
ASSEMBLY BILL NO. 115—ASSEMBLYWOMEN BENITEZ-THOMPSON
AND BUSTAMANTE ADAMS

FEBRUARY 5, 2015

JOINT SPONSORS: SENATORS SPEARMAN AND PARKS

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing audiologists, speech-language pathologists and hearing aid specialists. (BDR 54-165)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to occupations; making certain provisions concerning providers of health care applicable to audiologists and speech-language pathologists; establishing the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board by expanding the existing Board of Examiners for Audiology and Speech Pathology and abolishing the existing Board of Hearing Aid Specialists; prescribing the requirements for the licensure of audiologists, speech-language pathologists and hearing aid specialists; prescribing the requirements to engage in telepractice by an audiologist or a speech-language pathologist; prescribing the requirements for the licensure and practice of an apprentice hearing aid specialist; prescribing the requirements for the practice of a hearing aid specialist; making certain provisions applicable to hearing aid specialists; imposing certain fees; providing that certain acts are grounds for disciplinary action by the Board; providing a penalty; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law defines "provider of health care" as a person who practices any of
2 certain health-related professions. (NRS 629.031) Existing law imposes certain
3 requirements upon providers of health care, including requirements for the retention
4 of patient records, requirements for billing, standards for advertisements and
5 criminal penalties for acquiring certain debts. (NRS 629.051, 629.071, 629.076,
6 629.078) **Section 1** of this bill includes speech-language pathologists and
7 audiologists in the definition of "provider of health care," which has the effect of
8 making these requirements applicable to speech-language pathologists and
9 audiologists. Existing law also includes the definition of "provider of health care"
10 by reference in various other provisions. By expanding the definition, the bill
11 expands the definition for those other provisions, thereby making those provisions
12 include speech-language pathologists and audiologists as providers of health care.
13 The term is referenced in provisions relating to various subjects including, without
14 limitation, admissibility of the testimony of hypnotized witnesses, power of
15 attorney, practice during declared emergencies, investigations conducted
16 concerning facilities for long-term care, confidentiality of reports and referrals
17 relating to maternal health, payments by insurance, release of the results of certain
18 laboratory tests, drug donation programs, interpreters and realtime captioning
19 providers and the Silver State Health Insurance Exchange. (NRS 41.141, 48.039,
20 162A.790, 415A.210, 427A.145, 442.395, 449.2475, chapter 453B of NRS, NRS
21 652.193, chapters 656A and 695I of NRS)

22 Existing law establishes the Board of Hearing Aid Specialists to license and
23 oversee hearing aid specialists and the Board of Examiners for Audiology and
24 Speech Pathology to license and oversee audiologists and speech pathologists.
25 (Chapters 637A and 637B of NRS) **Section 72** of this bill repeals provisions
26 establishing the Board of Hearing Aid Specialists, and **section 44** of this bill
27 establishes the Speech-Language Pathology, Audiology and Hearing Aid
28 Dispensing Board to license and oversee audiologists, speech-language pathologists
29 and hearing aid specialists. **Section 45** of this bill requires the Board to elect a
30 Chair and a Vice Chair and to comply with certain provisions of NRS governing
31 meetings of state and local agencies. **Section 46** of this bill authorizes the Board to
32 employ certain persons and provides for compensation of the members and
33 employees of the Board. **Section 16** of this bill authorizes the Board to select
34 certain persons as advisory members, and **sections 17, 18, 25 and 28** of this bill
35 prescribe the responsibilities of the Board.

36 **Sections 19, 26, 47 and 48** of this bill prescribe certain requirements for
37 applicants for licenses to engage in the practice of audiology, speech-language
38 pathology or fitting and dispensing hearing aids. **Section 20** of this bill requires a
39 speech-language pathologist who does not have a provisional license to have a
40 current certificate of clinical competence issued by the American Speech-
41 Language-Hearing Association or a successor organization approved by the Board.
42 **Sections 21, 22 and 50** of this bill authorize the Board to issue limited, provisional
43 and temporary licenses to certain applicants. **Section 23** of this bill prescribes
44 requirements for an audiologist or an applicant for a license to engage in the
45 practice of audiology to obtain an endorsement of his or her license to also engage
46 in the practice of fitting and dispensing hearing aids.

47 **Section 24** of this bill prescribes requirements concerning telepractice by an
48 audiologist or a speech-language pathologist.

49 **Sections 25-35** of this bill enact requirements for the licensing and practice of
50 hearing aid specialists in chapter 637B of NRS, and **section 72** repeals those
51 requirements in chapter 637A of NRS. **Section 27** authorizes the Board to issue an
52 apprentice license to an applicant who has not yet completed the education or
53 training requirements for a hearing aid specialist, and **sections 29-31** prescribe
54 requirements concerning the practice of an apprentice. **Section 32** authorizes a



55 hearing aid specialist or dispensing audiologist to make an audiogram upon request
56 by a physician or member of a related profession specified by the Board. **Section**
57 **33** requires a hearing aid specialist or apprentice to display his or her license
58 conspicuously in each place where he or she conducts business as a hearing aid
59 specialist or apprentice. **Section 34** requires a hearing aid specialist or apprentice to
60 update the address of his or her place of business on file with the Board within 10
61 days after the date on which the address changes.

62 Federal law prohibits a state from enacting requirements for the sale of a
63 hearing aid that are different from or in addition to federal requirements, and
64 federal regulations allow a person to waive a medical examination when purchasing
65 a hearing aid. (21 U.S.C. § 360k; 21 C.F.R. § 801.421) **Section 35** of this bill
66 requires certain examinations to be performed on a person before the person
67 purchases a hearing aid by catalog, mail or the Internet unless the person waives the
68 examinations.

69 **Section 43** of this bill revises exemptions from the provisions of chapter 637B
70 of NRS for certain government employees and other persons who do not engage in
71 the private practice of audiology, speech-language pathology or fitting and
72 dispensing hearing aids. **Section 49** of this bill authorizes the Board to issue a
73 license without an examination to persons who hold certain certifications. **Sections**
74 **48, 50, 53, 54 and 56-59** of this bill make certain provisions governing audiologists
75 and speech-language pathologists applicable to hearing aid specialists as well.
76 **Section 51** of this bill imposes fees for certain tasks relating to licensing. **Section**
77 **53** provides that certain acts are grounds for disciplinary action.

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

1 **Section 1.** NRS 629.031 is hereby amended to read as follows:

2 629.031 Except as otherwise provided by a specific statute:

3 1. "Provider of health care" means **[a]**:

4 (a) A physician licensed pursuant to chapter 630, 630A or 633
5 of NRS **[a]**;

6 (b) A physician assistant **[a]**;

7 (c) A dentist **[a]**;

8 (d) A licensed nurse **[a]**;

9 (e) A dispensing optician **[a]**;

10 (f) *A speech-language pathologist;*

11 (g) *An audiologist;*

12 (h) *An optometrist [a];*

13 (i) *A practitioner of respiratory care [a];*

14 (j) *A registered physical therapist [a];*

15 (k) *An occupational therapist [a];*

16 (l) *A podiatric physician [a];*

17 (m) *A licensed psychologist [a];*

18 (n) *A licensed marriage and family therapist [a];*

19 (o) *A licensed clinical professional counselor [a];*

20 (p) *A music therapist [a];*

21 (q) *A chiropractor [a];*



- 1 (r) An athletic trainer ~~{};~~;
- 2 (s) A perfusionist ~~{};~~;
- 3 (t) A doctor of Oriental medicine in any form ~~{};~~;
- 4 (u) A medical laboratory director or technician ~~{};~~;
- 5 (v) A pharmacist ~~{};~~;
- 6 (w) A licensed dietitian ; or ~~{};~~
- 7 (x) A licensed hospital as the employer of any ~~such~~ person ~~{};~~
- 8 *specified in this subsection.*

9 2. For the purposes of NRS 629.051, 629.061, 629.065 and
10 629.077, the term includes a facility that maintains the health care
11 records of patients.

12 3. For the purposes of NRS 629.400 to 629.490, inclusive, the
13 term includes:

14 (a) A person who holds a license or certificate issued pursuant to
15 chapter 631 of NRS; and

16 (b) A person who holds a current license or certificate to
17 practice his or her respective discipline pursuant to the applicable
18 provisions of law of another state or territory of the United States.

19 **Sec. 2.** NRS 629.053 is hereby amended to read as follows:

20 629.053 1. The State Board of Health and each board created
21 pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 636,
22 637, ~~637A,~~ 637B, 640, 640A, 640B, 640C, 641, 641A, 641B or
23 641C of NRS shall post on its website on the Internet, if any, a
24 statement which discloses that:

25 (a) Pursuant to the provisions of subsection 7 of NRS 629.051:

26 (1) The health care records of a person who is less than 23
27 years of age may not be destroyed; and

28 (2) The health care records of a person who has attained the
29 age of 23 years may be destroyed for those records which have been
30 retained for at least 5 years or for any longer period provided by
31 federal law; and

32 (b) Except as otherwise provided in subsection 7 of NRS
33 629.051 and unless a longer period is provided by federal law, the
34 health care records of a patient who is 23 years of age or older may
35 be destroyed after 5 years pursuant to subsection 1 of NRS 629.051.

36 2. The State Board of Health shall adopt regulations
37 prescribing the contents of the statements required pursuant to this
38 section.

39 **Sec. 3.** NRS 629.079 is hereby amended to read as follows:

40 629.079 1. If a health care licensing board determines that a
41 complaint received by the health care licensing board concerns a
42 matter within the jurisdiction of another health care licensing board,
43 the health care licensing board which received the complaint shall:



1 (a) Except as otherwise provided in paragraph (b), refer the
2 complaint to the other health care licensing board within 5 days after
3 making the determination; and

4 (b) If the health care licensing board also determines that the
5 complaint concerns an emergency situation, immediately refer the
6 complaint to the other health care licensing board.

7 2. If a health care licensing board determines that a complaint
8 received by the health care licensing board concerns a public health
9 emergency or other health event that is an immediate threat to the
10 health and safety of the public in a health care facility or the office
11 of a provider of health care, the health care licensing board shall
12 immediately notify the appropriate health authority for the purposes
13 of NRS 439.970.

14 3. A health care licensing board may refer a complaint pursuant
15 to subsection 1 or provide notification pursuant to subsection 2
16 orally, electronically or in writing.

17 4. The provisions of subsections 1 and 2 apply to any
18 complaint received by a health care licensing board, including,
19 without limitation:

20 (a) A complaint which concerns a person who or entity which is
21 licensed, certified or otherwise regulated by the health care licensing
22 board that received the complaint and by another health care
23 licensing board; and

24 (b) A complaint which concerns a person who or entity which is
25 licensed, certified or otherwise regulated solely by another health
26 care licensing board.

27 5. The provisions of this section do not prevent a health care
28 licensing board from acting upon a complaint which concerns a
29 matter within the jurisdiction of the health care licensing board
30 regardless of whether the health care licensing board refers the
31 complaint pursuant to subsection 1 or provides notification based
32 upon the complaint pursuant to subsection 2.

33 6. A health care licensing board or an officer or employee of
34 the health care licensing board is immune from any civil liability for
35 any decision or action taken in good faith and without malicious
36 intent in carrying out the provisions of this section.

37 7. As used in this section:

38 (a) "Health care facility" means any facility licensed pursuant to
39 chapter 449 of NRS.

