

334.010 Definitions for chapter.

As used in this chapter, unless the context otherwise requires:

- (1) "Apprentice" means any applicant in training to become a licensed specialist in hearing instruments;
- (2) "Apprentice permit" means a permit issued while the applicant is in training to become a licensed specialist in hearing instruments;
- (3) "Board" means the Kentucky Licensing Board for Specialists in Hearing Instruments;
- (4) "Client" means the user or purchaser of the hearing instrument;
- (5) "License" means a license issued by the board under this chapter to specialists in hearing instruments;
- (6) "Over-the-counter hearing aid" means air conduction hearing aids that satisfy the requirements in the Over-the-Counter Hearing Aid Controls, 21 C.F.R. sec. 800.30(c) to (f), and are considered available over the counter pursuant to 21 U.S.C. sec. 360j(q)(1)(A)(v), but do not satisfy the regulatory requirements for prescription hearing aids;
- (7) "Practice of fitting hearing instruments" means the measurement of human hearing by means of an audiometer for the purpose of making selections, adaptations, and adjustments of hearing instruments, including both over-the-counter hearing aids and prescription hearing aids. The practice of fitting hearing instruments also includes the making of ear mold impressions and custom earmolds and ordering the use of hearing instruments;
- (8) "Practice of selling and fitting hearing instruments" means selling, ordering the use of, and fitting prescription hearing aids and over-the-counter hearing aids, including the measurement of human hearing by means of an audiometer for the purpose of making selections, adaptations, and adjustments of hearing instruments. The practice of selling and fitting hearing instruments also includes the making of ear mold impressions and custom earmolds and ordering the use of hearing instruments;
- (9) "Prescription hearing aid" means a Class 1 or Class 2 device as defined in the federal Food, Drug and Cosmetic Act, 21 U.S.C. sec. 321(h), that is not an over-the-counter hearing aid as defined in Over-the-Counter Hearing Aid Controls, 21 C.F.R. sec. 800.30, or a hearing aid that does not satisfy the regulatory requirements for over-the-counter hearing aids;
- (10) "Sell" or "sale" means any transfer of title or transfer of the right to use by lease, bailment, or any other means;
- (11) "Specialist in hearing instruments" means any individual licensed under this chapter;
- (12) "Sponsor" means a licensed specialist in hearing instruments qualified under KRS 334.090(8) who assumes professional responsibility for an apprentice; and
- (13) "Used" or "not new," with respect to a hearing instrument, means a hearing instrument that has been the subject of a sale and the title to which was held by the client for a period longer than thirty (30) days.

Effective: June 29, 2023

History: Repealed and reenacted 2023 Ky. Acts ch. 53, sec. 1, effective June 29, 2023.
-- Amended 1996 Ky. Acts ch. 272, sec. 1, effective July 15, 1996. -- Amended 1992
Ky. Acts ch. 460, sec. 1, effective July 14, 1992. -- Amended 1976 Ky. Acts ch. 276,
sec. 1. -- Amended 1974 Ky. Acts ch. 308, sec. 58. --Created 1972 Ky. Acts ch. 48,
sec. 1.