



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB2615

Introduced 10/24/2023, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

225 ILCS 50/3	from Ch. 111, par. 7403
225 ILCS 50/4	from Ch. 111, par. 7404
225 ILCS 50/4.6	
225 ILCS 50/5	from Ch. 111, par. 7405
225 ILCS 50/6	from Ch. 111, par. 7406
225 ILCS 50/9	from Ch. 111, par. 7409

Amends the Hearing Instrument Consumer Protection Act. Requires all hearing instruments offered for sale to be accompanied by a 30-business day return privilege. Requires the receipt or contract provided to the consumer to state that the consumer has a right to return the hearing instrument for a refund within 30 business days of the date of delivery. Provides that if a nonrefundable dispensing fee or restocking fee, or both, will be withheld from the consumer in event of return, the terms must be clearly stated on the receipt or contract provided to the consumer. Defines terms. Makes technical changes. Effective January 1, 2024.

LRB103 34891 MXP 64758 b

1 AN ACT concerning regulation.

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

4 Section 5. The Hearing Instrument Consumer Protection Act  
5 is amended by changing Section 3, 4, 4.6, 5, 6, and 9 as  
6 follows:

7 (225 ILCS 50/3) (from Ch. 111, par. 7403)

8 (Text of Section before amendment by P.A. 103-495)

9 (Section scheduled to be repealed on January 1, 2026)

10 Sec. 3. Definitions. As used in this Act, except as the  
11 context requires otherwise:

12 "Department" means the Department of Public Health.

13 "Director" means the Director of the Department of Public  
14 Health.

15 "License" means a license issued by the State under this  
16 Act to a hearing instrument dispenser.

17 "Licensed audiologist" means a person licensed as an  
18 audiologist under the Illinois Speech-Language Pathology and  
19 Audiology Practice Act.

20 "National Board Certified Hearing Instrument Specialist"  
21 means a person who has had at least 2 years in practice as a  
22 licensed hearing instrument dispenser and has been certified  
23 after qualification by examination by the National Board for

1 Certification in Hearing Instruments Sciences.

2 "Licensed physician" or "physician" means a physician  
3 licensed in Illinois to practice medicine in all of its  
4 branches pursuant to the Medical Practice Act of 1987.

5 "Trainee" means a person who is licensed to perform the  
6 functions of a hearing instrument dispenser in accordance with  
7 the Department rules and only under the direct supervision of  
8 a hearing instrument dispenser or audiologist who is licensed  
9 in the State.

10 "Board" means the Hearing Instrument Consumer Protection  
11 Board.

12 "Hearing instrument" or "hearing aid" means any wearable  
13 instrument or device designed for or offered for the purpose  
14 of aiding or compensating for impaired human hearing and that  
15 can provide more than 15 dB full on gain via a 2cc coupler at  
16 any single frequency from 200 through 6000 cycles per second,  
17 and any parts, attachments, or accessories, including ear  
18 molds. "Hearing instrument" or "hearing aid" do not include  
19 batteries, cords, or group auditory training devices and any  
20 instrument or device used by a public utility in providing  
21 telephone or other communication services are excluded.

22 "Practice of fitting, dispensing, or servicing of hearing  
23 instruments" means the measurement of human hearing with an  
24 audiometer, calibrated to the current American National  
25 Standard Institute standards, for the purpose of making  
26 selections, recommendations, adaptations, services, or sales of

1 hearing instruments including the making of earmolds as a part  
2 of the hearing instrument.

3 "Sell" or "sale" means any transfer of title or of the  
4 right to use by lease, bailment, or any other contract,  
5 excluding wholesale transactions with distributors or dealers.

6 "Hearing instrument dispenser" means a person who is a  
7 hearing care professional that engages in the selling,  
8 practice of fitting, selecting, recommending, dispensing, or  
9 servicing of hearing instruments or the testing for means of  
10 hearing instrument selection or who advertises or displays a  
11 sign or represents himself or herself as a person who  
12 practices the testing, fitting, selecting, servicing,  
13 dispensing, or selling of hearing instruments.

14 "Fund" means the Hearing Instrument Dispenser Examining  
15 and Disciplinary Fund.

16 "Hearing care professional" means a person who is a  
17 licensed audiologist, a licensed hearing instrument dispenser,  
18 or a licensed physician.

19 (Source: P.A. 98-362, eff. 8-16-13; 98-827, eff. 1-1-15.)

20 (Text of Section after amendment by P.A. 103-495)

21 (Section scheduled to be repealed on January 1, 2026)

22 Sec. 3. Definitions. As used in this Act, except as the  
23 context requires otherwise:

24 "Department" means the Department of Public Health.

25 "Director" means the Director of the Department of Public

1 Health.

2 "Direct supervision" means the final approval given by the  
3 licensed hearing instrument professional to all work performed  
4 by the person under supervision and that the licensed hearing  
5 instrument professional is physically present in the facility  
6 any time the person under supervision has contact with a  
7 client. "Direct supervision" does not mean that the licensed  
8 hearing instrument professional is in the same room when the  
9 person under supervision has contact with the client.

10 "Federal Trade Commission" means the United States federal  
11 agency which regulates business practices and commerce.

12 "Food and Drug Administration" means the United States  
13 federal agency which regulates hearing instruments or hearing  
14 aids as medical devices.

15 "License" means a license issued by the State under this  
16 Act to a hearing instrument dispenser.

17 "Licensed audiologist" means a person licensed as an  
18 audiologist under the Illinois Speech-Language Pathology and  
19 Audiology Practice Act and who can prescribe hearing aids in  
20 accordance with this Act.

21 "National Board Certified Hearing Instrument Specialist"  
22 means a person who has had at least 2 years in practice as a  
23 licensed hearing instrument dispenser and has been certified  
24 after qualification by examination by the National Board for  
25 Certification in Hearing Instruments Sciences.

26 "Licensed physician" or "physician" means a physician

1 licensed in Illinois to practice medicine in all of its  
2 branches pursuant to the Medical Practice Act of 1987.

3 "Trainee" means a person who is licensed to perform the  
4 functions of a hearing instrument dispenser or audiologist in  
5 accordance with the Department rules and only under the direct  
6 supervision of a hearing instrument dispenser or audiologist  
7 who is licensed in the State.

8 "Board" means the Hearing Instrument Consumer Protection  
9 Board.

