

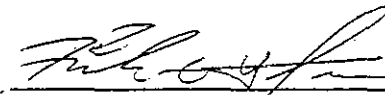
NOTICE OF AGENCY MODIFICATION OF A PROPOSED LEGISLATIVE RULE

AGENCY: WV BOARD OF HEARING AID DEALERS

NEW RULE: _____ AMENDMENT TO EXISTING RULE: XXX

RULE TITLE: REGULATIONS GOVERNING THE WV BOARD OF HEARING AID
DEALERS _____ SERIES # 1.

THE ABOVE RULE HAS BEEN MODIFIED BY THIS AGENCY AS A RESULT OF
COMMENTS BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE AND THE
ATTACHED MODIFICATIONS HAVE BEEN INCORPORATED INTO THE ABOVE
PROPOSED RULE AND FILED WITH THE SECRETARY OF STATE.



FILED

1935 JAN 28 11 04 AM

State of West Virginia
Department of State

EMERGENCY
WEST VIRGINIA LEGISLATIVE RULE
WEST VIRGINIA BOARD OF
HEARING AID DEALERS
CHAPTER 30-26
SERIES I

1938 JAN 28 AM 9 40
MLED

Title: Regulations governing the West Virginia Board of
Hearing Aid Dealers

Section 7.05.

No person holding a trainee permit shall engage in the practice of dealing in or fitting of hearing aids except while under the direct supervision of a specified licensed hearing aid dealer or fitter. Such supervisor and the holder of the temporary trainee permit shall work in the same office and shall continue to so work so long as that temporary trainee permit shall endure. No licensed hearing aid dealer or fitter may supervise more than one trainee at any time. The supervisor may be held responsible to the Board for any violations of the law regulating hearing aid dealers and fitters, or any violation of the Administrative Regulations.

Section 14.01.

(j) In the event that the purchaser of a hearing aid shall exercise his right to rescind the purchase agreement, the fee to be charged for such cancellation shall not exceed one hundred twenty-five dollars (\$125.00). This fee shall include all services performed by the dealer and all materials used in the fitting including the fee for the examination, fitting, training, use of the hearing aid, the cost of the earmold if required, any batteries furnished and any pertinent taxes.

The purchase agreement and receipt shall contain the following wording in type not smaller than that used in the body of the purchase agreement and receipt:

"You have the right to return the hearing aid to the dealer from whom it was purchased at any time within thirty days after receipt of the hearing aid and to rescind the

EMERGENCY
Board of Hearing Aid Dealers
Leg. Rule, 30-26
Series I, Sec. 14.01

purchase agreement excepting for reasonable fitting and examination charges if the hearing aid does not function properly cannot be adjusted to correct the deficiency in your hearing or is otherwise unsatisfactory. The hearing aid so returned must be without damage."

(k) The hearing aid dealer and fitter may elect to meet the return privilege by renting or leasing the aid to the prospective customer. If the dealer so elects, the rental or leasing agreement shall have a fee not to exceed one hundred twenty-five dollars (\$125.00) and the agreement shall specify that the lessee may rescind the rental or lease agreement at any time by returning the hearing aid in good condition and that he shall incur no further costs by so doing.