

STATE OF NEW YORK

1474

2023-2024 Regular Sessions

IN SENATE

January 12, 2023

Introduced by Sens. PERSAUD, ADDABBO, COMRIE, HOYLMAN-SIGAL, SALAZAR --
read twice and ordered printed, and when printed to be committed to
the Committee on Insurance

AN ACT to amend the insurance law, in relation to the mandatory coverage
of hearing aids by insurers and other organizations

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 39 to read as follows:

3 (39) (A) As used in this paragraph, "hearing aid" shall mean a medi-
4 cally-prescribed, non-disposable device that is of a design and circui-
5 try to optimize audition and listening skills.

6 (B) Every policy which provides hospital, medical or surgical coverage
7 shall provide coverage for hearing aids for patients if the hearing aids
8 are fitted and dispensed by a licensed audiologist certified by the
9 American Speech-Language-Hearing Association following medical clearance
10 by a physician licensed to practice medicine and an audiological evalu-
11 ation, provided an entity subject to this paragraph may limit the bene-
12 fit payable under this paragraph to five thousand dollars per hearing
13 aid for each hearing-impaired ear every twenty-four months.

14 (C) This paragraph does not prohibit an entity subject to the
15 provisions of this paragraph from providing coverage that is greater or
16 more favorable to an insured or enrolled.

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

19 (u) (1) As used in this subsection, "hearing aid" shall mean a medi-
20 cally-prescribed, non-disposable device that is of a design and circui-
21 try to optimize audition and listening.

22 (2) Every policy which provides hospital, medical or surgical coverage
23 shall provide coverage for hearing aids for patients if such hearing
24 aids are fitted and dispensed by a licensed audiologist certified by the

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

LBD02034-01-3

1 American Speech-Language-Hearing Association, following medical clear-
2 ance by a physician licensed to practice medicine, and an audiological
3 evaluation, provided an entity subject to this subsection may limit the
4 benefit payable under this subsection to five thousand dollars per hear-
5 ing aid for each hearing-impaired ear every twenty-four months.

6 (3) This subsection does not prohibit an entity subject to the
7 provisions of this subsection from providing coverage that is greater or
8 more favorable to an insured or enrolled individual.

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

11 (uu)(1) As used in this subsection, "hearing aid" shall mean a medi-
12 cally-prescribed, non-disposable device that is of a design and circuitry
13 to optimize audition and listening.

14 (2) Every policy which provides hospital, medical or surgical coverage
15 shall provide coverage for hearing aids for patients if such hearing
16 aids are fitted and dispensed by a licensed audiologist certified by the
17 American Speech-Language-Hearing Association, following medical clear-
18 ance by a physician licensed to practice medicine, and an audiological
19 evaluation, provided an entity subject to this subsection may limit the
20 benefit payable under this subsection to five thousand dollars per hear-
21 ing aid for each hearing-impaired ear every twenty-four months.

22 (3) This subsection does not prohibit an entity subject to the
23 provisions of this subsection from providing coverage that is greater or
24 more favorable to an insured or enrolled individual.

25 § 4. This act shall take effect on the first of January next succeed-
26 ing the date on which it shall have become a law and shall apply to all
27 policies and contracts issued, renewed, modified, altered, or amended on
28 or after such date. Effective immediately, the addition, amendment
29 and/or repeal of any rule or regulation necessary for the implementation
30 of this act on its effective date are authorized to be made and
31 completed on or before such date.