

116TH CONGRESS  
2D SESSION

# H. R. 6147

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of hearing aids and related hearing services.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2020

Mr. CARTWRIGHT (for himself, Mr. KATKO, and Mr. CICILLINE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of hearing aids and related hearing services.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Help Extend Auditory  
5 Relief (HEAR) Act of 2020”.

1 **SEC. 2. MEDICARE COVERAGE OF HEARING REHABILITA-**  
2 **TION.**

3 (a) COVERAGE OF AURAL REHABILITATION SERV-  
4 ICES.—Section 1861(s)(2) of the Social Security Act (42  
5 U.S.C. 1395x(s)(2)) is amended—

6 (1) in subparagraph (GG), by striking “and” at  
7 the end;

8 (2) in subparagraph (HH) by inserting “and”  
9 at the end; and

10 (3) by adding at the end the following new sub-  
11 paragraph:

12 “(II) aural rehabilitation services (as described  
13 in subsection (kkk)(1)(A));”.

14 (b) COVERAGE OF HEARING AIDS AS DURABLE MED-  
15 ICAL EQUIPMENT.—Section 1861(s)(8) of the Social Secu-  
16 rity Act (42 U.S.C. 1395x(s)(8)) is amended by inserting  
17 “and hearing aids (as defined in subsection (kkk)(3))” be-  
18 fore the period.

19 (c) HEARING REHABILITATION AND HEARING AID  
20 DEFINED.—Section 1861 of the Social Security Act (42  
21 U.S.C. 1395x) is amended by adding at the end the fol-  
22 lowing new subsection:

23 “Hearing Rehabilitation

24 “(kkk)(1) The term ‘hearing rehabilitation’ means—

25 “(A) aural rehabilitation services (described in  
26 paragraph (2)) which meet such requirements as the

1 Secretary prescribes and which are furnished by a  
2 physician or qualified audiologist, who is legally au-  
3 thorized to furnish such services under the State law  
4 (or the State regulatory mechanism provided by  
5 State law) of the State in which the services are fur-  
6 nished; and

7 “(B) hearing aids (as defined in paragraph  
8 (3)).

9 “(2) The services described in this subparagraph in-  
10 clude—

11 “(A) aural rehabilitation services;

12 “(B) in the case of an individual who has a  
13 hearing loss (as defined by the Secretary), a com-  
14 prehensive audiologic assessment to determine if a  
15 hearing aid is appropriate and to determine the need  
16 for other diagnostic medical or audiologic testing;  
17 and

18 “(C) a threshold test to determine audio acuity.

19 “(3)(A) The term ‘hearing aid’ means a hearing aid  
20 described in subparagraph (B), including the services de-  
21 scribed in subparagraph (C) furnished by a physician or  
22 qualified audiologist, who is legally authorized to supply  
23 such hearing aid under the State law (or State regulatory  
24 mechanism provided by State law) of the State in which

1 the hearing aid is supplied, to an individual described in  
2 subparagraph (D).

3 “(B) A hearing aid described in this subparagraph  
4 is any wearable instrument or device for, offered for the  
5 purpose of, or represented as aiding individuals with, or  
6 compensating for, hearing loss that meets requirements of  
7 the Food and Drug Administration for marketing.

8 “(C) The services described in this subparagraph in-  
9 clude—

10 “(i) audiology services (as defined in subsection  
11 (ll)(2));

12 “(ii) a hearing aid assessment to determine the  
13 appropriate hearing aid for the individual;

14 “(iii) procurement of an appropriate hearing  
15 aid;

16 “(iv) initial fitting and adjustment of the hear-  
17 ing aid;

18 “(v) appropriate instruction on the use of the  
19 hearing aid;

20 “(vi) periodic refittings and adjustments; and

21 “(vii) rehabilitation, including counseling on  
22 hearing loss, speech reading, and auditory training.

23 “(D) The individuals described in this subpara-  
24 graph—

1           “(i) have been determined (as a result of a com-  
2           prehensive audiologic assessment) to have a hearing  
3           loss which can be appropriately treated with a hear-  
4           ing aid;

5           “(ii) have not been supplied with one monaural  
6           hearing aid or two binaural hearing aids during the  
7           preceding 3 years; and

8           “(iii) have had a comprehensive audiologic as-  
9           sessment which indicates that the hearing of such  
10          individual has deteriorated since such individual was  
11          last supplied with a hearing aid such that a hearing  
12          aid of a different type is appropriate for such indi-  
13          vidual.”.

14          (d) INCLUSION OF AUDIOLOGY REHABILITATION  
15          SERVICES.—Section 1861(ll)(2) of the Social Security Act  
16          (42 U.S.C. 1395x(ll)(2)) is amended by inserting “and re-  
17          habilitation” after “balance assessment”.

18          (e) EXCEPTION TO EXCLUSIONS FROM COVERAGE.—  
19          Section 1862(a) of the Social Security Act (42 U.S.C.  
20          1395y(a)) is amended—

21                  (1) in paragraph (1)—

22                          (A) in subparagraph (O), by striking  
23                          “and” at the end;

24                          (B) in subparagraph (P); by striking the  
25                          semicolon at the end and inserting “, and”; and

1 (C) by adding at the end the following new  
2 subparagraph:

3 “(Q) in the case of hearing rehabilitation, which  
4 is furnished or supplied more frequently than is pro-  
5 vided under section 1861(kkk)(3)(D)(ii).”; and

6 (2) in paragraph (7) by striking “hearing aids  
7 or examinations therefor”.

8 (f) EFFECTIVE DATE.—The amendments made by  
9 this section shall take effect on the date of the enactment  
10 of this Act, and shall apply to items and services furnished  
11 on or after a date specified by the Secretary of Health  
12 and Human Services that is not sooner than January 1  
13 of the first year beginning after such date of enactment  
14 and not later than January 1 of the third year beginning  
15 after such date of enactment.

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