

APR 25 1973

HOUSE FILE 708

Appropriations, *Pass for 2884 4/16*
Sen " 4-24"

By COMMITTEE ON STATE GOVERNMENT

House File 708
Stromer, Chairman
Brinck
Lippold _____

Passed House, Date 4-19-74 (1941) Passed Senate, Date 5-3-74 (1943)
Vote: Ayes 81 Nays 4 Vote: Ayes 47 Nays 0
Approved 5-28-74

A BILL FOR

1 An Act relating to licensing and regulation of hearing aid
2 dealers, appropriating license fees for purposes of admin-
3 istration, and providing penalties for a violation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. DEFINITIONS. As used in this
2 Act, unless the context requires otherwise:

3 1. "Department" means the state department of health.

4 2. "Board" means the board of examiners for the licensing
5 and regulation of hearing aid dealers.

6 3. "Hearing aid" means a wearable instrument or device
7 designed for or offered for the purpose of aiding or compen-
8 sating for impaired human hearing, and any parts, attachments,
9 or accessories, including earmold, but excluding batteries
10 and cords.

11 4. "Hearing aid dealer" means any person engaged in the
12 fitting, dispensing and the sale of hearing aids and provid-
13 ing hearing aid services or maintenance, by means of proce-
14 dures stipulated by this Act or the board.

15 5. "Hearing aid fitting" means the measurement of human
16 hearing by any means for the purpose of selections, adapta-
17 tions, and sales of hearing aids, and the instruction and
18 counseling pertaining thereto, and demonstration of techniques
19 in the use of hearing aids, and the making of earmold impres-
20 sions as part of the fitting of hearing aids.

21 6. "Dispense" or "sell" means a transfer of title or of
22 the right to use by lease, bailment, or any other means,
23 but excludes a wholesale transaction with a distributor or
24 dealer, and excludes the temporary, charitable loan or
25 educational loan of a hearing aid without remuneration.

26 7. "Person" means a natural person.

27 8. "Temporary permit" means a permit issued while the
28 applicant is in training to become a licensed hearing aid
29 dealer.

30 9. "License" means a license issued by the state under
31 this Act to hearing aid dealers.

32 Sec. 2. NEW SECTION. ESTABLISHMENT OF BOARD. A board
33 for the licensing and regulation of hearing aid dealers is
34 established. The board shall consist of three licensed hear-
35 ing aid dealers and two members who are not licensed hearing

1 aid dealers who shall represent the general public. Members,
2 who shall be residents of the state of Iowa, shall be ap-
3 pointed by the governor, subject to the approval of two-thirds
4 of the members of the senate. A licensed member shall be
5 actively employed as a hearing aid dealer and shall have been
6 so engaged for five years preceding his appointment, the last
7 two of which shall have been in Iowa. However, hearing aid
8 dealers appointed to the initial board shall have not less
9 than five-years' experience and shall fulfill the qualifica-
10 tions relating to experience for licensure as provided in
11 this Act.

12 Violation of the confidentiality of any information by
13 a member of the board shall constitute a misdemeanor.

14 No more than two members of the board shall be employees
15 of, or dealers principally, for the same hearing aid manufac-
16 turer.

17 Sec. 3. NEW SECTION. TERM OF OFFICE. Appointments shall
18 be for three-year terms and shall commence on July first of
19 the year in which the appointment is made. Vacancies shall
20 be filled for the unexpired term by appointment of the gov-
21 ernor and shall be subject to senate confirmation. Members
22 shall serve a maximum of three terms or nine years, whichever
23 is least. For members appointed to the initial board, the
24 governor shall appoint one hearing aid dealer for a one-year
25 term, one hearing aid dealer for a two-year term, and one
26 hearing aid dealer for a three-year term; one member repre-
27 senting the general public for a one-year term and one mem-
28 ber representing the general public for a three-year term.

29 Sec. 4. NEW SECTION. DUTIES OF THE BOARD. Members of
30 the board shall annually elect a chairman and a secretary-
31 treasurer from their membership. The board shall prepare
32 examinations, direct the department in administering the pro-
33 visions of this Act, determine who is eligible for licensure,
34 suspend or revoke licenses or temporary permits for cause,
35 and promulgate rules and regulations for the administration

1 of the provisions of this Act pursuant to chapter seventeen
2 A (17A) of the Code.

3 Sec. 5. NEW SECTION. MEETINGS AND EXPENSES. The members
4 of the board shall set their own per diem compensation at
5 a rate not exceeding forty dollars per day for each day ac-
6 tually engaged in the discharge of their duties and actual
7 and necessary expenses and travel to be paid from funds ap-
8 propriated to the board. The board shall meet at least one
9 time per year at the seat of government and may hold addi-
10 tional meetings as deemed necessary. Additional meetings
11 shall be held at the call of the chairman or a majority of
12 the members of the board.

13 Sec. 6. NEW SECTION. DUTIES OF DEPARTMENT. The depart-
14 ment, with the advice and assistance of the board shall:

15 1. Employ personnel, and authorize disbursements neces-
16 sary to carry out the provisions of this Act.

17 2. Register and issue licenses to persons whom the board
18 deems qualified to engage in the fitting or selection and
19 sale of hearing aids.

20 3. Purchase, maintain, or rent equipment and other fa-
21 cilities necessary to carry out the examination of applicants.

22 4. Designate the time and place for examining applicants,
23 and conduct and supervise the examinations as directed by
24 the board.

25 Sec. 7. NEW SECTION. APPLICATIONS. Applications for
26 licensure or for a temporary permit shall be on forms pre-
27 scribed by the board and furnished by the department and shall
28 contain a recent photograph of the applicant, unless the board
29 deems the photograph unnecessary. An applicant shall not
30 be ineligible for certification because of age, citizenship,
31 sex, race, religion, marital status, or national origin al-
32 though the application may require citizenship information.
33 The board may consider the past felony record of an appli-
34 cant. Character references may be required, but shall not
35 be obtained from certified shorthand reporters.

1 Sec. 8. NEW SECTION. ISSUANCE OF INITIAL LICENSES. Dur-
2 ing the first six months after the effective date of this
3 Act, an applicant may obtain a license as a hearing aid dealer
4 without passing an examination, if the applicant:

5 1. Has been engaged as a hearing aid dealer for at least
6 two years in the state of Iowa, within a period of five years
7 immediately prior to the effective date of this Act.

8 2. Is free of contagious or infectious disease.

9 3. Pays the necessary fees set by the board pursuant to
10 section sixteen (16) of this Act.