10 "Hearing instrument" or "hearing aid" means any instrument  
11 or device, including an instrument or device dispensed  
12 pursuant to a prescription, that is designed, intended, or  
13 offered for the purpose of improving a person's hearing and  
14 any parts, attachments, or accessories, including earmolds.  
15 "Hearing instrument" or "hearing aid" does not include  
16 batteries, cords, and individual or group auditory training  
17 devices and any instrument or device used by a public utility  
18 in providing telephone or other communication services.

19 "Involvement of a licensed hearing professional ~~person~~"  
20 refers to the supervision ~~supervisor~~, prescription or other  
21 order, involvement, or interaction by a licensed hearing  
22 instrument professional.

23 "Practice of prescribing, fitting, dispensing, or  
24 servicing of prescription hearing aids" means the measurement  
25 of human hearing with an audiometer, calibrated to the current  
26 American National Standard Institute standards, for the

1 purpose of prescribing hearing aids and making selections,  
2 recommendations, adaptations, services, or sales of hearing aids  
3 including the making of earmolds as a part of the hearing aid.

4 "Sell" or "sale" means any transfer of title or of the  
5 right to use by lease, bailment, or any other contract,  
6 excluding wholesale transactions with distributors or dealers.

7 "Hearing instrument dispenser" means a person who is a  
8 hearing instrument professional that engages in the selling,  
9 practice of fitting, selecting, recommending, dispensing,  
10 prescribing, or servicing of prescription hearing aids or the  
11 testing for means of hearing aid selection or who advertises  
12 or displays a sign or represents himself or herself as a person  
13 who practices the testing, fitting, selecting, servicing,  
14 dispensing, prescribing, or selling of prescription hearing  
15 aids.

16 "Fund" means the Hearing Instrument Dispenser Examining  
17 and Disciplinary Fund.

18 "Hearing instrument professional" means a person who is a  
19 licensed audiologist, a licensed hearing instrument dispenser,  
20 or a licensed physician.

21 "Over-the-counter hearing aid" means any instrument or  
22 device that:

23 (1) uses the same fundamental scientific technology as  
24 air conduction hearing aids, as defined in 21 CFR  
25 874.3300, or wireless air conduction hearing aids, as  
26 defined in 21 CFR 874.3305;

1           (2) is intended to be used by adults age 18 and older  
2           to compensate for perceived mild to moderate hearing  
3           impairment;

4           (3) through tools, tests, or software, allows the user  
5           to control the over-the-counter hearing aid and customize  
6           it to the user's hearing needs;

7           (4) may use wireless technology or include tests for  
8           self-assessment of hearing loss; and

9           (5) is available over-the-counter, without the  
10          supervision, prescription, or other order, involvement, or  
11          intervention of a licensed person, to consumers through  
12          in-person transactions, by mail, or online.

13          "Over-the-counter hearing aid" does not include batteries,  
14          cords, and individual or group auditory training devices or  
15          any instrument or device used by a public utility in providing  
16          telephone or other communication services.

17          "Personal sound amplification product" means an  
18          amplification device, as defined by the Food and Drug  
19          Administration or the Federal Trade Commission, that is not  
20          labeled as a hearing aid and is not intended to treat hearing  
21          loss.

22          "Prescribe" means an order for a prescription hearing aid  
23          issued by a licensed hearing instrument professional.

24          "Prescription hearing aid" means any wearable instrument  
25          or device designed, intended, or offered for the purpose of  
26          improving a person's hearing that may only be obtained with



1 the involvement of a licensed hearing instrument professional.  
2 (Source: P.A. 103-495, eff. 1-1-24.)

3 (225 ILCS 50/4) (from Ch. 111, par. 7404)

4 (Text of Section before amendment by P.A. 103-495)

5 (Section scheduled to be repealed on January 1, 2026)

6 Sec. 4. Disclosure; waiver; complaints; insurance. The  
7 hearing instrument dispenser shall give at no charge to every  
8 person fitted and sold a hearing instrument the "User  
9 Instructional Brochure", supplied by the hearing instrument  
10 manufacturer containing information required by the U.S. Food  
11 and Drug Administration.

12 Whenever a sale or service of one or more hearing  
13 instrument involving \$50 or more is made or contracted to be  
14 made, whether under a single contract or under multiple  
15 contracts, at the time of the transaction, the hearing  
16 instrument dispenser shall furnish the consumer with a fully  
17 completed receipt or contract pertaining to that transaction,  
18 in substantially the same language as that used in the oral  
19 presentation to the consumer. The receipt or contract provided  
20 to the consumer shall contain the dispenser's name, license  
21 number, business address, business phone number, and  
22 signature; the name, address, and signature of the hearing  
23 instrument consumer; and the name and signature of the  
24 purchaser if the consumer and the purchaser are not the same;  
25 the hearing instrument manufacturer's name, and the model and

1 serial numbers; the date of purchase; and the charges required  
2 to complete the terms of the sale fully and clearly stated.  
3 When the hearing instrument is delivered to the consumer or  
4 purchaser, the serial number shall be written on the original  
5 receipt or contract and a copy shall be given to the consumer  
6 or purchaser. If a used hearing instrument is sold, the  
7 receipt and the container thereof shall be clearly marked as  
8 "used" or "reconditioned", whichever is applicable, with terms  
9 of guarantee, if any.

10 All hearing instruments offered for sale must be  
11 accompanied by a 30-business day return privilege. The receipt  
12 or contract provided to the consumer shall state that the  
13 consumer has a right to return the hearing instrument for a  
14 refund within 30 business days of the date of delivery. If a  
15 nonrefundable dispensing fee or restocking fee, or both, will  
16 be withheld from the consumer in event of return, the terms  
17 must be clearly stated on the receipt or contract provided to  
18 the consumer.

