

**Department of Professional and Occupational Regulation  
9960 Mayland Drive  
2<sup>nd</sup> Floor-Board Room 2  
Richmond, Virginia 23233**

**BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS  
TENTATIVE AGENDA  
Wednesday, August 12, 2026, 9:30 a.m.**

**Mission:** Our mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses enforcing standards of professional conduct for professions and occupations as designated by statute.

- I. CALL TO ORDER**
  - a. Determination of Quorum
  - b. Emergency Evacuation Procedures
- II. APPROVAL OF AGENDA**

Board for Hearing Aid Specialists and Opticians Meeting Agenda, August 12, 2026
- III. APPROVAL OF MINUTES**

Board for Hearing Aid Specialists and Opticians Minutes from May 6, 2026
- IV. PUBLIC COMMENT PERIOD**
- V. REPORTS**
  - a. Licensing Statistics
  - b. Examination Statistics
  - c. Regulatory Report
  - d. Executive Director Report
- VI. REGULATORY ACTION AND BOARD GUIDANCE**
  - a. Hearing Aid Specialists Training and Work Permits
- VII. NEW BUSINESS**
  - a. ABO Exam Fee increase
  - b. ABO-NCLE Contract Renewal
  - c. Qualifications for Licensure- Military Training and Education
- VIII. BOARD MEMBER PROFESSIONAL DEVELOPMENT**
- IX. REMINDERS**
  - a. Board Member Training Conference, October 22 & 23, 2026
  - b. Next Board Meeting, October 28, 2026
  - c. Complete Conflict of Interest Form and Travel Voucher

## **X. ADJOURNMENT**

- ❖ Agenda materials made available to the public do not include disciplinary case files or applications files pursuant to §54.1-108 of the Code of Virginia.
- ❖ Five minute public comment, per person, with the exception of any open disciplinary or application file.
- ❖ Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8590 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act

### **2026 MEETING DATES:**

October 28, 2026

### **2027 MEETING DATES:**

February 3, 2027

April 14, 2027

August 4, 2027

October 27, 2027

Materials contained in this agenda are proposed topics for discussion and are not to be construed as representing the official Board position.  
DRAFT - Not for Distribution

# PERIMETER CENTER CONFERENCE CENTER EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS

(Script to be read at the beginning of each meeting.)

## PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

### **Board Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

### **Board Room 2**

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **RIGHT** out the door and make an immediate **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

### **Board Rooms 3 and 4**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

### **Training Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the

**PERIMETER CENTER CONFERENCE CENTER EMERGENCY EVACUATION OF  
BOARD AND TRAINING ROOMS**

(Script to be read at the beginning of each meeting.)

**PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING  
hall.**

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 2**

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

DRAFT AGENDA  
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DRAFT AGENDA

## BOARD FOR HEARING AID SPECIALISTS AND OPTICIANS MINUTES OF MEETING

The Board for Hearing Aid Specialists and Opticians met on Wednesday, May 6, 2026, at the Offices of the Department of Professional and Occupational Regulation, Perimeter Center, Board Room 2, 2<sup>nd</sup> Floor, 9960 Mayland Drive, Richmond, Virginia 23233.

Board members present for the meeting:

Darla All, Chair  
LeighAnna Morris, AuD  
Judith Canty  
Kenneth Kirk, Ph.D  
Holly Law  
Jacqueline Kowal  
Desire'e Lewis-Nelson  
Jennifer Mundorff, AuD  
Nikisha Richards-Walker, MD  
Francis Lunsford  
Fitim Xhemaili  
Jeffrey Grappone

Board members not present for the meeting:

Maureen Sadak  
Michael Armstrong, MD  
Debra Ogilvie, AuD

DPOR staff present for all, or part of the meeting included:

Laura McClintock, Director  
Stephen Kirschner, Director Licensing and Regulatory Programs  
Ashley Reed, Executive Director  
Tamika Rodriguez, Regulatory Operations Administrator  
Heather Garnett, Administrative Coordinator  
Joseph Haughwout, Regulation Affairs Manager

A representative from the Office of the Attorney General was present at the meeting.

A Board for Professional and Occupational Regulation liaison was not present at the meeting.

Ms. All, board chair, determined a quorum present and **CALL TO ORDER** called the meeting to order at 9:30 a.m.

Ms. All read the mission statement of the Department of Professional & Occupational Regulations and announced several meeting reminders.

Ashley Reed, Executive Director, explained the emergency egress procedure for board room 2.

**EMERGENCY  
EGRESS**

Ms. Reed introduced the new board member, Jeffrey Grappone.

**INTRODUCTION  
OF NEW BOARD  
MEMBER**

The Board took the agenda into consideration.

**APPROVAL OF  
AGENDA**

Ms. Canty motioned to approve the agenda, seconded by Dr. Mundorff.

The members voting 'Aye' were Ms. All, Ms. Canty, Dr. Morris, Dr. Kirk, Ms. Law, Ms. Kowal, Ms. Lewis-Nelson, Dr. Richards-Walker, Ms. Lunsford, Mr. Zhemaili, Mr. Grappone, and Dr. Mundorff.

There were no negative votes. The motion carries.

The Board took the minutes from the Board meeting on March 4, 2026, under consideration.

**APPROVAL OF  
MINUTES**

Mr. Lewis-Nelson motioned to approve the minutes, seconded by Dr. Morris.

The members voting 'Aye' were Ms. All, Ms. Canty, Dr. Morris, Dr. Kirk, Ms. Law, Ms. Kowal, Ms. Lewis-Nelson, Dr. Richards-Walker, Ms. Lunsford, Mr. Zhemaili, Mr. Grappone, and Dr. Mundorff.

There were no negative votes. The motion carries.

Ms. All read the resolution, which will be mailed to Ms. Brayboy.

**RESOLUTION**

*Commonwealth of Virginia*



**Department of Professional and  
Occupational Regulation**

**Board for Hearing Aid Specialists and  
Opticians**

Resolution To

***Stacey Brayboy***

**WHEREAS**, Stacey Brayboy faithfully and diligently served as a member of the Virginia Board for Hearing Aid Specialists and Opticians from 2021 to 2025; and

**WHEREAS**, Stacey Brayboy has given generously of her knowledge, time, and talent to the Board, and has provided expertise to the Board as needed; and

**WHEREAS**, Stacey Brayboy endeavored always to protect the health, safety, and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

**WHEREAS**, the Board for Hearing Aid Specialists and Opticians acknowledges its gratitude and deepest appreciation for the devoted service of Stacey Brayboy, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board for Hearing Aid Specialists and Opticians, this sixth day of March in the year two-thousand and twenty-six, that Stacey Brayboy be given all honors and respect due for her outstanding service to the Commonwealth, its citizens, and the Board for Hearing Aid Specialists and Opticians; and

**BE IT FURTHER RESOLVED**, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

There were no public comments.

**PUBLIC  
COMMENT**

**REPORTS**

Ms. Garnett presented the licensing statistics that were provided in the electronic agenda.

**Licensing  
Statistics**

Ms. Garnett presented the examination statistics that were provided in the electronic agenda.

**Examination  
Statistics**

Ms. Rodriguez presented the current regulatory actions that were provided in the electronic agenda.

**Regulatory Report**

Ms. Reed presented the executive directors' report, which was provided in the electronic agenda. Ms. Reed also informed the Board of staff changes, and the board member training conference scheduled for October 22 and 23, 2026.

**Executive Director  
Report**

**REGULATORY  
ACTION AND  
BOARD  
GUIDANCE**

Ms. Reed informed the Board that the General Assembly approved House Bill 1254, amending the HAS regulations to implement training and work permit requirements.

**Hearing Aid Specialists Training and Work Permits**

Mr. Haughwout presented language for HB 1254. Board members and staff discussed the presented language with amendments. With Board consensus, staff will bring the language back to the Board at the next meeting.

Jennifer Sayegh provided an agency legislation update for House Bills 1176, 1254, 1291, 1305, and House Bill 796/Senate Bill 680.

**LEGISLATIVE UPDATE**

Jennifer Sayegh presented an overview of the legislative process.

**BOARD MEMBER PROFESSIONAL DEVELOPMENT**

**REMINDERS**

Ms. All reminded the Board of the next scheduled Board meeting on August 12, 2026.

**Next Schedule Board Meeting**

There being no further business, the meeting adjourned at 10:42 a.m.

**Adjourn**

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Darla All, Board Chair

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Laura McClintock, Board Secretary

## Hearing Aid Specialists and Opticians BOARD STATISTICS

| <b>Licenses and<br/>Temporary<br/>Permits Issued</b>             | <b>1-1-2025<br/>To 12-31-2025</b> | <b>1-1-2026<br/>to 7-1-2026</b> |
|------------------------------------------------------------------|-----------------------------------|---------------------------------|
| Hearing Aid Specialist<br>by Exam                                | 43                                | 19                              |
| Hearing Aid Specialist<br>Doctor of Audiology<br>Exam Waived     | 29                                | 14                              |
| Hearing Aid Specialist<br>by Endorsement                         | 8                                 | 6                               |
| Hearing Aid Specialist<br>Temporary Permits                      | 49                                | 41                              |
| Optician by Exam                                                 | 22                                | 9                               |
| Optician by<br>Endorsement                                       | 16                                | 7                               |
| CLE by Exam                                                      | 0                                 | 2                               |
| CLE by Endorsement                                               | 1                                 | 0                               |
| Optician License App<br>Criminal History Review<br>(Pass Matrix) | 0                                 | 0                               |
|                                                                  |                                   |                                 |
| <b>Regulant Populations</b>                                      | <b>12-31-2025</b>                 | <b>7-1-2026</b>                 |
| Hearing Aid Specialist<br>Temporary Permits                      | 45                                | 69                              |
| Hearing Aid Specialists                                          | 848                               | 88<br>8                         |
| Opticians                                                        | 1,699                             | 1,7<br>03                       |

