

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 1190

Short Title: Allow Audiologist To Fit/Dispense Hear'g Aid. (Public)

Sponsors: Representatives Nye; B. Allen and Faison.

Referred to: Health.

April 12, 2005

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE HEARING AID FITTING AND DISPENSING BY
AUDIOLOGISTS AND TO MAKE TECHNICAL CHANGES TO THE LAWS
PERTAINING TO HEARING AID DEALERS AND FITTERS TO AUTHORIZE
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 upon registration with the Board shall include fitting and dispensing hearing aids, and fabrication of earmolds and similar accessories for clinical testing purposes only-accessories.

...."

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

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

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

1 **SECTION 3.** G.S. 93D-5 reads as rewritten:

2 "**§ 93D-5. Requirements for registration; examinations; apprentice licenses.**

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

10 (1) Is a person of good moral character,

11 (2) Is 18 years of age or older,

12 (3) Has an education equivalent to a four-year course in an accredited high
13 school,

14 (4) Is free of contagious or infectious disease.

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

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

28 **SECTION 4.** G.S. 93D-14 reads as rewritten:

29 "**§ 93D-14. Persons not affected.**

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

39 **SECTION 5.** This act is effective when it becomes law.