

Licensing Division

Staff Report for the Hearing Instrument Fitters and Dispensers Advisory Board- November 9, 2021

Statistics

HEARING INSTRUMENTS FITTERS AND DISPENSERS

| | TOTAL FY 2020 | TOTAL FY 2021 | September FY 2022 |
|-------------------------|--------------------------|--------------------------|------------------------------|
| New Licenses Issued | 44 | 56 | 9 |
| Renewed Licenses Issued | 282 | 350 | 19 |
| Online Renewals | 96 | 316 | 19 |
| % Renewed Online | 34% | 90% | 100% |
| Total Population | 686 | 689 | 698 |

APPRENTICE PERMIT

| | TOTAL FY 2020 | TOTAL FY 2021 | September FY 2022 |
|-------------------------|--------------------------|--------------------------|------------------------------|
| New Licenses Issued | 40 | 43 | 5 |
| Renewed Licenses Issued | 4 | 8 | 0 |
| Total Population | 43 | 49 | 47 |

TEMPORARY TRAINING PERMIT

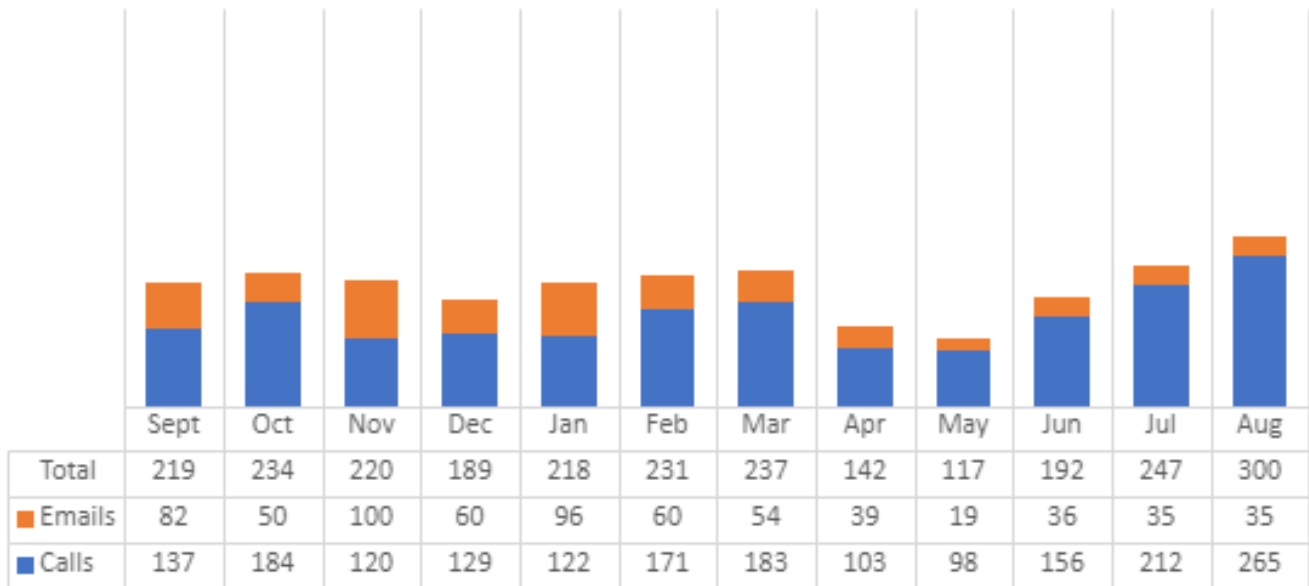
| | TOTAL FY2020 | TOTAL FY 2021 | September FY 2022 |
|-------------------------|-------------------------|--------------------------|------------------------------|
| New Licenses Issued | 65 | 86 | 8 |
| Renewed Licenses Issued | 51 | 30 | 1 |
| Total Population | 110 | 106 | 103 |

