

HOUSE No. 4594

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act to provide coverage for hearing aids..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 175 of the General Laws, as so appearing in the 2008 Official
2 Edition, is hereby amended by inserting after section 47Z the following section: -

3 Section 47AA. Any individual policy of accident and sickness insurance issued pursuant
4 to section 108, and any group blanket policy of accident and sickness insurance issued pursuant
5 to section 110, shall provide coverage for the full cost of one hearing aid per hearing impaired
6 ear, every 36 months for insured individuals and all related services which shall be prescribed by
7 an audiologist or hearing impaired specialist as defined in section 196 of chapter 112, and
8 dispensed by an audiologist or hearing instrument specialist as defined in said section. A hearing
9 aid shall mean any wearable, non-disposable instrument or device designed to aid or compensate
10 for impaired or diminished human hearing, and any part, attachment, or accessories including ear
11 molds but excluding batteries. All related services shall mean those services necessary to assess,
12 select, and appropriately adjust or fit the hearing aid to ensure optimal performance. In the event
13 that any part of this definition of hearing aid conflicts with the definition of hearing aid in section
14 196 of chapter 112, this definition shall take precedent for the purposes of this section. This

15 coverage is subject to all applicable co-payments, coinsurance, deductibles, and out-of-pocket
16 limits.

17 SECTION 2. Chapter 176A of the General Laws, as so appearing in the 2008 Official
18 Edition, is hereby amended by inserting after section 8CC the following section: -

19 Section 8DD. Any contract, except contracts providing supplemental coverage to
20 medicare or other governmental programs, between a subscriber and the corporation under an
21 individual or group hospital service plan that shall be delivered issued or renewed in the
22 commonwealth shall provide, a basic benefit to all individual subscribers and members within
23 the commonwealth and to all group members having a principal place of employment within the
24 commonwealth, coverage for the full cost of one hearing aid per hearing impaired ear, every 36
25 months for insured individuals and all related services which shall be prescribed by an
26 audiologist or hearing impaired specialist as defined in section 196 of chapter 112, and dispensed
27 by an audiologist or hearing instrument specialist as defined in said section. A hearing aid shall
28 mean any wearable, non-disposable instrument or device designed to aid or compensate for
29 impaired or diminished human hearing, and any part, attachment, or accessories including ear
30 molds but excluding batteries. All related services shall mean those services necessary to assess,
31 select, and appropriately adjust or fit the hearing aid to ensure optimal performance. In the event
32 that any part of this definition of hearing aid conflicts with the definition of hearing aid in section
33 196 of chapter 112, this definition shall take precedent for the purposes of this section. This
34 coverage is subject to all applicable co-payments, coinsurance, deductibles, and out-of-pocket
35 limits.

36 SECTION 3. Chapter 176B of the General Laws, as so appearing in the 2008 Official
37 Edition, is hereby amended by inserting after section 4CC the following section: -

38 Section 4DD. Any subscription certificate under an individual or group medical service
39 agreement, except certificates which provide supplemental coverage to medicare or other
40 governmental programs, delivered, issued or renewed within the commonwealth shall provide as
41 benefits to all individual subscribers and members within the commonwealth and to all group
42 members having a principal place of employment within the commonwealth coverage for the full
43 cost of one hearing aid per hearing impaired ear, every 36 months for insured individuals and all
44 related services which shall be prescribed by an audiologist or hearing impaired specialist as
45 defined in section 196 of chapter 112, and dispensed by an audiologist or hearing instrument
46 specialist as defined in said section. A hearing aid shall mean any wearable, non-disposable
47 instrument or device designed to aid or compensate for impaired or diminished human hearing,
48 and any part, attachment, or accessories including ear molds but excluding batteries. All related
49 services shall mean those services necessary to assess, select, and appropriately adjust or fit the
50 hearing aid to ensure optimal performance. In the event that any part of this definition of hearing
51 aid conflicts with the definition of hearing aid in section 196 of chapter 112, this definition shall
52 take precedent for the purposes of this section. This coverage is subject to all applicable co-
53 payments, coinsurance, deductibles, and out-of-pocket limits.

54 SECTION 4. Section 4 of Chapter 176G of the General Laws, as so appearing in the
55 2008 Official Edition, is hereby amended by inserting after section 4U the following section: -

56 Section 4V. Any individual or group health maintenance contract shall provide coverage
57 for the full cost of one hearing aid per hearing impaired ear, every 36 months for insured

58 individuals and all related services which shall be prescribed by an audiologist or hearing
59 impaired specialist as defined in section 196 of chapter 112, and dispensed by an audiologist or
60 hearing instrument specialist as defined in said section. A hearing aid shall mean any wearable,
61 non-disposable instrument or device designed to aid or compensate for impaired or diminished
62 human hearing, and any part, attachment, or accessories including ear molds but excluding
63 batteries. All related services shall mean those services necessary to assess, select, and
64 appropriately adjust or fit the hearing aid to ensure optimal performance. In the event that any
65 part of this definition of hearing aid conflicts with the definition of hearing aid in section 196 of
66 chapter 112, this definition shall take precedent for the purposes of this section. This coverage is
67 subject to all applicable co-payments, coinsurance, deductibles, and out-of-pocket limits.