



286824

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/17/2021	.	
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The Committee on Health Policy (Bean) recommended the following:

1 **Senate Amendment to Amendment (302884) (with title**
2 **amendment)**

3
4 Delete lines 10 - 83
5 and insert:
6 the client is 18 years of age or older and provides a medical
7 clearance or a waiver of medical examination:

8 (a) Pure tone audiometric testing by air and bone to
9 determine the type and degree of hearing deficiency when
10 indicated.

11 (b) Effective masking when indicated.



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12 (c) Appropriate testing to determine speech reception
13 thresholds, speech discrimination scores, the most comfortable
14 listening levels, uncomfortable loudness levels, and the
15 selection of the best fitting arrangement for maximum hearing
16 aid benefit when indicated.

17 (2) The following equipment must ~~shall~~ be used unless the
18 client is 18 years of age or older and provides a medical
19 clearance or a waiver of medical examination:

20 (a) A wide range audiometer that ~~which~~ meets the
21 specifications of the American National Standards Institute for
22 diagnostic audiometers when indicated.

23 (b) A speech audiometer or a master hearing aid in order to
24 determine the most comfortable listening level and speech
25 discrimination when indicated.

26 (3) A final fitting ensuring physical and operational
27 comfort of the hearing aid must ~~shall~~ be made when indicated.

28 (4) A licensed audiologist who fits and sells hearing aids
29 must ~~shall~~ obtain the following medical clearance: If, upon
30 inspection of the ear canal with an otoscope in the common
31 procedure of fitting a hearing aid or ~~and~~ upon interrogation of
32 the client, there is any recent history of infection or any
33 observable anomaly, the client must ~~shall~~ be instructed to see a
34 physician, and a hearing aid may ~~shall~~ not be fitted until
35 medical clearance is obtained for the condition noted. If, upon
36 return, the condition noted is no longer observable and the
37 client signs a medical waiver, a hearing aid may be fitted. Any
38 person with a significant difference between bone conduction
39 hearing and air conduction hearing must be informed of the
40 possibility of medical or surgical correction.



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41 Section 12. Section 468.1265, Florida Statutes, is amended
42 to read:

43 468.1265 Sale or distribution of hearing aids through mail;
44 penalty.—It is unlawful for any person to sell or distribute
45 hearing aids through the mail to the ultimate consumer who is
46 younger than 18 years of age. Any person who violates this
47 section commits a misdemeanor of the second degree, punishable
48 as provided in s. 775.082 or s. 775.083.

49 Section 13. Subsections (1) through (4) of section
50 484.0501, Florida Statutes, are amended to read:

51 484.0501 Minimal procedures and equipment.—

52 (1) The following minimal procedures must ~~shall~~ be used in
53 the fitting and selling of hearing aids unless the client is 18
54 years of age or older and provides a medical clearance or a
55 waiver of medical examination:

56 (a) Pure tone audiometric testing by air and bone to
57 determine the type and degree of hearing deficiency.

58 (b) Effective masking when indicated.

59 (c) Appropriate testing to determine speech reception
60 thresholds, speech discrimination scores, the most comfortable
61 listening levels, uncomfortable loudness levels, and the
62 selection of the best fitting arrangement for maximum hearing
63 aid benefit.

64 (2) The following equipment must ~~shall~~ be used unless the
65 client is 18 years of age or older and provides a medical
66 clearance or a waiver of medical examination:

67 (a) A wide range audiometer that ~~which~~ meets the
68 specifications of the American National Standards Institute for
69 diagnostic audiometers.



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70 (b) A speech audiometer or a master hearing aid in order to
71 determine the most comfortable listening level and speech
72 discrimination.

73 (3) For clients younger than 18 years of age, a final
74 fitting ensuring physical and operational comfort of the hearing
75 aid must ~~shall~~ be made. For all other clients, such final
76 fitting must be made when indicated.

77 (4) The following medical clearance must ~~shall~~ be obtained:
78 If, upon inspection of the ear canal with an otoscope in the
79 common procedure of a hearing aid fitter or ~~and~~ upon
80 interrogation of the client, there is any recent history of
81 infection or any observable anomaly, the client must ~~shall~~ be
82 instructed to see a physician, and a hearing aid may ~~shall~~ not
83 be fitted until medical clearance is obtained for the condition
84 noted. If, upon return, the condition noted is no longer
85 observable and the client signs a medical waiver, a hearing aid
86 may be fitted. Any person with a significant difference between
87 bone conduction hearing and air conduction hearing must be
88 informed of the possibility of medical correction.

89 Section 14. Section 484.054, Florida Statutes, is amended
90 to read:

91 484.054 Sale or distribution of hearing aids through mail;
92 penalty.—It is unlawful for any person to sell or distribute
93 hearing aids through the mail to the ultimate consumer who is
94 younger than 18 years of age. Any violation of this section
95 constitutes a misdemeanor of the second degree, punishable as
96 provided in s. 775.082 or s. 775.083.

97
98 ===== T I T L E A M E N D M E N T =====



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99 And the title is amended as follows:

100 Delete lines 89 - 94

101 and insert:

102 F.S.; providing applicability; amending s. 468.1225,
103 F.S.; revising minimum procedures and equipment
104 requirements for fitting and selling hearing aids;
105 amending s. 468.1265, F.S.; revising a prohibition on
106 the sale or distribution of hearing aids through the
107 mail; amending s. 484.0501, F.S.; revising minimum
108 procedures and equipment requirements for fitting and
109 selling hearing aids; amending s. 484.054, F.S.;
110 revising a prohibition on the sale or distribution of
111 hearing aids through the mail; amending s. 893.05,