

1 21 NCAC 22A .0402 is adopted with changes as published in 32:10 NCR 982 as follows:

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3 **21 NCAC 22A .0402 ABBREVIATIONS**

4 ~~The Board hereby establishes the following abbreviations to be applied throughout this Chapter:~~ The following
5 abbreviations shall apply throughout this Chapter:

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7 (1) IHS - International Hearing Society.

8 (2) ILE - International Licensing Examination for Hearing Healthcare Professionals.

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10 *History Note: Authority G.S. 93D-3;*

11 *Eff. March 1, 2018.*

1 21 NCAC 22A .0403 is adopted with changes as published in 32:10 NCR 982 as follows:

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3 **21 NCAC 22A .0403 FORMS**

4 (a) F1 Form – Apprentice Registration Application. An individual who seeks licensure from the Board and who is
5 required to complete one full year of apprenticeship shall submit a F1 form when submitting an apprentice
6 registration electronic application for a new apprenticeship or to renew or replace an apprenticeship certificate. It
7 requires the following:

- 8 (1) the sponsor last name;
- 9 (2) the reason for application by applicant;
- 10 (3) the sponsor license number and first and last name;
- 11 (4) the applicant first and last name, email address, and name to be printed on certificate;
- 12 (5) the apprentice business location, including business name, address, city, state zip code, county,
13 and phone number;
- 14 (6) the apprentice mailing address;
- 15 (7) the education information including high school/GED school name, city, county, state, and year
16 completed;
- 17 (8) acknowledgement of audiometer calibration certificate;
- 18 (9) acknowledgement of passport photo requirement;
- 19 (10) answering questions regarding the plan of supervision;
- 20 (11) acknowledgement of F1 Affidavit;
- 21 (12) acknowledgement of background check;
- 22 (13) answering the following yes or no questions:
 - 23 (A) are you now or have you ever been apprenticed ~~and/or~~ or licensed to fit and dispense
24 hearing aids in any other state;
 - 25 (B) have you ever made an application for apprenticeship or for a license to ~~fit/dispense fit~~
26 and dispense hearing aids ~~which that~~ was denied;
 - 27 (C) have you ever taken and failed to pass an examination for issuance of a license to fit ~~or~~
28 and dispense hearing aids in any other state;
 - 29 (D) has your apprenticeship or license to fit ~~or~~ and dispense hearing aids in any other state
30 ever been revoked or suspended;
 - 31 (E) have you ever been convicted of or forfeited bond in connection with a criminal offense
32 (i.e. misdemeanor or a felony)? Include DUIs and DWIs;
 - 33 (F) have you ever been treated for alcoholism or narcotic abuse;
 - 34 (G) have you ever filed for bankruptcy;
 - 35 (H) have you ever been named as a party in a civil action (legal proceeding);

- 1 (I) to your knowledge, has a complaint ever been filed against you (or a company owned by
- 2 you) with a hearing aid related board or organization, the Federal Trade Commission, or
- 3 any consumer protection agency;
- 4 (J) to your knowledge, is there anything that would impair your ability to perform the
- 5 functions for which you are licensed (such as a physical or mental disability);
- 6 (K) will you be working under the supervision of a Registered Sponsor for less than 27 hours
- 7 per week; and

8 ~~(11)~~(14) selection of payment options.

9 (b) F4 Form – Application for License and Exam Registration. An apprentice or out of state applicant shall submit a
 10 F4 form when submitting an application for licensure and exam registration. It requires the following:

