



Legislative Background Brief

for the
Economic Affairs Interim Committee

October 2011

Board of Hearing Aid Dispensers

Prepared by Pat Murdo, Legislative Research Analyst

Board = 5 members of whom: 2 are to be licensed hearing aid dispensers for at least 5 years, possess a current audiologist license issued under Title 37, chapter 15, and have at least a master's degree; 2 must be a licensed dispenser and fitter of hearing aids for 5 years but not have a master's level college degree in audiology; and 1 public member who is either an otolaryngologist or a person who regularly uses a hearing aid because of a hearing impairment and who is not a licensed hearing aid dispenser or licensed audiologist. Terms are 3 years. Originated in 1969. (Term end listed in parentheses.)

Hearing Aid Dispenser, No Masters	Hearing Aid Dispenser w/ masters/certification
Brian Bolenbaugh, Missoula (7/1/2012)	Lee Frantz Oines, Missoula (7/1/2011)
Rebecca Wisnoskie, Helena (7/1/2012)	Gene Bukowski, Billings (7/1/2013) -- chair
Public Member: Jim Lieberg, Helena (7/1/2011)	

of Licensees, FY2011 - 77 (of which 4 are out of state) **FY 2010** - 111 **FY 2009** - 100

Application Fee - \$500

Original License - \$300

Application Fee for Trainee - \$600

Renewal Active License for 2011 and later - \$450

Revenues/Expenditures FY2009-2010 plus projected Expenditures for FY2012-2013

	Revenues		Expenditures	
	Licensing	Other	Personal Services	Operating
FY 2009	\$39,793		\$38,297	
FY 2010			\$44,231	
FY 2011			FY 2012-2013 Budgets*	
FY 2012			\$44,855	
FY 2013			\$44,884	

*Projected

Expenditures, FY 2010	Direct	Indirect	
		Admin	Div. IT/Bureau
Personal Services, incl. per diem	\$20,614	\$1,373	\$2,234
Operating Expenses			

Consulting, Printing, IT, Other	\$2,984	\$660
Supplies, incl. Computer	\$1,547	\$428
Postage, mailing, IT network, voice srv	\$506	\$673
Travel for Board Members	\$951	--
Rent and other expenses*	\$956	\$3,563
Legal and hearings	\$7,743	

*Includes leased vehicles, meeting rooms, computer & office equipment repair, dues, education & training, and fee collection expense for direct expenses & rent of \$1,174, DLI OIT expense of \$679, & indirect agency of \$1,710 for indirect expenses.

Number of Complaints

FY 09 4
 FY 1038

Disciplinary Action (may be from other years)

FY 09 3 dismissed (13 investigations)

Scope of Practice

37-16-102(7): "Practice of selling, dispensing, and fitting hearing aids" means the evaluation or measurement of the powers or range of human hearing by means of an audiometer and a visual examination of the ear and canal or by any other means devised and the consequent selection, adaption, sale, dispensing, or fitting of hearing aids intended to compensate for hearing loss, including eyeglass hearing aids and their fittings, and the making of an impression of the ear and the subsequent selection of a proper ear mold, but does not include batteries, cords, or accessories.

Physicians exempted. Audiologists now are exempted under SB 132. An audiologist's scope of practice includes making ear impressions, fitting hearing protection or prosthetic devices, and monitoring the continuous use of hearing aids. (24.222.525 ARM).

2011 Legislation that Became Law and Impacts Board or Profession

- HB 94, sponsored by Rep. Arntzen at the request of the Department of Labor and Industry, generally revises reciprocity and other board functions.
- SB 132, sponsored by Sen. Essman, allows audiologists to sell hearing aids without hearing aid dispenser license.

Summary of Responses from Survey as made as of October 3, 2011:

7 responses from licensees.

Main issues:

- Concern about audiologists no longer having to have a license from the Hearing Aid Dispensers Board -- an issue aggravated by no change in the requirements of the Board having 2 members who are audiologists with a license under the hearing aid board and the cost to remaining hearing aid specialists who are expecting a huge fee increase.
- Differences between audiologists who specialize in the hearing aspect and hearing aid dispensers who specialize in equipment and fitting hearing aids.

See separate sheet for other comments.