

P.L. 2025, CHAPTER 25, *approved March 6, 2025*
Assembly, No. 4091 (*First Reprint*)

1 AN ACT concerning ¹**[audiology]** audiologists and hearing aid
2 dispensers¹ and amending ¹**[P.L.1983, c.420 and P.L.2019, c.41]**
3 various parts of the statutory law¹.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 2 of P.L.1983, c.420 (C.45:3B-2) is amended to read
9 as follows:

10 2. As used in P.L.1983, c.420 (C.45:3B-1 et seq.):

11 a. "Audiologist" means any individual who practices audiology
12 and who represents himself or herself to the public by title or by
13 description of services, under any title incorporating such terms as
14 "audiology," "audiologist," "audiological," "audiologic," "hearing
15 clinic," "hearing clinician," "hearing therapist," or any similar title
16 or descriptions of services, provided that the individual has met the
17 eligibility requirements contained in section 8 of P.L.1983, c.420
18 (C.45:3B-8) and has been duly licensed under P.L.1983, c.420
19 (C.45:3B-1 et seq.).

20 b. "Committee" means the Audiology and Speech-Language
21 Pathology Advisory Committee.

22 c. "Person" means any individual, corporation, partnership,
23 trust, association or other organization, except that only individuals
24 may be licensed under P.L.1983, c.420 (C.45:3B-1 et seq.).

25 d. "Practice of audiology" means the nonmedical and
26 nonsurgical application of principles, methods, and procedures of
27 measurement, testing, evaluation, consultation, counseling,
28 instruction, and habilitation or rehabilitation related to hearing, its
29 disorders, and related communication impairments for the purpose
30 of nonmedical diagnosis, prevention, identification, amelioration, or
31 modification of these disorders and conditions in individuals or
32 groups of individuals with speech, language, or hearing disabilities,
33 or to individuals or groups of individuals for whom these conditions
34 must be ruled out.

35 e. "Practice of speech-language pathology" means the
36 nonmedical and nonsurgical application of principles, methods, and
37 procedures of measurement, prediction, nonmedical diagnosis,
38 testing, counseling, consultation, habilitation, and rehabilitation and
39 instruction related to the development and disorders of speech,
40 voice, and language for the purpose of preventing, ameliorating,

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹**Assembly ARP committee amendments adopted September 12, 2024.**

1 and modifying these disorders and conditions in individuals or
2 groups of individuals with speech, language, or hearing disabilities,
3 or to individuals or groups of individuals for whom these conditions
4 must be ruled out.

5 f. "Speech-language pathologist" means an individual who
6 practices speech-language pathology and who represents himself or
7 herself to the public by title or by description of services under any
8 title incorporating such terms as "speech-language pathology,"
9 "speech-language pathologist," "speech pathology," "speech
10 pathologist," "speech correction," "speech correctionist," "speech
11 therapy," "speech therapist," "speech clinic," "speech clinician,"
12 "logopedist," "communicologist," "language therapist,"
13 "communication disorders specialist," "communication therapist,"
14 or any similar titles of description of services, provided that the
15 individual has met the eligibility requirements contained in section
16 8 of P.L.1983, c.420 (C.45:3B-8) and has been duly licensed under
17 P.L.1983, c.420 (C.45:3B-1 et seq.).

18 g. "Dispensing and fitting hearing aids" means the evaluation
19 or measurement of the power or range of human hearing by means
20 of an audiometer or by any other means devised and the consequent
21 selection, prescribing, ordering, adaptation, or sale of hearing aids
22 intended to compensate for hearing loss, including the making of an
23 impression of the ear.

24 (cf: P.L.2019, c.41, s.2)

25

26 2. Section 1 of P.L.2019, c.41 (C.45:3B-25) is amended to read
27 as follows:

28 1. An audiologist licensed to practice pursuant to P.L.1983,
29 c.420 (C.45:3B-1 et seq.), may select, prescribe, order, dispense and
30 fit hearing aids if he has successfully completed a program of
31 coursework and clinical training in the selection, prescribing,
32 ordering, dispensing and fitting of hearing aids which meets the
33 requirements established by the committee, from an institution of
34 higher education that is accredited by the Council on Academic
35 Accreditation in Audiology and Speech-Language Pathology of the
36 American Speech-Language-Hearing Association, or any other
37 organization, as may be approved by the committee.

38 (cf: P.L.2019, c.41, s.1)

39

40 ¹3. Section 2 of P.L.1973, c.19 (C.45:9A-2) is amended to read
41 as follows:

42 2. As used in this act:

43 a. "Board" means the State Board of Medical Examiners.

44 b. "Committee" means the Hearing Aid Dispensers Examining
45 Committee.

46 c. "Hearing aid" means an electro-acoustic system
47 scientifically designed to be head or body worn by an individual.

48 Its basic components shall be a microphone, amplifier, and receiver.

1 Each component shall be adapted to the needs of the individual.
2 These needs shall be measured in acoustic gain, frequency response,
3 and maximum power output.

4 d. "Practice of dispensing and fitting hearing aids" means the
5 evaluation or measurement of the power or range of human hearing
6 by means of an audiometer or by any other means devised and the
7 consequent selection of adaptation or sale of hearing aids intended
8 to compensate for hearing loss, including the making of an
9 impression of the ear. "Practice of dispensing and fitting hearing
10 aids" shall also mean prescribing and ordering hearing aids.

