Rules and Regulations of the State of Georgia

Department 276 GEORGIA STATE BOARD OF HEARING AID DEALERS AND DISPENSERS

Current through Rules and Regulations filed through October 27, 2026

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ADMINISTRATIVE HISTORY

The Administrative History following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapters 276-1 entitled "Organization", 276-2 entitled "Examinations", 276-3 entitled "Bill of Sale", 276-4 entitled "Definitions", and 276-5 entitled "Procedures and Equipment" have been adopted. Filed November 16, 1970; effective December 7, 1970.

Chapter 276-6 entitled "Interstate Violations" has been adopted. Filed March 12, 1973; effective April 1, 1973.

Rule 276-3-.01 has been amended. Filed July 31, 1973; effective August 20, 1973.

Rule 276-3-.01 has been repealed and a new Rule adopted. Chapter 276-7 entitled "Fees" has been adopted. Filed January 23, 1975; effective February 12, 1975.

Rule 276-5-.03 has been repealed and a new Rule adopted. filed April 22, 1976; effective May 12, 1976.

Chapter 276-8 entitled "Procedural Rules" has been adopted. Filed March 30, 1977; effective April 19, 1977.

Chapter 276-9 entitled "Application for Dealers License" has been adopted. Filed April 7, 1978; effective April 27, 1978.

Chapters 276-1 to 276-9 have been repealed by Georgia Laws 1978, pages 1728 to 1743; effective April 3, 1978.

Emergency Rule Chapters 276-1-0.1 entitled "Organization" and 276-7-0.2 entitled "Fees" adopted. Filed August 31, 1978; effective August 25, 1978, the date of adoption, to be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter is adopted, as specified by the Agency. (These Emergency Rules will not be published; copies may be obtained from the Agency.)

Emergency Rule Chapter 276-1-0.3 entitled "Organization" adopted. Filed February 16, 1979; effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-1-0.3 expired on May 28, 1979.)

Emergency Rule 276-2-0.4, entitled "Examinations," containing Rules 276-2-0.4-.01 through 276-2-0.4-.08, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-2-0.4 expired on May 28, 1979.)

Emergency Rule 276-3-0.5, entitled "Bill of Sale," containing Rule 276-3-0.5-.01, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rules, as specified by the Agency. (Emergency Rule 276-3-0.5 expired on May 28, 1979.)

Emergency Rule 276-4-0.6, entitled "Definitions," containing Rule 276-4-0.6-.01 and 276-4-0.6-.02, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-4-0.6 expired on May 28, 1979.)

Emergency Rule 276-5-0.7, entitled "Procedures, Equipment, Calibrations and Records," containing Rules 276-5-0.7-.01 through 276-5-0.7-.04, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-5-0.7 expired on May 28, 1979.)

Emergency Rule 276-6-0.8, entitled "Interstate Violations," containing Rule 276-6-0.8-.01, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-6-0.8 expired on May 28, 1979.)

Emergency Rule 276-7-0.9, entitled "Fees," containing Rules 276-7-0.9-.01 through 276-7-0.9-.04, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-7-0.9 expired on May 28, 1979.)

Emergency Rule 276-8-0.10, entitled "Procedural Rules," containing Rule 276-8-0.10-.01, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-8-0.10 expired on May 28, 1979.)

Emergency Rule 276-9-0.11, entitled "Attachments to Applications," containing Rules 276-9-0.11-.01 through 276-9-0.11-.04, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-9-0.11 expired on May 28, 1979.)

Emergency Rule 276-10-0.12, entitled "Continuing Education," containing Rules 276-10-0.12-.01 through 276-10-0.12-.06, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-10-0.12 expired on May 28, 1979.)

Emergency Rule 276-11-0.13, entitled "Annual Reports," containing Rule 276-11-0.13-.01, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-11-0.13 expired on May 28, 1979.)

Emergency Rule 276-12-0.14, entitled "Complaints and Investigations," containing Rules 276-12-0.14-.01 through 276-12-0.14-.04, was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the

effective date of permanent Rules covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-12-0.14 expired on May 28, 1979.)

Chapter 276-1, entitled "Organization," containing Rules 276-1-.01 through 276-1-.06, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-2, entitled "Examinations," containing Rules 276-2-.01 through 276-2-.08, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-3, entitled "Bill of Sale," containing Rule 276-3-.01, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-4, entitled "Definitions," containing Rules 276-4-.01 and 276-4-.02, adopted. Filed May 16, 1979; effective June 5, 1979.

Chapter 276-5, entitled "Procedures, Equipment, Calibrations and Records," containing Rules 276-5-.01 through 276-5-.04, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-6, entitled "Interstate Violations," containing Rule 276-6-.01, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-7, entitled "Fees," containing Rules 276-7-.01 through 276-7-.04, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-8, entitled "Procedural Rules," containing Rule 276-8-.01, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-9, entitled "Attachments to Applications," containing Rules 276-9-.01 through 276-9-.04, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-10, entitled "Continuing Education," containing Rules 276-10-.01 through 276-10-.06, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-11, entitled "Annual Reports," containing Rule 276-11-.01, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-12, entitled "Complaints and Investigations," containing Rules 276-12-.01 through 276-12-.04, was filed on May 16, 1979; effective June 5, 1979.

Rules 276-10-.02 and 276-10-.03 have been repealed and new Rules of the same numbers adopted. Rules 276-10-.04 and 276-10-.05 have been repealed and Rule 276-10-.06 renumbered as 276-10-.04. Filed November 15, 1979; effective December 5, 1979.

Rule 276-1-.06 has been repealed and a new Rule 276-1-.06 adopted. Filed October 2, 1980; effective October 22, 1980.

Chapter 276-5 has been repealed and a new Chapter 276-5, of the same title, containing Rules 276-5-.01 through 276-5-.04, adopted. Filed October 2, 1980; effective October 22, 1980.

Rule 276-1-.06 has been amended. Filed July 24, 1981; effective August 13, 1981.

Rule 276-2-.06 has been amended. Filed July 24, 1981; effective August 13, 1981.

Rules 276-4-.03 and 276-4-.04 have been adopted. Filed July 24, 1981; effective August 13, 1981.

Rule 276-10-.02 has been amended. Filed July 24, 1981; effective August 13, 1981.

The title of Rule 276-10-.03 has been changed and said Rule has been further amended by the repeal of paragraph (1) and by the adoption of a new paragraph (1). Filed July 24, 1981; effective August 13, 1981.

Rules 276-7-.01 and 276-7-.02 have been repealed and new Rules of the same numbers adopted. Filed June 4, 1982; effective June 24, 1982.

Rule 276-10-.01 has been repealed and a new Rule 276-10-.01 adopted. Filed July 19, 1982; effective August 8, 1982.

Rule 276-2-.01 has been repealed and a new Rule 276-2-.01 adopted. Filed November 8, 1983; effective November 28, 1983.

Rule 276-5-.04 has been amended by the repeal of paragraphs (1) and (3) and by the adoption of new paragraphs of the same numbers. Filed November 8, 1983; effective November 28, 1983.

Subparagraph 276-9-.01(c) has been repealed and a new subparagraph 276-9-.01(c) adopted. Filed November 8, 1983; effective November 28, 1983.

Rule 276-9-.01 has been amended by the repeal of subparagraph (c) and by the adoption of a new subparagraph (c). Filed July 17, 1984; effective August 6, 1984.

Chapter 276-10 has been repealed and a new Chapter adopted. Filed July 17, 1984; effective August 6, 1984.

