

SENATE BILL REPORT

SB 6232

As of January 31, 2018

Title: An act relating to hearing instrument replacement under the industrial insurance medical aid benefit.

Brief Description: Concerning hearing instrument replacement under the industrial insurance medical aid benefit.

Sponsors: Senators Conway, Bailey, Cleveland, Padden, Hasegawa, Hunt, Takko, Ranker and King.

Brief History:

Committee Activity: Labor & Commerce: 1/31/18.

Brief Summary of Bill

- Requires replacement of hearing instruments for injured workers at least once every five years.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Jarrett Sacks (786-7448)

Background: Under the state's industrial insurance laws, employers must insure through the state fund administered by the Department of Labor and Industries (L&I) or may self-insure if qualified. Workers who, in the course of employment, are injured or disabled from an occupational disease are entitled to benefits, including proper and necessary medical care. Occupational disease includes hearing loss, and hearing aids that are medically necessary are covered. Under the L&I's payment policies, no automatic replacement period is established for hearing aids. In general, the state fund or the self-insurer must pay for the repair of hearing aids and replacement of hearing aids when they are not repairable due to normal wear and tear.

Summary of Bill: If a health service available to an injured worker includes a hearing instrument, then a replacement of the hearing instrument must be provided by the health service at least once every five years. The service must also include related services necessary to assess, select, and fit the hearing instrument.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A hearing instrument is any wearable prosthetic instrument or device designed for or represented as aiding, improving, compensating for, or correcting defective human hearing and any parts, attachments, or accessories of such instrument or device, excluding batteries and cords, ear molds, and assistive listening devices.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: L&I changed their practices to match an internal policy they were not originally following which caused the need for the bill. Previously, doctors could submit authorization for a new hearing aid, but they cannot anymore. This has increased the number of denials for new hearing aids for injured workers. Some injured workers have stopped using their hearing aids altogether. This bill will eliminate the opportunity for L&I to enact unilateral, arbitrary decisions. The costs of the bill will lower over time.

OTHER: L&I is initiating a workgroup and rulemaking to solve the problem, which is L&I's preferred method for solving the problem and getting stakeholder input.

Persons Testifying: PRO: Senator Steve Conway, Prime Sponsor; Alison Vega, Au.D., Owner, Ascent Audiology & Hearing; Richard Giles, ACA, International Hearing Association; Neil Aiello, Au.D., Columbia Basin Hearing Center.

OTHER: Tammy Fellin, Labor & Industries.

Persons Signed In To Testify But Not Testifying: No one.