

# AUDIOPROSTHOLOGIST

*Has your state successfully restricted the use of "audioprosthologist" for non-audiologists?*

STATE	COMMENTS
AZ	<p>It is being used in Arizona, unfortunately. Louise Loiselle</p> <p>AZ does not restrict this title. Steven Huart</p>
CA	<p>We certainly have this name phenomenon in California. I seem to recall questions directed at the Hearing Aid Dispensers Bureau regarding the legitimacy of this title, but I don't think it went anywhere, so they carry on with it in their ads. It is confusing, but that's the point, to blur the distinction between audiologists and hearing aid dispensers in the minds of the public. Marcia Raggio Chair, SLPAB, California</p> <p>When I was on the licensing board in CA, this came up and we tried to protect the word Audio as being the terminology of audiologists. Hearing healthcare providers showed up with a Washington DC attorney who threatened to sue us on First Amendment rights. Evidently, there was a lawsuit in Florida (around 1999) where the protection of any English word was determined not applicable under first amendment rights. We finally negotiated to do a study to see if the public was confused, but it never happened. The new board has not chosen to spend money on this and I think it has calmed down. I am sure they are calling themselves audioprosthologists, but the audiology community has found other fish to fry. I suppose if a consumer complains, it will be a different story, but the fact the professionals were fighting it made the attorney general turn a "deaf ear," so to speak. Cydney Fox</p>
CT	<p>Our CT state statutes read as follows: "Section 20-416(b)-1. Definitions: b) The term audiologist shall include an individual who practices Audiology under any title or description of service incorporating the words: audiology, audiologist, audiological, hearing clinician, hearing clinic, hearing therapy, hearing therapist, hearing conservationist, industrial audiologist, or any similar titles or description of services." As you read, the actual term "audioprosthologist" is not directly addressed and "similar titles" leaves it open to some debate. I am currently waiting on a ruling from our Commissioner of Public Health that oversees our licensure for this very issue in my practice territory. There is much consumer confusion and I anxiously await the decision. Will keep you posted. Cathee Alex, Au.D.</p>

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FL	<p>About 8 or 9 years ago, when hearing aid dealers began using this mail order term, the Florida Language, Speech and Hearing Association (FLASHA) requested an Attorney General's opinion on this use of this term, with the contention that it misleads the consumer. FLASHA provided the results of a survey of consumers in which most thought that the term was for audiologists with extra training (clearly misleading). Unfortunately, the attorney general's opinion was that there was nothing in statute that would prohibit the use of the term (it did not use "audiology" or "audiologist" and that "audio" is not a proprietary term), and that the title was indeed granted following a "training" course. So, Florida is stuck with the consumer being misled by this weekend diploma.</p> <p>Fred Rahe</p>
IA	<p>Chapter 154A of the Iowa Code dealing with the licensing of hearing aid dealers has the following language that would, I believe, apply in your situation:</p> <p>"Representing that the service or advice of a person licensed to practice medicine, or one who is certified as a clinical audiologist by the board of examiners of speech pathology and audiology or its equivalent, will be used or made available in the fitting or selection, adjustment, maintenance, or repair of hearing aids when that is not true, or using the words "doctor", "clinic", "clinical audiologist", "state approved", or similar words, abbreviations or symbols which tend to connote the medical or other professions, except when the title "certified hearing aid audiologist" has been granted by the national hearing aid society, or that the hearing aid dealer has been recommended by this state or the board when such is not accurate."</p> <p>Obviously, this language is a bit outdated, as the "national hearing aid society" no longer grants the title of "certified hearing aid audiologist."</p> <p>Ken Lowder</p>
ID	<p>I'm not sure when those appointment decisions will be made. The governor is sort of notoriously slow at making appointments. I will check and see what I can find out.</p> <p>In regards to the "audioprosthologist" issue, our act states as follows:</p> <p>It is unlawful for any person or business entity, or its employees, agents or representatives, to use in connection with his or her name, or name of activity of the business, the words "audiologist," "audiometrist," "hearing clinician," "hearing therapist," or any other title, abbreviation or insignia indicating or implying directly or indirectly that such person, business entity, employee, agent or representative is engaged in the practice of audiology, unless such services are provided by an audiologist licensed in accordance with this chapter or lawfully exempt pursuant to section 54-2905(1)(c), Idaho Code.</p> <p>We didn't specifically exclude usage of the term "audioprosthologist" but we did include language prohibiting "or any other title, abbreviation or insignia indicated or implying" that the person is an audiologist. That may be enough to close the issue up for us. We could also address it in the board's administrative rules if needed.</p> <p>Jeremy P. Pisca Evans Keane, LLP. Boise, ID 208.384.1800 (voice)</p>

