

FIRST REGULAR SESSION

# SENATE BILL NO. 235

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

Read 1st time January 10, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1330S.01I

## AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to hearing aids.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be known as section 376.1197, to read as follows:

**376.1197. 1. For purposes of this section, the following terms mean:**

**(1) "Hearing care professional", a person who is a licensed hearing instrument dispenser, licensed audiologist, or licensed physician;**

**(2) "Hearing instrument" or "hearing aid", any wearable nondisposable, nonexperimental instrument or device designed to aid or compensate for impaired human hearing and any parts, attachments, or accessories for the instrument or device, including an ear mold but excluding batteries and cords.**

**2. An individual or group policy of accident and health insurance or managed care plan that is amended, delivered, issued, or renewed after August 28, 2019, shall provide coverage for medically necessary hearing instruments and related services for all individuals under the age of eighteen when a hearing care professional prescribes a hearing instrument to augment communication.**

**3. An insurer shall provide coverage, subject to all applicable co-payments, co-insurance, deductibles, and out-of-pocket limits, subject to the following restrictions:**

**(1) One hearing instrument shall be covered for each ear every thirty-six months;**

22           **(2) Related services including, but not limited to, audiological**  
23 **exams and selection, fitting, and adjustment of ear molds to maintain**  
24 **optimal fit shall be covered when deemed medically necessary by a**  
25 **hearing care professional; and**

26           **(3) Hearing instrument repairs may be covered when deemed**  
27 **medically necessary.**

28           **4. Any hearing aid provided to a person under the age of**  
29 **eighteen under this section shall be in addition to any initial**  
30 **amplification provided under section 376.1220.**

31           **5. If, at any time before or after August 28, 2019, the Secretary**  
32 **of the United States Department of Health and Human Services, or its**  
33 **successor agency, promulgates rules or regulations to be published in**  
34 **the Federal Register, or issues an opinion, guidance, or other action**  
35 **that would require the state, pursuant to any provision of the Patient**  
36 **Protection and Affordable Care Act (Pub. L. 111-148) including, but not**  
37 **limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray**  
38 **the cost of coverage for medically necessary hearing instruments and**  
39 **related services for individuals under the age of eighteen, this section**  
40 **is inoperative with respect to all such coverage other than that**  
41 **authorized under Section 1902 of the Social Security Act, 42 U.S.C.**  
42 **1396a, and the state shall not assume any obligation for the cost of**  
43 **coverage for medically necessary hearing instruments and related**  
44 **services for individuals under the age of eighteen.**

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