



MONTANA BOARD OF HEARING AID DISPENSERS
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MEMORANDUM

DATE: February 13, 2017

TO: Hearing Aid Dispensers

FROM: Board of Hearing Aid Dispensers

RE: Current Status of the Board of Hearing Aid Dispensers

The Board of Hearing Aid Dispensers met on **December 12, 2016** and determined that all current licensees should be apprised of the current status of the Board.

Background:

In the recent past, the Board experienced financial shortfalls. As a result, and pursuant to law, the Board:

- 1) raised renewal fees to \$1500 for active licensees;
- 2) assessed costs for a one-time charge against all licensees, of \$1000 for active licensees and \$150 for inactive licensees (only for the 2013 renewal year); and
- 3) suspended all Board duties except for services related to renewal of licenses; (On November 26, 2013, all Board licensure, discipline and regulation services resumed.)

The Department of Labor and the Board sought to implement ways to reduce costs associated with the Board functions, including entering into an agreement with the Department of Justice to jointly prosecute some consumer-based complaints against licensees. The Board and the Department continue to seek and implement ways to reduce costs and have worked very hard to keep within the Board's budget. In addition, the Board has not seen the legal costs that they had seen in prior years.

Current Status of the Board of Hearing Aid Dispensers:

Thanks to the sacrifices of its licensees, the Board's past deficit has been corrected! The Board now has a cash balance exceeding twice its annual appropriation.

The Board is now in a position to give licensees some very GOOD news. Pursuant to [17-2-302](#), MCA, state programs that charge a fee for services must not let their cash balance to exceed twice the program's annual appropriation. However, despite the best projections of a program, there may be times when cash balances do exceed the amount authorized by statute. When a program needs



to reduce its excess cash balance, 17-2-302, MCA, provides a standard methodology to do so in fair and equitable manner. The statute allows a program to abate fees for one or more renewal cycles until the program's cash balance does not exceed the allowable maximum. The amount of the abatement may be up to the entire amount of the renewal fee.

If a program has more than one category of renewals, the abatement must be made on a roughly proportional basis to fairly, equitably, reasonably and economically distribute the abatement among the program's licensees or registrants. The program may, for good cause, completely abate the renewal fee for certain classes of licensees or registrants and not for other classes, if the administrative cost of processing a reduced renewal fee for all classes is disproportionately high. In such a case, the program must attempt in any future abatements to equitably treat those classes of renewals which have borne a relatively higher proportion of renewal fees.

The fact that the renewal fee is abated for any given renewal cycle does not excuse the licensee or registrant from otherwise fulfilling the renewal requirements, including submission of a renewal application and/or continuing education documentation. Even though a program may completely abate a renewal fee, licensees are still required to renew their license. A late fee may still be assessed against licensees who fail to renew or complete continuing education in a timely manner.

It is important for licensees to understand that abated fees are only for designated renewal cycles. They are not permanent abatements. Once the Board has reduced its cash balance to a lawful amount, it will start to assess normal renewal fees as it had in the past.

The Board is happy to announce that it will be abating significant portions of the renewal fees for the current licensing renewal cycle! See the Board's website to learn the exact amount of the abatement for your license renewal.

Please note, this is a one-time action. In the future, when a licensee renews, the licensee will be obligated to once again pay the full renewal fee. The Board currently anticipates that it will return to the normal renewal fees in the next renewal year.

In the meantime, the Board wishes licensees to know that the Board will:

- 1) continue to closely monitor the budget;
- 2) continue exploring the option of jointly prosecuting some of the consumer-based complaints against licensees with the Department of Justice; and
- 3) continue to seek and implement ways to reduce costs, with the Department, associated with the Board functions.

Please feel free to visit the Board's website at www.hearingaid.mt.gov to review the minutes of the past board meetings. The Board will continue to update you to apprise you of the latest news concerning the Board and its future.