

2011 -- H 5859

LC01051

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO INSURANCE -- IMPLANTABLE HEARING DEVICES

Introduced By: Representatives Jacquard, Handy, and Ajello

Date Introduced: March 08, 2011

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness  
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18-71. Mandatory coverage for surgery and services for implantation of Federal**  
4 **Drug Administration (FDA) approved implantable hearing devices.** – (a) Every individual or  
5 group hospital or medical services plan or policy delivered, issued for delivery, or renewed in this  
6 state shall provide coverage for surgery and services for implantation of a Federal Drug  
7 Administration (FDA) approved implantable hearing device per ear that shall include, but not be  
8 limited to:

9 (1) Pre- and post-surgery treatment services;

10 (2) Supplies and accessories necessary for proper operation of the devices; and

11 (3) Upgrades that are required to maintain the devices.

12 (b) The following definitions shall apply to the provisions of this section:

13 (1) "Implantable hearing device" includes any implantable instrument or device that is  
14 designed to access or restore hearing or mitigate the effects of partial hearing loss. Examples:  
15 cochlear implant, Baha device, and any implantable hearing devices.

16 (2) "Pre- and post surgery treatment services" includes diagnoses, evaluation, surgery,  
17 mappings, auditory oral rehabilitation treatment and auditory habilitation therapy as medically  
18 prescribed.

19 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service

1 Corporations" is hereby amended by adding thereto the following section:

2 **27-19-62. Mandatory coverage for surgery and services for implantation of Federal**  
3 **Drug Administration (FDA) approved implantable hearing devices.** – (a) Every individual or  
4 group hospital or medical services plan or policy delivered, issued for delivery, or renewed in this  
5 state shall provide coverage for surgery and services for implantation of a Federal Drug  
6 Administration (FDA) approved implantable hearing device per ear that shall include, but not be  
7 limited to:

- 8 (1) Pre- and post-surgery treatment services;  
9 (2) Supplies and accessories necessary for proper operation of the devices; and  
10 (3) Upgrades that are required to maintain the devices.

11 (b) The following definitions shall apply to the provisions of this section:

12 (1) "Implantable hearing device" includes any implantable instrument or device that is  
13 designed to access or restore hearing or mitigate the effects of partial hearing loss. Examples:  
14 cochlear implant, Baha device, and any implantable hearing devices.

15 (2) "Pre- and post surgery treatment services" includes diagnoses, evaluation, surgery,  
16 mappings, auditory oral rehabilitation treatment and auditory habilitation therapy as medically  
17 prescribed.

18 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service  
19 Corporations" is hereby amended by adding thereto the following section:

20 **27-20-57. Mandatory coverage for surgery and services for implantation of Federal**  
21 **Drug Administration (FDA) approved implantable hearing devices.** – (a) Every individual or  
22 group nonprofit medical services plan or policy delivered, issued for delivery, or renewed in this  
23 state shall provide coverage for surgery and services for implantation of a Federal Drug  
24 Administration (FDA) approved implantable hearing device per ear that shall include, but not be  
25 limited to:

- 26 (1) Pre- and post-surgery treatment services;  
27 (2) Supplies and accessories necessary for proper operation of the devices; and  
28 (3) Upgrades that are required to maintain the devices.

29 (b) The following definitions shall apply to the provisions of this section:

30 (1) "Implantable hearing device" includes any implantable instrument or device that is  
31 designed to access or restore hearing or mitigate the effects of partial hearing loss. Examples:  
32 cochlear implant, Baha device, and any implantable hearing devices.

33 (2) "Pre- and post surgery treatment services" includes diagnoses, evaluation, surgery,  
34 mappings, auditory oral rehabilitation treatment and auditory habilitation therapy as medically

1 [prescribed.](#)

2 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance  
3 Organizations" is hereby amended by adding thereto the following section:

4 **27-41-75. Mandatory coverage for surgery and services for implantation of Federal**

5 **Drug Administration (FDA) approved implantable hearing devices.** – [\(a\) Every health](#)  
6 [maintenance organization plan or policy delivered, issued for delivery, or renewed in this state](#)  
7 [shall provide coverage for surgery and services for implantation of a Federal Drug Administration](#)  
8 [\(FDA\) approved implantable hearing device per ear that shall include, but not be limited to:](#)

9 [\(1\) Pre- and post-surgery treatment services;](#)

10 [\(2\) Supplies and accessories necessary for proper operation of the devices; and](#)

11 [\(3\) Upgrades that are required to maintain the devices.](#)

12 [\(b\) The following definitions shall apply to the provisions of this section:](#)

13 [\(1\) "Implantable hearing device" includes any implantable instrument or device that is](#)  
14 [designed to access or restore hearing or mitigate the effects of partial hearing loss. Examples:](#)  
15 [cochlear implant, Baha device, and any implantable hearing devices.](#)

16 [\(2\) "Pre- and post surgery treatment services" includes diagnoses, evaluation, surgery,](#)  
17 [mappings, auditory oral rehabilitation treatment and auditory habilitation therapy as medically](#)  
18 [prescribed.](#)

19 SECTION 5. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO INSURANCE -- IMPLANTABLE HEARING DEVICES

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- 1           This act would require health insurance providers to provide coverage for implantable
- 2 hearing restorative or assistive devices.
- 3           This act would take effect upon passage.

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