

Chapter 694

2007 EDITION

Hearing Aid Specialists

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OCCUPATIONS AND PROFESSIONS

694.010 [Repealed by 1959 c.406 §34]

GENERAL PROVISIONS

694.015 Definitions for ORS 694.015 to 694.185. As used in ORS 694.015 to 694.185, unless the context requires otherwise:

(1) "Council" means the Advisory Council on Hearing Aids, created within the Oregon Health Licensing Agency.

(2) "Dealing in hearing aids" means the sale, lease or rental or attempted sale, lease or rental of hearing aids in conjunction with the evaluation or measurement of the powers or range of human hearing and the recommendation, selection or adaptation of hearing aids.

(3) "Hearing aid" means any prosthetic instrument or device designed for or represented as aiding, improving or correcting defective human hearing and any parts, attachments or accessories of such an instrument or device. A hearing aid is not intended to include any device which is surgically implanted or otherwise medically inserted by a physician licensed by ORS chapter 677 for the purpose of treating or correcting a hearing impairment. [1959 c.634 §1; 1967 c.631 §1; 1971 c.650 §28; 1985 c.227 §3; 1999 c.885 §43; 2005 c.648 §87]

694.020 [Amended by 1955 c.689 §2; repealed by 1959 c.406 §34]

694.025 License required to deal in hearing aids. No person, including an audiologist or a physician, shall deal in hearing aids or display a sign or in any other way advertise or represent that the person deals in hearing aids unless the person holds a valid license issued by the Oregon Health Licensing Agency as provided in ORS 694.015 to 694.185. [1959 c.634 §2; 1967 c.631 §2; 1971 c.650 §29; 1985 c.227 §4; 2005 c.648 §88]

694.028 Conditions for making or sale of hearing aid by temporary licensee. It shall be unlawful for any person holding a temporary license under ORS 694.095 to make or attempt to sell a hearing aid to a person unless the temporary licensee has successfully passed the qualifying examination or the supervising licensee has certified to the Oregon Health Licensing Agency that the temporary licensee has received adequate training. [1985 c.227 §20; 1993 c.133 §1; 2005 c.648 §89]

694.030 [Amended by 1955 c.689 §3; repealed by 1959 c.406 §34]

694.032 Offer for or sale of hearing aid by direct mail; availability of fitting. (1) It shall be unlawful for any person to offer for sale or sell a hearing aid in this state by direct mail.

(2) Any offer for sale or sale of a hearing aid in this state must include the availability

of fitting the hearing aid in this state prior to the sale.

(3) Nothing in this section is intended to prohibit advertising by mail or delivery of a hearing aid by mail if the fitting and sale were completed in this state. [1989 c.858 §2]

694.035 [1959 c.634 §12; 1967 c.631 §3; repealed by 1975 c.673 §1 (694.036 enacted in lieu of 694.035)]

694.036 Statement to prospective hearing aid purchaser; contents; copy retained.

(1) Prior to consummation of the sale of a hearing aid, a person dealing in hearing aids shall deliver to the prospective purchaser a written statement, signed by the person dealing in hearing aids. The statement shall be on a form prescribed by the Oregon Health Licensing Agency that shall include but not be limited to all of the following:

(a) The name and address of the prospective purchaser.

(b) The date of the sale.

(c) Specifications as to the make, serial number and model number of the hearing aid or aids sold.

(d) The address or principal place of business of the person dealing in hearing aids.

(e) A statement to the effect that the aid or aids delivered to the purchaser are used or reconditioned, as the case may be, if that is the fact.

(f) The number of the license of the person dealing in hearing aids.

(g) The terms of any guarantee or expressed warranty, if any, made to the purchaser with respect to such hearing aid or hearing aids, including that provided in ORS 646A.460 to 646A.476 and 694.042.

(h) The address of the agency and the procedure for making a complaint under ORS 694.015 to 694.185.

(i) In no smaller type than the largest used in the body copy portion, the following bordered statement:

It is desirable that a person seeking help with a hearing problem (especially for the first time) consult an ear doctor and obtain a clinical hearing evaluation. Although hearing aids are often recommended for hearing problems, another form of treatment may be necessary.

