

Amendment No. 877

Senate Amendment to Assembly Bill No. 115 Second Reprint (BDR 54-165)

Proposed by: Senator Hardy

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 115 R2 (§§ 47, 50, 51).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐		Adopted	☐	Lost	☐	
Concurred In	☐	Not	☐		Concurred In	☐	Not	☐	
Receded	☐	Not	☐		Receded	☐	Not	☐	

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red-strikethrough~~ is deleted language in the original bill; (4) ~~purple double-strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EMR/JWP



Date: 5/20/2015

A.B. No. 115—Revises provisions governing audiologists, speech-language pathologists and hearing aid specialists. (BDR 54-165)



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 ~~omitted 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:

Existing law defines "provider of health care" as a person who practices any of certain health-related professions. (NRS 629.031) Existing law imposes certain requirements upon providers of health care, including requirements for the retention of patient records, requirements for billing, standards for advertisements and criminal penalties for acquiring certain debts. (NRS 629.051, 629.071, 629.076, 629.078) **Section 1** of this bill includes speech-language pathologists and audiologists in the definition of "provider of health care," which has the effect of making these requirements applicable to speech-language pathologists and audiologists. Existing law also includes the definition of "provider of health care" by reference in various other provisions. By expanding the definition, the bill expands the definition for those other provisions, thereby making those provisions include speech-

language pathologists and audiologists as providers of health care. The term is referenced in provisions relating to various subjects including, without limitation, admissibility of the testimony of hypnotized witnesses, power of attorney, practice during declared emergencies, investigations conducted concerning facilities for long-term care, confidentiality of reports and referrals relating to maternal health, payments by insurance, release of the results of certain laboratory tests, drug donation programs, interpreters and realtime captioning providers and the Silver State Health Insurance Exchange. (NRS 41.141, 48.039, 162A.790, 415A.210, 427A.145, 442.395, 449.2475, chapter 453B of NRS, NRS 652.193, chapters 656A and 695I of NRS)

Existing law establishes the Board of Hearing Aid Specialists to license and oversee hearing aid specialists and the Board of Examiners for Audiology and Speech Pathology to license and oversee audiologists and speech pathologists. (Chapters 637A and 637B of NRS) **Section 72** of this bill repeals provisions establishing the Board of Hearing Aid Specialists, and **section 44** of this bill establishes the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board to license and oversee audiologists, speech-language pathologists and hearing aid specialists. Under **sections 44 and 44.5** of this bill, the Board consists of eight members until July 1, 2017, on which date the membership of the Board will decrease to seven members. **Section 45** of this bill requires the Board to elect a Chair and a Vice Chair and to comply with certain provisions of NRS governing meetings of state and local agencies. **Section 46** of this bill authorizes the Board to employ certain persons and provides for compensation of the members and employees of the Board. **Section 16** of this bill authorizes the Board to select certain persons as advisory members, and **sections 17, 18, 25 and 28** of this bill prescribe the responsibilities of the Board.

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

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

Sections 25-35 of this bill enact requirements for the licensing and practice of hearing aid specialists in chapter 637B of NRS, and **section 72** repeals those requirements in chapter 637A of NRS. **Section 27** authorizes the Board to issue an apprentice license to an applicant who has not yet completed the education or training requirements for a hearing aid specialist, and **sections 29-31** prescribe requirements concerning the practice of an apprentice. **Section 32** authorizes a hearing aid specialist or dispensing audiologist to make an audiogram upon request by a physician or member of a related profession specified by the Board. **Section 33** requires a hearing aid specialist or apprentice to display his or her license conspicuously in each place where he or she conducts business as a hearing aid specialist or apprentice. **Section 34** requires a hearing aid specialist or apprentice to update the address of his or her place of business on file with the Board within 10 days after the date on which the address changes.

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

Section 43 of this bill revises exemptions from the provisions of chapter 637B of NRS for certain government employees and other persons who do not engage in the private practice of audiology, speech-language pathology or fitting and dispensing hearing aids. **Section 49** of this bill authorizes the Board to issue a license without an examination to persons who hold certain certifications. **Sections 48, 50, 53, 54 and 56-59** of this bill make certain provisions governing audiologists and speech-language pathologists applicable to hearing aid specialists

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as well. **Section 51** of this bill imposes fees for certain tasks relating to licensing. **Section 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:

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

629.031 Except as otherwise provided by a specific statute:

1. "Provider of health care" means ~~the~~:

(a) A physician licensed pursuant to chapter 630, 630A or 633 of NRS ~~the~~;

