

**Joint Committee on Consumer Protection and Professional Licensure
2025-2026 (194th) Bill Summary**

BILL NUMBER: H367

TITLE: An Act to reduce inequities in access to hearing aids

SPONSOR(S): Fiola, Carole

HEARING DATE: September 8, 2025

REPORTING DEADLINE: November 7, 2025

PRIOR HISTORY

(2017-2018): H195 – Reported favorably by Committee and referred to committee on Health Care Financing; Bill reported favorably and referred to the committee on House Ways and Means.

(2019-2020): H4298 – Reported favorably by Committee and referred to the committee on Health Care Financing; Ought NOT to pass (under Joint Rule 10) and placed in the Orders of the Day.

(2021-2022): H366 – Accompanied S211; Bill reported favorably by Committee and referred to the committee on Health Care Financing; Bill reported favorably and referred to the committee on Senate Ways and Means.

(2023-2024): H4275 – Reported favorably by Committee and referred to the committee on Health Care Financing; Bill reported favorably and referred to the committee on House Ways and Means.

CURRENT LAW

Section 73 of Chapter 93 of the Massachusetts General Laws prohibits physicians and otolaryngologists from selling hearing aids directly to treated patients, except by those professionals working for nonprofit or charitable organizations, clinics, or hospitals. Audiologists who sell hearing aids must provide a written estimate of all costs and inform the patient they have the right to purchase the device elsewhere. The law also prohibits offering or accepting money or other valuable items to influence the recommendation of a hearing aid; though physicians, otolaryngologists, and audiologists may suggest specific brands and models.

Chapter 93A of the General Laws prohibits unfair methods of competition and the use of unfair or deceptive business acts and practices against other businesses and consumers; and provides for individuals, class actions, businesses, and the Attorney General's Office to take action against such acts.

Sections 197 through 200, inclusive, of Chapter 112 govern the licensure of hearing instrument specialists.

SUMMARY

This legislation seeks to remove the current prohibition from otolaryngologists selling hearing aids directly to patients and allows for such practice under the same statutory stipulations as audiologists. Further, an audiologist or hearing instrument specialist would not be prevented from providing hearing aids when employed by or affiliated with an otolaryngologist.