

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 601
HOUSE BILL 299

AN ACT TO AMEND CHAPTER 93D OF THE GENERAL STATUTES RELATING TO
HEARING AID DEALERS AND FITTERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 93D-2 is amended by deleting from line 3 the words "or apprentice license" and inserting before the period in line 4 the words "or is an apprentice working under the supervision of a board licensee."

Sec. 2. G.S. 93D-3(a) is amended by rewriting the last sentence of the first paragraph as follows: "All appointments made on or after July 1, 1981, shall be for terms of three years."

G.S. 93D-3(a) is further amended by rewriting line 10 to read as follows:

"One member shall be appointed by the Governor who shall be a physician."

G.S. 93D-3(a) is further amended on line 12 by deleting the word "four" and substituting therefor the word "three".

G.S. 93D-3(a) is further amended by rewriting the last sentence of the third paragraph to read: "All appointments made on or after July 1, 1981, shall be for a term of three years."

G.S. 93D-3(a) is further amended by inserting two new paragraphs between lines 16 and 17 to read as follows:

"One member shall be appointed by the Governor to represent the interest of the public at large. This member shall have no ties to the hearing aid business nor shall he be an audiologist. The Governor shall appoint the public member not later than July 1, 1981, to serve a term of three years.

All board members serving on June 30, 1981, shall be eligible to complete their respective terms. No member appointed to a term on or after July 1, 1981, shall serve more than two complete consecutive terms."

G.S. 93D-3(a) is further amended by rewriting lines 19 and 20 to read: "must be appointed from the same category as their predecessor in office. The members of the Board, before".

Sec. 3. G.S. 93D-3(b) is amended by adding a new sentence at the end thereof to read as follows: "The board is authorized to employ an executive secretary and to provide such assistance as may be required to enable said board to properly perform its duties."

Sec. 4. G.S. 93D-3(c) as it appears in the 1979 Cumulative Supplement to Volume 2C is amended by deleting the phrase "and apprentice licenses" in subsection (5).

G.S. 93D-3(c) is further amended in subsection (12) by deleting the phrase "an apprentice license and", by inserting at the beginning of line 2 of the subsection the words "for registered apprentices and", and by deleting the period at the end of the subsection and substituting therefor a semicolon.

G.S. 93D-3(c) as it appears in the 1979 Cumulative Supplement to Volume 2C is further amended by adding at the end a new subsection to read as follows:

"(13) Register persons serving as apprentices as set forth in G.S. 93D-9."

Sec. 5. G.S. 93D-3(d) is amended by inserting on line 4 of the last paragraph the words "and apprentices" following the two uses of the word "licensees" on that line.

Sec. 6. G.S. 93D-4 is amended by adding a new sentence at the end thereof to read as follows: "Actions under this section shall be commenced in the judicial district in which the respondent resides or has his principal place of business."

Sec. 7. G.S. 93D-5(a) is amended on line 3 by deleting the words "or apprentice license" and by adding after the word "Board" and before the period the words "or is an apprentice working under the supervision of a licensee".

G.S. 93D-5(a) is further amended in subsection (2) by deleting the number "21" and inserting the number "18", and by deleting the phrase beginning with the word "provided" and ending with "licensee,".

Sec. 8. G.S. 93D-5(c) as it appears in the 1979 Cumulative Supplement to Volume 2C is rewritten to read as follows:

"(c) No license shall be issued to any person until he has served as an apprentice as set forth in G.S. 93D-9 for a period of at least one year; provided, that this subsection shall not apply to those persons qualified under G.S. 93D-6 nor to those persons holding Masters degrees in Audiology who have undergone 250 hours of supervised activity fitting and selling hearing aids under the direct supervision of a licensed hearing aid dealer approved by the board, or have met the licensure requirements under Article 22 of Chapter 90 of the General Statutes and have worked full time for one year fitting and selling hearing aids in the office of and under the direct supervision of an otolaryngologist and have participated in 250 hours of board supervised continuing professional education in fitting hearing aids."