(j) The signature of the prospective purchaser indicating that the prospective purchaser has read and understands the information contained in the statement.

(2) A duplicate copy of the statement required under subsection (1) of this section shall be kept for one year by the person selling the hearing aid. The statement shall be made available to the agency upon request. [1975 c.673 §2 (enacted in lieu of 694.035); 1985 c.227 §5; 1999 c.81 §2; 1999 c.885 §44; 2005 c.648 §90]

694.040 [Repealed by 1959 c.406 §34]

694.042 Right to rescind hearing aid purchase; grounds; notice of rescission; time limit; refund. (1) In addition to any other rights and remedies the purchaser may have, including rights under ORS 646A.460 to 646A.476, the purchaser of a hearing aid shall have the right to rescind the transaction if:

(a) The purchaser for whatever reason consults a licensed medical physician specializing in diseases of the ear, or an audiologist not licensed under this chapter and not affiliated with anyone licensed under this chapter and licensed medical physician, subsequent to purchasing the hearing aid, and the licensed physician advises such purchaser against purchasing or using a hearing aid and in writing specifies the medical reason for the advice;

(b) The seller, in dealings with the purchaser, failed to adhere to the practice standards listed in ORS 694.142, or failed to provide the statement required by ORS 694.036;

(c) The fitting of the hearing instrument failed to meet current industry standards; or

(d) The licensee fails to meet any standard of conduct prescribed in the law or rules regulating fitting and dispensing of hearing aids and this failure affects in any way the transaction which the purchaser seeks to rescind.

(2) The purchaser of a hearing aid shall have the right to rescind the transaction, for other than the seller's breach, as provided in subsection (1)(a), (b), (c) or (d) of this section only if the purchaser returns the product and it is in good condition less normal wear and tear and gives written notice of the intent to rescind the transaction by either:

(a) Returning the product with a written notice of the intent to rescind sent by certified mail, return receipt requested, to the licensee's regular place of business; or

(b) Returning the product with a written notice of the intent to rescind to an authorized representative of the company from which it was purchased.

(3) The notice described in subsection (2) of this section shall state that the transaction is canceled pursuant to this section. The notice of intent to rescind must be post-marked:

(a) Within 30 days from the date of the original delivery; or

(b) Within specified time periods if the 30-day period has been extended in writing by both parties. The consumer's rescission rights can only be extended through a written agreement by both parties.

(4) If the conditions of subsection (1)(a), (b), (c) or (d) of this section and subsection (2)(a) or (b) of this section have been met, the seller, without further request and within 10 days after the cancellation, shall issue a refund to the purchaser. However, the hearing aid specialist may retain a portion of the purchase price as specified by rule by the Oregon Health Licensing Agency when the purchaser rescinds the sale during the 30-day rescission period. At the same time, the seller shall return all goods traded in to the seller on account of or in contemplation of the sale. The purchaser shall incur no additional liability for the cancellation. [1975 c.673 §6; 1985 c.227 §6; 1993 c.133 §2; 1999 c.81 §3; 2003 c.547 §77; 2005 c.648 §91]

694.045 [1959 c.634 §3; repealed by 1967 c.631 §7]

694.050 [Repealed by 1959 c.406 §34]

694.052 [1985 c.227 §22; repealed by 1997 c.319 §6]

LICENSING

694.055 Application for license; qualifications; fee. An applicant for licensure under this chapter shall pay a fee established by the Oregon Health Licensing Agency under ORS 694.185 and shall show to the satisfaction of the agency that the applicant:

(1) Is a person 18 years of age or older.

(2) Has graduated from high school or has been awarded a General Educational Development (GED) certificate.

