

20-406-1. Definitions**Hearing Aid Dealers****20-406-1. Definitions**

- (a) "Department" means the department of health Services.
- (b) "Regular place of business" means that location at which a licensee engaging in the fitting and sale of hearing aids hold himself out to be physically available to the public. (Effective March 27, 1989.)

20-406-4. Course of study

- (a) The course of study, as required by section 20-398 (a) of the Connecticut General Statutes, shall consist of two parts: a formal course of instruction approved by the Department of Health Services and a practical course of study of not less than forty (40) hours of instruction administered by a Connecticut-licensed hearing aid dealer. Both parts of the course of study shall include the following areas of study:
 - (1) the basic physics of sound;
 - (2) anatomy and physiology of the ear;
 - (3) the function of hearing aids;
 - (4) practical knowledge of fitting and dispensing hearing aids;
 - (5) the taking of ear mold impressions; and
 - (6) use of equipment employed in the fitting and dispensing of hearing aids.
- (b) The practical course of study shall also include instruction in the provisions of the Connecticut General Statutes, Sections 20-396 through 20-407, inclusive, as most recently amended, these regulations, and any federal laws and regulations governing the sale and fitting of hearing aid devices.
- (c) The hearing aid dealer providing the practical course of study shall document in writing to the Department of Health Services the dates and successful completion of the forty hours of practical instruction.
- (d) In lieu of the course of study described in subsection (a) of this section, an applicant may substitute successful completion of either a master's degree in audiology from a regionally accredited institution of higher education or a post-secondary course in hearing aid dispensing at a regionally accredited institution of higher education. In either case, the program shall contain the content areas described in subdivisions (1) through (6), inclusive, of subsection (a) of this section. Candidates shall provide such documentation as the department may request to verify that the master's degree program or post-secondary course contained the required content areas.
- (e) A person engaged in a course of study and holding a temporary permit may engage in activities authorized by Chapter 398 of the Connecticut General Statutes, as amended, only under the supervision of a Connecticut-licensed hearing aid dealer. Such person shall cause to be documented in writing to the Department of Health Services the dates and successful completion of the course of study. (Effective March 27, 1989.)

20-406-5. Period of training

- (a) Each applicant who has not completed a course of study, as described in Section 20-406-4 as amended by Section 2 of these regulations, shall complete a period of training as required by Section 20-398 (a) of the Connecticut General Statutes. The period of training shall be supervised by a Connecticut-licensed hearing aid dealer in good standing and shall consist of at least twenty weeks of training, each week to include not less than 30 hours of supervised work experience. A practical course of study of not less than forty hours of instruction covering the content areas specified in subsections (a) and (b) of Section 20-406-4, as amended by these regulations, shall be completed as part of the twenty-week period of training. Any person engaged in a period of training and holding a temporary permit may engage in activities authorized by chapter 398 of the

20-406-9. Equipment and procedures

Connecticut General Statutes, as amended, only under the supervision of a Connecticut-licensed hearing aid dealer.

- (b) The supervising hearing aid dealer shall document in writing to the Department of Health Services the successful completion of the training period specified in subsection (a) of this section, specifying the dates of training, content areas of training, evaluation of knowledge and skills learned, and the fitting and dispensing activities completed. The supervisor shall certify that the applicant has, in his opinion, satisfactorily completed the period of training.
(Effective March 27, 1989.)

20-406-9. Equipment and procedures

- (a) Each licensed hearing aid dealer and each person holding a temporary permit shall comply with the following while testing for the fitting or sale of any hearing aid:
- (1) test in a room which shall have a maximum ambient noise level of fifty-five (55) dBA slow scale; and
 - (2) within six (6) months after the adoption of these regulations, employ audiometers which conform to the standards of the American National Standards Institute (hereinafter ANSI) approved by the department.
- (b) Each licensed hearing aid dealer and each person holding a temporary permit shall furnish to the department between September first and September thirtieth of each year a copy of the calibration certificate of each audiometer used during the preceding year. For the purposes of this provision the term "the preceding year" shall mean the twelve month period ending on the thirty-first day of August immediately prior to said September first. The calibration certificate shall bear the name and address of the calibrator and shall state that the calibration was done according to the requirements of the standards of ANSI approved by the department.
- (c) Biological checks of audiometers shall be accomplished at least once a month and records of such checks shall be maintained for at least three (3) years.
- (d) The department may make random unannounced examinations or inspections of any audiometric facility.
- (e) Prospective hearing aid purchasers who, during testing, fitting and taking of history evince any of the following, shall be advised to consult a physician or an otolaryngologist (ear, nose and throat specialist), and a written statement regarding such advice shall accompany the sale of a hearing aid and proof of receipt thereby the purchaser shall be maintained on file:
- (1) visible congenital or traumatic deformity or injury to the ear;
 - (2) a history of, or active drainage from the ear within the previous ninety (90) days, or complaint of ear pain or discomfort within the previous sixty (60) days;
 - (3) a history of sudden or rapidly progressive hearing loss within the previous ninety (90) days;
 - (4) complaint of acute or chronic dizziness;
 - (5) unilateral hearing loss of sudden or recent onset within the previous ninety (90) days;
 - (6) an audiometric air-bone gap of 15 dB or greater at 500, 1000, or 2000 Hz;
 - (7) visible evidence of cerumen accumulation or a foreign body in the ear canal;
 - (8) a history of, or onset of, or changes in tinnitus within the previous sixty (60) days.
- (f) (1) Testing by a licensed hearing aid dealer or each person holding a temporary permit for the purpose of fitting and selling hearing aids shall be conducted as follows:
- (a) pure tone testing for air conduction from 250 through 8000 Hz, with masking where appropriate;
 - (b) pure tone testing for bone conduction from 250 through 4000 Hz, with masking where appropriate;
 - (c) speech testing to determine the feasibility of the use of a hearing aid by means of formalized audiometry or by the use of a master or live hearing aid.

