

Chapter HAS 5

UNPROFESSIONAL CONDUCT

HAS 5.01 Authority.

HAS 5.02 Unprofessional conduct.

Note: Chapter Had 5 was renumbered Chapter HAS 5 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1992, No. 436.

HAS 5.01 Authority. The rules in this chapter are adopted pursuant to the authority in ss. 15.08 (5) (b), 227.11, 459.10 (11), and 459.12 (1), Stats.

History: Cr. Register, May, 1988, No. 389, eff. 6-1-88.

HAS 5.02 Unprofessional conduct. (1) In this section, "patient records" includes the results of all tests given pursuant to s. 459.10 (16), Stats., and copies of all contracts, receipts and guarantees involving the sale of hearing instruments.

(2) The following, without limitation because of enumeration, are violations of standards of professional conduct and constitute unprofessional conduct under s. 459.10 (11), Stats.:

(a) After a request by the board, failing to cooperate in a timely manner with the board's investigation of complaints filed against the applicant or licensee. There is a rebuttable presumption that a licensee or applicant who takes longer than 30 days to respond to a request of the board has not acted in a timely manner under this subsection.

(b) Knowingly providing false information to the board.

(c) Knowingly placing false information in a patient's records or otherwise making a patient's record false.

(d) Failing to maintain patient records for a period of 5 years.

(e) Practicing in a manner which substantially departs from the standard of care ordinarily exercised by a hearing instrument specialist.

(f) Failing to maintain proper calibration of audiometric equipment, as specified in s. HAS 4.03 (3).

(fm) Failing to maintain adequate records of certification of calibrations of audiometric equipment for a period of 5 years or failing to provide access to those records when requested by the board or its representative.

(g) Failing to clearly state the full terms of sale on a receipt, as required in s. 459.03, Stats. The full terms of sale shall include all of the following:

1. The amount and method of payment.
2. The date and method of delivery.
3. The terms of any guarantee.
4. The nature and duration of the trial period and extension, if any.
5. The refund policy and amount, if any.
6. The product return and exchange policy, if any.
7. The product repair policy, if any.

History: Cr. Register, May, 1988, No. 389, eff. 6-1-88; am. (1), (2) (d) and (e), cr. (2) (f), Register, July, 1992, No. eff. 8-1-92; cr. (2) (g), Register, January, 1995, No. 469, eff. 2-1-95; am. (1) (f), cr. (1) (fm), Register, July, 1997, No. 499, eff. 8-1-97.