

BILL ANALYSIS

C.S.H.B. 2699
By: Goldman
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that the law relating to hearing instrument fitter and dispenser examinations is burdened with out-of-date and extraneous provisions. C.S.H.B. 2699 seeks to clarify and update the law governing these professions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2699 amends the Occupations Code to specify that the Texas Department of Licensing and Regulation (TDLR) is required to arrange for the validation of an examination for a hearing instrument fitter and dispenser and to remove the authorization for such an examination to include an oral test. The bill repeals the requirements for the examination to be administered at least twice each year and to be validated by an independent testing professional.

C.S.H.B. 2699 gives TDLR the option of using an authorized representative of TDLR to give each applicant for an examination required by TDLR to engage in fitting and dispensing hearing instruments in Texas certain due notice with regard to the examination and repeals a provision authorizing TDLR to refuse to examine such an applicant who has been convicted of a misdemeanor that involves moral turpitude or a felony. The bill clarifies that an applicant who previously failed an examination or test may retake the examination or test and that an applicant who previously failed a practical test may be retested only on those portions of the practical test that the applicant failed.

C.S.H.B. 2699 replaces a requirement for the issuance of an apprentice permit to fit and dispense hearing instruments to a temporary training permit holder who has passed all parts of the examination with a score of 70 percent or greater with a requirement for the issuance of such an apprentice permit to a temporary training permit holder who has passed the required examination.

C.S.H.B. 2699 revises the requirements for an applicant for a hearing instrument fitter and dispenser license by a person licensed to fit and dispense hearing instruments in another state by removing the requirement that the applicant take the practical test on the next regularly scheduled examination date after TDLR approves an application and the requirement for TDLR to issue to the applicant such a license if the applicant passes the examinations required under

statutory provisions relating to an application by a license holder from another state.

C.S.H.B. 2699 repeals Sections 402.104(b) and (c) and Section 402.203(c), Occupations Code.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2699 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.