Customer Service

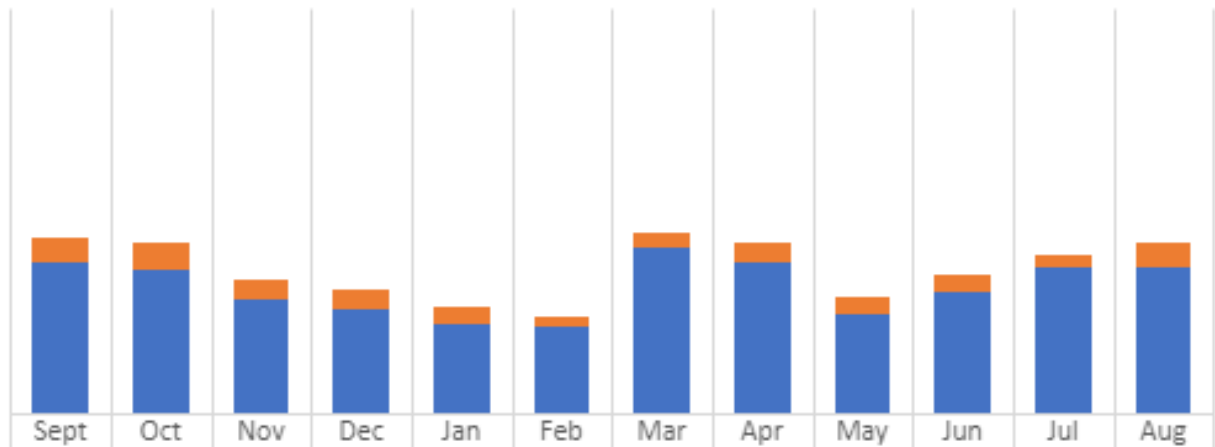
Staff Report for Hearing Instrument Fitters and Dispensers
Advisory Board – November 9, 2021

Statistics

**HEARING FITTERS
CUSTOMER SERVICE CONTACTS
FISCAL YEAR 2020**



HEARING FITTERS CUSTOMER SERVICE CONTACTS FISCAL YEAR 2021



| | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug |
|--------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Total | 215 | 209 | 164 | 153 | 130 | 119 | 222 | 209 | 143 | 172 | 195 | 209 |
| Emails | 29 | 32 | 23 | 24 | 22 | 12 | 19 | 22 | 21 | 22 | 16 | 29 |
| Calls | 186 | 177 | 141 | 129 | 108 | 107 | 203 | 187 | 122 | 150 | 179 | 180 |



Enforcement Division

Staff Report for the Hearing Instrument Fitters and Dispensers Advisory Board -November 9, 2021

Personnel Updates:

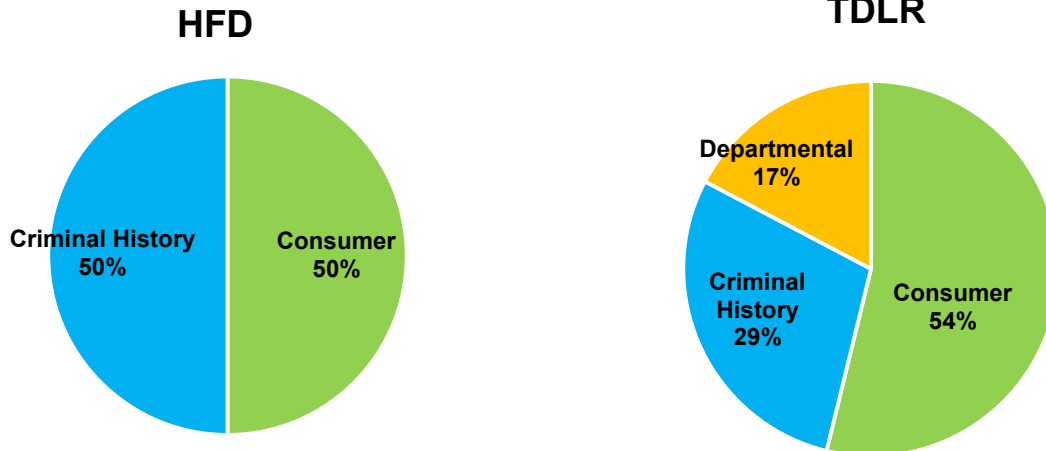
- On September 15, 2021, Kimberly (Kim) Ferreiro Mitchell was promoted to Management Analyst III. Kim has worked for TDLR for 13 ½ years, previously serving as a Legal Assistant III and Legal Assistant II.
- On September 15, 2021, Estella Ramos was promoted to Senior Legal Assistant in our Intake Section. Estella has worked for TDLR for over 6 years, previously serving as an Intake Administrative Assistant and Legal Assistant II.

