ALABAMA BOARD OF HEARING INSTRUMENT DEALERS
ADMINISTRATIVE CODE

CHAPTER 445-X-1
HEARING INSTRUMENT DEALERS

445-X-1-.09 Consumer Protection.

(1) Any individual under the age of 18 shall not be fitted with, or sold, a hearing instrument unless he or she has been examined for any aural condition by a physician within the past 6 months.

(a) A copy of the physician's statement shall be kept in the individual's file.

(2) Any individual over the age of 18 shall be required to sign a waiver of medical evaluation if he or she has chosen not to be examined by a physician within the preceding 6 months.

(a) The original waiver shall be kept in the individual's file.

(3) Any residential solicitation shall include the "Buyer's Right to Cancel" which states "If the above agreement was solicited at your residence and you do not want the goods or services, you may cancel this agreement by delivering or mailing a notice to the seller. The notice must say that you do not want the goods or services and must be delivered or mailed before midnight of the third business day after you sign this agreement. The notice must be delivered or mailed to: (your street address)."

(4) The dispenser or dealer shall maintain all instruments used to evaluate hearing difficulties within the tolerance and within the recommended calibration schedule in accordance with the manufacturer's instructions and the American National Standards Institute and American Standards Association specifications.

(a) The dispenser or dealer shall maintain a written record of equipment calibrations including accommodations made to maintain correct tolerances.

(5) Records

(a) A file shall be established and maintained for three years on each individual fitted with and sold a hearing instrument.

(b) The file shall include a copy of the following:

1. The physician's examination or waiver.

2. Any hearing examinations done by the fitter, apprentice and/or the dispenser or dealer.

3. A copy of the bill of sale, including the right to cancel, if any, and the guarantee or warranty.

4. A complete description of the hearing instrument, including make, model, and year of manufacture, if known.

(c) Records shall be legibly written, centrally filed, and easily accessed.

Author: Hearing Instrument Dealers Board
Statutory Authority: Code of Ala. 1975, §34-14-11(4).
History: New Rule: Filed November 17, 1994; effective December 22, 1994.