(3) Has completed the training and has the experience required under ORS 694.065. [1959 c.634 §4; 1967 c.631 §4; 1973 c.182 §7; 1973 c.827 §76; 1985 c.227 §7; 1993 c.133 §3; 1997 c.319 §1; 2001 c.104 §274; 2003 c.547 §78; 2005 c.648 §92]

694.060 [Repealed by 1959 c.406 §34]

694.065 Training and experience requirements; licensing examination; rules. (1) Before an applicant may take the qualifying examination for licensure under ORS 694.015 to 694.185, the applicant must:

(a) Meet the training and experience requirements established by the Oregon Health Licensing Agency by rule;

(b) Meet the training requirements for licensure as an audiologist or for certification of a licensed physician by the American Board of Otolaryngology; or

(c) Meet the requirements for certification by the National Board for Certification in Hearing Instrument Sciences.

(2) An individual seeking to obtain the experience and training specified in subsection (1)(a) of this section necessary to take the examination shall obtain a trainee registration from the agency pursuant to rules adopted by the agency. A trainee registration issued pursuant to this subsection shall allow the holder of the registration to obtain training and experience only under the direct supervision of a hearing aid specialist licensed in the State of Oregon.

(3) Examination of applicants for licensure under ORS 694.015 to 694.185 shall be held at least once each quarter at such times and places as the agency may determine.

(4) Timely and appropriate notice of the time and place of the examination shall be given to each applicant and to each licensed hearing aid specialist supervising a temporary hearing aid specialist pursuant to rules adopted by the agency.

(5) The agency, in consultation with the Advisory Council on Hearing Aids, shall adopt rules establishing standards for examination scope, format, minimum acceptable performance and reexamination qualifications. The examination shall be sufficiently thorough to determine the qualifications, fitness and ability of the applicant to practice as a hearing aid specialist. The examination may be in the form of written, oral or practical demonstration of skills, or a combination of any such types. The examination shall cover at least the subjects listed in ORS 694.075. [1959 c.634 §§5,5a; 1967 c.631 §5; 1985 c.227 §8; 1993 c.133 §4; 1997 c.319 §2; 1999 c.885 §45; 2003 c.547 §79; 2005 c.648 §93]

694.070 [Repealed by 1959 c.406 §34]

694.075 Examination subject areas; rules. The qualifying examination provided in ORS 694.065 (3) shall include but not be limited to:

(1) Tests of knowledge in the following areas as they pertain to the fitting of hearing aids:

(a) Basic physics of sound.

(b) The human hearing mechanism, including the science of hearing and the causes and rehabilitation of abnormal hearing and hearing disorders.

(c) Structure and function of hearing aids.

(2) Tests of proficiency in the following techniques as they pertain to the fitting of hearing aids:

(a) Pure tone audiometry, including air conduction testing and bone conduction testing.

(b) Live voice or recorded voice speech audiometry, including speech reception

threshold testing and speech discrimination testing.

(c) Effective masking.

(d) Recording and evaluation of audiograms and speech audiometry to determine hearing aid candidacy.

(e) Selection and adaptation of hearing aids and testing of hearing aids.

(f) Taking earmold impressions.

(3) Other relevant subjects established by rule based upon changes or advances in industry technology and health care delivery systems, client safety or current scientific infection control techniques. [1959 c.634 §6; 1997 c.319 §3]

694.080 [Repealed by 1959 c.406 §34]

694.085 Licensing; fees. (1) Subject to ORS 676.612, the agency shall license each applicant, without discrimination, who possesses the required training and experience and who satisfactorily passes the examination and pays the required fees. The license shall be effective for one year following issuance.

(2) The agency shall waive the examination required under subsection (1) of this section and grant a license to an applicant who:

(a) Is licensed by the State Board of Examiners for Speech-Language Pathology and Audiology under ORS 681.250;

(b) Is certified by the Educational Service Board of the American Speech-Language-Hearing Association on or after January 1, 1992, or, if not so certified, satisfies the agency that the applicant possesses equivalent training and education achievements; and

(c) Passes an examination related to Oregon law in the area of hearing aid dispensing and pays the required fees. [1959 c.634 §7; 1973 c.182 §8; 1977 c.873 §14; 1985 c.227 §9; 1991 c.703 §36; 1993 c.133 §5; 1995 c.280 §26; 1997 c.249 §210; 2001 c.104 §275; 2003 c.547 §80]

694.090 [Amended by 1955 c.689 §4; repealed by 1959 c.406 §34]

694.095 Temporary license; duration.

(1) An applicant who fulfills the requirements of ORS 694.055 and 694.065 (1) and who has not previously applied to take the qualifying examination provided under ORS 694.065 (3) or previously been issued a temporary license may apply to the Oregon Health Licensing Agency for a temporary license.

