



STATE OF NORTH CAROLINA  
**OFFICE OF ADMINISTRATIVE HEARINGS**

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May 17, 2012

Catherine Jorgensen  
NC State Hearing Aid  
Dealers and Fitters Board  
P. O. Box 97833  
Raleigh, NC 27624

Re: 21 NCAC 22F .0103, .0114

Dear Ms. Jorgensen:

At its May 17, 2012 meeting the Rules Review Commission objected to the above-captioned rules in accordance with G.S. 150B-21.10.

The Commission objected to Rule .0103 due to lack of authority. There is no authority cited for Subparagraph (a)(4) for treating an audiologist who is a registered apprentice any different than any other apprentice. G.S. 93D-14(b) exempts licensed audiologists who have a doctoral degree in Audiology from licensure requirements, but without the doctorate, an audiologist is subject to the same requirements as any other apprentice. There is no authority cited for the first sentence in Paragraph (b). Pursuant to G.S. 93D-5(c) with limited exceptions a person must serve a one-year apprenticeship as a prerequisite for a license. The 250-hour exception (arguably) only applies to licensed audiologists who have undergone supervision in another state. There is no authority cited for any exception for a person with a master's degree in audiology.

The Commission objected to Rule .0114 based on lack of authority. There is no authority cited for the exception for Audiologists in the first sentence.

These objections apply to existing language in the rules.

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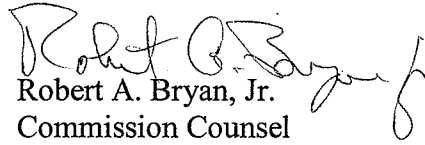
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Please respond to this letter in accordance with the provisions of G.S. 150B-21.12. If you have any questions regarding the Commission's action, please let me know.

Sincerely,

  
Robert A. Bryan, Jr.  
Commission Counsel

RAB:tdc