11 e. "Hearing aid dispenser" means a person engaged in the
12 fitting and selling of hearing aids to a person with impaired hearing.

13 f. "Director" means the Director of the Division of Consumer
14 Affairs.¹

15 (cf: P.L.1973, c.19, s.2)

16

17 ¹~~[3.]~~ 4.¹ This act shall take effect on the 60th day next
18 following enactment.

19

20

21

22

23 Expands services that can be provided by audiologists and
24 hearing aid dispensers.

CHAPTER 25

AN ACT concerning audiologists and hearing aid dispensers and amending various parts of the statutory law.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 2 of P.L.1983, c.420 (C.45:3B-2) is amended to read as follows:

C.45:3B-2 Definitions.

2. As used in P.L.1983, c.420 (C.45:3B-1 et seq.):

- a. "Audiologist" means any individual who practices audiology and who represents himself or herself to the public by title or by description of services, under any title incorporating such terms as "audiology," "audiologist," "audiological," "audiologic," "hearing clinic," "hearing clinician," "hearing therapist," or any similar title or descriptions of services, provided that the individual has met the eligibility requirements contained in section 8 of P.L.1983, c.420 (C.45:3B-8) and has been duly licensed under P.L.1983, c.420 (C.45:3B-1 et seq.).

- b. "Committee" means the Audiology and Speech-Language Pathology Advisory Committee.

- c. "Person" means any individual, corporation, partnership, trust, association or other organization, except that only individuals may be licensed under P.L.1983, c.420 (C.45:3B-1 et seq.).

- d. "Practice of audiology" means the nonmedical and nonsurgical application of principles, methods, and procedures of measurement, testing, evaluation, consultation, counseling, instruction, and habilitation or rehabilitation related to hearing, its disorders, and related communication impairments for the purpose of nonmedical diagnosis, prevention, identification, amelioration, or modification of these disorders and conditions in individuals or groups of individuals with speech, language, or hearing disabilities, or to individuals or groups of individuals for whom these conditions must be ruled out.

- e. "Practice of speech-language pathology" means the nonmedical and nonsurgical application of principles, methods, and procedures of measurement, prediction, nonmedical diagnosis, testing, counseling, consultation, habilitation, and rehabilitation and instruction related to the development and disorders of speech, voice, and language for the purpose of preventing, ameliorating, and modifying these disorders and conditions in individuals or groups of individuals with speech, language, or hearing disabilities, or to individuals or groups of individuals for whom these conditions must be ruled out.

- f. "Speech-language pathologist" means an individual who practices speech-language pathology and who represents himself or herself to the public by title or by description of services under any title incorporating such terms as "speech-language pathology," "speech-language pathologist," "speech pathology," "speech pathologist," "speech correction," "speech correctionist," "speech therapy," "speech therapist," "speech clinic," "speech clinician," "logopedist," "communicologist," "language therapist," "communication disorders specialist," "communication therapist," or any similar titles of description of services, provided that the individual has met the eligibility requirements contained in section 8 of P.L.1983, c.420 (C.45:3B-8) and has been duly licensed under P.L.1983, c.420 (C.45:3B-1 et seq.).

- g. "Dispensing and fitting hearing aids" means the evaluation or measurement of the power or range of human hearing by means of an audiometer or by any other means devised and the consequent selection, prescribing, ordering, adaptation, or sale of hearing aids intended to compensate for hearing loss, including the making of an impression of the ear.

2. Section 1 of P.L.2019, c.41 (C.45:3B-25) is amended to read as follows:

C.45:3B-25 Audiologists, certain, permitted to dispense, fit hearing aids.

1. An audiologist licensed to practice pursuant to P.L.1983, c.420 (C.45:3B-1 et seq.), may select, prescribe, order, dispense, and fit hearing aids if he has successfully completed a program of coursework and clinical training in the selection, prescribing, ordering, dispensing, and fitting of hearing aids which meets the requirements established by the committee from an institution of higher education that is accredited by the Council on Academic Accreditation in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association, or any other organization, as may be approved by the committee.

3. Section 2 of P.L.1973, c.19 (C.45:9A-2) is amended to read as follows:

C.45:9A-2 Definitions.

2. As used in this act:

- a. "Board" means the State Board of Medical Examiners.
- b. "Committee" means the Hearing Aid Dispensers Examining Committee.
- c. "Hearing aid" means an electro-acoustic system scientifically designed to be head or body worn by an individual. Its basic components shall be a microphone, amplifier, and receiver. Each component shall be adapted to the needs of the individual. These needs shall be measured in acoustic gain, frequency response, and maximum power output.
- d. "Practice of dispensing and fitting hearing aids" means the evaluation or measurement of the power or range of human hearing by means of an audiometer or by any other means devised and the consequent selection of adaptation or sale of hearing aids intended to compensate for hearing loss, including the making of an impression of the ear. "Practice of dispensing and fitting hearing aids" shall also mean prescribing and ordering hearing aids.
- e. "Hearing aid dispenser" means a person engaged in the fitting and selling of hearing aids to a person with impaired hearing.
- f. "Director" means the Director of the Division of Consumer Affairs.

