



Certification Page Regular and Emergency Rules

Revised September 2016

Emergency Rules (After completing all of Sections 1 through 3, proceed to Section 5 below)

Regular Rules

1. General Information

a. Agency/Board Name Board of Hearing Aid Specialist		
b. Agency/Board Address 2001 Capitol Ave, Rm 104	c. City Cheyenne	d. Zip Code 82002
e. Name of Agency Liaison Greg Searls	f. Agency Liaison Telephone Number (307) 777-7788	
g. Agency Liaison Email Address greg.searls@wyo.gov	h. Adoption Date 10/10/17	
i. Program Board of Hearing Aid Specialist		

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. Please provide the Enrolled Act Numbers and Years Enacted:

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.
(Please use the Additional Rule Information form for more than 10 chapters and attach it to this certification)

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
1	General Provisions	
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

3. State Government Notice of Intended Rulemaking

a. Date on which the Proposed Rule Packet (consisting of the Notice of Intent as per W.S. 16-3-103(a), Statement of Principal Reasons, strike and underscore format and a clean copy of each chapter of rules were:

- approved as to form by the Registrar of Rules; and
- provided to the Legislative Service Office and Attorney General:

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. No. Yes. N/A

b. A public hearing was held on the proposed rules. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

c. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

5. Final Filing of Rules

a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature:

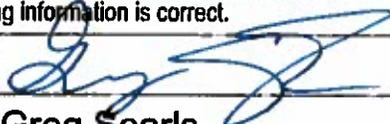
b. Date on which final rules were approved as to form by the Secretary of State and sent to the Legislative Service Office:

c. The Statement of Reasons is attached to this certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual



Printed Name of Signatory

Greg Searls

Signatory Title

Executive Director

Date of Signature

10/16/17

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature

Date of Signature

STATEMENT OF PRINCIPAL REASONS
FOR FORMAL ADOPTION OF REGULAR RULES

Pursuant to authority granted under the Hearing Aid Licensure Act, W.S. 33-35-105 through W.S. 33-35-121, the Wyoming Board of Hearing Aid Specialists proposes the following rule changes.

Specifically, the Board adopted the following proposed amendments through the regular rulemaking process:

Chapter 1 – General Provisions: **Amended**

- Changes were made to correct grammatical errors and to better clarify existing language.
- In Section 3, spelled out Wyoming Statute instead of using W.S. as required by the Rules on Rules.
- In Section 5, changed regular Board meetings to be set by resolution. This allows the Board to accommodate the various scheduling needs of the members and still provide adequate notice to the public of the regular meeting.
- In Section 6, adopted A&I's Uniform Procedures, Fees, Costs and Charges for Inspection by incorporation to clarify procedure for public records requests.
- In Section 7, removed prior public records language to refer to the newly adopted A&I Rules instead.

WYOMING

BOARD OF HEARING AID SPECIALISTS

2001 Capitol Avenue, Emerson Building, Room 104 ♦ Cheyenne WY 82002 ♦ (307) 777-7387 ♦ Fax: (307) 777-3508
<http://hearingaid.wyo.gov>

COMMENT SUMMARY AND CHANGES BASED UPON PUBLIC COMMENT

The Wyoming Board of Hearing Aid Specialists received no comments during the public comment period from July 31, 2017 through September 21, 2017.



Chapter 1
General Provisions

Section 1. Authority. The Board is authorized under the Act and the WAPA to promulgate rules and regulations to be used by the Board in the discharge of its duties to govern the licensure of hearing aid specialists and the regulation of the practice of hearing aid specialists in Wyoming.

Section 2. Statement of Purpose. These Board Rules are adopted to implement the Board's authority to establish administrative procedures.

Section 3. Definitions.

(a) "Act" means the Hearing Aid Specialist Licensure Act, Wyoming Statute 33-35-101 through -121.

(b) "ARC" means Application Review Committee.

(c) "Audiogram" means a graph showing the degree of hearing loss in a particular ear as indicated by the use of an audiometer.

(d) "Board Rules" means the administrative rules and regulations promulgated by the Board.

(e) "DC" means Disciplinary Committee which may be comprised of at least one (1) Board member or the Executive Director.

(f) "NIHIS" means the National Institute for Hearing Instruments Studies.

(g) "WAPA" means the Wyoming Administrative Procedure Act, W.S. 16-3-101 through -115.

Section 4. Board Meetings.

(a) The Board shall set its regular meetings by resolution.

(b) The Board shall meet as necessary at the time and place designated by the Board chairman and the Board.

Section 5. Board Office. The Board office shall be located at 2001 Capitol Avenue, Cheyenne, Wyoming.

Section 6. Reference by Incorporation.

(a) Each rule incorporated by reference is further identified as follows:

(i) Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on October 17, 2014, found at: <http://hearingaid.wyo.gov>.

(ii) Chapter 2 - Uniform Procedures, Fees, Costs and Charges for Inspecting, Copying and Producing Public Records adopted by the Department of Administration and Information and effective on September 6, 2016, found at <http://hearingaid.wyo.gov>.

(b) For these rules incorporated by reference:

(i) The Board has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rules are maintained at the Board's office and are available for public inspection and copying at the same location.

Section 7. Public Records Inspection. Public records inspections shall be conducted pursuant to the Department of Administration and Information's rules concerning public records.

Section 8. Change of Name, Address, or Telephone Number. Each applicant, permittee, and licensee shall notify the Board in writing of any change to their legal name, home address, business address, or telephone number within thirty (30) days of the change.

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Section 4. Board Meetings.

(a) The Board shall ~~meet the fourth Monday in July at the Board's Office at 8:00 a.m.~~ set its regular meetings by resolution.

(b) The Board shall meet as necessary at the time and place designated by the Board ~~president~~ chairman and the Board.

Section 5. Board Office. The Board office shall be located at 2001 Capitol Avenue, Cheyenne, Wyoming.

Section 6. Reference by Incorporation.

~~(a) — Any code, standard, rule or regulation incorporated by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section.~~

~~(b)(a)~~ Each rule incorporated by reference is further identified as follows:

(i) Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on October 17, 2014, found at: <http://hearingaid.wyo.gov> ~~<http://sos.wy.state.wy.us/Rules/RULES/9644.pdf>~~.

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(iii) The incorporated rules are maintained at the Board's office and are available for public inspection and copying at the same location.

Section 7. Public Records Inspection. Public records inspections shall be conducted pursuant to the Department of Administration and Information's rules concerning public records.

~~(a) If a member of public requests an electronic or hard copy of the public record, then that individual shall pay a fee. Such fee shall include cost of administrative time and producing a copy of the public record.~~

- ~~(b) Record inspection shall take place under the following conditions:~~
- ~~(i) An appointment must be made to review the records between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state holidays, at the Board office.~~
 - ~~(ii) Record inspection shall take place in the presence of Board staff.~~
 - ~~(iii) Original records shall remain with the Board. A member of public may request copies upon payment of a fee.~~

Section 8. Change of Name, Address, or Telephone Number. Each applicant, permittee, and licensee shall notify the Board in writing of any change to their legal name, home address, business address, or telephone number within thirty (30) days of the change.