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Sequence Number: 10-17-23
Notice ID(s): 3737
File Date: 10/16/2023

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Board of Communications Disorders and Sciences, Council for Licensing Hearing Instrument Specialists
Division:	
Contact Person:	Kristen Moon, Associate Counsel
Address:	665 Mainstream Drive, Nashville, Tennessee 37243
Phone:	(615) 741-1611
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Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator
Address:	710 James Robertson Parkway, Andrew Johnson Building, 5th Floor, Nashville, Tennessee 37243
Phone:	(615) 741-6354
Email:	Marci.Martinez@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Metro Center
Address 2:	665 Mainstream Drive, Poplar Conference Room
City:	Nashville, TN
Zip:	37228
Hearing Date:	12/15/2023
Hearing Time:	9:00 A.M. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row)

Chapter Number	Chapter Title
1370-02	General Rules Governing Hearing Instrument Specialists
Rule Number	Rule Title
1370-02-.08	Examinations

Chapter 1370-02
General Rules Governing Hearing Instrument Specialists

Amendments

Rule 1370-02-.08 Examinations is amended by adding new part (1)(b)4, so that as amended, the new part shall read:

- (1) (b) 4. Practical Skills Examination proctors. The Council, or its designated representatives, shall administer the practical skills examination.
- (i) To be considered as a potential proctor, the following requirements must be met:
 - (I) hold an active and unencumbered license as a Hearing Instrument Specialist in Tennessee;
 - (II) hold current National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification;
 - (III) observe at least one (1) practical skills examination;
 - (IV) submit an application to the Council, which can be found on the Council's website; and
 - (V) must be impartial.
 - (ii) A proctor:
 - (I) is required to travel to the Council's administrative office in Nashville, Tennessee on scheduled testing dates which are set in advance;
 - (II) shall receive compensation in the amount of one hundred dollars (\$100.00);
 - (III) may be eligible for reimbursement of travel expenses, or a portion thereof; and
 - (IV) may also be eligible for reimbursement of travel expenses, or a portion thereof.
 - (iii) Neither this rule, nor the completion of these requirements, ensures that an applicant will be selected to serve as a proctor. This rule serves to ensure that prequalified proctors are available when necessary in order for the Council to administer the practical skills examination pursuant to T.C.A. §§ 63-17-203 and 63-17-209.
 - (iv) The Council shall take any actions necessary to insure impartiality.
 - (v) Any Council member administering the practical skills examination may elect to recuse himself from administering the practical skills examination to a particular applicant.
 - (vi) Any applicant taking the practical skills examination may, upon written request, have a Council member recused from administering such applicant's practical skills examination. The written request of the applicant should be received in the Council's Administrative Office at least ten (10) days prior to the scheduled examination.

Authority: T.C.A. §§ 63-17-105, 63-17-201, 63-17-203, 63-17-208, 63-17-209, and 63-17-210.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: October 16, 2023

Signature: 

Name of Officer: Kristen Moon

Title of Officer: Associate Counsel, Department of Health

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Filed with the Department of State on: 10/16/2023



Tre Hargett
Secretary of State

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1370-02-.08 EXAMINATIONS

All applicants for licensure as a hearing instrument specialist or for registration as an apprentice hearing instrument specialist must successfully complete the applicable examinations described in this rule. All other requirements for licensure or registration must be successfully completed before the Council will approve an applicant to take the examinations.

(1) Hearing Instrument Specialist

(a) Written Examination - The Council adopts as its written licensure examination the International Hearing Society's examination or its successor examination.

1. The passing score shall be the overall passing score as determined by the International Hearing Society.
2. If the applicant is currently licensed or has been licensed in another state as a hearing instrument specialist, the applicant shall direct the National Board for Certification in Hearing Instruments Sciences to submit evidence that he is currently certified by the NBC-HIS or the applicant shall direct the IHS to submit documentation that he has passed the written examination as provided in this rule.

(b) Practical Skills Examination - Successful completion of the written examination requirements must be accomplished before the Council will approve an applicant to take the practical skills examination. The Council adopts as its practical skills examination the International Hearing Society's practical skills examination or its successor examination.

