

FIRST REGULAR SESSION

# SENATE BILL NO. 126

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHILDERS.

Pre-filed December 1, 1998, and 1,000 copies ordered printed.

S0067.02I

TERRY L. SPIELER, Secretary.

## AN ACT

To repeal section 346.110, RSMo Supp. 1998, relating to the purchase of hearing aids through the mail without prior fitting, and to enact in lieu thereof one new section relating to the same subject.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 346.110, RSMo Supp. 1998, is repealed and one new section enacted in lieu thereof, to be known as section 346.110, to read as follows:

346.110. No person shall:

(1) Sell through the mails, hearing instruments without [prior fitting and testing by a hearing instrument specialist] **providing a clearly worded disclaimer in no less than 12-point type stating that such hearing aid may not be appropriate for all individuals and that individual adjustments may be required;**

(2) Sell, barter, or offer to sell or barter a license;

(3) Purchase or procure by barter a license with intent to use it as evidence of the holder's qualification to engage in the practice of fitting hearing instruments;

(4) Alter a license with fraudulent intent;

(5) Use or attempt to use as a valid license a license which has been purchased, fraudulently obtained, counterfeited or materially altered;

(6) Willfully make a false statement in an application for license or application for renewal of a license.

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**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**