

FINAL BILL REPORT

ESB 5210

C 183 L 19
Synopsis as Enacted

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.

Senate Committee on Health & Long Term Care
House Committee on Health Care & Wellness

Background: The regulation of health care professionals that engage in hearing and speech services falls under RCW 18.35, which requires the fitting and dispensing of hearing instruments be performed by a licensed hearing aid specialist or a licensed audiologist.

Telecoil devices, also known as T-coils, are devices built into hearing aids to expand the function of the system. When used with other hearing assistance systems, the telecoil devices can amplify sound coming from a sound system.

Under the Americans with Disabilities Act, assistive hearing devices 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, and other locations.

Summary: Any person who fits or dispenses hearing instruments must:

- prior to an initial fitting, notify a person seeking to purchase a hearing instrument, both orally and in writing, about the uses, benefits, and limitations of current hearing assistive technologies, as defined by the Department of Health (DOH) in rule; and
- provide any person purchasing a hearing instrument, a receipt that contains language verifying that the consumer was informed prior to fitting—the receipt must be signed by the purchaser.

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

DOH may adopt rules to create a standard receipt form.

The Office of the 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.

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.

Votes on Final Passage:

Senate	44	4	
House	93	2	(House amended)
Senate	48	0	(Senate concurred)

Effective: July 28, 2019