

**PA12-110**

HB5497

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2012**

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(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

All right. We are about to do another bill. But before we do, I'd like -- we had a call to the bullpen and we got -- are you left or right-handed?

A VOICE: Right-handed.

SPEAKER DONOVAN:

We've got a right-hander coming in. Also from the Class of '93, our good friend, the Chairman of Environment, Richard Roy.

(Representative Roy in the Chair.)

SPEAKER ROY:

Will the Clerk please call Calendar Number 262?

THE CLERK:

On page 10, Calendar 262, House Bill number 5497,  
AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE CONCERNING THE REGULATION OF HEARING  
INSTRUMENT SPECIALISTS AND AUDIOLOGISTS, favorable  
report by the Committee on Public Health.

SPEAKER ROY:

Thank you.

Representative T.R. Rowe of the 123rd.

REP. ROWE (123rd):

Thank you, Mr. Speaker. Pleasure to see you up there and we'll see if we can get this through without too much incident, but I move the Joint Committee's favorable report and passage of the bill.

SPEAKER ROY:

Thank you.

It's acceptance of the favorable report and passage of the bill.

Will you remark?

REP. ROWE (123rd):

I will. Thank you, Mr. Speaker.

This is a program review investigation bill which came out as a consequence of a study that was actually part of the sunset program. We were looking into the hearing aid specialists and the audiologists, and as a consequence of this study and the public hearing that we held in connection with the study, there are essentially two recommendations that the bill sets forth and implements.

The first concerns audiologists, and currently audiologists within their scope of practice are

allowed to do many things, and that includes the fitting of hearing aids. However, because of a redundancy in the law, there is also a statute which requires these audiologists, these same audiologists to go through additional training in order to do that. So, that's the first part of the bill.

And the second part is affected by an amendment. So, if I may call LCO Number 4175 and I be allowed to summarize.

SPEAKER ROY:

Will the Clerk please call LCO 4175, which will be designated house amendment Schedule "A".

THE CLERK:

LCO4175 house A offered by Representative Rowe and Representative Mushinsky.

SPEAKER ROY:

Will you summarize?

REP. ROWE (123rd):

Sure. This amendment does the second part of what I had talked about earlier, and it sets forth some continuing education requirements for the hearing aid specialist. The first part dealt with the audiologists and this deals with the hearing aid specialists and sets forth essentially a 16-hour

requirement every two years that the hearing aid specialists need to be relicensed. This was requested by both the department and the hearing aid specialists, and I would move adoption.

SPEAKER ROY:

Thank you.

The question before the Chamber is adoption of the House amendment 4175.

Will you remark on the amendment?

Representative Mushinsky.

REP. MUSHINSKY (85th):

Thank you, Mr. Speaker.

This amendment is a good amendment. It does -- the current law does not require continuing education as a condition of licensure renewal. With this amendment we will be dealing with a rapidly changing field where there are technical advances every few years, and better protect the public who will be well served by continuing education requirement for these providers. So, I hope you will join me in supporting this bipartisan amendment.

Thank you, Mr. Speaker.

SPEAKER ROY:

Please speak -- any others wishing to speak?

Representative Miller of the 122nd, sir.

REP. MILLER (122nd):

Thank you, Mr. Speaker. I have a question or two to the proponent of the amendment.

SPEAKER ROY:

Proceed, sir.

REP. MILLER (122nd):

The last section of the amendment, lines 41 to 45, there is an eight-hour requirement for a course. Is that an all-day affair or does it have to take two sessions, or how does that work?

Through you, Mr. Speaker.

SPEAKER ROY:

Representative Rowe.

REP. ROWE (123rd):

It's a tremendously insightful question that I will respond to by saying the bill is silent -- the amendment is silent on that. So, that eight hours can be drawn out, I suppose, however the continuing education entity sees fit.

Through you.

SPEAKER ROY:

Representative Miller.

REP. MILLER (122nd):

And through you, Mr. Speaker, I don't suspect there are going to be a lot of people taking the course, so, where would this be held? Would it be held here in Hartford or in the gentlemen's area, for instance, Fairfield County, New Haven County, where?

Through you, Mr. Speaker.

SPEAKER ROY:

Representative Rowe.

REP. ROWE (123rd):

Thank you.

