



**MONTANA
ADMINISTRATIVE
REGISTER**



DEPARTMENT OF LABOR AND INDUSTRY

NOTICE OF ADOPTION

MAR NOTICE NO. 2026-141.2

Summary

Hearing Aid Dispenser Program fee reduction and implementation of House Bill 246 on substantial equivalency

Previous Notice(s) and Hearing Information

On July 10, 2026, the Department of Labor and Industry (agency) published MAR Notice No. 2026-141.1 regarding the public hearing on the proposed changes to the agency's rules, in the 2026 Montana Administrative Register, Issue No. 13.

On July 30, 2026, a public hearing was held on the proposed changes to the rules via the videoconference and telephonic platform. Comments were received by the comment deadline.

Final Rulemaking Action – Effective August 22, 2026

ADOPT AS PROPOSED

The agency has adopted the following rule as proposed:

NEW RULE 1 (24.151.506) SUBSTANTIAL EQUIVALENCY

AMEND AS PROPOSED

The agency has amended the following rule as proposed:

24.151.401 FEE SCHEDULE

Statement of Reasons

The agency has considered the comments and testimony received. A summary of the comments received, and the agency's responses are as follows:

Comment 1: Several commenters commented in support of the proposed rulemaking. It is also noted that the proposed fees remain higher than in neighboring states such as Idaho, but the commenters expressed confidence that there is a reason for the fee level. They also stated that lower fees and broader licensing reciprocity with more states would help businesses recruit more effectively and expand rural outreach.

Response 1: The department appreciates the commenters' support and agrees that reducing licensing costs and improving license portability can assist employers in recruiting qualified professionals and expanding access to hearing-aid services, including in rural Montana.

The proposed amendments to ARM 24.151.401 substantially reduce the hearing aid dispenser program's fees: the hearing aid dispenser application fee decreases from \$300 to \$250, the trainee application fee decreases from \$600 to \$250, and the active renewal fee decreases from \$550 to \$200. These amounts were established based on Montana program-specific fiscal information rather than a direct comparison with another state's fees. Program expenses decreased significantly after the program transitioned from a board-administered program to a department-administered program in fiscal year 2024, while revenue remained steady and the program's cash balance exceeded the allowable level. The proposed fees are intended to align revenue with anticipated costs while maintaining sufficient funding for licensing administration, compliance, legal services, and related operating expenses. The department also abated fiscal year 2026 renewal fees to reduce the existing cash balance.

The department also agrees with the commenters' interest in broader license portability. Consistent with HB 246 (2025), and 37-1-302 and 37-1-304, MCA (2025), the proposed substantial-equivalency rule adopts by reference the program's 2026 list of states whose hearing aid dispenser licensing standards are substantially equivalent to Montana's standards. The department compared the current licensing standards of all 50 states using the statutory substantial-equivalency criteria. Applications from individuals licensed in states identified as substantially equivalent will be treated as routine with respect to education, examination, and experience requirements, although an application may remain nonroutine on another basis. The department intends to review other states' standards annually and update the published list as appropriate. A state may be added when its licensing standards satisfy Montana's statutory substantial-equivalency requirements; the department may not add a state solely to expand reciprocity if those requirements are not met.

Contact

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Rule Reviewer

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Approval

Sarah Swanson, Commissioner