11 Sec. 9. NEW SECTION. ISSUANCE OF LICENSES. After the
12 effective date of this Act, an applicant who does not meet
13 the experience qualification as set forth in section eight
14 (8) of this Act, may obtain a license, if the applicant:

15 1. Successfully passes the qualifying examination pre-
16 scribed in section eleven (11) of this Act.

17 2. Is free of contagious or infectious disease.

18 3. Pays the necessary fees set by the board pursuant to
19 section sixteen (16) of this Act.

20 Sec. 10. NEW SECTION. EXAMINATIONS. The board shall
21 determine the qualifying examination to test the knowledge
22 and proficiency of applicants, but shall not be required to
23 conduct the written portion of the examination. The members
24 representing the general public shall not participate in ad-
25 ministering or grading any portion of an examination. The
26 board shall determine which applicants have successfully
27 passed the examination and who meet the other qualifications
28 and shall submit their names to the department for issuance
29 of a license.

30 The examination shall consist of written and practical
31 tests to demonstrate that the applicant is qualified as a
32 hearing aid dealer. The board shall not require the appli-
33 cant to possess the degree of professional competence nor-
34 mally expected of physicians.

35 The board shall administer at least one examination per

1 year and sufficient additional examinations as required to
2 permit applicants to be examined within ninety days follow-
3 ing submission of the application form. Applicants who fail
4 the examination once shall be allowed to take the examination
5 at the next scheduled time. Thereafter, the applicant shall
6 be allowed to take the examination at the discretion of the
7 board.

8 Sec. 11. NEW SECTION. SCOPE OF EXAMINATION. The exam-
9 ination required by this Act shall be designed to demonstrate
10 the applicant's adequate technical qualifications by:

11 1. Written tests of knowledge in areas such as physics
12 of sound, anatomy and physiology of hearing, and the function
13 of hearing aids, as these areas pertain to the fitting or
14 selection and sale of hearing aids.

15 2. Practical tests of proficiency in hearing testing
16 techniques as these techniques pertain to the fitting or
17 selection and sale of hearing aids.

18 3. Evidence of knowledge of the medical and rehabilita-
19 tion facilities that are available in the area served, for
20 children and adults who have hearing problems.

21 4. Evidence of knowledge of situations in which it is
22 commonly believed that a hearing aid is inappropriate.

23 Sec. 12. NEW SECTION. TEMPORARY PERMIT. A person who
24 has not been employed as a hearing aid dealer prior to the
25 effective date of the Act, may obtain a temporary permit from
26 the department upon completion of the application accompanied
27 by the written verification of employment from a licensed
28 hearing aid dealer. The department shall issue a temporary
29 permit for one year which shall not be renewed or reissued.
30 The fee for issuance of the temporary permit shall be set
31 by the board pursuant to section sixteen (16) of this Act.
32 The temporary permit entitles an applicant to engage in the
33 fitting or selection and sale of hearing aids under the
34 supervision of a person holding a valid license.

35 Sec. 13. NEW SECTION. RECIPROCITY. If the board deter-

1 mines that another state or jurisdiction has requirements
2 equivalent to or higher than those provided in this Act, the
3 department may issue a license by reciprocity to applicants
4 who hold valid certificates or licenses to deal in and fit
5 hearing aids in the other state or jurisdiction. An appli-
6 cant for a license by reciprocity is not required to take
7 a qualifying examination, but is required to pay the license
8 fee as provided in section sixteen (16) of this Act. The
9 holder of a license of reciprocity is registered in the same
10 manner as the holder of a regular license. Fees, grounds
11 for renewal, and procedures for the suspension and revoca-
12 tion of license by reciprocity are the same as for a regular
13 license.

14 Sec. 14. NEW SECTION. LICENSE RENEWAL. Licenses shall
15 be renewed annually in a manner determined by the board.
16 The renewal fee shall be determined by the board pursuant
17 to section sixteen (16) of this Act. The department shall
18 notify every person licensed under this chapter of the date
19 of expiration of his license and the amount of fee required
20 for its renewal for one year. The notice shall be mailed
21 at least one month in advance of the expiration date. Failure
22 to renew the license within a reasonable time after the expi-
23 ration shall not invalidate the license, but a reasonable
24 penalty may be assessed by the board.

25 Sec. 15. NEW SECTION. CONTINUING EDUCATION. Beginning
26 January 1, 1975, in addition to payment of the annual renewal
27 fee, each hearing aid dealer applying for the renewal of his
28 license shall furnish to the department satisfactory evidence
29 that he has completed at least two days of education programs
30 during the year preceding the date of his application for
31 renewal selected from the following:

- 32 1. Education programs conducted by the board;
- 33 2. Training school conducted by one of the various hear-
34 ing aid manufacturers for their representatives, which is
35 approved by the board;

1 3. Periodic training sessions conducted by the national
2 hearing aid society which is approved by the board; or

3 4. Other educational means approved by the board.

4 The department shall send a written notice to this effect
5 to every person holding a valid license at least thirty days
6 prior to the license renewal date each year, directed to the
7 last known address of such licensee.

8 In the event that any licensee shall fail to meet the an-
9 nual educational requirement, his license shall be suspended
10 or withheld by the board. The board shall reinstate the li-
11 censee upon the presentation of satisfactory evidence of edu-
12 cational study of a standard approved by the board, and upon
13 the payment of all fees due.

14 Sec. 16. NEW SECTION. FEES. The fees for the examina-
15 tion shall be set by the board on the basis of the annual
16 cost of administration. The fees for the temporary permit,
17 license, renewal of a license, and issuance of a duplicate
18 license, shall be set by the board on the basis of the cost
19 of sustaining the board and the administrative costs of the
20 department. The fees for licensure and permit shall be based
21 upon, but not limited to:

- 22 1. Per diem, expenses, and travel of members of the board.
- 23 2. Supplies and other expenses.
- 24 3. Costs submitted by the department.

25 Sec. 17. NEW SECTION. DISPLAY OF LICENSE. A person shall
26 not engage in business as a hearing aid dealer, or display
27 a sign, or in any other way advertise or represent himself
28 as a hearing aid dealer after January 1, 1974, unless he holds
29 a valid license issued by the department as provided in this
30 Act. The license shall be conspicuously posted in his office
31 or place of business. The department shall issue duplicate
32 licenses to valid license holders operating more than one
33 office. A license confers upon the holder the right to oper-
34 ate a business as a hearing aid dealer.