(2) Upon receiving an application provided under subsection (1) of this section accompanied by a fee established by the agency under ORS 694.185, the agency shall issue a temporary license which shall be valid for one year following the date of issuance or

until the date the temporary licensee obtains a permanent license pursuant to ORS 694.085, whichever date occurs first.

(3) A temporary license issued under this section shall allow the holder of the license to practice as a hearing aid specialist only under the supervision of a licensed hearing aid specialist, in accordance with rules adopted by the agency.

(4) If a person who holds a temporary license issued under this section is found by the agency to be dealing in hearing aids without the supervision required in subsection (3) of this section, the agency may revoke or suspend the temporary license. [1959 c.634 §9; 1967 c.631 §6; 1975 c.673 §3; 1985 c.227 §10; 1993 c.133 §6; 1997 c.319 §4; 2001 c.104 §276; 2003 c.547 §81; 2005 c.648 §94]

694.100 [Amended by 1955 c.689 §5; repealed by 1959 c.406 §34]

694.105 [1959 c.634 §10; repealed by 1967 c.631 §7]

694.110 [Amended by 1955 c.689 §6; repealed by 1959 c.406 §34]

694.115 Notice to Oregon Health Licensing Agency of place of business; notice to licensees by agency. (1) A person who holds a license shall notify the Oregon Health Licensing Agency in writing of the regular address of the place or places where the person deals or intends to deal in hearing aids.

(2) The agency shall keep a record of the places of business of persons who hold a license.

(3) Any notice required to be given by the agency to a person who holds a license may be given by mailing it to the address of the last place of business of which the person has notified the agency. [1959 c.634 §11; 1967 c.631 §8; 1985 c.227 §11; 2001 c.104 §277; 2005 c.648 §95]

694.120 [Repealed by 1959 c.406 §34]

694.125 License renewal; fees; rules; effect of failure to renew; display of license; continuing education requirement. (1) All licenses issued under ORS 694.015 to 694.185 expire one year following the date of issuance, unless renewed on or before the expiration date by payment of the required renewal fee and submission of satisfactory evidence of completion of continuing education courses as specified by rule.

(2) A license that has expired less than one year before the date of application for renewal may be renewed upon application therefor and payment of the required renewal fee and upon submission of satisfactory evidence of completion of continuing education as specified by rule, and payment of a delinquency fee.

(3) A license that has expired more than one year but less than three years before the date of application for renewal may be re-

newed upon application therefor and payment of the required renewal fee and delinquency fee and upon submission of satisfactory evidence of completion of continuing education as specified by rule.

(4) A license that has expired more than three years before the date of application for renewal may be reinstated upon application, payment of required fees and completion of other conditions for license issuance as determined by rule.

(5) A license shall be conspicuously posted in public view in the office or place of business of the hearing aid specialist at all times.

(6) The Oregon Health Licensing Agency shall require proof of completion of continuing education as a condition of license renewal as determined by rule. [1959 c.634 §13; 1967 c.631 §9; 1973 c.182 §9; 1977 c.873 §15; 1985 c.227 §12; 1993 c.133 §7; 2003 c.547 §82; 2005 c.648 §96]

694.130 [Amended by 1955 c.689 §7; repealed by 1959 c.406 §34]

694.135 [1959 c.634 §14; 1967 c.631 §10; repealed by 1975 c.673 §4 (694.136 enacted in lieu of 694.135)]

694.136 [1975 c.675 §5 (enacted in lieu of 694.135); 1985 c.227 §13; 1987 c.158 §145; 1993 c.133 §8; 2001 c.104 §278; repealed by 2003 c.547 §118]

694.138 [1971 c.734 §156; 1985 c.227 §14; repealed by 2003 c.547 §118]

694.140 [Repealed by 1959 c.406 §34]

