

1-1 By: Zaffirini S.B. No. 904  
1-2 (In the Senate - Filed January 24, 2025; February 13, 2025,  
1-3 read first time and referred to Committee on Health & Human  
1-4 Services; April 28, 2025, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
1-6 April 28, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Kolkhorst	X		
1-10	Perry	X		
1-11	Blanco	X		
1-12	Cook	X		
1-13	Hall	X		
1-14	Hancock	X		
1-15	Hughes	X		
1-16	Miles	X		
1-17	Sparks		X	

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 904 By: Blanco

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the licensing and regulation of hearing instrument  
1-22 fitters and dispensers.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 401.2021, Occupations Code, is amended  
1-25 to read as follows:

1-26 Sec. 401.2021. RULES FOR HEARING INSTRUMENTS. With the  
1-27 assistance of the advisory board [~~and the Hearing Instrument~~  
1-28 ~~Fitters and Dispensers Advisory Board~~], the commission shall adopt  
1-29 rules to establish requirements for each sale of a hearing  
1-30 instrument for purposes of this chapter [~~and Chapter 402~~]. The  
1-31 rules must:

1-32 (1) address:

1-33 (A) the information and other provisions  
1-34 required in each written contract for the purchase of a hearing  
1-35 instrument;

1-36 (B) records that must be retained under this  
1-37 chapter [~~or Chapter 402~~]; and

1-38 (C) guidelines for the 30-day trial period during  
1-39 which a person may cancel the purchase of a hearing instrument; and

1-40 (2) require that the written contract and 30-day trial  
1-41 period information provided to a purchaser of a hearing instrument  
1-42 be in plain language designed to be easily understood by the average  
1-43 consumer.

1-44 SECTION 2. Section 402.1021, Occupations Code, is amended  
1-45 to read as follows:

1-46 Sec. 402.1021. RULES FOR HEARING INSTRUMENTS. With the  
1-47 assistance of the advisory board [~~and the Speech-Language~~  
1-48 ~~Pathologists and Audiologists Advisory Board~~], the commission  
1-49 shall adopt rules to establish requirements for each sale of a  
1-50 hearing instrument for purposes of this chapter [~~and Chapter 401~~].  
1-51 The rules must:

1-52 (1) address:

1-53 (A) the information and other provisions  
1-54 required in each written contract for the purchase of a hearing  
1-55 instrument;

1-56 (B) records that must be retained under this  
1-57 chapter [~~or Chapter 401~~]; and

1-58 (C) guidelines for the 30-day trial period during  
1-59 which a person may cancel the purchase of a hearing instrument; and

1-60 (2) require that the written contract and 30-day trial

period information provided to a purchaser of a hearing instrument be in plain language designed to be easily understood by the average consumer.

SECTION 3. Section 402.305, Occupations Code, is amended to read as follows:

Sec. 402.305. CONTINUING EDUCATION EXEMPTIONS. The department may renew the license of a license holder who does not comply with the applicable continuing education requirements if the license holder

~~[(1) was licensed for the first time during the 24 months before the reporting date, or~~

~~[(2)]~~ submits proof from an attending physician that the license holder suffered a serious or disabling illness or physical disability that prevented compliance with the continuing education requirements during the 24 months before the reporting date.

SECTION 4. Section 402.402(a), Occupations Code, is amended to read as follows:

(a) A licensed hearing instrument fitter and dispenser may not sell a hearing instrument to a person under 18 years of age unless the prospective user or a parent or guardian of the prospective user has presented to the hearing instrument fitter and dispenser a written statement, signed by a licensed physician ~~[specializing in diseases of the ear]~~, that states that the patient's hearing loss has been medically evaluated and that the patient may be considered a candidate for a hearing instrument.

SECTION 5. Section 402.402(a), Occupations Code, as amended by this Act, applies only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2025.

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