Statistics Fiscal Year 2022:

Shown below are the Enforcement Performance Measures and key statistics for the Hearing Instrument Fitters and Dispensers (HFD) program and for all TDLR programs combined through September of **Fiscal Year 2022:**

| Key Statistic | HFD | TDLR |
|---|-------|--------|
| Cases opened | 2 | 948 |
| Cases closed | 2 | 1,110 |
| Average time to close (days) | 56.5 | 241.65 |
| % of cases resolved within 6 months | 100% | 54.86% |
| % of cases resulting in disciplinary action | 0.00% | 16.22% |
| Cases pending at end of September 2021 | 7 | 6,472 |

Source of cases opened through September of Fiscal Year 2022



| Case Outcomes | HFD | TDLR |
|--|-------|--------------|
| Commission Orders | 0 | 0 |
| Default Orders | 0 | 67 |
| Agreed Orders | 0 | 121 |
| Penalties Assessed | \$0.0 | \$605,625.00 |
| Penalties Collected | \$0.0 | \$400,975.00 |
| Licenses Revoked (Disciplinary) | 0 | 12 |
| Licenses Suspended | 0 | 2 |
| Licenses Denied/Revoked (Criminal History) | 0 | 20 |
| Cease & Desist Orders | 0 | 3 |
| Informally Resolved | 2 | 913 |

HFD Alleged Violations at Opening through September of Fiscal Year 2022

| Alleged Violation: | Count |
|------------------------------|-------|
| Late, incorrect or no refund | 1 |
| Criminal History | 1 |

HFD Violations Resulting in Disciplinary Action through September of Fiscal Year 2022

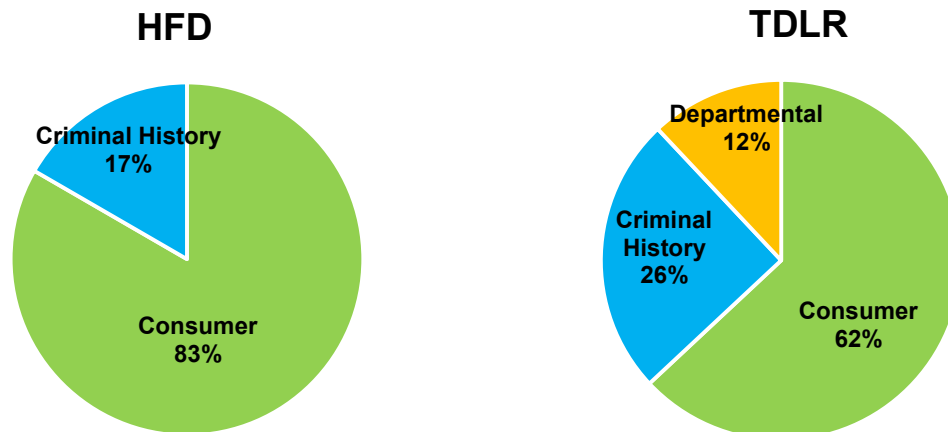
| Violation: | Count |
|------------|-------|
| N/A | |

Statistics Fiscal Year 2021:

Shown below are the Enforcement Performance Measures and key statistics for the Hearing Instrument Fitters and Dispensers (HFD) program and for all TDLR programs combined for Fiscal Year 2021:

| Key Statistic | HFD | TDLR |
|--|--------|--------|
| Cases opened | 12 | 10,121 |
| Cases closed | 32 | 9,335 |
| Average time to close (days) | 209.72 | 209.86 |
| % of cases resolved within 6 months | 46.88% | 60.00% |
| % of cases resulting in disciplinary action | 0.00% | 13.41% |
| Cases pending at the end of Fiscal Year 2021 | 7 | 6,627 |

Source of cases opened for Fiscal Year 2021



| Case Outcomes | HFD | TDLR |
|--|------------|----------------|
| Commission Orders | 0 | 44 |
| Default Orders | 0 | 455 |
| Agreed Orders | 0 | 711 |
| Penalties Assessed | \$0.0 | \$2,570,716.00 |
| Penalties Collected | \$0.0 | \$1,140,068.95 |
| Licenses Revoked (Disciplinary) | 0 | 103 |
| Licenses Suspended | 0 | 8 |
| Licenses Denied/Revoked (Criminal History) | 0 | 240 |
| Cease & Desist Orders | 0 | 19 |
| Informally Resolved | 32 | 7,976 |

HFD Alleged Violations at Opening for Fiscal Year 2021

| Alleged Violation: | Count |
|--|--------------|
| Late, incorrect or no refund | 5 |
| False, misleading, and deceptive advertising | 3 |
| Criminal History | 2 |
| Unlicensed | 1 |
| Unethical conduct | 1 |
| Employed an unlicensed or expired license | 1 |
| Records violation | 1 |