4. This act shall take effect on the 60th day next following enactment.

Approved March 6, 2025.

ASSEMBLY, No. 4091

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 18, 2024

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblywoman GARNET R. HALL

District 28 (Essex and Union)

Co-Sponsored by:

Assemblyman Atkins

SYNOPSIS

Allows audiologists to select, prescribe, and order hearing aids under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/12/2024)

1 AN ACT concerning audiology and amending P.L.1983, c.420 and
2 P.L.2019, c.41.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.1983, c.420 (C.45:3B-2) is amended to read
8 as follows:

9 2. As used in P.L.1983, c.420 (C.45:3B-1 et seq.):

10 a. "Audiologist" means any individual who practices audiology
11 and who represents himself or herself to the public by title or by
12 description of services, under any title incorporating such terms as
13 "audiology," "audiologist," "audiological," "audiologic," "hearing
14 clinic," "hearing clinician," "hearing therapist," or any similar title
15 or descriptions of services, provided that the individual has met the
16 eligibility requirements contained in section 8 of P.L.1983, c.420
17 (C.45:3B-8) and has been duly licensed under P.L.1983, c.420
18 (C.45:3B-1 et seq.).

19 b. "Committee" means the Audiology and Speech-Language
20 Pathology Advisory Committee.

21 c. "Person" means any individual, corporation, partnership,
22 trust, association or other organization, except that only individuals
23 may be licensed under P.L.1983, c.420 (C.45:3B-1 et seq.).

24 d. "Practice of audiology" means the nonmedical and
25 nonsurgical application of principles, methods, and procedures of
26 measurement, testing, evaluation, consultation, counseling,
27 instruction, and habilitation or rehabilitation related to hearing, its
28 disorders, and related communication impairments for the purpose
29 of nonmedical diagnosis, prevention, identification, amelioration, or
30 modification of these disorders and conditions in individuals or
31 groups of individuals with speech, language, or hearing disabilities,
32 or to individuals or groups of individuals for whom these conditions
33 must be ruled out.

34 e. "Practice of speech-language pathology" means the
35 nonmedical and nonsurgical application of principles, methods, and
36 procedures of measurement, prediction, nonmedical diagnosis,
37 testing, counseling, consultation, habilitation, and rehabilitation and
38 instruction related to the development and disorders of speech,
39 voice, and language for the purpose of preventing, ameliorating,
40 and modifying these disorders and conditions in individuals or
41 groups of individuals with speech, language, or hearing disabilities,
42 or to individuals or groups of individuals for whom these conditions
43 must be ruled out.

44 f. "Speech-language pathologist" means an individual who
45 practices speech-language pathology and who represents himself or

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 herself to the public by title or by description of services under any
2 title incorporating such terms as "speech-language pathology,"
3 "speech-language pathologist," "speech pathology," "speech
4 pathologist," "speech correction," "speech correctionist," "speech
5 therapy," "speech therapist," "speech clinic," "speech clinician,"
6 "logopedist," "communicologist," "language therapist,"
7 "communication disorders specialist," "communication therapist,"
8 or any similar titles of description of services, provided that the
9 individual has met the eligibility requirements contained in section
10 8 of P.L.1983, c.420 (C.45:3B-8) and has been duly licensed under
11 P.L.1983, c.420 (C.45:3B-1 et seq.).

12 g. "Dispensing and fitting hearing aids" means the evaluation
13 or measurement of the power or range of human hearing by means
14 of an audiometer or by any other means devised and the consequent
15 selection, prescribing, ordering, adaptation, or sale of hearing aids
16 intended to compensate for hearing loss, including the making of an
17 impression of the ear.

18 (cf: P.L.2019, c.41, s.2)

19

20 2. Section 1 of P.L.2019, c.41 (C.45:3B-25) is amended to read
21 as follows:

22 1. An audiologist licensed to practice pursuant to P.L.1983,
23 c.420 (C.45:3B-1 et seq.), may select, prescribe, order, dispense and
24 fit hearing aids if he has successfully completed a program of
25 coursework and clinical training in the selection, prescribing,
26 ordering, dispensing and fitting of hearing aids which meets the
27 requirements established by the committee, from an institution of
28 higher education that is accredited by the Council on Academic
29 Accreditation in Audiology and Speech-Language Pathology of the
30 American Speech-Language-Hearing Association, or any other
31 organization, as may be approved by the committee.

32 (cf: P.L.2019, c.41, s.1)

33

34 3. This act shall take effect on the 60th day next following
35 enactment.

36

37

38

STATEMENT

39

40 This bill allows audiologists to prescribe and order hearing aids
41 under certain circumstances.

42 Pursuant to current law, audiologists may dispense and fit
43 hearing aids if the audiologist has successfully completed an
44 accredited program of coursework and clinical training in the
45 dispensing and fitting of hearing aids. The bill authorize
46 audiologists to also select, prescribe, and order hearing aids, if the
47 audiologist has successfully completed an accredited program of

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1 coursework and clinical training in the selection, prescribing,
2 ordering, dispensing and fitting of hearing aids.

