



2023 SENATE BILL 373

August 9, 2023 - Introduced by Senators CABRAL-GUEVARA, CARPENTER, FELZKOWSKI, KNODL, SPREITZER and TAYLOR, cosponsored by Representatives STUBBS, SORTWELL, ANDRACA, BALDEH, BODDEN, CABRERA, DITTRICH, GOEBEN, GUSTAFSON, JACOBSON, JOERS, MOORE OMOKUNDE, MURSAU, MYERS, OHNSTAD, ORTIZ-VELEZ, PALMERI, SHANKLAND, SNODGRASS, SUBECK and VINING. Referred to Committee on Health.

1 **AN ACT to amend** 459.03 (1); and **to create** 459.02 (3) and 459.03 (1m) of the
2 statutes; **relating to:** selling and fitting over-the-counter hearing aids.

Analysis by the Legislative Reference Bureau

Under current law, no person may engage in the practice of selling or fitting hearing aids unless he or she holds a license as a hearing instrument specialist issued by the Department of Safety and Professional Services or a license as an audiologist issued by the Hearing and Speech Examining Board. This bill provides that no license is required to sell or fit an over-the-counter hearing aid, as defined under federal law. Under federal law, air-conduction hearing aids may be sold over the counter without a prescription under certain circumstances.

Further, under current law, a hearing instrument specialist who engages in the practice of selling or fitting hearing aids must deliver to each person supplied with a hearing aid a receipt that contains certain information. The bill provides that a hearing instrument specialist is not required to deliver a receipt to a person supplied with a hearing aid if the hearing aid is an over-the-counter hearing aid, as defined under federal law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 459.02 (3) of the statutes is created to read:

