



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 2/6/2004, by Tom Cross

SYNOPSIS AS INTRODUCED:

225 ILCS 50/5

from Ch. 111, par. 7405

Amends the Hearing Instrument Consumer Protection Act. Makes technical changes to a Section concerning the requirements for a license.

LRB093 15135 AMC 40730 b

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 Act
5 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7 (Section scheduled to be repealed on January 1, 2006)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 oneself
12 as a person who practices the fitting or selling of hearing
13 instruments unless such person possesses ~~holds~~ a current
14 license issued by the Department as provided in this Act. Such
15 person shall be known as a licensed hearing instrument
16 dispenser. Individuals licensed pursuant to the provisions of
17 Section 8 of this Act shall be deemed qualified to provide
18 tests of human hearing and hearing instrument evaluations for
19 the purpose of dispensing a hearing instrument for which any
20 State agency may contract. The license shall be conspicuously
21 displayed in the place of business. Duplicate licenses shall be
22 issued by the Department to licensees operating more than one
23 office upon the additional payment set forth in this Act.

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

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

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