3 This bill is in response to changes by the United States Food and
4 Drug Administration to the rules that categorize hearing aids. The
5 new rules established classifications for over-the-counter hearing
6 aids and prescription hearing aids. This bill recognizes the new
7 class of prescription hearing aids and incorporates prescribing into
8 the scope of practice and training for licensed audiologists.

[First Reprint]

ASSEMBLY, No. 4091

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED MARCH 18, 2024

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblywoman GARNET R. HALL

District 28 (Essex and Union)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator VINCENT J. POLISTINA

District 2 (Atlantic)

Co-Sponsored by:

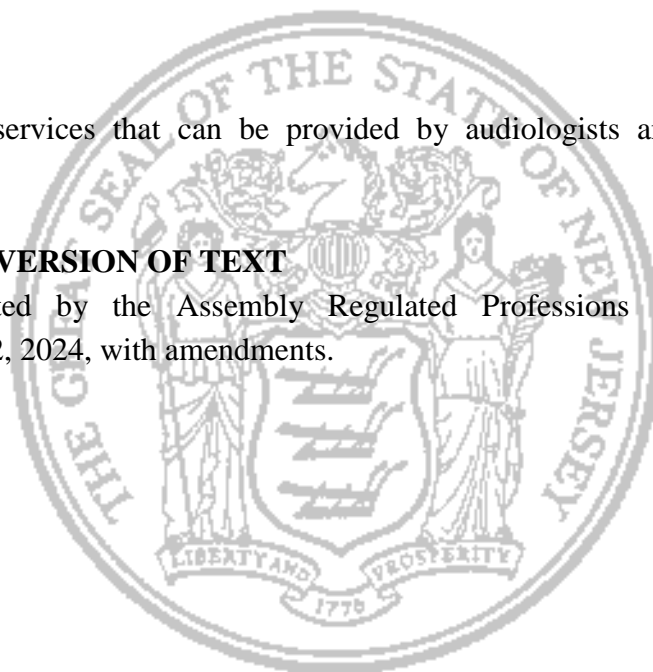
**Assemblyman Atkins, Assemblywomen McCann Stamato, Ramirez,
Reynolds-Jackson, Senators Ruiz and Greenstein**

SYNOPSIS

Expands services that can be provided by audiologists and hearing aid dispensers.

CURRENT VERSION OF TEXT

As reported by the Assembly Regulated Professions Committee on September 12, 2024, with amendments.



(Sponsorship Updated As Of: 1/14/2025)

1 AN ACT concerning ¹**[audiology]** audiologists and hearing aid
2 dispensers¹ and amending ¹**[P.L.1983, c.420 and P.L.2019, c.41]**
3 various parts of the statutory law¹.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Section 2 of P.L.1983, c.420 (C.45:3B-2) is amended to read
9 as follows:

10 2. As used in P.L.1983, c.420 (C.45:3B-1 et seq.):

11 a. "Audiologist" means any individual who practices audiology
12 and who represents himself or herself to the public by title or by
13 description of services, under any title incorporating such terms as
14 "audiology," "audiologist," "audiological," "audiologic," "hearing
15 clinic," "hearing clinician," "hearing therapist," or any similar title
16 or descriptions of services, provided that the individual has met the
17 eligibility requirements contained in section 8 of P.L.1983, c.420
18 (C.45:3B-8) and has been duly licensed under P.L.1983, c.420
19 (C.45:3B-1 et seq.).

20 b. "Committee" means the Audiology and Speech-Language
21 Pathology Advisory Committee.

22 c. "Person" means any individual, corporation, partnership,
23 trust, association or other organization, except that only individuals
24 may be licensed under P.L.1983, c.420 (C.45:3B-1 et seq.).

25 d. "Practice of audiology" means the nonmedical and
26 nonsurgical application of principles, methods, and procedures of
27 measurement, testing, evaluation, consultation, counseling,
28 instruction, and habilitation or rehabilitation related to hearing, its
29 disorders, and related communication impairments for the purpose
30 of nonmedical diagnosis, prevention, identification, amelioration, or
31 modification of these disorders and conditions in individuals or
32 groups of individuals with speech, language, or hearing disabilities,
33 or to individuals or groups of individuals for whom these conditions
34 must be ruled out.

35 e. "Practice of speech-language pathology" means the
36 nonmedical and nonsurgical application of principles, methods, and
37 procedures of measurement, prediction, nonmedical diagnosis,
38 testing, counseling, consultation, habilitation, and rehabilitation and
39 instruction related to the development and disorders of speech,
40 voice, and language for the purpose of preventing, ameliorating,
41 and modifying these disorders and conditions in individuals or
42 groups of individuals with speech, language, or hearing disabilities,
43 or to individuals or groups of individuals for whom these conditions
44 must be ruled out.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ARP committee amendments adopted September 12, 2024.

1 f. "Speech-language pathologist" means an individual who
2 practices speech-language pathology and who represents himself or
3 herself to the public by title or by description of services under any
4 title incorporating such terms as "speech-language pathology,"
5 "speech-language pathologist," "speech pathology," "speech
6 pathologist," "speech correction," "speech correctionist," "speech
7 therapy," "speech therapist," "speech clinic," "speech clinician,"
8 "logopedist," "communicologist," "language therapist,"
9 "communication disorders specialist," "communication therapist,"
10 or any similar titles of description of services, provided that the
11 individual has met the eligibility requirements contained in section
12 8 of P.L.1983, c.420 (C.45:3B-8) and has been duly licensed under
13 P.L.1983, c.420 (C.45:3B-1 et seq.).

