



Virginia Senate Bill 1279 and House Bill 1833 – Hearing Aids

“No person shall engage in the practice of fitting or dealing in prescription hearing aids or display a sign or in any other way advertise or represent himself as a person who practices the fitting or dealing of prescription hearing aids unless he holds a license as provided in this chapter. Nothing in this chapter shall be construed as requiring a licensee to engage in the business of selling over-the-counter hearing aids.”

Relevant Terms and Definitions

Term	Definition
Over-the-counter hearing aid	An air-conduction hearing aid that does not require implantation or other surgical intervention and is intended for use by a person age 18 or older to compensate for perceived mild to moderate hearing impairment.
Practice of fitting or dealing in hearing aids	(i) The measurement of human hearing by means of an audiometer or by any other means solely for the purpose of making selections, adaptations, or sale of hearing aids, (ii) The measurement of human hearing by means of an audiometer or by any other means solely for the purpose of making selections, adaptations, or sale of hearing aids, OR (iii) The making of impressions for earmolds for prescription hearing aids. A practitioner, at the request of a physician or a member of a related profession, may make audiograms for the professional's use in consultation with the hard-of-hearing.
Prescription hearing aid	A hearing aid that is not an over-the-counter hearing aid.
“Sell” or “Sale”	Any transfer of title or of the right to use by lease, bailment, or any other contract, excluding wholesale transactions with distributors or practitioners.