40 (b) "Health care licensing board" means:

41 (1) A board created pursuant to chapter 630, 630A, 631, 632,
42 633, 634, 634A, 635, 636, 637, ~~637A,~~ 637B, 639, 640, 640A,
43 640B, 640C, 640D, 640E, 641, 641A, 641B or 641C of NRS.

44 (2) The Division of Public and Behavioral Health of the
45 Department of Health and Human Services.



1 **Sec. 4.** NRS 629.097 is hereby amended to read as follows:
2 629.097 1. If the Governor must appoint to a board a person
3 who is a member of a profession being regulated by that board, the
4 Governor shall solicit nominees from one or more applicable
5 professional associations in this State.

6 2. To the extent practicable, such an applicable professional
7 association shall provide nominees who represent the geographic
8 diversity of this State.

9 3. The Governor may appoint any qualified person to a board,
10 without regard to whether the person is nominated pursuant to this
11 section.

12 4. As used in this section, "board" refers to a board created
13 pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 636,
14 637, ~~637A,~~ 637B, 639, 640, 640A, 640B, 640C, 641, 641A, 641B
15 or 641C of NRS.

16 **Sec. 5.** NRS 630.279 is hereby amended to read as follows:

17 630.279 The Board shall adopt regulations regarding the
18 licensure of practitioners of respiratory care, including, without
19 limitation:

- 20 1. Educational and other qualifications of applicants;
- 21 2. Required academic programs which applicants must
22 successfully complete;
- 23 3. Procedures for applying for and issuing licenses;
- 24 4. Tests or examinations of applicants by the Board;
- 25 5. The types of medical services that a practitioner of
26 respiratory care may perform, except that a practitioner of
27 respiratory care may not perform those specific functions and duties
28 delegated or otherwise restricted by specific statute to persons
29 licensed as dentists, chiropractors, podiatric physicians,
30 optometrists, physicians, osteopathic physicians or hearing aid
31 specialists pursuant to this chapter or chapter 631, 633, 634, 635,
32 636 or ~~637A~~ **637B** of NRS, as appropriate;
- 33 6. The duration, renewal and termination of licenses; and
- 34 7. The grounds and procedures for disciplinary actions against
35 practitioners of respiratory care.

36 **Sec. 6.** NRS 630A.299 is hereby amended to read as follows:

37 630A.299 The Board shall adopt regulations regarding the
38 certification of a homeopathic assistant, including, but not limited
39 to:

- 40 1. The educational and other qualifications of applicants.
- 41 2. The required academic program for applicants.
- 42 3. The procedures for applications for and the issuance of
43 certificates.
- 44 4. The tests or examinations of applicants by the Board.



1 5. The medical services which a homeopathic assistant may
2 perform, except that a homeopathic assistant may not perform those
3 specific functions and duties delegated or restricted by law to
4 persons licensed as dentists, chiropractors, podiatric physicians,
5 optometrists or hearing aid specialists under chapter 631, 634, 635,
6 636 or ~~637A,~~ **637B**, respectively, of NRS.

7 6. The duration, renewal and termination of certificates.

8 7. The grounds respecting disciplinary actions against
9 homeopathic assistants.

10 8. The supervision of a homeopathic assistant by a supervising
11 homeopathic physician.

12 9. The establishment of requirements for the continuing
13 education of homeopathic assistants.

14 **Sec. 7.** NRS 633.434 is hereby amended to read as follows:

15 633.434 The Board shall adopt regulations regarding the
16 licensure of a physician assistant, including, without limitation:

17 1. The educational and other qualifications of applicants.

18 2. The required academic program for applicants.

19 3. The procedures for applications for and the issuance of
20 licenses.

21 4. The tests or examinations of applicants by the Board.

22 5. The medical services which a physician assistant may
23 perform, except that a physician assistant may not perform
24 osteopathic manipulative therapy or those specific functions and
25 duties delegated or restricted by law to persons licensed as dentists,
26 chiropractors, doctors of Oriental medicine, podiatric physicians,
27 optometrists and hearing aid specialists under chapters 631, 634,
28 634A, 635, 636 and ~~637A,~~ **637B**, respectively, of NRS.

29 6. The grounds and procedures respecting disciplinary actions
30 against physician assistants.

31 7. The supervision of medical services of a physician assistant
32 by a supervising osteopathic physician.

33 **Sec. 8.** Chapter 637B of NRS is hereby amended by adding
34 thereto the provisions set forth as sections 9 to 35, inclusive, of this
35 act.

36 **Sec. 9.** *“Apprentice” means a person who is completing in-*
37 *service training under the supervision of a sponsor to become*
38 *eligible to apply for a license to engage in the practice of fitting*
39 *and dispensing hearing aids.*

40 **Sec. 10.** *“Dispensing audiologist” means a licensed*
41 *audiologist who has obtained an endorsement from the Board to*
42 *engage in the practice of fitting and dispensing hearing aids.*

43 **Sec. 11.** *“Hearing aid” means any:*

44 1. *Device worn by a person who suffers from impaired*
45 *hearing for the purpose of amplifying sound to improve hearing or*



1 *compensate for impaired hearing, including, without limitation,*
2 *an earmold; and*

3 *2. Part, attachment or accessory for such a device.*

4 **Sec. 12.** *“Hearing aid specialist” means any person licensed*
5 *to engage in the practice of fitting and dispensing hearing aids*
6 *pursuant to the provisions of this chapter.*

7 **Sec. 13.** *“Manufacturer” means any person who assembles,*
8 *manufactures or fabricates hearing aids or any parts or supplies*
9 *used in connection therewith.*

10 **Sec. 14.** *“Practice of fitting and dispensing hearing aids”*
11 *means measuring human hearing and selecting, adapting,*
12 *distributing or selling hearing aids and includes, without*
13 *limitation:*

14 *1. Making impressions for earmolds;*

15 *2. Administering and interpreting tests of human hearing and*
16 *middle ear functions;*

17 *3. Determining whether a person who suffers from impaired*
18 *hearing would benefit from a hearing aid;*

19 *4. Selecting and fitting hearing aids;*

20 *5. Providing assistance to a person after the fitting of a*
21 *hearing aid;*

22 *6. Providing services relating to the care and repair of*
23 *hearing aids;*

24 *7. Providing supervision and in-service training concerning*
25 *measuring human hearing and selecting, adapting, distributing or*
26 *selling hearing aids; and*

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

29 **Sec. 15.** *“Sponsor” means a hearing aid specialist or*
30 *dispensing audiologist who is responsible for the direct*
31 *supervision and in-service training of an apprentice in the practice*
32 *of fitting and dispensing hearing aids.*

33 **Sec. 16.** *1. Except as otherwise provided in subsection 2,*
34 *the Board may, by majority vote, select any person, including,*
35 *without limitation, a physician licensed pursuant to chapter 630 of*
36 *NRS, an osteopathic physician licensed pursuant to chapter 633*
37 *of NRS or a member of the public, to serve as an advisory member*
38 *of the Board.*

39 *2. A person who is a stockholder in a manufacturer of*
40 *hearing aids may not be selected or serve as an advisory member*
41 *of the Board.*

42 *3. An advisory member may not vote on any matter before the*
43 *Board.*



Sec. 17. The Board shall:

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

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

5 **3. Evaluate the qualifications and determine the eligibility of**
6 **an applicant for any license or endorsement of a license issued**
7 **pursuant to this chapter and, upon payment of the appropriate fee,**
8 **issue the appropriate license or endorsement of a license to a**
9 **qualified applicant;**

10 **4. Adopt regulations establishing standards of practice for**
11 **persons licensed or endorsed pursuant to this chapter and any**
12 **other regulations necessary to carry out the provisions of this**
13 **chapter;**

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

19 **6. Investigate any complaint received by the Board against**
20 **any person licensed or endorsed pursuant to this chapter;**

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

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

31 **Sec. 18. 1. The Board shall adopt regulations prescribing:**

32 **(a) The examinations required pursuant to NRS 637B.160 and**
33 **concerning the practice of audiology and the practice of speech-**
34 **language pathology;**

35 **(b) The period for which a license issued pursuant to the**
36 **provisions of this chapter is valid which, except as otherwise**
37 **provided in NRS 637B.200, must be not less than 1 year; and**

38 **(c) The manner in which a license or endorsement issued**
39 **pursuant to this chapter must be renewed, which may include**
40 **requirements for continuing education.**

41 **2. The Board may adopt regulations providing for the late**
42 **renewal of a license and the reinstatement of an expired license,**
43 **except that the Board must not renew or reinstate a license more**
44 **than 3 years after the license expired.**
45



1 3. *The Board may, at the request of a person licensed*
2 *pursuant to this chapter, place a license on inactive status if the*
3 *holder of the license:*

4 (a) *Does not engage in, or represent that the person is*
5 *authorized to engage in, the practice of audiology, speech-*
6 *language pathology or fitting and dispensing hearing aids in this*
7 *State; and*

8 (b) *Satisfies any requirements for continuing education*
9 *prescribed by the Board pursuant to this section.*

10 **Sec. 19. 1.** *Except as otherwise provided in subsection 2:*

11 (a) *An applicant for a license to engage in the practice of*
12 *speech-language pathology must satisfy the academic*
13 *requirements of an educational program accredited by the*
14 *American Speech-Language-Hearing Association or its successor*
15 *organization approved by the Board.*

16 (b) *An applicant for a license to engage in the practice of*
17 *audiology must satisfy the academic requirements of an*
18 *educational program accredited by the:*

19 (1) *American Speech-Language-Hearing Association or its*
20 *successor organization approved by the Board; or*

21 (2) *Accreditation Commission for Audiology Education or*
22 *its successor organization approved by the Board.*

23 2. *An applicant for a license to engage in the practice of*
24 *audiology or speech-language pathology who receives an*
25 *education in audiology or speech-language pathology from a*
26 *foreign school must prove to the satisfaction of the Board that his*
27 *or her educational program:*

28 (a) *Is substantially equivalent to the requirements set forth in*
29 *subsection 1, as applicable; and*

30 (b) *Is accredited by an accrediting agency approved by the*
31 *Board.*

32 **Sec. 20.** *Except for the holder of a provisional license issued*
33 *pursuant to section 22 of this act and in addition to the*
34 *requirements set forth in section 19 of this act, a speech-language*
35 *pathologist must hold a current certificate of clinical competence*
36 *issued by the American Speech-Language-Hearing Association or*
37 *its successor organization approved by the Board.*

38 **Sec. 21. 1.** *Upon application and payment of the*
39 *application fee required pursuant to NRS 637B.230, the Board*
40 *may issue a limited license to engage in the practice of audiology*
41 *or speech-language pathology to a person who:*

42 (a) *Holds a current license to engage in the practice of*
43 *audiology or speech-language pathology in another state; and*



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

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

6 **Sec. 22.** 1. Upon application and payment of the
7 application fee required pursuant to NRS 637B.230, the Board
8 may issue a provisional license to engage in the practice of
9 speech-language pathology to a person who is completing the
10 clinical fellowship requirements for obtaining a certificate of
11 clinical competence issued by the American Speech-Language-
12 Hearing Association.

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

15 (a) Renewed not more than twice; and

16 (b) Converted to an active license upon award of a certificate
17 of clinical competence by the American Speech-Language-
18 Hearing Association and payment of the fee required for
19 converting the license pursuant to NRS 637B.230.

