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Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Tennessee Board of Communications Disorders and Sciences, Council for Licensing Hearing Instrument Specialists
Division:	
Contact Person:	Ashley L. Fine, Associate General Counsel
Address:	665 Mainstream Drive, Nashville, Tennessee
Zip:	37243
Phone:	615) 253-4877
Email:	Ashley.Fine@tn.gov

Revision Type (check all that apply):

X 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 Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below.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-.04	Preliminary Qualifications for Licensure
1370-02-.05	Procedures for Licensure

Place substance of rules and other info here. Please be sure to include a detailed explanation of the changes being made to the listed rule(s). Statutory authority must be given for each rule change. For information on formatting rules go to https://sos.tn.gov/products/division-publications/rulemaking-guidelines.

Chapter 1370-02
General Rules Governing Hearing Instrument Specialists

Amendments

Rule 1370-02-.04 Preliminary Qualifications for Licensure is amended by deleting subparagraph (1)(b) in its entirety and by substituting instead the following language, and is further amended by adding subparagraph (1)(c) and by deleting only subparagraph (2)(b) and paragraph (3) in their entirety and by substituting instead the following language, and is further amended by adding new paragraph (4), so that as amended, the new subparagraph and paragraphs shall read:

(1) (b) Education equivalent to two (2) years of accredited college level course work or hold National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification; and

(c) An applicant must pass the written examination, the practical skills examination, and the Tennessee Jurisprudence Examination as found in Rule 1370-02-.08.

(2) (b) Education equivalent to two (2) years of accredited college level course work or hold National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification; and

(3) Reciprocity for Applicants with NBC-HIS Certification:

(a) Eighteen (18) years of age or older; and

(b) Hold National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification; and

(c) Hold a current unencumbered license, registration, or certification from another state or country; and

(d) An applicant must pass the Tennessee Jurisprudence Examination as found in Rule 1370-02-.08.

(4) Reciprocity for Applicants without NBC-HIS Certification:

(a) Eighteen (18) years of age or older; and

(b) Education equivalent to two (2) years of accredited college level course work; and

(c) Hold a current unencumbered license, registration, or certification from another state or country, which was based on passing a written and practical examination developed in accordance with IHS standards, with an overall passing score as determined by the IHS; and

(d) An applicant must pass the Tennessee Jurisprudence Examination found in Rule 1370-02-.08.

Authority: T.C.A. §§ 63-17-203, 63-17-207, 63-17-208, 63-17-209, 63-17-211, and 2019 Public Chapter 323.

Rule 1370-02-.05 Procedures for Licensure is amended by deleting subparagraph (1)(c) in its entirety and substituting instead the following language, and is further amended by deleting subparagraph (1)(h) in its entirety and by re-lettering the remaining subparagraphs accordingly, and is further amended by deleting newly re-lettered part (1)(i)2 in its entirety and substituting the following language, and is further amending by adding new paragraph (3) and renumbering the remaining paragraphs accordingly, and is further amended by deleting newly renumbered paragraph (4), but not all of its subparagraph and parts, and substituting instead the following language, and is further amended by deleting subparagraph (4)(h) in its entirety and re-lettering the remaining subparagraphs accordingly, and is further amended by deleting newly re-lettered part (4)(i)2, subparagraph (4)(m) in their entirety and by substituting instead the following language, and is further amended by deleting newly renumbered subparagraph (5)(c) in its entirety and by substituting instead the following language, and is further amended by deleting newly numbered and newly re-lettered subparagraph (5)(f) in its entirety and by re-lettering

the remaining subparagraphs accordingly, and is further amended by deleting newly renumbered and re-lettered part (5)(h)2 in its entirety and by substituting instead the following language, so that as amended, the new paragraphs, subparagraphs, and parts shall read:

(1) (c) Proof of Education or NBC-HIS Certification.

1. It is the applicant's responsibility to provide evidence that he has fulfilled the educational requirements by instructing his college to submit an official transcript directly to the Council's Administrative Office. The transcript must carry the official seal of the school and reference the name under which the applicant has applied for licensure. If the name under which the transcript is issued differs from the applicant's current name, documentation must be submitted which supports such applicant's name change; or

2. The applicant shall direct the National Board for Certification in Hearing Instrument Sciences to submit evidence that he is currently certified by the NBC-HIS.

(i) 2. The denial of a license, certification, or registration or the previous or pending discipline of a license, certification, or registration by any other state or country.

