

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4910

By Delegate Summers

[Introduced January 18, 2024; Referred to the
Committee on Government Organization]

1 A BILL to amend and reenact §30-26-2 of the Code of West Virginia, 1931, as amended, relating to
2 providing an exemption to be eligible for a hearing-aid fitting and dealing licensure.

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), (c), (d) and (e) of this section, ~~hereof~~ a person
2 ~~shall on or after the effective date of this article~~ may not engage in the practice of dealing in or
3 fitting of hearing aids, either as a hearing-aid dealer, fitter, or as a trainee, nor ~~shall~~ may any person
4 advertise or assume any such practice, without first being licensed or otherwise qualified under the
5 provisions of this article.

6 (b) If the applicant is a partnership, trust, association, corporation, or other like
7 organization, the application, in addition to ~~such~~ other information as the board may require, shall
8 be accompanied by an application for a license for each person, whether owner or employee, of
9 such applicant who serves in the capacity of a hearing-aid dealer or fitter, or shall contain a
10 statement that such applications for all such persons are submitted separately. ~~No~~ A partnership,
11 trust, association, corporation, or other like organization ~~shall~~ may not permit any unlicensed
12 person to sell hearing aids or to engage in the practice of dealing in, or fitting of, hearing aids.

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

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

20 (e) The activities and services of persons pursuing a course of study leading to a degree in

21 audiology at a college or university is exempt from licensure if:

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

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

26 (C) They work under the supervision of a person licensed by this state to practice
27 audiology.

NOTE: The purpose of this bill is to expand access of licensing for hearing aid fitting and dealings.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.