

HOUSE BILL REPORT

HB 2108

As Reported by House Committee On:
Health Care & Wellness

Title: An act relating to hearing instrument fitter/dispensers.

Brief Description: Concerning hearing instrument fitter/dispensers.

Sponsors: Representatives Ross, Moeller and Johnson.

Brief History:

Committee Activity:

Health Care & Wellness: 1/16/14, 1/23/14 [DP].

Brief Summary of Bill

- Re-names hearing instrument fitters/dispensers as "hearing aid specialists."
- Creates an alternate path to licensure for hearing aid specialists.
- Expands restrictions on the sale of hearing instruments.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 15 members: Representatives Cody, Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Clibborn, DeBolt, Green, G. Hunt, Jinkins, Manweller, Moeller, Rodne, Ross, Short, Tharinger and Van De Wege.

Minority Report: Without recommendation. Signed by 2 members: Representatives Riccelli, Vice Chair; Morrell.

Staff: Jim Morishima (786-7191).

Background:

I. Hearing Instrument Fitters/Dispensers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A hearing instrument fitter/dispenser is authorized to sell, lease, or rent hearing instruments; modify hearing instruments; administer non-diagnostic tests; and use other procedures essential to these functions. The practice of fitting and dispensing hearing instruments includes:

- recommending specific hearing instrument systems, specific hearing instruments, or specific hearing instrument characteristics;
- taking impressions for ear molds;
- using non-diagnostic procedures and equipment to verify the appropriateness of the hearing instrument fitting; and
- performing hearing instrument orientation.

II. Qualifications.

To be licensed as a hearing instrument fitter/dispenser, a person must:

- complete a two-year degree program in hearing instrument fitter/dispenser education approved by the Board of Hearing and Speech and pass an examination;
- hold a current, unsuspended, unrevoked license from another jurisdiction whose standards are substantially equivalent to Washington's; or
- hold a current, unsuspended, unrevoked license from another jurisdiction; demonstrate that he or she has actively practiced in the other jurisdiction for at least 48 of the past 60 months; achieve active certification from the International Hearing Society or the National Board for Certification in Hearing Instrument Sciences; and pass an examination.

III. Restrictions on the Sale of Hearing Instruments.

A hearing instrument fitter/dispenser may not fit or dispense a hearing instrument by telephone or mail order if there is no face-to-face contact to test or otherwise determine the needs of the prospective purchaser.

Summary of Bill:

I. Hearing Instrument Fitters/Dispensers.

Hearing instrument fitters/dispensers are re-named "hearing aid specialists."

II. Qualifications.

An alternate path to certification is created for hearing aid specialists. A person may be certified as a hearing aid specialist if he or she has any two-year or four-year degree from an institution of higher education (as opposed to a two-year degree in hearing aid specialist education), completes an apprenticeship, and passes an examination.

In order to begin an apprenticeship, an applicant must first obtain an apprentice hearing aid specialist permit. The applicant must demonstrate that he or she has completed a two-year or four-year degree from an institution of higher education (or current enrollment in such a

program) and designate a licensed hearing aid specialist or licensed audiologist who has agreed to supervise the applicant. The apprentice hearing aid specialist permit expires after 24 months and may be renewed only once for a period of 12 months.

An apprentice hearing aid specialist must be directly supervised by a licensed hearing aid specialist or a licensed audiologist, unless the licensed hearing aid specialist or license audiologist notifies the Department of Health or the Board of Hearing and Speech of the following (after which the apprentice hearing aid specialist may be indirectly supervised):

- the apprentice hearing aid specialist has completed at least 520 hours of practical training, including training in:
 - audiometric testing;
 - counseling regarding hearing examinations;
 - hearing instrument selection;
 - ear-mold impressions;
 - hearing instrument fitting and follow-up care; and
 - business practices; and
- the apprentice hearing aid specialist has completed the International Hearing Society's distance learning program for professionals in hearing health sciences or another program approved by the Board of Hearing and Speech.