35 Sec. 18. NEW SECTION. EXCEPTIONS. This Act shall not

1 prohibit a corporation, partnership, trust, association, or
2 other organization maintaining an established business ad-
3 dress, from engaging in the business of selling or offering
4 for sale hearing aids at retail without a license, if it em-
5 ploys only licensed hearing aid dealers in the direct fitting
6 or selection and sale of hearing aids. Such an organization
7 shall file annually with the board a list of all licensed
8 hearing aid dealers and persons holding temporary permits
9 directly or indirectly employed by it. Such an organization
10 shall also file with the board a statement on a form approved
11 by the board that the organization submits itself to the rules
12 and regulations of the board and the provisions of this Act
13 which the department deems applicable.

14 This Act shall not apply to a person who engages in the
15 practices covered by this Act if this activity is part of
16 the academic curriculum of an accredited institution of higher
17 education, or part of a program conducted by a public or char-
18 itable institution, or nonprofit organization, unless the
19 institution or organization also dispenses or sells hearing
20 aids.

21 This Act shall not prevent any person from engaging in
22 practices covered by this Act, provided the person, or or-
23 ganization employing the person, does not dispense or sell
24 hearing aids.

25 Sec. 19. NEW SECTION. RIGHTS OF PURCHASER. A hearing
26 aid dealer shall deliver, to each person supplied with a hear-
27 ing aid, a receipt which contains the licensee's signature
28 and shows his business address and the number of his license,
29 together with specifications as to the make and model of hear-
30 ing aid furnished, and full terms of sale clearly stated.
31 If a hearing aid is sold which is not new, the receipt and
32 the container must be clearly marked "used" or "reconditioned",
33 with the terms of guarantee, if any.

34 The receipt shall bear the following statement in type
35 no smaller than the largest used in the body copy portion

1 of the receipt:

2 "The purchaser has been advised that any examination or
3 representation made by a licensed hearing aid dealer in con-
4 nection with the fitting or selection and selling of this
5 hearing aid is not an examination, diagnosis, or prescrip-
6 tion by a person licensed to practice medicine in this state
7 and therefore, must not be regarded as medical opinion or
8 advice."

9 A hearing aid dealer shall ascertain if the person with
10 whom he is dealing has ever had a medical examination of his
11 ears. If not, in all cases where the appropriateness of a
12 medical examination is indicated, the hearing aid dealer shall
13 so advise the person and shall note this fact on the receipt.

14 No hearing aid shall be sold by any individual licensed
15 under this bill to a person twelve years of age or younger,
16 unless within the preceding six months a recommendation for
17 a hearing aid has been made by a physician specializing in
18 otolaryngology. A replacement of an identical hearing aid
19 within one year shall be an exception to this requirement.

20 Sec. 20. NEW SECTION. NOTICE OF ADDRESS. A licensee
21 or person holding a temporary permit shall notify the depart-
22 ment in writing of the address of the place where he engages
23 or intends to engage in business as a hearing aid dealer.
24 The department shall keep a record of the place of business
25 of licensees and persons holding temporary permits.

26 Any notice required to be given by the department to a
27 licensee shall be adequately served if sent by certified mail
28 to the address of the last place of business recorded.

29 Sec. 21. NEW SECTION. DEPOSIT OF FEES. The department
30 shall deposit all fees collected under the provisions of this
31 Act in the general fund of the state. Compensation and travel
32 expenses of members and employees of the board, and other
33 expenses necessary for the board to administer and carry out
34 the provisions of this Act shall be paid from funds appro-
35 priated from the general fund of the state.

1 Sec. 22. NEW SECTION. COMPLAINTS. Any person wishing
2 to make a complaint against a licensee or holder of a tem-
3 porary permit shall file a written statement with the board
4 within twelve months from the date of the action upon which
5 the complaint is based. If the board determines that the
6 complaint alleges facts which, if proven, would be cause for
7 the suspension or revocation of the license of the licensee
8 or holder of a temporary permit, it shall make an order fix-
9 ing a time and place for a hearing and requiring the licensee
10 or holder of a temporary permit complained against to appear
11 and defend. The order shall contain a copy of the complaint,
12 and the order and copy of the complaint shall be served upon
13 the licensee or holder of a temporary permit at least twenty
14 days before the date set for hearing, either personally or
15 as provided in section twenty (20) of this Act. Continuance
16 or adjournment of a hearing date may be made for good cause.
17 At the hearing the licensee or holder of a temporary permit
18 may be represented by counsel. The licensee or holder of
19 a temporary permit and the board may take depositions in ad-
20 vance of hearing and after service of the complaint, and
21 either may compel the attendance of witnesses by subpoenas
22 issued by the board. The board shall issue such subpoenas
23 at the request of a licensee or holder of a temporary permit.
24 Either party taking depositions shall give at least five-days
25 written notice to the other party of the time and place of
26 such depositions, and the other party may attend, with counsel,
27 if desired, and cross-examine.

28 Sec. 23. NEW SECTION. SUSPENSION OR REVOCATION. The
29 board may revoke or suspend a license or temporary permit
30 for a fixed period for any of the following causes:

31 1. Conviction of a felony. The record of conviction,
32 or a certified copy, shall be conclusive evidence of convic-
33 tion.

34 2. Procuring a license or temporary permit by fraud or
35 deceit.

1 3. Unethical conduct in any of the following forms:

2 a. Obtaining a fee or making a sale by fraud or misrepre-
3 sentation.

4 b. Knowingly employing, directly or indirectly, any sus-
5 pended or unregistered person to perform any work covered
6 by this Act.

7 c. Using or causing or promoting the use of any adver-
8 tising matter, promotional literature, testimonial, guarantee,
9 warranty, label, brand, insignia, or any other representation,
10 however disseminated or published, which is misleading, de-
11 ceptive or untruthful.

12 d. Advertising a particular model or type of hearing aid
13 for sale when purchasers or prospective purchasers respond-
14 ing to the advertisement cannot purchase the advertised model
15 or type, if it is established that the purpose of the adver-
16 tisement is to obtain prospects for the sale of a different
17 model or type than that advertised.

18 e. Representing that the service or advice of a person
19 licensed to practice medicine, or one who is certificated
20 as a clinical audiologist by the board of examiners of speech,
21 pathology and audiology or its equivalent, will be used or
22 made available in the fitting or selection, adjustment,
23 maintenance, or repair of hearing aids when that is not true,
24 or using the words "doctor", "clinic", "clinical audiologist",
25 "state approved", or similar words, abbreviations, or symbols
26 which tend to connote the medical or other professions, except
27 where the title "certified hearing aid audiologist" has been
28 granted by the national hearing aid society, or that the
29 hearing aid dealer has been recommended by this state or the
30 board when such is not accurate.

31 f. Habitual intemperance.