## HEARING AID SPECIALISTS

### GENERAL EXAM STATISTICS REPORT - PRACTICAL

| EXAM<br>DATE | TOTAL          |                 |                   | FIRST TIME     |                 |                   | RE-EXAM        |                 |                   | TOTAL<br>EXAMINEES<br>SCHEDULED |
|--------------|----------------|-----------------|-------------------|----------------|-----------------|-------------------|----------------|-----------------|-------------------|---------------------------------|
|              | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED |                                 |
| FEB<br>2026  | 16             | 11              | 68.75%            | 09             | 06              | 66.66%            | 06             | 05              | 83.33%            | 16                              |

| CONTENT DESCRIPTION    | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED |
|------------------------|----------------|-----------------|-------------------|
| AUDIOMETRIC            | 16             | 11              | 68.75%            |
| MAINTENANCE AND REPAIR | 12             | 08              | 66.66%            |
| SPEECH TESTING         | 12             | 07              | 58.33%            |
| EARMOLD IMPRESSIONS    | 09             | 08              | 88.88%            |

## HEARING AID SPECIALISTS

### GENERAL EXAM STATISTICS REPORT – WRITTEN

| EXAM<br>DATE                                 | CONTENT DESCRIPTION | TOTAL          |                 |                   |
|----------------------------------------------|---------------------|----------------|-----------------|-------------------|
|                                              |                     | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED |
| Feb 1,<br>2026<br>THROUGH<br>Mar 31,<br>2026 | RULES & REGULATIONS | 14             | 13              | 92.85%            |
|                                              | ILE -THEORY         | 12             | 08              | 66.66%            |

## HEARING AID SPECIALISTS

### GENERAL EXAM STATISTICS REPORT - PRACTICAL

| EXAM<br>DATE | TOTAL          |                 |                   | FIRST TIME     |                 |                   | RE-EXAM        |                 |                   | TOTAL<br>EXAMINEES<br>SCHEDULED |
|--------------|----------------|-----------------|-------------------|----------------|-----------------|-------------------|----------------|-----------------|-------------------|---------------------------------|
|              | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED |                                 |
| MAY<br>2026  | 09             | 04              | 44.44%            | 04             | 01              | 25.00%            | 05             | 03              | 60.00%            | 09                              |

| CONTENT DESCRIPTION    | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED |
|------------------------|----------------|-----------------|-------------------|
| AUDIOMETRIC            | 06             | 06              | 100.00%           |
| MAINTENANCE AND REPAIR | 06             | 04              | 66.66%            |
| SPEECH TESTING         | 06             | 05              | 83.33%            |
| EARMOLD IMPRESSIONS    | 04             | 04              | 100.00%           |

## HEARING AID SPECIALISTS

### GENERAL EXAM STATISTICS REPORT – WRITTEN

| EXAM<br>DATE                                 | CONTENT DESCRIPTION | TOTAL          |                 |                   |
|----------------------------------------------|---------------------|----------------|-----------------|-------------------|
|                                              |                     | EXAMS<br>TAKEN | EXAMS<br>PASSED | PERCENT<br>PASSED |
| May 1,<br>2026<br>THROUGH<br>Jun 30,<br>2026 | RULES & REGULATIONS | 09             | 09              | 100.00%           |
|                                              | ILE -THEORY         | 09             | 07              | 77.77%            |

# OPTICIANS STATISTICS REPORT

## COMPUTER BASE TESTING (CBT)

| EXAM DATE<br>WRITTEN-ABO | TOTAL<br>EXAMS TAKEN | TOTAL<br>EXAMS PASSED | TOTAL<br>PERCENTAGE PASSED |
|--------------------------|----------------------|-----------------------|----------------------------|
| JANUARY 2026             | 01                   | 01                    | 100.00%                    |
| FEBRUARY 2026            | 04                   | 02                    | 50.00%                     |
| MARCH 2026               | 06                   | 04                    | 66.66%                     |
| APRIL 2026               | 04                   | 03                    | 75.00%                     |
| MAY 2026                 | 06                   | 03                    | 50.00%                     |
| JUNE 2026                | 05                   | 04                    | 80.00%                     |
| JULY 2026                |                      |                       |                            |
| AUGUST 2026              |                      |                       |                            |
| SEPTEMBER 2026           |                      |                       |                            |
| OCTOBER 2026             |                      |                       |                            |
| NOVEMBER 2026            |                      |                       |                            |
| DECEMBER 2026            |                      |                       |                            |
| WRITTEN TOTAL 2026       |                      |                       |                            |
|                          |                      |                       |                            |
| PRACTICAL                |                      |                       |                            |
| JANUARY 2026             | 06                   | 04                    | 66.66%                     |
| FEBRUARY 2026            | 03                   | 02                    | 66.66%                     |
| MARCH 2026               | 09                   | 04                    | 44.44%                     |
| APRIL 2026               | 04                   | 02                    | 50.00%                     |
| MAY 2026                 | 03                   | 03                    | 100.00%                    |
| JUNE 2026                | 06                   | 02                    | 33.33%                     |
| JULY 2026                |                      |                       |                            |
| AUGUST 2026              |                      |                       |                            |
| SEPTEMBER 2026           |                      |                       |                            |
| OCTOBER 2026             |                      |                       |                            |
| NOVEMBER 2026            |                      |                       |                            |
| DECEMBER 2026            |                      |                       |                            |
| PRACTICAL TOTAL 2026     |                      |                       |                            |

EXAMS  
July 28, 2026  
RSTARR

# OPTICIANS STATISTICS REPORT

## COMPUTER BASE TESTING (CBT)

| EXAM DATE<br>WRITTEN-ABO    | TOTAL<br>EXAMS TAKEN | TOTAL<br>EXAMS PASSED | TOTAL<br>PERCENTAGE PASSED |
|-----------------------------|----------------------|-----------------------|----------------------------|
| JANUARY 2025                | 03                   | 03                    | 100.00%                    |
| FEBRUARY 2025               | 01                   | 01                    | 100.00%                    |
| MARCH 2025                  | 03                   | 03                    | 100.00%                    |
| APRIL 2025                  | 00                   | 00                    | 00.00%                     |
| MAY 2025                    | 05                   | 03                    | 60.00%                     |
| JUNE 2025                   | 08                   | 06                    | 75.00%                     |
| JULY 2025                   | 02                   | 01                    | 50.00%                     |
| AUGUST 2025                 | 07                   | 06                    | 85.71%                     |
| SEPTEMBER 2025              | 04                   | 02                    | 50.00%                     |
| <b>OCTOBER 2025</b>         | <b>08</b>            | <b>03</b>             | <b>37.50%</b>              |
| <b>NOVEMBER 2025</b>        | <b>05</b>            | <b>05</b>             | <b>100.00%</b>             |
| <b>DECEMBER 2025</b>        | <b>03</b>            | <b>03</b>             | <b>100.00%</b>             |
| <b>WRITTEN TOTAL 2025</b>   | <b>49</b>            | <b>36</b>             | <b>73.46%</b>              |
|                             |                      |                       |                            |
| PRACTICAL                   |                      |                       |                            |
| JANUARY 2025                | 04                   | 03                    | 75.00%                     |
| FEBRUARY 2025               | 04                   | 04                    | 100.00%                    |
| MARCH 2025                  | 04                   | 01                    | 25.00%                     |
| APRIL 2025                  | 06                   | 04                    | 66.66%                     |
| MAY 2025                    | 03                   | 03                    | 100.00%                    |
| JUNE 2025                   | 10                   | 03                    | 30.00%                     |
| JULY 2025                   | 02                   | 01                    | 50.00%                     |
| AUGUST 2025                 | 07                   | 03                    | 42.85%                     |
| SEPTEMBER 2025              | 05                   | 03                    | 60.00%                     |
| <b>OCTOBER 2025</b>         | <b>10</b>            | <b>05</b>             | <b>50.00%</b>              |
| <b>NOVEMBER 2025</b>        | <b>02</b>            | <b>00</b>             | <b>00.00%</b>              |
| <b>DECEMBER 2025</b>        | <b>10</b>            | <b>06</b>             | <b>60.00%</b>              |
| <b>PRACTICAL TOTAL 2025</b> | <b>37</b>            | <b>36</b>             | <b>97.29%</b>              |

EXAMS

January 29, 2026

RSTARR

# OPTICIANS STATISTICS REPORT

## COMPUTER BASE TESTING (CBT)

| EXAM DATE<br>WRITTEN-ABO | TOTAL<br>EXAMS TAKEN | TOTAL<br>EXAMS PASSED | TOTAL<br>PERCENTAGE PASSED |
|--------------------------|----------------------|-----------------------|----------------------------|
| JANUARY 2024             | 06                   | 04                    | 67.66%                     |
| FEBRUARY 2024            | 05                   | 05                    | 100.00%                    |
| MARCH 2024               | 05                   | 04                    | 80.00%                     |
| APRIL 2024               | 03                   | 03                    | 100.00%                    |
| MAY 2024                 | 05                   | 04                    | 80.00%                     |
| JUNE 2024                | 06                   | 05                    | 83.33%                     |
| JULY 2024                | 00                   | 00                    | 00.00%                     |
| AUGUST 2024              | 03                   | 03                    | 100.00%                    |
| SEPTEMBER 2024           | 05                   | 05                    | 100.00%                    |
| OCTOBER 2024             | 05                   | 03                    | 60.00%                     |
| NOVEMBER 2024            | 02                   | 02                    | 100.00%                    |
| DECEMBER 2024            | 05                   | 02                    | 40.00%                     |
| WRITTEN TOTAL 2024       | 50                   | 40                    | 80.00%                     |
|                          |                      |                       |                            |
| PRACTICAL                |                      |                       |                            |
| JANUARY 2024             | 11                   | 06                    | 54.54%                     |
| FEBRUARY 2024            | 02                   | 01                    | 50.00%                     |
| MARCH 2024               | 04                   | 02                    | 50.00%                     |
| APRIL 2024               | 02                   | 00                    | 00.00%                     |
| MAY 2024                 | 06                   | 04                    | 66.66%                     |
| JUNE 2024                | 09                   | 05                    | 55.55%                     |
| JULY 2024                | 03                   | 02                    | 66.66%                     |
| AUGUST 2024              | 04                   | 04                    | 100.00%                    |
| SEPTEMBER 2024           | 08                   | 05                    | 62.50%                     |
| OCTOBER 2024             | 04                   | 03                    | 75.00%                     |
| NOVEMBER 2024            | 02                   | 02                    | 100.00%                    |
| DECEMBER 2024            | 02                   | 02                    | 100.00%                    |
| PRACTICAL TOTAL 2024     | 57                   | 36                    | 63.16%                     |

