

265 CMR: BOARD OF REGISTRATION OF HEARING INSTRUMENT SPECIALISTS

265 CMR 3.00: PROCEDURE FOR REGISTRATION

Section

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3.01: Application and Licensing

(1) Application.

- (a) Application for licensure must be made on forms furnished by the Board.
- (b) No application shall be acted upon by the Board unless said application is made on forms furnished by the Board, and unless said application is completely and properly filled out, signed under the penalties of perjury, and accompanied by such information as the Board requires.

(2) Licensure. In order to be licensed as a hearing instrument specialist applicants must meet the following requirements for licensure set by M.G.L. c. 112, § 197:

- (a) be 18 years of age or older;
 - (b) have a high school diploma or its equivalent;
 - (c) be of good moral character;
 - (d) have successfully completed a board approved apprenticeship of a minimum of 12 months, including completion of the apprentice training program and supervised work experience, and meet one of the following criteria:
 - 1. hold current certification as a hearing instrument specialist from a board approved, nationally recognized body certifying hearing instrument specialists; or
 - 2. pass a written or electronic examination approved by the board and designed to test competencies and knowledge needed in hearing aid fitting and dispensing; and
 - (e) pay the appropriate fee set by the secretary of administration and finance.
- These requirements are subject to the exceptions provided in 265 CMR 3.01(3).

(3) Licensure by Reciprocity. An individual who holds a license as a hearing instrument specialist or the equivalent thereof as determined by the board from a state which is deemed by the board to have substantially equivalent or higher licensure requirements than those of the commonwealth may be licensed as a hearing instrument specialist without satisfying the requirements of M.G.L. c. 112, § 197(f)(4) or the requirements 265 CMR 3.01(2)(d). The word "state" as used in 265 CMR 3.01(3), shall include a state or territory of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a foreign country, state or province.

3.02: Procedures for Renewal of a License and Renewal of a Lapsed/Expired License

(1) Requirements for Renewal of a License.

- (a) A registrant must renew his or her license every two years. Each license originally issued to an individual shall be valid until April 1st on the odd year next occurring. Upon

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renewal, the license will be valid until April 1st on the odd year next occurring.

(b) A registrant must submit to the Board a completed renewal application and the required fees prior to the expiration date of the license; and

(c) A registrant must fulfill and document the continuing education requirements and standards of practice and conduct as required in 265 CMR 3.00.

3.02: continued

(2) Procedures for Renewal of a Lapsed/Expired License.

(a) If a registrant fails to meet the requirements for renewal of his or her license as set forth in 265 CMR 3.02(1), the license of such person is considered expired and not in good standing. A registrant with an expired license is not authorized to dispense hearing instruments or use the title "hearing instrument specialist" during the period in which the license is expired.

(b) If a registrant requests that his or her expired license be reinstated within four years from the time a registrant's license expires, that individual must pay the renewal fee for the current licensure period, pay one late fee, and document completion of all continuing education contact hours required by the Board since the date the license was last issued/renewed.

(c) If an individual fails to renew his or her license within four years, the registrant must submit a completed renewal form, pay the current renewal fee, pay a late fee, and document completion of the continuing education contact hours required by the Board for the current renewal period. The Board may require the registrant to: appear before the Board, take an examination, complete additional continuing education or to practice under supervision prior to or as a term or condition of issuing said late renewal license.

3.03: Procedures for Reinstatement of a License Which Has Been Revoked, Suspended, Surrendered or Placed on Probation

Procedures for the reinstatement of a license after discipline shall be determined by guidelines established by the Board or, in specific matters, by consent agreement, decision and order of the Board.

3.04: Board Notification of Change in Name or Address

(1) Official Mailing Address. The mailing address supplied to the Board by the Registrant will suffice as the legal address for the receiving of official process or notification from the Board. Failure to supply the Board with an official address for the receiving of legal process or other Board notifications may result in default judgment in any adjudicatory proceeding before the Board.

(2) Change of Address. The registrant shall notify the Board of any change in his or her name, or address. Such notification shall be in writing and shall be submitted within 30 days of the change in name or address. Such written notification may be submitted by electronic mail to the Board's contact address on the Board's website, or by other electronic means approved by the Board.

3.05: License Fee

Biennial license fees are set by the Secretary of Administration and Finance of the Commonwealth of Massachusetts. Fees for those applying between renewal dates shall not be prorated.

3.06: Late Filing Fee

Renewal forms and fees received after the due date will be subject to a late filing fee set by the Secretary of Administration and Finance.

3.07: Application Fee

A separate application fee will be charged for each new application.

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3.08: Reimbursement of Fees

Application and license fees are not refundable.

REGULATORY AUTHORITY

265 CMR 3.00: M.G.L. c. 13, § 94; c. 112, §§ 197, 197A and 198.