32 g. Permitting another person to use his license or tem-
33 porary permit.

34 h. Advertising a manufacturer's product or using a manu-
35 facturer's name or trademark to imply a relationship with

1 the manufacturer that does not exist.

2 i. Directly or indirectly giving or offering to give,
3 or permitting or causing to be given money or anything of
4 value to a person who advises another in a professional ca-
5 pacity, as an inducement to influence the person or cause
6 him to influence others to purchase or contract to purchase
7 products sold or offered for sale by a hearing aid dealer,
8 or to influence others to refrain from dealing in the prod-
9 ucts of competitors.

10 j. Conducting business while suffering from a contagious
11 or infectious disease.

12 k. Engaging in the fitting or selection and sale of hear-
13 ing aids under a false name or alias, with fraudulent intent.

14 l. Selling a hearing aid to a person who has not been
15 given tests utilizing appropriate established procedures and
16 instrumentation in fitting or selection of hearing aids, ex-
17 cept in cases of selling replacement hearing aids of the same
18 make or model within one year of the original sale.

19 m. Gross incompetence or negligence in fitting or selec-
20 tion and selling of hearing aids.

21 n. Violating any provisions of this Act.

22 Sec. 24. NEW SECTION. PROHIBITIONS. A person shall not:

23 1. Sell, barter, or offer to sell or barter a license
24 or temporary permit.

25 2. Purchase or procure by barter a license or temporary
26 permit with intent to use it as evidence of the holder's
27 qualifications to engage in business as a hearing aid dealer.

28 3. Alter a license or temporary permit with fraudulent
29 intent.

30 4. Use or attempt to use as a valid license a license
31 or temporary permit which has been purchased, fraudulently
32 obtained, counterfeited, or materially altered.

33 5. Willfully make a false statement in an application
34 for a license or temporary permit or for renewal of a li-
35 cense or temporary permit.

HOUSE FILE 708

H-2884

1 Amend House File 708 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 Section 1. NEW SECTION. DEFINITIONS. As used
5 in this Act, unless the context requires otherwise:

6 1. "Department" means the state department of
7 health.

8 2. "Board" means the board of examiners for the
9 licensing and regulation of hearing aid dealers.

10 3. "Hearing aid" means a wearable instrument
11 or device designed for or offered for the purpose
12 of aiding or compensating for impaired human hearing,
13 and any parts, attachments, or accessories, including
14 earmold, but excluding batteries and cords.

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16 in the fitting, dispensing and the sale of hearing
17 aids and providing hearing aid services or
18 maintenance, by means of procedures stipulated by
19 this Act or the board.

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21 of human hearing by any means for the purpose of
22 selections, adaptations, and sales of hearing aids,
23 and the instruction and counseling pertaining thereto,
24 and demonstration of techniques in the use of hearing
25 aids, and the making of earmold impressions as part
26 of the fitting of hearing aids.

27 6. "Dispense" or "sell" means a transfer of title
28 or of the right to use by lease, bailment, or any
29 other means, but excludes a wholesale transaction
30 with a distributor or dealer, and excludes the
31 temporary, charitable loan or educational loan of
32 a hearing aid without remuneration.

33 7. "Person" means a natural person.

34 8. "Temporary permit" means a permit issued while
35 the applicant is in training to become a licensed
36 hearing aid dealer.

37 9. "License" means a license issued by the state
38 under this Act to hearing aid dealers.

39 Sec. 2. NEW SECTION. ESTABLISHMENT OF BOARD.
40 A board for the licensing and regulation of hearing
41 aid dealers is established. The board shall consist
42 of three licensed hearing aid dealers and two members
43 who are not licensed hearing aid dealers who shall
44 represent the general public. Members, who shall
45 be residents of the state of Iowa, shall be appointed
46 by the governor, subject to the approval of two-
47 thirds of the members of the senate. A licensed
48 member shall be actively employed as a hearing aid
49 dealer and shall have been so engaged for five years
50 preceding his appointment, the last two of which

51 shall have been in Iowa. However, hearing aid dealers
52 appointed to the initial board shall have not less
53 than five-years' experience and shall fulfill the
54 qualifications relating to experience for licensure
55 as provided in this Act.

56 No more than two members of the board shall be
57 employees of, or dealers principally, for the same
58 hearing aid manufacturer.

59 Professional associations or societies composed
60 of licensed hearing aid dealers may recommend the
61 names of potential board members to the governor,
62 but the governor shall not be bound by the
63 recommendations. A board member shall not be required
64 to be a member of any professional association or
65 society composed of licensed hearing aid dealers.

66 Sec. 3. NEW SECTION. TERM OF OFFICE.
67 Appointments shall be for three-year terms and shall
68 commence on July first of the year in which the
69 appointment is made. Vacancies shall be filled for
70 the unexpired term by appointment of the governor
71 and shall be subject to senate confirmation. Members
72 shall serve a maximum of three terms or nine years,
73 whichever is least. For members appointed to the
74 initial board, the governor shall appoint one hearing
75 aid dealer for a one-year term, one hearing aid
76 dealer for a two-year term, and one hearing aid
77 dealer for a three-year term; one member representing
78 the general public for a one-year term and one mem-
79 ber representing the general public for a three-year
80 term.

81 Sec. 4. NEW SECTION. DUTIES OF THE BOARD.
82 Members of the board shall annually elect a chairman
83 and a secretary-treasurer from their membership.
84 The board shall prepare examinations drawn from
85 comparable examinations given in other states which
86 license hearing aid dealers, direct the department
87 in administering the provisions of this Act, determine
88 who is eligible for licensure, suspend or revoke
89 licenses or temporary permits for cause, and
90 promulgate rules and regulations for the
91 administration of the provisions of this Act pursuant
92 to chapter seventeen A (17A) of the Code within the
93 limits of funds appropriated to the board.

94 Sec. 5. NEW SECTION. PUBLIC MEMBERS. The public
95 members of the board shall not participate in
96 administering or grading any portion of an
97 examination, except that for the initial examination
98 the public members may participate in administering
99 and grading the examination.

100 Sec. 6. NEW SECTION. DISCLOSURE OF CONFIDENTIAL

101 INFORMATION. A member of the board shall not disclose
102 information relating to the following:

103 1. Criminal history or prior misconduct of the
104 applicant.

105 2. Information relating to the contents of the
106 examination.

107 3. Information relating to the examination results
108 other than final score except for information about
109 the results of an examination which is given to the
110 person who took the examination.

