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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

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A N A C T

RELATING TO INSURANCE -- HEARING AIDS

Introduced By: Senators Walaska, Bates, McBurney, McCaffrey, and Lynch

Date Introduced: February 09, 2010

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-60 of the General Laws in Chapter 27-18 entitled "Accident
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 **27-18-60. Hearing aids.** -- (a) (1) Every individual or group health insurance contract, or
4 every individual or group hospital or medical expense insurance policy, plan, or group policy
5 delivered, issued for delivery, or renewed in this state on or after January 1, ~~2006~~ 2011, shall
6 provide coverage for ~~one thousand five hundred dollars (\$1,500) per individual hearing aid, per~~
7 ~~ear, every three (3) years for anyone under the age of nineteen (19) years, and shall provide~~
8 ~~coverage for seven hundred dollars (\$700) per individual hearing aid, per ear, every three (3)~~
9 ~~years for anyone of the age of nineteen (19) years and older~~ anyone under the age of nineteen (19)
10 years old for one individual hearing aid, each per ear, no more than every three (3) years but shall
11 provide for anyone at least nineteen (19) years old coverage for one thousand five hundred dollars
12 (\$1,500) for individual hearing aids every three (3) years.

13 (2) Every group health insurance contract or group hospital or medical expense
14 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state on
15 or after January 1, ~~2006~~ 2011, shall provide, as an optional rider, additional hearing aid coverage.
16 Provided, the provisions of this paragraph shall not apply to contracts, plans, or group policies
17 subject to the small employer health insurance availability act, chapter 50 of this title.

18 (b) For the purposes of this section:

19 (1) "Hearing aid" means any nonexperimental, wearable instrument or device designed

1 for the ear and offered for the purpose of aiding or compensating for impaired human hearing, but
2 excluding batteries, cords, and other assistive listening devices, including, but not limited to FM
3 systems.

4 (c) It shall remain within the sole discretion of the accident and sickness insurer as to the
5 provider of hearing aids with which they choose to contract. Reimbursement shall be provided
6 according to the respective principles and policies of the accident and sickness insurer. Nothing
7 contained in this section precludes the accident and sickness insurer from conducting managed
8 care, medical necessity, or utilization review.

9 (d) This section does not apply to insurance coverage providing benefits for: (1) hospital
10 confinement indemnity; (2) disability income; (3) accident only; (4) long term care; (5) Medicare
11 supplement; (6) limited benefit health; (7) specified diseased indemnity; (8) sickness of bodily
12 injury or death by accident or both; (9) and other limited benefit policies.

13 SECTION 2. Section 27-19-51 of the General Laws in Chapter 27-19 entitled "Nonprofit
14 Hospital Service Corporations" is hereby amended to read as follows:

15 **27-19-51. Hearing aids.** -- (a) (1) Every individual or group health insurance contract, or
16 every individual or group hospital or medical expense insurance policy, plan, or group policy
17 delivered, issued for delivery, or renewed in this state on or after January 1, ~~2006~~ 2011, shall
18 provide coverage for ~~one thousand five hundred dollars (\$1,500) per individual hearing aid, per~~
19 ~~ear, every three (3) years for anyone under the age of nineteen (19) years, and shall provide~~
20 ~~coverage for seven hundred dollars (\$700) per individual hearing aid, per ear, every three (3)~~
21 ~~years for anyone of the age of nineteen (19) years and older~~ anyone under the age of nineteen (19)
22 years old for one individual hearing aid, each per ear, no more than every three (3) years but shall
23 provide for anyone at least nineteen (19) years old coverage for one thousand five hundred dollars
24 (\$1,500) for individual hearing aids every three (3) years.

25 (2) Every group health insurance contract or group hospital or medical expense
26 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state on
27 or after January 1, ~~2006~~ 2011, shall provide, as an optional rider, additional hearing aid coverage.
28 Provided, the provisions of this paragraph shall not apply to contracts, plans, or group policies
29 subject to the small employer health insurance availability act, chapter 50 of this title.

30 (b) For the purposes of this section, "hearing aid" means any nonexperimental, wearable
31 instrument or device designed for the ear and offered for the purpose of aiding or compensating
32 for impaired human hearing, but excluding batteries, cords, and other assistive listening devices,
33 including, but not limited to, FM systems.

34 (c) It shall remain within the sole discretion of the nonprofit hospital service corporation

1 as to the provider of hearing aids with which they choose to contract. Reimbursement shall be
2 provided according to the respective principles and policies of the nonprofit hospital service
3 corporation. Nothing contained in this section precludes the nonprofit hospital service corporation
4 from conducting managed care, medical necessity, or utilization review.