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	208.345.3514 (fax)
IL	<p>We dealt with this issue at the Illinois Hearing Aid licensure board a few years ago and everyone agreed, including the hearing aid dispensers on the board that the term should not be allowed in Illinois. I am copying this to Gail Tanner from IDPH in case she has more to add.</p> <p>Kathleen Campbell</p>
MI	<p>These are the notes from our lobbyist. She did not want to respond directly, Since we most recently had this battle, I think they can help a lot!</p> <p><i>"John Hessberg is the attorney we dealt with during our licensure crusade. Had we been successful in prohibiting the term "audioprosthologist" - there would have been a lawsuit. The discourse by the legal drafters in Michigan for title protection that was utilized during our licensure battle is that only terms commonly used by an audiologist be protected. In other words, if audiologists were in the practice of using the term "audioprosthologist" - then the term could have been title protected. This policy was shared with the House Health Policy committee chair and he felt it appropriate although he, as well, thought the term was misleading. Mr. Hessberg is a little misleading in his statement that the effort to ban "audioprosthologist" failed in Michigan. Indeed, in our original version, we had not even included "audioprosthologist" as a prohibited term. It was only after an "audioprosthologist" testified that Senator Patterson agreed to include it in the bill because he, too, believed it was unacceptable. The "audioprosthologists" were their own worst enemies. I believe that both Maryland and New Mexico specifically prohibit the use of the term. I have some background info on this issue (even some from Mr. Hessberg). If it would be helpful, I would be happy to forward to you.</i></p> <p><i>As you know, the International Institute for Hearing Instruments Studies (IIHIS) sponsors the American College of Audioprosthology to provide education to experienced hearing aid dispensers. ACA course work covers such topics as hearing science audiology, rehabilitation and management. Started right here in Michigan. After 13 weekends of study (182 hours), hearing aid salespersons may be certified as an "audioprosthologist". Maybe these guys are on to something-didn't it take you six years!"</i></p> <p>The biggest argument we had was that since we would never use the term, we could not claim ownership of it.</p> <p>Noreen Gibbens</p> <p>We tried to restrict the use of the term audioprosthologist through our licensure law under title protection. Though legislators agreed the term was confusing, misleading and does not represent an education to the level of an audiologist, we can only protect terms used by an audiologist. One of the legislators did suggest taking it to court.</p> <p>Karen Jacobs Michigan</p>
MN	<p>Our statute in MN is combined with speech/language pathology, and the following are protected titles.</p> <p>Speech-language; (2) speech-language pathologist, S, SP, or SLP; (3) speech pathologist; (4)</p>

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	<p>language pathologist; (5) audiologist, A, or AUD; (6) speech therapist; (7) speech clinician; (8) speech correctionist; (9) language therapist; (10) voice therapist; (11) voice pathologist; (12) logopedist; (13) communicologist; (14) aphasiologist; (15) phoniatriest; (16) audiometrist; (17) audioprosthologist; (18) hearing therapist; (19) hearing clinician; or (20) hearing aid audiologist.</p> <p>We wanted to put "hearing healthcare provider " on this list but there was much opposition from the dispensers so we gave it up, we wanted licensure to pass.</p> <p>Shirley Fors, MN Academy of Audiology</p>
NC	<p>No. Have not heard a lot about this being an issue...it maybe just have not heard anything specific...</p> <p>Del Hawk</p>
NJ	<p>New Jersey does not permit the use of this or any other term. Licensees must use the descriptor "Hearing Aid Dispenser" and put the license number on all advertising. This also applies to dispensing audiologists.</p> <p>Gran Brady, Au.D.</p> <p>Bob DiSogra here...In NJ we've not had that problem.</p>
NV	<p>Nevada took care of this several years ago.</p> <p>Susan Lloyd</p>
OH	<p>Many state licensure laws limit the use of audiologist, audiology or other similar titles. I suggest that folks look and see how it is worded in their state licensure law. I think that the best approach is to press licensure boards to crack down on CHADs who use the title. Several years ago audiology won the exclusive right to use audiology and similar variations in court. I think this is another version of the same. It may not be a quick battle to fight it through the courts, but it may our only recourse.</p> <p>I also included Bob Glaser in on this, just in case he has a few pearls of wisdom to share. (He led the charge in the first battle to prohibit CHADs from using the title Hearing Aid Audiologist.</p> <p>Jane M. Kukula, Au.D Advanced Audiology Concepts, Inc 1-216-346-8083 Mike Setty, Executive Director, Ohio Board of Speech-Language Pathology &amp; Audiology</p> <p>During my tenure as Past President of AAA, I authored the Academy's statement and had it approved by the Board of Directors. It was subsequently sent to all state licensure boards.</p> <p>Bob Glaser</p> <p>The following is the section from our revised code 4753: (D) "Audiologist" means a person who practices audiology and who represents himself to be an audiologist by using the term</p>