111 A member of the board who willfully communicates
112 or seeks to communicate such information, and any
113 person who willfully requests, obtains, or seeks
114 to obtain such information, is guilty of a public
115 offense which is punishable by a fine not exceeding
116 one hundred dollars or by imprisonment in the county
117 jail for not more than thirty days.

118 Sec. 7. NEW SECTION. MEETINGS AND EXPENSES.
119 The members of the board shall set their own per
120 diem compensation at a rate not exceeding forty
121 dollars per day for the time actually spent in
122 traveling to and from, and attending duly authorized
123 functions of the board and its committees, and shall
124 receive all necessary traveling and incidental
125 expenses incurred in the discharge of their duties
126 within the limits of funds appropriated to the board.
127 The board shall meet at least one time per year at
128 the seat of government and may hold additional
129 meetings as deemed necessary. Additional meetings
130 shall be held at the call of the chairman or a
131 majority of the members of the board. At any meeting
132 of the board, a majority of the members shall
133 constitute a quorum.

134 Sec. 8. NEW SECTION. DUTIES OF DEPARTMENT.
135 The department, with the advice and assistance of
136 the board shall:

137 1. Employ personnel, and authorize disbursements
138 necessary to carry out the provisions of this Act.

139 2. Register and issue licenses to persons whom
140 the board deems qualified to engage in the fitting
141 or selection and sale of hearing aids.

142 3. Purchase, maintain, or rent equipment and
143 other facilities necessary to carry out the
144 examination of applicants.

145 4. Designate the time and place for examining
146 applicatns, and conduct and supervise the examinations
147 as directed by the board.

148 Sec. 9. NEW SECTION. APPLICATIONS. Applications
149 for licensure or for a temporary permit shall be
150 on forms prescribed and furnished by the board and

151 shall not require that a recent photograph of the
152 applicant be attached to the application form. An
153 applicant shall not be ineligible for certification
154 because of age, citizenship, sex, race, religion,
155 marital status, or national origin although the
156 application may require citizenship information.
157 The board may consider the past felony record of
158 the applicant only if the felony conviction relates
159 directly to the practice of fitting or selection
160 and sale of hearing aids. Character references may
161 be required, but shall not be obtained from licensed
162 hearing aid dealers.

163 Sec. 10. NEW SECTION. ISSUANCE OF LICENSES.
164 After the effective date of this Act, an applicant
165 may obtain a license, if the applicant:

166 1. Successfully passes the qualifying examination
167 prescribed in section twelve (12) of this Act.

168 2. Is free of contagious or infectious disease.

169 3. Pays the necessary fees set by the board
170 pursuant to section seventeen (17) of this Act.

171 Sec. 11. NEW SECTION. EXAMINATIONS. Examinations
172 for licensing shall be given as often as deemed
173 necessary by the board, but no less than one time
174 per year. The scope of the examination and methods
175 of procedure shall be prescribed by the board. Any
176 written examination may be given by representatives
177 of the board.

178 All examinations in theory shall be in writing
179 and the identity of the person taking the examination
180 shall be concealed until after the examination papers
181 have been graded. For examinations in practice,
182 the identity of the person taking the examination
183 shall also be concealed as far as possible.

184 As soon as practicable after the close of each
185 examination, a report shall be filed by the board.
186 The report shall show the action of the board upon
187 each application, and the department shall notify
188 each applicant of the result of his examination.
189 Applicants who fail the examination once shall be
190 allowed to take the examination at the next scheduled
191 time. Thereafter, the applicant shall be allowed
192 to take the examination at the discretion of the
193 board.

194 An applicant who has failed the examination may
195 request in writing information from the board
196 concerning his examination grade and subject areas
197 or questions which he failed to answer correctly,
198 except that if the board administers a uniform,
199 standardized examination, the board shall only be
200 required to provide the examination grade and such

201 other information concerning the applicant's
202 examination results which are available to the board.

203 Sec. 12. NEW SECTION. SCOPE OF EXAMINATION.

204 The examination required by this Act shall be designed
205 to demonstrate the applicant's adequate technical
206 qualifications including, but not limited to, the
207 following:

208 1. Written tests of knowledge in areas such as
209 physics of sound, anatomy and physiology of hearing,
210 and the function of hearing aids, as these areas
211 pertain to the fitting or selection and sale of
212 hearing aids.

213 2. Practical tests of proficiency in hearing
214 testing techniques as these techniques pertain to
215 the fitting or selection and sale of hearing aids.

216 3. Evidence of knowledge of the medical and
217 rehabilitation facilities that are available in the
218 area served, for children and adults who have hearing
219 problems.

220 4. Evidence of knowledge of situations in which
221 it is commonly believed that a hearing aid is
222 inappropriate.

223 5. The procedures and use of equipment established
224 by the board for the fitting or selection and sale
225 of hearing aids.

226 6. Practical tests of proficiency in the taking
227 of earmold impressions.

228 The board shall not require the applicant to
229 possess the degree of professional competence normally
230 expected of physicians.

231 Sec. 13. NEW SECTION. TEMPORARY PERMIT. A
232 person who has not been employed as a hearing aid
233 dealer prior to the effective date of the Act, may
234 obtain a temporary permit from the department upon
235 completion of the application accompanied by the
236 written verification of employment from a licensed
237 hearing aid dealer. The department shall issue a
238 temporary permit for one year which shall not be
239 renewed or reissued. The fee for issuance of the
240 temporary permit shall be set by the board pursuant
241 to section seventeen (17) of this Act. The temporary
242 permit entitles an applicant to engage in the fitting
243 or selection and sale of hearing aids under the
244 supervision of a person holding a valid license.

245 Sec. 14. NEW SECTION. RECIPROCITY. If the board
246 determines that another state or jurisdiction has
247 requirements equivalent to or higher than those
248 provided in this Act, the department may issue a
249 license by reciprocity to applicants who hold valid
250 certificates or licenses to deal in and fit hearing

251 aids in the other state or jurisdiction. An appli-
252 cant for a license by reciprocity is not required
253 to take a qualifying examination, but is required
254 to pay the license fee as provided in section
255 seventeen (17) of this Act. The holder of a license
256 of reciprocity is registered in the same manner as
257 the holder of a regular license. Fees, grounds for
258 renewal, and procedures for the suspension and revoca-
259 tion of license by reciprocity are the same as for
260 a regular income.

261 Sec. 15. NEW SECTION. LICENSE RENEWAL. Licenses
262 shall be renewed annually in a manner determined
263 by the board. The renewal fee shall be determined
264 by the board pursuant to section seventeen (17) of
265 this Act. The department shall notify every person
266 licensed under this chapter of the date of expiration
267 of his license and the amount of fee required for
268 its renewal for one year. The notice shall be mailed
269 at least one month in advance of the expiration date.
270 A person who fails to renew his license by the
271 expiration date shall be allowed to do so within
272 thirty days following its expiration, but the board
273 may assess a reasonable penalty.