Rule 276-5-.04 has been amended. Filed August 23, 1985; effective September 12, 1985.

Rule 276-10-.02 has been amended. Filed June 24, 1988; effective July 14, 1988.

Chapter 276-7 has been repealed and a new Chapter adopted. Filed February 3, 1989; effective February 23, 1989.

Rule 276-2-.01 has been repealed and a new Rule adopted. Filed January 19, 1990; effective February 8, 1990.

Chapter 276-7 has been repealed and a new Chapter adopted. Filed October 7, 1991; effective October 27, 1991.

Rule 276-11-.01 has been amended. Filed September 28, 1992; effective October 18, 1992.

Rule 276-2-.01 has been amended. Filed October 4, 1993; effective October 24, 1993.

Rule 276-1-.01 has been repealed and a new Rule adopted. Filed September 13, 1994; effective October 3, 1994.

Rules 276-2-.02 and 276-2-.03 have been repealed and new Rules adopted. Filed January 11, 1995; effective January 31, 1995.

Rule 276-2-.01 has been repealed and a new Rule adopted. Filed November 29, 1995; effective December 19, 1995.

Rules 276-5-.01, .03 have been repealed and new Rules adopted. Filed April 15, 1997; effective May 5, 1997.

Rules 276-4-.02, 276-10-.01, .02 have been amended. Filed December 2, 1997; effective December 22, 1997.

Rules 276-1-.04, 276-3-.01, 276-10-.02 have been amended. Filed September 23, 1998; effective October 13, 1998.

Rules 276-2-.01, .02 have been repealed and new Rules adopted. Filed February 10, 1999; effective March 2, 1999.

Rule 276-10-.02 has been repealed and a new Rule adopted. Filed September 28, 2001; effective October 18, 2001.

Rule 276-10-.02 has been repealed and a new Rule adopted. Chapter 276-13 entitled "Unprofessional Conduct and Professionally Immoral Acts" has been adopted. Filed January 2, 2004; effective January 22, 2004.

Rules 276-1-.01, 276-2-.01, and 276-7-.01 have been repealed and new Rules adopted. Filed December 27, 2004; effective January 16, 2005.

Rule 276-12-.03 has been repealed and a new Rule adopted. Filed May 31, 2006; effective June 20, 2006.

Rule 276-1-.03 has been repealed and a new Rule adopted. Filed September 20, 2007; effective October 10, 2007.

Rules 276-1-.01, .05, 276-2-.01, .02, .04, .08, 276-3-.01, 276-5-.01, .03, .04, 276-7-.01, 276-12-.01, and .03 have been repealed and new Rules adopted. Rules 276-1-.06, 276-2-.03, .05 to .07,

276-11-.01, 276-12-.02, and .04 have been repealed. Chapter 276-4 has been repealed and a new Chapter adopted. Chapter 276-9 has been repealed. Rule 276-13-.01 has been amended by retitling the Rule. Filed June 9, 2008; effective June 29, 2008.

Rules 276-10-.01 and .02 have been repealed and new Rules adopted. Chapter 276-14 entitled "Renewal and Reinstatement Process" has been adopted. Filed July 15, 2009; effective August 4, 2009.

Rule 276-10-.02 has been repealed and a new rule entitled "Continuing Education" adopted. F. Sep. 17, 2012; eff. Oct. 7, 2012.

Rule 276-14-.03 amended. F. Dec. 7, 2012; eff. Dec. 27, 2012.

Chapter 276-9, entitled "Attachments to Applications," containing Rules 276-9-.01 through 276-9-.04, was filed on May 16, 1979; effective June 5, 1979.

Chapter 276-9 entitled "Permits," containing Rule 276-9-.01, adopted. F. Jan. 26, 2015; eff. Feb. 15, 2015.

Rule 276-9-.02 entitled "Training Permit" adopted. Rule 276-13-.01 amended. F. Jan. 29, 2015; eff. Feb. 18, 2015.

Rules 276-3-.01, 276-10-.02, 276-13-.01 amended. F. Mar. 16, 2016; eff. Apr. 5, 2016.

Rules 276-2-.01, 276-10-.01, 276-14-.01 amended. Rule 276-2-.04, Chapter 276-12 (Rules 276-12-.01, .03) repealed. Chapter 276-7 entitled "Fees, Renewal, and Reinstatement," amended by chapter title change to "Fees." F. Dec. 21, 2016; eff. Jan. 10, 2017.

Rule 276-14-.03 amended. F. Apr. 13, 2017; eff. May 3, 2017.

Chapter 276-12 entitled "Military Spouses and Transitioning Service Members," containing Rule 276-12-.01, adopted. F. Sep. 21, 2017; eff. Oct. 11, 2017.

Rules 276-10-.02, 276-14-.02 amended. F. June 10, 2022; eff. June 30, 2022.

Cite as Ga. Comp. R. & Regs. R. dept. 276, ADMINISTRATIVE HISTORY

Chapter 276-1. ORGANIZATION.

Rule 276-1-.01. Organization of Board.

The Georgia State Board of Hearing Aid Dealers and Dispensers shall consist of seven members; four of whom shall hold licenses issued by the board and one of whom shall be a diplomat or eligible for certification by the American Board of Otolaryngology and licensed to practice medicine in this state; one of whom shall be a licensed audiologist; and one of who shall be appointed from the public at large. Each member shall be appointed by the Governor with the approval of the Secretary of State.

Cite as Ga. Comp. R. & Regs. R. 276-1-.01
Authority: O.C.G.A. Secs. 43-20-1, 43-20-4 to 43-20-6.
History. Original Rule entitled "Organization" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-1-0.1-.01 entitled "Organization" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-1-0.3-.01 entitled "Organization of Board" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Sept. 13, 1994; eff. Oct. 3, 1994.
Repealed: New Rule of same title adopted. F. Dec. 27, 2004; eff. Jan. 16, 2005.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Rule 276-1-.02. Officers.

The Officers of the Board shall be Chairman, Vice-Chairman who shall be elected from among the members at each annual meeting and shall serve for a term of one year and until their successors shall have been elected.

Cite as Ga. Comp. R. & Regs. R. 276-1-.02
Authority: Ga. L. 1978, pp. 1728-1743.
History. Original Rule entitled "Organization of Board" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-1-0.1-.02 entitled "Organization of Board" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-1-0.3-.02 entitled "Officers" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.

Rule 276-1-.03. Meetings.

The Board shall meet once a quarter. Additional meetings may be called by the Chair of the Board.

Cite as Ga. Comp. R. & Regs. R. 276-1-.03
Authority: O.C.G.A. Secs. 43-20-5, 43-20-6.
History. Original Rule entitled "Officers" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-1-0.1-.03 entitled "Officers" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-1-0.3-.03 entitled "Meetings" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.

Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Sept. 20, 2007; eff. Oct. 10, 2007.

Rule 276-1-.04. Quorum.

Four members shall constitute a quorum, but any action taken at any meeting shall require at least four votes in accord.

Cite as Ga. Comp. R. & Regs. R. 276-1-.04
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Meetings" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-1-0.1-.04 entitled "Meetings" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-1-0.3-.04 entitled "Quorum" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Amended: F. Sept. 23, 1998; eff. Oct. 13, 1998.

Rule 276-1-.05. Duties of the Chairman and Vice-Chairman.

The Chairman shall preside at all meetings and shall perform such other duties as the Board may direct. The Vice-Chairman shall preside in absence of the Chairman.