694.142 Standards of practice; rules; duty to refer; exceptions. The Oregon Health Licensing Agency shall adopt by rule standards of practice for hearing aid specialists in providing services to consumers. The standards must include, but are not limited to:

(1) Before fitting or dispensing a hearing aid, the hearing aid specialist shall determine through direct observation and a personal interview whether any of the following conditions exist:

(a) Visible congenital or traumatic deformity of the ear;

(b) Active drainage from the ear within the previous 90 days or a history of active drainage from the ear;

(c) Sudden or rapidly progressive hearing loss within the previous 90 days;

(d) Acute or chronic dizziness;

(e) Unilateral hearing loss of sudden or recent onset within 90 days;

(f) Significant air-bone gap of greater than or equal to 15 decibels, American National Standards Institute, 500, 1,000 and 2,000 Hz average; or

(g) Any other condition that the agency may establish by rule.

(2) If any of the conditions listed in subsection (1) of this section are found, the

hearing aid specialist shall refer the person to a physician licensed under ORS chapter 677 who specializes in diseases of the ear or, if no such licensed physician is available in the community, to any physician licensed under ORS chapter 677.

(3) Within the 90 days prior to fitting or dispensing a hearing aid to a person under 18 years of age, the person receiving the hearing aid must be referred to one of the following licensed medical physicians:

(a) An otolaryngologist for examination and for a recommendation of corrective measures that may be required;

(b) A properly licensed medical physician for like examination and recommendation; or

(c) An audiologist licensed by the State of Oregon for an evaluation of the person's hearing and for a recommendation of corrective measures that may be required if the person is also examined by a properly licensed medical physician who gives approval for possible hearing aid use.

(4) Notwithstanding subsection (3) of this section, replacement of a hearing aid with an identical hearing aid within one year of the initial fitting or dispensing of the hearing aid does not require a referral to a physician.

(5)(a) Hearing aid specialists shall make clear their credentials, never representing that the services or advice of a person licensed to practice medicine and surgery, osteopathy and surgery, or a clinical audiologist will be used or made available in the selection, fitting, adjustment, maintenance or repair of hearing aids when that is not true. Hearing aid specialists shall also refrain from using the word "doctor" or "clinic" or other words, abbreviations or symbols that tend to connote an audiologic, medical or osteopathic profession when that use is not accurate.

(b) A person issued a temporary license shall deal in hearing aids only under supervision of a person licensed under this chapter.

(c) A hearing aid specialist shall maintain a business address and telephone number at which the specialist may be reached during normal business hours.

(d) Sales of hearing aids shall be made by a licensed hearing aid specialist and not by direct mail. For purposes of this paragraph, delivery by mail of a replacement hearing aid or parts does not constitute sale by direct mail.

(6) If the person or the parent or guardian of the person refuses to seek a medical opinion from the physician to whom the person has been referred under subsection (2) or (3) of this section, the person dealing in

hearing aids must obtain from the person or the parents or guardian of the person prior to fitting or dispensing a hearing aid a certificate to that effect in a form prescribed by the agency. Any person dealing in hearing aids or employees and putative agents thereof, upon making the required referral for medical opinion, may not in any manner whatsoever disparage or discourage a prospective hearing aid user from seeking a medical opinion prior to the fitting and dispensing of a hearing aid. Nothing required to be performed by a person dealing in hearing aids under this section means that the person is engaged in the diagnosis of illness or the practice of medicine or any other activity prohibited by the provisions of ORS 694.042 and 694.095 and this section. [2003 c.547 §75; 2005 c.648 §97]

694.145 Prohibited acts and practices.

No person shall:

(1) Sell, barter or offer to sell or barter a license.

(2) Purchase or procure by barter a license with intent to use it as evidence of the holder's qualification to deal in hearing aids.

(3) Alter materially a license with fraudulent intent.

(4) Use or attempt to use as a valid license a license which has been purchased, fraudulently obtained, counterfeited or materially altered.