14 g. "Dispensing and fitting hearing aids" means the evaluation
15 or measurement of the power or range of human hearing by means
16 of an audiometer or by any other means devised and the consequent
17 selection, prescribing, ordering, adaptation, or sale of hearing aids
18 intended to compensate for hearing loss, including the making of an
19 impression of the ear.

20 (cf: P.L.2019, c.41, s.2)

21

22 2. Section 1 of P.L.2019, c.41 (C.45:3B-25) is amended to read
23 as follows:

24 1. An audiologist licensed to practice pursuant to P.L.1983,
25 c.420 (C.45:3B-1 et seq.), may select, prescribe, order, dispense and
26 fit hearing aids if he has successfully completed a program of
27 coursework and clinical training in the selection, prescribing,
28 ordering, dispensing and fitting of hearing aids which meets the
29 requirements established by the committee, from an institution of
30 higher education that is accredited by the Council on Academic
31 Accreditation in Audiology and Speech-Language Pathology of the
32 American Speech-Language-Hearing Association, or any other
33 organization, as may be approved by the committee.

34 (cf: P.L.2019, c.41, s.1)

35

36 ¹3. Section 2 of P.L.1973, c.19 (C.45:9A-2) is amended to read
37 as follows:

38 2. As used in this act:

39 a. "Board" means the State Board of Medical Examiners.

40 b. "Committee" means the Hearing Aid Dispensers Examining
41 Committee.

42 c. "Hearing aid" means an electro-acoustic system
43 scientifically designed to be head or body worn by an individual.
44 Its basic components shall be a microphone, amplifier, and receiver.
45 Each component shall be adapted to the needs of the individual.
46 These needs shall be measured in acoustic gain, frequency response,
47 and maximum power output.

1 d. "Practice of dispensing and fitting hearing aids" means the
2 evaluation or measurement of the power or range of human hearing
3 by means of an audiometer or by any other means devised and the
4 consequent selection of adaptation or sale of hearing aids intended
5 to compensate for hearing loss, including the making of an
6 impression of the ear. "Practice of dispensing and fitting hearing
7 aids" shall also mean prescribing and ordering hearing aids.

8 e. "Hearing aid dispenser" means a person engaged in the
9 fitting and selling of hearing aids to a person with impaired hearing.

10 f. "Director" means the Director of the Division of Consumer
11 Affairs.¹

12 (cf: P.L.1973, c.19, s.2)

13

14 ¹~~[3.]~~4.¹ This act shall take effect on the 60th day next
15 following enactment.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4091

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 12, 2024

The Assembly Regulated Professions Committee reports favorably and with committee amendments Assembly Bill No. 4091.

As amended, this bill allows audiologists and hearing aid dispensers to prescribe and order hearing aids under certain circumstances.

Pursuant to current law, audiologists may dispense and fit hearing aids if the audiologist has successfully completed an accredited program of coursework and clinical training in the dispensing and fitting of hearing aids. The bill authorize audiologists to also select, prescribe, and order hearing aids, if the audiologist has successfully completed an accredited program of coursework and clinical training in the selection, prescribing, ordering, dispensing and fitting of hearing aids. Additionally, hearing aid dispensers, who are also currently required to be tested on the fitting of hearing aids, will be allowed under the bill to order and prescribe hearing aids.

This bill is in response to changes by the United States Food and Drug Administration to the rules that categorize hearing aids. The new rules established classifications for hearing aids. This bill recognizes the new class of prescription hearing aids and incorporates prescribing into the scope of practice and training for licensed audiologists.

COMMITTEE AMENDMENTS:

The committee amended the bill to add ordering and prescribing hearing aids to the definition of the services provided by a hearing aid dispenser.

SENATE COMMERCE COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4091

STATE OF NEW JERSEY

DATED: OCTOBER 10, 2024

The Senate Commerce Committee reports favorably Assembly Bill No. 4091 (1R).

This bill allows audiologists and hearing aid dispensers to prescribe and order hearing aids under certain circumstances.

Pursuant to current law, audiologists may dispense and fit hearing aids if the audiologist has successfully completed an accredited program of coursework and clinical training in the dispensing and fitting of hearing aids. The bill authorize audiologists to also select, prescribe, and order hearing aids, if the audiologist has successfully completed an accredited program of coursework and clinical training in the selection, prescribing, ordering, dispensing and fitting of hearing aids. Additionally, hearing aid dispensers, who are also currently required to be tested on the fitting of hearing aids, will be allowed under the bill to order and prescribe hearing aids.

This bill is in response to changes by the United States Food and Drug Administration to the rules that categorize hearing aids. The new rules established classifications for hearing aids. This bill recognizes the new class of prescription hearing aids and incorporates prescribing into the scope of practice and training for licensed audiologists.

