

Assembly Bill No. 177—Assemblymembers
González; and Brown-May

CHAPTER.....

AN ACT relating to professions; providing for the licensure of speech-language pathology assistants; authorizing certain persons to engage in the supervised practice of speech-language pathology; revising the scope of practice of audiologists, hearing aid specialists and speech-language pathologists; requiring certain persons to be licensed and regulated as audiologists or speech-language pathologists; increasing the maximum amount of certain fees; authorizing the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board to waive fees in certain circumstances; requiring that certain fees be discounted for certain persons affiliated with the military; revising the required qualifications for and processes for issuing certain licenses; eliminating the requirement for a licensed audiologist to obtain an endorsement before engaging in the practice of fitting and dispensing hearing aids; revising provisions relating to the sale of hearing aids; imposing certain requirements relating to the classification of persons who practice speech-language pathology in schools under a collective bargaining agreement; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) with certain exceptions, requires a person who engages in the practice of audiology, fitting and dispensing hearing aids or speech-language pathology to be licensed by the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board; and (2) prescribes the qualifications necessary to obtain such licenses. (NRS 637B.160, 637B.193-637B.204, 637B.290) **Section 22** of this bill increases the maximum amount of certain fees relating to such licensure. **Section 22** authorizes the Board to waive all or part of such fees in certain circumstances. **Section 22** also requires the Board to collect not more than half of the fee that would otherwise be required for the initial licensure of an applicant who: (1) is an active member of the Armed Forces of the United States or a spouse of such a person; (2) a veteran or the surviving spouse of a veteran; or (3) a family member of a person killed in the line of duty in the Armed Forces of the United States under certain circumstances. **Sections 27-29** of this bill authorize an applicant for certain types of licenses which require the applicant to hold a license in another state to satisfy this requirement by holding the required license in the District of Columbia or any state or territory of the United States. **Section 30** of this bill revises the procedures for issuing an expedited license by endorsement to practice audiology or speech-language pathology. Existing law authorizes the Board to issue a provisional license to practice audiology or speech-language pathology to certain applicants affiliated with the military who are awaiting a decision by the Board on an application for an expedited license by endorsement. (NRS 637B.204) **Section 39** of this bill repeals that authority, thereby making the



procedures for issuing an expedited license by endorsement under **section 30** applicable to all applicants for such a license. **Sections 21 and 22** of this bill remove references to the repealed section.

Section 16 of this bill expands the activities that constitute the practice of speech-language pathology to include the use of stroboscopy, in addition to nasal endoscopy, for evaluating and treating certain disorders. **Section 16** also revises terminology used to refer to certain procedures that currently constitute the practice of speech-language pathology.

Existing law authorizes a student who is pursuing a degree in speech-language pathology at certain institutions to engage in the unlicensed practice of speech-language pathology. (NRS 637B.080) Existing law authorizes the Board to issue a provisional license to engage in the practice of speech-language pathology to a person in the process of completing certain clinical fellowship requirements. (NRS 637B.201) **Section 3** of this bill defines the term “speech-language pathology provisional licensee” to refer to the holder of such a provisional license. **Section 26** of this bill makes a conforming change to appropriately substitute the term defined by **section 3**. **Section 9** of this bill authorizes the Board to issue a license as a speech-language pathology assistant and prescribes the qualifications for such a license. **Section 9** also requires the Board to adopt regulations governing the licensure and practice of speech-language pathology assistants. **Section 10** of this bill authorizes a speech-language pathology assistant, a speech-language pathology provisional licensee or a speech-language pathology student to engage in the practice of speech-language pathology only under the supervision of a supervising speech-language pathologist. **Section 18** of this bill makes a conforming change to reflect that a student engaged in the supervised practice of speech-language pathology is subject to regulation by the Board pursuant to **section 10**. **Sections 35-38** of this bill make conforming changes to clarify that a student who is engaging in the supervised practice of speech-language pathology pursuant to **section 10** is not engaging in the unauthorized practice of speech-language pathology. **Sections 2 and 4-7** of this bill define certain other terms relating to the supervised practice of speech-language pathology and **section 12** of this bill establishes the applicability of those definitions.