19 A hearing instrument dispenser shall not sell a hearing  
20 instrument unless the prospective user has presented to the  
21 hearing instrument dispenser a written statement, signed by a  
22 licensed physician, which states that the patient's hearing  
23 loss has been medically evaluated and the patient is  
24 considered a candidate for a hearing instrument. The medical  
25 evaluation must have taken place within the 6 months  
26 immediately preceding the date of the sale of the hearing

1 instrument to the prospective hearing instrument user. If the  
2 prospective hearing instrument user is 18 years of age or  
3 older, the hearing instrument dispenser may afford the  
4 prospective user an opportunity to waive the medical  
5 evaluation required by this Section, provided that the hearing  
6 instrument dispenser:

7 (i) Informs the prospective user that the exercise of  
8 a waiver is not in the user's best health interest;

9 (ii) Does not in any way actively encourage the  
10 prospective user to waive the medical evaluation; and

11 (iii) Affords the prospective user the option to sign  
12 the following statement:

13 "I have been advised by .....(hearing  
14 instrument dispenser's name) that the Food and Drug  
15 Administration has determined that my best interest  
16 would be served if I had a medical evaluation by a  
17 licensed physician (preferably a physician who  
18 specializes in diseases of the ear) before purchasing  
19 a hearing instrument. I do not wish a medical  
20 evaluation before purchasing a hearing instrument."

21 The hearing instrument dispenser or his or her employer  
22 shall retain proof of the medical examination or the waiver  
23 for at least 3 years from the date of the sale.

24 If the parent or guardian of any individual under the age  
25 of 18 years is a member of any church or religious  
26 denomination, whose tenets and practices include reliance upon

1 spiritual means through prayer alone and objects to medical  
2 treatment and so states in writing to the hearing instrument  
3 dispenser, such individual shall undergo a hearing examination  
4 as provided by this Section but no proof, ruling out any  
5 medically treatable problem causing hearing loss, shall be  
6 required.

7 All persons licensed under this Act shall have  
8 conspicuously displayed in their business establishment a sign  
9 indicating that formal complaints regarding hearing instrument  
10 goods or services may be made to the Department. Such sign  
11 shall give the address and telephone number of the Department.  
12 All persons purchasing hearing instruments shall be provided  
13 with a written statement indicating that formal complaints  
14 regarding hearing instrument goods or services may be made to  
15 the Department and disclosing the address and telephone number  
16 of the Department.

17 Any person wishing to make a complaint, against a hearing  
18 instrument dispenser under this Act, shall file it with the  
19 Department within 3 years from the date of the action upon  
20 which the complaint is based. The Department shall investigate  
21 all such complaints.

22 All persons licensed under this Act shall maintain  
23 liability insurance as set forth by rule and shall be  
24 responsible for the annual calibration of all audiometers in  
25 use by such persons. Such annual calibrations shall be in  
26 conformance with the current standards set by American

1 National Standard Institute.

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

3 (Text of Section after amendment by P.A. 103-495)

4 (Section scheduled to be repealed on January 1, 2026)

5 Sec. 4. Disclosure; complaints; insurance. The hearing  
6 instrument professional shall give at no charge to every  
7 person fitted and sold a hearing aid the "User Instructional  
8 Brochure", supplied by the hearing aid manufacturer containing  
9 information required by the U.S. Food and Drug Administration.

10 All hearing instruments or hearing aids must be dispensed  
11 or sold in accordance with Food and Drug Administration and  
12 Federal Trade Commission regulations governing the dispensing  
13 and sale of personal sound amplification products or hearing  
14 aids.

15 A consumer who purchases an over-the-counter hearing aid  
16 must be provided a sales receipt at the time of the  
17 transaction.

18 Whenever a sale of one or more prescription hearing aids  
19 involving \$50 or more is made or contracted to be made, whether  
20 under a single contract or under multiple contracts, at the  
21 time of the transaction, the hearing instrument professional  
22 shall furnish the consumer with a fully completed receipt or  
23 contract pertaining to that transaction, in substantially the  
24 same language as that used in the oral presentation to the  
25 consumer. The receipt or contract provided to the consumer

1 shall contain (i) the hearing instrument professional's name,  
2 license number, business address, business phone number, and  
3 signature; (ii) the name, address, and signature of the  
4 hearing instrument consumer; (iii) the name and signature of  
5 the purchaser if the consumer and the purchaser are not the  
6 same person; (iv) the hearing aid manufacturer's name, and the  
7 model and serial numbers; (v) the date of purchase; and (vi)  
8 the charges required to complete the terms of the sale, which  
9 must be fully and clearly stated. When the hearing aid is  
10 delivered to the consumer or purchaser, the serial number  
11 shall be written on the original receipt or contract and a copy  
12 shall be given to the consumer or purchaser. If a used hearing  
13 instrument is sold, the receipt and the container thereof  
14 shall be clearly marked as "used" or "reconditioned",  
15 whichever is applicable, with terms of guarantee, if any.

16 The hearing instrument professional or the professional's  
17 employer shall retain proof of the medical examination for at  
18 least 3 years from the date of the sale.

19 All hearing instruments offered for sale must be  
20 accompanied by a 30-business day return privilege. The receipt  
21 or contract provided to the consumer shall state that the  
22 consumer has a right to return the hearing instrument for a  
23 refund within 30 business days of the date of delivery. If a  
24 nonrefundable dispensing fee or restocking fee, or both, will  
25 be withheld from the consumer in event of return, the terms  
26 must be clearly stated on the receipt or contract provided to

1 the consumer. For purposes of this paragraph, "business day"  
2 means any calendar day except Saturday, Sunday, or a federal  
3 holiday.

4 If the parent or guardian of any individual age 17 or under  
5 is a member of any church or religious denomination, whose  
6 tenets and practices include reliance upon spiritual means  
7 through prayer alone and objects to medical treatment and so  
8 states in writing to the hearing instrument professional, such  
9 individual shall undergo a hearing examination as provided by  
10 this Section but no proof, ruling out any medically treatable  
11 problem causing hearing loss, shall be required.

12 All persons licensed under this Act shall have  
13 conspicuously displayed in their business establishment a sign  
14 indicating that formal complaints regarding hearing aid goods  
15 or services may be made to the Department. Such sign shall give  
16 the address and telephone number of the Department. All  
17 persons purchasing hearing aids shall be provided with a  
18 written statement indicating that formal complaints regarding  
19 hearing aid goods or services may be made to the Department and  
20 disclosing the address and telephone number of the Department.

21 Any person wishing to make a complaint<sup>7</sup> against a hearing  
22 instrument professional under this Act<sup>7</sup> shall file it with the  
23 Department within 3 years from the date of the action upon  
24 which the complaint is based. The Department shall investigate  
25 all such complaints.

26 All persons licensed under this Act shall maintain

1 liability insurance as set forth by rule and shall be  
2 responsible for the annual calibration of all audiometers in  
3 use by such persons. Such annual calibrations shall be in  
4 conformance with the current standards set by American  
5 National Standard Institute.