Through you, I expect that the audiologist industry and association will make the continuing education process as appropriate and convenient for their members as it needs to be. I wouldn't be surprised if there were continuing education opportunities throughout the four corners of Connecticut.

Through you.

SPEAKER ROY:

Thank you. Representative Miller.

REP. MILLER (122nd):

Yeah, thank you.

And again through you, Mr. Chair -- Mr. Speaker, what would be the cost to the individual for taking

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this course?

SPEAKER ROY:

Representative Rowe.

REP. ROWE (123rd):

Well, the bill is silent on that. We're not going to tell the audiologists what they should or shouldn't charge. And I imagine it's not going to be a money-making venture for them. It will be simply to cover the expenses. And in any event, the public hearing testimony or the testimony that we received back was not -- there were not concerns about costs, through you. In any event, it won't cost the State any money.

Thank you.

SPEAKER ROY:

Representative Miller.

REP. MILLER (122nd):

Yes, I want to thank the Chairman of the Committee for his wonderful answers, and I want to thank you, Mr. Speaker, for allowing me to ask them.

Thank you.

SPEAKER ROY:

Thank you, Sir.

Will you remark further? Will you remark

further?

If not, let me try your minds. All those in favor say aye.

REPRESENTATIVES:

Aye.

SPEAKER ROY:

Those opposed nay.

The ayes have it. The amendment passes.

On the bill as amended, will you speak?

Representative Cafero, the esteemed Republican leader.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, I have absolutely nothing to add to the debate on the bill, but I have a lot to add about you, Sir.

Earlier unfortunately we had to do a memorial for a classmate of both you and I, Dom Buonocore. And I talked at the time about the special bond we all have with the class in which we arrived at this wonderful Chamber with. Dick Roy was one of my classmates, and it has been a joy to serve with him over these 20 sessions. Can you believe it, Dick? Twenty sessions. I have enjoyed working with him as a Legislator, but

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of the environmental community, which is something that I think will be a legacy that you will carry well beyond this Chamber.

And for all of us here, we're going to miss you terribly. And I wish you Godspeed with your retirement, with your family as Representative Fleischmann alluded to, and we hope that you will not be a stranger.

So, good luck with your retirement. Godspeed, my friend.

SPEAKER ROY:

Thank you, Sir.

Will you remark further on the bill that's before us as amended?

If not, will staff and guests come to the well of the House? The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The house taking a roll call vote. Members to the Chamber, please.

SPEAKER ROY:

Representative Berger?

Have all the members voted? Have all the members voted? Will the members please check the board to

determine if your vote is properly cast? If all members have voted, the machine will be locked and the Clerk will take a tally.

The bill -- will the Clerk announced tally?

THE CLERK:

House Bill 5497 as amended by House "A."

Total number voting	142
Necessary for passage	72
<u>Those voting Yea</u>	<u>142</u>
Those voting Nay	0
Those absent and not voting	9

SPEAKER DONOVAN:

Do you want to say a few words?

SPEAKER ROY:

Yes.

Representative Genga, you have the floor, sir.

REP. GENGA (10th):

Thank you, Mr. Speaker. I wanted to be the last one to talk to you up on the dais. I'd like to have my vote recorded in the affirmative.

SPEAKER ROY:

The transcript will so note.

REP. GENGA (10th):

Thank you, Mr. Speaker.

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SPEAKER ROY:

Thank you, Sir.

Representative Pat B. Miller.

REP. MILLER (145th):

Thank you, Mr. Speaker. He's next to the last.

I'm the last person to speak to you.

I would like my vote to also be in the  
affirmative.

SPEAKER ROY:

The transcript shall so note.

I've been given leave to say a few words, and I  
want to thank you all for the twenty years. It's been  
a great twenty years. And it's not often that this  
Chamber honors a thief. Yes, a thief. And what I  
have stolen or attempted to steal from each of you are  
all those good qualities that make Connecticut such a  
great place which to live, to work, to raise a family.  
Thank you.

(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

Representative Richard Roy from Milford. Thank  
you, Richard, for many years of service, buddy.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

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times it's an off-handed -- they might be coming in for calling hours or they -- and they want -- hey I got something I can give you on this. You know I might not have the time. Take a look at this and see what you think. I know your dad's getting older or your mom's just gone into a con -- this is something you're going to have to face. I think this is a good idea.

SENATOR MARKLEY: Good. Thank you very much.

