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# MARYLAND SOCIETY OF OTOLARYNGOLOGISTS

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**SUBJECT:** House Bill 401 – Health Occupations – Practice Audiology – Definition  
**COMMITTEE:** House Health and Government Operations Committee  
The Honorable Joseline Peña-Melnyk, Chair  
**DATE:** Wednesday, February 8, 2023  
**POSITION:** Unfavorable

**The Maryland Society of Otolaryngologists (MSO)** represents more than 300 physicians who live and practice in Maryland. Otolaryngologists are physicians who diagnose and treat the ear, nose, throat, and related structures of the head and neck; most commonly referred to as ear, nose, and throat specialists (ENTs).

**House Bill 401** as introduced would expand the scope of services and procedures an audiologist can provide in Maryland. This would include allowing Audiologists to:

- (1)...ORDER, EVALUATE, DIAGNOSE, MANAGE, OR TREAT ANY AUDITORY OR VESTIBULAR CONDITION IN THE HUMAN EAR; AND
- (2) 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.

The bill as drafted is broad and greatly expands an audiologist's scope of practice. HB401 needs extensive analysis to ensure there are no unintended impacts to patient care. The terms "...diagnose, manage [and] treat" are among the roles being added to the "practice of audiology" in House Bill 401. This terminology traditionally falls under the practice of medicine. When these terms are used in other health occupations they are limited or qualified by a requirement for a higher level of education and training within that specialty.

There is concern with the phrase "FIT hearing aids OSSEO-INTEGRATED DEVICES TO AN INDIVIDUAL". Is this in reference to external equipment only or does this include the internal device that is surgically implanted to the skull? The implantation of the device is a surgical procedure.

A further potential consequence is language in the statute that essentially states that only audiologists can "practice audiology". This raises the question if that would prohibit medical care of auditory and vestibular conditions by physicians and surgeons who are not also licensed audiologists, but ENTs are trained in audiology.

The medical disorders treated by our physicians are among the most common that afflict everyone, young and old. They include chronic ear infection, sinusitis, hearing loss (from gradual to sudden onset), swallowing disorders, hoarseness, dizziness, balance issues and head and neck cancer. These disorders and conditions while seemingly simple can often be complex and multi-factorial. Our member Otolologists diagnose and treat the conditions impacting the structure and function of the ear and auditory system. Our member Otorhinolaryngologists diagnose and treat disorders of the ears, nose, throat, and related structures of the head and neck.

Our foremost commitment is to deliver the best patient care and use best practices. We often work side by side with our Audiologists colleagues and together face the challenging conditions and disorders our patients present. Without detailed analysis with regard to the need and the goals of the bill we ask for an unfavorable report on House Bill 401.

**For further information please contact:** Mark Dettelbach M.D. – President, [madmd1964@yahoo.com](mailto:madmd1964@yahoo.com)