6 (Source: P.A. 103-495, eff. 1-1-24.)

7 (225 ILCS 50/4.6)

8 (This Section may contain text from a Public Act with a  
9 delayed effective date)

10 (Section scheduled to be repealed on January 1, 2026)

11 Sec. 4.6. Prescription hearing aids for persons age 18 or  
12 older.

13 (a) A hearing instrument professional may dispense a  
14 hearing aid to a person age 18 or older in accordance with the  
15 requirements of this Section.

16 (b) A person age 18 or older must be evaluated by a hearing  
17 instrument professional in person or via telehealth before  
18 receiving a prescription for a hearing aid. A person age 18 or  
19 older may not waive evaluation by a hearing instrument  
20 professional unless he or she is replacing a lost or stolen  
21 hearing aid that is subject to warranty replacement.

22 (c) A hearing instrument professional shall not sell  
23 prescription hearing aid to anyone age 18 or older if the  
24 prospective user had a negative finding on the Consumer Ear  
25 Disease Risk Assessment or a similar standardized assessment.



1 The prospective user who had a negative finding on the  
2 Consumer Ear Disease Risk Assessment or similar standardized  
3 assessment shall present to the hearing instrument  
4 professional a written statement, signed by a licensed  
5 physician, which states that the patient's hearing loss has  
6 been medically evaluated and the patient is considered a  
7 candidate for a prescription hearing aid. The medical  
8 evaluation must have been performed within the 12 months  
9 immediately preceding the date of the sale of the hearing aid  
10 to the prospective hearing aid user.

11 (d) A hearing aid prescription for individuals age 18 or  
12 older must include, at a minimum, the following information:

13 (1) name of the patient;

14 (2) date the prescription is issued;

15 (3) expiration date of the prescription, which may not  
16 exceed one year from the date of issuance;

17 (4) name and license number of the prescribing hearing  
18 instrument professional;

19 (5) results of the following assessments:

20 (A) hearing handicap inventory or similar  
21 standardized, evidence-based tool;

22 (B) pure-tone air conduction audiometry;

23 (C) bone conduction testing or consumer ear  
24 disease risk assessment or a similar standardized  
25 evidence-based tool;

26 (D) recorded speech in quiet, as medically

1 appropriate;

2 (E) recorded speech or digits in noise, as  
3 medically ~~medical~~ appropriate;

4 (6) documentation of type and style of hearing aid;  
5 and

6 (7) documentation of medical necessity of the  
7 recommended features of a hearing aid.

8 (Source: P.A. 103-495, eff. 1-1-24.)

9 (225 ILCS 50/5) (from Ch. 111, par. 7405)

10 (Text of Section before amendment by P.A. 103-495)

11 (Section scheduled to be repealed on January 1, 2026)

12 Sec. 5. License required. No person shall engage in the  
13 selling, practice of testing, fitting, selecting,  
14 recommending, adapting, dispensing, or servicing hearing  
15 instruments or display a sign, advertise, or represent oneself  
16 as a person who practices the fitting or selling of hearing  
17 instruments unless such person holds a current license issued  
18 by the Department as provided in this Act. Such person shall be  
19 known as a licensed hearing instrument dispenser. Individuals  
20 licensed pursuant to the provisions of Section 8 of this Act  
21 shall be deemed qualified to provide tests of human hearing  
22 and hearing instrument evaluations for the purpose of  
23 dispensing a hearing instrument for which any State agency may  
24 contract. The license shall be conspicuously displayed in the  
25 place of business. Duplicate licenses shall be issued by the

1 Department to licensees operating more than one office upon  
2 the additional payment set forth in this Act. No hearing  
3 instrument manufacturer may distribute, sell, or otherwise  
4 provide hearing instruments to any unlicensed hearing care  
5 professional for the purpose of selling hearing instruments to  
6 the consumer.

7 Except for violations of the provisions of this Act, or  
8 the rules promulgated under it, nothing in this Act shall  
9 prohibit a corporation, partnership, trust, association, or  
10 other entity from engaging in the business of testing,  
11 fitting, servicing, selecting, dispensing, selling, or  
12 offering for sale hearing instruments at retail without a  
13 license, provided it employs only licensed individuals in the  
14 direct testing, fitting, servicing, selecting, offering for  
15 sale, or dispensing of such products. Each such corporation,  
16 partnership, trust, association, or other entity shall file  
17 with the Department, prior to doing business in this State and  
18 by July 1 of each calendar year thereafter, on forms  
19 prescribed by the Department, a list of all licensed hearing  
20 instrument dispensers employed by it and a statement attesting  
21 that it complies with this Act and the rules promulgated under  
22 it and the regulations of the Federal Food and Drug  
23 Administration and the Federal Trade Commission insofar as  
24 they are applicable.

25 (Source: P.A. 99-204, eff. 7-30-15.)

1 (Text of Section after amendment by P.A. 103-495)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 5. License required. No person shall engage in the  
4 selling, practice of testing, fitting, selecting,  
5 recommending, adapting, dispensing, or servicing hearing aids  
6 or display a sign, advertise, or represent oneself as a person  
7 who practices the fitting or selling of hearing aids unless  
8 such person holds a current license issued by the Department  
9 as provided in this Act. Such person shall be known as a  
10 licensed hearing instrument dispenser. Individuals licensed  
11 pursuant to the provisions of Section 8 of this Act shall be  
12 deemed qualified to provide tests of human hearing and hearing  
13 aid evaluations for the purpose of dispensing a hearing aid  
14 for which any State agency may contract. The license shall be  
15 conspicuously displayed in the place of business. Duplicate  
16 licenses shall be issued by the Department to licensees  
17 operating more than one office upon the additional payment set  
18 forth in this Act. No hearing aids manufacturer may  
19 distribute, sell, or otherwise provide hearing aids to any  
20 unlicensed hearing instrument professional for the purpose of  
21 selling hearing aids to the consumer.

22 Except for violations of the provisions of this Act, or  
23 the rules promulgated under it, nothing in this Act shall  
24 prohibit a corporation, partnership, trust, association, or  
25 other entity from engaging in the business of testing,  
26 fitting, servicing, selecting, dispensing, selling, or

1 offering for sale hearing aids ~~aid~~ at retail without a  
2 license, provided it employs only licensed individuals in the  
3 direct testing, fitting, servicing, selecting, offering for  
4 sale, or dispensing of such products. Each such corporation,  
5 partnership, trust, association, or other entity shall file  
6 with the Department, prior to doing business in this State and  
7 by July 1 of each calendar year thereafter, on forms  
8 prescribed by the Department, a list of all licensed hearing  
9 instrument dispensers employed by it and a statement attesting  
10 that it complies with this Act and the rules promulgated under  
11 it and the regulations of the Federal Food and Drug  
12 Administration and the Federal Trade Commission insofar as  
13 they are applicable.