(b) A physician assistant ~~the~~;

(c) A dentist ~~the~~;

(d) A licensed nurse ~~the~~;

(e) A dispensing optician ~~the~~;

(f) A *speech-language pathologist*;

(g) An *audiologist*;

(h) An optometrist ~~the~~;

(i) A practitioner of respiratory care ~~the~~;

(j) A registered physical therapist ~~the~~;

(k) An occupational therapist ~~the~~;

(l) A podiatric physician ~~the~~;

(m) A licensed psychologist ~~the~~;

(n) A licensed marriage and family therapist ~~the~~;

(o) A licensed clinical professional counselor ~~the~~;

(p) A music therapist ~~the~~;

(q) A chiropractor ~~the~~;

(r) An athletic trainer ~~the~~;

(s) A perfusionist ~~the~~;

(t) A doctor of Oriental medicine in any form ~~the~~;

(u) A medical laboratory director or technician ~~the~~;

(v) A pharmacist ~~the~~;

(w) A licensed dietitian ; or ~~the~~

(x) A licensed hospital as the employer of any ~~such~~ person ~~the~~ *specified in this subsection.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7. As used in this section:

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

(b) "Health care licensing board" means:

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

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

Sec. 4. NRS 629.097 is hereby amended to read as follows:

629.097 1. If the Governor must appoint to a board a person who is a member of a profession being regulated by that board, the Governor shall solicit nominees from one or more applicable professional associations in this State.

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

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

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

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

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

1. Educational and other qualifications of applicants;

2. Required academic programs which applicants must successfully complete;

3. Procedures for applying for and issuing licenses;

4. Tests or examinations of applicants by the Board;

5. The types of medical services that a practitioner of respiratory care may perform, except that a practitioner of respiratory care may not perform those specific functions and duties delegated or otherwise restricted by specific statute to persons licensed as dentists, chiropractors, podiatric physicians, optometrists, physicians, osteopathic physicians or hearing aid specialists pursuant to this chapter or chapter 631, 633, 634, 635, 636 or ~~637A~~ 637B of NRS, as appropriate;

6. The duration, renewal and termination of licenses; and

7. The grounds and procedures for disciplinary actions against practitioners of respiratory care.

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

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

1. The educational and other qualifications of applicants.

2. The required academic program for applicants.

3. The procedures for applications for and the issuance of certificates.

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

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

6. The duration, renewal and termination of certificates.

7. The grounds respecting disciplinary actions against homeopathic assistants.

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

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

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

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

1. The educational and other qualifications of applicants.

2. The required academic program for applicants.

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

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

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

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

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

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

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

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

Sec. 11. *"Hearing aid" means any:*

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

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

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

Sec. 13. *"Manufacturer" means any person who assembles, manufactures or fabricates hearing aids or any parts or supplies used in connection therewith.*

Sec. 14. *"Practice of fitting and dispensing hearing aids" means measuring human hearing and selecting, adapting, distributing or selling hearing aids and includes, without limitation:*

1. Making impressions for earmolds;

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

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

4. Selecting and fitting hearing aids;

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

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

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

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

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

Sec. 16. *1. Except as otherwise provided in subsection 2, the Board may, by majority vote, select one or more persons, including, without limitation, a physician licensed pursuant to chapter 630 of NRS, an osteopathic physician licensed pursuant to chapter 633 of NRS or a member of the public, to serve as an advisory member of the Board.*

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

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

2 **Sec. 17. The Board shall:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 2. *A limited license issued pursuant to this section is valid for not more than*
25 *15 days.*

26 Sec. 22. 1. *Upon application and payment of the application fee required*
27 *pursuant to NRS 637B.230, the Board may issue a provisional license to engage*
28 *in the practice of:*

29 (a) *Speech-language pathology to a person who is completing the clinical*
30 *fellowship requirements for obtaining a certificate of clinical competence issued*
31 *by the American Speech-Language-Hearing Association.*

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

33 (1) *Holds a license to engage in the practice of fitting and dispensing*
34 *hearing aids in another state; and*

35 (2) *Is completing the training required for certification by the National*
36 *Board for Certification in Hearing Instrument Sciences.*

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

38 (a) *Renewed not more than twice; and*

39 (b) *Converted to an active license upon payment of the fee required pursuant*
40 *to NRS 637B.230 for converting the license and the award of:*

41 (1) *A certificate of clinical competence by the American Speech-*
42 *Language-Hearing Association; or*

