

2010 -- S 2492

LC01016

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO INSURANCE - IMPLANTABLE HEARING DEVICES

Introduced By: Senators Walaska, Bates, McBurney, McCaffrey, and Lynch

Date Introduced: February 11, 2010

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18-71. Mandatory coverage for surgery and services for implantation of Federal**
4 **Drug Administration (FDA) approved implantable hearing device -. – (a) Every individual or**
5 **group hospital or medical services plan or policy delivered, issued for delivery or renewed in this**
6 **state shall provide coverage for surgery and services for implantation of Federal Drug**
7 **Administration (FDA) approved implantable hearing device per ear that shall include, but not be**
8 **limited to:**

9 (1) Pre-and post-surgery treatment services;

10 (2) Supplies and accessories necessary for proper operation of the devices; and

11 (3) Upgrades that are required to maintain the device.

12 (b) The following definitions shall apply to the provisions of this section:

13 (1) "Implantable hearing device" includes any implantable instrument or device that is
14 designed to access or restore hearing, including, but not limited to, cochlear implant, Baha device,
15 and any implantable hearing devices.

16 (2) "Pre-and post-surgery treatment services" include diagnosis, evaluation, surgery,
17 mappings, auditory oral rehabilitation treatment and auditory habilitation therapy as medically
18 prescribed.

19 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service

1 Corporations" is hereby amended by adding thereto the following section:

2 **27-19-62. Mandatory coverage for surgery and services for implantation of Federal**
3 **Drug Administration (FDA) approved implantable hearing device** – (a) Every individual or
4 group hospital or medical services plan or policy delivered, issued for delivery or renewed in this
5 state shall provide coverage for surgery and services for implantation of Federal Drug
6 Administration (FDA) approved implantable hearing device per ear that shall include, but not be
7 limited to:

- 8 (1) Pre-and post-surgery treatment services;
9 (2) Supplies and accessories necessary for proper operation of the devices; and
10 (3) Upgrades that are required to maintain the device.

11 (b) The following definitions shall apply to the provisions of this section:

12 (1) “Implantable hearing device” includes any implantable instrument or device that is
13 designed to access or restore hearing including, but not limited to, cochlear implant, Baha device,
14 and any implantable hearing devices.

15 (2) “Pre-and post-surgery treatment services” include diagnoses, evaluation, surgery,
16 mappings, auditory oral rehabilitation treatment and auditory habilitation therapy as medically
17 prescribed.

18 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
19 Corporations" is hereby amended by adding thereto the following section:

20 **27-20-57. Mandatory coverage for surgery and services for implantation of Federal**
21 **Drug Administration (FDA) approved implantable hearing device** -. – (a) Every individual or
22 group hospital or medical services plan or policy delivered, issued for delivery or renewed in this
23 state shall provide coverage for surgery and services for implantation of Federal Drug
24 Administration (FDA) approved implantable hearing device per ear that shall include, but not be
25 limited to:

- 26 (1) Pre-and post-surgery treatment services;
27 (2) Supplies and accessories necessary for proper operation of the devices; and
28 (3) Upgrades that are required to maintain device.

29 (b) The following definitions shall apply to the provisions of this section:

30 (1) “Implantable hearing device” includes any implantable instrument or device that is
31 designed to access or restore hearing including, but not limited to, cochlear implant, Baha device,
32 and any implantable hearing devices.

33 (2) “Pre-and post-surgery treatment services” include diagnoses, evaluation, surgery,
34 mappings, auditory oral rehabilitation treatment and auditory habilitation therapy as medically

1 prescribed.

2 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance
3 Organizations" is hereby amended by adding thereto the following section:

4 **27-41-75. Mandatory coverage for surgery and services for implantation of Federal**
5 **Drug Administration (FDA) approved implantable hearing device -.** – (a) Subscribers to any
6 health maintenance organization plan shall be afforded coverage for surgery and services for
7 implantation of Federal Drug Administration (FDA) approved implantable hearing device per ear
8 that shall include, but not be limited to:

9 (1) Pre-and post-surgery treatment services;

10 (2) Supplies and accessories necessary for proper operation of the devices; and

11 (3) Upgrades that are required to maintain device.

12 (b) The following definitions shall apply to the provisions of this section:

13 (1) "Implantable hearing device" includes any implantable instrument or device that is
14 designed to access or restore hearing, including, but not limited to, cochlear implant, Baha device,
15 and any implantable hearing devices.

16 (2) "Pre-and post-surgery treatment services" include diagnoses, evaluation, surgery,
17 mappings, auditory oral rehabilitation treatment and auditory habilitation therapy as medically
18 prescribed.

19 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE - IMPLANTABLE HEARING DEVICES

1 This act would require insurance coverage for surgery and services for implantation of
2 Federal Drug Administration (FDA) approved implantable hearing device per ear that shall
3 include but not be limited to:

- 4 (1) Pre-and post-surgery treatment services;
5 (2) Supplies and accessories necessary for proper operation of the devices; and
6 (3) Upgrades that are required to maintain device.

7 This act would take effect upon passage.

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