EXAMS  
March 24, 2025  
RSTARR

**Board for Hearing Aid Specialists and Opticians**  
**Current Regulatory Actions**  
**as of August 12, 2026**

**In the Governor's Office:**

None

**In the Secretary's Office: Proposed stage not approved by the Secretary of Labor**

| VAC             | Stage           | Subject Matter         | Date Pended                                                                       | Notes                                                                                                                           |
|-----------------|-----------------|------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| 18 VAC<br>80-30 | Proposed Stage. | Opticians Fee Increase | Stage withdrawn on 07/16/2024 before the Secretary's office completed its review. | Amend the opticians regulations to adjust the application, renewal, late renewal, and reinstatement fees for optician licenses. |

**At Department of Planning and Budget (DPB)/OAG**

None

**Public Comment:**

None

**Completed Public Comment and awaiting final regulatory stage:**

None

**Approved Regulatory Actions:**

None

## In Preparation for Executive Review

| VAC                                            | Stage      | Subject Matter                                                                        | Review               | Notes                                                                                                                                                                                                                                    |
|------------------------------------------------|------------|---------------------------------------------------------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18 VAC<br>80-30<br><br>Opticians               | Fast-Track | Amendments to Opticians Reinstatement Requirements and Repeal of Reinstatement Course | In preparation stage | Amend Optician regulations to update reinstatement language and eliminate the requirement for reinstatement course approval.                                                                                                             |
| 18 VAC<br>80-20<br><br>Hearing Aid Specialists | Fast-Track | Hearing Aid Specialists License Expiration Provisions Amendment                       | In preparation stage | Amend the Hearing Aid Specialists regulations renewal language to expire two years from the last day of the month in which the license was issued.                                                                                       |
| 18 VAC<br>80-20<br><br>Hearing Aid Specialists | Fast-Track | HB 1254 Amendment (Training and Work Permits)                                         | In preparation stage | Amend the Hearing Aid Specialists Regulations to align with statutory requirements by replacing temporary permits with training permits and establishing a work permit to allow eligible individuals to work while awaiting examination. |

**TO:** Board for Hearing Aid Specialists and Opticians  
**FROM:** Ashley Reed, Executive Director  
**SUBJECT:** Executive Director Update  
**DATE:** July 24, 2026

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### **Application Statistics**

The table below outlines the number of applications received per calendar year (Jan. 1 – Dec. 31) since 2020 for HASOPT.

| 2026 <sup>1</sup> | 2025  | 2024  | 2023  | 2022  | 2021  | 2020  |
|-------------------|-------|-------|-------|-------|-------|-------|
| 661               | 1,100 | 2,875 | 1,442 | 2,706 | 1,318 | 2,677 |

### **Details for 2026:**

|                                                |     |
|------------------------------------------------|-----|
| ☐ 21-HASOPT                                    | 661 |
| ☐ 2102-Hearing Aid Specialist Temporary Permit | 46  |
| ☐ 2101-Hearing Aid Specialist License          | 142 |
| ☐ 1101-Optician License                        | 473 |

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<sup>1</sup> As of 07/08/26

## **Call Center Telephone Statistics**

The table below outlines the number of telephone calls received through BCHOP's call center per fiscal year (July 1 – June 30).

| 2026 <sup>2</sup> | 2025   | 2024   | 2023 <sup>3</sup> | 2022   | 2021   | 2020   |
|-------------------|--------|--------|-------------------|--------|--------|--------|
| 43,493            | 31,750 | 19,778 | 33,894            | 43,063 | 36,074 | 41,837 |

### **Call Center Summary June 1-30, 2026**

|                      | Average Wait Time | Average Speed of Answer | Average Abandonment Time | Average Staff | Number of Calls | Call Duration |
|----------------------|-------------------|-------------------------|--------------------------|---------------|-----------------|---------------|
| <b>BCHOP</b>         | 00:00:00          | 00:00:00                | 00:00:00                 | 1.53          | 807             |               |
| <b>BCHOP-B</b>       | 00:01:18          | 00:01:29                | 00:03:06                 | 1.53          | 3238            |               |
| <b>SUMMARY/TOTAL</b> | 00:01:18          | 00:01:29                | 00:03:06                 | 3.07          | 4045            | 00:05:49      |

### **Call Center Summary May 1-31, 2026**

|                      | Average Wait Time | Average Speed of Answer | Average Abandonment Time | Average Staff | Number of Calls | Call Duration |
|----------------------|-------------------|-------------------------|--------------------------|---------------|-----------------|---------------|
| <b>BCHOP</b>         | 00:00:00          | 00:00:00                | 00:01:44                 | 2.43          | 673             |               |
| <b>BCHOP-B</b>       | 00:01:20          | 00:01:31                | 00:03:16                 | 2.43          | 3285            |               |
| <b>SUMMARY/TOTAL</b> | 00:01:20          | 00:01:31                | 00:03:13                 | 4.86          | 3958            | 00:05:38      |

<sup>2</sup> As of 6/30/26

<sup>3</sup> Missing totals for May 2023 through August 2023

## **Email Statistics**

The table below outlines the number of emails received through BCHOP's email addresses per calendar year (Jan 1 – Dec 31).

| 2026 <sup>4</sup> | 2025   | 2024   | 2023   | 2022   | 2021   | 2020   | 2019   |
|-------------------|--------|--------|--------|--------|--------|--------|--------|
| 16,638            | 26,485 | 21,319 | 22,638 | 28,441 | 18,164 | 14,580 | 11,071 |

## **Board Case Statistics**

Since 2020, the Board has adjudicated 9 cases: 2 Disciplinary and 7 Licensing.

### **Disciplinary**

Cases - 2: Final Orders - 1; Consent Orders – 1

2 disciplinary cases resulted in the sanctions below:

Revocations - 1

Suspensions - 0

Probation - 0

Fines - \$33,300

Board cost - \$150

### **Licensing**

Cases – 8

Denied – 0

Conditional approvals – 0

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<sup>4</sup> As of 7/08/26



**TO:** VIRGINIA BOARD FOR HEARING AID SPECIALISTS  
AND OPTICIANS  
**FROM:** ASHLEY REED, EXECUTIVE DIRECTOR  
**SUBJECT:** HEARING AID SPECIALIST REGULATORY REVIEW  
**DATE:** JULY 29, 2026

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The General Assembly approved HB 1254 to amend the Hearing Aid Specialists regulations to implement new training and work permit requirements. At the May 6, 2026, meeting, the Board will approved staff to initiate regulatory changes and develop language for the temporary permit, transitioning to a training permit and establishing a work permit.

On the following documents, staff have developed language for your review and discussion.

The Board can initiate the regulatory action with a motion to “adopt the proposed regulatory language [or as amended] and authorize staff to file it as a fast-track rulemaking, authorizing staff to make any necessary or stylistic changes”.

Materials contained in this agenda are proposed only for discussion and are not to be construed as regulation or official Board position.  
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1 **Project 8769 - Fast-Track**

2 **Board For Hearing Aid Specialists And Opticians**

3 **HB 1254 Amendment (Training and Work Permits)**

4 **18VAC80-20-10. Definitions.**

**Commented [JH1]:** Is a definition for "supervision" or "direct supervision" needed?

5 A. The following words and terms when used in this chapter have the meanings ascribed to  
6 them in § 54.1-1500 of the Code of Virginia:

7 "Audiologist"

8 "Board"

9 "Hearing aid"

10 "Licensed hearing aid specialist"

11 "Licensed physician"

12 "Practice of audiology"

13 "Practice of fitting or dealing in hearing aids"

14 "Prescription hearing aid"

15 "Sell" or "sale"

16 "~~Temporary~~ Training permit"

17 "Work permit"

18 B. The following words and terms when used in this chapter have the following meanings  
19 unless the context clearly indicates otherwise:

20 "Department" means the Department of Professional and Occupational Regulation.

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Materials contained in this agenda are proposed topics for discussion and are not to be construed as final.

21 "Endorsement" means a method of obtaining a license by a person who is currently licensed  
22 in another state.

23 "Hearing aid specialist" means a person who engages in the practice of fitting or dealing in  
24 hearing aids.

25 "Licensed sponsor" means a licensed hearing aid specialist who (i) is responsible for training  
26 one or more individuals holding a temporary training permit; or (ii) supervising one or more  
27 individuals holding a work permit.

28 "Otolaryngologist" means a licensed physician specializing in ear, nose, and throat disorders.

29 "Reinstatement" means having a license restored to effectiveness after the expiration date  
30 has passed.

31 "Renewal" means continuing the effectiveness of a license for another period of time.

32 "Temporary Training permit holder" means any person who holds a valid temporary training  
33 permit under this chapter.

34 "Work permit holder" means any person who holds a valid work permit under this chapter.

35 **18VAC80-20-30. Basic qualifications for licensure.**

36 A. Every applicant for a license must provide information on an application establishing that:

37 1. The applicant is at least 18 years of age.

38 2. The applicant has successfully completed high school or a high school equivalency  
39 course.

40 3. The applicant has training and experience that covers the following subjects as the  
41 subjects pertain to hearing aid fitting and the sale of hearing aids, accessories, and  
42 services:

43 a. Basic physics of sound;

- b. Basic maintenance and repair of hearing aids;
- c. The anatomy and physiology of the ear;
- d. The function of hearing aids and amplification;
- e. Visible disorders of the ear requiring medical referrals;
- f. Practical tests utilized for selection or modification of hearing aids;
- g. Audiometric testing, including pure tone audiometry, air conduction and bone conduction, speech reception threshold testing, and speech discrimination testing;
- h. Masking when indicated;
- i. Recording and evaluating audiograms and speech audiometry to determine the proper selection and adaptation of hearing aids;
- j. Taking earmold impressions;
- k. Proper earmold selection;
- l. Adequate instruction in proper hearing aid orientation;
- m. Necessity of proper procedures in after-fitting checkup; and
- n. Availability of social service resources and other special resources for the hearing impaired.

4. The applicant has provided one of the following as verification of completion of training and experience as described in subdivision 3 of this subsection:

- a. A statement on a form provided by the board signed by the licensed sponsor certifying that the requirements have been met and that the applicant has completed at least six months of experience under the temporary training permit;

b. A certified true copy of a transcript of courses completed at an accredited college or university, or other notarized documentation of completion of the required experience and training; or

c. An apprenticeship completion form from the Virginia Department of Workforce Development and Advancement reflecting completion of a registered apprenticeship, including all required related instruction, or an equivalent out-of-state registered apprenticeship.

