

1 H.90

2 Introduced by Representative Poirier of Barre City

3 Referred to Committee on

4 Date:

5 Subject: Health; health insurance; hearing aids

6 Statement of purpose of bill as introduced: This bill proposes to require health  
7 insurance plans to provide coverage for hearing aids and related services. It  
8 would also establish the Hearing Aid Assistance Program to provide Vermont  
9 residents with low income who are on Medicare with financial assistance for  
10 costs associated with hearing aids.

11 An act relating to providing health coverage for hearing aids

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 8 V.S.A. chapter 107, subchapter 15 is added to read:

14 Subchapter 15. Hearing Aids

15 § 41001. COVERAGE FOR HEARING AIDS

16 (a) A health insurance plan shall provide coverage for the professional  
17 services associated with the practice of fitting, dispensing, servicing, or selling  
18 hearing aids or a combination thereof for all enrollees for whom a hearing aid  
19 is determined by the individual's treating audiologist or hearing aid dispenser  
20 to be audiologically appropriate.

1       (b)(1) The plan shall provide coverage for a hearing aid for each ear for  
2       which the audiologist or hearing aid dispenser determines amplification to be  
3       audiologically appropriate, as well as all related services necessary to assess,  
4       select, and fit the hearing aid, with a maximum for the hearing aid and related  
5       services of no less than \$1,500.00 per ear every 60 months.

6       (2) An insured may choose a hearing aid priced higher than the plan  
7       coverage and pay the difference in cost.

8       (c) The benefits included in this section shall not be subject to any greater  
9       deductible or cost-sharing requirement than that which would apply to any  
10       other benefits provided by the health insurance plan.

11       (d) As used in this subchapter:

12       (1) “Audiologist” means a person licensed to practice audiology  
13       pursuant to 26 V.S.A. chapter 87.

14       (2) “Health insurance plan” means any health insurance policy or health  
15       benefit plan offered by a health insurer, as defined in 18 V.S.A. § 9402, that is  
16       licensed to do business in Vermont but does not include policies or plans  
17       providing coverage for specific diseases or other limited benefit coverage.

18       (3) “Hearing aid” means an amplifying device or other hearing  
19       instrument to be worn by a hearing-impaired person to improve hearing,  
20       including any accessories specifically used in connection with such a device,  
21       but excluding theater or auditorium wide-area listening devices, telephone

1 amplifiers, or other devices designed to replace a hearing aid for restricted  
2 situations.

3 (4) "Hearing aid dispenser" means a person licensed to dispense hearing  
4 aids pursuant to 26 V.S.A. chapter 67.

5 (5) "Practice of fitting, dispensing, servicing, or selling hearing  
6 instruments" means the measurement of human hearing with an audiometer  
7 calibrated to the current American National Standard Institute standards for the  
8 purpose of making selections, recommendations, adoptions, services, or sales  
9 of hearing aids and includes the making of earmolds as part of the hearing aid.

10 Sec. 2. 33 V.S.A. chapter 19, subchapter 4 is added to read:

11 Subchapter 4. Hearing Aid Assistance Program

12 § 1991. DEFINITIONS

13 As used in this subchapter:

14 (1) "Agency" means the Agency of Human Services.

15 (2) "Audiologist" means a person licensed to practice audiology  
16 pursuant to 26 V.S.A. chapter 87.

17 (3) "Department" means the Department of Vermont Health Access.

18 (4) "Hearing aid" means an amplifying device or other hearing  
19 instrument to be worn by a hearing-impaired person to improve hearing,  
20 including any accessories specifically used in connection with such a device,  
21 but excluding theater or auditorium wide-area listening devices, telephone

1 amplifiers, or other devices designed to replace a hearing aid for restricted  
2 situations.

3 (5) "Hearing aid dispenser" means a person licensed to dispense hearing  
4 aids pursuant to 26 V.S.A. chapter 67.

5 (6) "Practice of fitting, dispensing, servicing, or selling hearing  
6 instruments" means the measurement of human hearing with an audiometer  
7 calibrated to the current American National Standard Institute standards for the  
8 purpose of making selections, recommendations, adoptions, services, or sales  
9 of hearing aids and includes the making of earmolds as part of the hearing aid.

10 § 1992. HEARING AID ASSISTANCE PROGRAM

11 (a) The Hearing Aid Assistance Program is established to provide financial  
12 assistance for costs associated with hearing aids for Vermont residents with  
13 low income who are enrolled in Medicare. The Department of Vermont Health  
14 Access shall administer the Program.

15 (b) The Program shall provide financial assistance to qualified  
16 beneficiaries for:

17 (1) the professional services associated with the practice of fitting,  
18 dispensing, servicing, or selling hearing aids or a combination thereof for  
19 qualified beneficiaries for whom a hearing aid is determined by the  
20 individual's treating audiologist or hearing aid dispenser to be audiologically  
21 appropriate; and

1           (2) a hearing aid for each ear for which the audiologist or hearing aid  
2           dispenser determines amplification to be audiotogically appropriate, as well as  
3           all related services necessary to assess, select, and fit the hearing aid, with a  
4           maximum for the hearing aid and related services of \$1,500.00 per ear every  
5           60 months.

6           (c) The Hearing Aid Assistance Program shall be the secondary payer with  
7           respect to any professional service or product that may be covered in whole or  
8           in part by any other health benefit program or plan, including Medicare,  
9           Medicaid, private health insurance, retiree health benefits, or federal health  
10           benefits offered by the Veteran's Administration, by the military, or to federal  
11           employees.

12           (d) The Agency may adopt rules pursuant to 3 V.S.A. chapter 25 as needed  
13           to implement the Program established in this chapter.

14           (e) The Agency shall seek federal financial participation for the Hearing  
15           Aid Assistance Program.

16           § 1993. ELIGIBILITY; CO-PAYMENTS

17           (a) An individual shall be eligible for coverage under the Hearing Aid  
18           Assistance Program if the individual is enrolled in Medicare and has income  
19           less than or equal to 300 percent of the federal poverty level.

1        (b) Financial assistance for professional services and hearing aids under the  
2        Program shall be subject to a co-payment by the beneficiary. The Agency  
3        shall establish co-payment amounts on a sliding scale based on income level.

4        Sec. 3. FEDERAL FINANCIAL PARTICIPATION

5        (a) The Agency of Human Services shall seek federal financial  
6        participation for the Hearing Aid Assistance Program established by this act.  
7        If federal financial participation is available, the Agency shall pursue all  
8        applicable federal funding opportunities in order to maximize the amount of  
9        assistance available for eligible Vermont residents.

10       (b) On or before January 15, 2018, the Secretary of Human Services or  
11       designee shall report to the House Committees on Appropriations and on  
12       Health Care and the Senate Committees on Appropriations and on Health and  
13       Welfare on the status of the Agency's efforts to obtain federal financial  
14       participation for the Program established by this act.

15       Sec. 4. EFFECTIVE DATES

16       (a) Sec. 1 (health insurance coverage for hearing aids) shall take effect on  
17       October 1, 2017 and shall apply to all health insurance plans on and after  
18       October 1, 2017 on such date as a health insurer offers, issues, or renews the  
19       health insurance plan, but in no event later than October 1, 2018.

20       (b) Sec. 2 (Hearing Aid Assistance Program) shall take effect on July 1,  
21       2017.

1           (c) Sec. 3 (federal financial participation) and this section shall take effect  
2           on passage.