STATE OF NEW YORK

3249

2025-2026 Regular Sessions

IN ASSEMBLY

January 27, 2025

Introduced by M. of A. LAVINE, McMAHON -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring insurance policies to provide coverage for medically necessary hearing aids purchased from hearing aid dispensers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 40 to read as follows:

(40) (A) Every health insurance policy that provides medical, major medical, or similar comprehensive type coverage issued or delivered in this state shall provide coverage for medically necessary hearing aids purchased from hearing aid dispensers registered under article thirty-seven-A of the general business law or audiologists licensed under article one hundred fifty-nine of the education law for an insured person who is less than eighteen years of age. Coverage may be limited to one hearing aid per each hearing-impaired ear every twenty-four months unless it is demonstrated that: (i) the insured child's hearing has changed significantly within a two-year period; and (ii) the existing hearing aid will no longer correct the child's hearing loss.

(B) (i) For the purposes of this paragraph, "hearing aid" shall mean any wearable instrument or devices designed for hearing and any parts, attachments or accessories but excluding batteries and cords or accessories thereto. A registered hearing aid dispenser or licensed audiologist shall determine the type of device needed to correct the hearing loss.

(ii) For the purposes of this section, services for recasing, reshelling and acquiring new molds shall be included as part of the policies.

(C) Coverage provided pursuant to this paragraph may be subject to deductibles, coinsurance, or copayments.

§ 2. Section 3221 of the insurance law is amended by adding a new subsection (v) to read as follows:

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets [-] is old law to be omitted.

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(v) (1) Every group health insurance policy that provides medical, major medical, or similar comprehensive type coverage issued or delivered in this state shall provide coverage for hearing aids purchased from hearing aid dispensers registered under article thirty-seven-A of the general business law or audiologists licensed under article one hundred fifty-nine of the education law for an insured person who is less than eighteen years of age. Coverage may be limited to one hearing aid per each hearing-impaired ear every twenty-four months unless it is demonstrated that: (i) the insured child's hearing has changed significantly within a two-year period; and (ii) the existing hearing aid will no longer correct the child's hearing loss, such insured person shall be entitled to reimbursement for additional hearing aid expenses.

(2) (A) For the purposes of this subsection, "hearing aid" shall mean any wearable instrument or devices designed for hearing and any parts, attachments or accessories but excluding batteries and cords or accessories thereto. A registered hearing aid dispenser or licensed audiologist shall determine the type of device needed to correct the hearing loss.

(B) For the purposes of this section, services for recasing, reshelling and acquiring new molds shall be included as part of the policies.

(3) Coverage provided pursuant to this subsection may be subject to deductibles, coinsurance, or copayments.

§ 3. Section 4303 of the insurance law is amended by adding a new subsection (ww) to read as follows:

(ww) (1) Every contract that provides medical, major medical, or similar comprehensive type coverage issued or delivered in this state by a health service corporation or hospital service corporation shall provide coverage for hearing aids purchased from hearing aid dispensers registered under article thirty-seven-A of the general business law or audiologists licensed under article one hundred fifty-nine of the education law for an insured person who is less than eighteen years of age. Coverage may be limited to one hearing aid per each hearing-impaired ear every twenty-four months unless it is demonstrated that: (i) the insured child's hearing has changed significantly within a two-year period; and (ii) the existing hearing aid will no longer correct the child's hearing loss, such insured person shall be entitled to reimbursement for additional hearing aid expenses.

(2) (A) For the purposes of this subsection, "hearing aid" shall mean any wearable instrument or devices designed for hearing and any parts, attachments or accessories but excluding batteries and cords or accessories thereto. A registered hearing aid dispenser or licensed audiologist shall determine the type of device needed to correct the hearing loss.

(B) For the purposes of this section, services for recasing, reshelling and acquiring new molds shall be included as part of the policies.

(3) Coverage provided pursuant to this subsection may be subject to deductibles, coinsurance, or copayments.

§ 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to all policies issued, modified or renewed on and after such date.