

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND NINETEEN

H.P. 39 - L.D. 38

**An Act To Require Insurance Coverage for Hearing Aids for Adults**

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 24-A MRSA §2762, sub-§2**, as amended by PL 2015, c. 494, Pt. A, §28, is further amended to read:

**2. Required coverage.** ~~In accordance with the application of coverage set forth in subsection 3, all~~ All individual health policies and contracts must provide coverage for the purchase of a hearing aid for each hearing-impaired ear for an individual covered under the policy or contract in accordance with the following requirements.

- A. The hearing loss must be documented by a physician or audiologist licensed pursuant to Title 32, chapter 137.
- B. The hearing aid must be purchased ~~from an audiologist or hearing aid dealer licensed pursuant to Title 32, chapter 137~~ in accordance with federal and state laws, regulations and rules for the sale and dispensing of hearing aids.
- C. The policy or contract may limit coverage to ~~\$1,400~~ \$3,000 per hearing aid for each hearing-impaired ear every 36 months.

**Sec. 2. 24-A MRSA §2762, sub-§3**, as enacted by PL 2007, c. 452, §2, is repealed.

**Sec. 3. 24-A MRSA §2847-O, sub-§2**, as amended by PL 2015, c. 494, Pt. A, §29, is further amended to read:

**2. Required coverage.** ~~In accordance with the application of coverage set forth in subsection 3, all~~ All group health insurance policies, contracts and certificates must provide coverage for the purchase of a hearing aid for each hearing-impaired ear for an individual covered under the policy, contract or certificate ~~who is 18 years of age or under~~ in accordance with the following requirements.

- A. The hearing loss must be documented by a physician or audiologist licensed pursuant to Title 32, chapter 137.

B. The hearing aid must be purchased ~~from an audiologist or hearing aid dealer licensed pursuant to Title 32, chapter 137~~ in accordance with federal and state laws, regulations and rules for the sale and dispensing of hearing aids.

C. The policy, contract or certificate may limit coverage to \$1,400 \$3,000 per hearing aid for each hearing-impaired ear every 36 months.

**Sec. 4. 24-A MRSA §2847-O, sub-§3**, as reallocated by PL 2007, c. 695, Pt. A, §29, is repealed.

**Sec. 5. 24-A MRSA §4255, sub-§2**, as amended by PL 2015, c. 494, Pt. A, §30, is further amended to read:

**2. Required coverage.** ~~In accordance with the application of coverage set forth in subsection 3, all~~ All health maintenance organization individual and group health insurance contracts must provide coverage for the purchase of a hearing aid for each hearing-impaired ear for an individual covered under the policy, contract or certificate ~~who is 18 years of age or under~~ in accordance with the following requirements.

A. The hearing loss must be documented by a physician or audiologist licensed pursuant to Title 32, chapter 137.

B. The hearing aid must be purchased ~~from an audiologist or hearing aid dealer licensed pursuant to Title 32, chapter 137~~ in accordance with federal and state laws, regulations and rules for the sale and dispensing of hearing aids.

C. The policy, contract or certificate may limit coverage to \$1,400 \$3,000 per hearing aid for each hearing-impaired ear every 36 months.

**Sec. 6. 24-A MRSA §4255, sub-§3**, as reallocated by PL 2007, c. 695, Pt. A, §30, is repealed.

**Sec. 7. Application.** The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2020. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

**Sec. 8. Exemption from review.** Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

**Sec. 9. Calculation and transfer; premium costs.** The State Budget Officer shall calculate the amount of increased premium costs that apply to each General Fund account and Highway Fund account for all departments and agencies and transfer the amounts by financial order upon the approval of the Governor. The transfers are considered adjustments to appropriations in fiscal year 2020-21.

**Sec. 10. Appropriations and allocations.** The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Departments and Agencies - Statewide 0016**

Initiative: Provides ongoing funds for increased premium costs to departments and agencies statewide as a result of the State Employee Health Plan being required to cover hearing aids.

| <b>GENERAL FUND</b>       | <b>2019-20</b> | <b>2020-21</b>   |
|---------------------------|----------------|------------------|
| All Other                 | \$0            | \$158,492        |
| <b>GENERAL FUND TOTAL</b> | <u>\$0</u>     | <u>\$158,492</u> |

| <b>HIGHWAY FUND</b>       | <b>2019-20</b> | <b>2020-21</b>  |
|---------------------------|----------------|-----------------|
| All Other                 | \$0            | \$56,779        |
| <b>HIGHWAY FUND TOTAL</b> | <u>\$0</u>     | <u>\$56,779</u> |