

July 7, 2026

Subject: Letter of Advisement

To Whom It May Concern,

I am writing on behalf of the New Mexico Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Board to advise license holders who dispense hearing aids to review the following sections in Title 16 Occupational and Professional Licensing, Chapter 26 Hearing, Speech and Audiology Practitioners, Part 9 Code of Ethics (16.26.9.8):

F. Principles of ethics III:

(3) Licensed individuals' statements to the public shall provide accurate information about the nature and management of communication disorders, the products dispensed thereof, about the professions and about professional services.

I. Principles of ethics IV:

(2) Any person who practices the sale or fitting of hearing aids shall deliver to any person supplied with a hearing aid, a receipt that shall contain:

(a) the licensee's signature, address of the regular place of business and license number; it shall also show the make and model of the hearing aid furnished along with the full terms of the sale clearly stated; if the hearing aid is not new, the receipt must clearly show whether the hearing aid is used or reconditioned, whichever is applicable in terms of any guarantee; the receipt shall also show that the purchaser was advised that the licensee was not a licensed physician and that the examination and recommendation was made as a hearing aid dispenser or fitter and not as a medical diagnosis or prescription; the receipt shall also include language stating that each prospective purchaser was informed at the time of the initial examination for possible sale and fitting of a hearing aid about hearing aid options that can provide a direct connection between the hearing aid and assistive listening systems in accordance with the latest standards for accessible design adopted by the United States department of justice in accordance with the federal Americans with Disabilities Act of 1990, as amended. Each licensee and purchaser must initial acknowledging that counseling for the above-mentioned options took place and that the purchaser was informed concerning these options, and whether the hearing aid(s) contain(s) a tele-coil or t-switch;

O. Principles of Ethics VII:

Licensed audiologists and hearing aid dispensers shall, at the time of the initial examination for possible sale and fitting of a hearing aid if a hearing loss is determined, inform each prospective purchaser about hearing aid options that can provide a direct connection between the hearing aid and assistive listening systems in accordance with the latest standards for accessible design adopted by the United States department of justice in accordance with the federal Americans with Disabilities Act of 1990, as amended.

License holders who dispense hearing aids should counsel their patients regarding the most up to date accessibility options for hearing aid connectivity. These may include wireless accessories, telecoil (T-coil) and loop systems, and Bluetooth wireless technology (e.g. MFi, ASHA [Audio Streaming for Hearing Aids], Auracast, etc.). Counseling regarding accessibility options should be acknowledged on the hearing aid receipt to meet the requirements as set forth by the Principles of Ethics.

Sincerely,

James Decker, Au.D. CCC-A/SLP
Chair, Professional Member
New Mexico Speech-Language Pathology, Audiology,
and Hearing Aid Dispensing Practices Board