

State of Arkansas

77th General Assembly

A Bill

HOUSE BILL

Third Extraordinary Session, 1989

CALL ITEM 98 1045

By: Representative Jones

For An Act To Be Entitled

"AN ACT TO AMEND THE HEARING AID DISPENSERS LAW TO GRANT THE BOARD THE AUTHORITY TO INCREASE LICENSE FEES; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 17-83-304(a) is hereby amended to read as follows:

"(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 fee of seventy-five dollars (\$75.00). An additional fee to be determined by the Board, but in no event to exceed the sum of fifty dollars (\$50.00), shall be paid as deemed necessary to defray the cost of acquiring and administering the examination test and related expenses in connection herewith; 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;

(D) Is free of contagious or infectious disease; and

(E) Has satisfactorily completed a training program, approved by the board, in the basics of testing for and fitting of hearing aids."

SECTION 2. Arkansas Code 17-83-305(d) is hereby amended to read as follows:

"(d) Applicants who fail to pass the required examination may retake the examination by paying a reexamination fee to be determined by the Board but

in no event to exceed the sum of fifty dollars (\$50.00) for each additional examination taken."

SECTION 3. Arkansas Code 17-83-306(a) is hereby amended to read as follows:

"(a) Upon payment of a permanent registration fee of twenty-five dollars (\$25.00) and an annual license fee of one hundred dollars (\$100.00), the board shall register and issue licenses to applicants who have fulfilled the requirements of this chapter."

SECTION 4. Arkansas Code 17-83-306(c) is hereby amended to read as follows:

"(c) (1) The fee for renewal of a license shall be one hundred dollars (\$100.00) if paid before the expiration of the license and one hundred ten dollars (\$110.00) if paid within thirty (30) days after expiration.

(2) If the renewal fee is not paid within the thirty-day grace period, the Board shall renew such license upon payment of the required fee of one hundred fifty dollars (\$150.00) and satisfaction of all other requirements contained in this chapter for the renewal of the license. No person who applies for renewal, whose license has expired, shall be required to submit to any examination as a condition to renewal provided such renewal application is made within two (2) years after the date of the expiration.

(3) The board, in its discretion, may require any licensee whose license has been suspended for nonpayment of renewal fees to pay all unpaid renewal fees or pass an examination, or both, before renewing the license."

SECTION 5. Arkansas Code 17-83-308(a) is hereby amended to read as follows:

"(a) An applicant who fulfills the requirements of and pays the fees prescribed by § 17-83-304(a), and successfully passes the entry-level training permit examination, shall be issued a training permit for a period not to exceed six (6) months if he pays a training permit fee of fifty dollars (\$50.00) and shows to the satisfaction of the board that, during the period of the training permit, he will be directly trained and supervised by a person who has continuously held a valid Arkansas Hearing Aid Dispenser's License for a period of not less than three (3) years."

SECTION 6. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 7. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 8. Emergency. It is hereby found and determined by the General Assembly that fees collected by the Board of Hearing Aid Dispensers is inadequate to fund the operation of the Board; that the purpose of the Board is to regulate the hearing aid industry and thereby assure quality service to the public; that the Board is unable to adequately perform its function due to lack of funds; and that this Act should therefore go into effect immediately in order provide the Board with increased funding as soon as possible. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.