Cite as Ga. Comp. R. & Regs. R. 276-1-.05
Authority: O.C.G.A. Secs. 43-20-4, 43-20-6.
History. Original Rule entitled "Quorum" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-1-0.1-.05 entitled "Quorum" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-1-0.3-.05 entitled "Duties of the Chairman and Vice-Chairman" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of the same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Rule 276-1-.06. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-1-.06
Authority: O.C.G.A. Secs. 43-20-4, 43-20-6.
History. Original Rule entitled "Duties of the Chairman and Vice-Chairman" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-1-0.1-.06 entitled "Duties of the Chairman and Vice-Chairman" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-1-0.3-.06 entitled "Duties of the Secretary" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of the same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of the same title adopted. F. Oct. 2, 1980; eff. Oct. 22, 1980.
Amended: F. July 24, 1981; eff. August 13, 1981.

Repealed: F. June 9, 2008; eff. June 29, 2008.

Rule 276-1-.07. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-1-.07
Authority: Ga. L. 1978, pp. 1728-1743.
History. Original Rule entitled "Duties of the Secretary" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.

Chapter 276-2. EXAMINATIONS.

Rule 276-2-.01. Examination.

The Examination of applicants for a dispenser's license and an apprentice permit shall be conducted at least once during each calendar quarter.

Cite as Ga. Comp. R. & Regs. R. 276-2-.01
Authority: O.C.G.A. §§ 43-20-6.
History. Original Rule entitled "Time and Place of Examination" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. Apr. 3, 1978.
Amended: ER. 276-2-0.4-.01 entitled "Time and Place of Examination" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Amended: F. Nov. 8, 1983; eff. Nov. 28, 1983.
Repealed: New Rule of same title adopted. F. Jan. 19, 1990; eff. Feb. 8, 1990.
Amended: F. Oct. 4, 1993; eff. Oct. 24, 1993.
Repealed: New Rule of same title adopted. F. Nov. 29, 1995; eff. Dec. 19, 1995.
Repealed: New Rule of same title adopted. F. Feb. 19, 1999; eff. Mar. 2, 1999.
Repealed: New Rule of same title adopted. F. Dec. 27, 2004; eff. Jan. 16, 2005.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.
Amended: New title "Examination." F. Dec. 21, 2016; eff. Jan. 10, 2017.

Rule 276-2-.02. Content of Examination.

The examination shall consist of sections on the: physics of sound; structure and function of the ear; measurement of hearing levels as they pertain to the fitting of hearing aids; selection and adaptation of hearing aids to persons with deficient hearing; making of impressions for ear molds; jurisprudence; and of medical and rehabilitation agencies and referral methods. The Board in its discretion may adopt and administer as its examination the final Examination for Certification of the International Hearing Society, and may employ the grading services of the International Hearing Society. This shall in no way remove from the discretion of the Board the right to review such grades or the right to examine applicants in subjects other than those contained in the International Hearing Society examination.

Cite as Ga. Comp. R. & Regs. R. 276-2-.02
Authority: O.C.G.A. Secs. 43-1-2, 43-20-6, 43-20-8, 43-20-9.
History. Original Rule entitled "Content of Examination" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-2-0.4-.02 entitled "Content of Examination" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Jan. 11, 1995; eff. Jan. 31, 1995.
Repealed: New Rule of same title adopted. F. Feb. 10, 1999; eff. Mar. 2, 1999.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Rule 276-2-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-2-.03
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "National Hearing Aid Society Examination" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-2-0.4-.03 entitled "National Hearing Aid Society Examination" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule entitled "International Hearing Society Examination" adopted. F. Jan. 11, 1995; eff. Jan. 31, 1995.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Rule 276-2-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-2-.04
Authority: O.C.G.A. § 43-20-6.
History. Original Rule entitled "Conduct of Examination" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. Apr. 3, 1978.
Amended: ER. 276-2-0.4-.04 entitled "Conduct of Examination" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.
Repealed: F. Dec. 21, 2016; eff. Jan. 10, 2017.

Rule 276-2-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-2-.05
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Grading" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-2-0.4-.05 entitled "Grading" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Rule 276-2-.06. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-2-.06
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Notification of Examination Results" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-2-0.4-.06 entitled "Notification of Examination Results" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Amended: F. July 24, 1981; eff. August 13, 1981.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Rule 276-2-.07. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-2-.07
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Appeal" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-2-0.4-.07 entitled "Revocation of Apprentice Dispenser's Permit" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Rule 276-2-.08. Appeal.

A professional licensing board shall have the authority to refuse to grant a license to an applicant upon a finding by a majority of the entire board that the applicant has:

(1) Failed to demonstrate the qualifications or standards for a license. If the Board is not satisfied as to the applicant's qualifications, it may deny a license without prior hearing; provided however, that the applicant shall be allowed to appear before the board if he or she so desires.

Cite as Ga. Comp. R. & Regs. R. 276-2-.08
Authority: O.C.G.A. Secs. 43-1-19, 43-1-25, 43-20-6.
History. Original Rule entitled "Appeal" adopted as ER. 276-2-0.4-.08. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Chapter 276-3. BILL OF SALE.

Rule 276-3-.01. Bill of Sale.

At the time of delivery, the dealer or dispenser shall provide to the person supplied with a hearing aid a bill of sale. The bill of sale will contain, as a minimum, the following:

(a) Dealer and Dispenser information:

1. Dealer name and license number.
2. Dispenser name and license or permit number.
3. Street address and office hours of dealer location.

(b) Hearing Aid information:

1. Make, mode l, and serial number.
2. Description of Condition (new, reconditioned, used).
3. Statement whether there is a guarantee or warranty and the terms thereof.

(c) Price, Refund and Credit information:

1. Sale price including any discount(s), trade-in allowance(s) and sales tax(es).
2. On the written receipt or bill of sale, in all capital letters shall be printed, or rubber stamped, in black or blue ink, at least twelve (12) point type size, one of the following paragraphs:

   THE SALE OF THIS HEARING AID IS FINAL. I UNDERSTAND I AM NOT ENTITLED TO A REFUND OR CREDIT.

   (or)

   I READ, UNDERSTAND AND HAVE SIGNED OR INITIALED A COPY OF THE REFUND AND RETURN POLICY. THE POLICY STATES IF, AND UP UNTIL WHAT DATE, I CAN RETURN THE HEARING AID FOR A FULL REFUND, A PARTIAL REFUND OF WHAT PERCENTAGE, OR A FULL OR PARTIAL CREDIT. THE POLICY ALSO IDENTIFIES WHAT FEES, IF ANY, FOR SERVICES WILL BE REFUNDED OR CREDITED WHEN THE HEARING AID IS RETURNED FOR REFUND OR CREDIT.

3. The dealer will provide a copy of the refund policy to the person purchasing the hearing aid. The copy of the refund policy should be signed with a separate signature or initials of the customer and the copy that is signed or initialed by the customer will be maintained on file by the dealer with the bill of sale, for at least six (6) years after the delivery of the hearing aid.

(d) Test information:

1. Serial number of audiometer used for examination.

2. Date of most recent calibration of audiometer in (a) above.

(e) User and purchaser information:

1. Name and street address of hearing aid user.

2. Name and address of purchaser. If the same as user, indicate on bill of sale.

3. Date of delivery to user or purchaser.

4. Signature of purchaser to acknowledge receipt of the hearing aid and copy of the bill of sale.

Cite as Ga. Comp. R. & Regs. R. 276-3-.01
Authority: O.C.G.A. §§ 43-20-6, 43-20-13.
History. Original Rule entitled "Bill of Sale" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Amended: F. July 31, 1973; eff. August 20, 1973.
Repealed: New Rule of same title adopted. F. Jan. 23, 1975; eff. Feb. 12, 1975.
Repealed: By Ga. L. 1978; eff. Apr. 3, 1978.
Amended: ER. 276-3-0.5-.01 entitled "Bill of Sale" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Sept. 23, 1998; eff. Oct. 13, 1998.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.
Amended: F. Mar. 16, 2016; eff. Apr. 5, 2016.

