

SENATE BILL No. 207

February 25, 2003, Introduced by Senators JOHNSON, HAMMERSTROM, EMERSON, JACOBS, TOY, PATTERSON and GARCIA and referred to the Committee on Health Policy.

A bill to amend 1980 PA 299, entitled
 "Occupational code,"
 by amending section 1302 (MCL 339.1302).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SENATE BILL No. 207

1 Sec. 1302. (1) This article ~~shall~~ **does** not prohibit a
 2 person from engaging in the ~~business~~ **practice** of selling or
 3 offering for sale a hearing aid at retail without a license, if
 4 the person employs only licensed hearing aid dealers and **hearing**
 5 **aid** salespersons in the direct sale and fitting of the ~~product~~
 6 **hearing aid**. Each person shall file annually with the department
 7 a list of each licensed hearing aid dealer or **hearing aid**
 8 salesperson directly or indirectly employed by the person and a
 9 statement on a form approved by the department that the person
 10 will ~~submit to~~ **comply with** the rules promulgated under this
 11 article and the provisions of this article. ~~which the department~~

1 ~~considers applicable.~~— A person engaging in the ~~business~~
2 **practice** of selling or offering for sale a hearing aid at retail
3 shall maintain a place of business in this state which is an
4 actual, established physical location from which the person
5 conducts business and where each applicable book or record is
6 maintained. A branch office of the person shall be under the
7 personal direct supervision of a hearing aid dealer or hearing
8 aid salesperson as qualified in section 1305.

9 **(2) This article does not prohibit a person licensed as an**
10 **audiologist under part 168 of the public health code, 1978 PA**
11 **368, MCL 333.16801 to 333.16811, from engaging in the practice of**
12 **selling or fitting a hearing aid.**

13 Enacting section 1. This amendatory act does not take
14 effect unless Senate Bill No. 206
15 of the 92nd Legislature is enacted into
16 law.