

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE BILL 1600

Short Title: Allow Audiologist to Fit/Dispense Hearing Aid. (Public)

Sponsors: Representatives England; Faison and Farmer-Butterfield.

Referred to: Health, if favorable, Finance.

May 6, 2009

A BILL TO BE ENTITLED
AN ACT AUTHORIZING HEARING AID FITTING AND DISPENSING BY LICENSED
AUDIOLOGISTS, AUTHORIZING THE BOARD OF EXAMINERS FOR SPEECH AND
LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS TO ESTABLISH A FEE FOR
LICENSEES OFFERING TO FIT AND DISPENSE HEARING AIDS, AND MAKING
TECHNICAL CHANGES TO THE LAWS PERTAINING TO HEARING AID DEALERS
AND FITTERS TO ALLOW AUDIOLOGISTS TO FIT AND DISPENSE HEARING
AIDS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-293(6) reads as rewritten:

"As used in this Article, unless the context otherwise requires:

...

- (6) "The practice of audiology" means the application of principles, methods, and procedures of measurement, testing, evaluation, prediction, consultation, counseling, instruction, habilitation, or rehabilitation related to hearing and disorders of hearing for the purpose of identifying, preventing, ameliorating, or modifying such disorders and conditions in individuals and/or groups of individuals. For the purpose of this subdivision, the words "habilitation" and "rehabilitation" shall include auditory training, speech reading, hearing aid use evaluation and recommendations, which shall include fitting and dispensing hearing aids, and fabrication of earmolds and similar accessories ~~for clinical testing purposes only-accessories.~~

...."

SECTION 2. G.S. 90-305 reads as rewritten:

"§ 90-305. Fees.

Persons subject to licensure under this Article shall pay fees to the Board not to exceed the following:

- | | | |
|------|--|---------------|
| (1) | Application fee | \$30.00 |
| (2) | Examination fee | 30.00 |
| (3) | Initial license fee | 100.00 |
| (4) | Renewal license fee..... | 100.00 |
| (4a) | <u>Fee for fitting and dispensing hearing aids</u> | <u>150.00</u> |
| (5) | Temporary license..... | 40.00 |
| (6) | Delinquency fee | 25.00." |

SECTION 3. G.S. 93D-2 reads as rewritten:

"§ 93D-2. Fitting and selling without license unlawful.



1 It shall be unlawful for any person to fit or sell hearing aids unless ~~he~~the person has first
2 obtained a license from the North Carolina State Hearing Aid Dealers and Fitters ~~Board or~~
3 Board, is an apprentice working under the supervision of a ~~board licensee~~Board licensee, or is
4 licensed by the North Carolina Board of Examiners for Speech and Language Pathologists and
5 Audiologists to fit or sell hearing aids."

6 **SECTION 4.** G.S. 93D-5 reads as rewritten:

7 "**§ 93D-5. Requirements for registration; examinations; apprentice licenses.**

8 (a) No person shall begin the fitting and selling of hearing aids in this State unless the
9 person has been issued a license by the ~~Board or~~Board, is an apprentice working under the
10 supervision of a ~~licensee~~licensee, or is licensed by the North Carolina Board of Examiners for
11 Speech and Language Pathologists and Audiologists to fit or sell hearing aids. Except as
12 hereinafter provided, each applicant for a license shall pay a fee set by the Board, not to exceed
13 one hundred fifty dollars (\$150.00), and shall show to the satisfaction of the Board that the
14 applicant:

- 15 (1) Is a person of good moral character,
- 16 (2) Is 18 years of age or older,
- 17 (3) Has an education equivalent to a four-year course in an accredited high
18 school,
- 19 (4) Is free of contagious or infectious disease.

20 (b) Except as hereinafter provided, no license shall be issued to a person until he has
21 successfully passed a qualifying examination administered by the Board.

22 (c) No license shall be issued to any person until ~~he~~the person has served as an
23 apprentice as set forth in G.S. 93D-9 for a period of at least one year; provided, that this
24 subsection shall not apply to those persons qualified under ~~G.S. 93D-6 nor to those persons~~
25 ~~holding masters degrees in Audiology who have undergone 250 hours of supervised activity~~
26 ~~fitting and selling hearing aids under the direct supervision of a licensed hearing aid dealer~~
27 ~~approved by the Board, G.S. 93D-6 or who have met the licensure requirements under Article~~
28 ~~22 of Chapter 90 of the General Statutes and have worked full time for one year fitting and~~
29 ~~selling hearing aids in the office of and under the direct supervision of an otolaryngologist and~~
30 ~~have participated in 250 hours of Board supervised, continuing professional education in fitting~~
31 ~~hearing aids.~~Statutes."

32 **SECTION 5.** G.S. 93D-14 reads as rewritten:

33 "**§ 93D-14. Persons not affected.**

34 This Chapter shall not prevent any person from engaging in the measuring of human
35 hearing for the purpose of selection of hearing aids, provided ~~such~~the person or organization
36 employing ~~such~~that person does not sell hearing aids or accessories thereto, nor shall this
37 Chapter prohibit any person who is licensed by the North Carolina Board of Examiners for
38 Speech and Language Pathologists and Audiologists from fitting or selling hearing aids, nor
39 shall this Chapter apply to any physician licensed to practice medicine or surgery in the State of
40 North Carolina. Nothing in this Chapter shall permit a licensee hereunder to perform any
41 practices or services set forth in Article 17 of Chapter 90 of the General Statutes of North
42 Carolina."

43 **SECTION 6.** Sections 1 through 5 of this act become effective only if the Board of
44 Examiners for Speech and Language Pathologists and Audiologists has adopted rules to allow
45 licensed audiologists to fit or dispense hearing aids.

46 **SECTION 7.** This act is effective when it becomes law.