274 Sec. 16. NEW SECTION. CONTINUING EDUCATION.
275 Beginning January 1, 1976, in addition to payment
276 of the annual renewal fee, each hearing aid dealer
277 applying for the renewal of his license shall furnish
278 to the department satisfactory evidence that he has
279 completed at least two days of education programs
280 during the year preceding the date of his application
281 for renewal selected from the following:

- 282 1. Education programs conducted by the board;
- 283 2. Training school conducted by one of the various
284 hearing aid manufacturers for their representatives,
285 which is approved by the board;
- 286 3. Periodic training sessions conducted by the
287 national hearing aid society which is approved by
288 the board; or
- 289 4. Other educational means approved by the board.

290 The department shall send a written notice to
291 this effect to every person holding a valid license
292 at least thirty days prior to the license renewal
293 date each year, directed to the last known address
294 of such licensee.

295 In the event that any licensee shall fail to meet
296 the annual educational requirement, his license shall
297 be suspended or withheld by the board. The board
298 shall reinstate the licensee upon the presentation
299 of satisfactory evidence of educational study of
300 a standard approved by the board, and upon the payment

301 of all fees due.

302 Sec. 17. NEW SECTION. FEES. The fees for the
303 examination shall be set by the board on the basis
304 of the annual cost of administration. The fees for
305 the temporary permit, license, renewal of a license,
306 and issuance of a duplicate license, shall be set
307 by the board on the basis of the cost of sustaining
308 the board and the administrative costs of the
309 department. The fees for licensure and permit shall
310 be based upon, but not limited to:

311 1. Per diem, expenses, and travel of members
312 of the board.

313 2. Supplies and other expenses.

314 3. Costs submitted by the department.

315 Sec. 18. NEW SECTION. DISPLAY OF LICENSE. A
316 person shall not engage in business as a hearing
317 aid dealer, or display a sign, or in any other way
318 advertise or represent himself as a hearing aid
319 dealer after January 1, 1975, unless he holds a valid
320 license issued by the department as provided in this
321 Act. The license shall be conspicuously posted in
322 his office or place of business. The department
323 shall issue duplicate licenses to valid license
324 holders operating more than one office. A license
325 confers upon the holder the right to operate a
326 business as a hearing aid dealer.

327 Sec. 19. NEW SECTION. EXCEPTIONS. This Act
328 shall not prohibit a corporation, partnership, trust,
329 association, or other organization maintaining an
330 established business address, from engaging in the
331 business of selling or offering for sale hearing
332 aids at retail without a license, if it employs only
333 licensed hearing aid dealers in the direct fitting
334 or selection and sale of hearing aids. Such an
335 organization shall file annually with the board a
336 list of all licensed hearing aid dealers and persons
337 holding temporary permits directly or indirectly
338 employed by it. Such an organization shall also
339 file with the board a statement on a form approved
340 by the board that the organization submit itself
341 to the rules and regulations of the board and the
342 provisions of this Act which the department deems
343 applicable.

344 This Act shall not apply to a person who engages
345 in the practices covered by this Act if this activity
346 is part of the academic curriculum of an accredited
347 institution of higher education, or part of a program
348 conducted by a public or charitable institution,
349 or nonprofit organization, unless the institution
350 or organization also dispenses or sells hearing aids.

351 This Act shall not prevent any person from engaging
352 in practices covered by this Act, provided the person,
353 or organization employing the person, does not
354 dispense or sell hearing aids.

355 Sec. 20. NEW SECTION. RIGHTS OF PURCHASER.

356 A hearing aid dealer shall deliver, to each person
357 supplied with a hearing aid, a receipt which contains
358 the licensee's signature and shows his business
359 address and the number of his license, together with
360 specifications as to the make, model and serial
361 number of the hearing aid furnished, and full terms
362 of sale clearly stated, including the date of
363 consummation of the sale of the hearing aid. If
364 a hearing aid is sold which is not new, the receipt
365 and the container must be clearly marked "used" or
366 "reconditioned", with the terms of guarantee, if
367 any.

368 The receipt shall bear the following statement
369 in type no smaller than the largest used in the body
370 copy portion of the receipt:

371 "The purchaser has been advised that any
372 examination or representation made by a licensed
373 hearing aid dealer in connection with the fitting
374 or selection and selling of this hearing aid is not
375 an examination, diagnosis, or prescription by a
376 person licensed to practice medicine in this state
377 and therefore, must not be regarded as medical opinion
378 or advice."

379 Whenever any of the following conditions are found
380 to exist either from observations by the licensed
381 hearing aid dealer or person holding a temporary
382 permit or on the basis of information furnished by
383 a prospective hearing aid user, the hearing aid
384 dealer or person holding a temporary permit shall,
385 prior to fitting and selling a hearing aid to any
386 individual, suggest to that individual in writing
387 that his best interests would be served if he would
388 consult a licensed physician specializing in diseases
389 of the ear, or if no such licensed physician is
390 available in the community, then to a duly licensed
391 physician:

- 393 1. Visible congenital or traumatic deformity
393 of the ear.
- 394 2. History of, or active drainage from the ear
395 within the previous ninety days.
- 396 3. History of sudden or rapidly progressive
397 hearing loss within the previous ninety days.
- 398 4. Acute or chronic dizziness.
- 399 5. Unilateral hearing loss of sudden or recent
400 onset within the previous ninety days.

401 6. Significant air-bone gap (greater than or
402 equal to 15dB ANSI 500, 1000 and 2000 Hz. average).

403 7. Obstruction of the ear canal, either by
404 structures of undetermined origin, such as foreign
405 bodies, impacted cerumen, redness, swelling or
406 tenderness from localized infections of the otherwise
407 normal ear canal.

408 Such referral for medical opinion need not be
409 made by a licensed hearing aid dealer in the instance
410 of replacement only of a hearing aid which has been
411 lost or damaged beyond repair within one year of
412 the date of purchase. A copy of the written
413 recommendation shall be retained by the licensed
414 hearing aid dealer for the period of seven years.
415 A person receiving the written recommendation who
416 elects to purchase a hearing aid shall sign a receipt
417 for the same, and the receipt shall be kept with
418 the other papers retained by the licensed hearing
419 aid dealer for the period of seven years. Nothing
420 in this section required to be performed by a li-
421 censed hearing aid dealer shall mean that the hearing
422 aid dealer is engaged in the diagnosis of illness
425 or the practice of medicine or any other activity
424 prohibited by this Act.