Existing law exempts from licensure and regulation by the Board a person who practices audiology or speech-language pathology within the scope of certain credentials issued by the Department of Education. (NRS 637B.080) **Section 18** limits the applicability of this exemption to a person who holds a current endorsement that is issued by the Department on or before September 30, 2026. **Section 9** provides that a person is qualified for licensure as a speech-language pathology assistant if the person: (1) holds an endorsement issued by the Department on or before September 30, 2026, which allows the person to teach pupils with speech and language impairments; and (2) actively practices speech-language pathology within the scope of that endorsement at the school or school district where the person is employed. **Section 38.3** of this bill requires that a person who holds such an endorsement, is employed by a school district and is subject to a collective bargaining agreement be classified in the same manner for purposes of the agreement as a licensed speech-language pathologist.

Sections 24, 25 and 28 of this bill revise the qualifications required to obtain a license as a hearing aid specialist, a license as an apprentice to engage in the practice of fitting and dispensing hearing aids or a provisional license to engage in the practice of fitting and dispensing hearing aids.

Existing law authorizes the Board to grant an audiologist who wishes to engage in the practice of fitting and dispensing hearing aids an endorsement to engage in such practice as a dispensing audiologist. (NRS 637B.205) **Section 14** of this bill



includes within the practice of audiology certain activities that substantially overlap with the practice of fitting and dispensing hearing aids, including ordering the use of hearing aids. **Section 15** of this bill expands the activities that constitute the practice of fitting and dispensing hearing aids to include ordering the use of hearing aids. Accordingly, **section 39** repeals the separate endorsement for dispensing audiologists and **sections 17, 19, 20, 22, 23, 25, 27 and 31-33** of this bill make conforming changes to eliminate references to such endorsements and to dispensing audiologists.

Federal law requires the United States Food and Drug Administration to regulate over-the-counter hearing aids. (FDA Reauthorization Act of 2017 Pub. L. No. 115-52, § 709, 131 Stat. 1005, 1065–67) Federal law and regulations prohibit state or local governments from requiring the order, involvement or intervention of a licensed person for a consumer to access an over-the-counter hearing aid. (Pub. L. No. 115-52, § 709; 21 C.F.R. § 800.30) **Sections 13 and 34** of this bill prohibit the Board from regulating or restricting the provision of over-the-counter hearing aids unless a licensee violates federal law applicable to such devices. **Section 34** also updates certain references to related federal regulations.

In 2022, the federal Food and Drug Administration repealed a regulation that prohibited the sale of a hearing aid unless: (1) the person dispensing the hearing aid has received a written statement or waiver stating that the patient’s hearing loss has been medically evaluated and the patient may be considered a candidate for a hearing aid; or (2) the patient waives the medical evaluation in writing. (87 FR 50755) **Section 32** removes conforming requirements from Nevada law governing the sale of hearing aids by catalog, mail or the Internet, thereby authorizing such sales without such a statement or waiver.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 637B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 11, inclusive, of this act.

Sec. 2. *“Speech-language pathology assistant” means a person licensed pursuant to section 9 of this act to engage in the practice of speech-language pathology under the supervision of a supervising speech-language pathologist.*

Sec. 3. *“Speech-language pathology provisional licensee” means any person who holds a provisional license issued pursuant to NRS 637B.201 to engage in the practice of speech-language pathology while completing the clinical fellowship requirements for obtaining a Certificate of Clinical Competence in Speech-Language Pathology issued by the American Speech-Language-Hearing Association.*

Sec. 4. *“Speech-language pathology student” means an unlicensed student who engages in the practice of*



speech-language pathology under the supervision of a supervising speech-language pathologist pursuant to section 10 of this act.

Sec. 5. “Supervising speech-language pathologist” means a speech-language pathologist who supervises a speech-language pathology assistant, speech-language pathology provisional licensee or speech-language pathology student.

Sec. 6. “Supervision” means the provision of direction and the evaluation of the tasks assigned by a supervising speech-language pathologist to a speech-language pathology assistant, speech-language pathology provisional licensee or speech-language pathology student. The term includes, without limitation, direct supervision, indirect supervision and telesupervision.