20 **Sec. 23.** An audiologist or an applicant for a license to
21 engage in the practice of audiology who wishes to engage in the
22 practice of fitting and dispensing hearing aids must:

23 1. Request an endorsement of the license to engage in the
24 practice of fitting and dispensing hearing aids; and

25 2. Pass an examination prescribed by the Board pursuant to
26 section 25 of this act.

27 **Sec. 24.** 1. A person who engages in the practice of
28 audiology or speech-language pathology by telepractice within this
29 State and is a resident of this State or provides services by
30 telepractice to any person in this State must:

31 (a) Hold a license to engage in the practice of audiology or
32 speech-language pathology, as applicable, in this State;

33 (b) Be knowledgeable and competent in the technology used to
34 provide services by telepractice;

35 (c) Only use telepractice to provide services for which delivery
36 by telepractice is appropriate;

37 (d) Provide services by telepractice that, as determined by the
38 Board, are substantially equivalent in quality to services provided
39 in person;

40 (e) Document any services provided by telepractice in the
41 record of the person receiving the services; and

42 (f) Comply with the provisions of this chapter and any
43 regulations adopted pursuant thereto.

44 2. As used in this section, "telepractice" means engaging in
45 the practice of audiology or speech-language pathology using



1 *equipment that transfers information electronically, telephonically*
2 *or by fiber optics.*

3 **Sec. 25.** *The Board shall adopt regulations regarding the*
4 *practice of fitting and dispensing hearing aids, including, without*
5 *limitation:*

6 *1. The licensing of hearing aid specialists and apprentices;*

7 *2. The educational and training requirements for hearing aid*
8 *specialists and apprentices;*

9 *3. The examination required pursuant to NRS 637B.160 and*
10 *sections 23, 26 and 31 of this act concerning the practice of fitting*
11 *and dispensing hearing aids; and*

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

13 **Sec. 26.** *An applicant for a license to engage in the practice*
14 *of fitting and dispensing hearing aids must:*

15 *1. Successfully complete a program of education or training*
16 *approved by the Board;*

17 *2. Be certified by the National Board for Certification in*
18 *Hearing Instrument Sciences;*

19 *3. Pass the examination prescribed pursuant to section 25 of*
20 *this act;*

21 *4. Comply with the regulations adopted pursuant to section*
22 *25 of this act; and*

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

26 **Sec. 27.** *1. The Board may issue an apprentice license to an*
27 *applicant who has not yet completed a program of education or*
28 *training approved by the Board pursuant to section 26 of this act*
29 *or passed the examination prescribed pursuant to section 25 of*
30 *this act.*

31 *2. An applicant for an apprentice license must provide proof*
32 *satisfactory to the Board that a sponsor has agreed to assume*
33 *responsibility for the direct supervision and in-service training of*
34 *the applicant.*

35 **Sec. 28.** *The Board shall adopt regulations setting forth*
36 *requirements for the supervision of a licensed apprentice and the*
37 *responsibilities of the sponsor and the apprentice.*

38 **Sec. 29.** *1. All work performed by a licensed apprentice*
39 *must be directly supervised by a hearing aid specialist or*
40 *dispensing audiologist, and the hearing aid specialist or*
41 *dispensing audiologist is responsible and civilly liable for the*
42 *negligence or incompetence of the licensed apprentice under his*
43 *or her supervision.*



1 2. Any selection of a hearing aid for a customer made by a
2 licensed apprentice must be approved by a hearing aid specialist or
3 dispensing audiologist.

4 3. Any audiogram or sales document prepared by a licensed
5 apprentice must be signed by the apprentice and the supervising
6 hearing aid specialist or dispensing audiologist.

7 4. As used in this section:

8 (a) "Incompetence" means a lack of ability to practice safely
9 and skillfully as a licensed apprentice arising from:

10 (1) A lack of knowledge or training; or

11 (2) An impaired physical or mental capability, including the
12 habitual abuse of alcohol or addiction to any controlled substance.

13 (b) "Negligence" means a deviation from the normal standard
14 of professional care exercised generally by apprentices.

15 **Sec. 30.** 1. A licensed apprentice shall, while engaged in
16 the practice of fitting and dispensing hearing aids, identify himself
17 or herself as an apprentice.

18 2. Any advertisement or promotional materials that refer to
19 an apprentice must identify the apprentice as an apprentice.

20 **Sec. 31.** A person may not serve as a licensed apprentice for
21 more than 3 years without passing the examination prescribed
22 pursuant to section 25 of this act.

23 **Sec. 32.** A hearing aid specialist or dispensing audiologist,
24 upon request by a physician or a member of a related profession
25 specified by the Board, may make audiograms for the physician's
26 or member's use in consultation with a person who suffers from
27 impaired hearing.

28 **Sec. 33.** Every hearing aid specialist and licensed apprentice
29 shall display his or her license conspicuously in each place where
30 the licensee conducts business as a hearing aid specialist or a
31 licensed apprentice.

32 **Sec. 34.** Every hearing aid specialist and licensed apprentice
33 shall, within 10 days after changing the address of his or her place
34 of business, as provided by the applicant pursuant to section 26 of
35 this act, notify the Board of the new address of his or her place of
36 business.

37 **Sec. 35.** 1. A hearing aid specialist or dispensing
38 audiologist licensed pursuant to this chapter may sell hearing aids
39 by catalog, mail or the Internet if:

40 (a) The hearing aid specialist or dispensing audiologist has
41 received:

42 (1) A written statement signed by:

43 (I) A physician licensed pursuant to chapter 630 or 633
44 of NRS, an advanced practice registered nurse licensed pursuant
45 to NRS 632.237, an audiologist or a hearing aid specialist which



1 *verifies that he or she has performed an otoscopic examination of*
2 *the person to whom the hearing aid will be sold and the results of*
3 *the examination indicate that the person may benefit from the use*
4 *of a hearing aid;*

5 (II) *A physician licensed pursuant to chapter 630 or 633*
6 *of NRS, an audiologist or a hearing aid specialist which verifies*
7 *that he or she has performed an audiometric examination of the*
8 *person to whom the hearing aid will be sold and the results of the*
9 *examination indicate that the person may benefit from the use of a*
10 *hearing aid; and*

11 (III) *A dispensing audiologist or a hearing aid specialist*
12 *which verifies that an ear impression has been taken of the person*
13 *to whom the hearing aid will be sold; or*

14 (2) *A waiver of the medical evaluation signed by the person*
15 *to whom the hearing aid will be sold as authorized pursuant to 21*
16 *C.F.R. § 801.421(a)(2); and*

17 (b) *The person to whom the hearing aid will be sold has signed*
18 *a statement acknowledging that the hearing aid specialist or*
19 *dispensing audiologist is selling him or her the hearing aid by*
20 *catalog, mail or the Internet based upon the information submitted*
21 *by the person in accordance with this section.*

22 2. *A hearing aid specialist or dispensing audiologist who sells*
23 *hearing aids by catalog, mail or the Internet pursuant to this*
24 *section shall maintain a record of each sale of a hearing aid made*
25 *pursuant to this section for not less than 5 years.*

26 3. *The Board may adopt regulations to carry out the*
27 *provisions of this section, including, without limitation, the*
28 *information that must be included in each record required to be*
29 *maintained pursuant to subsection 2.*

30 **Sec. 36.** NRS 637B.010 is hereby amended to read as follows:

31 637B.010 The practice of audiology , ~~and~~ the practice of
32 ~~speech~~ *speech-language pathology and the practice of fitting and*
33 *dispensing hearing aids* are hereby declared to be learned
34 professions, affecting public safety and welfare and charged with
35 the public interest, and are therefore subject to protection and
36 regulation by the State.

37 **Sec. 37.** NRS 637B.020 is hereby amended to read as follows:

38 637B.020 As used in this chapter, unless the context otherwise
39 requires, the words and terms defined in NRS 637B.030 to
40 637B.070, inclusive, *and sections 9 to 15, inclusive, of this act* have
41 the meanings ascribed to them in those sections.

42 **Sec. 38.** NRS 637B.030 is hereby amended to read as follows:

43 637B.030 “Audiologist” means any person who ~~engages~~ *is*
44 *licensed to engage* in the practice of audiology ~~and~~ *pursuant to the*
45 *provisions of this chapter.*



1 **Sec. 39.** NRS 637B.040 is hereby amended to read as follows:
2 637B.040 “Board” means the ~~[Board of Examiners for~~
3 ~~Audiology and Speech]~~ *Speech-Language* Pathology ~~[]~~ ,
4 *Audiology and Hearing Aid Dispensing Board.*

5 **Sec. 40.** NRS 637B.050 is hereby amended to read as follows:
6 637B.050 “Practice of audiology” ~~[consists of holding out to~~
7 ~~the public, or rendering, services for the measurement, testing,~~
8 ~~appraisal, prediction, consultation, counseling, research or treatment~~
9 ~~of]~~ *means the application of principles, methods and procedures*
10 *relating to hearing and balance, hearing [impairment,] disorders*
11 *and related speech and language disorders and includes, without*
12 *limitation:*

- 13 1. *The conservation of auditory system functions;*
- 14 2. *Screening, identifying, assessing and interpreting,*
15 *diagnosing, preventing and rehabilitating auditory and balance*
16 *system disorders;*
- 17 3. *The selection, fitting, programming and dispensing of*
18 *hearing aids, cochlear implants and other technology which*
19 *assists persons with hearing and training persons to use such*
20 *technology;*
- 21 4. *Providing vestibular and auditory rehabilitation, cerumen*
22 *management and associated counseling services; and*
- 23 5. *Conducting research on hearing and hearing disorders* for
24 the purpose of modifying disorders in communication involving
25 speech, language and hearing.

26 **Sec. 41.** NRS 637B.060 is hereby amended to read as follows:
27 637B.060 “Practice of ~~[speech]~~ *speech-language* pathology”
28 ~~[consists of holding out to the public, or rendering, services for the~~
29 ~~measurement, testing, identification, prediction, treatment or~~
30 ~~modification of, or counseling or research concerning:~~

- 31 ~~— 1. Normal and abnormal development of a person’s ability to~~
32 ~~communicate;~~
- 33 ~~— 2. Disorders and problems concerning a person’s ability to~~
34 ~~communicate;~~
- 35 ~~— 3. Deficiencies in a person’s sensory, perceptual, motor,~~
36 ~~cognitive and social skills necessary to enable the person to~~
37 ~~communicate; and~~
- 38 ~~— 4. Sensorimotor functions of a person’s mouth, pharynx and~~
39 ~~larynx.]~~ *means the application of principles, methods and*
40 *procedures relating to the development and effectiveness of*
41 *human communication and disorders of human communication,*
42 *and includes, without limitation:*

- 43 1. *The prevention, screening, consultation, assessment,*
44 *diagnosis, treatment, counseling, collaboration and referral*
45 *services for disorders of speech, fluency, resonance voice*



1 *language, feeding, swallowing and cognitive aspects of*
2 *communication;*

3 2. *Argumentative and alternative communication techniques*
4 *and strategies;*

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

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

9 5. *Vocal tract imaging and visualization by oral and nasal*
10 *endoscopy;*

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

15 7. *Providing services to modify or enhance communication.*

16 **Sec. 42.** NRS 637B.070 is hereby amended to read as follows:

17 637B.070 ~~["Speech]~~ *"Speech-language* pathologist" means
18 any person who ~~[engages]~~ *is licensed to engage* in the practice of
19 ~~[speech]~~ *speech-language* pathology ~~[.]~~ *pursuant to the provisions*
20 *of this chapter.*