5. In accordance with § 54.1-204 of the Code of Virginia, each applicant must disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:

a. Misdemeanor convictions that occurred within three years of the date of application involving sexual offense or physical injury; and

b. Felony convictions involving sexual offense, physical injury, or drug distribution or felony convictions involving the practice of fitting or dealing in hearing aids.

The record of a conviction authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted will be admissible as prima facie evidence of such conviction or guilt. The board has the authority to determine, based upon all the information available, including the applicant's record of prior convictions, if the applicant is unfit or unsuited to engage in the hearing aid specialist profession.

6. The applicant is in good standing as a licensed hearing aid specialist in every jurisdiction where licensed. The applicant must disclose if the applicant has had a license as a hearing aid specialist that was suspended, revoked, or surrendered in connection with a disciplinary action or that has been the subject of discipline in any jurisdiction prior to applying for licensure in Virginia. At the time of application for licensure, the applicant must

also disclose any disciplinary action taken in another jurisdiction in connection with the applicant's practice as a hearing aid specialist.

7. The applicant has disclosed the applicant's physical address and email address. A post office box may be provided as a secondary address.

8. ~~The nonresident applicant for a license has filed and maintained with the department an irrevocable consent for the department to serve as service agent for all actions filed in any court in Virginia.~~

**Commented [JH2]:** Consider removing this as a qualification for licensure as it appears unnecessary.

~~9.~~ The applicant has submitted the required application with the proper fee as referenced in 18VAC80-20-70 and signed, as part of the application, a statement that the applicant has read and understands Chapter 15 (§ 54.1-1500 et seq.) of Title 54.1 of the Code of Virginia and this chapter.

B. The board may make further inquiries and investigations with respect to the qualifications of the applicant or require a personal interview. The board may refuse initial licensure due to the applicant's failure to comply with entry requirements. The licensee is entitled to a review of such action, which will be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

**18VAC80-20-40. Temporary Training permit.**

A. Any individual may apply for a temporary training permit, which is to be used solely for the purpose of gaining the training and experience required to become a licensed hearing aid specialist in Virginia. The licensed sponsor must be identified on the application for a temporary training permit, and the licensed sponsor must comply strictly with the provisions of subdivisions D 1 and D 2 of this section.

1. A temporary training permit will be issued for a period of 18 months. After a period of 18 months, the former temporary training permit holder must sit for the examination in accordance with this section.

2. The board may, at its discretion, extend the temporary training permit for a temporary training permit holder who suffers serious personal illness or injury, a death in the temporary training permit holder's immediate family, for obligation of military service or service in the Peace Corps, or for other good cause of similar magnitude approved by the board. Documentation of these circumstances must be received by the board no later than 12 months after the date of the expiration of the temporary training permit or within six months of the completion of military or Peace Corps service, whichever is later.

B. A registered apprenticeship under the Virginia Department of Workforce Development and Advancement is held to be a board-approved temporary training permit.

C. Every applicant for a temporary training permit must provide information upon application establishing that:

1. The applicant for a temporary training permit is at least 18 years of age.

2. The applicant for a temporary training permit has successfully completed high school or a high school equivalency course.

3. In accordance with § 54.1-204 of the Code of Virginia, each applicant for a temporary training permit must disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:

a. Misdemeanor convictions that occurred within three years of the date of application involving sexual offense or physical injury; and

b. Felony convictions involving sexual offense, physical injury, or drug distribution or felony convictions involving the practice of fitting or dealing in hearing aids.

The record of a conviction authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted will be admissible as prima facie evidence of such conviction or guilt. The board has the authority to determine, based upon all the information available, including the applicant's record of prior convictions, if the applicant is unfit or unsuited to engage in the hearing aid specialist profession.

4. The applicant for a temporary training permit is in good standing as a licensed hearing aid specialist in every jurisdiction where licensed. The applicant for a temporary training permit must disclose if the applicant has had a license as a hearing aid specialist that was suspended, revoked, or surrendered in connection with a disciplinary action or that has been the subject of discipline in any jurisdiction prior to applying for licensure in Virginia. At the time of application, the applicant for a temporary training permit must also disclose any disciplinary action taken in another jurisdiction in connection with the applicant's practice as a hearing aid specialist.

5. The applicant for a temporary training permit has disclosed the applicant's physical address and email address. A post office box may be provided as a secondary address.

6. The applicant for a temporary training permit has submitted the required application with the proper fee referenced in 18VAC80-20-70 and has signed, as part of the application, a statement that the applicant has read and understands Chapter 15 (§ 54.1-1500 et seq.) of Title 54.1 of the Code of Virginia and this chapter.

D. The licensed hearing aid specialist who agrees to sponsor the applicant for a temporary training permit must certify on the application that as sponsor, the licensed hearing aid specialist:

1. Assumes full responsibility for the competence and proper conduct of the temporary training permit holder with regard to all acts performed pursuant to the acquisition of training and experience in the fitting or dealing of hearing aids;

2. Will not assign the temporary training permit holder to carry out independent field work without on-site direct supervision by the sponsor until the temporary training permit holder is adequately trained for such activity;

3. Will personally provide and make available documentation, upon request by the board or its representative, showing the number of hours that direct supervision has occurred throughout the period of the temporary training permit;

4. Will return the temporary training permit to the department should the training program be discontinued for any reason; and

5. Will not refer the temporary training permit holder for testing until the permit holder has completed at least six months of training under the permit.

E. The licensed sponsor must provide training and must ensure that the temporary training permit holder under the licensed sponsor's supervision gains experience that covers the following subjects as they pertain to hearing aid fitting and the sale of hearing aids, accessories, and services:

1. Basic physics of sound;

2. Basic maintenance and repair of hearing aids;

3. The anatomy and physiology of the ear;

4. The function of hearing aids and amplification;

5. Visible disorders of the ear requiring medical referrals;

6. Practical tests utilized for selection or modification of hearing aids;

7. Audiometric testing, including pure tone audiometry, air conduction and bone conduction, speech reception threshold testing, and speech discrimination testing;

8. Masking when indicated;

**Commented [JH3]:** Need clarification about duties that a training permit holder is permitted or not permitted to perform in practice. For example, can a training permit holder sign and bill for patient charts?

181 9. Recording and evaluating audiograms and speech audiometry to determine the proper  
182 selection and adaptation of hearing aids;

183 10. Taking earmold impressions;

184 11. Proper earmold selection;

185 12. Adequate instruction in proper hearing aid orientation;

186 13. Necessity of proper procedures in after-fitting checkup; and

187 14. Availability of social service resources and other special resources for the hearing  
188 impaired.

189 F. The board may make further inquiries and investigations with respect to the qualifications  
190 of the applicant for a temporary training permit or require a personal interview.

191 G. All correspondence from the board to the temporary training permit holder not otherwise  
192 exempt from disclosure must be addressed to both the temporary training permit holder and the  
193 licensed sponsor and must be sent to the business address of the licensed sponsor.

194 **18VAC80-20-45. Work permit.**

195 A. A work permit to work under the direct supervision of a licensed sponsor may be issued  
196 only to applicants for initial licensure who the board finds eligible for examination pursuant to  
197 18VAC80-20-30. The licensed sponsor must be identified on the application for a work permit.  
198 The licensed sponsor must comply with the provisions of subsection D of this section.

199 B. An applicant must submit the required application with the proper fee as referenced in  
200 18VAC80-20-70 and certify on the application that the applicant has read and understands  
201 Chapter 15 (§ 54.1-1500 et seq.) of Title 54.1 of the Code of Virginia and this chapter.

202 C. A work permit issued pursuant to this section will expire six months from the date it is  
203 issued. A work permit holder may receive a one-time extension of the term of the work permit for

204 a period of three months from the date of expiration provided that the work permit holder has  
205 taken at least one of the license examinations required by 18VAC80-20-80 C during the initial  
206 term of the work permit. A work permit holder seeking to extend the term of the work permit must  
207 apply for the extension on a form provided by the board. The board may approve the extension  
208 upon (i) verification of the information provided by the work permit holder; and (ii) certification from  
209 the licensed sponsor that the licensed sponsor will continue to comply with the requirements of  
210 subsection D of this section. Except as provided for in this subsection, a work permit will not be  
211 extended. No subsequent work permit will be issued.

212 D. The licensed hearing aid specialist who agrees to sponsor the applicant for a work permit  
213 must certify on the application that as sponsor, the licensed hearing aid specialist:

214 1. Assumes full responsibility for the competence and proper conduct of the work permit  
215 holder with regard to all acts performed in the fitting or dealing of hearing aids;

216 2. Will not assign the work permit holder to carry out independent field work without on-  
217 site direct supervision by the sponsor until the work permit holder is licensed; and

218 3. Will notify the board if the work permit holder's employment is discontinued for any  
219 reason.

220 E. A work permit holder whose employment is discontinued for any reason must return the  
221 work permit to the board within 30 days of discontinuing employment. Such individual is prohibited  
222 from engaging in regulated activity until approved by the board for a new licensed sponsor as  
223 provided for in subsection F of this section.

224 F. A work permit holder may transfer from one licensed sponsor to another upon approval  
225 from the board. Such work permit holder must submit a transfer application with the proper fee  
226 referenced in 18VAC80-20-70. The new licensed sponsor must be identified on the transfer

**Commented [JH4]:** Need further discussion on this rule. This appears to provide stricter requirement than is applicable to training permit holder.

227 application. The new licensed sponsor must comply with the provisions of subsection D of this  
228 section.

229 G. A work permit will not be issued where grounds may exist to deny a license pursuant to  
230 18VAC80-20-30.

231 **18VAC80-20-70. Fees.**

232 A. All fees are nonrefundable and shall not be prorated. The date of receipt by the board or  
233 its agent is the date that will be used to determine whether or not it is on time.

234 B. Application and examination fees must be submitted with the application for licensure.

235 C. In the event that a check, money draft, or similar instrument for payment of a fee required  
236 by statute or regulation is not honored by the bank or financial institution named, the applicant or  
237 regulant ~~shall be~~ is required to remit fees sufficient to cover the original fee, plus the additional  
238 processing charge established by the department.

