

HOUSE No. 3554

The Commonwealth of Massachusetts

PRESENTED BY:

Kristin E. Kassner

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 relative to insurance coverage of hearing aids.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>3/14/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>3/16/2023</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>3/28/2023</i>

HOUSE No. 3554

By Representative Kassner of Hamilton, a petition (subject to Joint Rule 12) of Kristin E. Kassner and Samantha Montañó relative to insurance coverage of hearing aids. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to insurance coverage of 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 23 of chapter 32A of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out the second paragraph and inserting in place
3 thereof the following paragraph:--

4 The commission shall provide to any active or retired employee of the
5 commonwealth and to any child, who is under 26 years of age or without regard to age if such
6 child is incapable of self-sustaining employment due to disability, of any active or retired
7 employee of the commonwealth and who is insured under the group insurance commission,
8 coverage for hearing aids, as defined in section 196 of chapter 112. Coverage under this section
9 shall include all related services prescribed by a health care professional or a licensed audiologist
10 or hearing instrument specialist, as defined in said section 196 of said chapter 112, including the
11 initial hearing aid examination or evaluation, fitting and adjustments and supplies, including ear
12 molds. Alternatively, if the insured is 18 years of age or older, no examination, evaluation or

13 prescription shall be required for coverage for hearing aids. The benefits in this section shall not
14 be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than other
15 benefits provided by the insurer. Nothing in this section shall prohibit the commission from
16 offering greater coverage for hearing aids than required by this section. This section shall also
17 require coverage for such hearing aids under any non-group policy.

18 SECTION 2. Chapter 118E of the General Laws, as so appearing, is hereby amended by
19 inserting after section 10Q the following section:-

20 Section 10R. The division and its contracted health insurers, health plans, health
21 maintenance organizations, behavioral health management firms and third-party administrators
22 under contract to a Medicaid managed care organization or primary care clinician plan shall
23 provide coverage for hearing aids, as defined in section 196 of chapter 112. Coverage under this
24 section shall include all related services prescribed by a health care professional or a licensed
25 audiologist or hearing instrument specialist, as defined in said section 196 of said chapter 112,
26 including the initial hearing aid examination or evaluation, fitting and adjustments and supplies,
27 including ear molds. Alternatively, if the insured is 18 years of age or older, no examination,
28 evaluation or prescription shall be required for coverage for hearing aids.

29 SECTION 3. Section 47X of chapter 175 of the General Laws, as so appearing is hereby
30 amended by striking out the second paragraph and inserting in place thereof the following
31 paragraph:-

32 Any policy of accident and sickness insurance as described in section 108
33 which provides hospital expense and surgical expense insurance and which is delivered, issued
34 or subsequently renewed by agreement between the insurer and policyholder in the

35 commonwealth; any blanket or general policy of insurance described in subdivision (A), (C) or
36 (D) of section 110 that provides hospital expense and surgical expense insurance and that is
37 delivered, issued or subsequently renewed by agreement between the insurer and the
38 policyholder, within or without the commonwealth; or any employees' health and welfare fund
39 that provides hospital expense and surgical expense benefits and that is delivered, issued or
40 renewed to any person or group of people in the commonwealth, shall provide coverage for
41 hearing aids, as defined in section 196 of chapter 112 to the insured and to any child of the
42 insured who is under 26 years of age or without regard to age if such child is incapable of self-
43 sustaining employment due to disability. Coverage under this section shall include all related
44 services prescribed by a health care professional or a licensed audiologist or hearing instrument
45 specialist, as defined in said section 196 of said chapter 112, including the initial hearing aid
46 examination or evaluation, fitting and adjustments and supplies, including ear molds.
47 Alternatively, if the insured is 18 years of age or older, no examination, evaluation or
48 prescription shall be required for coverage for hearing aids. The benefits in this section shall not
49 be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any
50 other benefits provided by the insurer. Nothing in this section shall prohibit an insurer from
51 offering greater coverage for hearing aids than required by this section. This section shall also
52 require coverage for hearing aids under any non-group policy.