21 **Sec. 43.** NRS 637B.080 is hereby amended to read as follows:

22 637B.080 The provisions of this chapter do not apply to ~~[.]~~

23 ~~—1.— Any physician or any person who is working with patients or~~
24 ~~clients under the direct, immediate supervision of a physician and~~
25 ~~for whom the physician is directly responsible.~~

26 ~~—2.— Any hearing aid specialist who is licensed pursuant to~~
27 ~~chapter 637A of NRS and who is acting within the scope of the~~
28 ~~license.~~

29 ~~—3.— Any] any~~ person who:

30 ~~[(a)] 1.~~ Holds a current credential ~~[as an audiologist or a~~
31 ~~speech pathologist]~~ issued by the Department of Education ~~[.]~~

32 ~~—(b)] pursuant to chapter 391 of NRS and any regulations~~
33 ~~adopted pursuant thereto and engages in the practice of audiology~~
34 ~~or speech-language pathology within the scope of that credential;~~

35 2. Is employed ~~[as an audiologist or a speech pathologist by a~~
36 ~~federal agency or the Department of Health and Human Services;~~

37 ~~—(c)] by the Federal Government and engages in the practice of~~
38 ~~audiology or speech-language pathology within the scope of that~~
39 ~~employment;~~

40 3. Is a ~~[graduate]~~ student ~~[intern]~~ enrolled in a program or
41 school approved by the Board, ~~[and]~~ is pursuing a ~~[graduate]~~ degree
42 in audiology or ~~[speech]~~ *speech-language* pathology ~~[.]~~

43 ~~—(d) Is a registered nurse employed as a school nurse; or~~

44 ~~—(e)] and is clearly designated to the public as a student; or~~



1 4. Holds a current ~~[certificate from the Council on the~~
2 ~~Education of the Deaf as a teacher,]~~ *license issued pursuant to*
3 *chapters 630 to 637, inclusive, or 640 to 641C, inclusive, of NRS,*
4 ~~↳~~ and who does not engage in the private practice of audiology or
5 ~~[of speech]~~ *speech-language* pathology in this State.

6 **Sec. 44.** NRS 637B.100 is hereby amended to read as follows:

7 637B.100 1. The ~~[Board of Examiners for Audiology and~~
8 ~~Speech]~~ *Speech-Language* Pathology, *Audiology and Hearing Aid*
9 *Dispensing Board*, consisting of ~~[five]~~ *seven* members appointed by
10 the Governor, is hereby created.

11 2. The Governor shall appoint:

12 (a) ~~[Two]~~ *Three* members who ~~[have been engaged in the~~
13 ~~practice of speech pathology for 2 years or more;]~~ *are speech-*
14 *language pathologists, each of whom must practice in a different*
15 *setting, including, without limitation, a university, public school,*
16 *hospital or private practice;*

17 (b) ~~[One member who has been engaged in the practice of~~
18 ~~audiology for 2 years or more;]~~ *Two members who are*
19 *audiologists, at least one of whom must be a dispensing*
20 *audiologist;*

21 (c) One member who is a ~~[physician and who is certified by the~~
22 ~~Board of Medical Examiners as a specialist in otolaryngology,~~
23 ~~pediatrics or neurology;]~~ *hearing aid specialist;* and

24 (d) One member who is a representative of the general public.
25 This member must not be:

26 (1) A ~~[speech]~~ *speech-language* pathologist , *hearing aid*
27 *specialist* or an audiologist; or

28 (2) The spouse or the parent or child, by blood, marriage or
29 adoption, of a ~~[speech]~~ *speech-language* pathologist , *hearing aid*
30 *specialist* or an audiologist.

31 3. ~~[Members of the Board who are speech pathologists and~~
32 ~~audiologists must be representative of the university, public school,~~
33 ~~hospital or private aspects of the practice of audiology and of speech~~
34 ~~pathology.~~

35 ~~—4.]~~ Each member of the Board who is ~~[a speech pathologist or]~~
36 *an audiologist , a speech-language pathologist or a hearing aid*
37 *specialist* must ~~[hold]~~ :

38 (a) *Have practiced, taught or conducted research in his or her*
39 *profession for the 3 years immediately preceding the appointment;*
40 *and*

41 (b) *Hold* a current license issued pursuant to this chapter . ~~[or a~~
42 ~~current certificate of clinical competence from the American~~
43 ~~Speech Language Hearing Association.~~



1 ~~—5. The member who is a representative of the general public~~
2 ~~may not participate in preparing, conducting or grading any~~
3 ~~examination required by the Board.]~~

4 *4. A person who is a stockholder in a manufacturer of*
5 *hearing aids may not be selected to or serve as a member of the*
6 *Board.*

7 *5. After the initial terms, each member of the Board serves a*
8 *term of 3 years.*

9 *6. A member of the Board shall not serve for more than two*
10 *terms.*

11 *7. If a vacancy occurs during the term of a member, the*
12 *Governor shall appoint a person similarly qualified to replace that*
13 *member for the remainder of the unexpired term.*

14 **Sec. 45.** NRS 637B.120 is hereby amended to read as follows:

15 637B.120 1. *The Board shall elect from its members a*
16 *Chair and Vice Chair. The officers of the Board hold their*
17 *respective offices at the pleasure of the Board.*

18 2. The Board shall meet at least *twice* annually and may meet
19 at other times on the call of the ~~[President]~~ *Chair* or a majority of its
20 members.

21 ~~[2.]~~ 3. A majority of the Board constitutes a quorum to
22 transact all business.

23 *4. The Board shall comply with the provisions of chapter 241*
24 *of NRS, and all meetings of the Board must be conducted in*
25 *accordance with that chapter.*

26 **Sec. 46.** NRS 637B.130 is hereby amended to read as follows:

27 637B.130 1. A member of the Board is entitled to receive:

28 (a) A salary of not more than \$150 per day, as fixed by the
29 Board, while engaged in the business of the Board; and

30 (b) A per diem allowance and travel expenses at a rate fixed by
31 the Board, while engaged in the business of the Board. The rate
32 must not exceed the rate provided for state officers and employees
33 generally.

34 2. While engaged in the business of the Board, each employee
35 of the Board is entitled to receive a per diem allowance and travel
36 expenses at a rate fixed by the Board. The rate must not exceed the
37 rate provided for state officers and employees generally.

38 *3. The Board may employ and fix the compensation of an*
39 *Executive Director and any other employee necessary to the*
40 *discharge of its duties.*

41 *4. The expenses of the Board and members of the Board, and*
42 *the salaries of its employees, must be paid from the fees received*
43 *by the Board pursuant to this chapter, and no part of those*
44 *expenses and salaries may be paid out of the State General Fund.*



1 **Sec. 47.** NRS 637B.160 is hereby amended to read as follows:

2 637B.160 ~~[1. An applicant for a license to engage in the~~
3 ~~practice of audiology or speech pathology must be issued a license]~~
4 *Except as otherwise provided in NRS 637B.200 and sections 22*
5 *and 27 of this act, to be eligible for licensing by the Board [if the],*
6 *an applicant [:*

7 — (a) ~~Is over the age of 21 years;~~

8 — (b) ~~Is a citizen of the United States, or is lawfully entitled to~~
9 ~~remain and work in the United States;~~

10 — (c) ~~Is]~~ *for a license to engage in the practice of audiology,*
11 *speech-language pathology or fitting and dispensing hearing aids*
12 *must:*

13 1. *Be a natural person* of good moral character;

14 ~~[(d) Meets the requirements for education or training and~~
15 ~~experience provided by subsection 2;~~

16 — (e) ~~Has completed at least 300 clock hours of supervised clinical~~
17 ~~experience in audiology or speech pathology, or both;~~

18 — (f) ~~Applies for the license in the manner provided by the Board;~~

19 — (g) ~~Passes any]~~

20 2. *Pass an examination [required by this chapter;*

21 — (h) ~~Pays]~~ *prescribed by the Board pursuant to section 18 or 25*
22 *of this act, as applicable;*

23 3. *Pay* the fees provided for in this chapter; and

24 ~~[(i) Submits]~~

25 4. *Submit* all information required to complete an application
26 for a license.

27 ~~[2. An applicant must possess a master's degree in audiology~~
28 ~~or in speech pathology from an accredited educational institution or~~
29 ~~possess equivalent training and experience. If an applicant seeks to~~
30 ~~qualify on the basis of equivalent training and experience, the~~
31 ~~applicant must submit to the Board satisfactory evidence that he or~~
32 ~~she has obtained at least 60 semester credits, or equivalent quarter~~
33 ~~credits, in courses related to the normal development, function and~~
34 ~~use of speech and language or hearing, including, but not limited to,~~
35 ~~the management of disorders of speech or hearing and the legal,~~
36 ~~professional and ethical practices of audiology or speech pathology.~~
37 ~~At least 24 of the 60 credits, excluding any credits obtained for a~~
38 ~~thesis or dissertation, must have been obtained for courses directly~~
39 ~~relating to audiology or speech pathology.]~~

40 **Sec. 48.** NRS 637B.166 is hereby amended to read as follows:

41 637B.166 1. In addition to any other requirements set forth in
42 this chapter:

43 (a) An applicant for the issuance of a license to engage in the
44 practice of audiology ~~[or speech]~~, *speech-language* pathology *or*



1 *fitting and dispensing hearing aids* shall include the social security
2 number of the applicant in the application submitted to the Board.

3 (b) An applicant for the issuance or renewal of a license to
4 engage in the practice of audiology ~~for speech~~, *speech-language*
5 *pathology or fitting and dispensing hearing aids* shall submit to the
6 Board the statement prescribed by the Division of Welfare and
7 Supportive Services of the Department of Health and Human
8 Services pursuant to NRS 425.520. The statement must be
9 completed and signed by the applicant.

10 2. The Board shall include the statement required pursuant to
11 subsection 1 in:

12 (a) The application or any other forms that must be submitted
13 for the issuance or renewal of the license; or

14 (b) A separate form prescribed by the Board.

15 3. A license to engage in the practice of audiology ~~for speech~~,
16 *speech-language pathology or fitting and dispensing hearing aids*
17 may not be issued or renewed by the Board if the applicant:

18 (a) Fails to submit the statement required pursuant to subsection
19 1; or

20 (b) Indicates on the statement submitted pursuant to subsection
21 1 that the applicant is subject to a court order for the support of a
22 child and is not in compliance with the order or a plan approved by
23 the district attorney or other public agency enforcing the order for
24 the repayment of the amount owed pursuant to the order.

25 4. If an applicant indicates on the statement submitted pursuant
26 to subsection 1 that the applicant is subject to a court order for the
27 support of a child and is not in compliance with the order or a plan
28 approved by the district attorney or other public agency enforcing
29 the order for the repayment of the amount owed pursuant to the
30 order, the Board shall advise the applicant to contact the district
31 attorney or other public agency enforcing the order to determine the
32 actions that the applicant may take to satisfy the arrearage.

