

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 R.S. 22:1038(A) and to enact R.S. 22:1038(G), relative to insurance
3 coverage for hearing aids; to require hearing aid coverage for individuals covered
4 under certain insurance policies; to provide with respect to policies already in effect;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1038(A) is hereby amended and reenacted and R.S. 22:1038(G)
8 is hereby enacted to read 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 **G.(1) Any entity subject to the provisions of this Section that also**
15 **provides coverage of hearing aids to individuals aged eighteen and over shall be**
16 **subject to the provisions of this Subsection. Each entity to which this Subsection**
17 **applies shall allow any covered individual seeking coverage of a covered hearing**

1 aid the option to choose a hearing aid priced higher than the benefit payable
 2 under the applicable policy, contract, program, or plan. The amount payable
 3 by the entity shall be in accordance with that policy, contract, program, or plan.
 4 Any additional amounts payable to the hearing aid provider shall be paid by the
 5 covered individual.

6 (2) The provisions of this Subsection shall apply to any new policy,
 7 contract, program, or plan issued by an entity subject to the provisions of this
 8 Subsection on or after January 1, 2019. Any such policy, contract, program, or
 9 plan in effect prior to January 1, 2019, shall convert to the provisions of this
 10 Subsection on or before the renewal date but in no event later than January 1,
 11 2020, but hearing aid providers may offer the option described in this
 12 Subsection on or after January 1, 2019.

The original instrument was prepared by Cheryl Cooper. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST

SB 235 Reengrossed

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 retains present law and requires each entity that also provides coverage of hearing aids to individuals aged 18 and over to allow any covered individual to choose a hearing aid priced higher than the benefit payable under the applicable policy, contract, program, or plan. Further provides that the amount payable by the entity shall be in accordance with the policy, contract, program, or plan and any additional amounts payable to the hearing aid provider shall be paid by the covered individual.

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 proposed law 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 proposed law on or before the renewal date but in no event later than January 1, 2020. Further provides that hearing aid providers may offer the option described in proposed law on or after January 1, 2019.

Effective August 1, 2018.

(Amends R.S. 22:1038(A); adds R.S. 22:1038(G))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Retains present law relative to coverage of hearing aids for minors.
2. Requires each entity subject to present law that also provides coverage of hearing aids to individuals aged 18 and over to allow any covered individual to choose a hearing aid priced higher than the benefit payable under the applicable policy, contract, or plan. Further provides that the amount payable by the entity shall be in accordance with the policy, contract, or plan and any additional amounts payable to the hearing aid provider shall be paid by the covered individual.

Senate Floor Amendments to engrossed bill

1. Provides that hearing aid providers may offer option in proposed law on or after Jan. 1, 2019.
2. Legislative Bureau technical amendments.