

**HOUSE . . . . . No. 979**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***John W. Scibak***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to provide coverage for hearing aids.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>John V. Fernandes</i>	<i>10th Worcester</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>

**HOUSE . . . . . No. 979**

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 979) of John W. Scibak and others for legislation to provide health care coverage for hearing aids. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 325 OF 2011-2012.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

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 23 of chapter 32A of the General Laws, as amended by Chapter  
2 233 of the Acts of 2012, is hereby amended by inserting the following paragraph:-

3 Section 17L. The commission shall provide to any active or retired employee of the  
4 commonwealth who is insured under the group insurance commission, coverage for the cost of 1  
5 hearing aid per hearing-impaired ear up to \$500 and 80 percent coverage of the next \$1,500 for  
6 each hearing aid, as defined in section 196 of chapter 112, every 24 months upon a written  
7 statement from the treating physician that the hearing aids are necessary regardless of etiology.  
8 Coverage under this section shall include all related services prescribed by a licensed audiologist  
9 or hearing instrument specialist, as defined in said section 196 of said chapter 112, including the  
10 initial hearing aid evaluation, fitting and adjustments and supplies, including ear molds. The  
11 insured may choose a higher priced hearing aid and may pay the difference in cost above the  
12 limit in this section without any financial or contractual penalty to the insured or to the provider  
13 of the hearing aid. The benefits in this section shall not be subject to any greater deductible,  
14 coinsurance, copayments or out-of-pocket limits than other benefits provided by the insurer.  
15 Nothing in this section shall prohibit the commission from offering greater coverage for hearing  
16 aids than required by this section. This section shall also require coverage for such hearing aids  
17 under any non-group policy.

18 SECTION 2. Section 47X of chapter 175 of the General Laws, as amended by Chapter  
19 233 of the Acts of 2012, is hereby amended by adding the following paragraph:-

20 (g) Any policy of accident and sickness insurance as described in section 108 which  
21 provides hospital expense and surgical expense insurance and which is delivered, issued or  
22 subsequently renewed by agreement between the insurer and policyholder in the commonwealth;  
23 any blanket or general policy of insurance described in subdivision (A), (C) or (D) of section 110  
24 that provides hospital expense and surgical expense insurance and that is delivered, issued or  
25 subsequently renewed by agreement between the insurer and the policyholder, within or without  
26 the commonwealth; or any employees' health and welfare fund that provides hospital expense  
27 and surgical expense benefits and that is delivered, issued or renewed to any person or group of  
28 people in the commonwealth, shall provide coverage for the cost of 1 hearing aid per hearing-  
29 impaired ear up to \$500 and 80 percent coverage of the next \$1,500 for each hearing aid , as  
30 defined in section 196 of chapter 112, every 24 months upon a written statement from the  
31 treating physician that the hearing aids are necessary regardless of etiology. Coverage under this  
32 section shall include all related services prescribed by a licensed audiologist or hearing  
33 instrument specialist, as defined in said section 196 of said chapter 112, including the initial  
34 hearing aid evaluation, fitting and adjustments and supplies, including ear molds. The insured  
35 may choose a higher priced hearing aid and may pay the difference in cost above the limit in this  
36 section without any financial or contractual penalty to the insured or to the provider of the  
37 hearing aid. The benefits in this section shall not be subject to any greater deductible,  
38 coinsurance, copayments or out-of-pocket limits than any other benefits provided by the insurer.  
39 Nothing in this section shall prohibit an insurer from offering greater coverage for hearing aids  
40 than required by this section. This section shall also require coverage for hearing aids under any  
41 non-group policy.