Chapter 276-4. DEFINITIONS.

Rule 276-4-.01. Satisfactory Relationship.

Satisfactory relationship shall mean:

(a) The Dealer allows and requires the dispenser, apprentice(s) or trainee to record the Dealer's name, license number, address, and office hours on each and every Bill-of-Sale;

(b) The Dealer agrees to be the office of record for all tests and fittings made by the apprentice, dispenser or trainee;

(c) The Dealer agrees to provide follow up services to all users/purchasers fitted with a hearing aid by the dispenser, apprentice or trainee;

(d) The Dealer agrees to provide routine information for the dispensers, apprentices and trainees to the Board;

(e) The dispenser, apprentice or trainee agrees to provide the original test records and other documentation to the Dealer for retention in accordance with Board rules.

Cite as Ga. Comp. R. & Regs. R. 276-4-.01
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Direct Supervision" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-4-0.6-.01 entitled "Satisfactory Relationship" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Rule 276-4-.02. Office, Store, or Location Established or Maintained for the Dispensing of Hearing Aid Services or Instruments.

(1) An office, store, or location established or maintained for the dispensing of hearing aid devices or instruments shall mean any location presented to the public as a place for dispensing hearing aids. A location established or maintained to sell batteries and/or cords only shall not be so construed. All locations must be licensed by Board with physical address of actual location on license.

(2) Notification of any change of physical location and form for new license shall be mailed to the Board within seven (7) calendar days.

Cite as Ga. Comp. R. & Regs. R. 276-4-.02
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Office, Store, or Location Established or Maintained for the Dispensing of Hearing Aid Devices or Instruments" adopted as ER. 276-4-0.6-.02. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule entitled "Office, Store, or Location Established or Maintained for the Dispensing of Hearing Aid Services or Instruments" adopted. F. May 16, 1979; eff. June 5, 1979.
Amended: F. Dec. 2, 1997; eff. Dec. 22, 1997.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Rule 276-4-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-4-.03
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Calibration Report" adopted. F. July 24, 1981; eff. August 13, 1981.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Rule 276-4-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-4-.04
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Duplicate License" adopted. F. July 24, 1981; eff. August 13, 1981.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Chapter 276-5. PROCEDURES, EQUIPMENT, CALIBRATIONS AND RECORDS.

Rule 276-5-.01. Procedures.

(1) Appropriate procedures to be employed in the selection of a hearing aid shall mean the making and recording results of tests of air and bone conduction for both ears; testing and recording level of most comfortable loudness and level of discomfort (Tolerance Level). Masking shall be employed and results recorded when appropriate. Speech discrimination tests shall be made, recorded, and used in the selection of hearing aids. Test data used in the selection process shall not be more than 6 months old.

(a) All practices by licensees shall be in the best interest of persons served professionally.

(b) Licensees shall counsel persons served as to the nature and limitations of the services and products.

(c) Minimal procedures used in the dispensing of hearing aids shall be appropriate to the individual subject. Deviations from 276-5-.01(1) shall be supported by the test record and defensible by the responsible dispenser.

(2) Licensees shall evaluate products dispensed to determine effectiveness based on recognized standards of practice. Measures of evaluation may include but are not limited to: sound field measurement, real ear measurement and client evaluation sheets.

Cite as Ga. Comp. R. & Regs. R. 276-5-.01
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Procedures" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-5-0.7-.01 entitled "Procedures" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Oct. 2, 1980; eff. Oct. 22, 1980.
Repealed: New Rule of same title adopted. F. Apr. 15, 1997; eff. May 5, 1997.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Rule 276-5-.02. Equipment.

Each dispenser shall have available an instrument or instruments approved by the Board capable of performing the tests described under the procedure section of these rules.

Cite as Ga. Comp. R. & Regs. R. 276-5-.02
Authority: Ga. L. 1978, pp. 1728 - 1743.
History. Original Rule entitled "Equipment" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-5-0.7-.02 entitled "Equipment" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Oct. 2, 1980; eff. Oct. 22, 1980.

Rule 276-5-.03. Calibration.

Licensees shall use calibrated equipment in the delivery of professional services and shall maintain calibration reports for six (6) years. Equipment shall be calibrated annually, or more frequently if in accordance with the manufacturer's specifications, and shall have calibrator's certification that post-calibration readings meet or exceed **American National Standards Institute ("ANSI") standards.** Calibration reports shall contain as a minimum the following:

(a) Audiometer's identification including make, model, and serial number;

(b) Calibrator's identification including company name and location and name of technician responsible for work;

(c) Post calibration readings for air and bone conduction, speech, signal leakage, attenuation linearity, and masking;

(d) Calibrator's certification that post calibration readings meet or exceed ANSI standards;

(e) Date of calibration.

Cite as Ga. Comp. R. & Regs. R. 276-5-.03
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Calibration" adopted. F. Nov. 16, 1970; eff. Dec. 7, 1970, as specified by the Agency.
Repealed: New Rule of same title adopted. F. Apr. 22, 1976; eff. May 12, 1976.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-5-0.7-.03 entitled "Calibration" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Oct. 2, 1980; eff. Oct. 22, 1980.
Repealed: New Rule of same title adopted. F. Apr. 15, 1997; eff. May 5, 1997.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Rule 276-5-.04. Records.

(1) Records required. Required records include results of all hearing tests given, copies of medical information and waivers provided voluntarily, bills of sale, and equipment calibration reports. Test results must include the date of test and the name and license or permit number of the tester. Tests conducted under the supervision of a physician, state licensed audiologist, or masters degree audiologist may be accepted, at the discretion of the dealership, but the records of tests must be part of the dealers records and must show the date of test, name of tester, and the name of the supervising physician or audiologist.

(2) Record retention. The dealer shall (upon the consummation of a sale of a hearing aid) keep and maintain records in his or her office or place of businesses at all times and maintained for a period of six years each records listed below:

(a) the original of all equipment calibration reports, tests, bills of sale, and related documentation for all fittings made or recommended by all dispensers (apprentices) and trainees working within the dealership.

(b) Records of outside tests, records of tests made by a physician, state licensed audiologist, or masters degree audiologist, who have not entered into a satisfactory relationship with the dealer, where a hearing aid selection is made. It is the responsibility of the dispenser to insure that all tests required by the Board rules have been conducted and used in the selection process.

(c) In complying with the Board regulation on Records, licensees are required to maintain evidence that they have met all of the regulations embodied in section 801.421 of the Department of H.E.W.; FDA, regulations on Hearing Aid Devices.

Cite as Ga. Comp. R. & Regs. R. 276-5-.04
Authority: O.C.G.A. Secs. 43-20-6, 43-20-7.
History. Original Rule entitled "Records" adopted as ER. 276-5-0.7-.04. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Oct. 2, 1980; eff. Oct. 22, 1980.
Amended: F. Nov. 8, 1983; eff. Nov. 28, 1983.
Amended: F. Aug. 23, 1985; eff. Sept. 12, 1985.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.

Chapter 276-6. INTERSTATE VIOLATIONS.

Rule 276-6-.01. Regulations.

Violation of laws regulating the fitting and dispensing of hearing aids, in any other state, by a person licensed by this Board, while he is visiting or residing in such other state, may be considered as unethical conduct by the Board.

