

**63 O.S. § 1-1750-Rules and Regulations**

The State Board of Health has the power and duty to issue rules and regulations, not inconsistent with the laws of this state or of the federal government, which are necessary or useful to regulate in the public interest the practice of fitting and dealing hearing aids and licensing qualified individuals for the practice.

**63 O.S. § 1-1751- Fees for Licenses for the Fitting and Dealing of Hearing Aids**

Fees for licenses issued by the State Board of Health to practice the fitting and dealing of hearing aids shall be set by the State Board of Health at rates not less than the following schedule:

Application for a Temporary Permit	\$ 15.00
Examination Fee	35.00
Renewal of a License	50.00
Renewal within thirty-day grace period	75.00
Renewal after expiration	100.00

Any fee schedule changes must be submitted to the Legislature for approval or rejection under the Administrative Procedures Act. Applicants for examinations shall be responsible for the full cost of examinations, re- examinations, and background checks relating to licensing and certification.

**63 O.S. § 1-1754 - Renewal of Permit or License**

As a condition for renewal of a permit to practice, the Board shall require certificate and license holders to furnish evidence of participation in continuing education in the practice of fitting and dealing in hearing aids and related devices. The Board may adopt reasonable rules and regulations regarding such continuing education.

**63 O.S. § 1-103a.1 Creation of Public Health Advisory Councils**

A. To assist and advise the State Commissioner of Health and the State Department of Health, there are hereby created:

1. The Consumer Protection Licensing Advisory Council;
2. The Trauma and Emergency Response Advisory Council;
3. The Infant and Children’s Health Advisory Council;
4. The Advancement of Wellness Advisory Council; and
5. The Home Care, Hospice and Palliative Care Advisory Council.

B. 1. Except for the Home Care, Hospice and Palliative Care Advisory Council, each Public Health Advisory Council (Advisory Council) created pursuant to subsection A of this section shall consist of seven (7) members. Two members shall be appointed by the Governor, two members shall be appointed by the Speaker of the House of Representatives, two members shall be appointed by the President Pro Tempore of the Senate, and one member shall be appointed by the Commissioner. Appointments shall be for three-year terms. Members of the Advisory Councils shall serve at the pleasure of and may be removed from office by the appointing authority. Members shall continue to serve until their successors are appointed. Any vacancy shall be filled in the same manner as the original appointments. Four members shall constitute a quorum.

3. Each Advisory Council shall meet at least twice a year, but no more than four times a year and shall elect a chair, a vice-chair and a secretary from among its members. Each Advisory Council shall only meet as required for election of officers, establishment of meeting dates and times; rule development, review and recommendation; and adoption of nonbinding resolutions to the Department or the Commissioner concerning matters brought before the Advisory Council. Special meetings may be called by the chair or by the concurrence of any three members.

C. 1. All members of the Consumer Protection Licensing Advisory Council shall be knowledgeable of certain consumer issues as specified below. The Consumer Protection Licensing Advisory Council shall be composed as follows:

a. the Governor shall appoint:

- (1) one member who is a licensed radiologist assistant, and
- (2) one member who is a licensed audiologist,

b. the President Pro Tempore of the Senate shall appoint:

- (1) one member who is a licensed radiologist, and
- (2) one member representing the hearing-aid-fitting industry,

c. the Speaker of the House of Representatives shall appoint:

- (1) one member representing the medical micropigmentation industry, and
- (2) one member representing the hearing-impaired public, and

d. the Commissioner shall appoint one member representing a diagnostic x-ray facility.

2. The jurisdiction areas of the Consumer Protection Licensing Advisory Council shall include the hearing-aid-fitting industry, the medical micropigmentation industry, the radiation industry and such other areas as designated by the Commissioner.

H. In addition to other powers and duties assigned to each Advisory Council pursuant to this section, each Advisory Council, within its jurisdictional area, shall:

1. Have authority to recommend to the Commissioner rules on behalf of the Department. The Department shall not have standing to recommend to the Commissioner permanent rules or changes to

such rules within the jurisdiction of an Advisory Council which have not been submitted previously to the appropriate Advisory Council for action;

2. Before recommending any permanent rules to the Commissioner, give public notice, offer an opportunity for public comment and conduct a public rulemaking hearing when required by the Administrative Procedures Act;

3. Have the authority to make nonbinding written recommendations to the Commissioner or to the Department which have been concurred upon by at least a majority of the membership of the Advisory Council;

4. Have the authority to provide a public forum for the discussion of issues it considers relevant to its area of jurisdiction, and to:

a. pass nonbinding resolutions expressing the sense of the Advisory Council, and

b. make recommendations to the Commissioner or the Department concerning the need and the desirability of conducting meetings, workshops and seminars; and

5. Cooperate with each other Advisory Council, the public, the Commissioner and the Commissioner of Health in order to coordinate the rules within their respective jurisdictional areas and to achieve maximum efficiency and effectiveness in furthering the objectives of the Department.

I. The Advisory Councils shall not recommend rules for promulgation by the Commissioner unless all applicable requirements of the Administrative Procedures Act have been followed, including but not limited to notice, rule-impact statement and rulemaking hearings.

J. Members of the Advisory Councils shall serve without compensation. The Advisory Councils are authorized to utilize the conference rooms of the Department and obtain administrative assistance from the Department, as required.