14 (Source: P.A. 103-495, eff. 1-1-24.)

15 (225 ILCS 50/6) (from Ch. 111, par. 7406)

16 (Text of Section before amendment by P.A. 103-495)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 6. Mail order and Internet sales. Nothing in this Act  
19 shall prohibit a corporation, partnership, trust, association,  
20 or other organization, maintaining an established business  
21 address, from engaging in the business of selling or offering  
22 for sale hearing instruments at retail by mail or by Internet  
23 to persons 18 years of age or older who have not been examined  
24 by a licensed physician or tested by a licensed hearing  
25 instrument dispenser provided that:

1           (a) The organization is registered by the Department prior  
2 to engaging in business in this State and has paid the fee set  
3 forth in this Act.

4           (b) The organization files with the Department, prior to  
5 registration and annually thereafter, a Disclosure Statement  
6 containing the following:

7                 (1) the name under which the organization is doing or  
8 intends to do business and the name of any affiliated  
9 company which the organization recommends or will  
10 recommend to persons as a supplier of goods or services or  
11 in connection with other business transactions of the  
12 organization;

13                 (2) the organization's principal business address and  
14 the name and address of its agent in this State authorized  
15 to receive service of process;

16                 (3) the business form of the organization, whether  
17 corporate, partnership, or otherwise and the state or  
18 other sovereign power under which the organization is  
19 organized;

20                 (4) the names of the directors or persons performing  
21 similar functions and names and addresses of the chief  
22 executive officer, and the financial, accounting, sales,  
23 and other principal executive officers, if the  
24 organization is a corporation, association, or other  
25 similar entity; of all general partners, if the  
26 organization is a partnership; and of the owner, if the

1 organization is a sole proprietorship, together with a  
2 statement of the business background during the past 5  
3 years for each such person;

4 (5) a statement as to whether the organization or any  
5 person identified in the disclosure statement:

6 (i) has during the 5 year period immediately  
7 preceding the date of the disclosure statement been  
8 convicted of a felony, pleaded nolo contendere to a  
9 felony charge, or been held liable in a civil action by  
10 final judgment, if such felony or civil action  
11 involved fraud, embezzlement, or misappropriation of  
12 property, and a description thereof; or

13 (ii) is subject to any currently effective  
14 injunctive or restrictive order as a result of a  
15 proceeding or pending action brought by any government  
16 agency or department, and a description thereof; or

17 (iii) is a defendant in any pending criminal or  
18 material civil action relating to fraud, embezzlement,  
19 misappropriation of property or violations of the  
20 antitrust or trade regulation laws of the United  
21 States or any state, and a description thereof; or

22 (iv) has during the 5 year period immediately  
23 preceding the date of the disclosure statement had  
24 entered against such person or organization a final  
25 judgment in any material civil proceeding, and a  
26 description thereof; or

1 (v) has during the 5 year period immediately  
2 preceding the date of the disclosure statement been  
3 adjudicated a bankrupt or reorganized due to  
4 insolvency or was a principal executive officer or  
5 general partner of any company that has been  
6 adjudicated a bankrupt or reorganized due to  
7 insolvency during such 5 year period, and a  
8 description thereof;

9 (6) the length of time the organization and any  
10 predecessor of the organization has conducted a business  
11 dealing with hearing instrument goods or services;

12 (7) a financial statement of the organization as of  
13 the close of the most recent fiscal year of the  
14 organization. If the financial statement is filed later  
15 than 120 days following the close of the fiscal year of the  
16 organization it must be accompanied by a statement of the  
17 organization of any material changes in the financial  
18 condition of the organization;

19 (8) a general description of the business, including  
20 without limitation a description of the goods, training  
21 programs, supervision, advertising, promotion and other  
22 services provided by the organization;

23 (9) a statement of any compensation or other benefit  
24 given or promised to a public figure arising, in whole or  
25 in part, from (i) the use of the public figure in the name  
26 or symbol of the organization or (ii) the endorsement or



1 recommendation of the organization by the public figure in  
2 advertisements;

3 (10) a statement setting forth such additional  
4 information and such comments and explanations relative to  
5 the information contained in the disclosure statement as  
6 the organization may desire to present.

7 (b-5) If a device being sold does not meet the definition  
8 of a hearing instrument or hearing device as stated in this  
9 Act, the organization shall include a disclaimer in all  
10 written or electronic promotions. The disclaimer shall include  
11 the following language:

12 "This is not a hearing instrument or hearing aid as  
13 defined in the Hearing Instrument Consumer Protection Act,  
14 but a personal amplifier and not intended to replace a  
15 properly fitted and calibrated hearing instrument."

16 (c) The organization files with the Department prior to  
17 registration and annually thereafter a statement that it  
18 complies with the Act, the rules issued pursuant to it, and the  
19 regulations of the Federal Food and Drug Administration and  
20 the Federal Trade Commission insofar as they are applicable.

21 (d) The organization files with the Department at the time  
22 of registration an irrevocable consent to service of process  
23 authorizing the Department and any of its successors to be  
24 served any notice, process, or pleading in any action or  
25 proceeding against the organization arising out of or in  
26 connection with any violation of this Act. Such service shall

1 have the effect of conferring personal jurisdiction over such  
2 organization in any court of competent jurisdiction.

3 (e) Before dispensing a hearing instrument to a resident  
4 of this State, the organization informs the prospective users  
5 that they need the following for proper fitting of a hearing  
6 instrument:

7 (1) the results of an audiogram performed within the  
8 past 6 months by a licensed audiologist or a licensed  
9 hearing instrument dispenser; and

10 (2) an earmold impression obtained from the  
11 prospective user and taken by a licensed hearing  
12 instrument dispenser or licensed audiologist.