Sec. 7. “Telesupervision” means the real-time, distance observation by a supervising speech-language pathologist of services delivered by a speech-language pathology assistant, speech-language pathology provisional licensee or speech-language pathology student, with feedback or assistance provided by the supervising speech-language pathologist as needed. The term may include, without limitation, the utilization of technology which allows a supervising speech-language pathologist to view and communicate with the client and speech-language pathology assistant, speech-language pathology provisional licensee or speech-language pathology student in real time through virtual telecommunication software, webcam, telephone or other similar devices and services to provide immediate feedback.

Sec. 8. (Deleted by amendment.)

Sec. 9. 1. An applicant for a license to engage in the practice of speech-language pathology as a speech-language pathology assistant must hold:

(a) A bachelor’s degree or master’s degree in speech-language pathology or communication sciences and disorders awarded by:

(1) An educational institution that is accredited by an accrediting agency recognized by the United States Department of Education; or

(2) A foreign school which is accredited by an accrediting agency approved by the Board and which provides an educational program that is substantially equivalent to the educational program provided by an institution described in subparagraph (1); or

(b) A current endorsement issued on or before September 30, 2026, by the Department of Education pursuant to NRS 391.019 and any regulations adopted pursuant thereto which allows a person to teach pupils who have speech and language



impairments and actively engage in the practice of speech-language pathology within the scope of that endorsement at the school or school district where the applicant is employed.

2. The Board shall adopt regulations regarding speech-language pathology assistants, including, without limitation:

(a) The licensing of speech-language pathology assistants;

(b) The educational and training requirements for speech-language pathology assistants, in addition to the requirements prescribed by subsection 1; and

(c) The practice of speech-language pathology by speech-language pathology assistants.

Sec. 10. *1. A speech-language pathology assistant, speech-language pathology provisional licensee or speech-language pathology student may engage in the practice of speech-language pathology only under the supervision of a supervising speech-language pathologist and in accordance with the provisions of this chapter and any regulations adopted pursuant thereto.*

2. A speech-language pathology student who engages in the practice of speech-language pathology must be enrolled in a program to obtain a bachelor's degree or master's degree in the field of speech-language pathology or communication sciences and disorders at an educational institution that is accredited by a nationally recognized agency under the United States Department of Education.

3. The Board shall adopt regulations regarding the supervision of speech-language pathology assistants, speech-language pathology provisional licensees and speech-language pathology students.

Sec. 11. (Deleted by amendment.)

Sec. 12. NRS 637B.020 is hereby amended to read as follows:

637B.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 637B.025 to 637B.075, inclusive, *and sections 2 to 8, inclusive, of this act* have the meanings ascribed to them in those sections.

Sec. 13. NRS 637B.044 is hereby amended to read as follows:

637B.044 "Hearing aid" : ~~{means any:}~~

1. ~~{Device}~~ *Except as otherwise provided in subsection 2, means:*

(a) Any 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



(b) Any part, attachment or accessory for a device described in paragraph (a).

2. ~~{Part, attachment or accessory for such a device.}~~ *Does not include an over-the-counter hearing aid, as defined in 21 C.F.R. § 800.30.*

Sec. 14. NRS 637B.050 is hereby amended to read as follows:

637B.050 “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 selection, fitting, programming , ~~{and}~~ dispensing *and ordering the use* of hearing aids, the programming of ~~{cochlear implants}~~ *implantable hearing devices* and other technology which assists persons with hearing loss and training persons to use such technology;
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; *and*
6. Providing referral services for medical diagnosis and treatment . ~~{; and~~
- ~~—7. At the request of a physician, participating in the diagnosis of a person.}~~

Sec. 15. NRS 637B.055 is hereby amended to read as follows:

637B.055 “Practice of fitting and dispensing hearing aids” means measuring human hearing and selecting, adapting, distributing , ~~{or}~~ selling *or ordering the use of* 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. Selecting , ~~{and}~~ fitting *and ordering the use of* 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 selecting, adapting, distributing, ~~for~~ selling *or ordering the use of* hearing aids; and

8. Providing referral services for clinical evaluation, rehabilitation and medical treatment of hearing impairment.

Sec. 16. NRS 637B.060 is hereby amended to read as follows:

637B.060 “Practice of speech-language pathology” means the application of principles, methods and procedures relating to the development and effectiveness of human communication and disorders of human communication, and includes, without limitation:

1. The prevention, screening, consultation, assessment, treatment, counseling, collaboration and referral services for disorders of speech, fluency, resonance voice language, feeding, swallowing and cognitive aspects of communication;

2. Augmentative and alternative communication techniques and strategies;

3. Auditory training, speech reading and speech and language intervention for persons who suffer from hearing loss;

4. The screening of persons for hearing loss and middle ear pathology;

5. The use of *rigid* oral ~~and~~ *endoscopy, flexible* nasal endoscopy *and stroboscopy* for the purpose of ~~[vocal tract imaging and visualization;]~~ *evaluating and treating disorders of speech, voice, resonance and swallowing function;*

6. Selecting, fitting and establishing effective use of prosthetic or adaptive devices for communication, swallowing or other upper respiratory and digestive functions, not including sensory devices used by persons with hearing loss;

7. Providing services to modify or enhance communication;

8. Providing referral services for medical diagnosis and treatment; and

9. At the request of a physician, participating in the diagnosis of a person.

Sec. 17. NRS 637B.075 is hereby amended to read as follows:

637B.075 “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.

Sec. 18. NRS 637B.080 is hereby amended to read as follows:

637B.080 The provisions of this chapter do not apply to any person who:



1. Holds a current ~~credential~~ **endorsement** issued by the Department of Education **on or before September 30, 2026**, pursuant to ~~chapter 391 of~~ NRS 391.019 and any regulations adopted pursuant thereto ~~and~~, **does not hold a license issued by the Board pursuant to this chapter and** engages in the practice of audiology or speech-language pathology **solely** within the scope of that ~~credential~~ **endorsement**;

2. Is employed by the Federal Government and engages in the practice of audiology or speech-language pathology within the scope of that employment;

3. Is a student enrolled in a program or school approved by the Board, is pursuing a degree in audiology ~~for speech-language pathology~~ and is clearly designated to the public as a student; or

4. Holds a current license issued pursuant to chapters 630 to 637, inclusive, 640 to 641D, inclusive, or 653 of NRS,
➔ and who does not engage in the private practice of audiology or speech-language pathology in this State.

Sec. 19. NRS 637B.100 is hereby amended to read as follows:

637B.100 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.

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.

Sec. 20. NRS 637B.132 is hereby amended to read as follows:
637B.132 The Board shall:

1. Enforce the provisions of this chapter and any regulations adopted pursuant thereto;

2. Prepare and maintain a record of its proceedings, including, without limitation, any administrative proceedings;

3. Evaluate the qualifications and determine the eligibility of an applicant for any license ~~for endorsement of a license~~ issued pursuant to this chapter and, upon payment of the appropriate fee, issue the appropriate license ~~for endorsement of a license~~ to a qualified applicant;

4. Adopt regulations establishing standards of practice for persons licensed ~~for endorsed~~ pursuant to this chapter and any other regulations necessary to carry out the provisions of this chapter;

5. Require a person licensed ~~for endorsed~~ pursuant to this chapter to submit to the Board documentation required by the Board to determine whether the person has acquired the skills necessary to engage in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids;

6. Investigate any complaint received by the Board against any person licensed ~~for endorsed~~ pursuant to this chapter;

7. Hold hearings to determine whether any provision of this chapter or any regulation adopted pursuant to this chapter has been violated; and

8. Unless the Board determines that extenuating circumstances exist, forward to the appropriate law enforcement agency any substantiated information submitted to the Board concerning a person who engages in the practice of or offers to engage in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids without the appropriate license ~~for endorsement~~ issued pursuant to the provisions of this chapter.

Sec. 21. NRS 637B.160 is hereby amended to read as follows:
637B.160 Except as otherwise provided in NRS 637B.195, 637B.200, 637B.201 ~~and~~ **and** 637B.203 , ~~and 637B.204,~~ to be eligible for licensing by the Board, an applicant for a license to



engage in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids must:

1. Be a natural person of good moral character;
2. Pass an examination prescribed by the Board pursuant to NRS 637B.191 or 637B.194, as applicable;
3. Pay the fees provided for in this chapter; and
4. Submit all information required to complete an application for a license.

