

BEFORE THE BOARD OF HEARING AID DISPENSERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.150.301 definitions,)
24.150.401 fees, 24.150.402 record)
retention, 24.150.501 examination,)
and 24.150.602 transactional)
document requirements)

TO: All Concerned Persons

1. On February 9, 2012, the Board of Hearing Aid Dispensers (board) published MAR notice no. 24-150-37 regarding the public hearing on the proposed amendment of the above-stated rules, at page 294 of the 2012 Montana Administrative Register, issue no. 3.

2. On March 1, 2012, a public hearing was held on the proposed amendment of the above-stated rules in Helena. One comment was received by the March 9, 2012, deadline.

3. The board has thoroughly considered the comment received. The comment and the board's response are as follows:

COMMENT 1: One commenter opposed the proposed fee increases in ARM 24.150.402, stating that with the higher fees, the commenter will not be able to serve the hard of hearing with home visits to small Montana towns. The commenter predicted that the elderly population will have to drive hundreds of miles to receive services, relationships with the hard of hearing will continue to deteriorate due to chronic miscommunication, and the commenter will have to raise prices, which the elderly cannot afford. The commenter also cautioned that the hard of hearing elderly will continue to lose sound and word recognition, which does not return without regular hearing aid use.

RESPONSE 1: The board is very sympathetic to the commenter's situation, but the board has discussed this exhaustively and ultimately determined that there are no other alternatives other than raising fees as proposed to allow the board to continue to operate.

4. The board has amended ARM 24.150.301, 24.150.401, 24.150.402, 24.150.501, and 24.150.602 exactly as proposed.

BOARD OF HEARING AID DISPENSERS
GENE BUKOWSKI, CHAIRPERSON

/s/ DARCEE L. MOE
Darcee L. Moe
Alternate Rule Reviewer

/s/ KEITH KELLY
Keith Kelly, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State April 16, 2012