239 The following fees apply:

|                                          |       |                                                    |
|------------------------------------------|-------|----------------------------------------------------|
| Application Fee                          | \$125 | To be paid by all applicants for initial licensure |
| <del>Temporary Training</del> Permit Fee | \$125 |                                                    |
| Work Permit Fee                          | \$125 |                                                    |
| Licensed Sponsor Transfer Fee            | \$35  |                                                    |
| Renewal                                  | \$125 |                                                    |
| Reinstatement                            | \$125 |                                                    |

240 D. The written examination fee ~~shall~~ will be established in compliance with the Virginia Public  
241 Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). The practical examination fee ~~shall~~  
242 will be established by the department that is sufficient to cover expenses for the administration of  
243 the examination in compliance with subdivision A 4 of § 54.1-201 of the Code of Virginia.

244 **18VAC80-20-180. Maintenance of licenses.**

245 A. Notice in writing must be given to the board in the event of any change of business or  
246 individual name, address, or email address. Such notice must be sent to the board within 30 days  
247 of the change of the name, location, or email address. The board will not be responsible for the a  
248 licensee's or permit holder's failure to receive notices, communications and correspondence  
249 caused by the licensee's or permit holder's failure to promptly notify the board in writing of any  
250 change of name or, address, or email address.

251 B. All licensees and permit holders must operate under the name in which the license is  
252 issued.

253 C. All licenses and permits issued by the board must be visibly displayed at each physical site  
254 of employment in such a manner that the public can easily read the name of the licensee. If the  
255 individual practices at more than one site, a photocopy of the license or permit, as applicable, is  
256 acceptable.

257 **18VAC80-20-220. Purchase agreement.**

258 A. Each hearing aid must be sold through a purchase agreement that must:

- 259 1. Show the licensee's business address, license number, business telephone number,  
260 and signature;
- 261 2. Clearly state, if the hearing aid is not new and is sold or rented, that it is "used" or  
262 "reconditioned," whichever is applicable, including the terms of warranty, if any;
- 263 3. Identify the brand names and model of the hearing aid being sold, and the serial number  
264 of the hearing aid must be provided, in writing, to the purchaser at the time of delivery of  
265 the hearing aid;
- 266 4. Disclose the full purchase price;

5. Disclose the down payment and periodic payment terms in cases where the purchase price is not paid in full at delivery;

6. Disclose any nonrefundable fees established in accordance with § 54.1-1505 of the Code of Virginia;

7. Explain the provisions of § 54.1-1505 of the Code of Virginia, which entitles the purchaser to return the hearing aid, in 10-point bold face type that is bolder than the type in the remainder of the purchase agreement; and

8. Disclose that the licensee, or temporary training permit holder, or work permit holder is not a physician licensed to practice medicine in Virginia and that no examination or representation made will be regarded as a medical examination, opinion, or advice.

B. Subdivision A 8 of this section will not apply to sales made by a licensed hearing aid specialist who is a physician licensed to practice medicine in Virginia.

**18VAC80-20-240. Physician statement regarding adult client's medical evaluation of hearing loss.**

A. Each licensee or holder of a ~~temporary~~ permit, in counseling and instructing adult clients and prospective adult clients related to the testing, fitting, and sale of hearing aids, is required to recommend that the client obtain a written statement signed by a licensed physician stating that the patient's hearing loss has been medically evaluated within the preceding six months and that the patient may be a candidate for a hearing aid.

B. Should the client decline the recommendation, a statement of such declination must be obtained from the client over his signature. Medical waivers that are a part of purchase agreements must be in a separate section, which must be signed by the client indicating the client's understanding of the medical waiver. A separate, additional client signature space must

be provided in all purchase agreements for the client to sign acknowledging the client's understanding of the purchase terms and conditions established by 18VAC80-20-200.

1. Fully informed adult patients (18 years of age or older) may waive the medical evaluation.

2. The hearing aid specialist is prohibited from actively encouraging a prospective user to waive a medical examination.

C. The information provided in subsection A of this section must be made a part of the client's record kept by the hearing aid specialist.

**18VAC80-20-250. Testing procedures.**

It is the duty of each licensee and holder of a ~~temporary~~ permit engaged in the fitting and sale of hearing aids to use appropriate testing procedures for each hearing aid fitting. All tests and case history information must be retained in the records of the specialist licensee or licensed sponsor, as applicable. The established requirements are:

1. Air conduction tests are to be made on every client using standard frequencies of 500-1000-2000-4000-6000-8000 Hertz. Intermediate frequencies must be tested if the threshold difference between octaves exceeds 15dB. Appropriate masking must be used if the difference between the two ears is 40 dB or more at any one frequency.

2. Bone conduction tests are to be made on every client using standard frequencies at 500-1000-2000-4000 Hertz. Proper masking is to be applied if the air conduction and bone conduction readings for the test ear at any one frequency differ by 15 dB or if lateralization occurs.

3. Speech testings must be made before fittings and must be recorded with the type of test, method of presentation, and the test results.

4. The specialist must check for the following conditions and, if they are found to exist, must refer the client to a licensed physician unless the client can show that the client's present condition is under treatment or has been treated:

- a. Visible congenital or traumatic deformity of the ear.
- b. History of active drainage from the ear within the previous 90 days.
- c. History of sudden or rapidly progressive hearing loss within the previous 90 days.
- d. Acute or chronic dizziness.
- e. Unilateral hearing loss.
- f. Audiometric air bone gap equal to or greater than 15 dB at 500 Hertz, 1000 Hertz, and 2000 Hertz.
- g. Visible evidence or significant cerumen accumulation or a foreign body in the ear canal.
- h. Tinnitus as a primary symptom.
- i. Pain or discomfort in the ear.

5. All tests must have been conducted no more than six months prior to the fitting.

6. Post-fitting testing must be made and recorded with type of test, method of presentation and the test results.

**18VAC80-20-260. Calibration statement required.**

A. Audiometers used in testing the hearing impaired must be in calibration.

B. Calibration must be done once a year or more often, if needed.

C. A certified copy of an electronic audiometer calibration shall must be maintained for three years and shall must be made available to the department upon request.

**Commented [JH5]:** Need clarification on who is responsible for following this rule. Licensee and permit holder?

335 **18VAC80-20-270. Grounds for discipline.**

336 The board may, in considering the totality of the circumstances, fine any ~~temporary~~ permit  
337 holder or licensee or suspend, place on probation, revoke, or refuse to renew any ~~temporary~~  
338 permit or license or deny any application issued under the provisions of Chapter 15 (§ 54.1-1500  
339 et seq.) of Title 54.1 of the Code of Virginia and this chapter. Disciplinary procedures are governed  
340 by the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia). Any licensee or  
341 permit holder is subject to board discipline for any of the following:

342 1. Improper conduct, including:

- 343 a. Obtaining, renewing, or attempting to obtain a license or permit by false or fraudulent  
344 representation;
- 345 b. Obtaining any fee or making any sale by fraud or misrepresentation;
- 346 c. Employing to fit or sell hearing aids a person who does not hold a valid license or a  
347 ~~temporary~~ permit, or whose license or ~~temporary~~ permit is suspended;
- 348 d. Using, causing, or promoting the use of any misleading, deceptive, or untruthful  
349 advertising matter, promotional literature, testimonial, guarantee, warranty, label,  
350 brand, insignia, or any other representation, whether disseminated orally or published;
- 351 e. Representing that the service or advice of a person licensed to practice medicine or  
352 audiology will be used in the selection, fitting, adjustment, maintenance, or repair of  
353 hearing aids when that is not true, or using the words "physician," "audiologist," "clinic,"  
354 "hearing service," "hearing center," or similar description of the services and products  
355 provided when such use is not accurate;
- 356 f. Directly or indirectly giving or offering to give favors, paid referrals, or anything of  
357 value to any person who in his the person's professional capacity uses his the person's

position to influence third parties to purchase products offered for sale by a hearing aid specialist; or

g. Failing to provide expedient, reliable, or dependable services when requested by a client or client's guardian.

2. Failure to include on the purchase agreement a statement regarding home solicitation when required by federal and state law.

3. Incompetence or negligence, as those terms are generally understood in the profession, in fitting or selling hearing aids.

4. Failure to provide required or appropriate training resulting in incompetence or negligence, as those terms are generally understood in the profession, by a ~~temporary~~ training permit holder under the licensee's sponsorship.

5. Violating or cooperating with others in violating any provisions of Chapter 1 (§ 54.1-100 et seq.), 2 (§ 54.1-200 et seq.), 3 (§ 54.1-300 et seq.), or 15 (§ 54.1-1500 et seq.) of Title 54.1 of the Code of Virginia or this chapter.

6. The licensee, ~~temporary~~ permit holder, or applicant has been convicted or found guilty of any crime directly related to the practice of fitting or dealing in hearing aids, regardless of the manner of adjudication, in any jurisdiction of the United States. Except for misdemeanor marijuana convictions and misdemeanor convictions involving sexual offense or physical injury that occurred three or more years prior to the date of application, with no subsequent convictions, and all felony convictions involving sexual offense, physical injury, or drug distribution that occurred 10 or more years prior to the date of application with no subsequent convictions, all criminal convictions will be considered as part of the totality of the circumstances of each applicant. Review of prior convictions will be subject to the requirements of § 54.1-204 of the Code of Virginia. Any pleas of nolo

382            contendere will be considered a conviction for the purpose of this subdivision. The record  
383            of a conviction authenticated in such form as to be admissible in evidence of the law of  
384            the jurisdiction where convicted will be admissible as prima facie evidence of such  
385            conviction or guilt.

