

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Thicksten

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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."

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Subtitle

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

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

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"17-83-203. Powers and duties.

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The powers and duties of the Arkansas Board of Hearing Aid Dispensers

27 are:

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

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

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(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;

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(4) To register, issue, and renew licenses and permits to persons

1 qualified under this chapter and to suspend, revoke, or refuse to renew
2 licenses and permits pursuant to this chapter;

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

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

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

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

15 (9) To require, if the board deems necessary, an applicant or dealer
16 or licensee to furnish a surety bond, in an amount fixed by the board, for
17 the benefit of any person damaged as the result of a violation of this
18 chapter. All requirements pertaining to the surety bond may be promulgated by
19 regulation of the board;

20 (10) To set the following fees:

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

22 (B) An examination fee not to exceed seventy-five dollars
23 (\$75.00);

24 (C) A reexamination fee not to exceed seventy-five dollars
25 (\$75.00);

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

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

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

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

35 (H) A training permit fee not to exceed seventy-five dollars

1 (\$75.00)."

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

5 "17-83-302. License or training permit required.

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

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

14 "17-83-304. Applications - Qualifications of applicants.

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

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

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

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

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

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

24 (C) Is of good moral character; and

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

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

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

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

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35 SECTION 5. All provisions of this act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
2 Code Revision Commission shall incorporate the same in the Code.

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

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

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/s/Rep. Thicksten

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