

State of Wisconsin



2023 Senate Bill 419

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT *to amend* 459.01 (5) and 459.10 (1) (intro.); and *to create* 459.01 (1b) and 459.115 of the statutes; **relating to:** practice of fitting and dealing in hearing aids, certification of hearing instrument specialists to engage in cerumen management, and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 459.01 (1b) of the statutes is created to read:

459.01 (1b) “Cerumen” means a wax-like secretion from glands in the external auditory canal.

SECTION 2. 459.01 (5) of the statutes is amended to read:

459.01 (5) “Practice of fitting and dealing in hearing aids” means the measurement of human hearing by means of an audiometer or by any other means accepted by the examining board solely for the purpose of making selections, adaptations, or sales of prescription hearing aids intended to compensate for impaired hearing. This term also includes making impressions for ear molds and includes cerumen management in the course of examining ears, taking ear impressions, or fitting prescription hearing aids by an individual who holds a certificate to engage in cerumen management under s. 459.115.

SECTION 3. 459.10 (1) (intro.) of the statutes is amended to read:

459.10 (1) (intro.) Subject to subch. II of ch. 111 and the rules adopted under s. 440.03 (1), the examining board may reprimand the licensee or permit holder or revoke, suspend, limit or deny the trainee permit or license, or certificate to engage in cerumen management

under s. 459.115, or any combination thereof, of any person who has done any of the following:

SECTION 4. 459.115 of the statutes is created to read:

459.115 Cerumen management. (1) The examining board shall issue a certificate to engage in cerumen management to a person licensed under this subchapter who completes a course on cerumen management identified by the department under sub. (3).

(2) No person licensed under this subchapter may engage in cerumen management unless he or she holds a valid certificate issued under sub. (1).

(3) The examining board shall identify cerumen management courses for which completion qualifies a person licensed under this subchapter for a certificate under sub. (1). In identifying cerumen management courses, the examining board shall select cerumen management courses that consist of at least 6 hours of instruction in removing cerumen from an ear canal using a variety of safe techniques and that includes a final examination on proper cerumen management procedures.

(4) The examining board shall promulgate rules necessary to administer this section, including rules for all of the following:

(a) Defining the scope of cerumen management.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

(b) Establishing contraindications for which a person licensed under this subchapter shall refer a patient to an otolaryngologist or a physician for cerumen management.

(c) Establishing proper infection control practices.

(5) A certificate issued under this section is permanent unless revoked and is not subject to periodic

renewal.

(6) Every person licensed under this subchapter who is certified to engage in cerumen management shall annually submit to the examining board evidence satisfactory to the examining board that he or she has in effect malpractice liability coverage in the minimum amounts required by the examining board by rule.