43 (2) *Certification by the National Board for Certification in Hearing*
44 *Instrument Sciences.*

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

48 1. *Request an endorsement of the license to engage in the practice of fitting*
49 *and dispensing hearing aids; and*

50 2. *Pass an examination prescribed by the Board pursuant to section 25 of*
51 *this act. The examination must be identical to the examination required for the*
52 *licensure of hearing aid specialists.*

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

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

6 (b) **Be knowledgeable and competent in the technology used to provide**
7 **services by telepractice;**

8 (c) **Only use telepractice to provide services for which delivery by telepractice**
9 **is appropriate;**

10 (d) **Provide services by telepractice that, as determined by the Board, are**
11 **substantially equivalent in quality to services provided in person;**

12 (e) **Document any services provided by telepractice in the record of the**
13 **person receiving the services; and**

14 (f) **Comply with the provisions of this chapter and any regulations adopted**
15 **pursuant thereto.**

16 2. **As used in this section, "telepractice" means engaging in the practice of**
17 **audiology or speech-language pathology using equipment that transfers**
18 **information electronically, telephonically or by fiber optics.**

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

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

22 2. **The educational and training requirements for hearing aid specialists**
23 **and apprentices;**

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

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

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

30 1. **Successfully complete a program of education or training approved by**
31 **the Board which requires, without limitation, that the applicant:**

32 (a) **Hold an associate's degree or bachelor's degree in hearing instrument**
33 **sciences; or**

34 (b) **Hold:**

35 (1) **A high school diploma or its equivalent or an associate's degree or**
36 **bachelor's degree in any field other than hearing instrument sciences; and**

37 (2) **Successfully complete a training program in hearing instrument**
38 **sciences as prescribed by regulation of the Board.**

39 2. **Except as otherwise provided in section 22 of this act, be certified by the**
40 **National Board for Certification in Hearing Instrument Sciences.**

41 3. **Pass the examination prescribed pursuant to section 25 of this act.**

42 4. **Comply with the regulations adopted pursuant to section 25 of this act.**

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

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

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

1 **Sec. 28.** *The Board shall adopt regulations setting forth requirements for*
2 *the supervision of a licensed apprentice and the responsibilities of the sponsor*
3 *and the apprentice.*

4 **Sec. 29.** *1. All work performed by a licensed apprentice must be directly*
5 *supervised by a hearing aid specialist or dispensing audiologist, and the hearing*
6 *aid specialist or dispensing audiologist is responsible and civilly liable for the*
7 *negligence or incompetence of the licensed apprentice under his or her*
8 *supervision.*

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

11 *3. Any audiogram or sales document prepared by a licensed apprentice*
12 *must be signed by the apprentice and the supervising hearing aid specialist or*
13 *dispensing audiologist.*

14 *4. As used in this section:*

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

17 *(1) A lack of knowledge or training; or*

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

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

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

24 *2. Any advertisement or promotional materials that refer to an apprentice*
25 *must identify the apprentice as an apprentice.*

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

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

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

36 **Sec. 34.** *Every hearing aid specialist and licensed apprentice shall, within*
37 *10 days after changing the address of his or her place of business, notify the*
38 *Board of the new address of his or her place of business.*

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

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

42 *(1) A written statement signed by:*

43 *(I) A physician licensed pursuant to chapter 630 or 633 of NRS, an*
44 *advanced practice registered nurse licensed pursuant to NRS 632.237, an*
45 *audiologist or a hearing aid specialist which verifies that he or she has performed*
46 *an otoscopic examination of the person to whom the hearing aid will be sold and*
47 *the results of the examination indicate that the person may benefit from the use*
48 *of a hearing aid;*

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

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

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

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

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

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

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

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

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

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

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

637B.030 "Audiologist" means any person who ~~engages~~ *is licensed to engage* in the practice of audiology ~~in accordance with the provisions of this chapter.~~

Sec. 39. NRS 637B.040 is hereby amended to read as follows:

637B.040 "Board" means the ~~Board of Examiners for Audiology and Speech-Language Pathology~~ *Speech-Language Pathology*, ~~Audiology and Hearing Aid Dispensing Board.~~

Sec. 40. NRS 637B.050 is hereby amended to read as follows:

637B.050 "Practice of audiology" ~~consists of holding out to the public, or rendering, services for the measurement, testing, appraisal, prediction, consultation, counseling, research or treatment of~~ *means the application of principles, methods and procedures relating to hearing and balance, hearing impairment, disorders and related speech and language disorders and includes, without limitation:*