425 No hearing aid shall be sold by any individual
426 licensed under this bill to a person twelve years
427 of age or younger, unless within the preceding six
428 months a recommendation for a hearing aid has been
429 made by a physician specializing in otolaryngology.
430 A replacement of an identical hearing aid within
431 one year shall be an exception to this requirement.

432 A licensed hearing aid dealer shall, upon the
433 consummation of a sale of a hearing aid, keep and
434 maintain records in his office or place of business
435 at all times and each such record shall be kept and
436 maintained for a seven-year period. These records
437 shall include:

438 1. Results of test techniques as they pertain
439 to fitting of the hearing aids.

440 2. A copy of the written receipt and the written
441 recommendation.

442 Sec. 21. NEW SECTION. NOTICE OF ADDRESS. A
443 licensee or person holding a temporary permit shall
444 notify the department in writing of the address of
445 the place where he engages or intends to engage in
446 business as a hearing aid dealer. The department
447 shall keep a record of the place of business of
448 licensees and persons holding temporary permits.

449 Any notice required to be given by the department
450 to a licensee shall be adequately served if sent

451 by certified mail to the address of the last place
452 of business recorded.

453 Sec. 22. NEW SECTION. DEPOSIT OF FEES. The
454 department shall deposit all fees collected under
455 the provisions of this Act in the general fund of
456 the state. Compensation and travel expenses of
457 members and employees of the board, and other expenses
458 necessary for the board to administer and carry out
459 the provisions of this Act shall be paid from funds
460 appropriated from the general fund of the state and
461 there is appropriated from the general fund of the
462 state to the board of hearing aid examiners for
463 support, maintenance, equipment and miscellaneous
464 purposes of the board for the licensing and regulation
465 of hearing aid dealers for the fiscal year commencing
466 July 1, 1974 and ending June 30, 1975, the sum of
467 four thousand five hundred (4,500) dollars, or so
468 much thereof as may be necessary.

469 Sec. 23. NEW SECTION. COMPLAINTS. Any person
470 wishing to make a complaint against a licensee or
471 holder of a temporary permit shall file a written
472 statement with the board within twelve months from
473 the date of the action upon which the complaint is
474 based. If the board determines that the complaint
475 alleges facts which, if proven, would be cause for
476 the suspension or revocation of the license of the
477 licensee or holder of a temporary permit, it shall
478 make an order fixing a time and place for a hearing
479 and requiring the licensee or holder of a temporary
480 permit complained against to appear and defend.
481 The order shall contain a copy of the complaint,
482 and the order and copy of the complaint shall be
483 served upon the licensee or holder of a temporary
484 permit at least twenty days before the date set for
485 hearing, either personally or as provided in section
486 twenty-one (21) of this Act. Continuance or
487 adjournment of a hearing date may be made for good
488 cause. At the hearing the licensee or holder of
489 a temporary permit may be represented by counsel.
490 The licensee or holder of a temporary permit and
491 the board may take depositions in advance of hearing
492 and after service of the complaint, and either may
493 compel the attendance of witnesses by subpoenas
494 issued by the board. The board shall issue such
495 subpoenas at the request of a licensee or holder
496 of a temporary permit. Either party taking
497 depositions shall give at least five-days written
498 notice to the other party of the time and place of
499 such depositions, and the other party may attend,
500 with counsel, if desired, and cross-examine.

501 If the board determines from the evidence and
502 proofs submitted that the licensee or holder of a
503 temporary permit is guilty of violating any of the
504 provisions of this Act, or any of the regulations
505 promulgated by the board pursuant to this Act, the
506 department shall, within thirty days after the
507 hearing, issue an order refusing to issue or renew,
508 or revoking or suspending, as the case may be, the
509 hearing aid dealer's license or temporary permit.
510 The order shall include the findings of fact and
511 the conclusions of law made by the board and counsel.
512 A copy of the order shall be sent to the licensee
513 or holder of a temporary permit by registered mail.
514 The records of the department shall reflect the
515 action taken by the board on the charges, and the
516 department shall preserve a record of the proceedings
517 in a manner similar to that used by courts of record
518 in this state.

519 The final order of the board in the proceedings
520 may be appealed to the district court of the county
521 where the licensee or holder of a temporary permit
522 resides, or in which the licensed hearing aid dealer's
523 principal place of business is located.

524 The department shall send a copy of the complaint
525 and a copy of the board's final order to the attorney
526 general for purposes of information in the event
527 the licensee or holder of a temporary permit pursues
528 a court appeal and for consideration as to whether
529 the violations are flagrant enough to justify
530 prosecution. The attorney general and all county
531 attorneys shall assist the department in the en-
532 forcement of the provisions of this Act.

533 Sec. 24. NEW SECTION. SUSPENSION OR REVOCATION.
534 The board may revoke or suspend a license or temporary
535 permit permanently or for a fixed period for any
536 of the following causes:

537 1. Conviction of a felony. The record of
538 conviction, or a certified copy, shall be conclusive
539 evidence of conviction.

540 2. Procuring a license or temporary permit by
541 fraud or deceit.

542 3. Unethical conduct in any of the following
543 forms:

544 a. Obtaining a fee or making a sale by fraud
545 or misrepresentation.

546 b. Knowingly employing, directly or indirectly,
547 any suspended or unregistered person to perform any
548 work covered by this Act.

549 c. Using or causing or promoting the use of any
550 advertising matter, promotional literature,

551 testimonial, guarantee, warranty, label, brand,
552 insignia, or any other representation, however
553 disseminated or published, which is misleading, de-
554 ceptive or untruthful.

555 d. Advertising a particular model or type of
556 hearing aid for sale when purchasers or prospective
557 purchasers responding to the advertisement cannot
558 purchase the advertised model or type, if it is
559 established that the purpose of the advertisement
560 is to obtain prospects for the sale of a different
561 model or type than that advertised.

562 3. Representing that the service or advice of
563 a person licensed to practice medicine, or one who'
564 is certificated as a clinical audiologist by the
565 board of examiners of speech pathology and audiology
566 or its equivalent, will be used or made available
567 in the fitting or selection, adjustment, maintenance,
568 or repair of hearing aids when that is not true,
569 or using the words "doctor", "clinic", "clinical
570 audiologist", "state approved", or similar words,
571 abbreviations, or symbols which tend to connote the
572 medical or other professions, except where the title
573 "certified hearing aid audiologist" has been granted
574 by the national hearing aid society, or that the
575 hearing aid dealer has been recommended by this state
576 or the board when such is not accurate.