(5) Willfully make a false, material statement in an application for licensure or for renewal of a license. [1959 c.634 §15; 1967 c.631 §11; 1985 c.227 §15]

694.147 Disciplinary authority of Oregon Health Licensing Agency.

(1) In the manner prescribed in ORS chapter 183 for contested cases, the Oregon Health Licensing Agency may impose a form of discipline listed in ORS 676.612 against any person dealing in hearing aids for any of the grounds listed in ORS 676.612 and for any violation of the provisions of ORS 694.015 to 694.185, or the rules adopted thereunder.

(2) The agency may also impose disciplinary sanctions against a person dealing in hearing aids for any of the following causes:

(a) Failing or refusing to honor or to perform as represented any promise, agreement, warranty or representation in connection with the promotion, dispensing or fitting of a hearing aid.

(b) Advertising a particular model, type or kind of hearing aid for sale that purchasers or prospective purchasers responding to the advertisement cannot purchase.

(c) Failing to adhere to practice standards established by ORS 694.142 or rules

adopted by the agency. [2003 c.547 §83; 2005 c.648 §98]

694.150 [Repealed by 1959 c.406 §34]

ADMINISTRATION

694.155 Powers and duties of Oregon Health Licensing Agency; rules. The powers and duties of the Oregon Health Licensing Agency with regard to dealing in hearing aids are as follows:

(1) To authorize all disbursements necessary to carry out the provisions of ORS 694.015 to 694.185.

(2) To determine training and experience requirements prerequisite to taking the examination and to supervise and administer qualifying examinations to test the knowledge and proficiency of applicants for licensure.

(3) To license persons who apply to the agency and who have qualified to deal in hearing aids.

(4) To purchase and maintain or rent audiometric equipment and facilities necessary to carry out the examination of applicants for licensure.

(5) To issue and renew licenses.

(6) To suspend or revoke licenses in the manner provided in ORS chapter 183.

(7) To appoint representatives to conduct or supervise the examination of applicants for licensure.

(8) To designate the time and place for examining applicants for licensure.

(9) To adopt rules not inconsistent with the laws of this state which are necessary to carry out the provisions of ORS 694.015 to 694.185.

(10) With the advice of the Advisory Council on Hearing Aids, to prescribe safety and sanitation requirements, to require the periodic inspection of the audiometric testing equipment and to carry out the periodic inspection of facilities of persons who deal in hearing aids.

(11) To appoint or employ subordinate employees.

(12) To adopt rules specifying exemptions relating to assistive listening devices. [1959 c.634 §23; 1967 c.631 §12; 1985 c.227 §16; 1993 c.133 §9; 1999 c.885 §46; 2005 c.648 §99]

694.159 [1985 c.227 §21; 1991 c.734 §84; repealed by 2003 c.547 §118]

694.160 [Repealed by 1959 c.406 §34]

694.165 Advisory Council on Hearing Aids; qualifications; terms; compensation and expenses. (1) There is created within the Oregon Health Licensing Agency the Advisory Council on Hearing Aids. The

council shall consist of seven members to be appointed by the Governor.

(2) Members of the council shall be residents of this state. No member of the council shall be a member or employee of the agency.

(3) Membership on the council shall consist of:

(a) One member who is licensed to practice medicine in this state and holds a certificate of qualification from the American Board of Otolaryngology;

(b) One member who holds a clinical certification in audiology with the American Speech-Language-Hearing Association and is a member in good standing with that association;

(c) Four members who are experienced in the fitting of hearing aids and possess the qualifications provided in ORS 694.055; and

(d) One member who is a consumer of hearing aids and does not possess the professional qualifications of the other members.

(4) The term of office of a member is three years beginning on July 1 of the year of appointment. A member shall continue to serve until a successor has been appointed and qualifies. Before a member's term expires, the Governor shall appoint a successor to assume the duties of office on July 1 at the expiration of the predecessor's term. A vacancy in the office of a member shall be filled by appointment for the unexpired term.