Cite as Ga. Comp. R. & Regs. R. 276-6-.01
Authority: Ga. Laws, 1978. pp. 1728-1743.

History. Original Rule entitled "Regulations" was filed on March 12, 1973; effective April 1, 1973.
Amended: Rule repealed by Georgia Laws 1978, pp. 1728-1743, effective April 3, 1978.
Amended: Emergency Rule 276-6-0.8-.01, entitled "Regulations" was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-6-0.8-.01 expired on May 28, 1979.)
Amended: Rule entitled "Regulations" adopted. Filed May 16, 1979; effective June 5, 1979.

Chapter 276-7. FEES.

Rule 276-7-.01. Fees.

Refer to fee schedule for appropriate fees payable to the Board. The required fee must accompany the appropriate application as indicated on a fee schedule adopted by the Board.

Cite as Ga. Comp. R. & Regs. R. 276-7-.01
Authority: O.C.G.A. Secs. 43-1-4, 43-1-7, 43-1-19, 43-20-6 to 43-20-8, 43-20-14.
History. Original Rule entitled "Registration and Examination Fees" adopted. F. Jan. 23, 1975; eff. Feb. 17, 1975.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-7-0.2-.01 entitled "License Fees" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-7-0.9-.01 entitled "Registration and Examination Fees" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule entitled "Application and Renewal Fees" adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. June 4, 1982; eff. June 24, 1982.
Repealed: New Rule of same title adopted. F. Feb. 3, 1989; eff. Feb. 23, 1989.
Repealed: New Rule entitled "Fees" adopted. F. Oct. 7, 1991; eff. Oct. 27, 1991.
Repealed: New Rule entitled "Fees, Renewal, and Reinstatement" adopted. F. Dec. 27, 2004; eff. Jan. 16, 2005.
Repealed: New Rule entitled "Fees" adopted. F. June 9, 2008; eff. June 29, 2008.

Rule 276-7-.02. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-7-.02
Authority: O.C.G.A. Secs. 43-20-6 to 43-20-8, 43-20-14.
History. Original Rule entitled "Renewal Fees" adopted. F. Jan. 23, 1975; eff. Feb. 12, 1975.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-7-0.2-.02 entitled "Permit Fees" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-7-0.9-.02 adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Feb. 3, 1989; eff. Feb. 23, 1989.
Repealed: F. Oct. 7, 1991; eff. Oct. 27, 1991.

Rule 276-7-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-7-.03
Authority: O.C.G.A. Secs. 43-20-6 to 43-20-8, 43-20-14.
History. Original Rule entitled "Penalty Fees" adopted. F. Jan. 23, 1975; eff. Feb. 12, 1975, as specified by the

Agency.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER. 276-7-0.2-.03 entitled "Examination Fees" adopted. F. Aug. 31, 1978; eff. Aug. 25, 1978, the date of adoption.
Amended: ER. 276-7-0.9-.03 adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Feb. 3, 1989; eff. Feb. 23, 1989.
Repealed: F. Oct. 7, 1991; eff. Oct. 27, 1991.

Rule 276-7-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-7-.04
Authority: O.C.G.A. Secs. 43-20-6 to 43-20-8, 43-20-14.
History. Original Rule entitled "Continuing Education Fees" adopted as ER. 276-7-0.9-.04. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Feb. 3, 1989; eff. Feb. 23, 1989.
Repealed: F. Oct. 7, 1991; eff. Oct. 27, 1991.

Rule 276-7-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-7-.05
Authority: O.C.G.A. Secs. 43-20-6 to 43-40-8, 43-20-14.
History. Original Rule entitled "Duplicate Certificate Fees" adopted. F. Feb. 3, 1989; eff. Feb. 23, 1989.
Repealed: F. Oct. 7, 1991; eff. Oct. 27, 1991.

Chapter 276-8. PROCEDURAL RULES.

Rule 276-8-.01. Procedural Rules.

The State Board of Hearing Aid Dealers and Dispensers hereby adopts by reference as its permanent rules Chapters 295-3 through 295-13, and any future amendments thereto, Rules and Regulations of the Office of the Joint Secretary, State Examining Boards, relating to Procedures for Hearings before the several State Examining Boards.

Cite as Ga. Comp. R. & Regs. R. 276-8-.01
Authority: Ga. Laws, 1978, pp. 1728-1743.
History. Original Rule entitled "Procedural Rules" was filed on March 30, 1977; effective April 19, 1977.
Amended: Rule repealed by Georgia Laws 1978, pp. 1728-1743, effective April 3, 1978.
Amended: Emergency Rule 276-8-0.10-.01, entitled "Procedural Rules" was filed on February 16, 1979, having become effective January 29, 1979, the date of adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the same subject matter, superseding said Emergency Rule, as specified by the Agency. (Emergency Rule 276-8-0.10-.01 expired on May 28, 1979.)
Amended: Rule entitled "Procedural Rules" adopted. Filed May 16, 1979; effective June 5, 1979.

Chapter 276-9. PERMITS.

Rule 276-9-.01. Apprentice Permit.

(1) In order to apply for a hearing aid apprentice permit, the applicant shall:

(a) Submit an Application for a Hearing Aid Apprenticeship Permit and the required fee;

(b) Submit a "Statement of Supervision" from the licensed Georgia hearing aid dispenser who will supervise the apprentice permit holder's practice;

(c) Submit a "Statement of Supervision" from the licensed Georgia hearing aid dealer who will employ the apprentice permit holder, supervise the apprentice permit holder and who can attest that the applicant is capable of making the tests and applying the techniques required to dispense hearing aids in accordance with OCGA 43-20;

(d) Submit proof of age as confirmed in a secure and verifiable document, as defined in Code Section 50-36-2;

(e) Submit proof of passage of the practical portion of the examination required for a license to dispense hearing aids.

(2) Upon approval of the application, a non-renewable apprentice permit will be issued for a period of one (1) year. A non-renewable, one-year apprentice permit allows the permit holder to practice while in an apprenticeship and under the supervision of a licensed dispenser.

(a) The applicant may request delay in issuance of the apprentice permit for good cause shown, and the granting, or denial, of such request is within the discretion of the Board. The holder of an apprentice permit may request a stay of the effective period of the permit for good cause shown, and the granting, or denial, of such request is within the discretion of the Board.

(b) Every apprentice permit holder shall be approved to sit for the next available written exam and every subsequent scheduled examination until all sections of the written exam are passed, or the permit expires or is revoked by the Board. The board shall have the power to revoke a permit without a hearing if the holder of an apprentice dispenser permit fails to pass the written portion of the examination on two occasions.

(3) An apprentice permit holder shall be at all times the permit is in force in an "apprenticeship" under the indirect supervision of a Georgia licensed hearing aid dispenser. Adequate supervision by a Georgia licensed hearing aid dispenser shall include, but not be limited to, the following:

(a) Indirect supervision means the Georgia licensed hearing aid dispenser responsible for the apprentice permit holder's supervision is, at a minimum, accessible by telephone during working hours and must be readily available to the apprentice permit holder for direction, guidance and instruction;

(b) The supervising Georgia licensed hearing aid dispenser shall be in face-to-face contact for a minimum of eight (8) hours during the apprentice permit holder's work week. The onsite contacts shall include, but are not be limited to, a documented review by the supervisor of all paperwork prepared, and the direct observation of testing procedures by the apprentice permit holder;

(c) Both supervisors and supervisees are required to maintain a contemporaneous record of the date, duration and a brief summary of the pertinent activity for each supervision session to be submitted to the Board upon request. At any time the Board has the right to request documentation of supervision.

