

110TH CONGRESS
1ST SESSION

H. R. 536

To amend chapter 89 of title 5, United States Code, and the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to require coverage of hearing aids under the Federal Employees Health Benefits Program and private group and individual insurance.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2007

Mr. LYNCH introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce and Education and Labor, 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

A BILL

To amend chapter 89 of title 5, United States Code, and the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to require coverage of hearing aids under the Federal Employees Health Benefits Program and private group and individual insurance.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Helping America Hear
3 Act of 2007”.

4 **SEC. 2. COVERAGE OF HEARING AIDS UNDER FEHBP PRO-**
5 **GRAM.**

6 Section 8904 of title 5, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(c) Each health benefits plan under this chapter
10 shall include coverage for the provision of at least 2 hear-
11 ing aids every 3 years, except that this subsection shall
12 not be construed as requiring the payment under such
13 plan in any 3-year period of more than \$2,500 on hearing
14 aids with respect to any individual.”.

15 **SEC. 3. COVERAGE OF HEARING AIDS UNDER PRIVATE IN-**
16 **SURANCE PLANS.**

17 (a) ERISA.—

18 (1) IN GENERAL.—Subpart B of part 7 of sub-
19 title B of title I of the Employee Retirement Income
20 Security Act of 1974 is amended by adding at the
21 end the following new section:

22 **“SEC. 714. REQUIRING COVERAGE OF HEARING AIDS.**

23 “If a group health plan provides benefits with respect
24 to hospital and surgical expenses, the plan (and any health
25 insurance issuer offering health insurance coverage in con-
26 nection with such a plan) shall provide coverage for the

1 provision of at least 2 hearing aids every 3 years, except
2 that this section shall not be construed as requiring the
3 payment under such plan in any 3-year period of more
4 than \$2,500 on hearing aids with respect to any indi-
5 vidual.”.

6 (2) CLERICAL AMENDMENT.—The table of con-
7 tents in section 1 of such Act is amended by insert-
8 ing after the item relating to section 713 the fol-
9 lowing new item:

“Sec. 714. Requiring coverage of hearing aids.”.

10 (b) INDIVIDUAL HEALTH INSURANCE.—Part B of
11 title XXVII of the Public Health Service Act is amended
12 by inserting after section 2752 the following new section:

13 **“SEC. 2752. REQUIRING COVERAGE OF HEARING AIDS.**

14 “The provisions of section 714 of the Employee Re-
15 tirement Income Security Act of 1974 shall apply to health
16 insurance coverage offered by a health insurance issuer
17 in the individual market in the same manner as they apply
18 to health insurance coverage offered by a health insurance
19 issuer in connection with a group health plan in the small
20 or large group market.”.

21 **SEC. 4. EFFECTIVE DATE.**

22 The amendments made by this Act shall apply to cov-
23 erage furnished in plan years beginning more than 60 days
24 after the date of the enactment of this Act.