

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH80379-LUF-151 (04/20)

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

Sponsors: Representative England.

Referred to:

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

9 The General Assembly of North Carolina enacts:

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

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

12 ...

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

23"

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

25 "§ 90-305. Fees.

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

- 28 (1) Application fee\$30.00
- 29 (2) Examination fee30.00
- 30 (3) Initial license fee100.00
- 31 (4) Renewal license fee.....100.00
- 32 (4a) Fee for fitting and dispensing hearing aids150.00
- 33 (5) Temporary license.....40.00
- 34 (6) Delinquency fee25.00."

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



1 **"§ 93D-2. Fitting and selling without license unlawful.**

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

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

8 **"§ 93D-5. Requirements for registration; examinations; apprentice licenses.**

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

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

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

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

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

34 **"§ 93D-14. Persons not affected.**

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

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

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