



STATE OF KANSAS

Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

CURT T. SCHNEIDER
Attorney General

March 31, 1975

Opinion No. 75- 140

Ms. Dorothea E. Klein, Chairman
Board of Hearing Aid Examiners
Room 212, 1710 West 10th Street
Topeka, Kansas 66604

Dear Ms. Klein:

You ask whether an audiologist may be licensed by the Board of Hearing Aid Examiners without taking the examination.

The requirement that an applicant for a license to fit and dispense hearing aids is set forth in K.S.A. 74-5812 thus:

"An applicant for a license who is notified by the board that he has fulfilled the requirements of section 11 (74-5811) shall appear at a time, place and before such persons as the board may designate, to be examined by written and practical tests in order to demonstrate that he is qualified to practice the fitting of hearing aids."

No where in that particular statute or in the entire act is there any provision for exempting any applicant from taking the exam. Therefore it is my conclusion that all applicants, including audiologists must take the examinations administered by the board.

In our conversation you mentioned that the particular audiologist who wishes to be licensed is on the faculty of Kansas University. It might be that K.S.A. 74-5810 would exempt him from licensure requirements if he wishes to fit and dispense hearing aids in conjunction with his work at Kansas University. That statute provides that the act shall not apply to persons whose practice is part of the curriculum of an institution of higher education.

Ms. Dorothea E. Klein

Page Two

March 31, 1975

In conclusion, it is my opinion that an audiologist who applies for a license from the Board of Hearing Aid Examiners must fulfill all the requirements prescribed by statute including taking an examination, unless exempt under K.S.A. 75-5810.

Yours very truly,

A handwritten signature in cursive script that reads "Curt Schneider".

CURT T. SCHNEIDER
Attorney General

CTS:PAH:kj