Sec. 22. NRS 637B.175 is hereby amended to read as follows:

637B.175 1. ~~[The]~~ *Except as otherwise provided in this section, the* Board shall charge and collect only the following fees whose amounts must be determined by the Board, but may not exceed:

Application fee	[\$150] \$300
License fee.....	[100] 200
Fee for the renewal of a license	[100] 200
Reinstatement fee	[100] 300
Examination fee.....	[300] 500
Fee for converting to a different type of license.....	50
Fee for each additional license [for endorsement]	50
Fee for obtaining license information.....	[50] 200

2. If an ~~[applicant]~~ *active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran or a family member of a person who was killed in the line of duty while on active duty in the Armed Forces of the United States* 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. *For the purposes of this subsection, a person shall be deemed to have been killed in the line of duty while on active duty in the Armed Forces of the United States if the person:*

- (a) *Was killed directly in the line of duty; or*
- (b) *Died as the result of injuries sustained while in the line of duty.*

3. All fees are payable in advance and may not be refunded.

4. *The Board may waive all or part of a fee set forth in subsection 1 at a meeting of the Board or pursuant to criteria established by regulation of the Board.*

5. *As used in this section:*



(a) *“Family member” means a widow, widower, parent, stepparent, grandparent, child, stepchild, dependent, sibling, half sibling or stepsibling.*

(b) *“Veteran” has the meaning ascribed to it in NRS 417.005.*

Sec. 23. NRS 637B.191 is hereby amended to read as follows:
637B.191 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 ~~for 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.

Sec. 24. NRS 637B.193 is hereby amended to read as follows:

637B.193 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; ~~for~~

(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 ~~H~~; or

(c) *Hold a current certification issued by 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.~~ 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.

Sec. 25. NRS 637B.194 is hereby amended to read as follows:

637B.194 The Board shall adopt regulations regarding the practice of fitting and dispensing hearing aids, including, without limitation:

1. The licensing of hearing aid specialists and apprentices;

2. The educational and training requirements for hearing aid specialists and apprentices ~~to~~ , *which must include, without limitation, on-site training and work experience;*

3. The examination required pursuant to NRS 637B.160, 637B.193 ~~to 637B.205~~ and 637B.238 concerning the practice of fitting and dispensing hearing aids; and

4. A program of in-service training for apprentices.

Sec. 26. NRS 637B.197 is hereby amended to read as follows:

637B.197 Except for ~~the holder of a provisional license issued pursuant to NRS 637B.201~~ *a speech-language pathology provisional licensee* and in addition to the requirements set forth in NRS 637B.196, a speech-language pathologist must hold a current ~~certificate of clinical competence~~ *Certificate of Clinical Competence in Speech-Language Pathology* issued by the American Speech-Language-Hearing Association or its successor organization approved by the Board.

Sec. 27. NRS 637B.200 is hereby amended to read as follows:

637B.200 1. The Board may issue a temporary license to engage in the practice of:

(a) Audiology, speech-language pathology or fitting and dispensing hearing aids upon application and the payment of the fee required pursuant to NRS 637B.175 to any person who is so licensed in ~~another~~ *the District of Columbia or any state or territory of the United States* and who meets all the qualifications for licensing in this State; and

(b) Fitting and dispensing hearing aids upon application and payment of the fee required pursuant to NRS 637B.175 to any person who meets all the qualifications for licensing as a hearing aid



specialist ~~for an endorsement of a license to engage in the practice of fitting and dispensing hearing aids~~ other than passing the examination concerning the practice of fitting and dispensing hearing aids prescribed pursuant to NRS 637B.194.

2. The Board may issue a temporary license to engage in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids upon application and payment of the fee required pursuant to NRS 637B.175 to any spouse of a member of the Armed Forces of the United States who:

(a) Is so licensed in ~~another state;~~ *the District of Columbia or any state or territory of the United States;* and

(b) Attests that he or she meets all of the qualifications for licensure in this State.

3. A temporary license issued pursuant to this section:

(a) Is valid for not more than 6 months;

(b) May be renewed not more than once; and

(c) May be converted to ~~an active~~ *a standard* license upon the completion of all requirements for a license and payment of the fee required by NRS 637B.175.

