

February 13, 2017

The Honorable Daniel Hawkins
Chair
Health and Human Services Committee
Kansas House of Representatives

Re: Testimony regarding House Bill 2195

Dear Chair Hawkins and Members of the Committee:

On behalf of the International Hearing Society (IHS), I am writing to express concern with House Bill 2195. IHS believes that an independent board made up of practicing professionals is the best way to ensure thorough and appropriate oversight and consumer protections. Most importantly, IHS would like to urge the legislature to ensure that all hearing aid dispensers, whether audiologists or hearing aid specialists, are held to the same standards—including all practice requirements, professional and legal obligations, and continuing education requirements.

The International Hearing Society, founded in 1951, is a professional membership organization representing hearing aid dispensing professionals worldwide. IHS' membership and leadership include both hearing aid specialists and audiologists.

An Independent Board

In Kansas, and as is most common across the United States, the dispensing of hearing aids is overseen by an independent board. Being both a healthcare profession and a profession with a significant technological component, expertise in both areas is necessary to provide meaningful oversight and adjudicate complaints. While the proposed legislation maintains an advisory board, decision making power is transferred to the Secretary of Aging and Disability Services. Currently, decisions regarding the profession are made by a board composed of experts in the field who understand the nuances of the profession and are best able to evaluate the appropriateness and full impact of regulatory policy. Under the proposed bill, the Secretary would be empowered to make unilateral decisions, regardless of the fact that they do not necessarily have any direct knowledge of the field and that their attention must be divided between the numerous responsibilities beyond the regulation of the hearing aid dispensing profession.

IHS questions the need for the administrative change proposed by the bill at this time. We are unaware of any sense of need for this shift from either the board members or from the professionals regulated by the board. We encourage the legislature to carefully examine the motivations of those advocating for this bill. Attempts have been made in the past to weaken the regulations concerning dispensing audiologists in the state—specifically a desire to eliminate the requirement for audiologists to obtain a license in order to fit and dispense hearing aids. We are concerned that this shift of decision making authority away from the independent board is a first step in that effort.

Maintaining Standards

IHS firmly believes that all individuals engaging in the profession of fitting and dispensing hearing aids should be held to the same standards and treated equally within the sphere of providing hearing aid services.

A commonly cited concern raised by those advocating for the removal of licensing requirements for audiologists is the that audiologists wishing to dispense hearing aids are required to apply for two licenses and be regulated by two separate boards. This has been presented as an unfair and illogical burden for audiologists. It is not.

Audiologists are not required to dispense hearing aids and are not required to be licensed by the Kansas Board of Examiners in Fitting and Dispensing Hearing Instruments. In order to perform the duties of an audiologist under their scope of practice they need only be licensed as an audiologist. Audiologists who acquire a hearing aid dispensing license do so willingly because they wish to engage in that separate and distinct licensed activity.

The state of Kansas has recognized the practice of dispensing hearing aids as an activity that should be restricted only to licensed individuals. All individuals, regardless of background, wishing to engage in the restricted activity of dispensing hearing aids should be required to obtain a license to do so.

The effort to remove licensing requirements for audiologists seems to be primarily motivated by the desire to save dispensing audiologists money in licensing fees. That personal financial motivation is not justification enough to jeopardize consumer protections or professional standards.

Conclusion

As there seems to be no pressing need for this realignment, we encourage the committee to reject HB 2195 at this time. Should the committee decide to move forward with the administrative realignment, we encourage the adoption of amendments to the bill that would strengthen the involvement of the professional board in the rule making process by requiring approval of the board for regulatory changes. We would also encourage language be added to clarify that all individuals engaging in fitting and dispensing hearing aids will continue to be held to identical regulatory requirements regardless of profession.

Thank you for your time and consideration.

Sincerely,



Michael Grogan
Government Affairs Manager