

## CHAPTER 153A

## HEARING INSTRUMENT DISPENSING

153A.15 Prohibited acts; enforcement; and penalty.

153A.16 Repealed.  
153A.17 Expenses.

**153A.15 PROHIBITED ACTS; ENFORCEMENT; AND PENALTY.**

*[For text of subs 1 to 3, see M.S.1990]*

**Subd. 3a. Discovery.** In all matters relating to the lawful regulation activities under this chapter, the commissioner may issue subpoenas to require the attendance and testimony of witnesses and production of books, records, correspondence, and other information relevant to any matter involved in the investigation. The commissioner or the commissioner's designee may administer oaths to witnesses or take their affirmation. The subpoenas may be served upon any person named therein anywhere in the state by any person authorized to serve subpoenas or other processes in civil actions of the district courts. If a person to whom a subpoena is issued does not comply with the subpoena, the commissioner may apply to the district court in any district and the court shall order the person to comply with the subpoena. Failure to obey the order of the court may be punished by the court as contempt of court. All information pertaining to individual medical records obtained under this section shall be considered health data under section 13.38.

**Subd. 4. Penalties.** A person violating sections 153A.13 to 153A.16 is guilty of a misdemeanor. The commissioner may impose an automatic civil penalty equal to one-fourth the renewal fee on each hearing instrument seller who fails to renew the permit required in section 153A.14 by the renewal deadline established by the commissioner in rule.

**History:** 1991 c 202 s 10,11

**153A.16** [Repealed, 1991 c 202 s 42]

**153A.17 EXPENSES.**

The expenses for administering the permit requirements including the complaint handling system for hearing aid sellers in sections 153A.14 and 153A.15 and the consumer information center under section 153A.18 must be paid from initial permit fees and renewal fees. The total fees collected must as closely as possible equal anticipated expenditures during the fiscal biennium as provided for in section 16A.128. The commissioner shall by rule, with the approval of the commissioner of finance, adjust any fee the commissioner is empowered to assess as provided for in section 16A.128. The fee established must include a surcharge amount necessary to recover, over a five-year period, the commissioner's direct expenditures for adoption of the rules.

**History:** 1991 c 202 s 12