As reported, Assembly Bill No. 4091 (1R) is identical to Senate Bill No. 2874, which was amended and reported by the committee on this date.

SENATE, No. 2874

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED MARCH 4, 2024

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator VINCENT J. POLISTINA

District 2 (Atlantic)

SYNOPSIS

Allows audiologists to select, prescribe, and order hearing aids under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/10/2024)

1 AN ACT concerning audiology and amending P.L.1983, c.420 and
2 P.L.2019, c.41.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.1983, c.420 (C.45:3B-2) is amended to read
8 as follows:

9 2. As used in P.L.1983, c.420 (C.45:3B-1 et seq.):

10 a. "Audiologist" means any individual who practices audiology
11 and who represents himself or herself to the public by title or by
12 description of services, under any title incorporating such terms as
13 "audiology," "audiologist," "audiological," "audiologic," "hearing
14 clinic," "hearing clinician," "hearing therapist," or any similar title
15 or descriptions of services, provided that the individual has met the
16 eligibility requirements contained in section 8 of P.L.1983, c.420
17 (C.45:3B-8) and has been duly licensed under P.L.1983, c.420
18 (C.45:3B-1 et seq.).

19 b. "Committee" means the Audiology and Speech-Language
20 Pathology Advisory Committee.

21 c. "Person" means any individual, corporation, partnership,
22 trust, association or other organization, except that only individuals
23 may be licensed under P.L.1983, c.420 (C.45:3B-1 et seq.).

24 d. "Practice of audiology" means the nonmedical and
25 nonsurgical application of principles, methods, and procedures of
26 measurement, testing, evaluation, consultation, counseling,
27 instruction, and habilitation or rehabilitation related to hearing, its
28 disorders, and related communication impairments for the purpose
29 of nonmedical diagnosis, prevention, identification, amelioration, or
30 modification of these disorders and conditions in individuals or
31 groups of individuals with speech, language, or hearing disabilities,
32 or to individuals or groups of individuals for whom these conditions
33 must be ruled out.

34 e. "Practice of speech-language pathology" means the
35 nonmedical and nonsurgical application of principles, methods, and
36 procedures of measurement, prediction, nonmedical diagnosis,
37 testing, counseling, consultation, habilitation, and rehabilitation and
38 instruction related to the development and disorders of speech,
39 voice, and language for the purpose of preventing, ameliorating,
40 and modifying these disorders and conditions in individuals or
41 groups of individuals with speech, language, or hearing disabilities,
42 or to individuals or groups of individuals for whom these conditions
43 must be ruled out.

44 f. "Speech-language pathologist" means an individual who
45 practices speech-language pathology and who represents himself or

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 herself to the public by title or by description of services under any
2 title incorporating such terms as "speech-language pathology,"
3 "speech-language pathologist," "speech pathology," "speech
4 pathologist," "speech correction," "speech correctionist," "speech
5 therapy," "speech therapist," "speech clinic," "speech clinician,"
6 "logopedist," "communicologist," "language therapist,"
7 "communication disorders specialist," "communication therapist,"
8 or any similar titles of description of services, provided that the
9 individual has met the eligibility requirements contained in section
10 8 of P.L.1983, c.420 (C.45:3B-8) and has been duly licensed under
11 P.L.1983, c.420 (C.45:3B-1 et seq.).

12 g. "Dispensing and fitting hearing aids" means the evaluation
13 or measurement of the power or range of human hearing by means
14 of an audiometer or by any other means devised and the consequent
15 selection, prescribing, ordering, adaptation, or sale of hearing aids
16 intended to compensate for hearing loss, including the making of an
17 impression of the ear.

18 (cf: P.L.2019, c.41, s.2)

19

20 2. Section 1 of P.L.2019, c.41 (C.45:3B-25) is amended to read
21 as follows:

22 1. An audiologist licensed to practice pursuant to P.L.1983,
23 c.420 (C.45:3B-1 et seq.), may select, prescribe, order, dispense and
24 fit hearing aids if he has successfully completed a program of
25 coursework and clinical training in the selection, prescribing,
26 ordering, dispensing and fitting of hearing aids which meets the
27 requirements established by the committee, from an institution of
28 higher education that is accredited by the Council on Academic
29 Accreditation in Audiology and Speech-Language Pathology of the
30 American Speech-Language-Hearing Association, or any other
31 organization, as may be approved by the committee.

32 (cf: P.L.2019, c.41, s.1)

33

34 3. This act shall take effect on the 60th day next following
35 enactment.

36

37

38

STATEMENT

39

40 This bill allows audiologists to prescribe and order hearing aids
41 under certain circumstances.

42 Pursuant to current law, audiologists may dispense and fit
43 hearing aids if the audiologist has successfully completed an
44 accredited program of coursework and clinical training in the
45 dispensing and fitting of hearing aids. The bill authorize
46 audiologists to also select, prescribe, and order hearing aids, if the
47 audiologist has successfully completed an accredited program of

S2874 DIEGNAN, POLISTINA

4

1 coursework and clinical training in the selection, prescribing,
2 ordering, dispensing and fitting of hearing aids.