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	<p>"audiology," "audiologist," "audiometry," "audiometrist," "audiological," "hearing therapy," "hearing therapist," "hearing clinic," "hearing clinician," or "hearing aid audiologist," or any similar title. It doesn't specifically state audioprosthologist, but does leave an open ended statement "or any similar title."</p> <p>We have had some other issues recently with several dispensing practices that employ one audiologist for 6 or more offices. They have included the use of audiology in their practice name. We are awaiting a response from the licensure board regarding what action they will take. We believe it is misleading to consumers to include audiology in the practice name when most likely at 5 of the 6 offices you will not be seeing an audiologist!</p> <p>Erin L. Miller, Au.D. Board Certified in Audiology Neuro-Communication Services, Inc. Youngstown, Ohio 330-726-8155 FAX 330-726-8612 auderin@zoominternet.net</p>
OK	<p>In Oklahoma our law reads that it is unlawful to hold one's self out as an audiologist when that is not the case. To this point, Oklahoma's law reads...</p> <p><b>"C. A person represents himself or herself to be an audiologist when such person holds himself or herself out to the public by any title or description of services incorporating the terms "audiology", "audiologist", "audiometry", "audiometrist", "hearing therapy", "hearing therapist", "hearing conservation", "hearing conservationist", "hearing clinician", "hearing clinic", "hearing center", "audiological", "audiometrics", or any similar or related term or terms".</b></p> <p>Michael A. Grim, Ph.D., CCC/A Assistant Professor of Audiology - AuD Program Coordinator University of Oklahoma - Health Sciences Center John W. Keys Speech and Hearing Center Oklahoma City, OK (405) 271-4214 (x46065)</p>
RI	<p>I have not heard or seen this term used in Rhode Island but will check with the board members at our meeting next week.</p> <p>Rachel Baboian</p>
SC	<p>A couple of years ago, hearing aid dealers introduced a version of their licensure law in South Carolina that included "audioprosthologists" as potential licensees under their advisory commission (in addition to other changes that would allow them to increase their scope of practice). Fortunately, however, SC audiologists and the medical community were able to stop this bill from becoming law.</p> <p>Hope this helps Wendy and the Oregon audiologists! You can tell we really have to keep our eyes on the SC dealers. It seems like it's something every year...</p> <p>Lynn</p>

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	Lynn Lehman, Au.D. Audiology Associates of Spartanburg
SD	I have not heard of this being an issue in South Dakota. I am not aware of any language in the licensure law that restricts this title from being used by dispensers. Paul M. Brueggeman Au.D. CCC-A Dept. of Communication Disorders University of South Dakota
UT	We have been exposed to the title recently in Utah, but have not sought any legal action to stop its use. If others have had success, it would be great to obtain that information as firepower should we, as a state association decide to pursue it.
WI	To our knowledge, no complaint has been filed in TN regarding the use of the term audioprosthologist. TCA 63-17-102 (1)(B) states <i>"Nothing in this chapter shall prevent or prohibit any hearing instrument specialist from employing and using such terms as "hearing aid center," hearing aid clinic," "hearing instrument center," or "hearing aid clinic," or any similar titles or description of services so long as the word "aid" or "instrument" is incorporated in any such title or description of service, and insofar as such terms do not connote qualifications or education for which the hearing instrument specialist does not have valid credentials or do not imply rehabilitative or professional services which the hearing instrument specialist is not qualified to offer;"</i> There are a few hearing aid dealers who are pushing this term in our area of middle TN. We would support an aggressive position by AAA that we could use to prohibit use of this term, which is obviously intended to further confuse the general public regarding qualifications of hearing care providers. Reed Norwood and Helen Hallenbeck amsi@citlink.net