- 11 (1) the email address, first, and last name of applicant;
- 12 (2) the reason for application by applicant;
- 13 (3) the name as applicant wishes to have it printed on license;
- 14 (4) selection of exam part, ~~exam-period~~ period, and exam time preference;
- 15 (5) acknowledgement of exam reminders;
- 16 (6) acknowledgement of additional required documents;
- 17 (7) selection of payment options;
- 18 (8) the education information including high school/GED school name, city, county, state, and year
- 19 completed;
- 20 (9) acknowledgement of background check;
- 21 (10) answering the following yes or no questions:
 - 22 (A) are you now or have you ever been apprenticed ~~and/or~~ or licensed to fit and dispense
 - 23 hearing aids in any other state;
 - 24 (B) have you ever made an application for apprenticeship or for a license to ~~fit/dispense~~ fit
 - 25 and dispense hearing aids ~~which that~~ was denied;
 - 26 (C) have you ever taken and failed to pass an examination for issuance of a license to fit ~~or~~
 - 27 and dispense hearing aids in any other state;
 - 28 (D) has your apprenticeship or license to fit ~~or~~ and dispense hearing aids in any other state
 - 29 ever been revoked or suspended;
 - 30 (E) have you ever been convicted of or forfeited bond in connection with a criminal offense
 - 31 (i.e. misdemeanor or a felony)? include DUIs and DWIs;
 - 32 (F) have you ever been treated for alcoholism or narcotic abuse;
 - 33 (G) have you ever filed for bankruptcy;
 - 34 (H) have you ever been named as a party in a civil action (legal proceeding);
 - 35 (I) to your knowledge, is there anything that would impair your ability to perform the
 - 36 functions for which you are licensed (such as a physical or mental disability);

1 (J) will you be engaged in fitting and selling hearing aids for less than 27 clock hours per
2 week;

3 (11) the business address information of applicant; and

4 (12) attestation of duly made application.

5 ~~(d)~~ (c) F7 Form – Verification of License. An out of state or military spouse applicant shall submit a F7 verification
6 of license form when submitting an application for licensure and exam registration. It requires the following:

7 (1) authorization from the applicant for a state board, other than N.C., having control of any
8 documents, records and other information pertaining to the applicant to furnish to the Board
9 information, including documents, records regarding charges or complaints filed against me,
10 formal or informal, pending or closed, or any other pertinent information;

11 (2) license verification by providing: the applicant first and last name, the board and State, the
12 licensure status, the license number, the issue and expiration date of license;

13 (3) education verification if applicant has an audiology degree on file;

14 (4) discipline information by answering the following yes or no questions:

15 (A) has the applicant ever been the subject of complaints or charges received by your board;

16 (B) has the applicant ever been warned, censured or disciplined in any manner by your board;

17 (C) has any application by the above applicant for initial licensure or reinstatement ever been
18 denied; and

19 (5) board seal, signature and title of person filling out information, and date.

20 (d) F10 Form - Application for License and Exam Registration for Military-Trained applicant or Military Spouse
21 applicant. An applicant for apprentice registration shall submit a F10 form when submitting an application for
22 licensure and exam registration. It requires the following:

23 (1) indication of whether the applicant is new or returning;

24 (2) the applicant first and last name, and email address;

25 (3) the applicant business location, including business name, address, city, state zip code, county, and
26 phone number;

27 (4) the applicant mailing address;

28 (5) the reason for application;

29 (6) selection of exam part, exam ~~period~~ period, and exam time preference;

30 (7) selection of option to mail or electronically submit required documentation;

31 (8) the education information including high school/GED school name, city, county, state, and year
32 completed;

33 (9) the military program of training (if applying as military-trained applicant);

34 (10) the experience in fitting and selling hearing aids;

35 (11) acknowledgement of background check; and

36 (12) answering the following yes or no questions:

- 1 (A) are you now or have you ever been apprenticed ~~and/or~~ or licensed to fit and dispense
2 hearing aids in any other state;
- 3 (B) have you ever made an application for apprenticeship or for a license to ~~fit/dispense fit~~
4 and dispense hearing aids ~~which that~~ was denied;
- 5 (C) have you ever taken and failed to pass an examination for issuance of a license to fit ~~or~~
6 and dispense hearing aids in any other state;
- 7 (D) has your apprenticeship or license to fit ~~or~~ and dispense hearing aids in any other state
8 ever been revoked or suspended;
- 9 (E) have you ever been convicted of or forfeited bond in connection with a criminal offense
10 (i.e. misdemeanor or a felony)? Include DUIs and DWIs;
- 11 (F) have you ever been treated for alcoholism or narcotic abuse;
- 12 (G) have you ever filed for bankruptcy;
- 13 (H) have you ever been named as a party in a civil action (legal proceeding);
- 14 (I) to your knowledge, has a complaint ever been filed against you (or a company owned by
15 you) with a hearing aid related board or organization, the Federal Trade Commission, or
16 any consumer protection agency;
- 17 (J) to your knowledge, is there anything that would impair your ability to perform the
18 functions for which you are licensed (such as a physical or mental disability); and
- 19 (K) will you be working under the supervision of a registered sponsor for less than 27 hours
20 per week?

