

FIRST REGULAR SESSION

HOUSE BILL NO. 914

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRISAMORE.

2062L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 345.033 and 346.020, RSMo, and to enact in lieu thereof two new sections relating to hearing instrument purchase agreements.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 345.033 and 346.020, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 345.033 and 346.020, to read as follows:

345.033. 1. Any person licensed under sections 345.010 to 345.080 who dispenses products associated with professional practice to clients for remuneration shall deliver to each person supplied with a product a completed purchase agreement which shall include the terms of the sale clearly stated using ordinary English language and terminology which is easily understood by the purchaser. If a product which is not new is sold, the purchase agreement and the container thereof shall be clearly marked as "used", "recased", or "reconditioned", whichever is applicable, with terms of guarantee, if any.

2. Any audiologist licensed under sections 345.010 to 345.080 who dispenses hearing instruments shall include in the purchase agreement for a hearing instrument the following:

- (1) The licensee's signature, business address, and license number;
- (2) The specifications of the hearing instrument dispensed including make, model, and serial number;
- (3) The exact amount of any down payment;
- (4) The length of any trial period provided;
- (5) The amount of any charges or service fees connected with any trial period;
- (6) A description of the right of the purchaser to return the hearing instrument or written notification that no such right exists;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (7) The name of the manufacturer of the component parts and the assembler or
19 reassembler of the hearing instrument when the product sold is remanufactured or assembled by
20 someone other than the manufacturer of the component parts;

21 **(8) Language that verifies that the purchaser has been informed about audio switch**
22 **technology, including benefits such as increased access to telephones and assistive listening**
23 **devices. If the hearing device purchased has audio switch technology, the purchaser shall**
24 **be instructed in the proper use of such technology and shall be informed that the audio**
25 **switch is also referred to as a "telecoil", "t-coil", or "t-switch"; and**

26 **(9) Language that informs the purchaser about the Missouri telecommunications**
27 **equipment distribution program which provides assistive telecommunications devices to**
28 **residents of this state who have hearing loss.**

346.020. 1. Any person who engages in the practice of fitting hearing instruments shall
2 deliver to each person supplied with a hearing instrument a completed purchase agreement which
3 shall include the licensee's signature, business address and the licensee's license number, together
4 with specifications as to the make, model and serial number of the hearing instrument furnished.
5 The terms of the sale shall be clearly stated in the purchase agreement using ordinary English
6 language and terminology which is easily understood by the purchaser. The purchase agreement
7 shall include, at a minimum: the exact amount of any down payment, the length of any trial
8 period provided, the amount of any charges or service fees connected with any trial period and
9 any right of the purchaser to return the hearing instrument. If no right exists to return the hearing
10 instrument, the seller shall specify such in writing in the agreement. If a hearing instrument
11 which is not new is sold, the purchase agreement and the container thereof shall be clearly
12 marked as "used", "recased" or "reconditioned", whichever is applicable, with terms of guarantee,
13 if any.

14 2. If a hearing instrument is remanufactured or assembled by someone other than the
15 manufacturer of the component parts, the purchase agreement shall contain the name of the
16 manufacturer of the component parts and the assembler or reassembler of such hearing
17 instrument.

18 **3. The purchase agreement shall contain language that:**

19 **(1) Verifies that the purchaser has been informed about audio switch technology,**
20 **including benefits such as increased access to telephones and assistive listening devices. If**
21 **the hearing device purchased has audio switch technology, the purchaser shall be**
22 **instructed in the proper use of such technology and shall be informed that the audio switch**
23 **is also referred to as a "telecoil", "t-coil", or "t-switch"; and**

24 **(2) Informs the purchaser about the Missouri telecommunications equipment**
25 **distribution program which provides assistive telecommunications devices to residents of**
26 **this state who have hearing loss.**

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