1. All applicants will be required to demonstrate knowledge in audiogram interpretation, advanced audiometric techniques, and earmold impression technique.
2. Applicants may be required to bring the following to the practical skills examination:
 - (i) An audiometer, audiogram forms, and proof of the audiometer's current calibration; and
 - (ii) An otoscope; and
 - (iii) All materials needed to make an ear impression; and
 - (iv) Equipment needed to program, troubleshoot, or modify hearing instruments and ear molds; and
 - (v) Red and blue ink pens; and
 - (vi) An individual to be the subject for the ear impression and the hearing test.
3. The passing score shall be the overall passing score as determined by the International Hearing Society.

4. Practical Skills Examination proctors. The Council, or its designated representatives, shall administer the practical skills examination.

(i) To be considered as a potential proctor, the following requirements must be met:

- (I) hold an active and unencumbered license as a Hearing Instrument Specialist in Tennessee;
- (II) hold current National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification;
- (III) observe at least one (1) practical skills examination;
- (IV) submit an application to the Council, which can be found on the Council's website; and
- (V) must be impartial.

(ii) A proctor:

- (I) is required to travel to the Council's administrative office in Nashville, Tennessee on scheduled testing dates which are set in advance;
- (II) shall receive compensation in the amount of one hundred dollars (\$100.00);
- (III) may be eligible for reimbursement of travel expenses, or a portion thereof; and
- (IV) may also be eligible for reimbursement of travel expenses, or a portion thereof.

(iii) Neither this rule, nor the completion of these requirements, ensures that an applicant will be selected to serve as a proctor. This rule serves to ensure that prequalified proctors are available when necessary in order for the Council to administer the practical skills examination pursuant to T.C.A. §§ 63-17-203 and 63-17-209.

(iv) The Council shall take any actions necessary to insure impartiality.

(v) Any Council member administering the practical skills examination may elect to recuse himself from administering the practical skills examination to a particular applicant.

(vi) Any applicant taking the practical skills examination may, upon written request, have a Council member recused from administering such applicant's practical skills examination. The written request of the applicant should be received in the Council's Administrative Office at least ten (10) days prior to the scheduled examination.

(c) Jurisprudence Examination

1. Applicants will be tested on their knowledge of the HIS statute, Title 63, Chapter 17 of the T.C.A., and Council rules and regulations.
2. The passing score shall be a minimum of seventy percent (70%).

(2) Fees - Initial and retake examination fees, pursuant to Rule 1370-02-.06, must be received in the Council's Administrative Office prior to the examination date, except as provided in Paragraph (4).

(3) Examination Retakes and Limitations

- (a) An applicant who fails any section of either the written examination or the practical skills examination will be retested in the section(s) failed only.
- (b) On or before the thirtieth (30th) day from receipt of the examination results, the applicant shall submit to the Council his retake fee. Failure to do so will result in the application file being closed. If closed, no further Council action will take place until a new application is received pursuant to the rules governing the application process, including payment of all fees.
- (c) After three (3) failures of the written or practical skills examinations, the applicant must wait for twelve (12) months before sitting for a retake. During these twelve (12) months, the applicant must receive training assistance from a Tennessee licensed hearing instrument specialist. Within ninety (90) days of the applicant's notification of the third (3rd) examination failure, the applicant must notify the Council in writing of the name of the Tennessee licensed hearing instrument specialist who will provide the training.

(4) Examination Proctors

- (a) The Council, or its designated representatives, shall administer all examinations. The Council shall take any actions necessary to insure impartiality.
- (b) Any Council member administering the practical skills examination may elect to recuse himself from administering the practical skills examination to a particular applicant.
- (c) Any applicant taking the practical skills examination may, upon written request, have a Council member recused from administering such applicant's practical skills examination. The written request of the applicant should be received in the Council's Administrative Office at least ten (10) days prior to the scheduled examination.

(5) Examination Dates and Sites - The location of the examinations shall be designated in advance by the Council and such shall be held not less than annually at such time and place as specified by the Council, if there are applicants eligible for the examinations. Examinations shall be given at other times as, in the opinion of the Council, the number of applicants warrants.

(6) Examination Results - Examination results will be mailed to the applicant. Results are not provided by telephone, facsimile, or e-mail.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204~~, 63-17-105, 63-17-201, 63-17-203, 63-17-208, 63-17-209, and 63-17-210.