1. *The conservation of auditory system functions;*

2. *Screening, identifying, assessing and interpreting, preventing and rehabilitating auditory and balance system disorders;*

3. *The selection, fitting, programming and dispensing of hearing aids, the programming of cochlear implants and other technology which assists persons with hearing loss and training persons to use such technology;*

4. *Providing vestibular and auditory rehabilitation, cerumen management and associated counseling services;*

5. *Conducting research on hearing and hearing disorders* for the purpose of modifying disorders in communication involving speech, language and hearing ~~and~~;

~~and~~

6. *Providing referral services for medical diagnosis and treatment* ~~and~~;

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

Sec. 41. NRS 637B.060 is hereby amended to read as follows:

637B.060 “Practice of ~~speech~~ *speech-language* pathology” ~~consists of holding out to the public, or rendering, services for the measurement, testing, identification, prediction, treatment or modification of, or counseling or research concerning:~~

- ~~1. Normal and abnormal development of a person’s ability to communicate;~~
- ~~2. Disorders and problems concerning a person’s ability to communicate;~~
- ~~3. Deficiencies in a person’s sensory, perceptual, motor, cognitive and social skills necessary to enable the person to communicate; and~~
- ~~4. Sensorimotor functions of a person’s mouth, pharynx and larynx.~~

means the application of principles, methods and procedures relating to the development and effectiveness of human communication and disorders of human communication, and includes, without limitation:

- 1. The prevention, screening, consultation, assessment, treatment, counseling, collaboration and referral services for disorders of speech, fluency, resonance voice language, feeding, swallowing and cognitive aspects of communication;*
- 2. Argumentative and alternative communication techniques and strategies;*
- 3. Auditory training, speech reading and speech and language intervention for persons who suffer from hearing loss;*
- 4. The screening of persons for hearing loss and middle ear pathology;*
- 5. ~~Vocal tract imaging and visualization by the~~ The use of ~~nonmedical~~ oral and nasal endoscopy ~~for the purpose of vocal tract imaging and visualization;~~*
- 6. Selecting, fitting and establishing effective use of prosthetic or adaptive devices for communication, swallowing or other upper respiratory and digestive functions, not including sensory devices used by persons with hearing loss;*
- 7. Providing services to modify or enhance communication; ~~and~~*
- 8. Providing referral services for medical diagnosis and treatment ~~for~~; and*
- 9. At the request of a physician, participating in the diagnosis of a person.*

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

637B.070 ~~“Speech”~~ *“Speech-language* pathologist” means any person who ~~engages~~ *is licensed to engage* in the practice of ~~speech~~ *speech-language* pathology ~~for~~ *pursuant to the provisions of this chapter.*

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

637B.080 The provisions of this chapter do not apply to ~~the~~

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

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

- ~~3. Any~~ *any* person who:

~~(a)~~ *1. Holds a current credential ~~as an audiologist or a speech pathologist~~ issued by the Department of Education ~~for~~*

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

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

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

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

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

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

4. Holds a current ~~certificate from the Council on the Education of the Deaf as a teacher;~~ *license issued pursuant to chapters 630 to 637, inclusive, or 640 to 641C, inclusive, of NRS,*

~~and who does not engage in the private practice of audiology or of speech-~~ *speech-language* pathology in this State.

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

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

2. The Governor shall appoint:

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

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

(c) ~~One member~~ *Two members* who ~~is a physician and who is certified by the Board of Medical Examiners as a specialist in otolaryngology, pediatrics or neurology;~~ *are hearing aid specialists;* and

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

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

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

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

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

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

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

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

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

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

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

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

1 **Sec. 44.5.** NRS 637B.100 is hereby amended to read as follows:

2 637B.100 1. The Speech-Language Pathology, Audiology and Hearing Aid
3 Dispensing Board, consisting of ~~eight~~ **seven** members appointed by the Governor,
4 is hereby created.

5 2. The Governor shall appoint:

6 (a) Three members who are speech-language pathologists, each of whom must
7 practice in a different setting, including, without limitation, a university, public
8 school, hospital or private practice;

9 (b) Two members who are audiologists, at least one of whom must be a
10 dispensing audiologist;

11 (c) ~~Two members~~ **One member** who ~~are~~ **is a** hearing aid ~~specialists;~~
12 **specialist;** and

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

15 (1) A speech-language pathologist, hearing aid specialist or an audiologist;
16 or

17 (2) The spouse or the parent or child, by blood, marriage or adoption, of a
18 speech-language pathologist, hearing aid specialist or an audiologist.

