

**CONFERENCE COMMITTEE REPORT  
DIGEST FOR EHB 1311**

**Citations Affected:** IC 16-35-8.

**Synopsis:** Hearing aid assistance. Establishes the hearing aid fund and hearing aid assistance program to be administered by the state department of health to pay for hearing aids for certain eligible children. Annually appropriates the money in the fund. Allows the state department of health to create a hearing aid refurbishing program. **(This conference committee report deletes an interim study committee assignment concerning hearing aid assistance and inserts the provisions described in the digest.)**

**Effective:** July 1, 2009.

## CONFERENCE COMMITTEE REPORT

**MR. SPEAKER:**

*Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1311 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 health and to make an appropriation.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 16-35-8 IS ADDED TO THE INDIANA CODE AS
- 6 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2009]:
- 8 **Chapter 8. Hearing Aid Assistance**
- 9 **Sec. 1. As used in this chapter, "child" means a child enrolled in**
- 10 **a public school, accredited nonpublic school, or nonaccredited**
- 11 **nonpublic school in kindergarten through grade 12.**
- 12 **Sec. 2. As used in this chapter, "fund" refers to the hearing aid**
- 13 **fund established by section 3 of this chapter.**
- 14 **Sec. 3. The hearing aid fund is established for the purpose of**
- 15 **providing hearing aid assistance to eligible children through the**
- 16 **hearing aid assistance program established by section 9 of this**
- 17 **chapter.**
- 18 **Sec. 4. The fund shall be administered by the state department.**
- 19 **Sec. 5. The fund consists of appropriations from the general**
- 20 **assembly, gifts, bequests, and other sources of funding.**
- 21 **Sec. 6. The expenses of administering the fund shall be paid**
- 22 **from money in the fund.**

1           **Sec. 7. The treasurer of state shall invest the money in the fund**  
2 **not currently needed to meet the obligations of the fund in the same**  
3 **manner as other public money may be invested. Interest that**  
4 **accrues from these investments shall be deposited in the fund.**

5           **Sec. 8. (a) Money in the fund at the end of a state fiscal year does**  
6 **not revert to the state general fund.**

7           **(b) There is annually appropriated to the state department from**  
8 **the fund an amount sufficient for the purposes of this chapter.**

9           **Sec. 9. (a) The hearing aid assistance program is established.**

10           **(b) The following eligibility criteria apply for funding through**  
11 **the hearing aid assistance program:**

12           **(1) The hearing aid must be:**

13           **(A) prescribed for a child by a physician who is licensed**  
14 **under IC 25-22.5; and**

15           **(B) prescribed, fitted, and dispensed for the child by an**  
16 **audiologist who is licensed under IC 25-35.6.**

17           **(2) The child has not received funding from the fund for a**  
18 **hearing aid for the applicable ear during the previous three**  
19 **(3) years.**

20           **(3) Reimbursement is not available through any of the**  
21 **following or is not sufficient to pay the full amount required**  
22 **for a hearing aid:**

23           **(A) A policy of accident and sickness insurance (IC 27-8-5).**

24           **(B) A health maintenance organization contract (IC 27-13).**

25           **(C) The Medicaid program (IC 12-15).**

26           **(D) The children's health insurance program (IC 12-17.6).**

27           **(E) The federal Medicare program or any other federal**  
28 **assistance program.**

29           **(c) The state department may use appropriate internal and**  
30 **external resources to administer the hearing aid assistance**  
31 **program in a cost effective manner.**

32           **(d) External foundations and other organizations that provide**  
33 **hearing aid assistance may register with the state department to**  
34 **provide a centralized location from which hearing impaired**  
35 **individuals can obtain information regarding additional sources of**  
36 **hearing aid assistance.**

37           **Sec. 10. (a) The parent or guardian of a child may at any time**  
38 **apply to the state department for funding through the hearing aid**  
39 **assistance program.**

40           **(b) Upon receipt of an application made under subsection (a), if**  
41 **the state department determines that the child is eligible under**  
42 **section 9(b) of this chapter, the state department may pay from the**  
43 **fund any amount not reimbursed through a source described in**  
44 **section 9(b)(3) of this chapter, not to exceed one thousand five**  
45 **hundred dollars (\$1,500) per hearing aid.**

46           **Sec. 11. A public or nonpublic school may identify eligible**  
47 **children and assist the parents or guardians of the eligible children**  
48 **in submitting applications to the state department under this**  
49 **chapter.**

50           **Sec. 12. The state department shall give funding priority to**  
51 **applications under this chapter for eligible children who are less**

1       **than fourteen (14) years of age.**  
2       **Sec. 13. (a) The state department may, if economically feasible,**  
3       **create a hearing aid refurbishing program through which hearing**  
4       **aids that are no longer used by eligible children and other**  
5       **individuals are collected and refurbished for the use of other**  
6       **individuals.**  
7       **(b) The state department may enter into an agreement with**  
8       **another organization to implement this section.**  
9       **Sec. 14. The state department may adopt rules under IC 4-22-2**  
10      **to implement this chapter.**  
      (Reference is to EHB 1311 as printed April 10, 2009.)

**Conference Committee Report**  
**on**  
**Engrossed House Bill 1311**

**S**igned by:

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Representative Fry  
Chairperson

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Senator Lawson C

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Representative Murphy

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Senator Lewis

**House Conferees**

**Senate Conferees**