

Part 1 General Provisions

58-46a-101 Title.

This chapter is known as the "Hearing Instrument Specialist Licensing Act."

Enacted by Chapter 28, 1994 General Session

58-46a-102 Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Board" means the Hearing Instrument Specialist Licensing Board created in Section 58-46a-201.
- (2) "Direct supervision" means that the supervising hearing instrument specialist is present in the same facility as is the person being supervised and is available for immediate in person consultation.
- (3) "Hearing instrument intern" means a person licensed under this chapter who is obtaining education and experience in the practice of a hearing instrument specialist under the supervision of a supervising hearing instrument specialist.
- (4) "Hearing instrument" or "hearing aid" means any device designed or offered to be worn on or by an individual to enhance impaired human hearing, including the device's specialized parts, attachments, or accessories.
- (5) "Indirect supervision" means that the supervising hearing instrument specialist is not required to be present in the same facility as is the person being supervised, but is available for voice to voice contact by telephone, radio, or other means at the initiation of the person being supervised.
- (6) "Practice of a hearing instrument specialist" means:
 - (a) establishing a place of business to practice as a hearing instrument specialist;
 - (b) testing the hearing of a human patient over the age of 17 for the sole purpose of determining whether a hearing loss will be sufficiently improved by the use of a hearing instrument to justify prescribing and selling the hearing instrument and whether that hearing instrument will be in the best interest of the patient;
 - (c) providing the patient a written statement of prognosis regarding the need for or usefulness of a hearing instrument for the patient's condition;
 - (d) prescribing an appropriate hearing instrument;
 - (e) making impressions or earmolds for the fitting of a hearing instrument;
 - (f) sale and professional placement of the hearing instrument on a patient;
 - (g) evaluating the hearing loss overcome by the installation of the hearing instrument and evaluating the hearing recovery against the representations made to the patient by the hearing instrument specialist;
 - (h) necessary intervention to produce satisfactory hearing recovery results from a hearing instrument; or
 - (i) instructing the patient on the use and care of the hearing instrument.
- (7) "Supervising hearing instrument specialist" means a hearing instrument specialist who:
 - (a) is licensed by and in good standing with the division;
 - (b) has practiced full-time as a hearing instrument specialist for not less than two years; and
 - (c) is approved as a supervisor by the division in collaboration with the board.
- (8) "Unlawful conduct" is as defined in Section 58-1-501.

(9) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-46a-501.

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