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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2025	.	
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The Committee on Commerce and Tourism (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 468.1265, Florida Statutes, is amended
to read:

468.1265 Sale or distribution of prescription hearing aids
through mail; penalty.—

(1) Except as provided in subsection (2) and in s.
484.054(2), it is unlawful for a any person to sell or



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11 distribute prescription hearing aids through the mail to the
12 ultimate consumer. ~~A Any~~ person who violates this subsection
13 ~~section~~ commits a misdemeanor of the second degree, punishable
14 as provided in s. 775.082 or s. 775.083.

15 (2) (a) Prescription hearing aids may be distributed through
16 the mail to a patient who is 18 years of age or older before the
17 patient's scheduled telehealth appointment with an audiologist
18 licensed under this part. The prescription hearing aids may not
19 be activated unless the audiologist has prescribed them. If the
20 audiologist prescribes prescription hearing aids to the patient,
21 the audiologist must conduct a fitting during the telehealth
22 appointment or a subsequent appointment to ensure the physical
23 and operational comfort of the prescription hearing aids.

24 (b) Prescription hearing aids may be sold through the mail
25 to a patient who is 18 years of age or older who has been fitted
26 for those prescription hearing aids by an audiologist licensed
27 under this part.

28 Section 2. Section 484.054, Florida Statutes, is amended to
29 read:

30 484.054 Sale or distribution of prescription hearing aids
31 through mail; penalty.—

32 (1) Except as provided in subsection (2) and in s.
33 468.1265(2), it is unlawful for a ~~any~~ person to sell or
34 distribute prescription hearing aids through the mail to the
35 ultimate consumer. A person who violates this subsection commits
36 ~~Any violation of this section constitutes~~ a misdemeanor of the
37 second degree, punishable as provided in s. 775.082 or s.
38 775.083.

39 (2) (a) Prescription hearing aids may be distributed through



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40 the mail to a patient who is 18 years of age or older before the
41 patient's scheduled telehealth appointment with a hearing aid
42 specialist licensed under this part. The prescription hearing
43 aids may not be activated unless the hearing aid specialist has
44 determined that the patient should be fitted for prescription
45 hearing aids. If the hearing aid specialist makes that
46 determination, the hearing aid specialist must conduct a fitting
47 during the telehealth appointment or a subsequent appointment to
48 ensure the physical and operational comfort of the prescription
49 hearing aids.

50 (b) Prescription hearing aids may be sold through the mail
51 to a patient who is 18 years of age or older who has been fitted
52 for those prescription hearing aids by a hearing aid specialist
53 licensed under this part.

54 Section 3. This act shall take effect July 1, 2025.

55
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete everything before the enacting clause
59 and insert:

60 A bill to be entitled
61 An act relating to prescription hearing aids; amending
62 ss. 468.1265 and 484.054, F.S.; authorizing the
63 distribution of prescription hearing aids through the
64 mail to patients 18 years of age or older before a
65 scheduled telehealth appointment with a Florida-
66 licensed audiologist or hearing aid specialist,
67 respectively, if certain requirements are met;
68 authorizing the sale of prescription hearing aids



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69 through the mail to patients 18 years of age or older
70 who have been fitted for such hearing aids by a
71 licensed audiologist or licensed hearing aid
72 specialist, respectively; providing an effective date.