(d) While under indirect supervision of a Georgia licensed hearing aid dispenser, an apprentice permit holder may engage in the practice of dispensing of hearing aid devices.

(4) There may be no more than two (2) apprentice permit holders under a supervising Georgia licensed hearing aid dispenser at any given time. Apprentice permit holders must cause a current supervising Georgia licensed hearing aid dispenser to submit to the Board in writing that they are no longer the apprentice permit holder's supervisor, and the reason for the disassociation in order for an apprentice permit holder to obtain a new supervising Georgia licensed hearing aid dispenser.

(5) All apprentice permit holders must be identified as such by name tags. Dealers employing apprentice permit holders shall post office signage indicating apprentice permit holders are present and may be involved in the fitting and dispensing of hearing aid devices.

Cite as Ga. Comp. R. & Regs. R. 276-9-.01
Authority: O.C.G.A. §§ 43-20-3, 43-20-6, 43-20-9 and 43-20-11.
History. Original Rule entitled "Attachments to Application" adopted. F. Apr. 7, 1978; eff. Apr. 27, 1978.
Repealed: By Ga. L. 1978; eff. April 3, 1978.
Amended: ER 276-9-0.11-.01 entitled "Attachments to Dealer License Applications" adopted. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Amended: F. Nov. 8, 1983; eff. Nov. 28, 1983.
Amended: F. July 17, 1984; eff. August 6, 1984.
Repealed: F. June 9, 2008; eff. June 29, 2008.
Adopted: New Rule entitled "Apprentice Permit." F. Jan. 26, 2015; eff. Feb. 15, 2015.

Rule 276-9-.02. Training Permit.

(1) In order to apply for a hearing aid training permit, the applicant shall:

(a) Submit an Application for a Hearing Aid Training Permit and the required fee;

(b) Submit a "Statement of Supervision" from the licensed Georgia hearing aid dispenser who will supervise the training permit holder's practice;

(c) Proof of Age as confirmed in a secure and verifiable document, as defined in Code Section 50-36-2.

(2) Once approved and issued, the training permit shall authorize the person to dispense hearing aids only under "DIRECT SUPERVISION AND IMMEDIATE OBSERVATION" of a Georgia licensed hearing aid dispenser who shall be responsible for trainee's compliance with this chapter. Adequate supervision by a Georgia licensed hearing aid dispenser shall include, but not be limited to, the following:

(a) Direct supervision means the Georgia licensed hearing aid supervising dispenser shall be physically present with the training permit holder at all times in the Georgia licensed dealership.

(b) A training permit is issued only for a six (6) month period and may be renewed as often as necessary for subsequent six (6) month time periods so long as the requirements for issuance of permits are met for each renewal. In order to renew a training permit, the permit holder must submit an application for a training permit indicating renewal and the required fee.

(c) Both supervisors and supervisees are required to maintain a contemporaneous record of the dates, duration, type and a brief summary of the pertinent activity of the supervision to be submitted to the Board upon request. At any time the Board has the right to request documentation of supervision.

(d) While under the direct supervision and immediate observation of a Georgia licensed hearing aid dispenser, a training permit holder may engage in the practice of dispensing of hearing aid devices.

(3) In order to become a licensed Hearing Aid Dispenser the holder of a training permit must pass all portions of the practical and written examinations required for licensure.

(4) The holder of a training permit may apply for an apprentice permit at any time pursuant to Board rule 276-9-.01, however, both permits cannot be held at the same time.

(5) There may be no more than one (1) training permit holder under a supervising Georgia licensed hearing aid dispenser at any given time. Training permit holders must cause a current supervising Georgia licensed hearing aid dispenser to submit to the Board in writing that they are no longer the training permit holder's supervisor, and the reason for the disassociation in order for a training permit holder to obtain a new supervising Georgia licensed hearing aid dispenser.

(6) All training permit holders must be identified as such by name tags. Dealers employing training permit holders shall post office signage indicating training permit holders are present and may be involved in the fitting and dispensing of hearing aid devices.

Cite as Ga. Comp. R. & Regs. R. 276-9-.02
Authority: O.C.G.A. §§ 43-20-6, 43-20-11 and 43-20-12.
History. Original Rule entitled "Attachments to Dispenser License Applications" adopted as ER. 276-9-0.11-.02. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. June 9, 2008; eff. June 29, 2008.
Adopted: New Rule entitled "Training Permit." F. Jan. 29, 2015; eff. Feb. 18, 2015.

Rule 276-9-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-9-.03
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Attachments to Apprentice Dispenser Permit Applications" adopted as ER. 276-9-0.11-.03. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Rule 276-9-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-9-.04
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Attachments to Training Permit Applications" adopted as ER. 276-9-0.11-.04. F. Feb. 16, 1979; eff. January 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Chapter 276-10. CONTINUING EDUCATION.

Rule 276-10-.01. Continuing Education - Dispensers.

All applicants for biennial renewal of dispenser licenses shall submit proof to the Board of satisfactory completion of twenty (20) hours of Board approved continuing education relevant to the licensee's professional practice. The renewal period begins January 1st of every even number year to December 31st of the following odd number year, **except** that an initially licensed dispenser licensee shall be exempt from meeting the requirements of this Rule if, at the time of renewal, said dispensing licensee has been licensed for a period of time less than two (2) years. Continuing education hours completed by an initially licensed dispenser licensee, who at the time of renewal has been initially licensed for less than a two (2) year period, will not be available or "carried over" for credit to meet the requirement for the next biennial license renewal.

Cite as Ga. Comp. R. & Regs. R. 276-10-.01
Authority: O.C.G.A. §§ 43-20-6, 43-20-15.
History. Original Rule entitled "Background" adopted as ER. 276-10-0.12-.01. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. July 19, 1982; eff. August 8, 1982.
Repealed: New Rule of same title adopted. F. July 17, 1984; eff. August 6, 1984.
Amended: F. Dec. 2, 1997; eff. Dec. 22, 1997.
Repealed: New Rule entitled "Continuing Education - Dispensers" adopted. F. July 15, 2009; eff. August 4, 2009.
Amended: F. Dec. 21, 2016; eff. Jan. 10, 2017.

Rule 276-10-.02. Continuing Education.

(1) Courses offered by the following are preapproved by the Board as means of acquiring the required continuing education hours for license renewal subject to the specific categories as outlined in paragraph 3 of this rule.

(a) International Institute for Hearing Instrument Studies

(b) International Hearing Society

(c) Georgia Society of Hearing Professionals

(d) American Speech-Language-Hearing Association

(e) Georgia Speech-Language-Hearing Association

(f) American Academy of Otolaryngology, Head and Neck Surgery, Inc.

(g) Georgia Academy of Audiology

(h) College courses taken for credit or through official audit or seminars sponsored by such colleges

(i) Audiology Online (www.audiologyonline.com)

(j) American Academy of Audiology

(2) All educational opportunities other than those offered by various state approved/sanctioned academies, societies and associations require prior approval from the Board within thirty (30) days prior to the scheduled date of such program. Applications for approval must include sponsor, date, location, subjects, scope, instructors, qualifications of instructors, and classroom hours for each subject.

(3) Of the required hours, two (2) must be in the medical area (face-to-face only, NOT online), two (2) must be in jurisprudence (Georgia laws and rules) and/or ethics, two (2) must be in patient management. The remainder of hours may be obtained as product specific or on the topic of practice building. Effective January 1, 2016, a hearing aid

dispenser must obtain a minimum of twenty (20) hours of continuing education per biennium.