19 3. Each member of the Board who is an audiologist, a speech-language
20 pathologist or a hearing aid specialist must:

21 (a) Have practiced, taught or conducted research in his or her profession for the
22 3 years immediately preceding the appointment; and

23 (b) Hold a current license issued pursuant to this chapter.

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

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

27 6. A member of the Board shall not serve for more than two terms.

28 7. If a vacancy occurs during the term of a member, the Governor shall
29 appoint a person similarly qualified to replace that member for the remainder of the
30 unexpired term.

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

32 637B.120 1. ***The Board shall elect from its members a Chair and Vice***
33 ***Chair. The officers of the Board hold their respective offices at the pleasure of***
34 ***the Board.***

35 2. The Board shall meet at least ***twice*** annually and may meet at other times
36 on the call of the ~~President~~ ***Chair*** or a majority of its members.

37 ~~2-~~ 3. A majority of the Board constitutes a quorum to transact all business.

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

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

41 637B.130 1. A member of the Board is entitled to receive:

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

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

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

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

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

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

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

10 ~~—(a) Is over the age of 21 years;~~
11 ~~—(b) Is a citizen of the United States, or is lawfully entitled to remain and work~~
12 ~~in the United States;~~
13 ~~—(c) Is~~ *for a license to engage in the practice of audiology, speech-language*
14 *pathology or fitting and dispensing hearing aids must:*

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

16 ~~(d) Meets the requirements for education or training and experience provided~~
17 ~~by subsection 2;~~

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

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

21 ~~—(g) Passes any~~

22 2. *Pass an examination* ~~required by this chapter;~~

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

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

26 ~~(i) Submits~~

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

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

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

40 637B.166 1. In addition to any other requirements set forth in this chapter:

41 (a) An applicant for the issuance of a license to engage in the practice of
42 audiology ~~for speech~~ *, speech-language pathology or fitting and dispensing*
43 *hearing aids* shall include the social security number of the applicant in the
44 application submitted to the Board.

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

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

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

(b) A separate form prescribed by the Board.

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

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

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

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

Sec. 49. NRS 637B.190 is hereby amended to read as follows:

637B.190 The Board may issue a license without examination to a person who holds:

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

~~—2—~~ A *current* certificate of clinical competence issued by the American ~~{Speech and Hearing}~~ *Speech-Language-Hearing* Association in the field of practice for which the person is applying for a license ~~{; or~~

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

Sec. 50. NRS 637B.200 is hereby amended to read as follows:

637B.200 1. The Board ~~{shall}~~ *may* issue a temporary license to *engage in the practice* ~~{audiology or speech}~~ of:

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

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

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

(a) *Is so licensed in another state; and*

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

3. A temporary license issued pursuant to this section ~~{is valid until the Board publishes the results of the examination next administered after the license is issued}~~ :

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

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

(c) May be converted to an active license upon the completion of all requirements for a license and payment of the fee required by NRS 637B.230.

Sec. 51. NRS 637B.230 is hereby amended to read as follows:

637B.230 1. The Board shall charge and collect only the following fees whose amounts must be determined by the Board, but may not exceed:

Application fee for a license to practice speech pathology	\$100
Application fee for a license to practice audiology	100
Annual fee	\$150
<i>License fee</i>	<i>100</i>
<i>Fee for the renewal of a license</i>	<i>150 100</i>
Reinstatement fee	175 100
<i>Examination fee</i>	<i>300</i>
<i>Fee for converting to a different type of license</i>	<i>50</i>
<i>Fee for each additional license or endorsement</i>	<i>50</i>
<i>Fee for obtaining license information</i>	<i>50</i>

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

~~1-1~~ (a) Unprofessional conduct.

~~2-1~~ (b) Conviction of:

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

~~1(b)~~ (2) A felony *or gross misdemeanor* relating to the practice of audiology ~~for speech~~, *speech-language* pathology ~~or fitting and dispensing hearing aids~~;

~~1(c)~~ (3) A violation of any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive; or

~~1(d)~~ (4) Any offense involving moral turpitude.

~~3-1~~ (c) ~~Suspension or revocation of a license to practice audiology or speech pathology by any other jurisdiction.~~

~~4-1~~ Gross or repeated malpractice, which may be evidenced by claims of malpractice settled against a practitioner.

~~5-1~~ (d) Professional incompetence.