(3) Licensed Hearing Instrument Specialist by Reciprocity for Applicants with NBC-HIS Certification:

(a) Applications will be accepted throughout the year and processed in the Council's Administrative Office.

(b) An applicant shall obtain a current application form from the Council's Administrative Office, respond truthfully and completely to every question or request for information contained in the form, and submit it along with all documentation and fees required by the form and this rule to the Council's Administrative Office. It is the intent of this rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all documentation be filed simultaneously.

(c) An applicant shall pay the nonrefundable Application Fee as provided in Rule 1370-02-.06 and submit the fee with the application.

(d) An applicant shall submit with his application a "passport" style photograph taken within the preceding twelve (12) months and attach it to the appropriate page of the application.

(e) An applicant shall submit with his application a certified photocopy of his birth certificate.

(f) An applicant shall disclose the circumstances surrounding any of the following:

1. Conviction of any crime in any country, state, or municipality, except minor traffic violations.

2. The denial of a license, certification, or registration or the previous or pending discipline of a license, certification, or registration by any other state or country.

(g) An applicant shall cause to be submitted to the Council's administrative office directly from the vendor identified in the Council's licensure application materials, the result of a criminal background check.

(h) 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.

(i) The applicant shall direct the appropriate licensing Council in each state in which he holds a license to send an official statement which indicates that such license is in effect and in good standing.

(j) Only those persons who hold, at the time of application, a current unsuspended or unrevoked license from the state in which they are engaged in business may apply for licensure by reciprocity.

(k) If it is determined by the Council or the Board that an applicant does not meet the reciprocity requirements, he must file an application for licensure by examination.

(4) Licensed Hearing Instrument Specialist by Reciprocity for Applicants without NBC-HIS Certification:

(i) 2. The denial of a license, certification, or registration or the previous or pending discipline of a license, certification, or registration by any other state or country.

(m) The applicant shall direct the IHS to submit documentation that he has passed the written examination, pursuant to Rule 1370-02-.08.

(5) (c) It is the applicant's responsibility to:

1. provide evidence that he has fulfilled the educational requirements by instructing his college to submit an official transcript to the Council's Administrative Office. The transcript must carry the official seal of the school and reference the name under which the applicant has applied for licensure. If the name under which the transcript is issued differs from the applicant's current name, documentation must be submitted which supports such applicant's name change; or

2. direct the National Board for Certification in Hearing Instrument Sciences to submit evidence that he is currently certified by the NBC-HIS.

(h) 2. The denial of a license, certification, or registration or the previous or pending discipline of a license, certification, or registration by any other state or country.

Authority: T.C.A. §§ 63-17-105, 63-17-203, 63-17-207, 63-17-208, and 2019 Public Chapter 323.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Gary L. Kelly	X				
Jackie Miller	X				
Bruce L. Fetterman, MD	X				
Amanda N. Yarnell	X				
Lordy Smith				X	

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Board of Communications Disorders and Sciences, Council for Licensing Hearing Instrument Specialists on 10/22/2021, and is in compliance with the provisions of T.C.A. § 4-5-222.

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Ellen J. Pearson	X				
Carrie Mills	X				
Robyn R. Lusby	X				
Richard E. Morton	X				
Skye Jones	X				
Dr. David Haynes	X				
Alicia Barker	X				

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Board of Communications Disorders and Sciences (board/commission/other authority) on November 09, 2021 (mm/dd/yyyy), and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 07/01/2021

Rulemaking Hearing(s) Conducted on: (add more dates). 10/22/2021, 11/09/2021

Date: January 27, 2022

Signature: Ashley L. Fine

Name of Officer: Ashley L. Fine

Title of Officer: Associate General Counsel, Department of Health

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Agency/Board/Commission: Tennessee Board of Communications Disorders and Sciences, Council for Licensing Hearing Instrument Specialists

Rule Chapter Number(s): 1370-02

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III

Herbert H. Slatery III
Attorney General and Reporter

3/1/2022

Department of State Use Only

Filed with the Department of State on: 3/8/2022

Effective on: 6/6/2022

Tre Hargett
Secretary of State

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Secretary of State
Division of Publications

Public Hearing Comments

One copy of a document that satisfies T.C.A. § 4-5-222 must accompany the filing.

There were no public comments received, either written or oral.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

(1) The extent to which the rule or rules may overlap, duplicate, or conflict with other federal, state, and local governmental rules.

These rules do not overlap, duplicate, or conflict with other federal, state, or local governmental rules.

(2) Clarity, conciseness, and lack of ambiguity in the rule or rules.

These rules are clear, concise, and unambiguous.