WILLIAM R. MOLLOY: You're welcome.

REP. ROWE: Thank you.

Next Rick Usifer. Good afternoon, welcome Mr. Usifer. Thank you for coming. You say enough names you get some of them right.

RICHARD USIFER: (Inaudible) a mandatory continuing education for hearing care providers and the reason is the past 20 years have -- have shown an explosion of new technologies in our industry. When programmable hearing aids came out about 20 years ago, hearing aid fitting instantly became more challenging.

What we used to do with screwdrivers and lamb's wool, and I can tell you because I used to use that, was now done with computers and real ear measurement. The consumers had to be careful at that time due to the potential for people to sell expensive products without having the expertise or the competency to fit them. And consumers had no easy way to know if dispensers had that training. This is why we feel continuing education is more important now than it ever was.

As far as monitoring CEUs, that would be

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incumbent on the licensee so there'd be little or no extra work for DPH. License renewal applications already have a box which the licensee has to check for certain professions to affirm they have met continuing ed requirements. We'd just be adding our name to that list.

There'd be no -- little or no additional cost to dispensers. Manufacturers offer accredited seminars within easy driving distance at no charge to promote their products. And CEUs are also available online at minimal cost.

Many dispensers will attend a convention that could cover all their CEUs for that year or even for the two-year period.

So, in conclusion, CHADO for the nas -- the past nearly 50 years has always stood up for the best interests of consumers and hearing aid specialists in our state. There are other pressing concerns in our industry, including Internet and mail order hearing aids, but we feel this bill will help consumers by continue -- continuing regulation and expanding education.

And I thank you for your attention, and I'm happy to answer any questions.

REP. ROWE: Thank you, Mr. Usifer. You know far more about this, certainly, than me and, I reckon, Senator Markley as well. So it's -- it's good and important to have your sign-off as it were on the proposal.

Thanks for coming up here. Senator Markley agrees. So thank you very much.

RICHARD USIFER: All right. Thank you.



**TESTIMONY TO THE COMMITTEE ON PROGRAM REVIEW AND INVESTIGATIONS  
ON RAISED BILL 5497: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF  
THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE  
CONCERNING THE REGULATION OF HEARING INSTRUMENT SPECIALISTS AND  
AUDIOLOGISTS**

Committee members:

My name is Richard Usifer, and I am president of the Connecticut Hearing Aid Dispenser's Organization (CHADO). Our group consists of hearing instrument specialists and audiologists in Connecticut.

CHADO strongly supports the recommendations of the February 22<sup>nd</sup> report from the Office of Program Review and Investigations on hearing instrument specialists. I worked closely with Ms. Kluger, who wrote the report, over the past several months. Her thorough report covers every aspect of hearing aid dispensing in the State of Connecticut, particularly relating to consumer protection.

Essentially, her report supports the status quo except for two areas. I won't reiterate her rationale for keeping the current system, which serves consumers well without being onerous to dispensers. We have no issue with removing the remaining hearing aid licensure requirement for audiologists. I want to focus on the recommendation for Continuing Education, which is crucial to protecting consumers.

We favor mandatory continuing education for hearing care providers. The past 20 years have seen an explosion of new technologies. When programmable and digital aids came out 20 years ago, hearing aid fitting instantly became much more challenging. What we used to do with screwdrivers and lamb's wool was now done with computers and real-ear measurement. Consumers had to be careful due to the potential for people to sell expensive products without having the training or competency in fitting them. And they had no easy way to know if dispensers had that training. This is why we feel continuing education is more important now than ever.

Monitoring of CEUs would be incumbent on the licensee, so there would be little or no extra work for DPH. License renewal applications now have a box which the licensee must check to affirm that they have met continuing ed requirements. There would be little to no additional cost to dispensers for CEUs. Manufacturers offer several

accredited seminars within easy driving distance at no charge to promote their products. CEUs are also available online at minimal cost. Many dispensers will attend a convention which would cover all of their CEU needs for that year.

To conclude, CHADO for the past nearly 50 years has always stood up for the best interests of consumers and hearing instrument specialists in our State. There are other pressing concerns in our industry, including internet and mail order hearing aids, but we feel that this bill will help consumers by continuing regulation and expanding education.