13 (f) The prospective user receives a medical evaluation or  
14 the organization affords the prospective user an opportunity  
15 to waive the medical evaluation requirement of Section 4 of  
16 this Act and the testing requirement of subsection (z) of  
17 Section 18, provided that the organization:

18 (1) informs the prospective user that the exercise of  
19 the waiver is not in the user's best health interest;

20 (2) does not in any way actively encourage the  
21 prospective user to waive the medical evaluation or test;  
22 and

23 (3) affords the prospective user the option to sign  
24 the following statement:

25 "I have been advised by ..... (hearing  
26 instrument dispenser's name) that the Food and Drug

1 Administration and the State of Illinois have  
2 determined that my best interest would be served if I  
3 had a medical evaluation by a licensed physician,  
4 preferably a physician who specialized in diseases of  
5 the ear, before purchasing a hearing instrument; or a  
6 test by a licensed audiologist or licensed hearing  
7 instrument dispenser utilizing established procedures  
8 and instrumentation in the fitting of hearing  
9 instruments. I do not wish either a medical evaluation  
10 or test before purchasing a hearing instrument."

11 (g) Where a sale, lease, or rental of hearing instruments  
12 is sold or contracted to be sold to a consumer by mail order,  
13 the consumer may void the contract or sale by notifying the  
14 seller within 45 business days following that day on which the  
15 hearing instruments were mailed by the seller to the consumer  
16 and by returning to the seller in its original condition any  
17 hearing instrument delivered to the consumer under the  
18 contract or sale. At the time the hearing instrument is  
19 mailed, the seller shall furnish the consumer with a fully  
20 completed receipt or copy of any contract pertaining to the  
21 sale that contains a "Notice of Cancellation" informing the  
22 consumer that he or she may cancel the sale at any time within  
23 45 business days and disclosing the date of the mailing and the  
24 name, address, and telephone number of the seller. In  
25 immediate proximity to the space reserved in the contract for  
26 the signature of the consumer, or on the front page of the

1 receipt if a contract is not used, and in bold face type of a  
2 minimum size of 10 points, there shall be a statement in  
3 substantially the following form:

4 "You, the buyer, may cancel this transaction at any  
5 time prior to midnight of the 45th business day after the  
6 date of this transaction. See the attached notice of  
7 cancellation form for an explanation of this right."

8 Attached to the receipt or contract shall be a completed  
9 form in duplicate, captioned "NOTICE OF CANCELLATION" which  
10 shall be easily detachable and which shall contain in at least  
11 10 point bold face type the following information and  
12 statements in the same language as that used in the contract:

13 "NOTICE OF CANCELLATION  
14 enter date of transaction  
15 .....  
16 (DATE)

17 YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR  
18 OBLIGATION, WITHIN 45 BUSINESS DAYS FROM THE ABOVE DATE.

19 IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE  
20 BY YOU UNDER THE CONTRACT OR SALE LESS ANY NONREFUNDABLE  
21 RESTOCKING FEE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU  
22 WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY  
23 THE SELLER OF YOUR CANCELLATION NOTICE AND ALL MERCHANDISE  
24 PERTAINING TO THIS TRANSACTION, AND ANY SECURITY INTEREST  
25 ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

26 IF YOU CANCEL, YOU MUST RETURN TO THE SELLER, IN

1 SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS  
2 DELIVERED TO YOU UNDER THIS CONTRACT OR SALE.

3 TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED  
4 AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER  
5 WRITTEN NOTICE, OR SEND A TELEGRAM, TO (name of seller),  
6 AT (address of seller's place of business) AND (seller's  
7 telephone number) NO LATER THAN MIDNIGHT OF  
8 .....(date).

9 I HEREBY CANCEL THIS TRANSACTION.

10 (Date).....

11 .....

12 (Buyers Signature)"

13 The written "Notice of Cancellation" may be sent by the  
14 consumer to the seller to cancel the contract. The 45-day  
15 period does not commence until the consumer is furnished the  
16 Notice of Cancellation and the address and phone number at  
17 which such notice to the seller can be given.

18 If the conditions of this Section are met, the seller must  
19 return to the consumer the amount of any payment made or  
20 consideration given under the contract or for the merchandise  
21 less a nonrefundable restocking fee.

22 It is an unlawful practice for a seller to: (1) hold a  
23 consumer responsible for any liability or obligation under any  
24 mail order transaction if the consumer claims not to have  
25 received the merchandise unless the merchandise was sent by  
26 certified mail or other delivery method by which the seller is

1 provided with proof of delivery; (2) fail, before furnishing  
2 copies of the "Notice of Cancellation" to the consumer, to  
3 complete both copies by entering the name of the seller, the  
4 address of the seller's place of business, the seller's  
5 telephone number, the date of the mailing, and the date, not  
6 earlier than the 45th business day following the date of the  
7 mailing, by which the consumer may give notice of  
8 cancellation; (3) include in any contract or receipt any  
9 confession of judgment or any waiver of any of the rights to  
10 which the consumer is entitled under this Section including  
11 specifically his right to cancel the sale in accordance with  
12 the provisions of this Section; (4) misrepresent in any manner  
13 the consumer's right to cancel; (5) use any undue influence,  
14 coercion, or any other wilful act or representation to  
15 interfere with the consumer's exercise of his rights under  
16 this Section; (6) fail or refuse to honor any valid notice of  
17 cancellation and return of merchandise by a consumer and,  
18 within 10 business days after the receipt of such notice and  
19 merchandise pertaining to such transaction, to (i) refund  
20 payments made under the contract or sale, (ii) return any  
21 goods or property traded in, in substantially as good  
22 condition as when received by the person, (iii) cancel and  
23 return any negotiable instrument executed by the consumer in  
24 connection with the contract or sale and take any action  
25 necessary or appropriate to terminate promptly any security  
26 interest created in the transaction; (7) negotiate, transfer,

1 sell, or assign any note or other evidence of indebtedness to a  
2 finance company or other third party prior to the 50th  
3 business day following the day of the mailing; or (8) fail to  
4 provide the consumer of a hearing instrument with written  
5 information stating the name, address, and telephone number of  
6 the Department and informing the consumer that complaints  
7 regarding hearing instrument goods or services may be made to  
8 the Department.

9 (h) The organization employs only licensed hearing  
10 instrument dispensers in the dispensing of hearing instruments  
11 and files with the Department, by January 1 of each year, a  
12 list of all licensed hearing instrument dispensers employed by  
13 it.

14 (Source: P.A. 98-362, eff. 8-16-13; 98-827, eff. 1-1-15.)