(3) The establishment of flexible compliance and/or reporting requirements for small businesses.

These rules do not contain reporting requirements.

(4) The establishment of friendly schedules or deadlines for compliance and/or reporting requirements for small businesses.

These rules do not contain reporting requirements.

(5) The consolidation or simplification of compliance or reporting requirements for small businesses.

These rules do not contain reporting requirements.

(6) The establishment of performance standards for small businesses as opposed to design or operational standards required in the proposed rule.

These rules do not contain reporting requirements.

(7) The unnecessary creation of entry barriers or other effects that stifle entrepreneurial activity, curb innovation, or increase costs.

These rules do not create any unnecessary barriers and do not stifle entrepreneurial activity, curb innovation, or increase costs. The purpose of 2019 Public Chapter 323 seems to have been to remove a burden to licensure with the goal of making it easier to become licensed in Tennessee and to attract more practitioners to the State.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228, "On any rule and regulation proposed to be promulgated, the proposing agency shall state in a simple declarative sentence, without additional comments on the merits or the policy of the rule or regulation, whether the rule or regulation may have a projected financial impact on local governments. The statement shall describe the financial impact in terms of increase in expenditures or decrease in revenues."

These rule amendments should not have any impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

(A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The Board of Communications Disorders and Sciences, Council for Licensing Hearing Instrument Specialists (hereinafter "Council") is amending its rules to incorporate 2019 Public Chapter 323. The new statutory language allows an applicant holding national board for certification in hearing instrument science (NBC-HIS) board certification (hereinafter "NBC-HIS certification") to qualify for a Tennessee license without having to meet the requirement of having obtained two (2) years of college coursework, which was the previous requirement set out in statute. Hence, Rule 1370-02-.04 is being amended to include this option for applicants applying for HIS licensure by examination, licensure as an HIS apprentice, and licensure by reciprocity for those applicants holding NBC-HIS national certification.

Additionally, Rule 1370-02-.05 is also being amended to include the certification option for hearing instrument specialists and HIS apprentices and to set apart the licensing procedures for applicants applying with NBC-HIS Certification. For clarity with regard to reciprocity, the Council is specifically setting forth the procedures for: 1) applicants for reciprocity holding NBC-HIS certification; and 2) applicants for reciprocity without NBC-HIS certification.

Lastly, these rules are being amended to remove a provision which currently requires all applicants to obtain documentation from a medical doctor attesting to the applicant's physical capabilities to practice in the profession. The Council voted to remove this provision because the rule is antiquated and because there are few, if any, boards that have such a requirement.

(B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

2019 Public Chapter 323, which was signed by the Governor on May 8, 2019 and which was incorporated into T.C.A. § 63-17-207(a)(2).

(C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

These rules will affect applicants seeking licensure by the Council.

(D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

None.

(E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars ($500,000), whichever is less;

These rules should not impact revenues or expenditures.

(F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Ashley L. Fine, Associate General Counsel, Department of Health

(G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Ashley L. Fine, Associate General Counsel, Department of Health

(H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Department of Health, Office of General Counsel, 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243, 615-741-1611, Ashley.Fine@tn.gov

(I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None

RULES
OF
TENNESSEE BOARD OF COMMUNICATIONS DISORDERS AND SCIENCES
COUNCIL FOR LICENSING HEARING INSTRUMENT SPECIALISTS

CHAPTER 1370-02
GENERAL RULES GOVERNING HEARING INSTRUMENT SPECIALISTS

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1370-02-.04 PRELIMINARY QUALIFICATIONS FOR LICENSURE.

(1) Licensed Hearing Instrument Specialist by examination:

(a) Eighteen (18) years of age or older; and

(b) Education equivalent to two (2) years of accredited college level course work~~.~~ or hold National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification; and

(c) An applicant must pass the written examination, the practical skills examination, and the Tennessee Jurisprudence Examination as found in Rule 1370-02-.08.

(Rule 1370-02-.04, continued)

(2) Apprentice Hearing Instrument Specialist:

(a) Eighteen (18) years of age or older; and

(b) Education equivalent to two (2) years of accredited college level course work~~;~~ or hold National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification; and

(c) Sponsor to provide training and supervision.