~~16-1~~ (e) Operation of a medical facility, as defined in NRS 449.0151, at any time during which:

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

~~1(b)-1~~ (2) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

→ This ~~subsection~~ **paragraph** applies to an owner or other principal responsible for the operation of the facility.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Refuse to renew a license;

(b) Revoke a license;

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

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

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

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

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

2. The Board shall not administer a private reprimand.

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

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

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

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

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

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

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

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

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

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

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

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

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

637B.310 1. The Board through its ~~President~~ *Chair* or ~~Secretary-Treasurer~~ *Vice Chair* may maintain in any court of competent jurisdiction a suit for an injunction against any person ~~practicing~~ *engaging in the practice of*

1 audiology ~~for speech~~, *speech-language* pathology *or fitting and dispensing*
2 *hearing aids* without a license valid under this chapter.

3 2. Such an injunction:

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

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

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

9 644.449 1. If the Board determines that a complaint filed with the Board
10 concerns a matter within the jurisdiction of another licensing board, the Board shall
11 refer the complaint to the other licensing board within 5 days after making the
12 determination.

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

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

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

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

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

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

27 6. As used in this section, "licensing board" means a board created pursuant
28 to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, ~~637A,~~ 637B, 639,
29 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B, 641C, 643, 644 or 654 of
30 NRS.

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

32 654.185 1. If the Board determines that a complaint filed with the Board
33 concerns a matter within the jurisdiction of another licensing board, the Board shall
34 refer the complaint to the other licensing board within 5 days after making the
35 determination.

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

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

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

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

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

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

50 6. As used in this section, "licensing board" means a board created pursuant
51 to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, ~~637A,~~ 637B, 639,
52 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B, 641C, 643, 644 or 654 of
53 NRS.

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

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

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

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

(c) A violation of NRS 202.445 or 202.446;

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

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

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

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

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

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

(d) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the felony. If a conveyance is forfeited, the appropriate law enforcement agency may pay the existing balance and retain the conveyance for official use.

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

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

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

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

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

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

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653,

1 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163,
2 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 159.044,
3 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801,
4 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160,
5 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925,
6 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105,
7 217.110, 217.464, 217.475, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350,
8 228.270, 228.450, 228.495, 228.570, 231.069, 233.190, 237.300, 239.0105,
9 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230,
10 239C.250, 239C.270, 240.007, 241.020, 241.030, 242.105, 244.264, 244.335,
11 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105,
12 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025,
13 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110,
14 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1725, 338.1727,
15 348.420, 349.597, 349.775, 353.205, 353A.085, 353A.100, 353C.240, 360.240,
16 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180,
17 372A.080, 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275,
18 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271,
19 392.652, 392.850, 394.167, 394.1698, 394.447, 394.490, 394.465, 396.3295,
20 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 412.153, 416.070,
21 422.290, 422.305, 422A.320, 422A.350, 425.400, 427A.1236, 427A.872, 432.205,
22 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534,
23 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230,
24 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 453.1545,
25 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,
26 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790,
27 467.1005, 467.137, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.800,
28 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.583,
29 584.655, 598.0964, 598.0979, 598.098, 598A.110, 599B.090, 603.070, 603A.210,
30 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425,
31 622.310, 623.131, 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185,
32 628.418, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121,
33 632.125, 632.405, 633.283, 633.301, 633.524, 634.212, 634.214, 634A.185,
34 635.158, 636.107, 637.085, ~~637A.315.1~~ 637B.288, 638.087, 638.089, 639.2485,
35 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760,
36 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189,
37 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
38 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320,
39 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,
40 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,
41 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152,
42 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260,
43 681B.280, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,
44 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190,
45 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325,
46 706.1725, 710.159, 711.600, sections 35, 38 and 41 of chapter 478, Statutes of
47 Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless
48 otherwise declared by law to be confidential, all public books and public records of
49 a governmental entity must be open at all times during office hours to inspection by
50 any person, and may be fully copied or an abstract or memorandum may be
51 prepared from those public books and public records. Any such copies, abstracts or
52 memoranda may be used to supply the general public with copies, abstracts or
53 memoranda of the records or may be used in any other way to the advantage of the

1 governmental entity or of the general public. This section does not supersede or in
2 any manner affect the federal laws governing copyrights or enlarge, diminish or
3 affect in any other manner the rights of a person in any written book or record
4 which is copyrighted pursuant to federal law.

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

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

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

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

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

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

23 391.160 1. The salaries of teachers and other employees must be determined
24 by the character of the service required. A school district shall not discriminate
25 between male and female employees in the matter of salary.

