

1 AN ACT concerning the regulation of professions.

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
5 Act is amended by changing Section 5 as follows:

6 (225 ILCS 50/5) (from Ch. 111, par. 7405)

7 (Section scheduled to be repealed on January 1, 2006)

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

25 Except for violations of the provisions of this Act, or
26 the rules promulgated under it, nothing in this Act shall
27 prohibit a corporation, partnership, trust, association, or
28 other entity from engaging in the business of testing,
29 fitting, servicing, selecting, dispensing, selling, or
30 offering for sale hearing instruments at retail without a
31 license, provided it employs only licensed individuals in the

1 direct testing, fitting, servicing, selecting, offering for
2 sale, or dispensing of such products. Each such corporation,
3 partnership, trust, association, or other entity shall file
4 with the Department, prior to doing business in this State
5 and by July 1 of each calendar year thereafter, on forms
6 prescribed by the Department, a list of all licensed hearing
7 instrument dispensers employed by it and a statement
8 attesting that it complies with this Act and the rules
9 promulgated under it and the regulations of the Federal Food
10 and Drug Administration and the Federal Trade Commission
11 insofar as they are applicable.

12 (Source: P.A. 89-72, eff. 12-31-95; 90-655, eff. 7-30-98.)