

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Adam Gomez*

*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 reduce inequities in access to hearing aids.**

PETITION OF:

NAME:

*Adam Gomez*

DISTRICT/ADDRESS:

*Hampden*

**SENATE . . . . . No.**

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 179 OF 2023-2024.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

An Act to reduce inequities in access to 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. Section 73 of chapter 93 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by striking out the first and second paragraphs, and inserting  
3 in place thereof the following:-

4 Section 73. No physician shall sell hearing aids or have a direct or indirect membership,  
5 employment, co-ownership, or proprietary interest in or with a business which sells hearing aids  
6 to, a person to whom such physician has provided services pursuant to section 72; provided,  
7 however, that this restriction shall not apply to an otolaryngologist or a nonprofit or charitable  
8 organization, clinic, hospital or health care facility which sells hearing aids that are dispensed by  
9 a licensed audiologist or hearing instrument specialist.

10 An audiologist or otolaryngologist who sells a hearing aid to a person to whom such  
11 audiologist or otolaryngologist had provided services pursuant to section 72 shall disclose to the

12 prospective purchaser before the sale of the hearing aid the fees for the services provided  
13 pursuant to section 72 and the terms of the prospective sale of the hearing aid, including a written  
14 estimate of the total purchase price, including, but not limited to, the cost of the hearing aid, the  
15 earmold, any batteries or other accessories, and any service costs, and shall inform the  
16 prospective purchaser of his right to obtain a hearing aid from a different source.

17 SECTION 2. Section 200 of chapter 112 of the General Laws, as so appearing, is hereby  
18 amended by striking out subsection (c) and inserting in place thereof the following:-

19 (c) Nothing in sections 197 to 200, inclusive, shall be construed to prevent an audiologist  
20 or hearing instrument specialist from dispensing or selling hearing aids when employed by or  
21 affiliated with an otolaryngologist.

22 (d) A violation of sections 197 to 199, inclusive, shall also constitute a violation of  
23 chapter 93A.