577 f. Habitual intemperance.

578 g. Permitting another person to use his license
579 or temporary permit.

580 h. Advertising a manufacturer's product or using
581 a manufacturer's name or trademark to imply a
582 relationship with the manufacturer that does not
583 exist.

584 i. Directly or indirectly giving or offering
585 to give, or permitting or causing to be given money
586 or anything of value to a person who advises another
587 in a professional capacity, as an inducement to
588 influence the person or cause him to influence others
589 to purchase or contract to purchase products sold
590 or offered for sale by a hearing aid dealer, or to
591 influence others to refrain from dealing in the prod-
592 ucts of competitors.

593 j. Conducting business while suffering from a
594 contagious or infectious disease.

595 k. Engaging in the fitting or selection and sale
596 of hearing aids under a false name or alias, with
597 fraudulent intent.

598 l. Selling a hearing aid to a person who has
599 not been given tests utilizing appropriate established
600 procedures and instrumentation in fitting or selection

- 601 of hearing aids, except in cases of selling
602 replacement hearing aids of the same make or model
603 within one year of the original sale.
- 604 m. Gross incompetence or negligence in fitting
605 or selection and selling of hearing aids.
- 606 n. Using an advertisement or other representation
607 which has the effect of misleading or deceiving pur-
608 chasers or prospective purchasers into the belief
609 that any hearing aid or device, or part or accessory
610 thereof, is a new invention or involves a new
611 mechanical or scientific principle when such is not
612 the fact.
- 613 o. Representing, directly or by implication,
614 that a hearing aid utilizing bone conduction has
615 certain specified features, such as the absence of
616 anything in the ear or leading to the ear, or the
617 like, without disclosing clearly and conspicuously
618 that the instrument operates on the bone conduction
619 principle, and that in many cases of hearing loss,
620 this type of instrument may not be suitable.
- 621 p. Stating or implying that the use of a hearing
622 aid will restore normal hearing or preserve hearing
623 or prevent or retard progressions of hearing
624 impairment or any other false or misleading claim
625 regarding the use or benefit of a hearing aid.
- 626 q. Representing or implying that a hearing aid
627 is or will be "custom-made", "made to order",
628 "prescription made", or in any other sense especially
629 fabricated for an individual person when such is
630 not the case.
- 631 r. Violating any of the provisions of section
632 seven hundred thirteen point twenty-four (713.24)
633 of the Code.
- 634 s. Such other acts or omissions as the board
635 may determine to be unethical conduct.
- 636 Sec. 25. NEW SECTION. PROHIBITIONS. A person
637 shall not:
- 638 1. Sell, barter, or offer to sell or barter a
639 license or temporary permit.
- 640 2. Purchase or procure by barter a license or
641 temporary permit with intent to use it as evidence
642 of the holder's qualifications to engage in business
643 as a hearing aid dealer.
- 644 3. Alter a license or temporary permit with
645 fraudulent intent.
- 646 4. Use or attempt to use as a valid license a
647 license or temporary permit which has been purchased,
648 fraudulently obtained, counterfeited, or materially
649 altered.
- 650 5. Willfully make a false statement in an

651 application for a license or temporary permit or
652 for renewal of a license or temporary permit.
653 Sec. 26. NEW SECTION. CONSUMER PROTECTION.
654 Nothing in this Act shall be construed to limit the
655 right of a person who desires to file a complaint
656 against a licensee or holder of a temporary permit
657 from filing a complaint with the attorney general
658 pursuant to the provisions of section seven hundred
659 thirteen point twenty-four (713.24) of the Code.

660 Sec. 27. NEW SECTION. PENALTIES. A violation
661 of any provision of this Act is punishable, upon
662 conviction, by a fine of not more than five hundred
663 dollars or by imprisonment for not more than thirty
664 days in the county jail, or by both such fine and
665 imprisonment.

666 Sec. 28. The provisions of this Act shall become
667 effective January 1, 1975, except that the governor
668 shall appoint the members of the board to terms which
669 shall commence July 1, 1974, and the board shall
670 commence its duties.

671 2. Amend the title, page 1, line 3, by striking
672 the word "and".

673 3. Amend the title, page 1, line 3, by inserting
674 after the word "violation" the words ", and to provide
675 an appropriation".

²⁸⁸⁴
H—2891 Filed. *Adopted as amended by 2922* By
April 16, 1974 *4/19 (1974)*

COMMITTEE ON APPROPRIATIONS
GRASSLEY of Butler, Chairman

H—2922

1 Amend the committee on appropriations amendment
2 H-2884 to House File 708 by striking all of lines
3 408 through 412 and inserting in lieu thereof the
4 words "A copy of the written".

H—2922 Filed. *Adopted 4/19*
April 18, 1974

By STROMER of Hancock

- 1 Amend House File 708 as follows:
2 1. Page 4, line 19, by inserting after the period
3 the following:
4 "In order to be deemed qualified by the board, such
5 persons shall have successfully completed courses with
6 the minimum number of credit hours listed in all of the
7 following at a college or university approved by the
8 northcentral association of colleges and secondary
9 schools.
10 1. Human anatomy, two credit hours.
11 2. Human physiology, two credit hours.
12 3. Anatomy and physiology of speech and hearing
13 mechanisms, three credit hours.
14 4. Acoustics, two credit hours.
15 5. Introduction to audiology, three credit hours.
16 6. Audiology, three credit hours.
17 7. Clinical audiology, three credit hours.
18 8. Pediatric audiology, three credit hours.
19 9. Hearing aids and instrumentation, three
20 credit hours.
21 10. Aural rehabilitation, two credit hours.
22 11. Hearing disorders, three credit hours.
23 12. Clinical practicum, six credit hours.
24 13. Fundamentals of speech correction, two
25 credit hours.
26 14. Psychology, two credit hours."
27 2. Page 5, by inserting after line 8 the following
28 new subsection:
29 NEW SUBSECTION. Has completed the educational
30 requirements listed in section six (6) of this Act.
31 3. Page 5, by inserting after line 17 the following
32 new subsection:
33 NEW SUBSECTION. Has completed the educational
34 requirements listed in section six (6) of this Act.
35 4. Page 6, line 28, by inserting after the
36 period the following: "The applicant shall be deemed
37 qualified to obtain a temporary permit if he is pur-
38 suing a course of educational study as prescribed in
39 section six (6) of this Act and will complete the
40 requirements of section six (6) of this Act within
41 twelve months after receiving a temporary permit."
42 5. By renumbering subsections as necessary.