

1 31, 1968 (P.L.769, No.240), known as the "Commonwealth Documents
2 Law," and, when duly promulgated thereunder, such rules and
3 regulations shall have the force and effect of the law.

4 (b) The department shall promulgate rules and regulations to
5 enforce and administer sections 207 and 504.1.

6 Section 2. The act is amended by adding a section to read:

7 Section 207. Continuing Education.--The department shall
8 approve courses of continuing education for registered hearing
9 aid fitters to include, but not be limited to, the following
10 areas:

11 (1) Hearing evaluation.

12 (2) Hearing instrumentation technology.

13 (3) Ear mold technology.

14 (4) Hearing aid repair and maintenance.

15 (5) Technical devices to assist the hearing-impaired.

16 (6) Psychology of the hearing-impaired.

17 (7) Office procedures and compliance with this act.

18 Programs held within or outside this Commonwealth may receive
19 approval.

20 Section 3. Sections 311, 312, 314 and 316 of the act are
21 amended to read:

22 Section 311. Expiration Date.--Registration certificates
23 issued under this act expire at midnight on April 15 of each
24 year thereafter if not renewed. To renew an unexpired
25 registration certificate the registrant shall, before the time
26 at which the certificate would otherwise expire, apply for
27 renewal on a form prescribed by the secretary and pay the
28 renewal fee prescribed by this act. Each person who files an
29 application for renewal of a hearing aid fitter's certificate
30 must, during the two years immediately preceding the expiration

1 date, complete 20 hours of approved continuing education and
2 submit evidence of the same to the department with the renewal
3 application. A renewal application will not be considered
4 complete without evidence of completion of the continuing
5 education.

6 Section 312. Renewal of Registration Certificate.--Except as
7 otherwise provided in this act, an expired registration
8 certificate may be renewed at any time within five years after
9 its expiration on filing of an application for renewal on a form
10 prescribed by the secretary, [and] payment of the renewal fee
11 currently in effect [on the last renewal date] and submitting
12 evidence of completion of continuing education as provided in
13 section 311. If the registration certificate is renewed more
14 than 30 days after its expiration, the registrant, as a
15 condition precedent to renewal, shall also pay the delinquency
16 fee. Renewal under this section shall be effective on the date
17 on which the complete application is filed, on the date on which
18 the renewal fee is paid or whichever last occurs. If so renewed,
19 the registration certificate shall continue in effect through
20 the date provided in section 311 which next occurs after the
21 effective date of the renewal, when it shall expire if it is not
22 again renewed.

23 Section 314. Expiration of Suspended Registration
24 Certificate.--A registration certificate which has been
25 suspended is subject to expiration and shall be renewed as
26 provided in this act, but such renewal does not entitle the
27 holder of the registration certificate while it remains
28 suspended and until it is reinstated, to engage in the business
29 of selling or in the practice of fitting and selling of hearing
30 aids, or in any other activity or conduct in violation of the

1 order or judgment by which the registration certificate was
2 suspended. A registration certificate which has been revoked is
3 subject to expiration, but it may not be renewed. If it is
4 reinstated after its expiration, the registrant as a condition
5 precedent to its reinstatement, shall pay a reinstatement fee in
6 an amount equal to the renewal fee currently in effect [on the
7 last regular renewal date before the date on which it is
8 reinstated], plus the delinquency fee, if any, accrued at the
9 time of its revocation. The registrants shall also be required
10 to furnish evidence of completion of the continuing education as
11 provided in section 311.

12 Section 316. Fees.--The amount of fees prescribed by this
13 act are those fixed in the following schedule:

14 (1) The fee for applicants applying for the first time for a
15 registration certificate is [~~\$100~~] \$200 which shall not be
16 refunded, except to applicants who are found to be ineligible to
17 take an examination for a fitter's registration certificate;
18 those applicants are entitled to a refund of [~~\$75~~] \$150.

19 (2) The fee for an applicant for an apprentice fitter's
20 registration certificate is [~~\$25~~] \$50. The additional fee for
21 such applicant, upon taking the qualifying examination, is [~~\$75~~]
22 \$150.