HFD Violations Resulting in Disciplinary Action for Fiscal Year 2021

| Violation: | Count |
|-------------------|--------------|
| N/A | |



Education and Examination Division

Staff Report for Hearing Instrument Fitters and Dispensers Advisory Board - November 9th, 2021

Statistics

Practical Examination Statistics (As of September 30th, 2021)

| FY 2022 | SEP | OCT | NOV | Q1 | DEC | JAN | FEB | Q2 | MAR | APR | MAY | Q3 | JUN | JUL | AUG | Q4 | TOT |
|---------|-------|-----|-----|-------|-----|-----|-----|----|-----|-----|-----|----|-----|-----|-----|----|-------|
| PASS | 40 | - | - | 40 | - | - | - | - | - | - | - | - | - | - | - | - | 40 |
| FAIL | 3 | - | - | 3 | - | - | - | - | - | - | - | - | - | - | - | - | 3 |
| TOTAL | 43 | - | - | 43 | - | - | - | - | - | - | - | - | - | - | - | - | 43 |
| RATE | 93.0% | - | - | 93.0% | - | - | - | - | - | - | - | - | - | - | - | - | 93.0% |

| FY 2021 | SEP | OCT | NOV | Q1 | DEC | JAN | FEB | Q2 | MAR | APR | MAY | Q3 | JUN | JUL | AUG | Q4 | TOT |
|---------|-------|------|------|-------|-------|-------|-------|-------|------|------|-------|-------|------|------|------|------|-------|
| PASS | 27 | 0 | 0 | 27 | 0 | 29 | 1 | 30 | 0 | 0 | 44 | 44 | 0 | 0 | 0 | 0 | 101 |
| FAIL | 6 | 0 | 0 | 6 | 0 | 8 | 1 | 9 | 0 | 0 | 5 | 5 | 0 | 0 | 0 | 0 | 20 |
| TOTAL | 33 | 0 | 0 | 33 | 0 | 37 | 2 | 39 | 0 | 0 | 49 | 49 | 0 | 0 | 0 | 0 | 121 |
| RATE | 81.8% | 0.0% | 0.0% | 81.8% | 0.00% | 78.4% | 50.0% | 76.9% | 0.0% | 0.0% | 89.8% | 89.8% | 0.0% | 0.0% | 0.0% | 0.0% | 83.5% |

Examinations are only offered or administered in September (Q1), January (Q2), and May (Q3)

Practical Examination Portion Statistics
(As of September 30th, 2021)

| FY 2021 | | | | | FY2022 | | | | |
|--|-------------|-------------|--------------|---------------|--|-------------|-------------|--------------|---------------|
| September 1 st Quarter | | | | | September 1 st Quarter | | | | |
| Examination Portion | Pass | Fail | Total | Rate | Examination Portion | Pass | Fail | Total | Rate |
| Practical – Audiometric | 12 | 5 | 17 | 70.59% | Practical-Audiometric | 22 | 2 | 24 | 91.67% |
| Practical – Ear Impression | 15 | 1 | 16 | 93.75% | Practical-Ear Impression | 18 | 1 | 19 | 94.74% |
| Total | 27 | 6 | 33 | 81.82% | Total | 40 | 3 | 43 | 93.02% |
| | | | | | | | | | |
| January 2 nd Quarter | | | | | January 2 nd Quarter | | | | |
| Examination Portion | Pass | Fail | Total | Rate | Examination Portion | Pass | Fail | Total | Rate |
| Practical – Audiometric | 12 | 7 | 19 | 63.16% | Practical-Audiometric | - | - | - | - |
| Practical – Ear Impression | 17 | 1 | 18 | 94.44% | Practical-Ear Impression | - | - | - | - |
| Total | 29 | 8 | 37 | 78.38% | Total | - | - | - | - |
| | | | | | | | | | |
| May 3 rd Quarter | | | | | May 3 rd Quarter | | | | |
| Examination Portion | Pass | Fail | total | Rate | Examination Portion | Pass | Fail | Total | Rate |
| Practical-Audiometric | 22 | 4 | 26 | 84.62% | Practical-Audiometric | - | - | - | - |
| Practical-Ear Impression | 22 | 1 | 23 | 95.65% | Practical-Ear Impression | - | - | - | - |
| Total | 44 | 5 | 49 | 89.80% | Total | - | - | - | - |
| | | | | | | | | | |