Materials contained in this agenda are proposed topics for discussion and are not to be construed  
DRAFT AGENDA  
DRAFT AGENDA

# VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

## CHAPTER 460

*An Act to amend and reenact §§ 54.1-402, 54.1-402.1, 54.1-406, 54.1-700, 54.1-1500, 54.1-1501, 54.1-1506, 54.1-2205, and 54.1-2208.2 of the Code of Virginia; to amend the Code of Virginia by adding a section numbered 54.1-1504.1; and to repeal §§ 54.1-703.1 and 54.1-703.3 of the Code of Virginia, relating to Department of Professional and Occupational Regulation.*

[H 1254]

Approved April 8, 2026

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 54.1-402, 54.1-402.1, 54.1-406, 54.1-700, 54.1-1500, 54.1-1501, 54.1-1506, 54.1-2205, and 54.1-2208.2 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 54.1-1504.1 as follows:**

**§ 54.1-402. Further exemptions from license requirements for architects, professional engineers, and land surveyors.**

A. No license as an architect or professional engineer shall be required pursuant to § 54.1-406 for persons who prepare plans, specifications, documents, and designs for the following, provided any such plans, specifications, documents, or designs bear the name and address of the author and his occupation:

1. Single- and two-family homes, townhouses, and multifamily dwellings, excluding electrical and mechanical systems, not exceeding three stories; or

2. All farm structures used primarily in the production, handling, or storage of agricultural products or implements, including, but not limited to, structures used for the handling, processing, housing, or storage of crops, feeds, supplies, equipment, animals, or poultry; or

3. Buildings and structures classified with respect to use as business (Use Group B) and mercantile (Use Group M), as provided in the Uniform Statewide Building Code (§ 36-97 *et seq.*) and churches with an occupant load of 100 or less, excluding electrical and mechanical systems, where such building or structure does not exceed 5,000 square feet in total net floor area, or three stories; or

4. Buildings and structures classified with respect to use as factory and industrial (Use Group F) and storage (Use Group S) as provided in the Uniform Statewide Building Code (§ 36-97 *et seq.*), excluding electrical and mechanical systems, where such building or structure does not exceed 15,000 square feet in total net floor area, or three stories; or

5. Additions, remodeling, or interior design without a change in occupancy or occupancy load and without modification to the structural system or a change in access or exit patterns or increase in fire hazard; or

6. Electric installations which comply with all applicable codes and which do not exceed 600 volts and 800 amps, where work is designed and performed under the direct supervision of a person licensed as a master's level electrician or Class A electrical contractor by written examination, and where such installation is not contained in any structure exceeding three stories or located in any of the following categories:

a. Use Group A-1 theaters which exceed assembly of 100 persons;

b. Use Group A-4 A-3, except churches;

c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems;

or

7. Plumbing and mechanical systems using packaged mechanical equipment, such as equipment of catalogued standard design which has been coordinated and tested by the manufacturer, which comply with all applicable codes. These mechanical systems shall not exceed gauge pressures of 125 pounds per square inch, other than refrigeration, or temperatures other than flue gas of 300 degrees F (150 degrees C) where such work is designed and performed under the direct supervision of a person licensed as a master's level plumber, master's level heating, air conditioning and ventilating worker, or Class A contractor in those specialties by written examination. In addition, such installation may not be contained in any structure exceeding three stories or located in any structure which is defined as to its use in any of the following categories:

a. Use Group A-1 theaters which exceed assembly of 100 persons;

b. Use Group A-4 A-3, except churches;

c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems;

or

8. The preparation of shop drawings, field drawings, and specifications for components by a contractor who will supervise the installation and where the shop drawings and specifications (i) will be reviewed by the licensed professional engineer or architect responsible for the project or (ii) are otherwise exempted; or

9. Buildings, structures, or electrical and mechanical installations which are not otherwise exempted but which are of standard design, provided they bear the certification of a professional engineer or architect

registered or licensed in another state, and provided that the design is adapted for the specific location and for conformity with local codes, ordinances, and regulations, and is so certified by a professional engineer or architect licensed in Virginia; or

10. Construction by a state agency or political subdivision not exceeding \$75,000 in value keyed to the January 1, 1991, Consumer Price Index (CPI) and not otherwise requiring a licensed architect, engineer, or land surveyor by an adopted code and maintenance by that state agency or political subdivision of water distribution, sewage collection, storm drainage systems, sidewalks, streets, curbs, gutters, culverts, and other facilities normally and customarily constructed and maintained by the public works department of the state agency or political subdivision; or

11. Conventional and alternative onsite sewage systems receiving residential wastewater, under the authority of Chapter 6 (§ 32.1-163 *et seq.*) of Title 32.1, designed by a licensed onsite soil evaluator, which utilize packaged equipment, such as equipment of catalogued standard design that has been coordinated and tested by the manufacturer, and complies with all applicable codes, provided (i) the flow is less than 1,000 gallons per day; and (ii) if a pump is included, (a) it shall not include multiple downhill runs and must terminate at a positive elevational change; (b) the discharge end is open and not pressurized; (c) the static head does not exceed 50 feet; and (d) the force main length does not exceed 500 feet.

B. No person shall be exempt from licensure as an architect or engineer who engages in the preparation of plans, specifications, documents, or designs for:

1. Any unique design of structural elements for floors, walls, roofs, or foundations; or
2. Any building or structure classified with respect to its use as high hazard (Use Group H).

C. Persons utilizing photogrammetric methods or similar remote sensing technology shall not be required to be licensed as a land surveyor pursuant to subsection B of § 54.1-404 or 54.1-406 to: (i) determine topography or contours, or to depict physical improvements, provided such maps or other documents shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination, or (ii) graphically show existing property lines and boundaries on maps or other documents provided such depicted property lines and boundaries shall only be used for general information.

Any determination of topography or contours, or depiction of physical improvements, utilizing photogrammetric methods or similar remote sensing technology by persons not licensed as a land surveyor pursuant to § 54.1-406 shall not show any property monumentation or property metes and bounds, nor provide any measurement showing the relationship of any physical improvements to any property line or boundary.

Any person not licensed pursuant to subsection B of § 54.1-404 or 54.1-406 preparing documentation pursuant to subsection C of § 54.1-402 shall note the following on such documentation: "Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination."

D. Terms used in this section, and not otherwise defined in this chapter, shall have the meanings provided in the Uniform Statewide Building Code (§ 36-97 *et seq.*) in effect on July 1, 1982, including any subsequent amendments.

#### **§ 54.1-402.1. State and local government employees.**

Any person engaged in the practice of engineering, architecture, or land surveying as those terms are defined in § 54.1-400 as a regular, full-time, salaried employee of the Commonwealth or any political subdivision of the Commonwealth on March 8, 1992, who remains employed by any state agency or political subdivision shall be exempt until June 30, 2010, from the licensure requirements of § 54.1-406 provided the employee does not furnish advisory service for compensation to the public or as an independent contracting party in this Commonwealth or any political subdivision thereof in connection with engineering, architectural, or land surveying matters. A. The chief administrative officer of any agency of the Commonwealth or political subdivision thereof employing persons engaged in the practice of engineering, architecture, or land surveying as regular, full-time, salaried employees shall have the authority and responsibility to determine the engineering, architecture, and land surveying positions which have responsible charge of engineering, architectural, or land surveying decisions.

B. Notwithstanding these provisions, any state agency or political subdivision of the Commonwealth unable to employ a qualified licensed engineer, architect, or land surveyor to fill a responsible charge position, after a reasonable and unsuccessful search, may fill the position with an unlicensed person upon the determination by the chief administrative officer of the agency or political subdivision that the person, by virtue of education, experience, and expertise, can perform the work required of the position.

#### **§ 54.1-406. License required.**

A. Unless exempted by § 54.1-401, 54.1-402, or 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of architecture or engineering which includes design, consultation, evaluation, or analysis and involves proposed or existing improvements to real property.

Unless exempted by § 54.1-401, 54.1-402, or 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of land surveying.

B. Unless exempted by § 54.1-402, any person, ~~partnership, corporation or other~~ or business entity offering to practice architecture, engineering, or land surveying without being registered or licensed in accordance with the provisions of this chapter, shall be subject to the provisions of § 54.1-111 of this title.

C. Any person, ~~partnership, corporation or other~~ or business entity which is not licensed or registered to practice in accordance with this chapter and which advertises or promotes through the use of the words "architecture," "engineering," or "land surveying" or any modification or derivative thereof in its name or description of its business activity in a manner that indicates or implies that it practices or offers to practice architecture, engineering, or land surveying as defined in this chapter shall be subject to the provisions of § 54.1-111.

D. ~~Notwithstanding these provisions, any state agency or political subdivision of the Commonwealth unable to employ a qualified licensed engineer, architect, or land surveyor to fill a responsible charge position, after reasonable and unsuccessful search, may fill the position with an unlicensed person upon the determination by the chief administrative officer of the agency or political subdivision that the person, by virtue of education, experience, and expertise, can perform the work required of the position.~~

E. Notwithstanding the provisions of this section, a contractor who is licensed pursuant to the provisions of Chapter 11 (§ 54.1-1100 et seq.) of this title shall not be required to be licensed or registered to practice in accordance with this chapter when bidding upon or negotiating design-build contracts or performing services other than architectural, engineering, or land surveying services under a design-build contract. The architectural, engineering, or land surveying services offered or rendered in connection with such contracts shall only be rendered by an architect, professional engineer, or land surveyor licensed in accordance with this chapter.

#### **§ 54.1-700. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Barber" means any person who shaves, shapes, or trims the beard; cuts, singes, or dyes the hair or applies lotions thereto; applies, treats, or massages the face, neck, or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays, or other preparations in connection with shaving, cutting, or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease.

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of disease, shaving, shaping, and trimming the beard; cutting, singeing, or dyeing the hair or applying lotions thereto; applications, treatment, or massages of the face, neck, or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays, or other preparations in connection with shaving, cutting, or trimming the hair or a beard. The term "barbering" shall not apply to the acts described hereinabove when performed by any person in his home if such service is not offered to the public.

"Barber instructor" means any person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of barbering.

"Barbershop" means any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

"Board" means the Board for Barbers and Cosmetology.

"Body-piercer" means any person who for remuneration penetrates the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing" means the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing school" means a place or establishment licensed by the Board to accept and train students in body-piercing.

"Cosmetologist" means any person who administers hair removal treatments; administers basic facial treatments to enhance or improve the appearance and care of the skin using lotions, oils, cleansers, or other preparations by manual practices only; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, trims, bleaches, colors, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cosmetology for compensation. The term "cosmetologist" does not include hair braiding upon human hair or a wig or hairpiece.

"Cosmetology" includes the following practices: administering hair removal treatments; administering basic cleansing facial treatments to enhance or improve the appearance and care of the skin, which only includes a cleanse, tone, and application of a mask or moisturizer; manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, trimming, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding

upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

"Cosmetology instructor" means a person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of cosmetology.

"Cosmetology salon" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein cosmetology is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Ear-piercer" means any person who for remuneration penetrates the ear of a person to make a hole, mark, or scar, generally permanent in nature.

"Ear-piercing" means the act of penetrating the ear of a person to make a hole, mark, or scar, generally permanent in nature.