Sec. 28. NRS 637B.201 is hereby amended to read as follows:

637B.201 1. Upon application and payment of the application fee required pursuant to NRS 637B.175, the Board may issue a provisional license to engage in the practice of:

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

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

(1) Holds a license to engage in the practice of fitting and dispensing hearing aids in ~~another state;~~ *the District of Columbia or any state or territory of the United States;* and

(2) ~~Is completing the training required for certification by the National Board for Certification in Hearing Instrument Sciences;~~ *Meets the requirements of paragraph (a), (b) or (c) of subsection 1 of NRS 637B.193 but has not yet completed the on-site training and work experience required by the regulations adopted pursuant to NRS 637B.194.*

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

(a) Renewed not more than twice; and

(b) Converted to ~~an active~~ *a standard* license upon payment of the fee required pursuant to NRS 637B.175 for converting the license and the ~~award~~ *submission to the Board* of ~~[-~~



~~— (1) A certificate of clinical competence~~ *proof that the holder of the provisional license:*

(1) Holds a current Certificate of Clinical Competence in Speech-Language Pathology issued by the American Speech-Language-Hearing Association ~~[-or-]~~, if the provisional license authorizes the holder to engage in the practice of speech-language pathology.

(2) ~~[Certification by the National Board for Certification in Hearing Instrument Sciences.]~~ Has successfully completed the on-site training and work experience required by the regulations adopted pursuant to NRS 637B.194, if the provisional license authorizes the holder to engage in the practice of fitting and dispensing hearing aids.

Sec. 29. NRS 637B.202 is hereby amended to read as follows:

637B.202 1. Upon application and payment of the application fee required pursuant to NRS 637B.175, the Board may issue a limited license to engage in the practice of audiology or speech-language pathology to a person who:

(a) Holds a current license to engage in the practice of audiology or speech-language pathology in ~~another state;~~ *the District of Columbia or any state or territory of the United States;* and

(b) Engages in the practice of audiology or speech-language pathology in this State for demonstration, instructional or educational purposes.

2. A limited license issued pursuant to this section is valid for not more than 15 days.

Sec. 30. NRS 637B.203 is hereby amended to read as follows:

637B.203 1. The Board may issue a license by endorsement to engage in the practice of audiology or speech-language pathology to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to engage in the practice of audiology or speech-language pathology, as applicable, in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has



held a license to engage in the practice of audiology or speech-language pathology, as applicable; and

(3) Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to engage in the practice of audiology or speech-language pathology pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to engage in the practice of audiology or speech-language pathology, as applicable, to the applicant not later than 45 days after receiving the application.

~~{4. A license by endorsement to engage in the practice of audiology or speech-language pathology may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.}~~

Sec. 31. NRS 637B.236 is hereby amended to read as follows:

637B.236 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.

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.



Sec. 32. NRS 637B.242 is hereby amended to read as follows:
637B.242 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) The~~ **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.

Sec. 33. NRS 637B.243 is hereby amended to read as follows:
637B.243 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.

Sec. 34. NRS 637B.250 is hereby amended to read as follows:

637B.250 1. The grounds for initiating disciplinary action pursuant to this chapter are:

(a) Unprofessional conduct.

(b) Conviction of:

(1) A violation of any federal or state law regarding the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS;

(2) A felony or gross misdemeanor relating to the practice of audiology, speech-language pathology or fitting and dispensing hearing aids;

(3) A violation of any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive; or

(4) Any offense involving moral turpitude.

(c) Gross or repeated malpractice, which may be evidenced by claims of malpractice settled against a practitioner.

(d) Professional incompetence.

(e) Operation of a medical facility, as defined in NRS 449.0151, at any time during which:

(1) The license of the facility is suspended or revoked; or

(2) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

➤ This paragraph applies to an owner or other principal responsible for the operation of the facility.

2. As used in this section, “unprofessional conduct” includes, without limitation:

(a) Conduct that is harmful to the public health or safety;

(b) Obtaining a license through fraud or misrepresentation of a material fact;

(c) Suspension or revocation of a license to engage in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids; and

(d) A violation of any provision of:

(1) Federal law concerning the practice of audiology, speech-language pathology or fitting and dispensing hearing aids or any regulations adopted pursuant thereto, including, without limitation, 21 C.F.R. §§ ~~801.420~~ **800.30** and ~~801.421;~~ **801.422;**

(2) NRS 597.264 to 597.267, inclusive, or any regulations adopted pursuant thereto; or

(3) This chapter or any regulations adopted pursuant thereto.