42 SECTION 3. Section 8Y of chapter 176A of the General Laws, as amended by Chapter  
43 233 of the Acts of 2012, is hereby amended by adding the following paragraph:-

44 (g) Any contracts, except contracts providing supplemental coverage to Medicare or other  
45 governmental programs, between a subscriber and the corporation under an individual or group  
46 hospital service plan that is delivered, issued or renewed in the commonwealth shall provide as  
47 benefits to all individual subscribers or members within the commonwealth and to all group  
48 members having a principal place of employment within the commonwealth, coverage for the  
49 cost of 1 hearing aid per hearing-impaired ear up to \$500 and 80 percent coverage of the next  
50 \$1,500 for each hearing aid , as defined in section 196 of chapter 112, every 24 months upon a  
51 written statement from the treating physician that the hearing aids are necessary regardless of  
52 etiology. Coverage under this section shall include all related services prescribed by a licensed  
53 audiologist or hearing instrument specialist, as defined in said section 196 of said chapter 112,  
54 including the initial hearing aid evaluation, fitting and adjustments and supplies, including ear  
55 molds. The insured may choose a higher priced hearing aid and may pay the difference in cost  
56 above the limit in this section without any financial or contractual penalty to the insured or to the

57 provider of the hearing aid. The benefits in this section shall not be subject to any greater  
58 deductible, coinsurance, copayments or out-of-pocket limits than any other benefits provided by  
59 the insurer. Nothing in this section shall prohibit a corporation from offering greater coverage for  
60 hearing aids than required by this section. This section shall also require coverage for such  
61 hearing aids under any non-group policy.

62 SECTION 4. Chapter 176B of the General Laws, as amended by Chapter 233 of the Acts  
63 of 2012, is hereby amended by inserting, after section 4DD, the following section:-

64 Section 4FF. Any subscription certificate under an individual or group medical service  
65 agreement, except certificates which provide supplemental coverage to Medicare or other  
66 governmental programs, that shall be delivered, issued or renewed within the commonwealth  
67 shall provide as benefits to all individual subscribers or members within the commonwealth and  
68 to all group members having a principal place of employment in the commonwealth, coverage  
69 for the cost of 1 hearing aid per hearing-impaired ear up to \$500 and 80 percent coverage of the  
70 next \$1,500 for each hearing aid , as defined in section 196 of chapter 112, every 24 months  
71 upon a written statement from the treating physician that the hearing aids are necessary  
72 regardless of etiology. Coverage under this section shall include all related services prescribed by  
73 a licensed audiologist or hearing instrument specialist, as defined in said section 196 of said  
74 chapter 112, including the initial hearing aid evaluation, fitting and adjustments and supplies,  
75 including ear molds. The insured may choose a higher priced hearing aid and may pay the  
76 difference in cost above the limit in this section without any financial or contractual penalty to  
77 the insured or to the provider of the hearing aid. The benefits in this section shall not be subject  
78 to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other  
79 benefits provided by the insurer. Nothing in this section shall prohibit an insurer from offering  
80 greater coverage for hearing aids than required by this section. This section shall also require  
81 coverage for such hearing aids under any non-group policy.

82 SECTION 5. Section 4N of chapter 176G of the General Laws, as amended by Chapter  
83 233 of the Acts of 2012, is hereby amended by adding the following paragraph:-

84 An individual or group health maintenance contract, except contracts providing  
85 supplemental coverage to Medicare or other governmental programs, shall provide coverage and  
86 benefits for the cost of 1 hearing aid per hearing-impaired ear up to \$500 and 80 percent  
87 coverage of the next \$1,500 for each hearing aid , as defined in section 196 of chapter 112, every  
88 24 months upon a written statement from the treating physician that the hearing aids are  
89 necessary regardless of etiology. Coverage under this section shall include all related services  
90 prescribed by a licensed audiologist or hearing instrument specialist, as defined in said section  
91 196 of said chapter 112, including the initial hearing aid evaluation, fitting and adjustments and  
92 supplies, including ear molds. The insured may choose a higher priced hearing aid and may pay  
93 the difference in cost above the limit in this section without any financial or contractual penalty  
94 to the insured or to the provider of the hearing aid. The benefits in this section shall not be

95 subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other  
96 benefits provided by the insurer. Nothing in this section shall prohibit an insurer from offering  
97 greater coverage for hearing aids than required by this section. This section shall also require  
98 coverage for such hearing aids under any non-group policy.

99 SECTION 6. This act shall apply to all policies, contracts and certificates of health  
100 insurance subject to section 23 of chapter 32A of the General Laws, section 47U of chapter 175  
101 of the General Laws, section 8U of chapter 176A of the General Laws, section 4EE of chapter  
102 176B of the General Laws and section 4N of chapter 176G of the General Laws which are  
103 delivered, issued or renewed on or after January 1, 2014.