

2023 Regular Session

SENATE BILL NO. 24

BY SENATOR POPE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEARING AID DEALERS. Provides relative to the Louisiana Board for Hearing Aid Dealers. (8/1/23)

1 AN ACT

2 To amend and reenact R.S. 37:2455(B)(1) and the introductory paragraph of 2455(B)(5)(a)

3 and (5)(b) and 2465, relative to the Louisiana Board for Hearing Aid Dealers; to

4 provide for certain qualifications for board membership; to provide for updated

5 terminology; to provide for licensing requirements; and to provide for related

6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:2455(B)(1) and the introductory paragraph of 2455(B)(5)(a) and

9 (5)(b) and 2465 are hereby amended and reenacted to read as follows:

10 §2455. Louisiana Board for Hearing Aid Dealers; composition; districts

11 \* \* \*

12 B.(1) The board shall be composed of nine members. Seven members shall

13 be hearing aid dealers, the eighth shall be the state health officer or his

14 representative, and the ninth member shall be ~~sixty~~ **fifty** years of age or over and

15 shall serve as a representative of the ~~elderly~~ **hearing aid** consumers of Louisiana.

16 The seven hearing aid dealers shall be appointed in the following manner. The

17 Louisiana Society of Hearing Aid Specialists, chartered by the state, shall submit to

1 the governor names of not less than fourteen qualified hearing aid dealers, who shall  
2 be actively engaged in the selling and fitting of hearing aids. The governor shall  
3 ensure that his appointments demonstrate race, gender, ethnic, and geographical  
4 diversity.

5 \* \* \*

6 (5)(a) The ~~elderly~~ **hearing aid** consumer representative shall be appointed  
7 by the governor and the appointment shall be subject to Senate confirmation. The  
8 ~~elderly~~ consumer representative shall serve at the pleasure of the governor and any  
9 vacancy shall be filled by a gubernatorial appointment. The ~~elderly~~ consumer  
10 member shall be selected from the state at large and shall possess all of the following  
11 qualifications:

12 \* \* \*

13 (b) The ~~elderly~~ consumer member shall be a full voting member of the board,  
14 except that the consumer member shall not participate in the grading of individual  
15 examinations.

16 \* \* \*

17 §2465. Licensing requirements; applicability

18 A. Any person who owns, maintains, or operates an office or place of  
19 business in which the person employs or engages under contract a person who  
20 practices the selling and fitting of hearing aids ~~is considered to be practicing the~~  
21 ~~selling and fitting of hearing aids as provided in this Chapter and is required to be~~  
22 ~~licensed in accordance with the provisions of this Chapter.~~

23 B. ~~If the person who owns, maintains, or operates an office or place of~~  
24 ~~business described in Subsection A of this Section is a partnership, each partner shall~~  
25 ~~be licensed as provided by this Section. If the person who owns, maintains, or~~  
26 ~~operates an office or place of business described in Subsection A of this Section is~~  
27 ~~a corporation or other legal entity, the chief executive officer of the corporation or~~  
28 ~~legal entity shall be licensed as provided by this Chapter.~~

29 C.(1) ~~All persons licensed pursuant to the requirements of this Section shall~~

1 file annually on or before the first day of the calendar year with the board a list of all  
 2 licensed hearing aid dealers directly or indirectly employed by it, and shall also file  
 3 with the board a statement on a form approved by the board that it submits itself to  
 4 the rules and regulations of the board and the provisions of this Chapter, ~~and~~. **An**  
 5 **organization** shall register with the board its intention to engage in the selling and  
 6 fitting of hearing aids or accessories, ~~provided that the above is completed~~ prior to  
 7 ~~such~~ **the** organization selling or offering for sale hearing aids or accessories.

8 ~~(2) Any such organization or employee of such organization may cause a~~  
 9 ~~revocation or suspension of the registration of such organization by the board by~~  
 10 ~~committing any of the acts listed as causes for revocation or suspension in R.S.~~  
 11 ~~37:2453.~~

12 **B. The board may revoke or suspend the registration of an organization**  
 13 **if the organization or an employee of the organization commits any of the acts**  
 14 **listed as causes for revocation or suspension in R.S. 37:2453.**

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Brandi Cannon.

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DIGEST

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Present law establishes the La. Board for Hearing Aid Dealers (board) within the La. Department of Health and provides that the board is composed of nine members. Present law further provides that seven members shall be hearing aid dealers and the eighth is the state health officer or his representative.

Proposed law retains present law.

Present law provides that the ninth member shall be 60 years of age or over and shall serve as a representative of the elderly consumers of Louisiana.

Proposed law lowers the required minimum age to 50 years of age and provides that the member shall serve as a representative of hearing aid consumers in Louisiana.

Present law requires any person who owns, maintains, or operates an office or place of business in which the person employs or engages under contract a person who practices the selling and fitting of hearing aids to be licensed by the board. Present law further requires each partner of a partnership engaging in the practice of selling and fitting of hearing aids or the chief executive officer of a corporation or legal entity engaging in the practice of selling and fitting of hearing aids to be licensed.

Proposed law repeals present law.

Present law requires all businesses regulated by the board to annually file the following:

- (1) A list of all licensed hearing aid dealers directly or indirectly employed by the business.
- (2) A statement on a form approved by the board that the business submits itself to the rules and regulations of the board and the provisions of present law.

Proposed law retains present law.

Present law further requires a business to register with the board its intention to engage in the selling and fitting of hearing aids or accessories prior to the business selling or offering for sale hearing aids or accessories.

Proposed law retains present law but makes technical changes.

Present law authorizes the board to revoke the registration of an organization for committing any of the acts listed as causes for revocation or suspension in present law.

Proposed law retains present law but makes technical changes.

Effective August 1, 2023.

(Amends R.S. 37:2455(B)(1) and 2455(B)(5)(a)(intro para) and (5)(b) and 2465)