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22 *History Note:* Authority G.S. 93B-8.1; 93B-15.1; 93D-3; 93D-5; 93D-6; 93D-8; 93D-9; 93D-11; 93D-13;

23 *Eff. March 1, 2018.*

1 21 NCAC 22A .0404 is adopted with changes as published in 32:10 NCR 984 as follows:

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3 **21 NCAC 22A .0404 AFFIDAVITS**

4 (a) F1 Apprentice Registration Affidavit. An individual who seeks licensure from the Board and who is required to
5 complete one full year of apprenticeship shall submit an F1 affidavit when submitting an apprentice registration
6 electronic application. It requires the following:

- 7 (1) the date of electronic application;
- 8 (2) the sponsor first and last name, license number or registered sponsor certificate number;
- 9 (3) the apprentice applicant first and last name, social security number, and date of birth of applicant;
- 10 (4) attestation by the applicant and sponsor of the following: I hereby affirm that I have completed the
11 Apprentice Registration Application (“Application”); that I have read and understand the complete
12 Application; and that I declare under penalty of perjury, that all of the information, documents,
13 and materials submitted in response thereto are true, correct, and complete. I understand that
14 falsification or misrepresentation of any item or response in this duly-made application (see 21
15 NCAC 22A) shall constitute a sufficient basis for the Board to deny the Application, revoke my
16 license or initiate and pursue any other disciplinary action including revoking my license after
17 issuance. I attest that I have read and understand the rules promulgated by the NC State Hearing
18 Aid Dealers and Fitters Board, codified as Title 21, Chapter 22 of the North Carolina
19 Administrative Code and North Carolina General Statute Chapter 93D, and I agree to abide by the
20 same;
- 21 (5) applicant’s and sponsor’s ~~signature~~ signatures; and
- 22 (6) notarization.

23 (b) F4 Application for License and Exam Registration Affidavit. An apprentice or out of state applicant shall submit
24 an F4 affidavit when submitting an application for licensure and exam registration. It requires the following:

- 25 (1) the date of electronic application;
- 26 (2) the first and last name, social security number, and date of birth of applicant;
- 27 (3) attestation by the applicant of the following: I hereby affirm that I have completed the Application
28 for License/Exam Registration (“Application”); that I have read and understand the complete
29 Application; and that I declare under penalty of perjury, that all of the information, documents,
30 and materials submitted in response thereto are true, correct, and complete. I understand that
31 falsification or misrepresentation of any item or response in this duly-made application (as defined
32 in 21 NCAC 22A) shall constitute a sufficient basis for the Board to deny the Application, revoke
33 my license or initiate and pursue any other disciplinary action including revoking my license after
34 issuance. I attest that I have read and understand the rules promulgated by the NC State Hearing
35 Aid Dealers and Fitters Board, codified as Title 21, Chapter 22 of the North Carolina
36 Administrative Code and North Carolina General Statute Chapter 93D, and I agree to abide by the
37 same;

1 (4) applicant's signature; and

2 (5) notarization.

3 (b) F6 Waiver of Apprenticeship Requirement Affidavit. An out of state applicant or military spouse applicant shall
4 submit an F6 affidavit when submitting an application for licensure and exam registration. It requires the following:

5 (1) the date of electronic application;

6 (2) the first and last name of applicant;

7 (3) attestation by the authorized board representative of the following: I hereby affirm that I am an
8 authorized representative of the Board shown below; that I have reviewed the Board's official
9 records regarding the above-named applicant; that applicant is currently licensed and has been
10 continuously licensed in the state or jurisdiction of (insert jurisdiction) for the past three
11 consecutive years immediately preceding this affidavit; and that a Verification of Licensure form
12 (F7-VOL) has been completed to supplement this affidavit.; and

13 (4) the date when giving attestation, first and last name of authorized board representative, title of
14 representative, name of board, and board seal.

