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LC03598  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2005**

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A N A C T

RELATING TO HEALTH INSURANCE COVERAGE -- MANDATED HEARING AID  
COVERAGE

Introduced By: Senator Stephen D. Alves

Date Introduced: June 23, 2005

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, ~~2005~~ 2006, shall  
6 provide coverage for ~~one thousand dollars (\$1,000)~~ four hundred dollars (\$400) per individual  
7 hearing aid, per ear, every three (3) years, ~~for children under the age of eighteen (18) years of age,~~  
8 ~~covered as a dependent by the policy holder and shall also provide, as an optional rider, coverage~~  
9 ~~for hearing aids.~~

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

15           (b) For the purposes of this section:

16           (1) "Hearing aid" means any nonexperimental, wearable instrument or device designed  
17 for the ear and offered for the purpose of aiding or compensating for impaired human hearing, but  
18 excluding batteries, cords, and other assistive listening devices, including, but not limited to FM

1 systems.

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

7 (d) This section does not apply to insurance coverage providing benefits for: (1) hospital  
8 confinement indemnity; (2) disability income; (3) accident only; (4) long term care; (5) Medicare  
9 supplement; (6) limited benefit health; (7) specified diseased indemnity; (8) sickness of bodily  
10 injury or death by accident or both; (9) and other limited benefit policies; ~~and (10) contracts,~~  
11 ~~plans or group policies subject to the Small Employer Health Insurance Availability Act, chapter~~  
12 ~~50 of this title.~~

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, ~~2005~~ 2006, shall  
18 provide coverage for ~~one thousand dollars (\$1,000)~~ four hundred dollars (\$400) per individual  
19 hearing aid, per ear, every three (3) years; ~~for children under the age of eighteen (18) years of age,~~  
20 ~~covered as a dependent by the policy holder and shall also provide, as an optional rider, coverage~~  
21 ~~for hearing aids.~~

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

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

31 (c) It shall remain within the sole discretion of the nonprofit hospital service corporation  
32 as to the provider of hearing aids with which they choose to contract. Reimbursement shall be  
33 provided according to the respective principles and policies of the nonprofit hospital service  
34 corporation. Nothing contained in this section precludes the nonprofit hospital service corporation

1 from conducting managed care, medical necessity, or utilization review.

2 ~~(d) This section does not apply to contract plans or group policies subject to the Small~~  
3 ~~Employer Health Insurance Availability Act, chapter 50 of this title.~~

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

6 **27-20-46. Hearing aids.** -- (a) (1) Every individual or group health insurance contract, or  
7 every individual or group hospital or medical expense insurance policy, plan, or group policy  
8 delivered, issued for delivery, or renewed in this state on or after January 1, ~~2005~~ 2006, shall  
9 provide coverage for ~~one thousand dollars (\$1,000)~~ four hundred dollars (\$400) per individual  
10 hearing aid, per ear, every three (3) years, ~~for children under the age of eighteen (18) years of age,~~  
11 ~~covered as a dependent by the policy holder, as an optional rider, coverage for hearing aids.~~

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

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

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

26 ~~(d) This section does not apply to contract plans or group policies subject to the Small~~  
27 ~~Employer Health Insurance Availability Act, chapter 50 of this title.~~

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

30 **27-41-63. Hearing aids.** -- (a) (1) Every individual or group health insurance contract, or  
31 every individual or group hospital or medical expense insurance policy, plan, or group policy  
32 delivered, issued for delivery, or renewed in this state on or after January 1, ~~2005~~ 2006, shall  
33 provide coverage for ~~one thousand dollars (\$1,000)~~ four hundred dollars (\$400) per individual  
34 hearing aid, per ear, every three (3) years, ~~for children under the age of eighteen (18) years of age,~~

1 ~~covered as a dependent by the policy holder, as an optional rider, coverage for hearing aids.~~

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

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

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

16 ~~(d) Provided, that this section does not apply to contracts, plans or group policies subject~~  
17 ~~to the Small Employer Health Insurance Availability Act, chapter 50 of this title.~~

18 SECTION 5. This act shall take effect January 1, 2006.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO HEALTH INSURANCE COVERAGE -- MANDATED HEARING AID  
COVERAGE

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1           This act would provide that an optional rider for additional hearing aid coverage be  
2 included in every health insurance contract, plan or policy issued or renewed on or after July 1,  
3 2006, and would reduce the coverage for hearing aids from \$1,000 to \$400 effective on January  
4 1, 2006.

5           This act would take effect January 1, 2006.

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