

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Hearing Instrument Consumer Protection Act is amended by changing Sections 8, 9, 11, 13, and 15 and by adding Section 6.1 as follows:

(225 ILCS 50/6.1 new)

(Section scheduled to be repealed on January 1, 2016)

Sec. 6.1. Reciprocity. The Department shall issue a license to any hearing instrument dispenser who (i) has a valid license as a hearing instrument dispenser, or its equivalent, from another state that has an examination that is comparable to the examination required under this Act or is provided by the International Hearing Society, (ii) has completed the specific academic and training requirements, or their equivalent, under this Act, (iii) has been actively practicing as a hearing instrument dispenser for at least 3 months or is certified by the National Board for Certification in Hearing Instrument Sciences, and (iv) has paid the required fee.

(225 ILCS 50/8) (from Ch. 111, par. 7408)

(Section scheduled to be repealed on January 1, 2016)

Sec. 8. Applicant qualifications; examination.

(a) In order to protect persons with hearing impairments, the Department shall authorize or shall conduct an appropriate examination for persons who dispense, test, select, recommend, fit, or service hearing instruments. The frequency of holding these examinations shall be determined by the Department by rule. Those who successfully pass such an examination shall be issued a license as a hearing instrument dispenser, which shall be effective for a 2-year period.

(b) Applicants shall be:

- (1) at least 18 years of age;
- (2) of good moral character;
- (3) a high school graduate or the equivalent;
- (4) free of contagious or infectious disease; and
- (5) a citizen or person who has the status as a legal alien.

Felony convictions of the applicant and findings against the applicant involving matters set forth in Sections 17 and 18 shall be considered in determining moral character, but such a conviction or finding shall not make an applicant ineligible to register for examination.

(c) Prior to engaging in the practice of fitting, dispensing, or servicing hearing instruments, an applicant shall demonstrate, by means of written and practical examinations, that such person is qualified to practice the testing, selecting, recommending, fitting, selling, or servicing of hearing instruments as defined in this Act. An

applicant who fails to obtain a license within 12 months after passing both the written and practical examinations must take and pass those examinations again in order to be eligible to receive a license.

The Department shall, by rule, determine the conditions under which an individual is examined.

(d) Proof of having met the minimum requirements of continuing education as determined by the Board shall be required of all license renewals. Pursuant to rule, the continuing education requirements may, upon petition to the Board, be waived in whole or in part if the hearing instrument dispenser can demonstrate that he or she served in the Coast Guard or Armed Forces, had an extreme hardship, or obtained his or her license by examination or endorsement within the preceding renewal period.

(e) ~~Persons Beginning January 1, 2003, persons~~ applying for an initial license must demonstrate having earned, at a minimum, an associate degree or its equivalent from an accredited institution of higher education that is recognized by the U.S. Department of Education and meet the other requirements of this Section. In addition, the applicant must demonstrate the successful completion of 12 semester hours or 18 quarter hours of academic undergraduate course work in an accredited institution consisting of 3 semester hours of anatomy and physiology of the speech and hearing mechanism, 3 semester hours of hearing science, 3 semester hours of

introduction to audiology, and 3 semester hours of aural rehabilitation, or the quarter hour equivalent. Persons licensed before January 1, 2003 who have a valid license on that date may have their license renewed without meeting the requirements of this subsection.

(Source: P.A. 91-932, eff. 1-1-01; 92-161, eff. 7-25-01.)

(225 ILCS 50/9) (from Ch. 111, par. 7409)

(Section scheduled to be repealed on January 1, 2016)

Sec. 9. Areas of examination. The examination required by Section 8 shall be set forth by rule and demonstrate the applicant's technical qualifications by:

(a) Tests of knowledge in the following areas as they pertain to the testing, selecting, recommending, fitting, and selling of hearing instruments:

- (1) characteristics of sound;
- (2) the nature of the ear; and
- (3) the function and maintenance of hearing instruments.

(b) Practical tests of proficiency in ~~the following~~ techniques as they pertain to the fitting of hearing instruments shall be prescribed by the Department, set forth by rule, and include candidate qualifications in the following areas:

- (1) pure tone audiometry including air conduction testing and bone conduction testing;

(2) live voice or recorded voice speech audiometry, including speech reception, threshold testing and speech discrimination testing;

(3) masking;

(4) proper selection and adaptation of a hearing instrument;

(5) Taking earmold impressions;

(6) Proper maintenance procedures; and

(7) a general knowledge of the medical and physical contra-indications to the use and fitting of a hearing instrument.

(c) Knowledge of the general medical and hearing rehabilitation facilities in the area being served.

(d) Knowledge of the provisions of this Act and the rules promulgated hereunder.

(Source: P.A. 89-72, eff. 12-31-95.)

(225 ILCS 50/11) (from Ch. 111, par. 7411)

(Section scheduled to be repealed on January 1, 2016)

Sec. 11. Graduate audiology students. Full-time graduate students enrolled in a program of audiology in an accredited college or university may engage in the dispensing of hearing instruments as a part of an academic a program of audiology without a license under the supervision of a licensed audiologist.

