

**LCB File No. R114-01**

**PROPOSED REGULATION OF THE  
BOARD OF HEARING AID SPECIALISTS**

**NOTICE OF WORKSHOP**

**To Solicit Comments on Proposed Regulations**

The Nevada State Board of Hearing Aid Specialists, P.O. Box 190, Carson City, Nevada 89702, (702) 571-9000, is proposing the adoption, amendment, and/or repeal of regulations pertaining to Chapter 637A of the Nevada Administrative Code. A workshop has been set for 9:30 A.M. on October 6, 2001, at the Reno-Tahoe International Airport, Reno, Nevada. The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

- NAC 637A.060 – Examination fee;
- NAC 637A.070 – License fees;
- NAC 637A.080 – Renewal of License;
- NAC 637A.095 – Requirements for Continuing Education; exemption;
- NAC 637A.105 – Sponsorship of apprentice;
- NAC 637A.110 – State of supervision;
- NAC 637A.115 – Completion of training under supervision of sponsor; report by sponsor; limitations on practice;
- NAC 637A.120 – Proof of supervision and review of work;
- NAC 637A.130 – Withdrawal of sponsor;
- NAC 637A.140 – Display of certificate;
- NAC 637A.190 – Office of hearing aid specialist;
- NAC 637A.195 – Compliance with federal regulations; waiver of medical evaluation by client;
- NAC 637A.200 – Minimum procedures on prospective candidates for hearing aids; exception;
- NAC 637A.220 – Duties of licensee; prohibited acts; disciplinary action

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting the Board at the above address and telephone number. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulations has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

Clark County Library  
833 Las Vegas Boulevard N.  
Las Vegas, NV 89101

Nevada Attorney General's Office  
555 E. Washington Street  
Las Vegas, NV

Nevada Attorney General's Office  
1325 Airmotive Way, Ste. 340  
Reno, NV 89502

Reno-Tahoe International Airport  
2001 East Plumb Lane  
Reno, NV 89502

Dated: August 27, 2001

## NOTICE OF INTENT TO ACT UPON PROPOSED REGULATIONS

### NOTICE OF HEARING for the Adoption of Proposed Regulations of the Nevada State Hearing Aid Specialist Board

The Nevada State Hearing Aid Specialist Board will hold a public hearing at 9:45 A.M. on October 6, 2001, at the Reno Tahoe International Airport, Meeting Room C, 2001 East Plumb Lane, Reno, Nevada. The purpose of the hearing is to receive comments from all interested person regarding the amendment of regulations that pertain to chapter 637A of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

NAC 637A.060 – Examination fee; NAC 637A.070 – License Fees; NAC 637A.080 – Renewal of License; NAC 637A.095 – Requirements for Continuing Education; exemption; NAC 637A.105 – Sponsorship of apprentice; NAC 637A.110 – State of supervision; NAC 637A.115 – Completion of training under supervision of sponsor; report by sponsor; limitations on practice; NAC 637A.120 – Proof of supervision and review of work; NAC 637A.130 – Withdrawal of sponsor; NAC 637A.140 – Display of certificate; NAC 637A.190 – Office of Hearing Aid Specialist; NAC 637A.195 – Compliance with federal regulations; waiver of medical evaluation by client; NAC 637A.200 – Minimum Procedures on Prospective Candidates for Hearing Aids; Exception; NAC 637A.220 – Duties of Licensee; Prohibited Acts; Disciplinary Action;

The purpose of the proposed amendments increase examination and licensure fees; requires applications to be complete; inform the Board of ever office or business from which a licensee dispenses hearing aids and display the license; every office must be compliant with the Americans with Disabilities Act and must be accessible to the public; Board staff or investigator may enter any site at which hearing aids are dispensed and may examine any record, document, facility, or equipment; cancellation policy for the return of monies from a licensee to an individual; identifying acts committed by a licensee that will be deemed harmful to the public or detrimental to the public health or safety; and any document that must be filed with the Board will be deemed to be filed on the date it is postmarked or received by the board secretary, whichever is earlier; increase the examination fees for licensure.

The economic effects on the public is that offices that dispense hearing aids must be compliant with the American with Disabilities act to accommodate disabled individuals and a set cancellation policy for individuals who order hearing aids and cancel the order within 5 days and never take possession of the hearing aids.

The economic effect on the business it regulates is that applicants and licensees will be required to pay higher fees to keep a Nevada Hearing Aid Specialist License. It requires that offices that dispense hearing aids be compliant with the American Disabilities Act. The licensee must also comply with the cancellation policy and return the necessary funds to the individual. It will cost more to take the licensure examination.

There is no estimated cost to the agency for enforcement of the proposed regulations.

There are no regulations of other state or local governmental agencies, which the proposed regulations overlap or duplicates.

The proposed regulations are not required pursuant to federal law.

The proposed regulations do not include provisions, which are more stringent than a federal regulation that regulates the same activity.

The proposed regulations increase the existing examination fee and licensure fees.

Persons wishing to comment upon the proposed action of the Nevada State Hearing Aid Specialist Board may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Nevada State Hearing Aid Specialist Board, P.O. Box 190, Carson City, Nevada 89702. Written submissions must be received by the Nevada State Hearing Aid Specialist Board on or before September 25, 2001. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Hearing Aid Specialist Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspections by members of the public during business hours. Additional copies of the notice and the regulation to be amended can be requested in writing to Nevada State Hearing Aid Specialist Board, P.O. Box 190, Carson City, Nevada 89702 or by calling (702) 571-9000, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Council Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Churchill County Library  
Clark County Library  
Elko County Library  
Esmeralda County Library  
Eureka County Library  
Humboldt County Library  
Lincoln County Library  
Lyon County Library  
Mineral County Library  
Goldfield Public Library  
Tonopah Public Library  
Pershing County Library  
Storey County Library  
Washoe County Library  
White Pine County Library  
Battle Mountain Branch Library  
Carson City Library  
Douglas County Library

Nevada Attorney General's Office – Las Vegas  
Nevada Attorney General's Office – Reno

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**NAC 637A.070 License fees.** The following fees must be paid by each licensee to the secretary of the board:

Initial license fee.....	\$100
Annual license fee.....	<del>\$150</del> <b>200</b>
Lapsed renewal fee.....	\$100
Reinstatement fee.....	\$100
<i>Application Fee.....</i>	<i>\$250</i>
<i>Duplicate License Fee.....</i>	<i>\$20</i>
<i>Inactive License Fee.....</i>	<i>\$100</i>