~~(3) Licensed Hearing Instrument Specialist by reciprocity:~~

~~(a) Eighteen (18) years of age or older; and~~

~~(b) Education equivalent to two (2) years of accredited college level course work; and~~

~~(c) Holds a current unencumbered license from another state or country and must meet one of the following:~~

~~1. Out-of-state license issuance was based on passing a written and practical examination developed in accordance with IHS standards, with an overall passing score as determined by the IHS; or~~

~~2. Applicant holds a current certification by the National Board for Certification in Hearing Instrument Sciences (NBC-HIS); and~~

~~(d) An applicant must pass the Tennessee Jurisprudence Examination.~~

(3) Reciprocity for Applicants with NBC-HIS Certification:

(Rule 1370-02-.04, continued)

(a) Eighteen (18) years of age or older; and

(b) Hold National Board for Certification in Hearing Instrument Sciences (NBC-HIS) certification; and

(c) Hold a current unencumbered license, registration, or certification from another state or country; and

(d) An applicant must pass the Tennessee Jurisprudence Examination as found in Rule 1370-02-.08.

(4) Reciprocity for Applicants without NBC-HIS Certification:

(a) Eighteen (18) years of age or older; and

(b) Education equivalent to two (2) years of accredited college level course work; and

(c) Hold a current unencumbered license, registration, or certification from another state or country, which was based on passing a written and practical examination developed in accordance with IHS standards, with an overall passing score as determined by the IHS; and

(d) An applicant must pass the Tennessee Jurisprudence Examination found in Rule 1370-02-.08.

Authority: *T.C.A. §§ 4-5-202, 4-5-204, 63-15-107, 63-15-108, 63-15-111, 63-17-105, 63-17-203, 63-17-207, 63-17-208, 63-17-209, and 63-17-211.* ***Administrative History:*** *(For Administrative History prior to November 1987 see page 1.) Repeal and new rule filed September 24, 1987; effective November 8, 1987. Amendment filed March 1, 1990; effective April 15, 1990. Repeal and new rule filed April 29, 1992; effective June 13, 1992. Repeal and new rule renumbered from 0760-01-.04 filed December 28, 1999; effective March 12, 2000. Amendments filed May 14, 2018; effective August 12, 2018.*

1370-02-.05 PROCEDURES FOR LICENSURE.

(Rule 1370-02-.05, continued)

(1) Licensed Hearing Instrument Specialist.

(a) An applicant shall obtain a current application packet from the Council's Administrative Office, respond truthfully and completely to every question or request for information contained in the form, and submit it along with all documentation and fees required by the form and this rule to the Council's Administrative Office. It is the intent of this rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all materials be filed simultaneously.

(b) Applications will be accepted throughout the year and processed in the Council's Administrative Office. Supporting documents, if requested by the Council, must be received by the Council's Administrative Office within sixty (60) days of receipt of the request or the application file shall be closed.

(c) Proof of Education or NBC-HIS Certification.

1. It is the applicant's responsibility to provide evidence that he has fulfilled the educational requirements by instructing his college to submit an official transcript directly to the Council's Administrative Office. The transcript must carry the official seal of the school and reference the name under which the applicant has applied for licensure. If the name under which the transcript is issued differs from the applicant's current name, documentation must be submitted which supports such applicant's name change; or.

2. The applicant shall direct the National Board for Certification in Hearing Instrument Sciences to submit evidence that he is currently certified by the NBC-HIS.

(d) An applicant shall pay the nonrefundable application fee as provided in Rule 1370-02-.06 and submit the fee with the application.

(e) An applicant shall pay, at the time of application, the examination fees pursuant to Rule 1370-02-.06.

(Rule 1370-02-.05, continued)

(f) Every person desiring to engage in fitting and dispensing hearing instruments shall be required to pass the examination pursuant to Rule 1370-02-.08.

(g) An applicant shall submit with his application a "passport" style photograph taken within the preceding twelve (12) months and attach it to the appropriate page of the application.

~~(h) An applicant shall submit documentation from a medical doctor that, in his professional opinion, the applicant is physically capable of practicing his profession.~~

(h)~~(i)~~ An applicant shall submit with his application a certified photocopy of his birth certificate.

(i)~~(j)~~ An applicant shall disclose the circumstances surrounding any of the following:

1. Conviction of any crime in any country, state, or municipality, except minor traffic violations.

2. The denial of a licens e~~ure~~, certification, or registration ~~application by any other state~~ or the previous or pending discipline of a~~the~~ license~~e~~, certification, or registration by~~in~~ any other state or country.~~.~~

(j)~~(k)~~ An applicant shall cause to be submitted to the Council's administrative office directly from the vendor identified in the Council's licensure application materials, the result of a criminal background check.

(2) Licensed Hearing Instrument Specialist by Upgrade from Apprentice Licensure Status to HIS Licensure by Examination.

