

SOUTH DAKOTA STATE MEDICAL ASSOCIATION

Values. Ethics. Advocacy.

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July 8, 2025

Brooke Tellinghuisen Geddes, Executive Secretary
South Dakota Board of Hearing Aid Dispensers and Audiologists
810 N. Main St., #298
Spearfish, SD 57783

RE: Administrative Rules of South Dakota §20:46

Dear Ms. Tellinghuisen Geddes:

On behalf of the South Dakota State Medical Association (the "Association"), and the physicians, residents, and medical students that we represent, I am writing you to express our concerns with the proposed changes being proposed to ARSD 20:46.

The Association has concerns with the proposed changes to ARSD 20:46:01:04, which defines when advisement for a physician consultation is required. We believe the complete removal of the requirement when the customer is 16 years of age or younger could cause lasting, and expensive, harm to patients resulting from missed diagnoses and inappropriate treatment due to bypassing a physician consultation. It is for this reason that the U.S. Food and Drug Administration guidance is for all people younger than 18 years of age to visit a licensed physician, such as an ENT doctor, before buying hearing aids.

We share a commitment to promoting patient safety and the highest quality healthcare. While hearing aid dispensers are valued health professionals, they do not possess the medical training necessary to perform the same duties as physicians, nor are they able to provide patients with the medical diagnosis and treatment options they require.

In closing, I thank you for the opportunity to provide our input. Please contact Justin Ohleen, SDSMA Director of Advocacy and Policy at johleen@sdsma.org or 605.336.1965 with any questions. We look forward to working with you toward enactment of these rules.

Sincerely,



Tammy Hatting
SDSMA CEO