

**HOUSE . . . . . No. 324**

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 hearing aid coverage for persons with profound hearing loss .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>George T. Ross</i>	<i>2nd Bristol</i>
<i>James B. Eldridge</i>	
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Martin J. Walsh</i>	<i>13th Suffolk</i>
<i>Susan C. Fargo</i>	
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>David B. Sullivan</i>	<i>6th Bristol</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Gale D. Candaras</i>	
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>Kathi-Anne Reinstein</i>	<i>16th Suffolk</i>
<i>Joyce A. Spiliotis</i>	<i>12th Essex</i>
<i>Carlo Basile</i>	<i>1st Suffolk</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>

<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>

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By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 324) of Carl M. Sciortino, Jr. and others for legislation to provide hearing aid coverage for persons with profound hearing loss. Financial Services.

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act to provide hearing aid coverage for persons with profound hearing loss .

*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 118E of the General Laws, as appearing in the 2004 Official  
2 Edition, is hereby amended by inserting after section 9C the following section:-

3 Section 9D. (a) Definitions. As used in the section:

4 (i) "Hearing Aid" shall mean any wearable, non-disposable instrument or device designed  
5 to aid or compensate for impaired or diminished human hearing; and any part, attachments, or  
6 accessories including earmolds but excluding batteries. In the event that any part of this  
7 definition conflicts with the definition of a hearing aid in section 196 of chapter 112 of the  
8 General Laws, this definition will take precedent for the purposes of this section.

9 (ii) "Profound Hearing Loss" shall mean a pure tone average of 91 decibels (dB) or  
10 greater at 500Hz, 1000 Hz, and 2000 Hz.

11 (iii) "Related Services" shall mean those services necessary to assess, select, and  
12 appropriately adjust or fit the hearing aid to ensure optimal performance.

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14           (b) A health benefit plan shall provide 80 percent coverage, subject to all applicable co-  
15 payments, coinsurance, deductibles, and out-of-pocket limits, in the cost of one hearing aid and  
16 all related services per hearing impaired ear, every 24 months for insured individuals with  
17 bilateral profound hearing loss, which shall be prescribed by an audiologist or a hearing  
18 instrument specialist as defined in section 196 of chapter 12 of the General Laws, and dispensed  
19 by an audiologist or a hearing instrument specialist as defined in said section.

20           (d) A health benefit plan shall not be required to pay a claim filed by its insured for  
21 payment of the cost of a hearing aid under the coverage required by subsection (2) of this section  
22 if less than 2 years prior to the date of the claim its insured filed a claim for payment of cost of a  
23 hearing aid under the required coverage and the claim was paid by any health benefit plan.