

Chapter 60

(House Bill 401)

AN ACT concerning

Health Occupations – Practice Audiology – Definition
Maryland Audiology, Hearing Aid Dispensing, Speech–Language Pathology, and
Music Therapy Act – Definitions and Application

FOR the purpose of altering the definition of “hearing aid dispensing” to include certain actions taken for the purpose of ordering certain hearing instruments and specifying that certain hearing instruments include prescription hearing aids; altering the definition of “practice audiology” for the purposes of certain provisions of law governing the licensure of audiologists; providing that certain provisions of law do not apply to certain actions taken with respect to certain over–the–counter hearing aids; and generally relating to the practice of audiology Maryland Audiology, Hearing Aid Dispensing, Speech–Language Pathology, and Music Therapy Act.

~~BY renumbering~~

~~Article – Health Occupations
Section 2–101(r) through (u)
to be Section 2–101(s) through (v), respectively
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)~~

~~BY adding to~~

~~Article – Health Occupations
Section 2–101(q)
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section ~~2–101(q)~~ 2–101(h) and (q) and 2–102
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 2–301(a)(1)
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That Section(s) 2–101(r) through (u) of Article – Health Occupations of the Annotated Code
of Maryland be renumbered to be Section(s) 2–101(s) through (v), respectively.~~

SECTION 2. 1. AND BE IT FURTHER ENACTED BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

2–101.

~~(q) “OSSEO INTEGRATED DEVICE” MEANS A BONE ANCHORED HEARING DEVICE OR COCHLEAR IMPLANTS.~~

(h) (1) “Hearing aid dispensing” means performing, conducting, and interpreting hearing assessment procedures to determine the type and extent of hearing loss for the purpose of:

(i) Fitting AND ORDERING suitable hearing instruments, INCLUDING PRESCRIPTION HEARING AIDS;

(ii) Selecting suitable hearing instruments;

(iii) Programming a hearing aid by selecting and determining the frequency response, compression, output, gain, or other parameters of the hearing aid for initial wear by an individual or any required alterations throughout the use of the hearing aid;

(iv) Making ear molds or ear impressions; and

(v) Providing appropriate counseling.

(2) “Hearing aid dispensing” includes:

(i) An act pertaining to the ORDERING, selling, renting, leasing, or delivering of a hearing instrument, INCLUDING A PRESCRIPTION HEARING AID; and

(ii) Providing maintenance or repair services for a hearing aid.

~~[(q)] (R) [(1)]~~ “Practice audiology” means to [apply]:

(1) APPLY the principles, methods, and procedures of measurement, prediction, evaluation, testing, counseling, consultation, and instruction that relate to the development and disorders of hearing, vestibular functions, and related language and speech disorders, to ~~prevent or modify the disorders or assist individuals in hearing and auditory and related skills for communication.] ORDER, EVALUATE, DIAGNOSE, MANAGE, OR TREAT ANY AUDITORY OR VESTIBULAR CONDITION IN THE HUMAN EAR; AND~~

(2) [“Practice audiology” includes the fitting or selling of] **PRESCRIBE, ORDER, SELL, DISPENSE, OR FIT** hearing aids ~~OR OSSEO-INTEGRATED DEVICES TO AN INDIVIDUAL FOR THE CORRECTION OR RELIEF OF A CONDITION FOR WHICH HEARING AIDS OR OSSEO-INTEGRATED DEVICES ARE WORN.~~

2-102.

(a) This title applies to an individual who practices audiology, hearing aid dispensing, speech-language pathology, or music therapy, or assists in the practice of speech-language pathology or audiology in the State.

(b) This title does not:

(1) Limit the right of an individual to practice a health occupation that the individual is authorized to practice under this article;

(2) Prohibit an individual from practicing any other profession that the individual is authorized to practice under the laws of this State; [or]

(3) Limit the right of a physician who is authorized to practice medicine under the laws of the State to treat the human ear or fit hearing aids; OR

(4) APPLY TO THE SERVICING, MARKETING, SALE, DISPENSING, USE, CUSTOMER SUPPORT, OR DISTRIBUTION OF OVER-THE-COUNTER HEARING AIDS THROUGH IN-PERSON TRANSACTIONS, BY MAIL, OR ONLINE AS AUTHORIZED BY FEDERAL LAW AND REGULATIONS.

2-301.

(a) (1) Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice audiology, hearing aid dispensing, speech-language pathology, or music therapy, or assist in the practice of speech-language pathology or audiology in this State.

SECTION ~~2~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2023.

Approved by the Governor, April 11, 2023.