

SB1734



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1734

Introduced 2/9/2023, by Sen. Seth Lewis

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.

LRB103 27753 AMQ 54131 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7 (Section scheduled to be repealed on January 1, 2026)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
9 ~~the~~ 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
18 and hearing instrument evaluations for the purpose of
19 dispensing a hearing instrument for which any State agency may
20 contract. The license shall be conspicuously displayed in the
21 place of business. Duplicate licenses shall be issued by the
22 Department to licensees operating more than one office upon
23 the additional payment set forth in this Act. No hearing

1 instrument manufacturer may distribute, sell, or otherwise
2 provide 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
6 the rules promulgated under it, nothing in this Act shall
7 prohibit a corporation, partnership, trust, association, or
8 other entity from engaging in the business of testing,
9 fitting, servicing, selecting, dispensing, selling, or
10 offering for sale hearing instruments at retail without a
11 license, provided it employs only licensed individuals in the
12 direct testing, fitting, servicing, selecting, offering for
13 sale, or 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
17 prescribed by the Department, a list of all licensed hearing
18 instrument dispensers employed by it and a statement attesting
19 that it complies with this Act and the rules promulgated under
20 it and the regulations of the Federal Food and Drug
21 Administration and the Federal Trade Commission insofar as
22 they are applicable.

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