

**SB 558 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Nelson

**House Committee On Behavioral Health and Health Care**

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**Action Date:** 04/26/23

**Action:** Do Pass.

**Vote:** 9-0-2-0

**Yeas:** 9 - Bowman, Dexter, Diehl, Goodwin, Morgan, Nelson, Nosse, Pham H, Tran

**Exc:** 2 - Conrad, Javadi

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Brian Nieubuurt, LPRO Analyst

**Meeting Dates:** 4/24, 4/26

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**WHAT THE MEASURE DOES:**

Exempts over-the-counter (OTC) hearing aid from regulation by Advisory Council on Hearing Aids and Health Licensing Office. Defines "over-the-counter hearing aid." Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Impact of current Oregon regulation on consumer cost of OTC hearing aids

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Federal regulations define "over-the-counter hearing aid" as "an air-conduction hearing aid that does not require implantation or other surgical intervention and is intended for use by a person aged 18 or older to compensate for perceived mild to moderate hearing impairment." The regulations also state that an OTC hearing aid shall be available "without the supervision, prescription, or other order, involvement, or intervention of a licensed person, to consumers through in-person transactions, by mail, or online, provided that the device satisfies the requirements in this section." Current Oregon law regulating individuals who deal in hearing aids does not distinguish between hearing aids available OTC and those requiring prescription.

Senate Bill 558 A exempts over-the-counter hearing aids from regulation by the Advisory Council on Hearing Aids and Health Licensing Office.