



January 27, 2014

HOUSE BILL No. 1139

DIGEST OF HB 1139 (Updated January 27, 2014 12:20 pm - DI 77)

Citations Affected: IC 25-20; IC 25-35.6; noncode.

Synopsis: Hearing aids. Provides that a person may not sell, lease, or rent a hearing aid in Indiana unless the hearing aid has been fitted and adjusted by a hearing aid dealer or an audiologist. Exempts certain persons who issue a prescription or order for a hearing aid from the requirement. Provides a penalty for violations. Requires the state department of health to report information to the health finance commission concerning: (1) the number of minors who are hearing impaired; and (2) the estimated cost for a state program and a health insurance requirement to provide hearing aids to those minors.

Effective: July 1, 2014.

Bauer, Clere

January 9, 2014, read first time and referred to Committee on Public Health.
January 27, 2014, amended, reported — Do Pass.

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January 27, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1139

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-20-1-26 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2014]: **Sec. 26. A person may not sell, lease, or rent a hearing aid
4 in Indiana unless the person complies with the requirements under
5 IC 25-35.6-4-1.**
- 6 SECTION 2. IC 25-35.6-4 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2014]:
- 9 **Chapter 4. Unlawful Practices**
- 10 **Sec. 1. (a) This section does not apply to a prescription or order
11 by a person who:**
- 12 (1) is licensed, certified, registered, or regulated by a board
13 listed in IC 25-1-9-1; and
- 14 (2) has authority to issue a prescription or order for a hearing
15 aid.
- 16 **(b) A person may not sell, lease, or rent a hearing aid in Indiana**

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- 1 unless the hearing aid has been fitted and adjusted by any of the
- 2 following:
- 3 (1) A hearing aid dealer who has been issued a certificate of
- 4 registration under IC 25-20.
- 5 (2) An audiologist who is licensed under this article.
- 6 (c) A person who violates this section commits a Class B
- 7 infraction.
- 8 SECTION 3. [EFFECTIVE JULY 1, 2014] (a) Before September
- 9 1, 2014, the state department of health shall, with assistance from
- 10 the center for deaf and hard of hearing education:
- 11 (1) determine the number of Indiana residents who are less
- 12 than nineteen (19) years of age and are hearing impaired; and
- 13 (2) determine the estimated cost for:
- 14 (A) a state program; and
- 15 (B) a health insurance requirement;
- 16 to provide hearing aids to the individuals identified in
- 17 subdivision (1).
- 18 (b) The state department of health shall report its findings
- 19 under this SECTION to the health finance commission before
- 20 October 15, 2014.
- 21 (c) This SECTION expires December 31, 2014.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1139, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, after line 7, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE JULY 1, 2014] (a) Before September 1, 2014, the state department of health shall, with assistance from the center for deaf and hard of hearing education:

(1) determine the number of Indiana residents who are less than nineteen (19) years of age and are hearing impaired; and

(2) determine the estimated cost for:

(A) a state program; and

(B) a health insurance requirement;

to provide hearing aids to the individuals identified in subdivision (1).

(b) The state department of health shall report its findings under this SECTION to the health finance commission before October 15, 2014.

(c) This SECTION expires December 31, 2014."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1139 as introduced.)

CLERE, Chair

Committee Vote: yeas 7, nays 0.

