

2018 Regular Session

SENATE BILL NO. 235

BY SENATOR COLOMB

HEALTH/ACC INSURANCE. Provides for insurance coverage for hearing aids. (8/1/18)

1 AN ACT

2 To amend and reenact 22:1038(A),(C), and (E), relative to insurance coverage for hearing  
3 aids; to require hearing aid coverage for individuals covered under certain insurance  
4 policies; to provide with respect to policies already in effect; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1038(A), (C), and (E) are hereby amended and reenacted to read  
8 as follows:

9 §1038. Hearing aid coverage ~~for minor child~~

10 A. As used in this Section, "hearing aid" shall mean a nondisposable device  
11 that is of a design and circuitry to optimize audibility and listening skills ~~in the~~  
12 ~~environment commonly experienced by children.~~

13 \* \* \*

14 C.(1) Notwithstanding ~~the provisions~~ **any other provision** of ~~R.S. 22:1047~~  
15 **law** to the contrary, an entity subject to this Section shall provide coverage for  
16 hearing aids for ~~a child under the age of eighteen~~ **an insured or enrolled individual**  
17 who is covered under a policy or contract of insurance if the hearing aids are fitted

1 and dispensed by a licensed audiologist or licensed hearing aid specialist following  
 2 medical clearance by a physician licensed to practice medicine and an audiological  
 3 evaluation medically appropriate to the age of the child **or adult**.

4 (2)(a) An entity subject to this Section may limit the benefit payable under  
 5 Paragraph (1) of this Subsection to ~~one~~ **two** thousand ~~and~~ four hundred dollars per  
 6 hearing aid for each ear with hearing loss every thirty-six months.

7 (b) An insured or enrolled individual may choose a hearing aid that is priced  
 8 higher than the benefit payable under this Subsection and may pay the difference  
 9 between the price of the hearing aid and the benefit payable under this Subsection  
 10 without financial or contractual penalty to the provider of the hearing aid.

11 (c) In the case of a health insurer or health maintenance organization that  
 12 administers benefits according to contracts with health care providers, hearing aids  
 13 covered pursuant to this Section shall be obtained from health care providers  
 14 contracted with the health insurer or health maintenance organization. Such  
 15 providers shall be subject to the same contracting and credentialing requirements that  
 16 apply to other contracted health care providers.

17 \* \* \*

18 E.**(1)** The provisions of this Section shall apply to any new policy, contract,  
 19 program, or plan **covering an individual under the age of eighteen** issued by an  
 20 entity subject to the provisions of this Section on or after January 1, 2004. Any such  
 21 policy, contract, program, or plan in effect prior to January 1, 2004, shall convert to  
 22 the provisions of this Section on or before the renewal date but in no event later than  
 23 January 1, 2005.

24 **(2) The provisions of this Section shall apply to any new policy, contract,**  
 25 **program, or plan issued by an entity subject to the provisions of this Section on**  
 26 **or after January 1, 2019. Any such policy, contract, program, or plan in effect**  
 27 **prior to January 1, 2019, shall convert to the provisions of this Section on or**  
 28 **before the renewal date but in no event later than January 1, 2020.**

29 **(3)** Any policy affected by the provisions of this Section shall apply to an

1 insured or participant under such policy, contract, program, or plan whether or not  
2 the hearing loss is a pre-existing condition of the insured or participant.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Cheryl Cooper.

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DIGEST

SB 235 Original

2018 Regular Session

Colomb

Present law provides for hearing aid insurance coverage for children and applies to insurers and nonprofit health service plans, including the Office of Group Benefits that provide hospital, medical, or surgical benefits to individuals or groups on an expense-incurred basis under health insurance policies or contracts that are issued or delivered in Louisiana.

Present law requires an entity to provide coverage for hearing aids for a child under the age of 18 who is covered under a policy or contract of insurance if the hearing aids are fitted and dispensed by a licensed audiologist or licensed hearing aid specialist following medical clearance by a physician licensed to practice medicine and an audiological evaluation medically appropriate to the age of the child.

Present law permits an insured or enrolled individual to choose a hearing aid that is priced higher than the benefit payable under present law and pay the difference between the price of the hearing aid and the benefit payable under the insurance policy without financial or contractual penalty to the provider of the hearing aid.

Proposed law makes present law applicable to minors and adults.

Present law applies to any new policy, contract, program, or plan issued by an entity on or after January 1, 2004. Further requires any policy, contract, program, or plan in effect prior to January 1, 2004, to be converted to the provisions of present law on or before the renewal date but in no event later than January 1, 2005.

Proposed law retains present law for policies covering individuals under the age of 18 and applies to any new policy, contract, program, or plan issued on or after January 1, 2019. Further requires any policy, contract, program, or plan in effect for an adult prior to January 1, 2019, to convert to the provisions of present law on or before the renewal date but in no event later than January 1, 2020.

Effective August 1, 2018.

(Amends R.S. 22:1038(A),(C), and (E))