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

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

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

34 ➤ No increase in salary may be given pursuant to this subsection during a
35 particular school year to a teacher who submits evidence of certification after
36 January 31 of that school year. For the first school year that a teacher submits
37 evidence of his or her current certification, the board of trustees of the school
38 district to whom the evidence was submitted shall pay the increase in salary
39 required by this subsection retroactively to the beginning of that school year. Once
40 a teacher has submitted evidence of such certification to the school district, the
41 school district shall retain the evidence in its records, as applicable, for future
42 school years. An increase in salary given in accordance with this subsection is in
43 addition to any other increase to which the teacher may otherwise be entitled.

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

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

50 (1) Licensure as a ~~{speech}~~ *speech-language* pathologist by the ~~{Board of~~
51 ~~Examiners for Audiology and Speech}~~ *Speech-Language Pathology* ~~{}~~, *Audiology*
52 and *Hearing Aid Dispensing Board*;

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

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

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

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

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

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

(a) On or before September 15 of the school year, the employee has submitted evidence satisfactory to the school district of the employee's current certification as a professional school library media specialist issued by the National Board for Professional Teaching Standards; and

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

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

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

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

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

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

6. A school district may give the credit required by subsection 5 for previous teaching service earned in another state if the Commission has approved the standards for licensing teachers of that state. The Commission shall adopt regulations that establish the criteria by which the Commission will consider the standards for licensing teachers of other states for the purposes of this subsection. The criteria may include, without limitation, whether the Commission has

1 authorized reciprocal licensure of educational personnel from the state under
2 consideration.

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

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

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

13 (c) Place the administrator on the schedule of salaries of the school district in a
14 classification that is comparable to the classification the administrator had attained
15 on the schedule of salaries of the administrator's former employer.

16 8. This section does not:

17 (a) Require a school district to allow a teacher or administrator more credit for
18 previous teaching or administrative service than the maximum credit for teaching or
19 administrative experience provided for in the schedule of salaries established by it
20 for its licensed personnel.

21 (b) Permit a school district to deny a teacher or administrator credit for his or
22 her previous teaching or administrative service on the ground that the service
23 differs in kind from the teaching or administrative experience for which credit is
24 otherwise given by the school district.

25 9. As used in this section:

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

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

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

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

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

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

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

39 432B.220 1. Any person who is described in subsection 4 and who, in his or
40 her professional or occupational capacity, knows or has reasonable cause to believe
41 that a child has been abused or neglected shall:

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

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

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

51 (a) A person directly responsible or serving as a volunteer for or an employee
52 of a public or private home, institution or facility where the child is receiving child

1 care outside of the home for a portion of the day, the person shall make the report to
2 a law enforcement agency.

3 (b) An agency which provides child welfare services or a law enforcement
4 agency, the person shall make the report to an agency other than the one alleged to
5 have committed the act or omission, and the investigation of the abuse or neglect of
6 the child must be made by an agency other than the one alleged to have committed
7 the act or omission.

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

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

22 (a) A person providing services licensed or certified in this State pursuant to,
23 without limitation, chapter 450B, 630, 630A, 631, 632, 633, 634, 634A, 635, 636,
24 637, ~~637A,~~ 637B, 639, 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B or
25 641C of NRS.

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

31 (c) A coroner.

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

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

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

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

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

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

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

48 (k) Any person who is employed by or serves as a volunteer for a youth shelter.
49 As used in this paragraph, "youth shelter" has the meaning ascribed to it in NRS
50 244.427.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Liability insurance provided to:

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

(I) Cities and towns;

(II) School districts; and

(III) Other political subdivisions;

(2) Public officers;

(3) Establishments where alcoholic beverages are sold;

(4) Facilities for the care of children;

(5) Labor, fraternal or religious organizations; and

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

(b) Liability insurance for:

(1) Defective products;

(2) Medical or dental malpractice of:

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

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

(III) Any related corporate entity.

(3) Malpractice of attorneys;

(4) Malpractice of architects and engineers; and

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

(c) Vehicle insurance, reported separately for:

(1) Private vehicles;

(2) Commercial vehicles;

(3) Liability insurance; and

(4) Insurance for property damage;

(d) Workers' compensation insurance; and

(e) In addition to any information provided pursuant to subparagraph (2) of paragraph (b) or NRS 690B.260, a policy of insurance for medical malpractice. As used in this paragraph, "policy of insurance for medical malpractice" has the meaning ascribed to it in NRS 679B.144.

