

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS
TO THE GEORGIA BOARD OF HEARING AID DEALERS AND DISPENSERS CHAPTER 276-
10 *CONTINUING EDUCATION*
AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Hearing Aid Dealers and Dispensers (hereinafter "Board") proposes amendments to the Georgia State Board of Hearing Aid Dealers and Dispensers, Chapter 276-10 *Continuing Education* (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217-3858. These documents will also be available for review on the Georgia Board of Hearing Aid Dealers and Dispensers website at www.sos.georgia.gov/plb/hearingaid or by contacting the Board office at 478-207-2440.

A public hearing via conference call (see attached listing of attendees) is scheduled to begin at 8:30am on Tuesday, July 14, 2009, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217-3858 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment. At the public hearing, via conference call, anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m. EDT) on Tuesday, July 7, 2009. Written comments should be addressed to Randall D. Vaughn, Division Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia Board of Hearing Aid Dealers and Dispensers, 237 Coliseum Drive, Macon, Georgia 31217-3858. Fax (866) 888-7127.

The Board will consider the proposed rule amendments for adoption at its conference call meeting scheduled to begin at 8:40am on Tuesday, July 14, 2009 at the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217-3858. According to the Department of Law, State of Georgia, the Board has the authority to adopt proposed rule amendment 276-10 pursuant to authority contained in O.C.G.A. §§ 43-1-19, 43-20-6 and 43-20-15.

At its meeting Tuesday, June 2, 2009, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-19, 43-20-6 and 43-20-15.

Additionally, at its meeting Tuesday, July 2, 2009, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-19, 43-20-6 and 43-20-15 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-

4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Hearing Aid Dealers and Dispensers.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 10th day of June 2009.

Randall D. Vaughn
Division Director
Professional Licensing Boards

Posted: June 11, 2009

**SYNOPSIS OF PROPOSED AMENDMENT TO THE GEORGIA BOARD OF HEARING AID
DEALERS AND DISPENSERS
CHAPTER 276-10 *CONTINUING EDUCATION***

Purpose: The purpose of the proposed chapter amendments is to clarify the continuing education requirements of the Board and to change the title of the chapter and rules so that they better describe the content thereof.

Main Feature: The main feature of the proposed chapter amendments is to clarify that continuing education hours are relevant to the profession, that dispensers only are required to obtain continuing education hours and update the rule title continuing education requirements of the Board.

**DIFFERENCES BETWEEN THE EXISTING CHAPTER AND THE PROPOSED AMENDMENTS
TO THE GEORGIA BOARD OF HEARING AID DEALERS AND DISPENSERS
CHAPTER 276-10 *CONTINUING EDUCATION***

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

CHAPTER 276-10 CONTINUING EDUCATION REQUIREMENTS

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- 276-10-.01 ~~Background~~ Continuing Education - Dispensers. Amended.**
276-10-.02 ~~Continuing Education~~ Courses. Amended.

276-10-.01 ~~Background. Continuing Education - Dispensers. Amended.~~

All applicants for biennial renewal of dispenser licenses shall submit proof to the Board of satisfactory completion of fourteen (14) hours of Board approved continuing education relevant to the licensee's professional practice. The renewal period begins January 1st of every even number year to December 31st of the following odd number year. ~~Except~~, that ~~a~~ an initially licensed dispenser licensee shall be exempt from meeting the requirements of this Rule if, at the time of renewal, said dispensing licensee has been licensed for a period of time less than two (2) years. Continuing education hours completed by ~~a~~ an initially licensed dispenser licensee, who at the time of renewal has been initially licensed for less than a two (2) year period, will not be available or "carried over" for credit to meet the requirement for the next biennial license renewal

AUTHORITY: O.C.G.A. §§ 43-20-6 and 43-20-15

276-10-.02 Continuing Education Courses. Amended.

(1) Unless the Board gives written notice to each licensed dispenser prior to the date thereof, courses offered by the following are recognized by the Board as means of acquiring hours to meet the requirement of continuing education for license renewal provided the courses are directly related to the professional growth and development of hearing aid dispensers.

- (a) International Institute for Hearing Instrument Studies.
- (b) International Hearing Society.
- (c) Georgia Society of Hearing Professionals.
- (d) American Speech-Language-Hearing Association.
- (e) Georgia Speech-Language-Hearing Association.
- (f) American Academy of Otolaryngology, Head and Neck Surgery, Inc.
- (g) Georgia Academy of Audiology.
- (h) College courses taken for credit or through official audit or seminars sponsored by such colleges.

(2) All educational opportunities other than those offered by various state approved/sanctioned academies, societies and associations require prior approval from the Board prior to the scheduled date of such program. Applications for approval must include sponsor, date, location, subjects, scope, instructors, qualifications of instructors, and classroom hours for each subject.

(3) A hearing aid dispenser must obtain a minimum of fourteen (14) hours of continuing education per biennium. Of these hours, two (2) must be in the medical area, two (2) must be in jurisprudence (Georgia laws and rules)/ethics, two (2) must be in patient management. The remainder of hours may be obtained as product specific or on the topic of practice building.

(a) Approved areas of study to satisfy the two (2) hours in the medical area are:

1. Anatomy and physiology;
2. Diseases of the ear;
3. Disease control;
4. Otoscopy.

(b) Approved areas of study to satisfy the two (2) hours in patient management are:

1. Testing;
2. Rehabilitation;
3. Counseling;
4. Impressions of the ear.

(4) The method of reporting continuing education shall be by audit as follows:

(a) Each licensed hearing aid dispenser shall be responsible for maintaining certificates of attendance (and supporting documentation as appropriate) for continuing education courses taken to satisfy the requirements for continuing education for a period of four (4) years from the date of attendance;

(b) The staff of the Professional Licensing Boards shall audit the required continuing education hours of a percentage of dispenser licensees for compliance with all rules and regulations. This percentage shall not be less than ~~25%~~, fifteen (15%) ~~but shall not exceed 30%~~ of the licensed Hearing Aid dispensers, randomly selected, ~~in the State per each~~ per each biennium renewal period;

(c) At the time of license renewal, each dispenser shall certify to the Georgia State Board of Hearing Aid Dealers and Dispensers that he/she has completed the continuing education credits required for license renewal;

(d) In the event a licensee, who is audited, fails to submit certificates of continuing education attendance, or other documentation, of having satisfied the continuing education requirements for license renewal, the application will not be processed until all continuing education requirements are met; and a licensee who fails to meet the continuing education requirements is not eligible to renew his/her license and the license will be revoked by operation of law .

~~(e) A licensee who fails to meet the continuing education requirements shall be subject to disciplinary actions by the Board.~~

AUTHORITY: O.C.G.A. §§ 43-1-19, 43-20-6 and 43-20-15

CONFERENCE CALL – HEARING AID DEALERS AND DISPENSERS

JULY 14, 2009 8:30AM

Board members:

Jeffrey Fargason, ACA, BC-HIS, Chair
Decatur Hearing Aid Service
PO Box 91
Clarkston, Georgia 30021
404-299-1141 [Office]

Administrative Staff:

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Amanda Allen
Board Support Specialist

Donald N. Cote, MD Board Certified-American
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