33 **Sec. 49.** NRS 637B.190 is hereby amended to read as follows:
34 637B.190 The Board may issue a license without examination
35 to a person who holds:

36 1. ~~[A current license to practice audiology or speech pathology~~
37 ~~in a state whose licensing requirements at the time the license was~~
38 ~~issued are deemed by the Board to be substantially equivalent to~~
39 ~~those provided by this chapter; or~~

40 ~~—2.]~~ A *current* certificate of clinical competence issued by the
41 American ~~[Speech and Hearing]~~ *Speech-Language-Hearing*
42 Association in the field of practice for which the person is applying
43 for a license ~~[.]; or~~

44 2. *Current certification from the American Board of*
45 *Audiology.*



1 **Sec. 50.** NRS 637B.200 is hereby amended to read as follows:
2 637B.200 1. The Board ~~[shall]~~ *may* issue a temporary license
3 to *engage in the* practice ~~[audiology or speech]~~ *of*:

4 (a) *Audiology, speech-language pathology ~~[,]~~ or fitting and*
5 *dispensing hearing aids* upon application and the payment of the
6 *fee* required ~~[fee,]~~ *pursuant to NRS 637B.230* to any person who is
7 so licensed in another state and who meets all the qualifications for
8 licensing in this State ~~[other than passing the examination.]; and~~

9 (b) *Fitting and dispensing hearing aids upon application and*
10 *payment of the fee required pursuant to NRS 637B.230 to any*
11 *person who meets all of the qualifications for licensing as a*
12 *hearing aid specialist or an endorsement of a license to engage in*
13 *the practice of fitting and dispensing hearing aids other than*
14 *passing the examination concerning the practice of fitting and*
15 *dispensing hearing aids prescribed pursuant to section 25 of this*
16 *act.*

17 2. *The Board may issue a temporary license to engage in the*
18 *practice of audiology, speech-language pathology or fitting and*
19 *dispensing hearing aids upon application and payment of the fee*
20 *required pursuant to NRS 637B.230 to any spouse of a member of*
21 *the Armed Forces of the United States who:*

22 (a) *Is so licensed in another state; and*
23 (b) *Attests that he or she meets all of the qualifications for*
24 *licensure in this State.*

25 3. A temporary license issued pursuant to this section ~~[is valid~~
26 ~~until the Board publishes the results of the examination next~~
27 ~~administered after the license is issued.]:~~

28 (a) *Is valid for not more than 6 months;*
29 (b) *May be renewed not more than once; and*
30 (c) *May be converted to an active license upon the completion*
31 *of all requirements for a license and payment of the fee required*
32 *by NRS 637B.230.*

33 **Sec. 51.** NRS 637B.230 is hereby amended to read as follows:
34 637B.230 1. The Board shall charge and collect only the
35 following fees whose amounts must be determined by the Board, but
36 may not exceed:

37	
38	Application fee [for a license to practice speech
39	pathology.....\$100
40	Application fee for a license to practice audiology..... 100
41	Annual fee]..... \$150
42	<i>License fee</i> 100
43	<i>Fee for the renewal of a license</i> [50] 100
44	Reinstatement fee
45	[75] 100
	<i>Examination fee.....</i> 300



1 *Fee for converting to a different type of license..... \$50*
 2 *Fee for each additional license or endorsement..... 50*
 3 *Fee for obtaining license information 50*
 4

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

Sec. 52. NRS 637B.240 is hereby amended to read as follows:

637B.240 1. All fees collected under the provisions of this chapter must be paid to the ~~Secretary-Treasurer of the~~ Board to be used to defray the necessary expenses of the Board. The ~~Secretary-Treasurer~~ **Board** shall deposit the fees in qualified banks, credit unions or savings and loan associations in this State.

2. In a manner consistent with the provisions of chapter 622A of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect civil penalties therefor and deposit the money therefrom in banks, credit unions or savings and loan associations in this State.

3. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 2 and the Board deposits the money collected from the imposition of civil penalties with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 53. NRS 637B.250 is hereby amended to read as follows:

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

1. Unprofessional conduct.
2. Conviction of:

(a) 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;

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

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

(d) Any offense involving moral turpitude.

3. ~~Suspension or revocation of a license to practice audiology or speech pathology by any other jurisdiction.~~

~~4.~~ Gross or repeated malpractice, which may be evidenced by claims of malpractice settled against a practitioner.

~~5.~~ 4. Professional incompetence.

~~6.~~ 5. Operation of a medical facility, as defined in NRS 449.0151, at any time during which:



- 1 (a) The license of the facility is suspended or revoked; or
- 2 (b) An act or omission occurs which results in the suspension or
- 3 revocation of the license pursuant to NRS 449.160.

4 ➔ This subsection applies to an owner or other principal responsible
5 for the operation of the facility.

6 **6. As used in this section, “unprofessional conduct” includes,**
7 **without limitation:**

- 8 (a) *Conduct that is harmful to the public health or safety;*
- 9 (b) *Obtaining a license through fraud or misrepresentation of*
10 *a material fact;*

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

14 (d) *A violation of any provision of:*

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

19 (2) *NRS 597.264 to 597.2667, inclusive, or any regulations*
20 *adopted pursuant thereto; or*

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

23 **Sec. 54.** NRS 637B.255 is hereby amended to read as follows:

24 637B.255 1. If the Board receives a copy of a court order
25 issued pursuant to NRS 425.540 that provides for the suspension of
26 all professional, occupational and recreational licenses, certificates
27 and permits issued to a person who is the holder of a license to
28 engage in the practice of audiology ~~for speech~~, *speech-language*
29 *pathology* ~~or fitting and dispensing hearing aids~~, the Board shall
30 deem the license issued to that person to be suspended at the end of
31 the 30th day after the date on which the court order was issued
32 unless the Board receives a letter issued to the holder of the license
33 by the district attorney or other public agency pursuant to NRS
34 425.550 stating that the holder of the license has complied with the
35 subpoena or warrant or has satisfied the arrearage pursuant to
36 NRS 425.560.

37 2. The Board shall reinstate a license to engage in the practice
38 of audiology ~~for speech~~, *speech-language* pathology *or fitting and*
39 *dispensing hearing aids* that has been suspended by a district court
40 pursuant to NRS 425.540 if:

41 (a) The Board receives a letter issued by the district attorney or
42 other public agency pursuant to NRS 425.550 to the person whose
43 license was suspended stating that the person whose license was
44 suspended has complied with the subpoena or warrant or has
45 satisfied the arrearage pursuant to NRS 425.560; and



1 (b) The person whose license was suspended pays any fees
2 imposed by the Board pursuant to NRS 637B.230 for the
3 reinstatement of a license.

4 **Sec. 55.** NRS 637B.280 is hereby amended to read as follows:

5 637B.280 1. If, after notice and a hearing as required by law,
6 the Board determines that the applicant or licensee has committed
7 any act which constitutes grounds for disciplinary action, the Board
8 may, in the case of the applicant, refuse to issue a license, and in all
9 other cases:

10 (a) Refuse to renew a license;

11 (b) Revoke a license;

12 (c) Suspend a license ; ~~for a definite time, not to exceed 1~~
13 ~~year;~~

14 (d) Administer to the licensee a public reprimand; ~~or~~

15 (e) *Impose conditions on the practice of the licensee;*

16 (f) Impose a civil penalty not to exceed ~~[\$1,000.]~~ \$5,000 *for*
17 *each act constituting grounds for disciplinary action; or*

18 (g) *Impose any combination of the disciplinary actions*
19 *described in paragraphs (a) to (f), inclusive.*

20 2. The Board shall not administer a private reprimand.

21 3. An order that imposes discipline and the findings of fact and
22 conclusions of law supporting that order are public records.

23 **Sec. 56.** NRS 637B.290 is hereby amended to read as follows:

24 637B.290 1. A person shall not engage in the practice of
25 audiology ~~for speech~~ , *speech-language* pathology *or fitting and*
26 *dispensing hearing aids* in this State without holding a valid license
27 issued pursuant to the provisions of this chapter.

28 2. In addition to any other penalty prescribed by law, if the
29 Board determines that a person has engaged in the practice of
30 audiology ~~for speech~~ , *speech-language* pathology *or fitting and*
31 *dispensing hearing aids* in this State without holding a valid license
32 issued pursuant to the provisions of this chapter, the Board may:

33 (a) Issue and serve on the person an order to cease and desist
34 until the person obtains from the Board the proper license or
35 otherwise demonstrates that he or she is no longer in violation of
36 subsection 1. An order to cease and desist must include a telephone
37 number with which the person may contact the Board.

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



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

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

5 **Sec. 57.** NRS 637B.291 is hereby amended to read as follows:

6 637B.291 Unless the Board determines that extenuating
7 circumstances exist, the Board shall forward to the appropriate law
8 enforcement agency any substantiated information submitted to the
9 Board concerning a person who ~~practices~~ *engages in the practice*
10 *of* or offers to *engage in the* practice *of* audiology ~~for speech~~ ,
11 *speech-language* pathology *or fitting and dispensing hearing aids*
12 without the appropriate license issued pursuant to the provisions of
13 this chapter.

14 **Sec. 58.** NRS 637B.295 is hereby amended to read as follows:

15 637B.295 A member or any agent of the Board may enter any
16 premises in this State where a person who holds a license issued
17 pursuant to the provisions of this chapter ~~practices~~ *engages in the*
18 *practice of* audiology ~~for speech~~ , *speech-language* pathology *or*
19 *fitting and dispensing hearing aids* and inspect it to determine
20 whether a violation of any provision of this chapter has occurred,
21 including, without limitation, an inspection to determine whether
22 any person at the premises is ~~practicing~~ *engaging in the practice*
23 *of* audiology ~~for speech~~ , *speech-language* pathology *or fitting and*
24 *dispensing hearing aids* without the appropriate license issued
25 pursuant to the provisions of this chapter.

26 **Sec. 59.** NRS 637B.310 is hereby amended to read as follows:

27 637B.310 1. The Board through its ~~President~~ *Chair* or
28 ~~Secretary-Treasurer~~ *Vice Chair* may maintain in any court of
29 competent jurisdiction a suit for an injunction against any person
30 ~~practicing~~ *engaging in the practice of* audiology ~~for speech~~ ,
31 *speech-language* pathology *or fitting and dispensing hearing aids*
32 without a license valid under this chapter.

33 2. Such an injunction:

34 (a) May be issued without proof of actual damage sustained by
35 any person, this provision being a preventive as well as a punitive
36 measure.

37 (b) Shall not relieve such person from criminal prosecution for
38 practicing without a license.

39 **Sec. 60.** NRS 644.449 is hereby amended to read as follows:

40 644.449 1. If the Board determines that a complaint filed
41 with the Board concerns a matter within the jurisdiction of another
42 licensing board, the Board shall refer the complaint to the other
43 licensing board within 5 days after making the determination.

44 2. The Board may refer a complaint pursuant to subsection 1
45 orally, electronically or in writing.



1 3. The provisions of subsection 1 apply to any complaint filed
2 with the Board, including, without limitation:

3 (a) A complaint which concerns a person who or entity which is
4 licensed, certified or otherwise regulated by the Board or by another
5 licensing board; and

6 (b) A complaint which concerns a person who or entity which is
7 licensed, certified or otherwise regulated solely by another licensing
8 board.

9 4. The provisions of this section do not prevent the Board from
10 acting upon a complaint which concerns a matter within the
11 jurisdiction of the Board regardless of whether the Board refers the
12 complaint pursuant to subsection 1.

13 5. The Board or an officer or employee of the Board is immune
14 from any civil liability for any decision or action taken in good faith
15 and without malicious intent in carrying out the provisions of this
16 section.