(Rule 1370-02-.05, continued)

(a) An individual who holds a Tennessee apprentice HIS license may, after ninety (90) days from the date of issuance of such license, submit to the Council's Administrative Office a request to upgrade to HIS licensure status by examination.

(b) Applications for upgrade will be accepted throughout the year and processed in the Council's Administrative Office.

(c) An applicant for upgrade shall obtain an application form from the Council's Administrative Office; however, an applicant will not be required to provide duplicates of documents which were submitted to support his application for apprentice.

(d) An applicant for upgrade shall submit the nonrefundable HIS application fee as provided in Rule 1370-02-.06 with his application for upgrade.

(e) An applicant for upgrade shall, at the time of application, pay the HIS examination fees as provided in Rule 1370-02-.06.

(f) An applicant for upgrade shall provide proof of sixty (60) classroom hours of approved instructions in Hearing Evaluations and/or Hearing Aid Fitting.

(g) An applicant for upgrade shall provide a photocopy of his apprentice license along with the application.

(h) An applicant for upgrade shall be required to pass the examinations pursuant to Rule 1370-02-.08 as a prerequisite to licensure.

(3) Licensed Hearing Instrument Specialist by Reciprocity for Applicants with NBC-HIS Certification:

(a) Applications will be accepted throughout the year and processed in the Council's Administrative Office.

(Rule 1370-02-.05, continued)

(b) An applicant shall obtain a current application form from the Council's Administrative Office, respond truthfully and completely to every question or request for information contained in the form, and submit it along with all documentation and fees required by the form and this rule to the Council's Administrative Office. It is the intent of this rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all documentation be filed simultaneously.

(c) An applicant shall pay the nonrefundable Application Fee as provided in Rule 1370-02-.06 and submit the fee with the application.

(d) An applicant shall submit with his application a "passport" style photograph taken within the preceding twelve (12) months and attach it to the appropriate page of the application.

(e) An applicant shall submit with his application a certified photocopy of his birth certificate.

(f) An applicant shall disclose the circumstances surrounding any of the following:

1. Conviction of any crime in any country, state, or municipality, except minor traffic violations.

2. The denial of a license, certification, or registration or the previous or pending discipline of a license, certification, or registration by any other state or country.

(g) An applicant shall cause to be submitted to the Council's administrative office directly from the vendor identified in the Council's licensure application materials, the result of a criminal background check.

(h) 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.

(Rule 1370-02-.05, continued)

(i) The applicant shall direct the appropriate licensing Council in each state in which he holds a license to send an official statement which indicates that such license is in effect and in good standing.

(j) Only those persons who hold, at the time of application, a current unsuspended or unrevoked license from the state in which they are engaged in business may apply for licensure by reciprocity.

(k) If it is determined by the Council or the Board that an applicant does not meet the reciprocity requirements, he must file an application for licensure by examination.

(4)~~(3)~~ Licensed Hearing Instrument Specialist by Reciprocity for Applicants without NBC-HIS Certification:

(a) Applications will be accepted throughout the year and processed in the Council's Administrative Office.

(b) An applicant shall obtain a current application form from the Council's Administrative Office, respond truthfully and completely to every question or request for information contained in the form, and submit it along with all documentation and fees required by the form and this rule to the Council's Administrative Office. It is the intent of this rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all documentation be filed simultaneously.

(c) It is the applicant's responsibility to provide evidence that he has fulfilled the educational requirements by instructing his college to submit an official transcript directly to the Council's Administrative Office. The transcript must carry the official seal of the school and reference the name under which the applicant has applied for licensure. If the name under which the transcript is issued differs from the applicant's current name, documentation must be submitted which supports such applicant's name change.

(d) An applicant shall pay the nonrefundable Application Fee as provided in Rule 1370-02-.06 and submit the fee with the application.

(Rule 1370-02-.05, continued)

(e) An applicant shall pay the Examination Fee, at the time of application, pursuant to Rule 1370-02-.06.

(f) Passage of required examination(s) pursuant to Rule 1370-02-.08 is a prerequisite to licensure by reciprocity.

(g) An applicant shall submit with his application a "passport" style photograph taken within the preceding twelve (12) months and attach it to the appropriate page of the application.

~~(h) An applicant shall provide documentation from a medical doctor that, in his professional opinion, the applicant is physically capable of practicing his profession.~~

(h)~~(i)~~ An applicant shall submit with his application a certified photocopy of his birth certificate.