(a) Online Hours: Of the required total continuing education hours, a total of six (6) hours must be obtained face-to-face, in person (of these 6 hours, the 2 required hours in the medical area MUST be obtained face-to-face, in person). Prior to December 31, 2015, the remaining eight (8) hours may be obtained via online means, however, NO more than four (4) hours may be obtained online in any given twenty-four (24) hour period. Effective January 1, 2016, a hearing aid dispenser must obtain a minimum of twenty (20) hours of continuing education per biennium. No more than fourteen (14) hours of the required twenty (20) may be obtained via online means with NO more than four (4) hours obtained online in any given twenty-four (24) hour period.

(b) Approved areas of study to satisfy the two (2) hours in the medical area are:

1. Anatomy and physiology
2. Diseases of the ear
3. Disease control
4. Otoscopy
5. Tinnitus

(c) Approved areas of study to satisfy the two (2) hours in patient management are:

1. Testing
2. Rehabilitation
3. Counseling
4. Impressions of the ear

(4) The method of reporting continuing education hours to the Board, IF selected for a Continuing Education Hours audit, shall be as follows:

(a) Each licensed hearing aid dispenser shall be responsible for maintaining certificates of attendance and any course descriptions, schedules, syllabuses, synopses or abstracts of course content for continuing education courses taken to satisfy the requirements for continuing education for a period of four (4) years from the date of attendance. Licensees who are **audited** shall submit the certificates of attendance along with the course descriptions. Additional verifications may be requested by the Board.

(b) Continuing Education Hours must be obtained within the two-year licensure cycle, i.e., between January 1st of every Even Numbered year and December 31st of the subsequent Odd Numbered year.

(c) The Board shall audit the required continuing education hours of a percentage of dispenser licensees for compliance with all rules and regulations. This percentage shall not be less than fifteen percent (15%) of the licensed Hearing Aid dispensers, randomly selected, each biennium renewal period.

(d) At the time of license renewal, each dispenser shall certify to the Georgia Board of Hearing Aid Dealers and Dispensers that he/she has completed the continuing education credits required for license renewal.

(e) In the event a licensee, who is audited, fails to submit certificates of continuing education attendance, and other documentation referred to in paragraph (4)(a) above, of having satisfied the continuing education requirements for license renewal, the application will not be processed until the continuing education audit is completed

(f) Current (licensed) members of the Board shall also be audited for each renewal cycle that they serve on the Board.

Cite as Ga. Comp. R. & Regs. R. 276-10-.02
Authority: O.C.G.A. §§ 43-1-25, 43-20-6(d), 43-20-15(c).
History. Original Rule entitled "Hearing Instruments Institute" adopted as ER. 276-10-0.12-.02. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule, same title adopted. F. Nov. 15, 1979; eff. Dec. 5, 1979.
Amended: Rule retitled "National Institute for Hearing Instruments Studies." F. July 24, 1981; eff. August 13, 1981.
Repealed: New Rule entitled "Continuing Education" adopted. F. July 17, 1984; eff. August 6, 1984.
Amended: F. June 24, 1988; eff. July 14, 1988.
Amended: F. Dec. 2, 1997; eff. Dec. 22, 1997.
Amended: F. Sept. 23, 1998; eff. Oct. 13, 1998.
Repealed: New Rule, same title adopted. F. Sept. 28, 2001; eff. Oct. 18, 2001.
Repealed: New Rule of same title adopted. F. Jan. 2, 2004; eff. Jan. 22, 2004.
Repealed: New Rule entitled "Continuing Education Courses" adopted. F. July 15, 2009; eff. August 4, 2009.
Repealed: New Rule entitled "Continuing Education" adopted. F. Sep. 17, 2012; eff. Oct. 7, 2012.
Amended: F. Mar. 16, 2016; eff. Apr. 5, 2016.
Amended: F. June 10, 2022; eff. June 30, 2022.

Rule 276-10-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-10-.03
Authority: O.C.G.A. Sec. 43-20-15.
History. Original Rule entitled "Educational Opportunities Other than Hearing Instrument Institute" adopted as ER. 276-10-0.12-.03. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. Nov. 15, 1979; eff. Dec. 5, 1979.

Amended: Rule retitled "Education Opportunities Other than National Institute for Hearing Instruments Studies". F. July 24, 1981; eff. August 13, 1981.
Repealed: F. July 17, 1984; eff. August 6, 1984.

Rule 276-10-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-10-.04
Authority: O.C.G.A. Sec. 43-20-15.
History. Original Rule entitled "Proof of Attendance" adopted as ER. 276-10-0.12-.04. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule entitled "Fees" adopted. F. Nov. 15, 1979; eff. Dec. 5, 1979.
Repealed: F. July 17, 1984, eff. August 6, 1984.

Rule 276-10-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-10-.05
Authority: Ga. L. 1978, pp. 1728-1743.
History. Original Rule entitled "Recording and Documentation" adopted as ER. 276-10-0.12-.05. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. Nov. 15, 1979; eff. Dec. 5, 1979.

Rule 276-10-.06. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-10-.06
Authority: Ga. L. 1978, pp. 1728-1743.
History. Original Rule entitled "Fees" adopted as ER. 276-10-0.12-.06. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. Nov. 15, 1979; eff. Dec. 5, 1979.

Chapter 276-11. ANNUAL REPORTS.

Rule 276-11-.01. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-11-.01
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Annual Reports" adopted as ER. 276-11-0.13-.01. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Amended: F. Sept. 28, 1992; eff. Oct. 18, 1992.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Chapter 276-12. MILITARY SPOUSES AND TRANSITIONING SERVICE MEMBERS.

Rule 276-12-.01. Military Spouses and Transitioning Service Members.

The Board will consider applications for military spouses and transitioning service members as defined in O.C.G.A. § 43-1-34(2017) subject to the following:

(a) As used in this rule, the following terms shall mean:

1. "Military" means the United States armed forces, including the National Guard.

2. "Military spouse" means a spouse of a service member or transitioning service member.

3. "Service member" means an active or reserve member of the armed forces, including the National Guard.

4. "Transitioning service member" means a member of the military on active duty status or on separation leave who is within 24 months of retirement or 12 months of separation.

(b) A military spouse or transitioning service member may qualify for a license hearing aid dispenser license by endorsement where the applicant:

1. Holds a license in good standing from another state for which the training, experience, and testing substantially meet or exceed the requirements to obtain a license as a Hearing Aid Dispenser in Georgia;

2. Has submitted to the Board a verification of licensure from the appropriate licensing agency referenced in number (1) above showing that the applicant's active license is in good standing in that state;

3. Has submitted documentation satisfactory to the Board which verifies the applicant's status as a military spouse or transitioning service member as defined in O.C.G.A. § 43-1-34;

4. Has submitted a completed application for licensure by endorsement on a form approved by the Board, has paid the required fee;

5. Has taken and passed the Georgia Jurisprudence (Laws and Rules) Examination of the Georgia State Board of Hearing Aid Dealers and Dispensers; and,

6. Complete the required nationwide fingerprint background check (see Board's home page for information: www.sos.ga.gov/plb/hearingaid)

(c) Effective July 1, 2017, military spouses and transitioning service members may qualify for expedited processing of the license application for any license or permit issued by the Board by showing that the applicant is a military spouse or transitioning service member and that the applicant has paid the fee and meets the requirements for a license or permit under the laws and rules for the type of license for which the applicant has applied.