Sec. 35. NRS 637B.290 is hereby amended to read as follows:

637B.290 1. ~~1A~~ *Except as otherwise provided in this chapter,* 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 ~~1~~ *in violation of subsection 1,* 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 of subsection 1. An order to cease and desist must include a telephone number with which the person may contact the Board.

(b) Issue a citation to the person. A citation issued pursuant to this paragraph must be in writing, describe with particularity the nature of the violation and inform the person of the provisions of this paragraph. Each activity in which the person is engaged constitutes a separate offense for which a separate citation may be issued. To appeal a citation, the person must submit a written request for a hearing to the Board not later than 30 days after the date of issuance of the citation.

(c) Assess against the person an administrative fine of not more than \$5,000.

(d) Impose any combination of the penalties set forth in paragraphs (a), (b) and (c).

Sec. 36. NRS 637B.291 is hereby amended to read as follows:

637B.291 Unless the Board determines that extenuating circumstances exist, the Board shall forward to the appropriate law enforcement agency any substantiated information submitted to the Board concerning a person who engages in the practice of or offers to engage in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids without the appropriate license issued pursuant to the provisions of this chapter ~~1~~ *in violation of NRS 637B.290.*

Sec. 37. NRS 637B.295 is hereby amended to read as follows:

637B.295 A member or any agent of the Board may enter any premises in this State where a person who holds a license issued pursuant to the provisions of this chapter engages in the practice of audiology, speech-language pathology or fitting and dispensing



hearing aids and inspect it to determine whether a violation of any provision of this chapter has occurred, including, without limitation, an inspection to determine whether any person at the premises is engaging in the practice of audiology, speech-language pathology or fitting and dispensing hearing aids without the appropriate license issued pursuant to the provisions of this chapter ~~{ }~~ **in violation of NRS 637B.290.**

Sec. 38. NRS 637B.310 is hereby amended to read as follows:

637B.310 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 ~~{ }~~ **in violation of NRS 637B.290.**

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.

Sec. 38.3. NRS 391.162 is hereby amended to read as follows:

391.162 1. Each year when determining the salary of a person who is employed by a school district as a speech-language pathologist, the school district shall add 5 percent to the salary that the employee would otherwise receive in 1 year for the employee's classification on the schedule of salaries for the school district if:

~~{(a)}~~ (a) On or before September 15 of the school year, the employee has submitted evidence satisfactory to the school district of the employee's:

~~{(a)}~~ (1) Licensure as a speech-language pathologist by the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board; **or**

~~{(b)}~~ (2) Certification as being clinically competent in speech-language pathology by:

~~{(1)}~~ (I) The American Speech-Language-Hearing Association; or

~~{(2)}~~ (II) A successor organization to the American Speech-Language-Hearing Association that is recognized and determined to be acceptable by the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board; and

~~{(b)}~~ (b) The employee is assigned by the school district to serve as a speech-language pathologist during the school year.

~~{ }~~



2. No increase in salary may be given pursuant to ~~[this section]~~ **subsection 1** during a particular school year to an employee who submits evidence of licensure and certification after September 15 of that school year. Once an employee has submitted evidence of such licensure and certification to the school district, the school district shall retain the evidence in its records, as applicable, for future school years. An increase in salary given in accordance with ~~[this section]~~ **subsection 1** is in addition to any other increase to which the employee may otherwise be entitled.

3. *Any person employed by a school district who is subject to a collective bargaining agreement, including, without limitation, a licensed speech-language pathology assistant, must be classified in the same manner under the collective bargaining agreement as an employee who holds a license to practice speech-language pathology if the person holds an endorsement issued by the Department on or before September 30, 2026, pursuant to NRS 391.019 and any regulations adopted thereto which authorizes the person to teach pupils who have speech and language impairments.*

Sec. 38.6. The provisions of subsection 3 of NRS 391.162, as amended by section 38.3 of this act, do not apply to any collective bargaining agreement entered into before January 1, 2026, but apply to any renewal of such a collective bargaining agreement.

Sec. 39. NRS 637B.042, 637B.204 and 637B.205 are hereby repealed.

Sec. 40. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 39, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) January 1, 2026, for all other purposes.