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20-406-10. Sales to persons under the age of eighteen

- (2) The tests described in subsection (f) (1) of this regulation may be omitted in whole or in part when prohibited or expressly not required, by a licensed physician or an otolaryngologist in writing, or when an audiological examination incorporating at least the requirements of section 20-406 (f) (1) of these regulations performed by a licensed audiologist or a licensed physician, has been performed upon the prospective hearing aid purchaser within the ninety (90) days preceding, and a copy of the results thereof furnished to the licensed hearing aid dealer or the person holding a temporary permit.
(Effective February 9, 1979.)

20-406-10. Sales to persons under the age of eighteen

No licensed hearing aid dealer or person holding a temporary permit shall sell a hearing aid to a person under the age of eighteen (18) unless no more than ninety (90) days shall have elapsed since the later to occur of

- (a) the otolaryngological examination, or
- (b) the audiological examination, which are required by section 20-404 (a) (6) of the Connecticut General Statutes.
(Effective February 9, 1979.)

20-406-13. Temporary permit

- (a) A temporary permittee may engage in activities authorized by Chapter 398 of the Connecticut General Statutes, as amended, only under the supervision of a Connecticut-licensed hearing aid dealer. Supervision requires the supervisor to review and approve all work, and sign and date all records, except that, while a temporary permittee engaged in a course of study or a period of training is completing the initial eight weeks of activity under a temporary permit, he may engage in activities authorized by Chapter 398 of the Connecticut General Statutes, as amended, only in the presence of a licensed hearing aid dealer. The supervisor is responsible for all activities of the temporary permittee, in so far as these activities are regulated by Chapter 398 of the Connecticut General Statutes. Any violation by a temporary permittee of any state or federal statute or regulation pertaining to hearing aid devices or the fitting or dispensing of hearing aid devices shall be deemed a violation by the supervising hearing aid dealer as well as the temporary permittee. A temporary permittee shall apply for and take the licensure examination prescribed pursuant to subsection (a) of section 20-398 no later than 12 months following issuance of the temporary permit, and, if unsuccessful on such examination, shall take each subsequent licensure examination scheduled during the effective period of his temporary permit. A temporary permittee who fails to take an examination required by this subsection or who fails an examination shall, for a period of four weeks from the date of receipt of failing examination results by the temporary permittee or from the date of an examination not taken, engage in activities authorized by Chapter 398 of the Connecticut General Statutes, as amended, only in the presence and under the training of a licensed hearing aid dealer.
- (b) The department shall issue a temporary permit to a qualified applicant only upon receipt of certification from a Connecticut-licensed hearing aid dealer that supervision shall be provided by the licensee. The temporary permit shall be valid for a one year period, limited to employment under the supervision of the specified licensed hearing aid dealer. In the event that a temporary permittee discontinues employment with the supervising hearing aid dealer, the temporary permit shall become void. The department shall re-issue the temporary permit without a fee, for any unused portion of the one year period, upon receipt of certification of a Connecticut-licensed hearing aid dealer that supervision shall be provided by the licensee. When engaging in the fitting or selling of hearing aids, a temporary permittee shall represent himself at all times as a person holding a temporary permit pursuant to Chapter 398 of the Connecticut General Statutes.

20-406-14. License or permit required

- (c) A temporary permittee shall not independently own or operate a hearing aid establishment or branch office nor in any other way shall he independently provide services in the fitting or selling of hearing aids.
- (d) No more than four permittees may be under the supervision of a single licensed hearing aid dealer at any time.
- (e) The supervising licensee shall immediately notify the department in writing if the supervisory relationship specified in Section 20-400 (a) of the Connecticut General Statutes is terminated.
- (f) The supervising licensee is responsible for ensuring that an unlicensed individual employed under his training and supervision holds a current, valid temporary permit at all times that such individual engages in any commercial activity in hearing aid fitting and dispensing.
(Effective March 27, 1989.)

20-406-14. License or permit required

Any person evaluating customers for the fitting of a hearing aid device or fitting or dispensing such devices shall either be licensed to perform such functions or shall hold a temporary permit pursuant to Chapter 398 of the Connecticut General Statutes.

(Effective March 27, 1989.)

20-406-15. Time limit for refund

Any purchaser of a hearing aid entitled to a refund pursuant to Connecticut General Statutes, subsection (a) of section 20-402a, shall be given such refund within 60 days of his request.

(Effective March 27, 1989.)