

# HOUSE BILL No. 6180

May 22, 2008, Introduced by Reps. Byrnes, Polidori, Opsommer, Knollenberg and Dean and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1305, 1307, and 1308 (MCL 339.1305, 339.1307, and 339.1308), sections 1305 and 1307 as amended by 1988 PA 463.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1305. (1) An individual wishing to sell or fit a hearing  
2 aid in connection with the sale of a hearing aid as a **HEARING AID**  
3 dealer ~~shall make application to the department. An **AND AN**~~  
4 individual employed by a **HEARING AID** dealer as a hearing aid  
5 salesperson shall ~~make application~~ **APPLY** to the department **FOR AN**  
6 **APPROPRIATE LICENSE.**

7           (2) ~~An~~ **THE DEPARTMENT SHALL ISSUE A LICENSE TO AN** applicant  
8 for a license as a hearing aid dealer ~~shall be issued a license if~~

1 the applicant is over 18 years of age, is of good moral character,  
2 is a graduate of an accredited high school or secondary school,  
3 **PRESENTS EVIDENCE ACCEPTABLE TO THE DEPARTMENT THAT HE OR SHE** has  
4 served as a licensed hearing aid salesperson for a period of 2  
5 years under the direction and supervision of a licensed hearing aid  
6 dealer, and passes a written examination as prescribed by the  
7 department. ~~and the board.~~

8 (3) ~~An~~ **THE DEPARTMENT SHALL ISSUE A LICENSE TO AN** applicant  
9 for a license as a hearing aid salesperson ~~shall be issued a~~  
10 ~~license~~ if the applicant is at least 18 years of age, is of good  
11 moral character, is a graduate from an accredited high school or  
12 secondary school, successfully completes additional training and  
13 education as may be required by the department, passes a written  
14 examination as prescribed by the department, ~~and the board,~~ and has  
15 served at least 6 months as a trainee licensed by the department.

16 (4) The department ~~and the board~~ shall encourage the  
17 establishment of a specialized educational course of training for  
18 an individual wishing to become a licensed hearing aid dealer or  
19 hearing aid salesperson.

20 (5) In place of the written examination provided in subsection  
21 (2), the department may accept successful completion of the basic  
22 home study course conducted by the national hearing aid society or  
23 may waive the examination provided for in subsection (2) when proof  
24 satisfactory to the department ~~and the board~~ is submitted showing  
25 that the applicant has successfully passed an examination given by  
26 the official hearing aid examining board in another state, if the  
27 examination and passing requirements at the time taken, were

1 substantially equal to those required by the department.

2 (6) AS A CONDITION FOR THE RENEWAL OF LICENSURE AS A HEARING  
3 AID DEALER OR A HEARING AID SALESPERSON, A LICENSEE SHALL  
4 SUCCESSFULLY COMPLETE AT LEAST 24 CLOCK HOURS OF CONTINUING  
5 EDUCATION MEETING THE STANDARDS OF SECTION 1308(2) SINCE INITIAL  
6 LICENSURE OR SINCE THE MOST RECENT LICENSE RENEWAL.

7 Sec. 1307. (1) The department may grant a trainee license to  
8 an applicant ~~working for and under the direct supervision of a~~  
9 ~~licensed dealer on~~ UNDER the following conditions:

10 (a) The trainee license shall be valid for a 12-month period.  
11 ~~A THE DEPARTMENT MAY ISSUE A~~ new trainee license ~~may be issued by~~  
12 ~~the board~~ upon the filing of an application.

13 (b) The trainee license ~~shall provide that~~ **ALLOWS** the  
14 individual to whom it was issued ~~shall~~ **TO** work for and under the  
15 direction and supervision of a named licensed hearing aid dealer.

16 (2) The department may transfer a license of a trainee upon  
17 the filing of an application for a transfer.

18 (3) A trainee license is subject to revocation for the same  
19 reasons and in a similar manner as a regular license.

20 (4) AS A CONDITION FOR THE RENEWAL OF AN ACTIVE TRAINEE  
21 LICENSE, A TRAINEE SHALL SUCCESSFULLY COMPLETE AT LEAST 12 CLOCK  
22 HOURS OF CONTINUING EDUCATION MEETING THE STANDARDS OF SECTION  
23 1308(2) SINCE THE LICENSE WAS ISSUED OR SINCE THE MOST RECENT  
24 RENEWAL.

25 Sec. 1308. (1) The written examination provided for in section  
26 ~~1305-1305(2)~~ **AND (3)** shall **BE DESIGNED TO** test the applicant's  
27 knowledge and shall be a practical demonstration of the potential

1 seller's ability in giving a basic audiometric test, in taking an  
2 ear mold impression, and in following the prescribed rules in  
3 fitting and referral for otologic examination.

4 (2) THE CONTINUING EDUCATION COURSES REQUIRED TO BE COMPLETED  
5 UNDER SECTIONS 1305(6) AND 1307(4) SHALL MEET THE FOLLOWING MINIMUM  
6 REQUIREMENTS:

7 (A) BE NOT LESS THAN 1 CLOCK HOUR IN LENGTH.

8 (B) BE COMPLETED AT ANY TIME FOLLOWING THE EXPIRATION OF THE  
9 LICENSEE'S PREVIOUS LICENSE AND THE TIME THE LICENSEE APPLIES FOR  
10 RENEWAL.

11 (C) BE DESIGNED TO MAINTAIN AND IMPROVE THE LICENSEE'S SKILL,  
12 KNOWLEDGE, AND COMPETENCY IN THE PRACTICE OF SELLING OR FITTING A  
13 HEARING AID.

14 (D) BE APPROVED BY THE DEPARTMENT UNDER SECTION 314.