

HB0938



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0938

by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

225 ILCS 50/5

from Ch. 111, par. 7405

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

LRB099 04759 HAF 24788 b

A BILL FOR

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 5 as follows:

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

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 5. License required. No person shall engage in the ~~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 holds a current license issued
14 by the Department as provided in this Act. Such person shall be
15 known as a licensed hearing instrument dispenser. Individuals
16 licensed pursuant to the provisions of Section 8 of this Act
17 shall be deemed qualified to provide tests of human hearing and
18 hearing instrument evaluations for the purpose of dispensing a
19 hearing instrument for which any State agency may contract. The
20 license shall be conspicuously displayed in the place of
21 business. Duplicate licenses shall be issued by the Department
22 to licensees operating more than one office upon the additional
23 payment set forth in this Act.

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

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