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16 *History Note:* Authority G.S. 93B-14; 93B-15.1; 93D-3; 93D-5; 93D-8; 93D-9; 93D-13;

17 *Eff. March 1, 2018.*

1 21 NCAC 22A .0501 is amended **with changes** as published in 32:10 NCR 985 as follows:

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3 **SECTION .0500 – FEES AND APPLICATIONS**

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5 **21 NCAC 22A .0501 FEE SCHEDULE**

6 The Board hereby establishes the following fees:

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|----|------|--|-------------------------------------|
| 7 | (1) | Application for registration as an apprentice | \$100.00 |
| 8 | (2) | Renewal of apprentice registration | \$150.00 |
| 9 | (3) | Application for registration of a Registered Sponsor not otherwise | |
| 10 | | licensed by the Board | \$150.00 |
| 11 | (4) | Application for a license <u>fee</u> | \$250.00 <u>\$425.00</u> |
| 12 | (5) | Examination fee | \$300.00 <u>\$75.00</u> |
| 13 | (6) | Issuance of certificate of license after successfully passing | |
| 14 | | examination | \$ 25.00 |
| 15 | (7) | To reissue a suspended license more than 90 days after but not | |
| 16 | | more than two years after license suspended | \$200.00 |
| 17 | (8) | Annual license renewal | \$250.00 |
| 18 | (a) | Late fee: 60 days or fewer after license expiration | |
| 19 | | (in addition to renewal fee) | \$ 25.00 |
| 20 | (b) | Late fee: more than 60 days after license expiration | |
| 21 | | (in addition to renewal fee) | \$ 50.00 |
| 22 | (9) | For approval Approval of a continuing education program provider | \$ 40.00 |
| 23 | (10) | Verifying and recording attendance at a continuing education | |
| 24 | | program (per program, per person) | \$ 15.00 |
| 25 | (11) | For a A continuing education make-up class provided by the Board | |
| 26 | | (per person, per day) | \$ 50.00 |
| 27 | (12) | For a A voluntary apprentice training workshop (per person, per day) | \$ 50.00 |
| 28 | (13) | For a A license examination preparation course provided by the | |
| 29 | | Board (per person, per day) | \$ 50.00 |
| 30 | (14) | Processing fee for a check on which payment has been refused by | |
| 31 | | the payor bank because of insufficient funds or because the drawer | |
| 32 | | did not have an account at that bank | \$ 25.00 |

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34 *History Note: Authority G.S. 12-3.1; 25-3-506; 93D-3; 93D-5; 93D-8; 93D-9; 93D-11; 93D-13;*
35 *Temporary Adoption Eff. July 11, 1991, For a Period of 180 Days to Expire on January 7, 1992;*
36 *Eff. January 1, 1992;*
37 *Amended Eff. March 1, 2009; March 1, 2007;*

1 *Recodified from 21 NCAC 22B .0603 Eff. May 1, 2013;*
2 *Amended Eff. September 1, 2013;*
3 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*
4 *6, 2016;*
5 *Amended Eff. March 1, 2018.*

1 21 NCAC 22F .0104 is amended **with changes** as published in 32:10 NCR 986 as follows:

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3 **21 NCAC 22F .0104 QUALIFICATIONS FOR LICENSURE TO REGISTER FOR EXAM**