"Ear-piercing salon" means any place in which a fee is charged for the act of penetrating the ear by the aid of needles or any other instrument designed to touch or puncture the skin.

"Ear-piercing school" means a place or establishment licensed by the Board to accept and train students in ear-piercing.

"Esthetician" means a person who engages in the practice of esthetics for compensation.

"Esthetics" includes the following practices of administering cosmetic treatments to enhance or improve the appearance of the skin: cleansing, toning, performing effleurage or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual means, for care of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and eyebrows, and lightening hair on the body except the scalp; and removing unwanted hair from the body of any person by the use of any nonlaser device, by tweezing, or by use of chemical or mechanical means. However, "esthetics" is not a healing art and shall not include any practice, activity, or treatment that constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of osteopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined in § 54.1-2900.

"Esthetics instructor" means a licensed esthetician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of esthetics.

"Esthetics spa" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein esthetics is offered or practiced on a regular basis for compensation under regulations of the Board.

"Master barber" means a licensed barber person who, in addition to the practice of barbering, performs waving, shaping, bleaching, relaxing, or straightening upon human hair; performs similar work on a wig or hairpiece; or performs waxing limited to the scalp.

"Master esthetician" means a licensed esthetician who, in addition to the practice of esthetics, offers to the public for compensation, without the use of laser technology, lymphatic drainage, chemical exfoliation, or microdermabrasion, and who has met such additional requirements as determined by the Board to practice lymphatic drainage, chemical exfoliation with products other than Schedules II through VI controlled substances as defined in the Drug Control Act (§ 54.1-3400 et seq.), and microdermabrasion of the epidermis.

"Nail care" means manicuring or pedicuring natural nails or performing artificial nail services.

"Nail salon" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein nail care is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Nail school" means a place or establishment licensed by the board to accept and train students in nail care.

"Nail technician" means any person who for compensation manicures or pedicures natural nails, or who performs artificial nail services for compensation, or any combination thereof.

"Nail technician instructor" means a licensed nail technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of nail care.

"Physical (wax) depilatory" means the wax depilatory product or substance used to remove superfluous hair.

"School of cosmetology" means a place or establishment licensed by the Board to accept and train students and which offers a cosmetology curriculum approved by the Board.

"School of esthetics" means a place or establishment licensed by the Board to accept and train students and which offers an esthetics curriculum approved by the Board.

"Tattoo parlor" means any place in which tattooing is offered or practiced.

"Tattoo school" means a place or establishment licensed by the Board to accept and train students in tattooing.

"Tattooer" means any person who for remuneration practices tattooing.

"Tattooing" means the placing of designs, letters, scrolls, figures, symbols, or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

"Wax technician" means any person licensed by the Board who removes hair from the hair follicle using a physical (wax) depilatory or by tweezing.

"Wax technician instructor" means a licensed wax technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of waxing.

"Waxing" means the temporary removal of superfluous hair from the hair follicle on any area of the human body through the use of a physical (wax) depilatory or by tweezing.

"Waxing salon" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein waxing is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and train students in waxing.

#### **§ 54.1-1500. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Audiologist" means the same as that term is defined in § 54.1-2600.

"Board" means the Board for Hearing Aid Specialists and Opticians.

"Hearing aid" means any wearable instrument or device designed or offered to aid or compensate for impaired human hearing and any parts, attachments, or accessories, including earmolds, but excluding batteries and cords.

"Licensed hearing aid specialist" means any person who is the holder of a hearing aid specialist license issued by the Board for Hearing Aid Specialists and Opticians.

"Licensed optician" means any person who is the holder of an optician license issued by the Board for Hearing Aid Specialists and Opticians.

"Licensed optometrist" means any person authorized by Virginia law to practice optometry.

"Licensed physician" means any person licensed by the Board of Medicine to practice medicine and surgery.

"Optician" means any person not exempted by § 54.1-1506 who prepares or dispenses eyeglasses, spectacles, lenses, or related appurtenances, for the intended wearers or users, on prescriptions from licensed physicians or licensed optometrists, or as duplications or reproductions of previously prepared eyeglasses, spectacles, lenses, or related appurtenances, or who, in accordance with such prescriptions, duplications, or reproductions, measures, adapts, fits, and adjusts eyeglasses, spectacles, lenses, or appurtenances, to the human face.

"Over-the-counter hearing aid" means an air-conduction hearing aid that does not require implantation or other surgical intervention and is intended for use by a person age 18 or older to compensate for perceived mild to moderate hearing impairment.

"Practice of audiology" means the same as that term is defined in § 54.1-2600.

"Practice of fitting or dealing in hearing aids" means (i) the measurement of human hearing by means of an audiometer or by any other means solely for the purpose of making selections, adaptations, or sale of hearing aids, (ii) the sale of prescription hearing aids, or (iii) the making of impressions for earmolds for prescription hearing aids. A practitioner, at the request of a physician or a member of a related profession, may make audiograms for the professional's use in consultation with the hard-of-hearing.

"Prescription hearing aid" means a hearing aid that is not an over-the-counter hearing aid.

"Sell" or "sale" means any transfer of title or of the right to use by lease, bailment, or any other contract, excluding wholesale transactions with distributors or practitioners.

"Temporary Training permit" means a permit issued while an applicant is in training to become a licensed hearing aid specialist.

"Work permit" means a permit issued to any applicant who is eligible for examination to become a licensed hearing aid specialist.

#### **§ 54.1-1501. Exemptions; sale of hearing aids by corporations, etc., measuring hearing.**

A. Physicians licensed to practice in Virginia and certified by the American Board of Otolaryngology or eligible for such certification shall not be required to pass an examination as a prerequisite to obtaining a license under this chapter.

B. Nothing in this chapter shall prohibit a corporation, partnership, trust, association, or other like organization maintaining an established business address from engaging in the business of selling or offering for sale prescription hearing aids at retail without a license, provided that it employs only licensed practitioners in the direct sale and fitting of prescription hearing aids.

C. Nothing in this chapter shall prohibit any person who does not sell hearing aids or accessories or who is not employed by an organization which sells hearing aids or accessories from engaging in the practice of

measuring human hearing for the purpose of selection of hearing aids.

D. Audiologists licensed to practice in Virginia who have earned a doctoral degree in audiology shall not be required to pass an examination as a prerequisite to obtaining a license under this chapter.

E. *Apprentices serving in establishments selling or offering for sale prescription hearing aids shall not be required to hold a license under this chapter.*

**§ 54.1-1504.1. Permits.**

A. *The Board may issue a training permit to any person who is in training to become a licensed hearing aid specialist.*

B. *The Board may issue a work permit to any person who is eligible for examination. Any person issued a work permit shall be subject to the regulations of the Board.*

C. *The Board shall promulgate regulations consistent with this section to allow persons to be granted training permits and work permits for a specified period of time.*

**§ 54.1-1506. Exemptions.**

The provisions of this chapter shall not apply to:

1. Any licensed physician or licensed optometrist;  
2. Any individual, partnership, or corporation engaged in supplying ophthalmic prescriptions and supplies exclusively to licensed physicians, licensed optometrists, licensed opticians, or optical scientists;

3. Any person who does not hold himself out to the public as an "optician," and who works exclusively under the direct supervision and control of a licensed physician or licensed optometrist or licensed optician, and in the same location;

4. The sale of spectacles, eyeglasses, magnifying glasses, goggles, sunglasses, telescopes, or binoculars that are completely preassembled and sold as merchandise; or

5. Any optician who (i) does not regularly practice in Virginia; (ii) holds a current valid license or certificate to practice as an optician in another state, territory, district, or possession of the United States; (iii) volunteers to provide free health care to an underserved area of the Commonwealth under the auspices of a publicly supported all volunteer, nonprofit organization with no paid employees that sponsors the provision of health care to populations of underserved people throughout the world; (iv) files a copy of the license or certificate issued in such other jurisdiction with the Board; (v) notifies the Board, within 15 days prior to the voluntary provision of services of the dates and location of such services; and (vi) acknowledges, in writing, that such licensure exemption shall only be valid, in compliance with the Board's regulations, during the limited period that such free health care is made available through the volunteer, nonprofit organization on the dates and at the location filed with the Board; or

6. *Any individual enrolled in a registered optician apprenticeship program that is approved by the Board and conducted in accordance with the standards established by the Department of Workforce Development and Advancement.*

**§ 54.1-2205. License required; application; requirements for licensure; continuing education.**

A. No person shall engage in, or offer to engage in, the practice of soil evaluation in the Commonwealth unless he has been licensed under the provisions of this chapter.

B. In order to be licensed as a professional soil scientist, an applicant shall:

1. Submit satisfactory evidence verified by affidavits that the applicant:

- a. Is 18 years of age or older;
- b. Is of good moral character; and

c. Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.

2. Achieve a score acceptable to the Board on an examination in the principles and practice of soil evaluation and satisfy one of the following criteria:

a. Hold a bachelor's degree from an accredited institution of higher education in a soils curriculum which has been approved by the Board and have at least four years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or

b. Hold a bachelor's degree in one of the natural sciences and have at least five years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or

c. Have a record of at least eight years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or

d. Have at least four years of experience in soil science research or as a teacher of soils curriculum in an accredited institution of higher education which offers an approved four-year program in soils and at least two years of soil evaluation experience, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.

C. The Board shall establish by regulation requirements for continuing education as a prerequisite to the maintenance and renewal of a license issued under this chapter, not to exceed eight contact hours per year renewal cycle.

D. *Individuals applying for a license as a professional soil scientist between July 1, 2013, and July 1,*

2015, who (i) have been certified as professional soil scientists by the Board or (ii) have achieved a score set by the Board on the examination required by this section shall be licensed by the Board if all other requirements of this chapter or Board regulations have been met, unless an applicant is found by the Board to have engaged in any act that would constitute grounds for disciplinary action.

**§ 54.1-2208.2. Licensure; minimum qualifications; penalty.**

A. Any person practicing or offering to practice as a professional geologist or in a geological specialty in this Commonwealth may submit reasonable evidence to the Board that he is qualified to practice and to be licensed as provided in this article. The Board shall approve the application for licensure of any person who, in the opinion of the Board, has satisfactorily met the requirements of this article and who has paid any applicable fees fixed by the Board.

Licenses shall expire at intervals as designated by the Board. A license may be renewed by the Board upon receipt of a formal request accompanied by any applicable fees.