(5) Members of the council are entitled to compensation and expenses as provided in ORS 292.495. [1959 c.634 §§16,17,19,20; 1967 c.631 §13; 1969 c.314 §95; 1985 c.227 §17; 1995 c.167 §1; 1999 c.885 §47; 2005 c.648 §100]

694.170 Duties of council. (1) The Advisory Council on Hearing Aids shall have the responsibility and duty of advising the Oregon Health Licensing Agency in all matters relating to ORS 694.015 to 694.185 including standards of practice and professional conduct, shall prepare the examinations required by ORS 694.015 to 694.185 subject to the approval of the agency and shall assist the agency in carrying out the provisions of ORS 694.015 to 694.185.

(2) The agency shall consider and be guided by the recommendations of the council in all matters relating to ORS 694.015 to 694.185. [1959 c.634 §21; 1999 c.885 §48; 2003 c.547 §85; 2005 c.648 §101]

694.175 [1959 c.634 §22; repealed by 1971 c.753 §74]

694.180 [1959 c.634 §24; 1961 c.593 §5; repealed by 1971 c.753 §74]

694.185 Fees; rules; disposition of receipts. (1) The Oregon Health Licensing Agency, by rule, shall establish and collect fees related to dealing in hearing aids for:

- (a) Application;
- (b) Examinations;
- (c) License;
- (d) License renewal;
- (e) License restoration;
- (f) Replacement or duplicate license;
- (g) Delinquency; and
- (h) Providing copies of official documents or records and for recovering administrative costs associated with compiling, photocopying or preparing and delivering the records.

(2) All moneys received by the agency under ORS 694.015 to 694.185 shall be paid into the General Fund in the State Treasury and credited to the Oregon Health Licensing Agency Account, and are appropriated continuously to and shall be used by the agency only for the administration and enforcement of ORS 694.015 to 694.185.

(3) The fees established by the agency under this section are subject to the prior approval of the Oregon Department of Administrative Services. The fees shall not exceed the cost of administering ORS 694.015 to 694.185 pertaining to the purpose for which the fee is established, as authorized by the Legislative Assembly within the budget of the agency, as that budget may be modified by the Emergency Board. [1973 c.427 §4; 1985 c.227 §18; 1999 c.885 §49; 2003 c.547 §86; 2005 c.648 §102]

694.305 [1973 c.199 §1; renumbered 681.205]
694.315 [1973 c.199 §2; renumbered 681.220]
694.325 [1973 c.199 §4; renumbered 681.230]
694.335 [1973 c.199 §3; renumbered 681.250]
694.345 [1973 c.199 §5; renumbered 681.260]
694.355 [1973 c.199 §20; renumbered 681.270]
694.365 [1973 c.199 §22; renumbered 681.280]
694.375 [1973 c.199 §21; renumbered 681.290]
694.385 [1973 c.199 §6; renumbered 681.300]
694.395 [1973 c.199 §23; renumbered 681.310]
694.405 [1973 c.199 §25; renumbered 681.320]
694.415 [1973 c.199 §19; renumbered 681.330]
694.425 [1973 c.199 §24; renumbered 681.340]
694.435 [1973 c.199 §26; renumbered 681.350]
694.445 [1973 c.199 §7; renumbered 681.400]
694.455 [1973 c.199 §§9,11; renumbered 681.410]
694.465 [1973 c.199 §18; renumbered 681.420]
694.475 [1973 c.199 §§12,13; renumbered 681.430]
694.485 [1973 c.199 §14; renumbered 681.440]
694.495 [1973 c.199 §15; renumbered 681.450]
694.505 [1973 c.199 §16; renumbered 681.460]
694.515 [1973 c.199 §17; renumbered 681.470]
694.525 [1973 c.199 §27; renumbered 681.480]

PENALTIES

694.990 [Repealed by 1959 c.406 §34]

694.991 Penalties; concurrent jurisdiction of offenses. (1) Violation of any provision of ORS 694.025, 694.028, 694.032 and 694.145 is a Class B misdemeanor.

(2) Justice courts have concurrent jurisdiction with the circuit courts of violations listed in subsection (1) of this section. [1959 c.634 §§25,26; subsection (3) enacted as 1973 c.199 §28; subsection (3) renumbered 681.991; 2003 c.547 §87; 2005 c.648 §103]

OCCUPATIONS AND PROFESSIONS