Continuing Education Statistics

(As of September 30th, 2021)

| FY 2022 | SEP | OCT | NOV | Q1 | DEC | JAN | FEB | Q2 | MAR | APR | MAY | Q3 | JUN | JUL | AUG | Q4 | TOT |
|---|-----|-----|-----|----|-----|-----|-----|----|-----|-----|-----|----|-----|-----|-----|----|-----|
| New Provider Registrations Issued | 1 | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| Provider Renewal Licenses Issued | 0 | - | - | 0 | - | - | - | - | - | - | - | - | - | - | - | - | 0 |
| Total Provider License Count (End of Month) | 16 | - | - | 16 | - | - | - | - | - | - | - | - | - | - | - | - | 16 |

| JANUARY 1 ST – DECEMBER 31 ST , 2021 | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | TOT |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Total New Course Approvals Issued | 43 | 10 | 13 | 11 | 35 | 12 | 7 | 8 | 17 | - | - | - | 156 |
| *Total Course Count (End of Month) | 43 | 53 | 66 | 77 | 112 | 124 | 131 | 139 | 156 | - | - | - | 156 |
| *COURSE COUNT RESETS JANUARY 1ST OF EACH CALENDAR YEAR | | | | | | | | | | | | | |

| FY 2021 | SEP | OCT | NOV | Q1 | DEC | JAN | FEB | Q2 | MAR | APR | MAY | Q3 | JUN | JUL | AUG | Q4 | TOT |
|---|-----|-----|-----|----|-----|-----|-----|----|-----|-----|-----|----|-----|-----|-----|----|-----|
| New Provider Registrations Issued | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 5 | 5 |
| Provider Renewal Licenses Issued | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 1 | 4 | 0 | 0 | 0 | 0 | 4 |
| Total Provider License Count (End of Month) | 14 | 11 | 11 | 11 | 12 | 12 | 12 | 12 | 9 | 9 | 10 | 10 | 10 | 15 | 15 | 15 | 15 |

| JANUARY 1 ST – DECEMBER 31 ST , 2020 | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | TOT |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Total New Course Approvals Issued | 67 | 91 | 21 | 35 | 27 | 4 | 38 | 7 | 3 | 15 | 53 | 46 | 407 |
| *Total Course Count (End of Month) | 108 | 199 | 220 | 255 | 282 | 286 | 324 | 331 | 334 | 349 | 402 | 448 | 448 |
| *COURSE COUNT RESETS JANUARY 1ST OF EACH CALENDAR YEAR | | | | | | | | | | | | | |

Jurisprudence Examination Statistics

(As of September 30th, 2021)

| FY 2022 | SEP | OCT | NOV | Q1 | DEC | JAN | FEB | Q2 | MAR | APR | MAY | Q3 | JUN | JUL | AUG | Q4 | TOT |
|--------------------------------------|-----|-----|-----|----|-----|-----|-----|----|-----|-----|-----|----|-----|-----|-----|----|-----|
| Jurisprudence Examinations Completed | 6 | - | - | 6 | - | - | - | - | - | - | - | - | - | - | - | - | 6 |
| FY 2021 | SEP | OCT | NOV | Q1 | DEC | JAN | FEB | Q2 | MAR | APR | MAY | Q3 | JUN | JUL | AUG | Q4 | TOT |
| Jurisprudence Examinations Completed | 3 | 4 | 2 | 9 | 4 | 3 | 5 | 12 | 8 | 2 | 2 | 12 | 13 | 8 | 4 | 25 | 58 |

Updates

- The Education and Examination has begun the transition to discontinue the education@tdlr.texas.gov email box to a more secure webform. When sending email inquiries, please use the [Education Webform](https://ga.tdlr.texas.gov:1443/form/education) [https://ga.tdlr.texas.gov:1443/form/education].

Regulatory Program Management

Staff Report for Hearing Instrument Fitters and Dispensers Advisory Board— November 9, 2021

Current Projects

Staff have been working on bill implementation teams to implement statutory changes from the 87th Regular Legislative Session. Katie is leading the team to implement SB 40. SB 40 allows the Commission to adopt rules, including telehealth rules and rules for remote supervision.

Staff have been working with our Versa developers to determine the ability to send license notifications upon approval of licenses.

Notice

Notice regarding the U.S. Food and Drug Administration (FDA) proposed rule, Establishing Over-the-Counter Hearing Aids, and the updated draft guidance, Regulatory Requirements for Hearing Aid Devices and Personal Sound Amplification Products.

Outreach

Staff looks forward to attending the THAA 2022 Annual Convention & Southwest Regional Trade Show on June 24-25, 2022, in Houston.