

**RECENT LEGISLATIVE CHANGES:
SENATE BILL 1332 [S.L. 2007-146]
RAISE FEE CEILING/AMEND HEARING AID DEALER LAWS**

Effective August 21, 2007, the General Assembly made several changes to the law governing North Carolina Hearing Aid Dealers and Fitters [Senate Bill 1332; S.L. 2007-406]. Below is a summary of the legislation.

FEE INCREASES. The legislation increased one fee and authorized the Board to raise others.

Fee	Previous Fee	New Statutory Amount
Examination Fee	\$75.00	\$300.00 <i>set by statute.</i>
Issuance of License	\$150.00	\$250.00 <i>maximum</i>
Renewal of License	\$150.00	\$250.00 <i>maximum</i>

- Examination Fee. The examination fee is now set in statute at \$300.00. The Board cannot revise this fee through administrative rulemaking.
- Issuance & Renewal of License Fees. Senate Bill 1332 raised the *maximum* amount the Board can charge for the issuance or renewal of a license. Therefore, the Board must adopt administrative rules to revise these fees. Until the Board does so, the amount for the issuance and renewal of licenses remain at \$250.00 each.

DISCIPLINARY AUTHORITY. The legislation removed antiquated language and clarified when the Board can discipline a licensee for the inability to perform functions for which the person is licensed. Specifically, the bill:

Deleted Language Regarding Discipline for:	New Language: The Board may discipline a licensee for the:
<ul style="list-style-type: none"> • Habitual drunkenness • Knowingly fitting and selling hearing aids while suffering with a contagious or infectious disease 	<p>“Inability to perform the functions for which the person is licensed or substantial impairment of the person’s ability to perform the functions for which the person is licensed by reason of physical or mental disability.”</p>

BOARD INVESTIGATIVE RECORDS. Senate Bill 1332 also provides that certain investigatory files are not public record. Specifically:

- Information gathered as the result of an investigation or inquiry concerning registration, licensure, or discipline are not public records.
- Information that identifies a consumer who has not consented to the disclosure of the services rendered by an apprentice or licensee is not public record.
- Notices, statements of charges, notices of hearing, and decisions rendered by the Board are public records.

AUDIOLOGY TERMINOLOGY. Senate Bill 1332 changed the term “masters degree in Audiology” to “license in Audiology issued by the North Carolina Board of Examiners for Speech and Language Pathologists and Audiologists” to conform to changes in the Board of Examiners’ statutes.

BOARD ADMINISTRATIVE CHANGES. The legislation made several changes to the statutes governing the administration of the Board. Specifically, SB 1332:

- Clarified that Board travel and authorized expenses are to be reimbursed at the same rate as other occupational licensing boards.
- Removed the requirement that the Secretary-Treasurer obtain a bond.
- Revises the Board’s annual reporting requirements to conform to those of other occupational licensing boards.
- Allows the Board to send notices for failure to timely renew a license by registered mail, certified mail, or a designated delivery service, such as Federal Express.

TECHNICAL CHANGES. The bill also made numerous technical changes.