

334.200 Requirements for sale or fitting of hearing instruments.

- (1) Any person licensed to sell hearing instruments under this chapter shall maintain, for not less than three (3) years in a file under the name of the person to whom a hearing instrument was sold, a true copy of the written agreement, offer to purchase, or receipt given the person pursuant to KRS 334.030.
- (2) The servicing, marketing, sale, dispensing, customer support, or distribution of over-the-counter hearing aids, or an equivalent activity, whether through in-person transactions, by mail, or online, shall not cause, require, or otherwise obligate a person providing such services to obtain specialized licensing, certification, or any other state or local sanction unless the requirement is generally applicable to the sale of any product or to all places of business regardless of whether they sell over-the-counter hearing aids. A person licensed under KRS Chapters 334 and 334A may service, market, sell, dispense, provide customer support for, or distribute over-the-counter hearing aids to any person.
- (3) Any person licensed under Chapters 334 and 334A to sell hearing aids under this chapter shall abide by the age restriction requirements to sell over-the-counter hearing aids in accordance with the Over-the-Counter Hearing Aid Controls, 21 C.F.R. sec. 800.30(g)(1).
- (4) Nothing in this chapter shall apply to the servicing, marketing, sale, dispensing, use, customer support, or distribution of an over-the-counter hearing aid.

Effective: June 29, 2023

History: Repealed and reenacted 2023 Ky. Acts ch. 53, sec. 2, effective June 29, 2023.
-- Amended 1992 Ky. Acts ch. 460, sec. 19, effective July 14, 1992. -- Created 1976 Ky. Acts ch. 276, sec. 2.