

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 265. HEARING AID DEALERS AND FITTERS**

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

Subchapter 3. Examinations

310:265-3-1 Qualifications [AMENDED]

310:265-3-2 Contents of examination [AMENDED]

AUTHORITY:

Oklahoma State Board of Health, Title 63 O.S. Section 1-104; and Title 63 O.S. Section 1-1750.

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Subchapter 3. Examinations

310:265-3-1 Qualifications [AMENDED]

310:265-3-2 Contents of examination [AMENDED]

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"n/a"

ANALYSIS:

310:265-3-1. The former rule identified a particular third party examiner to be solely responsible for the written examination scores. The amended rule removes mention of any specific third party examiner. The effect of this rule change allows the Department to identify an adequate examination without increasing the examination fee for applicants.

310:265-3-2. The former rule specified the state written examination shall follow National Hearing Aid Society guidelines and other similar examinations given by surrounding states. The amended rule removes reference to the national examining body.

CONTACT PERSON:

Donald D. Maisch, General Counsel, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1207; phone (405) 271-6017, e-mail: DonM@health.ok.gov.

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2015:

SUBCHAPTER 3. EXAMINATIONS

310:265-3-1. Qualifications

(a) Applicants may obtain a hearing aid dealer or fitter license by successfully passing qualifying examinations, provided the applicant:

- (1) Is at least eighteen (18) years of age;
- (2) Is of good moral character. A criminal record shall not in itself bar an applicant from licensing, but evidence of such record may be considered along with other information in determining whether or not the applicant is of good moral character.
- (3) Has an education equivalent to a four-year course in an accredited high school; and
- (4) Has filed with the Commissioner an application for examination and paid the examination fee of Ninety-five Dollars (\$95.00).

(b) An applicant for license by examination shall appear at a time, place and before such persons as the Commissioner may designate to be examined to demonstrate that he/she is qualified to practice the fitting and sale of hearing aids. Nothing in this examination shall imply that the applicant shall possess the degree of medical competence normally expected of physicians.

(c) The Commissioner shall give examination as required to permit applicants to be examined within six (6) months following the submission of the official application form.

(d) Successfully passing the examination means passing each of the sections based on the following criteria. When a passing score is obtained for any section, that section will not have to be taken again.

- (1) Passing score for the written examination is established by the examination provider; ~~International Institute for Hearing Instrument Studies.~~
- (2) Passing score for the Oklahoma Audiometric Practical examination is 70% or above.
- (3) Passing score for the Oklahoma Hearing Aid Rules examination is 70% or above.
- (4) Passing score for the Oklahoma Ear Impression practical examination is 70% or above.
- (5) Passing score for the Hearing Aid Trouble Shooting Practical Examination is 70% or above.

(e) No person may take any portion of the state examination more than three (3) times. Any person failing the state licensing examination three times shall not be allowed to apply for an Oklahoma Hearing Aid Dealers and Fitters License for five (5) years from their application date. If a person fails any portion of the state licensing examination three (3) times, the Department

shall summarily suspend and seek permanent revocation of the person's current temporary hearing aid dealers and fitters permit.

310:265-3-2. Contents of examination

The hearing aid dealer or fitter examination shall consist of an examination as compiled at the discretion of the Commissioner. ~~It shall follow, taking into consideration the guidelines of the National Hearing Aid Society if available for a national examination and shall follow guidelines of~~ if available for similar examinations given by surrounding states. The tests under this section shall not require a higher education in the fields of medicine, audiology or communication disorders. The examination shall consist of tests of knowledge as it pertains to the sale and fitting of hearing aids as follows:

- (1) Function of a hearing aid;
- (2) Pure tone audiometry, including air conduction testing and bone conduction testing (continuous-pulsing audiometer setting not accepted);
- (3) Recorded voice speech audiometry;
- (4) Masking when indicated;
- (5) Recording and evaluation of audiograms and speech audiometry to determine proper selection and adaptation of a hearing aid;
- (6) Taking earmold impressions;
- (7) Rules and regulations pertaining to the sale and fitting of hearing aids; and
- (8) Trouble Shooting pertaining to the identification of visible physical defects or damage to hearing aids.