

Regular Session, 2011

HOUSE BILL NO. 134

BY REPRESENTATIVE HARDY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEARING AID DEALERS: Requires hearing aid dealers to provide a thirty-day money-back guarantee for all hearing aids sold

1 AN ACT

2 To amend and reenact R.S. 37:2444, relative to hearing aid dealers; to provide for rights of
3 buyers of hearing aids; to provide for a refund guarantee; to provide for refund
4 conditions; to authorize the promulgation of rules; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:2444 is hereby amended and reenacted to read as follows:

7 §2444. Bill of sale; contract; buyer rights; refund guarantee

8 A. Any person who engages in the fitting or selling of hearing aids shall:

9 (1) ~~deliver~~ Deliver to each person supplied with a hearing aid, by him or at
10 his order or direction, a bill of sale or contract which shall contain his signature and
11 show the address of his regular place of business with a contact phone number and
12 the number of his license, together with a description of the make, model, and serial
13 number of the hearing aid furnished and the amount charged therefor. The bill of
14 sale or contract shall also reveal the condition of the hearing device and whether it
15 is new, used, or rebuilt, and the address and phone number of the Louisiana Board
16 for Hearing Aid Dealers.

17 (2) Provide each buyer of a hearing aid with a written guarantee indicating
18 the right of the buyer to receive a refund of the full amount of the purchase price if
19 the buyer returns the hearing aid without damage caused by improper care or
20 accident within thirty calendar days of receiving the hearing aid. The guarantee shall

1 permit the buyer to cancel the purchase for any reason within thirty calendar days
2 after receiving the hearing aid by giving or mailing written notice of cancellation to
3 the seller of the hearing aid. If the buyer mails the notice of cancellation, the
4 thirty-calendar-day period shall begin with the postmark date of the notice. The
5 guarantee shall entitle the buyer to receive a refund of the full amount of the
6 purchase price within thirty days of return of the hearing aid to the seller.

7 B. The board may promulgate rules in accordance with the Administrative
8 Procedure Act which are necessary to implement the provisions of this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hardy

HB No. 134

Abstract: Requires hearing aid dealers to provide a 30-day money-back guarantee for all hearing aids sold.

Present law provides that violation of any provision of present law relative to hearing aid dealers shall be grounds for revocation or suspension of a hearing aid dealer license.

Proposed law requires that any person who engages in the selling of hearing aids shall provide each buyer of a hearing aid with a 30-calendar-day money-back guarantee.

Proposed law provides that such guarantee must permit the buyer to cancel the purchase for any reason within 30 calendar days after receiving the hearing aid.

Proposed law provides that such guarantee shall entitle the buyer to receive a refund of the full amount of the purchase price within 30 days of return of the hearing aid to the seller if the hearing aid is returned without damage caused by improper care or accident.

Proposed law provides that the Louisiana Board for Hearing Aid Dealers may promulgate any rules necessary to implement the provisions of proposed law.

(Amends RS. 37:2444)