3 This bill is in response to changes by the United States Food and
4 Drug Administration to the rules that categorize hearing aids. The
5 new rules established classifications for over-the-counter hearing
6 aids and prescription hearing aids. This bill recognizes the new
7 class of prescription hearing aids and incorporates prescribing into
8 the scope of practice and training for licensed audiologists.

[First Reprint]

SENATE, No. 2874

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED MARCH 4, 2024

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator VINCENT J. POLISTINA

District 2 (Atlantic)

Co-Sponsored by:

Senators Ruiz and Greenstein

SYNOPSIS

Expands services that can be provided by audiologists and hearing aid dispensers.

CURRENT VERSION OF TEXT

As reported by the Senate Commerce Committee on October 10, 2024, with amendments.



(Sponsorship Updated As Of: 1/14/2025)

1 AN ACT concerning ¹**[audiology]** audiologists and hearing aid
2 dispensers¹ and amending ¹**[P.L.1983, c.420 and P.L.2019, c.41]**
3 various parts of the statutory law¹.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 2 of P.L.1983, c.420 (C.45:3B-2) is amended to read
9 as follows:

10 2. As used in P.L.1983, c.420 (C.45:3B-1 et seq.):

11 a. "Audiologist" means any individual who practices audiology
12 and who represents himself or herself to the public by title or by
13 description of services, under any title incorporating such terms as
14 "audiology," "audiologist," "audiological," "audiologic," "hearing
15 clinic," "hearing clinician," "hearing therapist," or any similar title
16 or descriptions of services, provided that the individual has met the
17 eligibility requirements contained in section 8 of P.L.1983, c.420
18 (C.45:3B-8) and has been duly licensed under P.L.1983, c.420
19 (C.45:3B-1 et seq.).

20 b. "Committee" means the Audiology and Speech-Language
21 Pathology Advisory Committee.

22 c. "Person" means any individual, corporation, partnership,
23 trust, association or other organization, except that only individuals
24 may be licensed under P.L.1983, c.420 (C.45:3B-1 et seq.).

25 d. "Practice of audiology" means the nonmedical and
26 nonsurgical application of principles, methods, and procedures of
27 measurement, testing, evaluation, consultation, counseling,
28 instruction, and habilitation or rehabilitation related to hearing, its
29 disorders, and related communication impairments for the purpose
30 of nonmedical diagnosis, prevention, identification, amelioration, or
31 modification of these disorders and conditions in individuals or
32 groups of individuals with speech, language, or hearing disabilities,
33 or to individuals or groups of individuals for whom these conditions
34 must be ruled out.

35 e. "Practice of speech-language pathology" means the
36 nonmedical and nonsurgical application of principles, methods, and
37 procedures of measurement, prediction, nonmedical diagnosis,
38 testing, counseling, consultation, habilitation, and rehabilitation and
39 instruction related to the development and disorders of speech,
40 voice, and language for the purpose of preventing, ameliorating,
41 and modifying these disorders and conditions in individuals or
42 groups of individuals with speech, language, or hearing disabilities,
43 or to individuals or groups of individuals for whom these conditions
44 must be ruled out.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted October 10, 2024.

1 f. "Speech-language pathologist" means an individual who
2 practices speech-language pathology and who represents himself or
3 herself to the public by title or by description of services under any
4 title incorporating such terms as "speech-language pathology,"
5 "speech-language pathologist," "speech pathology," "speech
6 pathologist," "speech correction," "speech correctionist," "speech
7 therapy," "speech therapist," "speech clinic," "speech clinician,"
8 "logopedist," "communicologist," "language therapist,"
9 "communication disorders specialist," "communication therapist,"
10 or any similar titles of description of services, provided that the
11 individual has met the eligibility requirements contained in section
12 8 of P.L.1983, c.420 (C.45:3B-8) and has been duly licensed under
13 P.L.1983, c.420 (C.45:3B-1 et seq.).

14 g. "Dispensing and fitting hearing aids" means the evaluation
15 or measurement of the power or range of human hearing by means
16 of an audiometer or by any other means devised and the consequent
17 selection, prescribing, ordering, adaptation, or sale of hearing aids
18 intended to compensate for hearing loss, including the making of an
19 impression of the ear.

20 (cf: P.L.2019, c.41, s.2)

21

22 2. Section 1 of P.L.2019, c.41 (C.45:3B-25) is amended to read
23 as follows:

24 1. An audiologist licensed to practice pursuant to P.L.1983,
25 c.420 (C.45:3B-1 et seq.), may select, prescribe, order, dispense and
26 fit hearing aids if he has successfully completed a program of
27 coursework and clinical training in the selection, prescribing,
28 ordering, dispensing and fitting of hearing aids which meets the
29 requirements established by the committee, from an institution of
30 higher education that is accredited by the Council on Academic
31 Accreditation in Audiology and Speech-Language Pathology of the
32 American Speech-Language-Hearing Association, or any other
33 organization, as may be approved by the committee.

34 (cf: P.L.2019, c.41, s.1)

35

36 ¹3. Section 2 of P.L.1973, c.19 (C.45:9A-2) is amended to read
37 as follows:

38 2. As used in this act:

39 a. "Board" means the State Board of Medical Examiners.

40 b. "Committee" means the Hearing Aid Dispensers Examining
41 Committee.

