

By: Senator(s) Nunnelee

To: Public Health and Welfare

SENATE BILL NO. 2924

1 AN ACT TO AMEND SECTION 73-14-7, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE APPOINTMENT PROCESS FOR THE HEARING AID ADVISORY  
3 COUNCIL; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 73-14-7, Mississippi Code of 1972, is  
6 amended as follows:

7 73-14-7. (1) The powers and duties of the Mississippi State  
8 Board of Health under this chapter are as follows:

9 (a) To authorize all disbursements necessary to carry  
10 out the provisions of this chapter.

11 (b) To supervise and administer qualifying examinations  
12 to test the knowledge and proficiency of applicants for a license.

13 (c) To license persons who apply to the board and who  
14 are qualified to practice the fitting, dispensing and selling of  
15 hearing aids.

16 (d) To purchase and maintain or rent audiometric  
17 equipment and facilities necessary to carry out the examination of  
18 applicants for license.

19 (e) To issue and renew licenses.

20 (f) To suspend or revoke licenses pursuant to this  
21 chapter.

22 (g) To appoint representatives to conduct or supervise  
23 the examining of applicants for license.

24 (h) To designate the time and place for examining  
25 applicants for license.

26 (i) To make and publish rules and regulations not  
27 inconsistent with the laws of this state which are necessary to

28 carry out the provisions of this chapter, in compliance with the  
29 provisions of Section 25-43-1 et seq., Mississippi Code of 1972,  
30 which is the Administrative Procedures Law.

31 (j) To require the periodic inspection and calibration  
32 of audiometric testing equipment and to carry out the periodic  
33 inspection of facilities of persons who practice the fitting or  
34 selling of hearing aids.

35 (k) To establish minimum requirements of test  
36 procedures and test equipment to be used in the fitting of hearing  
37 aids pursuant to this chapter, also the retention of all fittings  
38 and records of fittings by the dealer.

39 (l) To make appointments to the Hearing Aid Advisory  
40 Council as required under this chapter.

41 (2) The Hearing Aid Advisory Council appointed pursuant to  
42 Section 73-14-7 is hereby continued and reconstituted as follows:

43 The council shall consist of seven (7) members, each of whom  
44 shall have practiced and resided for at least three (3) years in  
45 the state, four (4) of whom are licensed hearing aid specialists  
46 who do not currently hold any other professional license regulated  
47 by the State Board of Health, one (1) of whom is a licensed  
48 audiologist, one (1) of whom is a licensed physician, board  
49 certified in otolaryngology, and one (1) of whom is a person of  
50 the board's own choosing from the state at large, and said person  
51 shall be hearing impaired. The person of the board's choosing  
52 shall not be a member of nor have personal interest in any  
53 organization associated with hearing aid specialists. The term of  
54 appointment shall not exceed three (3) years, and no person shall  
55 serve more than two (2) full consecutive terms. No more than  
56 three (3) members shall be appointed to said council from any one  
57 (1) Supreme Court district. Nominations for appointments to the  
58 Hearing Aid Advisory Council may be received by the Mississippi  
59 State Board of Health from the Mississippi Hearing Aid Dealers  
60 Association for the positions represented by licensed hearing aid

61 specialists, from the Mississippi Speech and Hearing Association  
62 for the positions represented by a licensed audiologist, and from  
63 the Mississippi Medical Association for the position represented  
64 by a licensed physician. Appointments to the council to fill a  
65 vacancy occurring for other than expiration of a term shall only  
66 be made for the remainder of the expired term. The council shall  
67 promulgate such rules and regulations by which it shall conduct  
68 its business. Members of the council shall receive no salary for  
69 services performed on the council but may be reimbursed for their  
70 reasonable and necessary actual expenses incurred in the  
71 performance of the same, from funds provided for such purpose.  
72 The council shall assist and advise the board in the development  
73 of regulations and standards governing the licensure of hearing  
74 aid dealers. Council members may be removed from office if found  
75 guilty of any violation of any provision of this chapter. A  
76 council member subject to formal disciplinary proceedings shall  
77 disqualify himself from any council business until the charge is  
78 resolved. A member must also disqualify himself from any council  
79 business on which he may not make an objective evaluation and/or  
80 decision.

81       **SECTION 2.** This act shall take effect and be in force from  
82 and after July 1, 2007.