4 In order to be issued a license by the Board:

- 5 (1) Each applicant for licensure shall submit an application for licensure and exam registration as set forth
6 in 21 NCAC 22A .0503;
- 7 (2) Each applicant for licensure shall show to the Board the requirements in 93D-5a. The Board may
8 require supplemental information for applications to determine the qualifications of each licensee,
9 registered applicant, and registered apprentice, as set forth in these Rules and in Chapter 93D of the
10 General Statutes of North Carolina. The Board will require supplemental information on a case-by-
11 case basis including issues raised on the applicant's criminal background check or discrepancies in the
12 application. Supplemental information may include letters of recommendation, affidavits, official
13 transcripts, and personal appearances before the Board.
- 14 (3) The applicant shall pass all parts of the Board's licensing exam as set forth in 21 NCAC 22F .0105. In
15 the event an out of state applicant, military trained applicant, or military spouse applicant has
16 previously taken and **successfully** passed Part D of the Board's licensing exam, this applicant shall
17 submit an ILE score transfer letter from the IHS so as not to re-take Part D; and
- 18 (4) Each applicant shall complete one full year of apprenticeship, with exception to those eligible for
19 waiver under G.S. 93D-5(c) or those applying for licensure pursuant to 21 NCAC 22F .0123.

20 ~~(a) The Board may require supplemental information for applications to determine the qualifications of each licensee,~~
21 ~~registered applicant, and registered apprentice, as set forth in these Rules and in Chapter 93D of the General Statutes of~~
22 ~~North Carolina. Supplemental information may include letters of recommendation, affidavits, photographs, official~~
23 ~~transcripts, and personal appearances before the Board.~~

24 ~~(b) An apprentice may elect to take Part A, Part B, or Part C of the licensing exam at any time during the apprenticeship~~
25 ~~by submitting an application for license and exam registration prior to the registration deadline.~~

26 ~~(c) An apprentice shall complete 365 days of apprenticeship prior to taking Part D of the licensing exam.~~

27 ~~(d) The Board shall waive the application for license fee and the exam registration fee for an applicant's initial~~
28 ~~registration to take Part D of the exam only if the applicant took and passed Part A, Part B, and Part C prior to~~
29 ~~completing 365 days of apprenticeship.~~

30 ~~(e) Except as provided in Paragraph (d) of this Rule, an applicant shall submit a new application for license and exam~~
31 ~~registration and pay the fees set forth in 21 NCAC 22A .0501 each time the applicant registers for any parts of the~~
32 ~~licensing exam.~~

33 ~~(f) The Board shall not prorate the application for license fee or the exam registration fee for retesting an applicant who~~
34 ~~failed any part of the licensing exam.~~

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36 *History Note: Authority G.S. 93D-3(c); 93D-5; 93D-6; 93D-9;*

37 *Eff. April 23, 1976;*

1 *Amended Eff. February 1, 1996; April 1, 1989; May 1, 1988;*
2 *Paragraph (d) recodified to 21 NCAC 22F .0122 Eff. May 1, 2013;*
3 *Temporary Amendment Eff. February 10, 2014;*
4 *Amended Eff. April 1, 2014;*
5 *Amended Eff. March 1, 2018.*

1 21 NCAC 22F .0208 is amended **with changes** as published in 32:10 NCR 990 as follows:

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3 **21 NCAC 22F .0208 SELF-STUDY**

4 (a) Self-study may be completed to satisfy **up to five** all 10 hours of the continuing education requirement during
5 each CEU Accrual Period.

6 (b) Each self-study event **shall be of** one session and up to ~~five~~ 10 sessions completed in the same CEU Accrual
7 Period may be reported on one self-study Report of Attendance as a self-study program.

8 (c) A licensee shall record self-study CEU credit with the Board by submitting all of the following:

9 (1) an electronic CEU Verification Report;

10 (2) a completed self-study Report of Attendance;

11 (3) an official transcript listing the licensee's score of 80 percent or greater on an Internet-presented
12 examination pertaining to the content of the self-study activity; and

13 (4) the recording fee as set forth in Rule 21 NCAC 22A .0501 for each self-study program.

14 (d) The Board shall accept electronic images of the self-study Report of Attendance and official transcripts when
15 submitted electronically in conjunction with the CEU Verification Report.

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17 *History Note: Authority G.S. 93D-3(c); 93D-11;*

18 *Eff. September 1, 2013;*

19 *Amended Eff. January 1, 2017;*

20 *Amended Eff. March 1, 2018.*