

Senate Bill 153

By: Senators Brass of the 28th, Mullis of the 53rd, Watson of the 1st, Hill of the 4th, Henson of the 41st and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 20 of Title 43 of the Official Code of Georgia Annotated, relating to  
2 hearing aid dealers and dispensers, so as to exempt certain activities of hearing aid dealers,  
3 hearing aid dispensers, and others related to the manufacture and sale of certain  
4 nonprescription hearing aids from the applicability of said chapter; to provide for related  
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 20 of Title 43 of the Official Code of Georgia Annotated, relating to hearing aid  
9 dealers and dispensers, is amended by revising Code Section 43-20-7, relating to license  
10 required, scope of authority of license holders, and issuance of duplicate licenses, as follows:

11 "43-20-7.

12 (a) ~~It is~~ Except as provided in Code Section 43-20-19.1, it shall be unlawful for any person  
13 or firm to engage in the practice of dispensing hearing aids, as defined in this chapter, in  
14 this state without having a valid license issued under this chapter.

15 (b) No person or firm, except those exempted in Code ~~Section~~ Sections 43-20-19  
16 and 43-20-19.1, shall engage in the practice of dispensing hearing aid devices or  
17 instruments or display a sign or in any way advertise or represent himself or herself or any  
18 firm as practicing the dispensing of hearing aid devices or instruments in this state unless  
19 such person holds an unsuspended, unrevoked license issued by the board.

20 (c) A dispenser's license issued under this chapter shall entitle the holder to dispense  
21 hearing aid devices or instruments under the supervision of a licensed dealer.

22 (d) The dealer's license issued under this chapter shall permit and require the holder to  
23 establish and operate an establishment open to the public for the purpose of dispensing  
24 hearing aids and providing follow-up services.

25 (e) No firm shall engage in the practice of dispensing hearing aid devices or instruments  
26 or display a sign or in any way advertise or represent itself as dispensing hearing aid  
27 devices or instruments in this state unless each office or location is staffed by a person who  
28 holds a valid dispenser's license issued under this chapter.

29 (f) Duplicate dealers' licenses shall be issued by the division director on behalf of the  
30 board to valid license holders operating more than one office or place of practice upon the  
31 payment of an additional dealer's license fee for each location, provided that each such  
32 location shall be staffed and supervised by a person holding a valid dispenser's license  
33 issued under this chapter."

34 **SECTION 2.**

35 Said chapter is further amended by adding a new Code section to read as follows:

36 "43-20-19.1.

37 Nothing in this chapter shall be construed to prevent a holder of a license or permit issued  
38 by the board from selling hearing aids that are ready-made and preprogrammed and do not  
39 require a prescription; nor shall anything in this chapter be construed to affect in any way  
40 the manufacture or sale of hearing aids that are ready-made and preprogrammed and do not  
41 require a prescription or any persons engaged in the manufacture or sale of such hearing  
42 aids."

43 **SECTION 3.**

44 All laws and parts of laws in conflict with this Act are repealed.