15 (Text of Section after amendment by P.A. 103-495)

16 (Section scheduled to be repealed on January 1, 2026)

17 Sec. 6. Mail order and Internet sales. Nothing in this Act  
18 shall prohibit a corporation, partnership, trust, association,  
19 or other organization, maintaining an established business  
20 address, from engaging in the business of selling or offering  
21 for sale hearing aids at retail by mail or by Internet to  
22 persons 18 years of age or older who have not been examined by  
23 a licensed physician or tested by a licensed hearing  
24 instrument professional provided that:

25 (a) The organization is registered by the Department prior

1 to engaging in business in this State and has paid the fee set  
2 forth in this Act.

3 (b) The organization files with the Department, prior to  
4 registration and annually thereafter, a Disclosure Statement  
5 containing the following:

6 (1) the name under which the organization is doing or  
7 intends to do business and the name of any affiliated  
8 company which the organization recommends or will  
9 recommend to persons as a supplier of goods or services or  
10 in connection with other business transactions of the  
11 organization;

12 (2) the organization's principal business address and  
13 the name and address of its agent in this State authorized  
14 to receive service of process;

15 (3) the business form of the organization, whether  
16 corporate, partnership, or otherwise and the state or  
17 other sovereign power under which the organization is  
18 organized;

19 (4) the names of the directors or persons performing  
20 similar functions and names and addresses of the chief  
21 executive officer, and the financial, accounting, sales,  
22 and other principal executive officers, if the  
23 organization is a corporation, association, or other  
24 similar entity; of all general partners, if the  
25 organization is a partnership; and of the owner, if the  
26 organization is a sole proprietorship, together with a



1 statement of the business background during the past 5  
2 years for each such person;

3 (5) a statement as to whether the organization or any  
4 person identified in the disclosure statement:

5 (i) has during the 5-year period immediately  
6 preceding the date of the disclosure statement been  
7 convicted of a felony, pleaded nolo contendere to a  
8 felony charge, or been held liable in a civil action by  
9 final judgment, if such felony or civil action  
10 involved fraud, embezzlement, or misappropriation of  
11 property, and a description thereof; or

12 (ii) is subject to any currently effective  
13 injunctive or restrictive order as a result of a  
14 proceeding or pending action brought by any government  
15 agency or department, and a description thereof; or

16 (iii) is a defendant in any pending criminal or  
17 material civil action relating to fraud, embezzlement,  
18 misappropriation of property or violations of the  
19 antitrust or trade regulation laws of the United  
20 States or any state, and a description thereof; or

21 (iv) has during the 5-year period immediately  
22 preceding the date of the disclosure statement had  
23 entered against such person or organization a final  
24 judgment in any material civil proceeding, and a  
25 description thereof; or

26 (v) has during the 5-year period immediately

1 preceding the date of the disclosure statement been  
2 adjudicated a bankrupt or reorganized due to  
3 insolvency or was a principal executive officer or  
4 general partner of any company that has been  
5 adjudicated a bankrupt or reorganized due to  
6 insolvency during such 5-year period, and a  
7 description thereof;

8 (6) the length of time the organization and any  
9 predecessor of the organization has conducted a business  
10 dealing with hearing aid goods or services;

11 (7) a financial statement of the organization as of  
12 the close of the most recent fiscal year of the  
13 organization. If the financial statement is filed later  
14 than 120 days following the close of the fiscal year of the  
15 organization it must be accompanied by a statement of the  
16 organization of any material changes in the financial  
17 condition of the organization;

18 (8) a general description of the business, including  
19 without limitation a description of the goods, training  
20 programs, supervision, advertising, promotion and other  
21 services provided by the organization;

22 (9) a statement of any compensation or other benefit  
23 given or promised to a public figure arising, in whole or  
24 in part, from (i) the use of the public figure in the name  
25 or symbol of the organization or (ii) the endorsement or  
26 recommendation of the organization by the public figure in

1 advertisements;

2 (10) a statement setting forth such additional  
3 information and such comments and explanations relative to  
4 the information contained in the disclosure statement as  
5 the organization may desire to present.

6 (b-5) If a device being sold does not meet the definition  
7 of an over-the-counter hearing aid or a prescription hearing  
8 aid, as stated in this Act, the organization shall include a  
9 disclaimer in all written or electronic promotions. The  
10 disclaimer shall include the following language:

11 "This is not a hearing instrument or hearing aid as  
12 defined in the Hearing Instrument Consumer Protection Act,  
13 but a personal sound amplification product and not  
14 intended to replace a properly fitted and calibrated  
15 hearing aid or treat hearing loss."

16 (c) The organization files with the Department prior to  
17 registration and annually thereafter a statement that it  
18 complies with the Act, the rules issued pursuant to it, and the  
19 regulations of the Federal Food and Drug Administration and  
20 the Federal Trade Commission insofar as they are applicable.

21 (d) The organization files with the Department at the time  
22 of registration an irrevocable consent to service of process  
23 authorizing the Department and any of its successors to be  
24 served any notice, process, or pleading in any action or  
25 proceeding against the organization arising out of or in  
26 connection with any violation of this Act. Such service shall

1 have the effect of conferring personal jurisdiction over such  
2 organization in any court of competent jurisdiction.

3 (e) Before dispensing a hearing aid by mail or over the  
4 Internet to a resident of this State, the organization informs  
5 (i) the parent or guardian of a person age 17 or younger that  
6 he or she must obtain a prescription issued by a licensed  
7 audiologist or licensed physician that meets the requirements  
8 of Section 4.5 or (ii) a person age 18 or older that he or she  
9 must obtain a prescription issued by a hearing instrument  
10 professional that meets the requirements of Section 4.6.

11 (f) (Blank).+

12 (g) Where a sale, lease, or rental of prescription hearing  
13 aids are sold or contracted to be sold to a consumer by mail  
14 order or via the Internet, the consumer may void the contract  
15 or sale by notifying the seller within 45 business days  
16 following that day on which the hearing aids were mailed by the  
17 seller to the consumer and by returning to the seller in its  
18 original condition any hearing aids delivered to the consumer  
19 under the contract or sale. At the time the hearing aid is  
20 mailed, the seller shall furnish the consumer with a fully  
21 completed receipt or copy of any contract pertaining to the  
22 sale that contains a "Notice of Cancellation" informing the  
23 consumer that he or she may cancel the sale at any time within  
24 45 business days and disclosing the date of the mailing and the  
25 name, address, and telephone number of the seller. In  
26 immediate proximity to the space reserved in the contract for

1 the signature of the consumer, or on the front page of the  
 2 receipt if a contract is not used, and in bold face type of a  
 3 minimum size of 10 points, there shall be a statement in  
 4 substantially the following form:

5 "You, the buyer, may cancel this transaction at any  
 6 time prior to midnight of the 45th business day after the  
 7 date of this transaction. See the attached notice of  
 8 cancellation form for an explanation of this right."