17 6. As used in this section, "licensing board" means a board
18 created pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A,
19 635, 636, 637, ~~637A,~~ 637B, 639, 640, 640A, 640B, 640C, 640D,
20 640E, 641, 641A, 641B, 641C, 643, 644 or 654 of NRS.

21 **Sec. 61.** NRS 654.185 is hereby amended to read as follows:

22 654.185 1. If the Board determines that a complaint filed
23 with the Board concerns a matter within the jurisdiction of another
24 licensing board, the Board shall refer the complaint to the other
25 licensing board within 5 days after making the determination.

26 2. The Board may refer a complaint pursuant to subsection 1
27 orally, electronically or in writing.

28 3. The provisions of subsection 1 apply to any complaint filed
29 with the Board, including, without limitation:

30 (a) A complaint which concerns a person who or entity which is
31 licensed, certified or otherwise regulated by the Board or by another
32 licensing board; and

33 (b) A complaint which concerns a person who or entity which is
34 licensed, certified or otherwise regulated solely by another licensing
35 board.

36 4. The provisions of this section do not prevent the Board from
37 acting upon a complaint which concerns a matter within the
38 jurisdiction of the Board regardless of whether the Board refers the
39 complaint pursuant to subsection 1.

40 5. The Board or an officer or employee of the Board is immune
41 from any civil liability for any decision or action taken in good faith
42 and without malicious intent in carrying out the provisions in this
43 section.

44 6. As used in this section, "licensing board" means a board
45 created pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A,



1 635, 636, 637, ~~637A,~~ 637B, 639, 640, 640A, 640B, 640C, 640D,
2 640E, 641, 641A, 641B, 641C, 643, 644 or 654 of NRS.

3 **Sec. 62.** NRS 179.121 is hereby amended to read as follows:

4 179.121 1. All personal property, including, without
5 limitation, any tool, substance, weapon, machine, computer, money
6 or security, which is used as an instrumentality in any of the
7 following crimes is subject to forfeiture:

8 (a) The commission of or attempted commission of the crime of
9 murder, robbery, kidnapping, burglary, invasion of the home, grand
10 larceny or theft if it is punishable as a felony;

11 (b) The commission of or attempted commission of any felony
12 with the intent to commit, cause, aid, further or conceal an act of
13 terrorism;

14 (c) A violation of NRS 202.445 or 202.446;

15 (d) The commission of any crime by a criminal gang, as defined
16 in NRS 213.1263; or

17 (e) A violation of NRS 200.463 to 200.468, inclusive, 201.300,
18 201.320, 202.265, 202.287, 205.473 to 205.513, inclusive, 205.610
19 to 205.810, inclusive, 370.380, 370.382, 370.395, 370.405, 465.070
20 to 465.085, inclusive, 630.400, 630A.600, 631.400, 632.285,
21 632.291, 632.315, 633.741, 634.227, 634A.230, 635.167, 636.145,
22 637.090, ~~637A.352,~~ 637B.290, 639.100, 639.2813, 640.169,
23 640A.230, 644.190 or 654.200.

24 2. Except as otherwise provided for conveyances forfeitable
25 pursuant to NRS 453.301 or 501.3857, all conveyances, including
26 aircraft, vehicles or vessels, which are used or intended for use
27 during the commission of a felony or a violation of NRS 202.287,
28 202.300 or 465.070 to 465.085, inclusive, are subject to forfeiture
29 except that:

30 (a) A conveyance used by any person as a common carrier in the
31 transaction of business as a common carrier is not subject to
32 forfeiture under this section unless it appears that the owner or other
33 person in charge of the conveyance is a consenting party or privy to
34 the felony or violation;

35 (b) A conveyance is not subject to forfeiture under this section
36 by reason of any act or omission established by the owner thereof to
37 have been committed or omitted without the owner's knowledge,
38 consent or willful blindness;

39 (c) A conveyance is not subject to forfeiture for a violation of
40 NRS 202.300 if the firearm used in the violation of that section was
41 not loaded at the time of the violation; and

42 (d) A forfeiture of a conveyance encumbered by a bona fide
43 security interest is subject to the interest of the secured party if the
44 secured party neither had knowledge of nor consented to the felony.
45 If a conveyance is forfeited, the appropriate law enforcement agency



1 may pay the existing balance and retain the conveyance for official
2 use.

3 3. For the purposes of this section, a firearm is loaded if:

4 (a) There is a cartridge in the chamber of the firearm;

5 (b) There is a cartridge in the cylinder of the firearm, if the
6 firearm is a revolver; or

7 (c) There is a cartridge in the magazine and the magazine is in
8 the firearm or there is a cartridge in the chamber, if the firearm is a
9 semiautomatic firearm.

10 4. As used in this section, "act of terrorism" has the meaning
11 ascribed to it in NRS 202.4415.

12 **Sec. 63.** NRS 239.010 is hereby amended to read as follows:

13 239.010 1. Except as otherwise provided in this section and
14 NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516,
15 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 76.160,
16 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
17 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
18 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
19 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
20 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130,
21 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057,
22 127.130, 127.140, 127.2817, 130.312, 159.044, 172.075, 172.245,
23 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801,
24 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450,
25 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662,
26 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140,
27 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
28 217.475, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350,
29 228.270, 228.450, 228.495, 228.570, 231.069, 233.190, 237.300,
30 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,
31 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020,
32 241.030, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140,
33 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350,
34 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025,
35 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135,
36 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070,
37 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,
38 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255,
39 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080,
40 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275,
41 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264,
42 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447, 394.460,
43 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885,
44 408.3886, 412.153, 416.070, 422.290, 422.305, 422A.320,
45 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175,



1 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534,
2 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195,
3 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570,
4 449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610,
5 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,
6 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
7 463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536,
8 483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040,
9 534A.031, 561.285, 571.160, 584.583, 584.655, 598.0964,
10 598.0979, 598.098, 598A.110, 599B.090, 603.070, 603A.210,
11 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
12 618.341, 618.425, 622.310, 623.131, 623A.353, 624.110, 624.265,
13 624.327, 625.425, 625A.185, 628.418, 629.069, 630.133,
14 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125,
15 632.405, 633.283, 633.301, 633.524, 634.212, 634.214, 634A.185,
16 635.158, 636.107, 637.085, ~~637A.315~~ 637B.288, 638.087,
17 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730,
18 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090,
19 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446,
20 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092,
21 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375,
22 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033,
23 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115,
24 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430,
25 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152,
26 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440,
27 681B.260, 681B.280, 683A.0873, 685A.077, 686A.289, 686B.170,
28 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480,
29 688C.490, 692A.117, 692C.190, 692C.420, 693A.480, 693A.615,
30 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 710.159,
31 711.600, sections 35, 38 and 41 of chapter 478, Statutes of Nevada
32 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and
33 unless otherwise declared by law to be confidential, all public books
34 and public records of a governmental entity must be open at all
35 times during office hours to inspection by any person, and may be
36 fully copied or an abstract or memorandum may be prepared from
37 those public books and public records. Any such copies, abstracts or
38 memoranda may be used to supply the general public with copies,
39 abstracts or memoranda of the records or may be used in any other
40 way to the advantage of the governmental entity or of the general
41 public. This section does not supersede or in any manner affect the
42 federal laws governing copyrights or enlarge, diminish or affect in
43 any other manner the rights of a person in any written book or
44 record which is copyrighted pursuant to federal law.



1 2. A governmental entity may not reject a book or record
2 which is copyrighted solely because it is copyrighted.

3 3. A governmental entity that has legal custody or control of a
4 public book or record shall not deny a request made pursuant to
5 subsection 1 to inspect or copy or receive a copy of a public book or
6 record on the basis that the requested public book or record contains
7 information that is confidential if the governmental entity can
8 redact, delete, conceal or separate the confidential information from
9 the information included in the public book or record that is not
10 otherwise confidential.

11 4. A person may request a copy of a public record in any
12 medium in which the public record is readily available. An officer,
13 employee or agent of a governmental entity who has legal custody
14 or control of a public record:

15 (a) Shall not refuse to provide a copy of that public record in a
16 readily available medium because the officer, employee or agent has
17 already prepared or would prefer to provide the copy in a different
18 medium.

19 (b) Except as otherwise provided in NRS 239.030, shall, upon
20 request, prepare the copy of the public record and shall not require
21 the person who has requested the copy to prepare the copy himself
22 or herself.

23 **Sec. 64.** NRS 391.160 is hereby amended to read as follows:

24 391.160 1. The salaries of teachers and other employees must
25 be determined by the character of the service required. A school
26 district shall not discriminate between male and female employees
27 in the matter of salary.

28 2. Each year when determining the salary of a teacher who
29 holds certification issued by the National Board for Professional
30 Teaching Standards, a school district shall add 5 percent to the
31 salary that the teacher would otherwise receive in 1 year for the
32 teacher's classification on the schedule of salaries for the school
33 district if:

34 (a) On or before January 31 of the school year, the teacher has
35 submitted evidence satisfactory to the school district of his or her
36 current certification; and

37 (b) The teacher is assigned by the school district to provide
38 classroom instruction during that school year.

39 ↪ No increase in salary may be given pursuant to this subsection
40 during a particular school year to a teacher who submits evidence of
41 certification after January 31 of that school year. For the first school
42 year that a teacher submits evidence of his or her current
43 certification, the board of trustees of the school district to whom the
44 evidence was submitted shall pay the increase in salary required by
45 this subsection retroactively to the beginning of that school year.



1 Once a teacher has submitted evidence of such certification to the
2 school district, the school district shall retain the evidence in its
3 records, as applicable, for future school years. An increase in salary
4 given in accordance with this subsection is in addition to any other
5 increase to which the teacher may otherwise be entitled.

6 3. Each year when determining the salary of a person who is
7 employed by a school district as a ~~[speech]~~ *speech-language*
8 pathologist, the school district shall add 5 percent to the salary that
9 the employee would otherwise receive in 1 year for the employee's
10 classification on the schedule of salaries for the school district if:

11 (a) On or before September 15 of the school year, the employee
12 has submitted evidence satisfactory to the school district of the
13 employee's:

14 (1) Licensure as a ~~[speech]~~ *speech-language* pathologist by
15 the ~~[Board of Examiners for Audiology and Speech]~~ *Speech-*
16 *Language Pathology [;], Audiology and Hearing Aid Dispensing*
17 *Board;*

18 (2) Certification as being clinically competent in speech-
19 language pathology by:

20 (I) The American Speech-Language-Hearing Association;
21 or

22 (II) A successor organization to the American Speech-
23 Language-Hearing Association that is recognized and determined to
24 be acceptable by the ~~[Board of Examiners for Audiology and~~
25 ~~Speech]~~ *Speech-Language Pathology [;], Audiology and Hearing*
26 *Aid Dispensing Board; and*

27 (b) The employee is assigned by the school district to serve as a
28 ~~[speech]~~ *speech-language* pathologist during the school year.

29 ➤ No increase in salary may be given pursuant to this subsection
30 during a particular school year to an employee who submits
31 evidence of licensure and certification after September 15 of that
32 school year. Once an employee has submitted evidence of such
33 licensure and certification to the school district, the school district
34 shall retain the evidence in its records, as applicable, for future
35 school years. An increase in salary given in accordance with this
36 subsection is in addition to any other increase to which the
37 employee may otherwise be entitled.

