

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 3 and by adding Section 9.5 as
6 follows:

7 (225 ILCS 50/3) (from Ch. 111, par. 7403)

8 (Section scheduled to be repealed on January 1, 2016)

9 Sec. 3. Definitions. As used in this Act, except as the
10 context requires otherwise:

11 "Department" means the Department of Public Health.

12 "Director" means the Director of the Department of Public
13 Health.

14 "License" means a license issued by the State under this
15 Act to a hearing instrument dispenser.

16 "Licensed Audiologist" means a person licensed as an
17 audiologist under the Illinois Speech-Language Pathology and
18 Audiology Practice Act.

19 "National Board Certified Hearing Instrument Specialist"
20 means a person who has had at least 2 years in practice as a
21 licensed hearing instrument dispenser and has been certified
22 after qualification by examination by the National Board for
23 Certification in Hearing Instruments Sciences.

1 "Licensed physician" or "physician" means a physician
2 licensed in Illinois to practice medicine in all of its
3 branches.

4 "Trainee" means a person who is licensed to perform the
5 functions of a hearing instrument dispenser in accordance with
6 the Department rules and only under the direct supervision of a
7 hearing instrument dispenser or audiologist who is licensed in
8 the State.

9 "Board" means the Hearing Instrument Consumer Protection
10 Board.

11 "Hearing instrument" or "hearing aid" means any instrument
12 or device designed, intended, or offered for the purpose of
13 improving a person's hearing and any parts, attachments, or
14 accessories, including earmold. Batteries, cords, and
15 individual or group auditory training devices and any
16 instrument or device used by a public utility in providing
17 telephone or other communication services are excluded.

18 "Practice of fitting, dispensing, or servicing of hearing
19 instruments" means the measurement of human hearing with an
20 audiometer, calibrated to the current American National
21 Standard Institute standards, for the purpose of making
22 selections, recommendations, adaptations, services, or sales of
23 hearing instruments including the making of earmolds as a part
24 of the hearing instrument.

25 "Sell" or "sale" means any transfer of title or of the
26 right to use by lease, bailment, or any other contract,

1 excluding wholesale transactions with distributors or dealers.

2 "Hearing instrument dispenser" means a person who is a
3 hearing care professional that engages in the selling, practice
4 of fitting, selecting, recommending, dispensing, or servicing
5 of hearing instruments or the testing for means of hearing
6 instrument selection or who advertises or displays a sign or
7 represents himself or herself as a person who practices the
8 testing, fitting, selecting, servicing, dispensing, or selling
9 of hearing instruments.

10 "Fund" means the Hearing Instrument Dispenser Examining
11 and Disciplinary Fund.

12 "Hearing Care Professional" means a person who is a
13 licensed audiologist, a licensed hearing instrument dispenser,
14 or a licensed physician.

15 (Source: P.A. 89-72, eff. 12-31-95.)

16 (225 ILCS 50/9.5 new)

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

18 Sec. 9.5. Trainees.

19 (a) In order to receive a trainee license, a person must
20 apply to the Department and provide acceptable evidence of his
21 or her completion of the required courses pursuant to
22 subsection (e) of Section 8 of this Act, or its equivalent as
23 determined by the Department. A trainee license expires 6
24 months from the date of issue and is non-renewable.

25 (b) A trainee shall perform the functions of a hearing

1 instrument dispenser in accordance with the Department rules
2 and only under the direct supervision of a hearing instrument
3 dispenser or audiologist who is licensed in the State. For the
4 purposes of this Section, "direct supervision" means that the
5 licensed hearing instrument dispenser or audiologist shall
6 give final approval to all work performed by the trainee and
7 shall be physically present anytime the trainee has contact
8 with the client. The licensed hearing instrument dispenser or
9 audiologist is responsible for all of the work that is
10 performed by the trainee.

11 (c) The Department may limit the number of trainees that
12 may be under the direct supervision of the same licensed
13 hearing instrument dispenser or licensed audiologist.

14 (d) The Department may establish a trainee licensing fee by
15 rule.