

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Thicksten**

# **A Bill**

**ACT 1342 OF 1995**  
**HOUSE BILL 2117**

## **For An Act To Be Entitled**

8 *"AN ACT TO AMEND VARIOUS SECTIONS OF TITLE 17, CHAPTER 83*  
9 *OF THE ARKANSAS CODE ANNOTATED RELATIVE TO DUTIES OF THE*  
10 *STATE BOARD OF HEARING AID DISPENSERS AND QUALIFICATIONS*  
11 *FOR RECEIVING A LICENSE TO DISPENSE HEARING AIDS; AND FOR*  
12 *OTHER PURPOSES."*

## **Subtitle**

15 *"TO AMEND VARIOUS SECTIONS OF THE*  
16 *ARKANSAS CODE RELATIVE TO DUTIES OF THE*  
17 *STATE BOARD OF HEARING AID DISPENSERS*  
18 *AND QUALIFICATIONS FOR A LICENSE TO*  
19 *DISPENSE HEARING AIDS."*

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22  
23 *SECTION 1. Arkansas Code Annotated § 17-83-203 is hereby amended to*  
24 *read as follows:*

25 *"17-83-203. Powers and duties.*

26 *The powers and duties of the Arkansas Board of Hearing Aid Dispensers*  
27 *are:*

28 *(1) To authorize all disbursements necessary to carry out the*  
29 *provisions of this chapter and to receive and account for all fees;*

30 *(2) To furnish a list of study materials for applicants to use in*  
31 *preparing for qualifying examinations;*

32 *(3) To prepare, supervise, and administer, at least once each year, a*  
33 *qualifying examination based on nationally accepted norms to test the*  
34 *knowledge and proficiency of applicants;*

35 *(4) To register, issue, and renew licenses and permits to persons*  
36 *qualified under this chapter and to suspend, revoke, or refuse to renew*

1 licenses and permits pursuant to this chapter;

2       (5) To purchase and maintain or rent audiometric equipment and  
3 facilities necessary to carry out the examination of applicants for licenses;

4       (6) To make rules and regulations not inconsistent with the laws of  
5 this state which are necessary for the enforcement and orderly administration  
6 of this chapter. However, no rule or regulation shall be promulgated which in  
7 any manner serves to restrict the number of licenses which may be issued in  
8 any city, town, or county of this state;

9       (7) To require the periodic inspection and calibration of audiometric  
10 testing equipment and to carry out the periodic inspection of facilities of  
11 persons who practice the fitting or selling of hearing aids;

12       (8) To employ and retain the services of attorneys, accountants, and  
13 other necessary assistants in carrying out the provisions of this chapter;

14       (9) To require, if the board deems necessary, an applicant or dealer or  
15 licensee to furnish a surety bond, in an amount fixed by the board, for the  
16 benefit of any person damaged as the result of a violation of this chapter.

17 All requirements pertaining to the surety bond may be promulgated by  
18 regulation of the board;

19       (10) To set the following fees:

20               (A) An application fee not to exceed one hundred dollars (\$100);

21               (B) An examination fee not to exceed seventy-five dollars  
22 (\$75.00);

23               (C) A reexamination fee not to exceed seventy-five dollars  
24 (\$75.00);

25               (D) A permanent registration fee not to exceed thirty-five  
26 dollars (\$35.00);

27               (E) An annual license fee not to exceed one hundred fifty dollars  
28 (\$150);

29               (F) A late penalty of ten percent (10%) of the annual license fee  
30 if paid within thirty (30) days after expiration;

31               (G) A license reinstatement fee not to exceed one and one-half  
32 (1 1/2) times the annual license fee, if the renewal fee is not paid within  
33 the thirty (30) day grace period; and

34               (H) A training permit fee not to exceed seventy-five dollars  
35 (\$75.00)."

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SECTION 2. Arkansas Code Annotated § 17-83-302 is hereby amended to read as follows:

"17-83-302. License or training permit required.

No person shall engage in the sale of hearing aids, or display a sign or in any other way advertise or hold himself out as a person who practices the dispensing of hearing aids unless he is licensed under this chapter or is the holder of a training permit issued under § 17-83-307 and has his license or training permit conspicuously posted in his office or place of business."

SECTION 3. Arkansas Code Annotated § 17-83-304 is hereby amended to read as follows:

"17-83-304. Applications - Qualifications of applicants.

(a) An applicant for a license under this chapter shall:

(1) Submit a written application and request for examination in the form and within the time prescribed by the board;

(2) Pay an application and examination fee as prescribed by the board, pursuant to this chapter; and

(3) Show to the satisfaction of the board that he:

(A) Is twenty-one (21) years of age or older;

(B) Has an education equivalent to a four-year course in an accredited high school;

(C) Is of good moral character; and

(D) Has satisfactorily passed the examination in the form and within the time prescribed by the board.

(b) Prior to applying for a license under this chapter, an applicant may elect to apply for a training permit as provided for in § 17-83-307."

SECTION 4. Arkansas Code Annotated § 17-83-305(a) is hereby amended to read as follows:

"(a) The examination provided for in § 17-83-304 shall be given by the board at least once each year."

SECTION 5. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 6. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9 SECTION 7. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

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*/s/Rep. Thicksten*

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APPROVED: 4-17-95

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