(i)~~(j)~~ An applicant shall disclose the circumstances surrounding any of the following:

1. Conviction of any crime in any country, state, or municipality, except minor traffic violations.

2. The denial of a licens~~ure~~e, certification, or registration or the previous or pending discipline of a licens~~ure~~e, certification, or registration by any other state or country.

(j)~~(k)~~ An applicant shall cause to be submitted to the Council's administrative office directly from the vendor identified in the Council's licensure application materials, the result of a criminal background check.

(Rule 1370-02-.05, continued)

(k)~~(l)~~ An applicant must submit a copy of his current certificate or license with certificate or license number from the other state.

(l)~~(m)~~ An applicant must submit a copy of his renewal certificate with the expiration date and certificate number from the other state.

(m)~~(n)~~ 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, pursuant to Rule 1370-02-.08.

(n)~~(o)~~ The applicant shall direct the appropriate licensing Council in each state in which he holds or has held a license to send an official statement which indicates that such license is in effect and in good standing and under what provision such license was issued (i.e., examination, reciprocity, grandfathering, etc.). Such documentation must specify that the written examination was proctored by a state board member, or their designee.

(o)~~(p)~~ Only those persons who hold, at the time of application, a current unsuspended or unrevoked license from the state in which they are engaged in business may apply for licensure by reciprocity.

(p)~~(q)~~ If it is determined by the Council or the Board that an applicant does not meet the reciprocity requirements, he must file an application for licensure by examination.

(5)~~(4)~~ Apprentice Licensed Hearing Instrument Specialist.

(a) Applications will be accepted throughout the year and processed in the Council's Administrative Office.

(b) An applicant shall obtain a current application form from the Council's Administrative Office, respond truthfully and completely to every question or request for information contained in the form, and submit it along with all documentation and fees required

(Rule 1370-02-.05, continued)

by the form and this rule to the Council's Administrative Office. It is the intent of this Rule that all steps necessary to accomplish the filing of the required documentation be completed prior to filing an application and that all documentation be filed simultaneously.

(c) It is the applicant's responsibility to:

1. provide evidence that he has fulfilled the educational requirements by instructing his college to submit an official transcript to the Council's Administrative Office. The transcript must carry the official seal of the school and reference the name under which the applicant has applied for licensure. If the name under which the transcript is issued differs from the applicant's current name, documentation must be submitted which supports such applicant's name change; or

2. direct the National Board for Certification in Hearing Instrument Sciences to submit evidence that he is currently certified by the NBC-HIS.

(d) An applicant shall pay, at the time of application, the non-refundable application fee provided in Rule 1370-02-.06.

(e) An applicant shall submit with his application a "passport" style photograph taken within the preceding twelve (12) months and attach it to the appropriate page of the application.

~~(f) An applicant shall provide documentation from a medical doctor that, in his professional opinion, the applicant is physically capable of practicing his profession.~~

(f)~~(g)~~ An applicant shall submit with his application, a certified photocopy of his birth certificate.

(g)~~(h)~~ An applicant shall provide evidence, in the form of a letter from a sponsor, that he has obtained a sponsor to provide training, direct supervision, and an outline of training.

(h)~~(i)~~ An applicant shall disclose the circumstances surrounding any of the following:

(Rule 1370-02-.05, continued)

1. Conviction of any crime in any country, state, or municipality, except minor traffic violations.

2. The denial of a licensee~~ure~~, certification, or registration ~~application or previous~~ or the previous or pending discipline of a licensee~~ee~~, certification, or registration by any other state or country.

(i)~~(j)~~ An applicant shall cause to be submitted to the Council's administrative office directly from the vendor identified in the Council's licensure application materials, the result of a criminal background check.

Authority: *T.C.A. §§ 4-5-202, 4-5-204, 63-17-105, 63-17-203, 63-17-207, and 63-17-208.* ***Administrative History:*** *(For Administrative History prior to November 1987 see page 1.) Repeal and new rule filed September 24, 1987; effective November 8, 1987. Amendment filed March 1, 1990; effective April 15, 1990. Amendment filed January 24, 1991; effective March 10, 1991. Repeal and new rule filed April 29, 1992; effective June 13, 1992. Repeal and new rule renumbered from 0760-01-.05 filed December 28, 1999; effective March 12, 2000. Amendment filed February 10, 2000; effective April 25, 2000. Amendment filed March 17, 2006; effective May 31, 2006. Amendment filed June 29, 2007; effective September 12, 2007. Amendments filed May 14, 2018; effective August 12, 2018.*