Sec. 9. G.S. 93D-8(a) is amended on line 3 by inserting a comma after the word "G.S. 93D-5(a)" and by deleting the word "excepting" and inserting the word "except".

G.S. 93D-8(a) is further amended by deleting the words "and 93D-7" on line 4.

Sec. 10. The title of G.S. 93D-9 is rewritten to read "Registration of apprentices".

Sec. 11. G.S. 93D-9(a) is rewritten to read as follows: "Any person age 17 or older may apply to the board for registration as an apprentice. Each such applicant must be sponsored by a hearing aid dealer and fitter licensed by the board."

Sec. 12. G.S. 93D-9(b) is amended on line 1 by deleting the words "as provided under G.S. 93D-5(a)". G.S. 93D-9(b) is further amended by rewriting line 2 to read as follows: "accompanied by a fee of fifty-five dollars (\$55.00), the board may register the". G.S. 93D-9(b) is further amended on line 3 by deleting the words "apprenticeship license" and substituting therefor the words "applicant as an apprentice,".

G.S. 93D-9(c) is amended on line 1 by deleting the words "apprenticeship license shall be issued" and substituting therefor the words "apprentice shall be registered".

Sec. 13. G.S. 93D-9(d) is amended on line 1 by deleting the number "21" and inserting the number "18". G.S. 93D-9(d) is further amended on lines 1 and 2 by deleting the words "holds an apprenticeship license issued" and substituting therefor the words "is registered as an apprentice". G.S. 93D-9(d) is further amended by deleting the words "apprenticeship license" on line 3 and substituting therefor the word "registration."

Sec. 14. G.S. 93D-9(e) is amended on line 1 by deleting the words "holds an apprenticeship license" and substituting therefor the words "is registered as an apprentice". G.S. 93D-9(e) is further amended by rewriting lines 5 and 6 to read as follows: "registration. The fee for renewal of apprenticeship registration shall be fifty dollars (\$50.00)."

Sec. 15. G.S. 93D-9(f) is rewritten to read as follows: "The Board shall adopt rules and regulations implementing initial and renewal registration of apprentices."

Sec. 16. G.S. 93D-10 is amended by rewriting the first sentence to read as follows: "The Board shall register each apprentice and each person to whom it grants a license." G.S. 93D-10 is further amended on line 3 by substituting the word "apprentices" for the word "apprentice" and by deleting the word "licensees" on line 4. G.S. 93D-10 is further amended on

line 5 by deleting the words "apprentice license" and substituting therefor the words "apprenticeship registration".

Sec. 17. G.S. 93D-11 as it appears in the 1979 Cumulative Supplement to Volume 2C is amended on line 1 by inserting the word "licensed" between the words "Every" and "person".

Sec. 18. G.S. 93D-12 is amended on lines 2 and 4 by deleting the words "apprentice license" and substituting therefor the words "apprenticeship registration".

Sec. 19. The title of G.S. 93D-13 is amended by deleting the words "and apprentice license". G.S. 93D-13(a) is amended on lines 2, 3, and 19 by deleting the words "or apprentice license".

G.S. 93D-13(a) is further amended on line 19 by deleting the word "and" and on line 20 by deleting the number "(11)" and substituting therefor the number "(12)".

G.S. 93D-13(a) is further amended by inserting a new subsection between lines 19 and 20 to read as follows:

"(11) Failure by a licensee to properly supervise an apprentice under his supervision, and".

Sec. 20. G.S. 93D-15 is amended on line 4 by deleting the words "apprentice license" and substituting therefor the words "apprenticeship registration".

Sec. 21. G.S. 143-34.13 is amended by deleting lines 10 and 11 which read as follows: "Chapter 93D, entitled 'North Carolina State Hearing Aid Dealers and Fitters Board'."

Sec. 22. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 17th day of June, 1981.