The supervisor and the supervisor's employer shall be

jointly and severally liable for any acts of the student relating to the practice of fitting or dispensing hearing instruments as defined in this Act and the rules promulgated hereunder.

(Source: P.A. 91-932, eff. 1-1-01.)

(225 ILCS 50/13) (from Ch. 111, par. 7413)

(Section scheduled to be repealed on January 1, 2016)

Sec. 13. Expiration and renewal of licenses. The expiration date and renewal period for licenses shall be set by rule. ~~A hearing instrument dispenser whose license has expired may have it reinstated within 2 years after the expiration thereof, by making a renewal application therefor, demonstrating compliance with all continuing education requirements, and by paying the required fee. However, any hearing instrument dispenser whose license expired while: (1) on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have the license renewed, reinstated, or restored without paying any lapsed renewal fees if, within 2 years after honorable termination of such service, training, or education, except under conditions other than honorable, such person shall have furnished the Department with satisfactory evidence of being so engaged and that the service, training or education has been~~

~~terminated.~~

~~Pursuant to rule, a hearing instrument dispenser whose license has expired and who has not practiced for at least 2 years may have such license restored by retaking and passing the examinations as required by Sections 8 and 9 and paying the required fees.~~

(Source: P.A. 89-72, eff. 12-31-95.)

(225 ILCS 50/15) (from Ch. 111, par. 7415)

(Section scheduled to be repealed on January 1, 2016)

Sec. 15. Fees.

(a) The examination and licensure ~~following are fees paid to the Department to be charged and~~ are not refundable and shall be set forth by administrative rule. †

~~(1) The fee for application for a license is \$40.~~

~~(2) In addition to the application fee, applicants for any examination shall be required to pay, either to the Department or to the designated testing service, a fee covering the actual cost of the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application and fee for the examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the fee.~~

~~(3) The fee for a license shall be \$115 per 2 year licensure period, except that the fee for a license for a~~

~~person obtaining his or her supervised professional experience as required by subsection (f) of Section 8 of the Illinois Speech Language Pathology and Audiology Practice Act shall be \$60 per one year licensure period.~~

~~(4) The fee for the reinstatement of a license which has been expired for more than 90 days but less than 2 years is \$50 plus payment of all lapsed renewal and late fees.~~

~~(5) The fee for the restoration of a license which has been expired for more than 2 years is \$100 plus payment of all lapsed renewal and late fees.~~

~~(6) The fee for the issuance of a duplicate license, for the issuance of a replacement license which has been lost or destroyed or for the issuance of a license with a change of name or address is \$10. No fee is required for name and address changes on Department records when no duplicate license is issued.~~

~~(7) The fee for a licensee's record for any purpose is \$10.~~

~~(8) The fee to have the scoring of an examination administered by the Department reviewed and verified is \$10, plus any fee charged by the testing service.~~

~~(9) The fee for a wall license shall be the actual cost of such license.~~

~~(10) The fee for a roster of persons licensed as hearing instrument dispensers shall be the actual cost of~~

~~such roster.~~

~~(11) The annual fee for any organization registered pursuant to Section 6 is \$100. Such fee is in addition to all other fees imposed under this Act.~~

~~(12) A late fee, which shall be in the same amount as the license renewal fee, shall be charged to a dispenser whose license renewal fee is received by the Department after the expiration date of the license.~~

~~(13) Sponsors of continuing education courses shall provide such information as may be required by rule and shall pay a fee of \$150 per course. However, courses certified or approved for continuing education by the International Hearing Aid Society, the American Academy of Audiology, the Academy of Dispensing Audiologists, the American Speech Language Hearing Association, or any other national organization approved by the Board shall be exempt from such fee and compliance with such course filing requirements as specified by rule.~~

(b) The moneys received as fees and fines by the Department under this Act shall be deposited in the Hearing Instrument Dispenser Examining and Disciplinary Fund, which is hereby created as a special fund in the State Treasury, and shall be used only for the administration and enforcement of this Act, including: (1) costs directly related to licensing of persons under this Act; and (2) by the Board in the exercise of its powers and performance of its duties, and such use shall be

made by the Department with full consideration of all recommendations of the Board.

All moneys deposited in the Fund shall be appropriated to the Department for expenses of the Department and the Board in the administration and enforcement of this Act.

Moneys in the Fund may be invested and reinvested, with all earnings deposited in the Fund and used for the purposes set forth in this Act.

Upon the completion of any audit of the Department as prescribed by the Illinois State Auditing Act, which audit shall include an audit of the Fund, the Department shall make a copy of the audit open to inspection by any interested person, which copy shall be submitted to the Department by the Auditor General, in addition to the copies of audit reports required to be submitted to other State officers and agencies by Section 3-14 of the Illinois State Auditing Act.

(Source: P.A. 91-932, eff. 1-1-01.)