While under *direct* supervision, the apprentice hearing aid specialist must obtain the evaluation and consultation of his or her supervisor whenever the apprentice hearing aid specialist is engaged in the fitting or dispensing of hearing instruments. While under *indirect* supervision, the apprentice hearing aid specialist must obtain the review of his or her supervisor prior to fitting and dispensing hearing instruments.

A supervising hearing aid specialist or audiologist must:

- be licensed in good standing for at least two years;
- practice in an established place of business; and
- be responsible for all activities and training of the apprentice hearing aid specialist.

A hearing aid specialist or audiologist may supervise no more than three apprentice hearing aid specialists at a time. An apprentice hearing aid specialist must notify the Department of Health and the Board of Hearing and Speech if his or her relationship with his or her supervisor is terminated or if he or she designates a new supervisor.

III. Restrictions on the Sale of Hearing Instruments.

A hearing aid specialist may not sell, fit, or dispense a hearing instrument by electronic means if there is no face-to-face contact to test or otherwise determine the needs of the prospective purchaser.

Appropriation: None.

Fiscal Note: Available

Effective Date: January 1, 2015.

Staff Summary of Public Testimony:

(In support) There is a shortage of hearing instrument fitter/dispensers in Washington, which makes it difficult to serve customers, especially given Washington's increasing population. The shortage also makes it difficult for Washington businesses to compete with businesses in other states. The state urgently needs more hearing instrument fitter/dispensers. This bill will help the state produce more qualified hearing instrument fitter/dispensers, which will help both consumers and businesses. In 1996 a study was completed to determine appropriate training requirements for this profession; this bill is reflective of one of the approaches in the study. The practice-based training in this bill is consistent with most other states. Most adults learn by doing and examinations in this area are moving in this direction. Washington is one of the only states that does not have an apprenticeship approach to licensing, which puts the state behind the rest of the country. Washington's pathway is so restrictive that it excludes people with four-year degrees. This bill does not expand the scope of practice for hearing instrument fitter/dispensers, does not eliminate the existing paths to licensure, and does not change how the school-based training programs operate.

(With concerns) This bill is a major change and warrants further discussion; the bill should go through a stakeholder process. There is no regulatory oversight over the practical experience element of this bill; there is no regulatory authority, no accrediting body, and no link between the supervisors and the state to make sure the applicants are getting the training they need. The perception that there is a shortage of hearing instrument fitter/dispensers should be examined more closely; there are currently two schools offering degrees in hearing instrument fitting/dispensing, an audiology program at the University of Washington, and a new audiology program in the Portland area. An apprenticeship model is costly for the state, costly to supervisors and business owners, and difficult to regulate with respect to the quality of education. This bill will have a negative impact on patient care; it is a step backwards. Selling hearing aids is complicated, and reducing training standards is not the way to address this issue. The limited training environment will make the credential less portable. This bill allows an applicant to have any college degree; a liberal arts degree is not the same as a degree from a dedicated program. Under this bill, not all apprentices will have the full spectrum of training, yet they can work anywhere. The bill requires distance learning from an entity that is not regulated by the state; if the entity ceased to exist, the applicant could not obtain a credential. The effective date should be extended to July 1, 2015. The language in the bill about mail orders may be preempted by federal law.

(Opposed) None.

Persons Testifying: (In support) Lisa Thatcher and Richard Giles, Washington Hearing Society; Tammy Clark and Paul Sass, Costco Wholesale; Sandy Hubbard, Miracle-Ear franchise; and Paula Cain, Hearing Aid Consultants.

(With concerns) Melissa Johnson and Susan Anderson, Washington Speech-Language-Hearing Association; Nichole Kingham, Washington State Audiology Academy; Kristi Weeks, Department of Health; Cheri Perazzoli, Hearing Loss Association of Washington; and Marty Brown, State Board of Community Technical Colleges.

Persons Signed In To Testify But Not Testifying: None.