

April 17, 2007

H 1577. AMEND HEARING AID DEALERS/FITTERS LAWS/FEES. Filed 4/17/07. *TO AMEND THE LAWS RELATING TO HEARING AID DEALERS AND FITTERS AND TO AUTHORIZE THE NORTH CAROLINA STATE HEARING AID DEALERS AND FITTERS BOARD TO INCREASE CERTAIN FEES.*

Amends GS 93D-1 to change the name of the board charged with enforcing the provisions of GS Chapter 93D to the North Carolina State Hearing Aid Licensing Board. Makes conforming changes throughout GS Chapter 93D. Enacts new GS 93D-2.1 establishing guidelines for the sale, lease, or rental of hearing aids when there is no fitting, selection, or adaptation of the hearing aid instrument by the person offering the hearing aid for sale or lease.

Under current law, a person 17 years of age or older may apply to the NC State Hearing Aid Licensing Board (Board) for registration as an apprentice. Amends GS 93D-9 to increase the minimum age of the applicant to 18 and to require the applicant to pass a prequalifying examination within 30 days of the application in order for the registration to entitle the applicant to fit and sell hearing aids under the supervision of a holder of a regular license. Specifies the content of the prequalifying exam. Makes technical and conforming changes to GS Chapter 93D regarding testing requirements for an apprentice working under the supervision of a Board licensee.

Amends GS 93D-3, 93D-5, and 93D-11 to increase certain maximum fees regarding registration, licensing, and exams. Makes additional changes regarding annual reports, Board member expenses, and the deadline for certain refunds (GS 93D-3); requirements for licensure (GS 93D-5); discipline, suspension, and revocation of licenses, and confidentiality of records (GS 93D-13).

Intro. by England.

GS 93D

June 20, 2007

H 1577. AMEND HEARING AID DEALERS/FITTERS LAWS/FEES. Filed 4/17/07. House committee substitute makes the following changes to 1st edition. Modifies GS 93D-2 to eliminate the proposed requirement that an apprentice must have passed an entry-level competency exam in order to lawfully fit or sell hearing aids.

Substantially rewrites proposed new GS 93D-2.1 to clarify that it applies to mail order hearing sales. Requires that a person selling, leasing, or renting hearing aids by mail order to persons in NC must meet all of the listed criteria, including (1) being licensed as a hearing aid dispenser under GS Chapter 93D, (2) providing consultation to the consumer either in person or via telephone by a person licensed as a hearing aid dispenser or registered as an apprentice by the NC Hearing Aid Licensing Board with respect to fitting, selection, or adaptation of the hearing aid instrument (was, prohibited mail order seller from offering advice with respect to fitting, selection, or adaptation), and with respect to the taking of ear impressions for the ear mold by the seller (was, prohibited mail order seller from providing advice regarding the ear mold), and (3) complying with all medical evaluations requirements under 21 CFR §801.421 (federal law regarding labeling and conditions for sale for hearing aid devices). Deletes requirement regarding receipt and retention of a signed statement by a licensed physician verifying the medical clearance of the person seeking to purchase a hearing aid.

Makes technical changes to punctuation in GS 93D-3(c). Modifies GS 93D-3(d) by deleting proposed amendments regarding per diem allocations, the bond for the secretary-treasurer, and the Board's annual report.

Modifies GS 93D-5 by (1) deleting proposed amendments that would have required an apprentice to pass a pre-qualifying exam and increased the applicant's licensing fee from \$150.00 to \$250.00; (2) restoring requirement that an applicant for a license be free of contagious or infectious disease; and (3) providing that the exception that allows a person who has not served a one-year apprenticeship to receive a license applies to persons holding a license in Audiology issued by the NC Board of Examiners for Speech and Language Pathologist and Audiologist (was, persons holding licenses in Audiology).

Modifies proposed amendments to GS 93D-9 to require that an applicant for registration as an apprentice must meet *all* of the listed requirements. Specifies that the requirements include being sponsored by a hearing aid dispenser (was, hearing aid dealer and fitter).

Effective October 1, 2007 (was, when it becomes law), and applies to applications on or after that date.