38 4. Each year when determining the salary of a person who is
39 employed by a school district as a professional school library media
40 specialist, the school district shall add 5 percent to the salary that the
41 employee would otherwise receive in 1 year for the employee's
42 classification on the schedule of salaries of the school district if:

43 (a) On or before September 15 of the school year, the employee
44 has submitted evidence satisfactory to the school district of the
45 employee's current certification as a professional school library



1 media specialist issued by the National Board for Professional
2 Teaching Standards; and

3 (b) The employee is assigned by the school district to serve as a
4 professional school library media specialist during that school year.

5 ↪ No increase in salary may be given pursuant to this subsection
6 during a particular school year to an employee who submits
7 evidence of certification after September 15 of that school year.

8 Once an employee has submitted evidence of such certification to
9 the school district, the school district shall retain the evidence in its
10 records, as applicable, for future school years. An increase in salary
11 given in accordance with this subsection is in addition to any other
12 increase to which the employee may otherwise be entitled.

13 5. In determining the salary of a licensed teacher who is
14 employed by a school district after the teacher has been employed
15 by another school district in this State, the present employer shall,
16 except as otherwise provided in subsection 8:

17 (a) Give the teacher the same credit for previous teaching
18 service as the teacher was receiving from the teacher's former
19 employer at the end of his or her former employment;

20 (b) Give the teacher credit for the teacher's final year of service
21 with his or her former employer, if credit for that service is not
22 included in credit given pursuant to paragraph (a); and

23 (c) Place the teacher on the schedule of salaries of the school
24 district in a classification that is commensurate with the level of
25 education acquired by the teacher, as set forth in the applicable
26 negotiated agreement with the present employer.

27 6. A school district may give the credit required by subsection
28 5 for previous teaching service earned in another state if the
29 Commission has approved the standards for licensing teachers of
30 that state. The Commission shall adopt regulations that establish the
31 criteria by which the Commission will consider the standards for
32 licensing teachers of other states for the purposes of this subsection.
33 The criteria may include, without limitation, whether the
34 Commission has authorized reciprocal licensure of educational
35 personnel from the state under consideration.

36 7. In determining the salary of a licensed administrator, other
37 than the superintendent of schools, who is employed by a school
38 district after the administrator has been employed by another school
39 district in this State, the present employer shall, except as otherwise
40 provided in subsection 8:

41 (a) Give the administrator the same credit for previous
42 administrative service as the administrator was receiving from the
43 administrator's former employer, at the end of his or her former
44 employment;



1 (b) Give the administrator credit for the administrator's final
2 year of service with his or her former employer, if credit for that
3 service is not otherwise included in the credit given pursuant to
4 paragraph (a); and

5 (c) Place the administrator on the schedule of salaries of the
6 school district in a classification that is comparable to the
7 classification the administrator had attained on the schedule of
8 salaries of the administrator's former employer.

9 8. This section does not:

10 (a) Require a school district to allow a teacher or administrator
11 more credit for previous teaching or administrative service than the
12 maximum credit for teaching or administrative experience provided
13 for in the schedule of salaries established by it for its licensed
14 personnel.

15 (b) Permit a school district to deny a teacher or administrator
16 credit for his or her previous teaching or administrative service on
17 the ground that the service differs in kind from the teaching or
18 administrative experience for which credit is otherwise given by the
19 school district.

20 9. As used in this section:

21 (a) "Previous administrative service" means the total of:

22 (1) Any period of administrative service for which an
23 administrator received credit from the administrator's former
24 employer at the beginning of his or her former employment; and

25 (2) The administrator's period of administrative service in
26 his or her former employment.

27 (b) "Previous teaching service" means the total of:

28 (1) Any period of teaching service for which a teacher
29 received credit from the teacher's former employer at the beginning
30 of his or her former employment; and

31 (2) The teacher's period of teaching service in his or her
32 former employment.

33 **Sec. 65.** NRS 432B.220 is hereby amended to read as follows:

34 432B.220 1. Any person who is described in subsection 4
35 and who, in his or her professional or occupational capacity, knows
36 or has reasonable cause to believe that a child has been abused or
37 neglected shall:

38 (a) Except as otherwise provided in subsection 2, report the
39 abuse or neglect of the child to an agency which provides child
40 welfare services or to a law enforcement agency; and

41 (b) Make such a report as soon as reasonably practicable but not
42 later than 24 hours after the person knows or has reasonable cause to
43 believe that the child has been abused or neglected.



1 2. If a person who is required to make a report pursuant to
2 subsection 1 knows or has reasonable cause to believe that the abuse
3 or neglect of the child involves an act or omission of:

4 (a) A person directly responsible or serving as a volunteer for or
5 an employee of a public or private home, institution or facility
6 where the child is receiving child care outside of the home for a
7 portion of the day, the person shall make the report to a law
8 enforcement agency.

9 (b) An agency which provides child welfare services or a law
10 enforcement agency, the person shall make the report to an agency
11 other than the one alleged to have committed the act or omission,
12 and the investigation of the abuse or neglect of the child must be
13 made by an agency other than the one alleged to have committed the
14 act or omission.

15 3. Any person who is described in paragraph (a) of subsection
16 4 who delivers or provides medical services to a newborn infant and
17 who, in his or her professional or occupational capacity, knows or
18 has reasonable cause to believe that the newborn infant has been
19 affected by prenatal illegal substance abuse or has withdrawal
20 symptoms resulting from prenatal drug exposure shall, as soon as
21 reasonably practicable but not later than 24 hours after the person
22 knows or has reasonable cause to believe that the newborn infant is
23 so affected or has such symptoms, notify an agency which provides
24 child welfare services of the condition of the infant and refer each
25 person who is responsible for the welfare of the infant to an agency
26 which provides child welfare services for appropriate counseling,
27 training or other services. A notification and referral to an agency
28 which provides child welfare services pursuant to this subsection
29 shall not be construed to require prosecution for any illegal action.

30 4. A report must be made pursuant to subsection 1 by the
31 following persons:

32 (a) A person providing services licensed or certified in this State
33 pursuant to, without limitation, chapter 450B, 630, 630A, 631, 632,
34 633, 634, 634A, 635, 636, 637, ~~637A,~~ 637B, 639, 640, 640A,
35 640B, 640C, 640D, 640E, 641, 641A, 641B or 641C of NRS.

36 (b) Any personnel of a medical facility licensed pursuant to
37 chapter 449 of NRS who are engaged in the admission, examination,
38 care or treatment of persons or an administrator, manager or other
39 person in charge of such a medical facility upon notification of
40 suspected abuse or neglect of a child by a member of the staff of the
41 medical facility.

42 (c) A coroner.

43 (d) A member of the clergy, practitioner of Christian Science or
44 religious healer, unless the person has acquired the knowledge of the
45 abuse or neglect from the offender during a confession.



1 (e) A person working in a school who is licensed or endorsed
2 pursuant to chapter 391 or 641B of NRS.

3 (f) Any person who maintains or is employed by a facility or
4 establishment that provides care for children, children's camp or
5 other public or private facility, institution or agency furnishing care
6 to a child.

7 (g) Any person licensed pursuant to chapter 424 of NRS to
8 conduct a foster home.

9 (h) Any officer or employee of a law enforcement agency or an
10 adult or juvenile probation officer.

11 (i) Except as otherwise provided in NRS 432B.225, an attorney.

12 (j) Any person who maintains, is employed by or serves as a
13 volunteer for an agency or service which advises persons regarding
14 abuse or neglect of a child and refers them to persons and agencies
15 where their requests and needs can be met.

16 (k) Any person who is employed by or serves as a volunteer for
17 a youth shelter. As used in this paragraph, "youth shelter" has the
18 meaning ascribed to it in NRS 244.427.

19 (l) Any adult person who is employed by an entity that provides
20 organized activities for children.

21 5. A report may be made by any other person.

22 6. If a person who is required to make a report pursuant to
23 subsection 1 knows or has reasonable cause to believe that a child
24 has died as a result of abuse or neglect, the person shall, as soon as
25 reasonably practicable, report this belief to an agency which
26 provides child welfare services or a law enforcement agency. If such
27 a report is made to a law enforcement agency, the law enforcement
28 agency shall notify an agency which provides child welfare services
29 and the appropriate medical examiner or coroner of the report. If
30 such a report is made to an agency which provides child welfare
31 services, the agency which provides child welfare services shall
32 notify the appropriate medical examiner or coroner of the report.
33 The medical examiner or coroner who is notified of a report
34 pursuant to this subsection shall investigate the report and submit
35 his or her written findings to the appropriate agency which provides
36 child welfare services, the appropriate district attorney and a law
37 enforcement agency. The written findings must include, if
38 obtainable, the information required pursuant to the provisions of
39 subsection 2 of NRS 432B.230.

40 7. The agency, board, bureau, commission, department,
41 division or political subdivision of the State responsible for the
42 licensure, certification or endorsement of a person who is described
43 in subsection 4 and who is required in his or her professional or
44 occupational capacity to be licensed, certified or endorsed in this



1 State shall, at the time of initial licensure, certification or
2 endorsement:

3 (a) Inform the person, in writing or by electronic
4 communication, of his or her duty as a mandatory reporter pursuant
5 to this section;

6 (b) Obtain a written acknowledgment or electronic record from
7 the person that he or she has been informed of his or her duty
8 pursuant to this section; and

9 (c) Maintain a copy of the written acknowledgment or electronic
10 record for as long as the person is licensed, certified or endorsed in
11 this State.

12 8. The employer of a person who is described in subsection 4
13 and who is not required in his or her professional or occupational
14 capacity to be licensed, certified or endorsed in this State must, upon
15 initial employment of the person:

16 (a) Inform the person, in writing or by electronic
17 communication, of his or her duty as a mandatory reporter pursuant
18 to this section;

19 (b) Obtain a written acknowledgment or electronic record from
20 the person that he or she has been informed of his or her duty
21 pursuant to this section; and

22 (c) Maintain a copy of the written acknowledgment or electronic
23 record for as long as the person is employed by the employer.

24 **Sec. 66.** NRS 439B.225 is hereby amended to read as follows:

25 439B.225 1. As used in this section, "licensing board" means
26 any division or board empowered to adopt standards for the issuance
27 or renewal of licenses, permits or certificates of registration
28 pursuant to NRS 435.3305 to 435.339, inclusive, chapter 449, 625A,
29 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, ~~637A,~~ 637B,
30 639, 640, 640A, 640D, 641, 641A, 641B, 641C, 652 or 654 of NRS.

31 2. The Committee shall review each regulation that a licensing
32 board proposes or adopts that relates to standards for the issuance or
33 renewal of licenses, permits or certificates of registration issued to a
34 person or facility regulated by the board, giving consideration to:

35 (a) Any oral or written comment made or submitted to it by
36 members of the public or by persons or facilities affected by the
37 regulation;

38 (b) The effect of the regulation on the cost of health care in this
39 State;

40 (c) The effect of the regulation on the number of licensed,
41 permitted or registered persons and facilities available to provide
42 services in this State; and

43 (d) Any other related factor the Committee deems appropriate.



1 3. After reviewing a proposed regulation, the Committee shall
2 notify the agency of the opinion of the Committee regarding the
3 advisability of adopting or revising the proposed regulation.

4 4. The Committee shall recommend to the Legislature as a
5 result of its review of regulations pursuant to this section any
6 appropriate legislation.