53 SECTION 4. Section 8Y of chapter 176A of the General Laws, as so appearing is hereby
54 amended by striking out the second paragraph and inserting in place thereof the following
55 paragraph:-

56 Any contracts, except contracts providing supplemental coverage to
57 Medicare or other governmental programs, between a subscriber and the corporation under an

58 individual or group hospital service plan that is delivered, issued or renewed in the
59 commonwealth shall provide coverage for hearing aids, as defined in section 196 of chapter 112
60 to all individual subscribers or members within the commonwealth and to all group members
61 having a principal place of employment in the commonwealth and to any child of such person
62 who is under 26 years of age or without regard to age if such child is incapable of self-sustaining
63 employment due to disability. Coverage under this section shall include all related services
64 prescribed by a health care professional or a licensed audiologist or hearing instrument specialist,
65 as defined in said section 196 of said chapter 112, including the initial hearing aid examination
66 or evaluation, fitting and adjustments and supplies, including ear molds. Alternatively, if the
67 insured is 18 years of age or older, no examination, evaluation or prescription shall be required
68 for coverage for hearing aids. The benefits in this section shall not be subject to any greater
69 deductible, coinsurance, copayments or out-of-pocket limits than any other benefits provided by
70 the insurer. Nothing in this section shall prohibit an insurer from offering greater coverage for
71 hearing aids than required by this section. This section shall also require coverage for hearing
72 aids under any non-group policy.

73 SECTION 5. Chapter 176B of the General Laws, as so appearing is hereby amended by
74 striking out section 4EE and inserting in place thereof the following section:-

75 Section 4EE. Any subscription certificate under an individual or group medical service
76 agreement, except certificates which provide supplemental coverage to Medicare or other
77 governmental programs, that shall be delivered, issued or renewed within the commonwealth
78 shall provide coverage for hearing aids, as defined in section 196 of chapter 112 to all individual
79 subscribers or members within the commonwealth and to all group members having a principal
80 place of employment in the commonwealth and to any child of such person who is under 26

81 years of age or without regard to age if such child is incapable of self-sustaining employment due
82 to disability. Coverage under this section shall include all related services prescribed by a health
83 care professional or a licensed audiologist or hearing instrument specialist, as defined in said
84 section 196 of said chapter 112, including the initial hearing aid examination or evaluation,
85 fitting and adjustments and supplies, including ear molds. Alternatively, if the insured is 18 years
86 of age or older, no examination, evaluation or prescription shall be required for coverage for
87 hearing aids. The benefits in this section shall not be subject to any greater deductible,
88 coinsurance, copayments or out-of-pocket limits than any other benefits provided by the insurer.
89 Nothing in this section shall prohibit an insurer from offering greater coverage for hearing aids
90 than required by this section. This section shall also require coverage for hearing aids under any
91 non-group policy.

92 SECTION 6. Section 4N of chapter 176G of the General Laws, as so appearing, is hereby
93 amended by striking out the second paragraph and inserting in place thereof the following
94 paragraph:-

95 An individual or group health maintenance contract, except contracts providing
96 supplemental coverage to Medicare or other governmental programs, shall provide coverage for
97 hearing aids, as defined in section 196 of chapter 112 to the insured and to any child of the
98 insured who is under 26 years of age or without regard to age if such child is incapable of self-
99 sustaining employment due to disability. Coverage under this section shall include all related
100 services prescribed by a health care professional or a licensed audiologist or hearing instrument
101 specialist, as defined in said section 196 of said chapter 112, including the initial hearing aid
102 examination or evaluation, fitting and adjustments and supplies, including ear molds.
103 Alternatively, if the insured is 18 years of age or older, no examination, evaluation or

104 prescription shall be required for coverage for hearing aids. The benefits in this section shall not
105 be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any
106 other benefits provided by the insurer. Nothing in this section shall prohibit an insurer from
107 offering greater coverage for hearing aids than required by this section. This section shall also
108 require coverage for hearing aids under any non-group policy.