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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2023 Assembly Bill 374**

**Assembly Substitute  
Amendment 1**

### **BACKGROUND**

Generally, under state law, hearing aids must be provided by a licensed hearing instrument specialist or a licensed audiologist. Under federal law, air-conduction hearing aids for use by adults may be purchased over the counter without a prescription or the involvement of a licensed person. Also under federal law, any hearing aid that does not meet the over-the-counter requirements requires a prescription or order.

### **2023 ASSEMBLY BILL 374**

Assembly Bill 374 specifies that a license is not required to sell or fit over-the-counter hearing aids, as defined under federal law. This generally allows over-the-counter hearing aids to be purchased without a prescription or the involvement of a licensed person. The bill also removes the requirement that a hearing instrument specialist must provide a receipt when supplying over-the-counter hearing aids.

### **ASSEMBLY SUBSTITUTE AMENDMENT 1**

In addition to what is included in the bill, Assembly Substitute Amendment 1 updates the scope of practice for hearing instrument specialists and audiologists to include ordering the use of hearing aids. The amendment also removes the requirement that an audiologist must provide a receipt when supplying over-the-counter hearing aids.

### **BILL HISTORY**

Representative Stubbs offered Assembly Substitute Amendment 1 on September 5, 2023. On September 20, 2023, the Assembly Committee on Regulatory Licensing Reform recommended adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 9; Noes 0.

For a full history of the bill, visit the Legislature's [bill history page](#).

PW:jal