Cite as Ga. Comp. R. & Regs. R. 276-12-.01
Authority: O.C.G.A. §§ 43-1-34, 43-20-6.
History. Original Rule entitled "Procedure" adopted as ER. 276-12-0.14-.01. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. June 9, 2008; eff. June 29, 2008.
Repealed: F. Dec. 21, 2016; eff. Jan. 10, 2017.
Adopted: New Rule entitled "Military Spouses and Transitioning Service Members." F. Sep. 21, 2017; eff. Oct. 11, 2017.

Rule 276-12-.02. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-12-.02
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Log" adopted as ER. 276-12-0.14-.02. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Rule 276-12-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-12-.03
Authority: O.C.G.A. § 43-20-6.
History. Original Rule entitled "Reviewing Official" adopted as ER. 276-12-0.14-.03. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: New Rule of same title adopted. F. May 31, 2006; eff. June 20, 2006.
Repealed: New Rule entitled "Cognizant" adopted. F. June 9, 2008; eff. June 29, 2008.
Repealed: F. Dec. 21, 2016; eff. Jan. 10, 2017.

Rule 276-12-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 276-12-.04
Authority: O.C.G.A. Sec. 43-20-6.
History. Original Rule entitled "Investigations" adopted as ER. 276-12-0.14-.04. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.
Amended: Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.
Repealed: F. June 9, 2008; eff. June 29, 2008.

Chapter 276-13. UNPROFESSIONAL CONDUCT.

Rule 276-13-.01. Unprofessional Conduct.

O.C.G.A. §§ 43-1-19 and 43-20-16 authorize the Board to take disciplinary action against licensees for unprofessional conduct or committing any professionally immoral act. Unprofessional conduct shall include, but not be limited to, the following:

(a) Dispensing a hearing aid device or instrument in the absence of an appropriate dispenser/client relationship. An appropriate dispenser/client relationship exists when:

1. The licensed dispenser assumes the responsibility for the dispensing of a hearing aid device or instrument and exercises the judgment necessary regarding conducting testing, determining the suitability for use of a hearing aid, assisting with the selection of suitable aids to properly compensate the hearing condition, to fit aids to the client and to counsel and instruct in the use of the hearing aid device or instrument;

2. The licensed dispenser has a sufficient knowledge of the client to initiate at least a general or preliminary determination of a hearing deficiency. This means that the dispenser has recently seen and is personally acquainted with the client by virtue of a proper examination and/or by appropriate and timely follow-up evaluation; and

3. The dispenser is readily available for follow-up care in case of the failure of the device or instrument.

(b) Failure of a licensed Georgia hearing aid dispenser to supervise an apprentice or training permit holder with regard to the minimum requirements stipulated for a Georgia licensed hearing aid dispenser supervisor as defined in rule 276-9-.01 and 276-9-.02.

(c) Failure of a licensed Dealer to post office signage indicating training and apprentice permit holders are present and may be involved in the fitting and dispensing of hearing aid devices when utilizing training or apprentice permit holders.

(d) Failure of a licensed dispenser, training or apprentice permit holder to wear a tag or badge identifying the license or permit held.

Cite as Ga. Comp. R. & Regs. R. 276-13-.01
Authority: O.C.G.A. §§ 43-1-19, 43-20-6, 43-20-16.
History. Original Rule entitled "Unprofessional Conduct and Professionally Immoral Acts" adopted. F. Jan. 2, 2004; eff. Jan. 22, 2004.
Amended: Rule retitled "Unprofessional Conduct". [The title was the only change to Rule.] F. June 9, 2008; eff. June 29, 2008.
Amended: F. Jan. 29, 2015; eff. Feb. 18, 2015.
Amended: F. Mar. 16, 2016; eff. Apr. 5, 2016.

Chapter 276-14. RENEWAL AND REINSTATEMENT PROCESS.

Rule 276-14-.01. Renewal of License.

Hearing Aid Dealers and Dispenser licenses shall expire on December 31st of every odd numbered year. **Licensed Dispensers** are required to obtain twenty (20) continuing education hours in accordance with Board Rule 276-10.

Cite as Ga. Comp. R. & Regs. R. 276-14-.01
Authority: O.C.G.A. §§ 43-20-6, 43-20-15.
History. Original Rule entitled "Renewal of License" adopted. F. July 15, 2009; eff. August 4, 2009.
Amended: F. Dec. 21, 2016; eff. Jan. 10, 2017.

Rule 276-14-.02. Late Renewal.

Each license will expire and must be renewed by December 31st of every odd numbered year. A license not renewed by December 31st of every odd numbered year will be considered for late renewal until January 31st of the subsequent even numbered year by the payment of the current renewal fee, plus an additional 50% of the renewal fee. Late renewal applications must be accompanied by proof that all CE requirements (Dispensers) have been met for the current biennium renewal period.

Cite as Ga. Comp. R. & Regs. R. 276-14-.02
Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-25, 43-20-6(b), (d), 43-20-14, 43-20-15.
History. Original Rule entitled "Late Renewal" adopted. F. July 15, 2009; eff. August 4, 2009.
Amended: F. June 10, 2022; eff. June 30, 2022.

Rule 276-14-.03. Reinstatement of License.

Following the late renewal penalty period, all non-renewed licenses will be revoked by operation of law for non-renewal, and an application for reinstatement must be submitted to seek re-licensure.

(a) Reinstatement shall be within the sole discretion of the Board.

(b) A person applying for reinstatement shall submit the following:

1. For both **dealer and dispenser** applicants for reinstatement, a completed reinstatement application and the **non-refundable** reinstatement application fee; and

2. For only **dispenser** applicants for reinstatement, applying within one (1) year of the effective date of the lapsed license, verification of twenty (20) hours of Board

approved continuing education obtained within two years prior to the date the reinstatement application is received by the Board administrative staff (Refer to Board Rule 276-10 for continuing education information).

3. For only **dispenser** applicants for reinstatement, applying after one (1) year of the effective date of the lapsed license, verification of the retake and passage of both the written and practical examinations required for licensure within one year prior to the date the reinstatement application is received by the Board administrative staff, and verification of twenty (20) hours of Board approved continuing education obtained within two years prior to the date the reinstatement application is received by the Board administrative staff (Refer to Board Rule 276-10 for continuing education information).

(c) Individuals currently/actively licensed and practicing full time in the field of dispensing hearing aids in another state or jurisdiction filing for the reinstatement of a Georgia hearing aid dispensers license shall submit verification of twenty (20) hours of Board approved continuing education obtained within two years prior to the date of the reinstatement application (Refer to Board Rule 276-10 for continuing education information).

Cite as Ga. Comp. R. & Regs. R. 276-14-.03
Authority: O.C.G.A. §§ 43-1-19, 43-20-6.
History. Original Rule entitled "Reinstatement of License" adopted. F. July 15, 2009; eff. August 4, 2009.
Amended: F. Dec. 7, 2012; eff. Dec. 27, 2012.
Amended: F. Apr. 13, 2017; eff. May 3, 2017.

Rule 276-14-.04. Revocation.

The Board shall have the authority to revoke a license of a licensee pursuant to O.C.G.A. 43-1-19 and O.C.G.A. 43-20-16. The voluntary surrender of a license or the failure to renew a license in accordance with Board rules shall have the same effect as a revocation of said license.

Cite as Ga. Comp. R. & Regs. R. 276-14-.04
Authority: O.C.G.A. Secs. 43-1-19, 43-1-25, 43-20-6, 43-20-16.
History. Original Rule entitled "Revocation" adopted. F. July 15, 2009; eff. August 4, 2009.