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

(a) Premiums directly written;

(b) Premiums directly earned;

(c) Number of policies issued;

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

(e) Losses paid;

(f) Losses incurred;

(g) Loss reserves, including:

(1) Losses unpaid on reported claims; and

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

(h) Number of claims, including:

(1) Claims paid; and

(2) Claims that have arisen but are unpaid;

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

(j) Net underwriting gain or loss;

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

(l) Any other information requested by the Commissioner.

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

(a) Recoverable federal income tax;

(b) Net unrealized capital gain or loss; and

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

Sec. 67.5. 1. Notwithstanding any other provision of law to the contrary, the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board created by NRS 637B.100, as amended by section 44 of this act, shall be deemed to be the successor entity of the Board of Hearing Aid Specialists created by section 4 of chapter 583, Statutes of Nevada 1973, at page 990.

2. Any contract or other agreement entered into by an officer or entity whose name has been changed pursuant to the provisions of this act is binding upon the officer or entity to which the responsibility for the administration of the contract or other agreement has been transferred. Such a contract or other agreement may be enforced by the officer or entity to which the responsibility for the enforcement of the contract or other agreement has been transferred.

3. Any disciplinary or other administrative action taken by the Board of Hearing Aid Specialists remains in effect as if taken by the officer or entity to which the responsibility for the enforcement of such action has been transferred.

4. The Secretary of the Board of Hearing Aid Specialists shall close each account maintained with a financial institution by the Board of Hearing Aid Specialists pursuant to NRS 637A.080 and pay the closing balance of the account to the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board created by NRS 637B.100, as amended by section 44 of this act. The assets and liabilities of each such account are unaffected by the closure and payment. The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board shall deposit the money so received in qualified banks, credit unions or savings and loan associations in this State in accordance with NRS 637B.240, as amended by section 52 of this act.

Sec. 68. Notwithstanding the amendatory provisions of this act:

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

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

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

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

Sec. 69. 1. The terms of the members of the Board of Hearing Aid Specialists created by NRS 637A.030 and the Board of Examiners for Audiology

1 and Speech Pathology created by NRS 637B.100 who are incumbent on September
2 30, 2015, expire on that date.

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

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

8 (b) Four members to terms that expire on July 1, 2017; and

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

10 **Sec. 70.** 1. Notwithstanding the amendatory provisions of sections 17, 18,
11 25, 28, 35 and 72 of this act transferring authority to adopt regulations from the
12 Board of Hearing Aid Specialists created by NRS 637A.030 and the Board of
13 Examiners for Audiology and Speech Pathology created by NRS 637B.100 to the
14 Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board
15 created by NRS 637B.100, as amended by section 44 of this act, any regulations
16 adopted by the Board of Hearing Aid Specialists and the Board of Examiners for
17 Audiology and Speech Pathology that do not conflict with the provisions of this act
18 remain in effect and may be enforced by the Speech-Language Pathology,
19 Audiology and Hearing Aid Dispensing Board until the Speech-Language
20 Pathology, Audiology and Hearing Aid Dispensing Board adopts regulations to
21 repeal or replace those regulations.

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

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

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

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

36 **Sec. 72.** 1. NRS 637A.010, 637A.020, 637A.021, 637A.0213, 637A.0217,
37 637A.022, 637A.0221, 637A.0223, 637A.0227, 637A.023, 637A.0233, 637A.0235,
38 637A.024, 637A.025, 637A.030, 637A.035, 637A.040, 637A.060, 637A.080,
39 637A.090, 637A.100, 637A.110, 637A.120, 637A.130, 637A.140, 637A.150,
40 637A.160, 637A.163, 637A.170, 637A.190, 637A.200, 637A.205, 637A.210,
41 637A.220, 637A.225, 637A.230, 637A.235, 637A.240, 637A.243, 637A.245,
42 637A.250, 637A.253, 637A.260, 637A.270, 637A.290, 637A.300, 637A.305,
43 637A.310, 637A.315, 637A.340, 637A.345, 637A.350, 637A.352, 637A.353,
44 637A.355, 637A.360, 637B.090, 637B.110, 637B.150, 637B.170, 637B.210,
45 637B.220, 637B.270 and 637B.300 are hereby repealed.

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

47 **Sec. 73.** 1. This section and sections 1 to 44, inclusive, and 45 to 72,
48 inclusive, of this act become effective:

49 (a) Upon passage and approval for the purposes of adopting any regulations
50 and performing any other preparatory administrative tasks necessary to carry out
51 the provisions of this act; and

52 (b) On October 1, 2015, for all other purposes.

53 2. Section 44.5 of this act becomes effective on July 1, 2017.

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.