

OF A PHYSICIAN OR A MEMBER OF RELATED PROFESSIONS, MAY MAKE AUDIOGRAMS FOR THE PROFESSIONAL'S USE IN CONSULTATION WITH THE HARD-OF-HEARING.

(5) "Unethical conduct" means:

(i) The obtaining of any fee or the making of any sale by fraud or misrepresentation.

(ii) Employing directly or indirectly any suspended or unregistered person to perform any work covered by this subtitle.

(iii) Using or causing or promoting the use of any advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia, or any other representation, however disseminated or published, which is misleading, deceiving, improbable, or untruthful.

(iv) Advertising a particular model, type, or kind of hearing aid for sale when purchasers or prospective purchasers responding to the advertisement cannot purchase or are dissuaded from purchasing the advertised model, type, or kind where it is established that the purpose of the advertisement is to obtain prospects for the sale of a model, type, or kind different from that advertised.

(v) Representing that the services or advice of a person licensed to practice medicine will be used or made available in the selection, fitting, adjustment, maintenance, or repair of hearing aids if that is not true, or using the word "doctor," "clinic," or other like words, abbreviations, or symbols which tend to connote the medical profession if this use is not accurate.

(vi) Permitting another to use his certificate.

#### 726. Certificate of Registration Required; Posting.

No person shall engage in the sale or practice of fitting hearing aids or display a sign or in any other way advertise or hold himself out as a person who practices the fitting of hearing aids unless he holds a current, unsuspended, unrevoked certificate of registration issued by the Board as provided in this subtitle, or unless he holds a current, unsuspended, unrevoked certificate of endorsement pursuant to Section 732(b) of this subtitle. The certificate required by this Section shall be kept conspicuously posted in his office or place of business at all times.

#### 727. ~~Receipts~~ PROCEDURAL REQUIREMENTS.

(A) Any person who practices the fitting of or dealing in hearing aids shall deliver to each person supplied with a hearing aid, by him or at his order or direction, a receipt which contains his signature and shows the address of his regular place of practice and the number of his certificate, together with a specification of the hearing aid furnished and the amount charged therefor.

(B) ANY PERSON ENGAGING IN THE FITTING AND SALE OF HEARING AIDS, WILL, PRIOR TO ENGAGING IN SUCH PRACTICE WITH A CHILD TWELVE (12) YEARS OF AGE OR UNDER, ASCERTAIN WHETHER THE CHILD