

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 644

BY SENATOR WELD

[Introduced March 15, 2021; referred
to the Committee on Health and Human Resources]

1 A BILL to amend and reenact §30-26-2 of the Code of West Virginia, 1931, as amended, relating
2 to engaging in the practice of hearing-aid dealer; and creating exemption for pursuing a
3 course of study leading to a degree in speech-language pathology or audiology.

Be it enacted by the Legislature of West Virginia:

ARTICLE 26. HEARING AID DEALERS AND FITTERS.

**§30-26-2. Engaging in practice of hearing-aid dealer or trainee without license prohibited;
exceptions.**

1 (a) Except as provided in subsections (b) and (c) ~~and (d)~~ hereof no person shall, on or
2 after the effective date of this article, engage in the practice of dealing in or fitting of hearing aids,
3 either as a hearing-aid dealer, fitter, or as a trainee, nor shall any person advertise or assume any
4 such practice, without first being licensed or otherwise qualified under the provisions of this article.

5 (b) If the applicant is a partnership, trust, association, corporation, or other like
6 organization, the application, in addition to such other information as the board may require, shall
7 be accompanied by an application for a license for each person, whether owner or employee, of
8 such applicant who serves in the capacity of a hearing-aid dealer or fitter, or shall contain a
9 statement that such applications for all such persons are submitted separately. No partnership,
10 trust, association, corporation, or other like organization shall permit any unlicensed person to sell
11 hearing aids or to engage in the practice of dealing in, or fitting of, hearing aids.

12 (c) This article is not intended to prevent any person who is not licensed under this article
13 from engaging in the practice of measuring human hearing for the purpose of selection of hearing
14 aids, provided such person or organization employing such person does not sell hearing aids or
15 accessories thereto, except in the case of earmolds to be used only for the purpose of audiologic
16 evaluation.

17 (d) State or local governmental organizations or agencies and organizations chartered as
18 not-for-profit shall not be eligible for licensure to fit and dispense hearing aids.

19 (e) The activities and services of persons pursuing a course of study leading to a degree
20 in speech-language pathology or audiology at a college or university is exempt from licensure if:

21 (A) These activities and services constitute a part of a planned course of study at that
22 institution;

23 (B) They are designated by a title such as intern, trainee, student, or other title clearly
24 indicating the status appropriate to their level of education; and

25 (C) They work under the supervision of a person licensed by this state to practice speech-
26 language pathology or audiology.