

SB0340



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB0340

Introduced 1/24/2017, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

225 ILCS 50/5

from Ch. 111, par. 7405

Amends the Hearing Instrument Consumer Protection Act. Makes a technical change in a Section concerning the requirements for a license.

LRB100 05123 SMS 15133 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Hearing Instrument Consumer Protection Act
5 is amended by changing Section 5 as follows:

6 (225 ILCS 50/5) (from Ch. 111, par. 7405)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 5. License required. No person shall engage in the ~~the~~
9 selling, practice of testing, fitting, selecting,
10 recommending, adapting, dispensing, or servicing hearing
11 instruments or display a sign, advertise, or represent oneself
12 as a person who practices the fitting or selling of hearing
13 instruments unless such person holds a current license issued
14 by the Department as provided in this Act. Such person shall be
15 known as a licensed hearing instrument dispenser. Individuals
16 licensed pursuant to the provisions of Section 8 of this Act
17 shall be deemed qualified to provide tests of human hearing and
18 hearing instrument evaluations for the purpose of dispensing a
19 hearing instrument for which any State agency may contract. The
20 license shall be conspicuously displayed in the place of
21 business. Duplicate licenses shall be issued by the Department
22 to licensees operating more than one office upon the additional
23 payment set forth in this Act. No hearing instrument

1 manufacturer may distribute, sell, or otherwise provide
2 hearing instruments to any unlicensed hearing care
3 professional for the purpose of selling hearing instruments to
4 the consumer.

5 Except for violations of the provisions of this Act, or the
6 rules promulgated under it, nothing in this Act shall prohibit
7 a corporation, partnership, trust, association, or other
8 entity from engaging in the business of testing, fitting,
9 servicing, selecting, dispensing, selling, or offering for
10 sale hearing instruments at retail without a license, provided
11 it employs only licensed individuals in the direct testing,
12 fitting, servicing, selecting, offering for sale, or
13 dispensing of such products. Each such corporation,
14 partnership, trust, association, or other entity shall file
15 with the Department, prior to doing business in this State and
16 by July 1 of each calendar year thereafter, on forms prescribed
17 by the Department, a list of all licensed hearing instrument
18 dispensers employed by it and a statement attesting that it
19 complies with this Act and the rules promulgated under it and
20 the regulations of the Federal Food and Drug Administration and
21 the Federal Trade Commission insofar as they are applicable.

22 (Source: P.A. 99-204, eff. 7-30-15.)