

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

FILED SENATE
Mar 25, 2025
S.B. 654
PRINCIPAL CLERK

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SENATE BILL DRS15293-NN-50A

Short Title: End Dual Licensure for Audiologists. (Public)

Sponsors: Senator Sawrey (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED
AN ACT TO MODERNIZE AUDIOLOGY LICENSURE STATUTES BY ELIMINATING
DUAL LICENSURE REQUIREMENTS AND TO REQUIRE DISCLOSURE TO
CONSUMERS WHEN PURCHASING LOCKED HEARING AIDS.

Whereas, it is the intention of the North Carolina General Assembly to promote the
health and welfare of the citizens of this State; and

Whereas, it is the intention of the North Carolina General Assembly to reduce or
eliminate regulatory burdens on businesses; and

Whereas, it is the intention of the North Carolina General Assembly that statutes
governing the profession of audiology reflect current practices, improvements, and other
developments that have occurred in the profession; and

Whereas, the current statutory language does not fully encompass current practices,
improvements, and other developments; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1.(a) Dual Licensure for Audiologists, Audiology Technicians, and
Audiology Assistants Ended. – G.S. 93D-14 reads as rewritten:

"§ 93D-14. Persons not affected.

(a) Nothing in this Chapter shall apply to a physician licensed to practice medicine or
surgery in the State of North Carolina.

(b) Any person who meets the requirements of ~~having both a doctoral degree in~~
~~Audiology and~~ holding a valid ~~permanent-unrestricted~~ license as an ~~audiologist-audiologist,~~
audiology assistant, or certified technician under Article 22 of Chapter 90 of the General Statutes
of North Carolina is exempt from licensure under this Chapter. ~~A person who does not meet both~~
~~requirements of having a doctoral degree in Audiology and holding a valid permanent license as~~
~~an audiologist under Article 22 of Chapter 90 of the General Statutes of North Carolina must~~
~~become a registered apprentice or be licensed by the Board before fitting or selling hearing aids~~
~~in the State of North Carolina.~~

(c) ~~Nothing in this Chapter shall be construed to exempt an audiology assistant or~~
~~certified technician, working under the supervision of a licensee or a person exempt from~~
~~licensure under this Chapter, from being subject to the provisions of this Chapter. Such a person,~~
~~before engaging in fitting or selling hearing aids, as defined in this Chapter, must be registered~~
~~as an apprentice under a Registered Sponsor or be licensed by the Board.~~

(d) The provisions of this Chapter shall not apply to the activities and services of an
audiology student pursuing a course of study in an accredited college or university, if these
activities and services constitute a part of such person's course of study."

SECTION 1.(b) Effective date. – This section is effective when it becomes law.



1 **SECTION 2.(a)** Locked Hearing Aid Disclosures for Hearing Aid Fitters and
2 Dealers. – Chapter 93D of the General Statutes is amended by adding a new section to read:

3 **"§ 93D-7.1. Disclosure of locked hearing aid software; additional disclosures and record**
4 **keeping.**

5 (a) Definitions. – The following definitions apply in this section:

- 6 (1) Locked hearing aid. – A hearing aid that uses either proprietary programming
7 software or locked, nonproprietary programming software that restricts
8 programming or servicing of the device to specific facilities or providers
9 (2) Locked, nonproprietary programming software. – Software that any provider
10 or seller can render inaccessible to other hearing aid programmers.
11 (3) Proprietary programming software. – Software used to program hearing aids
12 that is supplied by a hearing aid distributor or manufacturer for exclusive use
13 by affiliated providers or sellers. This software is locked and inaccessible to
14 nonaffiliated providers or sellers.

15 (b) Disclosure of Locked Programming Software. – To the extent not inconsistent with
16 federal law, any person licensed under this Chapter who sells locked hearing aids shall, before
17 consummating the sale of any locked hearing aid, provide the purchaser with a written notice, in
18 12-point type or larger, stating:

19 "The hearing aid being purchased uses proprietary or locked programming software and can
20 only be serviced or programmed at specific facilities or locations."

21 The purchaser shall sign the notice prior to sale completion. The seller shall retain a copy of
22 the signed notice for at least seven years, subject to the conditions of subsection (d) of this section.

23 (c) Written Receipt of Sale. – Upon consummation of a sale of a locked hearing aid, in
24 addition to complying with G.S. 93D-7, the licensee shall deliver to the purchaser a written
25 receipt signed by or on behalf of the licensee, containing all of the following information:

- 26 (1) The date of consummation of the sale.
27 (2) The make, model number, and serial number of the hearing aid sold.
28 (3) Whether the hearing aid is new, used, or reconditioned.
29 (4) The licensee's name and license number, and the name and license number of
30 any other hearing aid dispenser, apprentice, temporary licensee, or trainee
31 licensee who provided any recommendation or consultation regarding the
32 purchase.
33 (5) The address of the principal place of business of the licensee, and the address
34 and office hours at which the licensee shall be available for fitting or
35 post-fitting adjustments and servicing of the hearing aid sold.
36 (6) The terms of any guarantee or written warranty made to the purchaser with
37 respect to the hearing aid.