23 (3) The fee for applicants for a fitter's registration
24 certificate who have failed a previous examination is [~~\$25~~] \$50
25 for each succeeding examination.

26 (4) The fee for renewal of a registration certificate is
27 [~~\$50~~] \$100 for each renewal.

28 (5) The initial registration certificate fee is [~~\$100~~] \$200,
29 unless the initial registration certificate is issued on or
30 after October 15 of any year. If it is issued on or after

1 October 15, the initial registration certificate fee is [~~\$50~~
2 \$100.

3 (6) The delinquency fee is [~~\$25~~] \$50.

4 (7) The fee for issuance of a duplicate registration
5 certificate for a branch office, or upon loss of an original
6 registration certificate or upon change of name authorized by
7 law of a person holding a registration certificate under this
8 act is [~~\$5~~] \$10.

9 Section 4. The act is amended by adding sections to read:

10 Section 503.1. Disclosure Agreement.--(a) A registrant,
11 prior to the provision of any service, shall provide to the
12 consumer a disclosure agreement which shall be explained in
13 detail by the registrant and shall be signed by the registrant
14 and the consumer. The disclosure agreement required by this
15 section shall contain the following:

16 (1) A complete description of what the fitting procedure or
17 process does and does not include.

18 (2) An itemization and disclosure of any and all fees
19 associated with the fitting procedure or process and the sale
20 and delivery of a hearing aid or similar device including any
21 cancellation fees authorized pursuant to this act.

22 (b) The disclosure agreement required by this section shall
23 be written in plain language and in a manner that is easily
24 understood in conformance with the provisions of the act of June
25 23, 1993 (P.L.128, No.29), known as the "Plain Language Consumer
26 Contract Act." A disclosure agreement provided pursuant to this
27 section must be ten-point type or larger.

28 Section 504.1. Return of Hearing Aid.--(a) No hearing aid
29 shall be sold to any person unless accompanied by a 30-day money
30 back written guarantee providing that if the person returns the

1 hearing aid in the same condition, ordinary wear and tear
2 excluded, as when purchased within 30 days of the date of
3 delivery, the customer shall be entitled to the refund of the
4 purchase price of the hearing aid and accessories as itemized on
5 the receipt provided under section 504 within 30 days of return
6 of the hearing aid and accessories.

7 (b) A hearing aid that has been refinished and totally
8 reconditioned by the manufacturer or by the manufacturer's agent
9 and the manufacturer or manufacturer's agent certifies that the
10 hearing aid meets all the acoustical standards of a new hearing
11 aid and is in all other respects the equivalent of a new hearing
12 aid with all warranties and guarantees that accompany a new
13 hearing aid, shall be considered to be a new hearing aid and so
14 designated and shall be subject to the right of refund under
15 subsection (a).

16 (c) Notwithstanding the provisions of subsection (a), a
17 hearing aid dealer may retain as a cancellation fee for return
18 of a hearing aid and accessories a charge not to exceed the
19 lesser of 10% of the purchase price or \$150.

20 Section 5. Section 601 of the act is amended by adding a
21 paragraph to read:

22 Section 601. Causes for Denial, Suspension or Revocation of
23 Certificate.--The secretary may deny, suspend, or revoke a
24 registration certificate or impose conditions of probation upon
25 a registrant for any of the following causes:

26 * * *

27 (13) Failure of an applicant for renewal of a registration
28 certificate to furnish evidence of completion of the continuing
29 education as provided in section 311.

30 ~~Section 6. Section 635 of the act of May 17, 1921 (P.L.682,~~

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1 ~~No.284), known as The Insurance Company Law of 1921, is~~
2 ~~repealed.~~

3 ~~Section 7. This act shall take effect as follows:~~

4 ~~(1) Section 6 of this act shall take effect February 16,~~
5 ~~1999.~~

6 ~~(2) The remainder of this act shall take effect in 60~~

7 SECTION 6. THIS ACT SHALL TAKE EFFECT IN 60 days, except <—
8 that the continuing education provisions of sections 207, 311,
9 312, 314 and 601 of the act shall take effect in two years.