

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT
TO THE GEORGIA BOARD OF HEARING AID DEALERS AND DISPENSERS RULE 276-2- .04
CONDUCT OF EXAMINATION. AMENDED 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 State Board of Hearing Aid Dealers and Dispensers (hereinafter "Board") proposes an amendment to the Georgia State Board of Hearing Aid Dealers and Dispensers, Chapter 276-2-.04 *Conduct of Examination. Amended*, (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 Board website at www.sos.state.ga.us/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 amendments. 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, Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Hearing Aid Dealers and Dispensers, 237 Coliseum Drive, Macon, Georgia 31217-3858. Fax (478) 207-1363.

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 Georgia Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217-3858. According to the Department of Law, State of Georgia, the Georgia State Board of Hearing Aid Dealers and Dispensers has the authority to adopt proposed rule amendment 276-2 pursuant to authority contained in O.C.G.A. § 43-20-.06.

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. §43-20-.06.

Additionally, at its meeting June 2, 2009, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. § 43-20-.06 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 CHANGES TO THE GEORGIA STATE BOARD OF HEARING AID
DEALERS AND DISPENSERS
CHAPTER 276-2 EXAMINATIONS, SECTION .04 CONDUCT OF EXAMINATION. AMENDED**

Purpose: The purpose of the proposed rule amendment is to delete outdated language.

Main Feature: The main feature of the proposed rule amendment is to remove outdated language regarding examination materials.

**DIFFERENCES BETWEEN THE EXISTING CHAPTER AND THE PROPOSED AMENDMENTS
TO THE GEORGIA BOARD OF HEARING AID DEALERS AND DISPENSERS, CHAPTER 276-2
EXAMINATIONS, SECTION .04 CONDUCT OF EXAMINATION**

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

276-2-.04 Conduct of Examination. Amended.

(1) Before commencing the examination each applicant will draw a number, seal it in an envelope with his name, and deliver the sealed envelope with the corresponding number on the outside to the examiner in charge. Each applicant shall write his number on every sheet containing answers to the examination questions, but not his name, initials, or other means of identification. If an applicant shall sign his name or write his initials or other identification marks upon his examination paper, such action shall be considered as misconduct and shall be sufficient cause for rejection of his paper.

(2) Each applicant shall sign an attendance slip or other form provided at the beginning of each session of the examination and such signature must be identifiable to the signature of the applicant on his application.

(3) All supplies necessary for the written examination will be furnished by the Board, and, after use, shall remain the property of the Board.

(4) Answers in all examinations must be made on blanks furnished by the Board and must be completed within the time allotted for each subject, which will be stated on the examination questions and problems.

~~(5) All examination papers shall be returned to and be retained by the Secretary. They shall be destroyed twelve months following the date of examination.~~

AUTHORITY: O.C.G.A. § 43-20-.06

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]

Vaughn G. Bray, BC-HIS, CCCA, Vice-Chair
V. B. Associates
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Donald N. Cote, MD Board Certified-American
Board of Otolaryngology
Ear, Nose, & Throat Specialists
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Ralph T. Jackson, Jr.
Ralph Jackson Hearing Aid Service
2015 Palmyra Road
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Henry Clayton Williams, Jr., B.A., BC-HIS
Gainesville Hearing Services
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Gainesville, Georgia 30501
770-532-5092 [Office]

Kadyn Ochs Williams, Au.D.
6018 Sandy Springs Circle
Sandy Springs, Georgia 30328
404-256-5194 [Office]

Administrative Staff:

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Amanda Allen
Board Support Specialist

Wylencia Hood-Monroe
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