
Health Care & Wellness Committee

ESB 5210

Brief Description: Notifying purchasers of hearing instruments about uses and benefits of telecoil and bluetooth technology.

Sponsors: Senators Palumbo, Bailey, Rolfes, Wilson, C., Randall, Hunt, Das and Keiser.

Brief Summary of Engrossed Bill

- Requires persons who dispense hearing instruments to notify potential purchasers of the uses, benefits, and limitations of telecoil-enabled and bluetooth devices.
- Requires the Office of the Deaf and Hard of Hearing to develop educational materials on the uses, benefits, and limitations of hearing assistive technology.

Hearing Date: 3/20/19

Staff: Kim Weidenaar (786-7120).

Background:

Hearing instruments.

A "hearing instrument" is defined as 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 an instrument or device, excluding batteries and cords, ear molds, and assistive listening devices. The fitting and dispensing of hearing instruments must be performed by a licensed hearing aid specialist, a licensed audiologist, or an audiologist holding an interim permit from the Department of Health (DOH).

Telecoil technology.

A telecoil or t-coil is a component that is added to a hearing instrument to expand the function of the instrument. Not all hearing devices have telecoils. A telecoil can help improve speech understanding on the telephone or in a public place equipped with an induction loop system. In spaces with a loop system, the space is surrounded with an electromagnetic wire that a hearing instrument wearer can access through the telecoil on their hearing instrument to hear the sound

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system more clearly. A loop system is most often found in larger, public spaces such as courtrooms, public meeting and hearing rooms, theaters, and concert halls.

Bluetooth.

Bluetooth is a wireless communication platform that uses radio waves set to a high frequency to transmit data between two devices without interference or security risks. A wide variety of products incorporate Bluetooth connectivity, including mobile phones, music players, computers, tablets and televisions. A Bluetooth-enabled hearing instrument can connect with personal electronic devices and stream signals directly to hearing aids.

Americans with Disabilities Act.

Under the Americans with Disabilities Act, assistive listening systems must be available in assembly areas where audible communication is integral to the use of the space. Assembly areas include classrooms, lecture halls, courtrooms, public meeting and hearing rooms, legislative chambers, theaters, concert halls, stadiums, convention centers, and other locations.

Summary of Bill:

Any person who fits or dispenses hearing instruments must:

- prior to an initial fitting and purchase, notify a person seeking to purchase a hearing instrument, both orally and in writing, about the uses, benefits, and limitations of:
 - telecoil-enabled hearing instruments that are compatible with assistive listening systems that are compliant with standards for accessible design adopted in the Americans With Disabilities Act; and
 - Bluetooth-enabled hearing instruments or other short range one-to-one technology similar to Bluetooth; and
- provide any person purchasing a hearing instrument, a receipt that contains language verifying that the consumer was informed prior to fitting and purchase of the uses, benefits, and limitations of telecoil- and Bluetooth-enabled hearing instruments, which must be signed by the purchaser.

The notification provisions may not be construed as creating a private right of action.

The Department of Health may adopt rules to create a standard receipt form.

The Office of Deaf and Hard of Hearing must develop educational materials to be distributed by hearing aid dispensers, including audiologists, to persons with hearing loss explaining the uses, benefits, and limitations of hearing assistive technology, including telecoil and Bluetooth. A person required to provide written notice may produce the written materials, use materials produced by the hearing instrument manufacturer or use the materials created by the Office of Deaf and Hard of Hearing.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.