9 Attached to the receipt or contract shall be a completed  
 10 form in duplicate, captioned "NOTICE OF CANCELLATION" which  
 11 shall be easily detachable and which shall contain in at least  
 12 10 point bold face type the following information and  
 13 statements in the same language as that used in the contract:

14 "NOTICE OF CANCELLATION  
 15 enter date of transaction  
 16 .....  
 17 (DATE)

18 YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR  
 19 OBLIGATION, WITHIN 45 BUSINESS DAYS FROM THE ABOVE DATE.

20 IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE  
 21 BY YOU UNDER THE CONTRACT OR SALE LESS ANY NONREFUNDABLE  
 22 RESTOCKING FEE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU  
 23 WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY  
 24 THE SELLER OF YOUR CANCELLATION NOTICE AND ALL MERCHANDISE  
 25 PERTAINING TO THIS TRANSACTION, AND ANY SECURITY INTEREST  
 26 ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

1 IF YOU CANCEL, YOU MUST RETURN TO THE SELLER, IN  
 2 SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS  
 3 DELIVERED TO YOU UNDER THIS CONTRACT OR SALE.

4 TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED  
 5 AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER  
 6 WRITTEN NOTICE, OR SEND A TELEGRAM, TO (name of seller),  
 7 AT (address of seller's place of business) AND (seller's  
 8 telephone number) NO LATER THAN MIDNIGHT OF  
 9 .....(date).

10 I HEREBY CANCEL THIS TRANSACTION.

11 (Date).....

12 .....

13 (Buyers Signature)"

14 The written "Notice of Cancellation" may be sent by the  
 15 consumer to the seller to cancel the contract. The 45-day  
 16 period does not commence until the consumer is furnished the  
 17 Notice of Cancellation and the address and phone number at  
 18 which such notice to the seller can be given.

19 If the conditions of this Section are met, the seller must  
 20 return to the consumer the amount of any payment made or  
 21 consideration given under the contract or for the merchandise  
 22 less a nonrefundable restocking fee.

23 It is an unlawful practice for a seller to: (1) hold a  
 24 consumer responsible for any liability or obligation under any  
 25 mail order transaction if the consumer claims not to have  
 26 received the merchandise unless the merchandise was sent by

1 certified mail or other delivery method by which the seller is  
2 provided with proof of delivery; (2) fail, before furnishing  
3 copies of the "Notice of Cancellation" to the consumer, to  
4 complete both copies by entering the name of the seller, the  
5 address of the seller's place of business, the seller's  
6 telephone number, the date of the mailing, and the date, not  
7 earlier than the 45th business day following the date of the  
8 mailing, by which the consumer may give notice of  
9 cancellation; (3) include in any contract or receipt any  
10 confession of judgment or any waiver of any of the rights to  
11 which the consumer is entitled under this Section including  
12 specifically his right to cancel the sale in accordance with  
13 the provisions of this Section; (4) misrepresent in any manner  
14 the consumer's right to cancel; (5) use any undue influence,  
15 coercion, or any other wilful act or representation to  
16 interfere with the consumer's exercise of his rights under  
17 this Section; (6) fail or refuse to honor any valid notice of  
18 cancellation and return of merchandise by a consumer and,  
19 within 10 business days after the receipt of such notice and  
20 merchandise pertaining to such transaction, to (i) refund  
21 payments made under the contract or sale, (ii) return any  
22 goods or property traded in, in substantially as good  
23 condition as when received by the person, (iii) cancel and  
24 return any negotiable instrument executed by the consumer in  
25 connection with the contract or sale and take any action  
26 necessary or appropriate to terminate promptly any security

1 interest created in the transaction; (7) negotiate, transfer,  
2 sell, or assign any note or other evidence of indebtedness to a  
3 finance company or other third party prior to the 50th  
4 business day following the day of the mailing; or (8) fail to  
5 provide the consumer of a hearing aid with written information  
6 stating the name, address, and telephone number of the  
7 Department and informing the consumer that complaints  
8 regarding hearing aid goods or services may be made to the  
9 Department.

10 (h) The organization employs only licensed hearing  
11 instrument professionals in the dispensing of hearing aids and  
12 files with the Department, by January 1 of each year, a list of  
13 all licensed hearing instrument professionals employed by it.

14 (Source: P.A. 103-495, eff. 1-1-24.)

15 (225 ILCS 50/9) (from Ch. 111, par. 7409)

16 (Text of Section before amendment by P.A. 103-495)

17 (Section scheduled to be repealed on January 1, 2026)

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

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

24 (1) characteristics of sound;

25 (2) the nature of the ear; and



1           (3) the function and maintenance of hearing  
2 instruments.

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

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

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

12           (3) masking;

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

15           (5) taking earmold impressions;

16           (6) proper maintenance procedures; and

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

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

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

24 (Source: P.A. 96-683, eff. 1-1-10.)

25 (Text of Section after amendment by P.A. 103-495)

1 (Section scheduled to be repealed on January 1, 2026)

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

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

8 (1) characteristics of sound;

9 (2) the nature of the ear; and

10 (3) the function and maintenance of hearing aids.

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

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

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

20 (3) masking;

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

23 (5) taking earmold impressions;

24 (6) proper maintenance procedures; and

25 (7) a general knowledge of the medical and  
26 physical contra-indications to the use and fitting of

1 a hearing aid ~~aids~~.

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

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

6 (Source: P.A. 103-495, eff. 1-1-24.)

7 Section 95. No acceleration or delay. Where this Act makes  
8 changes in a statute that is represented in this Act by text  
9 that is not yet or no longer in effect (for example, a Section  
10 represented by multiple versions), the use of that text does  
11 not accelerate or delay the taking effect of (i) the changes  
12 made by this Act or (ii) provisions derived from any other  
13 Public Act.

14 Section 99. Effective date. This Act takes effect January  
15 1, 2024.