B. To be eligible for licensure as a professional geologist, an applicant shall meet each of the following minimum qualifications:

1. Be of ethical character.
2. Have a baccalaureate or higher degree from an accredited institution of higher education with either a major in geology, engineering geology, geological engineering, or related geological sciences; or have completed at least 30 semester hours or the equivalent in geological science courses leading to a major in geology.

3. Have at least seven years of geological work that shall include either a minimum of three years of geological work under the supervision of a qualified or licensed professional geologist or a minimum of three years of experience in responsible charge of geological work. The adequacy of the position and the required supervision and experience shall be determined by the Board in accordance with standards set forth in its regulations. The following criteria of education and experience qualify toward the required seven years of geological work:

- a. Each year of full-time undergraduate study in the geological sciences shall count as one-half year of experience up to a maximum of two years, and each year of full-time graduate study shall count as a year of experience up to a maximum of three years. Credit for undergraduate and graduate study shall in no case exceed a total of four years toward meeting the requirements for at least seven years of geological work.

- b. The Board may consider, in lieu of the above-described geological work, the cumulative total of geological work or geological research of persons occupying research or post-graduate positions as well as those teaching geology courses at an institution of higher education, provided such work or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to the geological work required in this section.

4. Have successfully passed an appropriate examination approved by the Board and designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

At the discretion of the Board, separate examinations may be prepared for various subspecialties of geology; however, there will be no specialty licensure, only licensure as a professional geologist.

C. The Board shall issue a license to practice as a geologist in the Commonwealth to any individual who holds an unexpired certification to practice as a geologist issued prior to July 1, 2025.

D. No person shall represent himself as a licensed professional geologist unless he has been so licensed by the Board. Any person practicing or offering to practice geology within the meaning of this article who, through verbal claim, sign, advertisement, or letterhead, represents himself as a licensed professional geologist without holding such license from the Board is guilty of a Class 1 misdemeanor.

**2. That §§ 54.1-703.1 and 54.1-703.3 of the Code of Virginia are repealed.**



**TO:** VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY  
**FROM:** ASHLEY REED, EXECUTIVE DIRECTOR  
**SUBJECT:** NOTICE OF ABO AND NCLE CERTIFICATION FEE  
ADJUSTMENT EFFECTIVE OCTOBER 1, 2026  
  
**DATE:** JULY 27, 2026

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Attached is a notification that DPOR received from the American Board of Opticianry and National Contact Lens Examiners, Inc. (ABO/NCLE) regarding their intent to increase the exam fee starting October 1, 2026. According to the notice, "The ABO & NCLE Board of Directors has approved a \$50 increase to examination, practical examination, and certification renewal fees. This is the first fee adjustment in more than 10 years."

The Board can determine if they want to agree to this increase or require ABO to comply with the current terms of the contract. The current contract period of performance is August 5, 2024 to July 31, 2027, with options for two, one-year renewals.

If the Board agrees with the proposed exam fee increase, it can "make a motion to approve the exam fee increase effective October 1, 2026" [as presented/as amended, OR the Board can reject the proposed increase and require ABO to comply with the terms of the contract".

June 30, 2026

Virginia State Board/Rhonda Starr

Subject: Courtesy Notice of ABO & NCLE Certification Fee Adjustment Effective October 1, 2026

Virginia State Board/Rhonda Starr,

ABO & NCLE is providing this courtesy notice of an approved adjustment to certification-related fees that will take effect on October 1, 2026.

The ABO & NCLE Board of Directors has approved a \$50 increase to examination, practical examination, and certification renewal fees. This is the first fee adjustment in more than 10 years.

Effective October 1, 2026, the updated fee schedule will be:

| Fee Type                              | Current Fee | New Fee Effective October 1, 2026 |
|---------------------------------------|-------------|-----------------------------------|
| Basic/Advanced Certification Exam Fee | \$225       | \$275                             |
| Combined Exam Fee                     | \$250       | \$300                             |
| Practical Exam Fee                    | \$75        | \$125                             |
| Certification Renewal Fee             | \$125       | \$175                             |

Applications and renewals submitted and paid before October 1, 2026, will be honored at the current fee. Applications and renewals submitted on or after October 1, 2026, will reflect the updated fee schedule.

This fee adjustment does not change ABO & NCLE certification eligibility requirements, examination content, passing standards, renewal cycles, continuing education requirements, or credential verification processes.

This adjustment supports ABO & NCLE's continued commitment to maintaining high-quality, credible, defensible, and nationally recognized certification programs for the optical profession. ABO & NCLE's certification programs require ongoing investment in secure exam delivery, psychometric review, item development, credential verification, technology platforms, continuing education administration, and candidate and certificant support.

ABO & NCLE also works with Prometric, a nationally recognized testing provider, to support secure and consistent exam administration. These investments help ensure ABO & NCLE certifications remain credible, defensible, nationally recognized, and aligned with accepted credentialing practices.

We are providing this notice to state boards and agencies in advance so that any published references, application materials, candidate instructions, or state-level guidance referencing ABO & NCLE fees may be reviewed and updated as needed before the October 1, 2026 effective date.

If you have any questions regarding this fee adjustment or need additional information, please contact ABO & NCLE at [contact email] or [phone number].

Sincerely,

Kenia Hernandez  
Exam Coordinator  
ABO & NCLE

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.  
DRAFT AGENDA  
DRAFT AGENDA

# Board For Hearing Aid Optician

## Monthly Cash Activity

Starting cash on hand

\$ 23,569.91

Starting date

Jul 2025

Cash minimum balance alert

\$ 4,713.98

|                                   | Jul 2025     | Aug 2025     | Sep 2025     | Oct 2025     | Nov 2025    | Dec 2025    | Jan 2026     | Feb 2026      | Mar 2026       | Apr 2026       | May 2026       | Jun 2026       | Total |
|-----------------------------------|--------------|--------------|--------------|--------------|-------------|-------------|--------------|---------------|----------------|----------------|----------------|----------------|-------|
| Cash on hand (beginning of month) | \$ 23,569.91 | \$ 27,576.39 | \$ 19,290.01 | \$ 22,260.88 | \$ 5,982.19 | \$ 5,623.01 | \$ 15,193.96 | \$ (3,414.83) | \$ (12,284.67) | \$ (51,739.51) | \$ (54,265.47) | \$ (52,695.47) |       |

### Cash receipts

|                        |              |              |              |              |              |              |              |             |               |                |                |                |              |
|------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|---------------|----------------|----------------|----------------|--------------|
| Cash sales             | \$ 12,445.03 | \$ 7,600.00  | \$ 5,135.00  | \$ 5,140.00  | \$ 7,545.00  | \$ 10,440.00 | \$ 7,795.00  | \$ 3,950.00 | \$ 8,100.00   | \$ 3,380.00    | \$ 1,570.00    | \$ -           | \$ 73,100.03 |
| Returns and allowances | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -        | \$ -          | \$ -           | \$ -           | \$ -           | \$ -         |
| Total cash receipts    | \$ 12,445.03 | \$ 7,600.00  | \$ 5,135.00  | \$ 5,140.00  | \$ 7,545.00  | \$ 10,440.00 | \$ 7,795.00  | \$ 3,950.00 | \$ 8,100.00   | \$ 3,380.00    | \$ 1,570.00    | \$ -           | \$ 73,100.03 |
| Total cash available   | \$ 36,014.94 | \$ 35,176.39 | \$ 24,425.01 | \$ 27,400.88 | \$ 13,527.19 | \$ 16,063.01 | \$ 22,988.96 | \$ 535.17   | \$ (4,184.67) | \$ (48,359.51) | \$ (52,695.47) | \$ (52,695.47) |              |

### Cash paid out

|                             |              |              |              |              |             |              |               |                |                |                |                |                |               |
|-----------------------------|--------------|--------------|--------------|--------------|-------------|--------------|---------------|----------------|----------------|----------------|----------------|----------------|---------------|
| Overhead                    | \$ 4,268.39  | \$ 9,268.69  | \$ -         | \$ 12,388.92 | \$ 3,884.77 | \$ -         | \$ 15,071.10  | \$ 7,718.91    | \$ 8,841.66    | \$ 3,677.57    | \$ -           | \$ -           | \$ 65,120.01  |
| Enforcement                 | \$ 1,093.08  | \$ 1,587.68  | \$ -         | \$ 2,200.98  | \$ 548.20   | \$ -         | \$ 2,837.95   | \$ 1,032.26    | \$ 1,015.56    | \$ 495.54      | \$ -           | \$ -           | \$ 10,810.35  |
| Board Administration        | \$ 2,720.56  | \$ 4,464.17  | \$ -         | \$ 6,324.89  | \$ 3,424.55 | \$ 849.79    | \$ 8,250.93   | \$ 3,987.65    | \$ 4,397.85    | \$ 1,691.15    | \$ -           | \$ -           | \$ 36,111.54  |
| Exams                       | \$ 105.91    | \$ 167.87    | \$ -         | \$ 211.80    | \$ 46.66    | \$ -         | \$ 243.81     | \$ 81.02       | \$ 85.68       | \$ 41.70       | \$ -           | \$ -           | \$ 984.45     |
| Direct Board                | \$ 287.67    | \$ 397.97    | \$ 2,164.13  | \$ 293.00    | \$ -        | \$ 19.26     | \$ -          | \$ -           | \$ -           | \$ -           | \$ -           | \$ -           | \$ 3,162.03   |
| Cash Transfers              | \$ (37.06)   | \$ -         | \$ -         | \$ -         | \$ -        | \$ -         | \$ -          | \$ -           | \$ 33,214.09   | \$ -           | \$ -           | \$ -           | \$ 33,177.03  |
| Total cash paid out         | \$ 8,438.55  | \$ 15,886.38 | \$ 2,164.13  | \$ 21,418.69 | \$ 7,904.18 | \$ 869.05    | \$ 26,403.79  | \$ 12,819.84   | \$ 47,554.84   | \$ 5,905.96    | \$ -           | \$ -           | \$ 149,365.41 |
| Cash on hand (end of month) | \$ 27,576.39 | \$ 19,290.01 | \$ 22,260.88 | \$ 5,982.19  | \$ 5,623.01 | \$ 15,193.96 | \$ (3,414.83) | \$ (12,284.67) | \$ (51,739.51) | \$ (54,265.47) | \$ (52,695.47) | \$ (52,695.47) |               |