

**State Regulations for Hearing Aids Delivered via Mail\***

As of 2012, nine states have placed specific restrictions on the sale of hearing aids via the mail and Internet. They are as follows:

<b><u>State</u></b>	<b><u>Citation</u></b>	<b><u>Type of Restriction</u></b>	<b><u>Legal Challenge?</u></b>
California	Code §3351.5	Catalog/direct mail sellers must be licensed HA dispensers in CA.	N/A
Connecticut	CT Public Health Code §20-406-14 CT Public Health Code §20-406-1	Must be licensed by state to fit or dispense HA. Reference to “regular place of business” where licensee must be physically available to the public	N/A
Florida	FL Statute §484.054	Prohibition on sales or distribution of HA through the mail to the ultimate consumer	N/A
Maryland	MD Statute §391-2	Requires MD license for online dispensers; applies general commercial law to HA sales.	N/A
Missouri	MO Statute §346.110	Fitting and testing must be done by MO licensed HAD or AuD prior to mail order sale	Yes: conflicts with FDA standards.
Nevada	NV Statute §637A.243	Mail order sales require: proof of otoscopic exam; proof of audiometric exam; ear molds taken by NV licensee; attestation	N/A

		by consumer.	
Oregon	OR Statute §694.032	Fitting and sale of HA must be completed in state.	N/A
Texas	TX Statue §402.451	Dispensing and fitting must be done by TX licensee.	N/A
Washington	WA Statute §18.35.175	Requires face to face contact “to test or otherwise determine needs of purchaser”	NA

*\*Work Product of Ohio Internet Hearing Aid Task Force September, 2011*

Additional resources and guidance can be obtained on the FDA website at:  
[www.fda.gov/MedicalDevices/ResourcesforYou/Consumers/BuyingMedicalDevicesandDiagnosticTestsOnline/default.htm](http://www.fda.gov/MedicalDevices/ResourcesforYou/Consumers/BuyingMedicalDevicesandDiagnosticTestsOnline/default.htm)