5 SECTION 3. Section 27-20-46 of the General Laws in Chapter 27-20 entitled "Nonprofit
6 Medical Service Corporations" is hereby amended to read as follows:

7 **27-20-46. Hearing aids.** -- (a) (1) Every individual or group health insurance contract, or
8 every individual or group hospital or medical expense insurance policy, plan, or group policy
9 delivered, issued for delivery, or renewed in this state on or after January 1, ~~2006~~ 2011, shall
10 provide coverage for ~~one thousand five hundred dollars (\$1,500) per individual hearing aid, per~~
11 ~~ear, every three (3) years for anyone under the age of nineteen (19) years, and shall provide~~
12 ~~coverage for seven hundred dollars (\$700) per individual hearing aid, per ear, every three (3)~~
13 ~~years for anyone of the age of nineteen (19) years and older~~ anyone under the age of nineteen (19)
14 years old for one individual hearing aid, each per ear, no more than every three (3) years but shall
15 provide for anyone at least nineteen (19) years old coverage for one thousand five hundred dollars
16 (\$1,500) for individual hearing aids every three (3) years.

17 (2) Every group health insurance contract or group hospital or medical expense
18 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state on
19 or after January 1, ~~2006~~ 2011, shall provide, as an optional rider, additional hearing aid coverage.
20 Provided, the provisions of this paragraph shall not apply to contracts, plans, or group policies
21 subject to the small employer health insurance availability act, chapter 50 of this title.

22 (b) For the purposes of this section, "hearing aid" means any nonexperimental, wearable
23 instrument or device designed for the ear and offered for the purpose of aiding or compensating
24 for impaired human hearing, but excluding batteries, cords, and other assistive listening devices,
25 including, but not limited to, FM systems.

26 (c) It shall remain within the sole discretion of the nonprofit medical service corporation
27 as to the provider of hearing aids with which they choose to contract. Reimbursement shall be
28 provided according to the respective principles and policies of the nonprofit medical service
29 corporation. Nothing contained in this section precludes the nonprofit medical service corporation
30 from conducting managed care, medical necessity, or utilization review.

31 SECTION 4. Section 27-41-63 of the General Laws in Chapter 27-41 entitled "Health
32 Maintenance Organizations" is hereby amended to read as follows:

33 **27-41-63. Hearing aids.** -- (a) (1) Every individual or group health insurance contract, or
34 every individual or group hospital or medical expense insurance policy, plan, or group policy

1 delivered, issued for delivery, or renewed in this state on or after January 1, ~~2006~~ 2011, shall
2 provide coverage for ~~one thousand five hundred dollars (\$1,500) per individual hearing aid, per~~
3 ~~ear, every three (3) years for anyone under the age of nineteen (19) years, and shall provide~~
4 ~~coverage for seven hundred dollars (\$700) per individual hearing aid, per ear, every three (3)~~
5 ~~years for anyone of the age of nineteen (19) years and older~~ anyone under the age of nineteen (19)
6 years old for one individual hearing aid, each per ear, no more than every three (3) years but shall
7 provide for anyone at least nineteen (19) years old coverage for one thousand five hundred dollars
8 (\$1,500) for individual hearing aids every three (3) years.

9 (2) Every group health insurance contract or group hospital or medical expense
10 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state on
11 or after January 1, ~~2006~~ 2011, shall provide, as an optional rider, additional hearing aid coverage.
12 Provided, the provisions of this paragraph shall not apply to contracts, plans, or group policies
13 subject to the small employer health insurance availability act, chapter 50 of this title.

14 (b) For the purposes of this section, "hearing aid" means any nonexperimental, wearable
15 instrument or device designed for the ear and offered for the purpose of aiding or compensating
16 for impaired human hearing, but excluding batteries, cords, and other assistive listening devices,
17 including, but not limited to FM systems.

18 (c) It shall remain within the sole discretion of the health maintenance organizations as
19 to the provider of hearing aids with which they choose to contract. Reimbursement shall be
20 provided according to the respective principles and policies of the health maintenance
21 organizations. Nothing contained in this section precludes the health maintenance organizations
22 from conducting managed care, medical necessity, or utilization review.

23 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE -- HEARING AIDS

1 This act would increase the hearing aid medical insurance coverage for those insured
2 under the age of nineteen (19) from one thousand five dollars (\$1,500) to full cost and for those
3 age nineteen (19) and older from seven hundred dollars (\$700) to one thousand five hundred
4 dollars (\$1,500).

5 This act would take effect upon passage.

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