

JAN 23 2009

A BILL FOR AN ACT

RELATING TO HEARING AID DEVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. According to the Mayo Clinic, an estimated
2 one-quarter of Americans between the ages of sixty-five and
3 seventy-five and around three-quarters of those older than
4 seventy-five have some degree of hearing loss. According to a
5 study by the Better Hearing Institute, untreated hearing loss
6 cut household income by an average of nearly \$23,000 per year.

7 According to the American Association of Retired Persons,
8 the cost of a custom hearing aid can range as high as \$2,000.
9 Medicare and most private insurance companies do not cover the
10 cost of hearing aids through their base health care coverage.
11 It is not unusual for people with hearing loss to know that
12 hearing aids are expensive and are not covered by insurance so
13 they choose not to purchase them.

14 The purpose of this Act is to require that the cost of
15 hearing aids be covered by private health insurers.



1 SECTION 2. Chapter 431:10A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§431:10A- Hearing aid devices; notice. (a) Any other
5 law to the contrary notwithstanding, each health policy,
6 contract, plan, or agreement issued or renewed in this State
7 after December 31, 2009, shall provide, not as an employer
8 option, coverage for the cost of hearing aid devices for the
9 policyholder and individuals covered under the policy, contract,
10 plan, or agreement.

11 (b) Coverage required under this section may be subject to
12 deductibles, copayments, coinsurance, or annual or maximum
13 payment limits that are consistent with deductibles, copayments,
14 coinsurance, and annual or maximum payment limits applicable to
15 other similar coverage under the policy, contract, plan, or
16 agreement.

17 (c) Every insurer shall provide notice to its
18 policyholders regarding the coverage required by this section.
19 The notice shall be in writing and prominently positioned in any
20 literature or correspondence sent to policyholders and shall be
21 transmitted to policyholders within calendar year 2009 when
22 annual information is made available to policyholders, or in any



1 other mailing to policyholders, but in no case later than
2 December 31, 2009."

3 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§432- Hearing aid devices; notice. (a) Any other law
7 to the contrary notwithstanding, each individual and group
8 hospital or medical service plan, policy, contract, or agreement
9 issued or renewed in this State after December 31, 2009, shall
10 provide, not as an employer option, coverage for the cost of
11 hearing aid devices for the member and individuals covered under
12 the individual and group hospital or medical service plan,
13 policy, contract, or agreement.

14 (b) Coverage required under this section may be subject to
15 deductibles, copayments, coinsurance, or annual or maximum
16 payment limits that are consistent with deductibles, copayments,
17 coinsurance, and annual or maximum payment limits applicable to
18 other similar coverage under the individual and group hospital
19 or medical service plan, policy, contract, or agreement.

20 (c) Every mutual benefit society shall provide notice to
21 its members regarding the coverage required by this section.
22 The notice shall be in writing and prominently positioned in any



1 literature or correspondence sent to members and shall be
2 transmitted to members within calendar year 2009 when annual
3 information is made available to policyholders, or in any other
4 mailing to members, but in no case later than December 31,
5 2009."

6 SECTION 4. Section 432D-23, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "§432D-23 Required provisions and benefits.

9 Notwithstanding any provision of law to the contrary, each
10 policy, contract, plan, or agreement issued in the State after
11 January 1, 1995, by health maintenance organizations pursuant to
12 this chapter, shall include benefits provided in sections
13 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116,
14 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120, [and]
15 431:10A-121, and 431:10A- , and chapter 431M."

16 SECTION 5. The benefit to be provided by health
17 maintenance organizations corresponding to the benefit provided
18 under section 431:10A- , Hawaii Revised Statutes, as contained
19 in the amendment to section 432D-23, Hawaii Revised Statutes, in
20 section 4 of this Act, shall take effect for all policies,
21 contracts, plans, or agreements issued in the State after
22 December 31, 2009.



S.B. NO. 192

1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect upon its approval.
4

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Report Title:

Hearing Aid Devices; Health Insurance Coverage

Description:

Requires health insurance policies and contracts to provide coverage for the cost of hearing aid devices in their base plans.