42 c. "Hearing aid" means an electro-acoustic system
43 scientifically designed to be head or body worn by an individual.
44 Its basic components shall be a microphone, amplifier, and receiver.
45 Each component shall be adapted to the needs of the individual.
46 These needs shall be measured in acoustic gain, frequency response,
47 and maximum power output.

1 d. "Practice of dispensing and fitting hearing aids" means the
2 evaluation or measurement of the power or range of human hearing
3 by means of an audiometer or by any other means devised and the
4 consequent selection of adaptation or sale of hearing aids intended
5 to compensate for hearing loss, including the making of an
6 impression of the ear. "Practice of dispensing and fitting hearing
7 aids" shall also mean prescribing and ordering hearing aids.

8 e. "Hearing aid dispenser" means a person engaged in the
9 fitting and selling of hearing aids to a person with impaired hearing.

10 f. "Director" means the Director of the Division of Consumer
11 Affairs.¹

12 (cf: P.L.1973, c.19, s.2)

13

14 ¹[3.]4.¹ This act shall take effect on the 60th day next
15 following enactment.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2874

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 10, 2024

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2874.

As amended, this bill allows audiologists and hearing aid dispensers to prescribe and order hearing aids under certain circumstances.

Pursuant to current law, audiologists may dispense and fit hearing aids if the audiologist has successfully completed an accredited program of coursework and clinical training in the dispensing and fitting of hearing aids. The bill authorizes audiologists to also select, prescribe, and order hearing aids, if the audiologist has successfully completed an accredited program of coursework and clinical training in the selection, prescribing, ordering, dispensing and fitting of hearing aids. Additionally, hearing aid dispensers, who are also currently required to be tested on the fitting of hearing aids, will be allowed under the bill to order and prescribe hearing aids.

This bill is in response to changes by the United States Food and Drug Administration to the rules that categorize hearing aids. The new rules established classifications for hearing aids. This bill recognizes the new class of prescription hearing aids and incorporates prescribing into the scope of practice and training for licensed audiologists.

As amended and reported, Senate Bill No. 2874 is identical to Assembly Bill No. 4091 (1R), which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to add ordering and prescribing hearing aids to the definition of the services provided by a hearing aid dispenser.

Governor Murphy Takes Action on Legislation

03/6/2025

TRENTON – Today, Governor Murphy signed the following bills into law:

S-3825/A-4992 (Burzichelli, Testa/Bailey, McClellan, Hutchison) - Provides project grant under “Securing Our Children’s Future Fund” for career and technical education expansion; appropriates \$7.65 million

A-1672/S-1285 (Lampitt, Karabinchak, Hutchison/Beach, Mukherji) - Makes disabled persons receiving disability payments pursuant to federal Railroad Retirement Act eligible to receive homestead property tax reimbursement

A-3904/S-2954 (Moen, Spearman, Miller/Cruz-Perez, Beach) - Requires geotechnical testing and certain monitoring of transportation projects

A-4091/S-2874 (Speight, Sampson, Hall/Diegnan, Polistina) - Expands services that can be provided by audiologists and hearing aid dispensers

A-4684/S-3564 (Quijano, Park/Vitale, Turner) - Removes certain limitations on recovery for victims of certain sexual offenses

A-4707/S-3516 (Moen, Murphy, Pintor Marin/Scutari) - Authorizes State Treasurer to sell as surplus certain real property and improvements in City of Camden in Camden County

A-4757/S-3456 (Danielsen/Scutari) - Permits amusement games licenses to be issued to certain nonprofit organizations

A-4948/S-3819 (Lopez/Vitale) - Allows unexpended balance of FY2024 appropriation for City of Perth Amboy – Convery Boulevard Pedestrian Bridge to be used by municipality for pedestrian safety infrastructure projects

A-5116/S-4142 (Wimberly, Barlas/Scutari, Bucco) - Revises design of primary election ballots and certain primary election procedures; provides for ballots to be arranged by office block; removes State committee members from primary process; requires reporting on primary elections by Division of Elections

AJR-120/SJR-110 (Conaway/McKnight) - Designates first full week of May of each year as “Tardive Dyskinesia Awareness Week” in NJ

Posted on: March 6, 2025

Polistina Bill Expanding Access to Hearing Aids Signed into Law

Bipartisan legislation sponsored by Senator Vince Polistina (R-2) was signed into law today, expanding access to hearing aids in New Jersey. The bill, S-2874, authorizes licensed audiologists to prescribe and order hearing aids under certain conditions, [in response to updated regulations from the U.S. Food and Drug Administration \(FDA\)](#).



“As the FDA modernizes hearing aid regulations, it’s essential that New Jersey’s healthcare professionals have the authority to keep pace,” said Senator Polistina. “This bill is a common-sense update that will enable audiologists to deliver more comprehensive care, significantly improving the quality of life for individuals with hearing loss across the state.”

Currently, licensed audiologists can dispense and fit hearing aids after completing an accredited program. S-2874 amends state law to allow audiologists who have completed the necessary coursework to also select, prescribe, and order hearing aids.

You can [read the full text of the bill online](#).

To speak with Sen. Polistina, contact Jennifer Collins, SRO Associate Director of Digital Communications, at jcollins@njleg.org.