a program of education or training approved by the Board which requires, without limitation, that the applicant:
  - (a) Hold an associate's degree or bachelor's degree in hearing instrument sciences; or
  - (b) Hold a high school diploma or its equivalent or an associate's degree or bachelor's degree in any field other than hearing instrument sciences, and successfully complete a training program in hearing instrument sciences as prescribed by regulation of the Board; or
  - (c) Hold current certification from the National Board for Certification in Hearing Instrument Sciences.
- [2. Except as otherwise provided in [NRS 637B.201](#), be certified by the National Board for Certification in Hearing Instrument Sciences.]
- [3.] 2. Pass the examination prescribed pursuant to [NRS 637B.194](#).
- [4.] 3. Comply with the regulations adopted pursuant to [NRS 637B.194](#).
- [5.] 4. Include in his or her application the complete street address of each location from which the applicant intends to engage in the practice of fitting and dispensing hearing aids.

- **OPTION 3:** Recommend revisions to [NRS 637B.203](#) & [637B.204](#) to Include HAS in License by Endorsement and to waive one or both exams. Guidance may be needed to determine if this would be sufficient by itself.

**NRS 637B.203** Expedited license by endorsement to practice audiology speech-language pathology: Requirements; procedure for issuance.

**NRS 637B.204** Expedited license by endorsement to practice audiology speech-language pathology for active member of Armed Forces, member's spouse, veteran or veteran's surviving spouse: Requirements; procedure for issuance; provisional license pending action on application.

- **OPTION 4:** Recommend revision to [NAC 637B.0373](#) to waive one or both exams OR determine whether (5) would allow the Board to determine whether the written NBC-IHS certification exam is "substantially equivalent" and waive the written exam only.

PURPLE = REVISION FOR CONSIDERATION

**NAC 637B.0373 Examination for license to engage in practice of fitting and dispensing hearing aids: Contents; eligibility; passing score; authorization to retake upon payment of fee.** (NRS 637B.132, 637B.175, 637B.191, 637B.194)

1. The examination prescribed by the Board pursuant to [NRS 637B.194](#) must consist of a written portion and a practical portion. The examination may also include a portion that tests the familiarity of an applicant with the provisions of this chapter and chapter 637B of NRS and all other federal laws and regulations relevant to the practice of fitting and dispensing hearing aids in this State.
2. To be eligible to take the examination set forth in subsection 1, an applicant must:
  - (a) File a completed application with the Executive Director of the Board; and
  - (b) Pay the examination fee prescribed by [NAC 637B.030](#).
3. The Board will establish the passing score for the examination set forth in subsection 1.
4. If an applicant does not achieve a passing score on the examination set forth in subsection 1, as established by the Board pursuant to subsection 3, he or she may retake the examination upon payment of the examination fee prescribed by [NAC 637B.030](#).



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5. The Board may approve and accept a passing score obtained on a written examination taken within the immediately preceding 12 months if the examination taken by the applicant was substantially the same as the written portion of the examination prescribed by the Board.

- **OPTION 5:** Recommend revision to *Board Policy 03 – Dispensing Examinations* to waive one or both exams for an applicant who has completed one or both exams in another state.

This policy currently only provides a waiver to an applicant applying to reinstate their Nevada license (expired 3 years or less) as written below. This current waiver is limited to the applicant having 1) already held a Nevada license but does not specify a time limit if the applicant is currently licensed in another state. If not, they are limited to having passed no more than 3.5 years preceding the reinstatement application, as a HAS applicant can begin sitting for the examinations up to 6 months in advance of eligibility to expedite licensure once all requirements have been met.

***Board Policy 03 – Dispensing Examinations***

***3. Special Circumstances***

***a. Reinstatement of License***

*A Dispensing Audiologist or Hearing Aid Specialist requesting license reinstatement must retake both the written and practical examinations unless one (1) of the conditions below applies:*

- 1) *They passed the examinations within the past five (5) years; OR*
- 2) *They did not pass the examinations within the past five (5) years but are currently licensed and actively practicing in another state.*

- **OPTION 6:** Other recommendations identified by the Committee.

**Action:** Approve, Table, or Take No Action on the Matter



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board  
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## AGENDA ITEM 7

### Reports from Committee Chair and Members

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- a. Report from Committee Chair and Board Members
- b. Next Meeting (proposed): Wednesday, July 10, 2024 at 4:30pm
- c. Future Agenda Items

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**Action:** Approve, Table, or Take No Action on the Matter



State of Nevada

Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board  
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## AGENDA ITEM 8

### 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)*

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**Action:** None – Informational Only



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## AGENDA ITEM 9

### Adjournment

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**Action:** Meeting Adjourned