38 If multiple locked hearing aids are sold in a single transaction, a single written notice under
39 subsection (b) and a single written receipt under subsection (c) may be used to satisfy the
40 requirements of this section, provided that the required information for each hearing aid sold is
41 clearly documented.

42 (d) Record Keeping. – The licensee shall maintain, for a period of at least seven years
43 after the sale, the following records for each hearing aid sold:

- 44 (1) A copy of the written notice described in subsection (b) of this section as
45 signed by the purchaser.
46 (2) A copy of the written receipt described in subsection (c) of this section.
47 (3) The results of any audiologic tests or measurements performed as part of the
48 fitting and dispensing of the hearing aid or aids.
49 (4) A copy of any written recommendations prepared as part of the fitting and
50 dispensing of the hearing aid or aids.

1 These records shall be kept at the licensee's principal place of practice and shall be made
2 available for inspection by the Board."

3 **SECTION 2.(b)** Rulemaking. – The North Carolina State Hearing Aid Dealers and
4 Fitters Board may adopt rules to implement subsection (a) of this section.

5 **SECTION 3.(a)** Locked Hearing Aid Disclosures for Audiologists. – Article 22 of
6 Chapter 90 of the General Statutes is amended by adding a new section to read:

7 **"§ 90-308. Disclosure of locked hearing aid software by audiologists; receipt and record**
8 **requirements.**

9 (a) Disclosure of Locked Programming Software. – To the extent not inconsistent with
10 federal law, a licensed audiologist who engages in the fitting or selling of locked hearing aids, as
11 defined in G.S. 93D-7.1(a)(1), shall, before consummating the sale of any locked hearing aid,
12 provide the purchasing patient with a written notice in at least 12-point type stating:

13 "The hearing aid being purchased uses proprietary or locked programming software and can
14 only be serviced or programmed at specific facilities or locations."

15 This notice must be signed by the purchasing patient prior to sale completion. The audiologist
16 shall retain a copy of the signed notice in the patient's file in addition to the record requirements
17 of subsection (c) of this section.

18 (b) Receipt of Sale. – Upon the consummation of a sale of a locked hearing aid, in
19 addition to complying with G.S. 93D-7, the audiologist shall give the purchasing patient a written
20 receipt, signed by or on behalf of the audiologist, containing all of the following information:

21 (1) The date of consummation of the sale.

22 (2) The make, model, and serial number of the hearing aid sold.

23 (3) Whether the hearing aid is new, used, or reconditioned.

24 (4) The audiologist's name and license number. If any other hearing care
25 professionals licensed under this Article, such as another audiologist or
26 temporary licensee, provided any recommendation or consultation for the
27 purchase, their name and applicable license number shall also be noted.

28 (5) The address of the principal place of business of the audiologist, and the
29 address and office hours at which the audiologist shall be available for fitting
30 or post-fitting adjustments and servicing of the hearing aid sold.

31 (6) The terms of any guarantee or written warranty made to the purchasing patient
32 with respect to the hearing aid.

33 If multiple locked hearing aids are sold in a single transaction, a single written notice under
34 subsection (a) and a single written receipt under subsection (b) may be used to satisfy the
35 requirements of this section, provided that the required information for each hearing aid sold is
36 clearly documented.

37 (c) Record Keeping. – A licensed audiologist shall maintain, for a period of at least seven
38 years after the sale, the following records for each locked hearing aid transaction:

39 (1) A copy of the written notice described in subsection (a) of this section as
40 signed by the purchasing patient.

41 (2) A copy of the written receipt described in subsection (b) of this section.

42 (3) The results of any audiologic tests or measurements performed as part of the
43 fitting and dispensing of the locked hearing aid or aids.

44 (4) A copy of any written recommendations prepared as part of the fitting and
45 dispensing of the hearing aid or aids.

46 These records shall be kept at the audiologist's principal place of practice and shall be made
47 available for inspection by the Board."

48 **SECTION 3.(b)** Rulemaking. – The North Carolina Board of Examiners for Speech
49 and Language Pathologists and Audiologists may adopt rules to implement subsection (a) of this
50 section.

1 **SECTION 4.** Effective Date. Except as otherwise provided, this act becomes
2 effective October 1, 2025.