Richard Usifer  
President  
860-967-9827

For The Record

Connecticut Academy of Audiology

Testimony of the  
Connecticut Academy of Audiology

Before  
The Legislative Program Review and Investigations Committee

Tuesday, March 13, 2012

H B. 05497 (RAISED) AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE REGULATION OF HEARING INSTRUMENT SPECIALISTS AND AUDIOLOGISTS.

Senator Fonfara, Representative Rowe and distinguished members of the Program Review and Investigations Committee,

The Connecticut Academy of Audiology (CTAA) appreciates the opportunity to provide testimony in support of *The Recommendations of the Legislative Program Review and Investigations Committee Concerning the Regulation of Hearing Instrument Specialists and Audiologists*

The Connecticut Academy of Audiology, founded in 2005, represents audiologists in the State of Connecticut, who practice in a variety of settings including but not limited to. independent practices, physician practices, hospitals, clinics, rehabilitation clinics, skilled nursing facilities, educational settings, research, and/or industry

CTAA supports this legislation recommended by the committee which will modify general statutes concerning the regulation of Hearing Instrument Specialists to recognize sections 20-395a to 20-395g under Chapter 397a of Connecticut State Statutes as those regulating Audiologists and the practice of audiology defined in section 20-395a as "including fitting or selling of hearing aids"

CTAA was afforded the opportunity to work with the professional staff of the Legislative Program Review and Investigations Committee, specifically Miriam Kluger who developed the thorough and comprehensive report from which this legislation originated. We appreciate the opportunity to meet with staff members of the committee and provide information to assist in the review process

Nancy Bruno, Au.D. FAAA  
Vice President for Governmental Affairs  
Connecticut Academy of Audiology

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GENERAL ASSEMBLY  
SENATE**

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Thank you, Madam President.

On calendar page 23, Calendar 485, House Bill 5237. Madam President, move to place this item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Moving to calendar page 25, Calendar 497, House Bill 5512. Move to place this item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

On calendar page 26, Calendar 502, House Bill 5497. Move to place the item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Also on calendar page 26, Calendar 503, House Bill 5409. Move to place the item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

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On page 13, Calendar 426, House Bill 5443; on page 14, Calendar 438, House Bill 5347; Page 14, Calendar 439, House Bill 5388; page 15, Calendar 441, House Bill 5501.

Also on page 15, Calendar 442, House Bill 5536; page 16, Calendar 445, House Bill 5145; page 16, Calendar 446, House Bill 5395; on page 16, Calendar 448, House Bill 5414; page 17, Calendar 451, House Bill 5548; page 18, Calendar 456, House Bill 5285.

Also on page 18, Calendar 458, House Bill 5031; on page 20, Calendar 468, House Bill 5217; page 21, Calendar 471, House Bill 5164; page 22, Calendar 476, House Bill 5263.

On page 23, Calendar 485, House Bill 5237. On page 25, Calendar 497, House Bill 5512; page 26, Calendar 502, House Bill 5497; page 26, Calendar 503, House Bill 5409.

On page 28, Calendar 512, House Bill 5424. And on page 30, Calendar 522, House Bill 5289.

THE CHAIR:

That seems correct.

Mr. Clerk, would you please call for a roll call vote on the consent calendar. (Inaudible.)

THE CLERK:

Immediate roll call has been ordered in the Senate. Will senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senator Gomes, would you like to vote, please. Thank you.

If all members have voted, if all members have voted, the machine will be closed.

Mr. Clerk, would you please call a tally.

THE CLERK:

On today's consent calendar,

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Total Number Voting	35	
Necessary for passage	18	
Those Voting Yea	35	
Those Voting Nay	0	
Those Absent and Not Voting		1

THE CHAIR:

The consent calendar passes.

Are there any points of personal privilege or announcements? Are there any points of personal privilege or announcements?

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Yes, Madam President, if there are no announcements or points of personal privilege, we will, of course, be in session tomorrow -- or actually it's later today but -- but not on Thursday. But --

THE CHAIR:

Okay. Promise?

SENATOR LOONEY:

-- we will -- we will convene later this morning. We will have a -- announce the Democratic caucus at eleven followed by session at noon today.

Thank you, Madam President.

With that, would move the Senate stand adjourned, subject to the call of the chair.

THE CHAIR:

So ordered, sir. Everybody drive safely.

On motion of Senator Looney of the 11th, the Senate, at 12:32 a.m. adjourned subject to the call of the chair.