

HOUSE BILL No. 4129

February 4, 2009, Introduced by Rep. Byrnes 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~~
9 the applicant is over 18 years of age, is of good moral character,

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

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

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

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

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

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

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

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

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

14 Sec. 1308. (1) The written examination provided for in section
15 ~~1305~~ **1305(2) AND (3)** shall **BE DESIGNED TO** test the applicant's
16 knowledge and shall be a practical demonstration of the potential
17 seller's ability in giving a basic audiometric test, in taking an
18 ear mold impression, and in following the prescribed rules in
19 fitting and referral for otologic examination.

20 **(2) A DEMONSTRATION OF CONTINUING PROFESSIONAL COMPETENCY**
21 **SHALL BE REQUIRED AS A CONDITION FOR RENEWAL OF A LICENSE.**