

As Introduced

**131st General Assembly
Regular Session
2015-2016**

S. B. No. 98

**Senator Brown
Senators Tavares, Thomas, Yuko**

A BILL

To amend section 1739.05 and to enact sections 1
1751.68 and 3923.84 of the Revised Code to 2
require health insurers to offer coverage for 3
hearing aids. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1739.05 be amended and sections 5
1751.68 and 3923.84 of the Revised Code be enacted to read as 6
follows: 7

Sec. 1739.05. (A) A multiple employer welfare arrangement 8
that is created pursuant to sections 1739.01 to 1739.22 of the 9
Revised Code and that operates a group self-insurance program 10
may be established only if any of the following applies: 11

(1) The arrangement has and maintains a minimum enrollment 12
of three hundred employees of two or more employers. 13

(2) The arrangement has and maintains a minimum enrollment 14
of three hundred self-employed individuals. 15

(3) The arrangement has and maintains a minimum enrollment 16
of three hundred employees or self-employed individuals in any 17

combination of divisions (A) (1) and (2) of this section. 18

(B) A multiple employer welfare arrangement that is 19
created pursuant to sections 1739.01 to 1739.22 of the Revised 20
Code and that operates a group self-insurance program shall 21
comply with all laws applicable to self-funded programs in this 22
state, including sections 3901.04, 3901.041, 3901.19 to 3901.26, 23
3901.38, 3901.381 to 3901.3814, 3901.40, 3901.45, 3901.46, 24
3902.01 to 3902.14, 3923.24, 3923.282, 3923.30, 3923.301, 25
3923.38, 3923.581, 3923.63, 3923.80, 3923.84, 3923.85, 3924.031, 26
3924.032, and 3924.27 of the Revised Code. 27

(C) A multiple employer welfare arrangement created 28
pursuant to sections 1739.01 to 1739.22 of the Revised Code 29
shall solicit enrollments only through agents or solicitors 30
licensed pursuant to Chapter 3905. of the Revised Code to sell 31
or solicit sickness and accident insurance. 32

(D) A multiple employer welfare arrangement created 33
pursuant to sections 1739.01 to 1739.22 of the Revised Code 34
shall provide benefits only to individuals who are members, 35
employees of members, or the dependents of members or employees, 36
or are eligible for continuation of coverage under section 37
1751.53 or 3923.38 of the Revised Code or under Title X of the 38
"Consolidated Omnibus Budget Reconciliation Act of 1985," 100 39
Stat. 227, 29 U.S.C.A. 1161, as amended. 40

Sec. 1751.68. (A) As used in this section, "hearing aid" 41
means any wearable instrument or device designed or offered for 42
the purpose of aiding or compensating for impaired human 43
hearing, including all attachments, accessories, and parts 44
thereof, except batteries and cords, that is distributed by a 45
hearing aid dealer licensed under Chapter 4747. of the Revised 46
Code. 47

(B) Notwithstanding section 3901.71 of the Revised Code, a health insuring corporation that offers coverage for basic health care services shall also offer coverage for hearing aids as a rider to any policy, contract, or agreement providing coverage for basic health care services.

(C) Coverage for hearing aids shall be subject to all of the following:

(1) The benefit provided shall be not less than one thousand five hundred dollars per year over the course of three years.

(2) The coverage shall be provided to persons of all ages.

(3) The benefit shall not be subject to any deductible or copayment requirements. The coverage may be subject to coinsurance requirements.

(4) The coverage required under this section shall include the purchase of related services and supplies including the initial assessment, fitting, adjustments, and auditory training that is provided according to accepted professional standards.

Sec. 3923.84. (A) As used in this section:

(1) "Basic health care services" has the same meaning as in section 1751.01 of the Revised Code.

(2) "Hearing aid" means any wearable instrument or device designed or offered for the purpose of aiding or compensating for impaired human hearing, including all attachments, accessories, and parts thereof, except batteries and cords, that is distributed by a hearing aid dealer licensed under Chapter 4747. of the Revised Code.

(B) Notwithstanding section 3901.71 of the Revised Code, a

sickness and accident insurer that offers coverage for basic 76
health care services shall also offer coverage for hearing aids 77
as a rider to any individual or group policy providing coverage 78
for basic health care services. 79

(C) Coverage for hearing aids shall be subject to all of 80
the following: 81

(1) The benefit provided shall be not less than one 82
thousand five hundred dollars per year over the course of three 83
years. 84

(2) The coverage shall be provided to persons of all ages. 85

(3) The benefit shall not be subject to any deductible or 86
copayment requirements. The coverage may be subject to 87
coinsurance requirements. 88

(4) The coverage required under this section shall include 89
the purchase of related services and supplies including the 90
initial assessment, fitting, adjustments, and auditory training 91
that is provided according to accepted professional standards. 92

(D) This section does not apply to any sickness and 93
accident insurer that does not offer coverage for basic health 94
care services. 95

Section 2. That existing section 1739.05 of the Revised 96
Code is hereby repealed. 97