

1974 WL 27926 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 20, 1974

***1 Re: South Carolina Speech Pathology and Audiology Law**

Mr. John H. Young, Jr.
P. O. Box 67
Columbia, S. C. 29202

Dear Mr. Young:

You have asked whether or not a hearing aid specialist who is licensed under Act No. 535, 1971 Acts and Joint Resolutions, may lawfully charge a fee for services rendered in conducting hearing tests at the request of a medical doctor.

I advise that if the tests performed are necessary for purposes of hearing aid fitting and counseling then you may lawfully conduct such hearing tests and may certainly charge a fee for your services. See 1971 Act No. 535, Section 2(6); 1973 Act No. 439, Section 6(f).

If the tests performed are not necessary for purposes of hearing aid fitting and counseling then you may still charge a fee. However, fee or no fee, you quite possibly could be found to be practicing audiology without a license under the broad definition of 'audiology' contained in Act No. 439, Section 4(f), Acts and Joint Resolutions. This would, of course, depend upon a court's interpretation of that section (copy enclosed).

Very truly yours,

John B. Grimball
Assistant Attorney General

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