7 **Sec. 67.** NRS 679B.440 is hereby amended to read as follows:

8 679B.440 1. The Commissioner may require that reports
9 submitted pursuant to NRS 679B.430 include, without limitation,
10 information regarding:

11 (a) Liability insurance provided to:

12 (1) Governmental agencies and political subdivisions of this
13 State, reported separately for:

14 (I) Cities and towns;

15 (II) School districts; and

16 (III) Other political subdivisions;

17 (2) Public officers;

18 (3) Establishments where alcoholic beverages are sold;

19 (4) Facilities for the care of children;

20 (5) Labor, fraternal or religious organizations; and

21 (6) Officers or directors of organizations formed pursuant to
22 title 7 of NRS, reported separately for nonprofit entities and entities
23 organized for profit;

24 (b) Liability insurance for:

25 (1) Defective products;

26 (2) Medical or dental malpractice of:

27 (I) A practitioner licensed pursuant to chapter 630, 630A,
28 631, 632, 633, 634, 634A, 635, 636, 637, ~~637A,~~ 637B, 639 or 640
29 of NRS;

30 (II) A hospital or other health care facility; or

31 (III) Any related corporate entity.

32 (3) Malpractice of attorneys;

33 (4) Malpractice of architects and engineers; and

34 (5) Errors and omissions by other professionally qualified
35 persons;

36 (c) Vehicle insurance, reported separately for:

37 (1) Private vehicles;

38 (2) Commercial vehicles;

39 (3) Liability insurance; and

40 (4) Insurance for property damage;

41 (d) Workers' compensation insurance; and

42 (e) In addition to any information provided pursuant to
43 subparagraph (2) of paragraph (b) or NRS 690B.260, a policy of
44 insurance for medical malpractice. As used in this paragraph,



1 “policy of insurance for medical malpractice” has the meaning
2 ascribed to it in NRS 679B.144.

3 2. The Commissioner may require that the report include,
4 without limitation, information specifically pertaining to this State
5 or to an insurer in its entirety, in the aggregate or by type of
6 insurance, and for a previous or current year, regarding:

7 (a) Premiums directly written;

8 (b) Premiums directly earned;

9 (c) Number of policies issued;

10 (d) Net investment income, using appropriate estimates when
11 necessary;

12 (e) Losses paid;

13 (f) Losses incurred;

14 (g) Loss reserves, including:

15 (1) Losses unpaid on reported claims; and

16 (2) Losses unpaid on incurred but not reported claims;

17 (h) Number of claims, including:

18 (1) Claims paid; and

19 (2) Claims that have arisen but are unpaid;

20 (i) Expenses for adjustment of losses, including allocated and
21 unallocated losses;

22 (j) Net underwriting gain or loss;

23 (k) Net operation gain or loss, including net investment income;

24 and

25 (l) Any other information requested by the Commissioner.

26 3. The Commissioner may also obtain, based upon an insurer
27 in its entirety, information regarding:

28 (a) Recoverable federal income tax;

29 (b) Net unrealized capital gain or loss; and

30 (c) All other expenses not included in subsection 2.

31 **Sec. 68.** Notwithstanding the amendatory provisions of this
32 act:

33 1. The Speech-Language Pathology, Audiology and Hearing
34 Aid Dispensing Board created by NRS 637B.100, as amended by
35 section 44 of this act, shall issue an endorsement to engage in the
36 practice of fitting and dispensing hearing aids to any audiologist
37 who, on October 1, 2015, holds a current license as a hearing aid
38 specialist issued by the Board of Hearing Aid Specialists pursuant to
39 chapter 637A of NRS.

40 2. A license that is valid on October 1, 2015, and that was
41 issued by the Board of Hearing Aid Specialists created by NRS
42 637A.030 or the Board of Examiners for Audiology and Speech
43 Pathology created by NRS 637B.100:



1 (a) Shall be deemed to be issued by the Speech-Language
2 Pathology, Audiology and Hearing Aid Dispensing Board created
3 by NRS 637B.100, as amended by section 44 of this act; and

4 (b) Remains valid until its date of expiration, if the holder of the
5 license otherwise remains qualified for the issuance or renewal of
6 the license on or after October 1, 2015.

7 **Sec. 69.** 1. The terms of the members of the Board of
8 Hearing Aid Specialists created by NRS 637A.030 and the Board of
9 Examiners for Audiology and Speech Pathology created by NRS
10 637B.100 who are incumbent on September 30, 2015, expire on that
11 date.

12 2. On or before October 1, 2015, the Governor shall appoint
13 the members of the Speech-Language Pathology, Audiology and
14 Hearing Aid Dispensing Board created by NRS 637B.100, as
15 amended by section 44 of this act, to terms commencing on
16 October 1, 2015, as follows:

17 (a) Two members to terms that expire on July 1, 2016;

18 (b) Three members to terms that expire on July 1, 2017; and

19 (c) Two members to terms that expire on July 1, 2018.

20 **Sec. 70.** 1. Notwithstanding the amendatory provisions of
21 sections 17, 18, 25, 28, 35 and 72 of this act transferring authority to
22 adopt regulations from the Board of Hearing Aid Specialists created
23 by NRS 637A.030 and the Board of Examiners for Audiology and
24 Speech Pathology created by NRS 637B.100 to the Speech-
25 Language Pathology, Audiology and Hearing Aid Dispensing Board
26 created by NRS 637B.100, as amended by section 44 of this act, any
27 regulations adopted by the Board of Hearing Aid Specialists and the
28 Board of Examiners for Audiology and Speech Pathology that do
29 not conflict with the provisions of this act remain in effect and may
30 be enforced by the Speech-Language Pathology, Audiology and
31 Hearing Aid Dispensing Board until the Speech-Language
32 Pathology, Audiology and Hearing Aid Dispensing Board adopts
33 regulations to repeal or replace those regulations.

34 2. Any regulations adopted by the Board of Hearing Aid
35 Specialists created by NRS 637A.030 or the Board of Examiners for
36 Audiology and Speech Pathology created by NRS 637B.100 that
37 conflict with the provisions of this act are void. The Legislative
38 Counsel shall remove those regulations from the Nevada
39 Administrative Code as soon as practicable after October 1, 2015.

40 **Sec. 71.** The Legislative Counsel shall:

41 1. In preparing the Nevada Revised Statutes, use the authority
42 set forth in subsection 10 of NRS 220.120 to substitute
43 appropriately the name of any agency, officer or instrumentality of
44 the State whose name is changed by this act for the name which the
45 agency, officer or instrumentality previously used; and



2. In preparing supplements to the Nevada Administrative Code, substitute appropriately the name of any agency, officer or instrumentality of the State whose name is changed by this act for the name which the agency, officer or instrumentality previously used.

Sec. 72. 1. NRS 637A.010, 637A.020, 637A.021, 637A.0213, 637A.0217, 637A.022, 637A.0221, 637A.0223, 637A.0227, 637A.023, 637A.0233, 637A.0235, 637A.024, 637A.025, 637A.030, 637A.035, 637A.040, 637A.060, 637A.080, 637A.090, 637A.100, 637A.110, 637A.120, 637A.130, 637A.140, 637A.150, 637A.160, 637A.163, 637A.170, 637A.190, 637A.200, 637A.205, 637A.210, 637A.220, 637A.225, 637A.230, 637A.235, 637A.240, 637A.243, 637A.245, 637A.250, 637A.253, 637A.260, 637A.270, 637A.290, 637A.300, 637A.305, 637A.310, 637A.315, 637A.340, 637A.345, 637A.350, 637A.352, 637A.353, 637A.355, 637A.360, 637B.090, 637B.110, 637B.150, 637B.170, 637B.210, 637B.220, 637B.270 and 637B.300 are hereby repealed.

2. Section 322 of chapter 483, Statutes of Nevada 1997, is hereby repealed.

Sec. 73. This act becomes effective:

1. Upon passage and approval for the purposes of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and

2. On October 1, 2015, for all other purposes.

LEADLINES OF REPEALED SECTIONS

637A.010 Short title.

637A.020 Definitions.

637A.021 "Board" defined.

637A.0213 "Chair" defined.

637A.0217 "Hearing aid" defined.

637A.022 "Hearing aid specialist" defined.

637A.0221 "Incompetence" defined.

637A.0223 "License" defined.

637A.0227 "Manufacturer" defined.

637A.023 "Member" defined.

637A.0233 "Negligence" defined.

637A.0235 "Practice of fitting and dispensing hearing aids" defined.

637A.024 "Secretary" defined.

637A.025 Applicability.



- 637A.030** Creation; number and appointment of members.
- 637A.035** Qualifications of members; terms; members serve at pleasure of Governor.
- 637A.040** Chair and Secretary; meetings; quorum.
- 637A.060** Officers; rules and regulations.
- 637A.080** Deposit and use of money received by Board; delegation of authority to take disciplinary action; deposit of fines imposed by Board; claims for attorney's fees and costs of investigation.
- 637A.090** Compensation of members and employees.
- 637A.100** Duties.
- 637A.110** Powers.
- 637A.120** Seal.
- 637A.130** Application for examination; fee.
- 637A.140** Contents of application.
- 637A.150** Actions by Board on applications.
- 637A.160** Requirements for licensing.
- 637A.163** Payment of child support: Submission of certain information by applicant; grounds for denial of examination or license; duty of Board.
- 637A.170** Examination waived for certain specialists applying before October 1, 1973.
- 637A.190** Display of license.
- 637A.200** Expiration and renewal of licenses.
- 637A.205** Transfer of license to inactive list.
- 637A.210** Fees.
- 637A.220** Apprentices: Employment; application for licensure.
- 637A.225** Apprentices: Regulations concerning approval of Board for hearing aid specialist to supervise; procedure for appeal.
- 637A.230** Apprentices: Supervision and responsibility for work; selection of hearing aid; signing of audiogram or sales document.
- 637A.235** Apprentices: Identification; title.
- 637A.240** Limitation on period of apprenticeship.
- 637A.243** Sale of hearing aids by catalog or mail: Conditions; records; regulations.
- 637A.245** Audiograms for use of physician or member of related profession.
- 637A.250** Grounds.
- 637A.253** Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license.



- 637A.260** Complaint against licensee; investigation; retention of complaints.
- 637A.270** Commencement of disciplinary proceedings required for certain violations of Industrial Insurance Act.
- 637A.290** Authorized disciplinary action; procedure for suspension; private reprimands prohibited; orders imposing discipline deemed public records.
- 637A.300** Surrender and reinstatement of revoked license.
- 637A.305** Active participation in fitting or dispensing hearing aid prohibited with revoked license.
- 637A.310** Records required.
- 637A.315** Confidentiality of certain records of Board; exceptions.
- 637A.340** Transfer or alteration of license.
- 637A.345** Inspection of premises by Board.
- 637A.350** Fraudulent use of assumed name or practice without license.
- 637A.352** Engaging in business of hearing aid specialist without license; penalties.
- 637A.353** Engaging in business of hearing aid specialist or apprentice to hearing aid specialist without license: Reporting requirements of the Board.
- 637A.355** Injunctive relief against violators.
- 637A.360** Penalty.
- 637B.090** Use of title "certified hearing aid audiologist."
- 637B.110** Officers.
- 637B.150** Regulations.
- 637B.170** Examinations.
- 637B.210** Expiration, renewal and reinstatement of licenses; fees; required statement.
- 637B.220** Standards for ethical conduct; continuing education as prerequisite to license renewal.
- 637B.270** Commencement of disciplinary proceedings required for certain violations of Industrial Insurance Act.
- 637B.300** Prescribing or administering drugs or piercing or severing body tissue.

