

## **TITLE 16 - DEPARTMENT OF CONSUMER AFFAIRS SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS**

NOTICE IS HEREBY GIVEN that the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board (Board) is proposing to take the action described in the Informative Digest. No public hearing has been scheduled on the proposed action. However, any interested person or such person's duly authorized representative may request, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Section 11346.8. Written comments, including those sent by mail or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5 p.m. on November 23, 2015. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Business and Professions Code Sections 2531.06 and 2531.95 to implement, interpret or make specific Sections 2538.24, 2538.26, 2538.27, 2538.28, 2538.29, 2538.30, 2538.53, 2538.53, 2538.57, and 2539.1, of the Business and Professions Code, the Board is considering changes to Division 13.3 of Title 16 of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board ("Board") is authorized by Business and Professions Code Sections 2531.06 and 2531.95 to adopt regulations necessary to implement the Hearing Aid Dispenser Regulations.

Current statute provides for the collection of fees for the application, licensure and maintenance of hearing aid dispenser applications and licenses. This proposed regulation will re-establish the fees in regulation and provide a fee schedule for applicants and licensees.

The following substantive changes are being proposed:

Section 1399.129.: Amends this section of law to re-establish the fee regulation that was repealed in April 1996. The regulation consolidates and makes specific the fees that have been set forth in statute. The fees listed in the proposed regulation are the fees currently being collected from hearing aid dispenser applicants and licensees by the Board.

## **CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS:**

After conducting a review for any regulations that would relate to or affect this area, the Board evaluated this regulatory proposal and it is not inconsistent or incompatible with existing state regulations.

## **BENEFITS OF THE PROPOSED REGULATION:**

This proposed regulation will benefit applicants and licensees by re-establishing the fees and providing a fee schedule in regulation.

## **FISCAL IMPACT ESTIMATES**

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State:** None

**Nondiscretionary Costs/Savings to Local Agencies:** None

**Local Mandate:** None

**Cost to Any Local Agency or School District for Which Government Code Section 17500-17630 Requires Reimbursement:** None

**Business Impact:** The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

**Impact on Jobs/New Businesses:** Under current laws and regulations, the Board has determined that the proposed regulatory action will have no significant impact on jobs and businesses.

**Cost Impact on Representative Private Persons or Business:** The following provides detail regarding any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action:

The fees set forth in this proposed regulatory action are currently being collected from hearing aid dispenser and dispensing audiology applicants and licensees by the Board.

**Effect on Housing Costs:** None

## **EFFECT ON SMALL BUSINESS**

The Board has determined that this regulatory proposal will not have an effect on small businesses. The proposed changes do not place additional requirements on small businesses.

## **RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS**

### **Impact on Jobs/Businesses:**

The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

### **Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:**

The Board has determined that this regulatory proposal will not have a significant benefit to the health and welfare of California residents because the proposal re-establishes the fees in regulation that are currently being collected from hearing aid dispenser and dispensing audiology applicants and licensees by the Board.

## **CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

## **INITIAL STATEMENT OF REASONS AND INFORMATION**

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## **TEXT OF THE PROPOSAL**

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board at 2005 Evergreen Street, Suite 2100, Sacramento, CA 95815.

## **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

**CONTACT PERSON**

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Karen Robison  
Address: 2005 Evergreen Street, Suite 2100  
Sacramento, CA 95815  
Telephone No.: (916) 263-2291  
E-Mail Address: Karen.robison@dca.ca.gov

The backup contact person is:

Name: Breanne Humphreys  
Address: 2005 Evergreen Street, Suite 2100  
Sacramento, CA 95815  
Telephone No.: (916) 263-561-8779  
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Website Access: Materials regarding this proposal can be found at [www.speechandhearing.ca.gov](http://www.speechandhearing.ca.gov).