

AN ACT

relating to the permit and license examinations for hearing instrument fitters and dispensers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 402.104(a) and (d), Occupations Code, are amended to read as follows:

(a) The department shall develop and maintain an examination that may include a written [~~oral~~] or practical test [~~tests~~]. The department shall administer or arrange for the administration and validation of the examination.

(d) The practical test [~~examination~~] must be administered by one or more qualified proctors selected and assigned by the department.

SECTION 2. Section 402.204(a), Occupations Code, is amended to read as follows:

(a) The examination must consist of written and [~~oral, or~~] practical tests that are objective in method and applied in a consistent manner.

SECTION 3. Section 402.205, Occupations Code, is amended by amending Subsections (a) and (c) and adding Subsection (d) to read as follows:

(a) The department or the department's authorized representative shall give each applicant due notice of the date and place of the examination and the subjects, areas, and skills that

1 will be included in the examination. A change may not be made in
2 those subjects, areas, and skills after the date of the examination
3 has been announced and publicized.

4 (c) An [~~On reexamination, an~~] applicant who previously
5 failed an examination or test may retake the examination or test.

6 (d) An applicant who previously failed a practical test may
7 be retested [~~examined~~] only on those portions of the practical test
8 [~~examination~~] that the applicant failed.

9 SECTION 4. Section 402.207(a), Occupations Code, is amended
10 to read as follows:

11 (a) The department shall issue an apprentice permit to fit
12 and dispense hearing instruments to a temporary training permit
13 holder who has:

14 (1) passed the required [~~all parts of the~~] examination
15 [~~with a score of 70 percent or greater~~];

16 (2) paid the required fees; and

17 (3) met all requirements of this chapter.

18 SECTION 5. Sections 402.209(e) and (f), Occupations Code,
19 are amended to read as follows:

20 (e) If the department approves an application, [~~on the next~~
21 ~~regularly scheduled examination date~~] the applicant may take the
22 practical test [~~section of the examination required under Section~~
23 ~~402.202~~] and a written test [~~examination~~] of Texas law administered
24 by the department or the department's authorized representative.

25 [~~If the applicant passes the examinations required under this~~
26 ~~section, the department shall issue to the applicant a license~~
27 ~~under this chapter.~~]

1 (f) The department may allow an applicant under this section
2 who satisfies all application requirements other than the
3 requirement under Subsection (c)(2) to take [~~all sections of~~] the
4 examination [~~required under Section 402.202. If the applicant~~
5 ~~passes the examination, the department shall issue to the applicant~~
6 ~~a license under this chapter~~].

7 SECTION 6. The following provisions of the Occupations Code
8 are repealed:

- 9 (1) Sections 402.104(b) and (c); and
10 (2) Section 402.203(c).

11 SECTION 7. The changes in law made by this Act to Chapter
12 402, Occupations Code, apply only to a person who applies to take an
13 examination on or after the effective date of this Act. A person who
14 first applies to take an examination before the effective date of
15 this Act is governed by the law in effect on the date the person
16 applies, and the former law is continued in effect for that purpose.

17 SECTION 8. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 2699 was passed by the House on April 16, 2019, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2699 was passed by the Senate on May 19, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor