Hearing Aid Loan Bank Program

This Act establishes a Hearing Aid Loan Bank Program within the state department of education to ensure that children under three years old will be able to hear properly during the critical period of language learning.

The program’s director, who must be a licensed audiologist, must provide and maintain a pool of hearing aids as well as equipment to test and repair the hearing aids. Upon receipt of a prescription from a licensed audiologist, the director must lend hearing aids to the parent or guardian of an eligible hearing-impaired child for up to six months. Under specified conditions, a loan period may be extended by three months. The parent or guardian of a child receiving a hearing aid through the program is responsible for the hearing aid and must sign a written agreement that states the terms and conditions of the loan. The director must ensure that the child’s audiologist instructs the parent or guardian in the proper care and usage of the hearing aid. The state superintendent of schools must report annually to the governor and the General Assembly on the implementation of the program. The governor must include funding for the program in the annual state budget, and the state board of education must adopt regulations to implement the program.

Submitted as:
Maryland
HB 282 (enrolled version)
Status: enacted into law as Chapter 368 of 2001.

Suggested Legislation

(Title, enacting clause, etc.)

Section 1. [Short Title.] This Act may be cited as “An Act To Establish A Hearing Aid Loan Bank Program.”

Section 2. [Definitions.] As used in this Act:
(A) “Department” means the [State Department of Education].
(B) “Director” means the director of the Hearing Aid Loan Bank Program.
(C) “Eligible child” means a child who:
(1) is a resident of the state;
(2) is identified by a licensed audiologist as having a hearing loss;
(3) has no immediate access to a hearing aid; and
(4) is under the age of [three (3)] years.
(D) “Licensed audiologist” means an individual who is licensed to practice audiology under [insert citation].
(E) “Loan bank” means the hearing aid loan bank.
(F) “Program” means the Hearing Aid Loan Bank Program.
(G) “Superintendent” means the [Superintendent of the State Department of Education].

Section 3. [Hearing Aid Loan Bank Program Established.]
(A) A Hearing Aid Loan Bank Program is established in the [department].
(B) The program is established for the purpose of lending hearing aids on a temporary basis to a parent or legal guardian of an eligible child to ensure that children under the age of [three (3)] years will have maximum auditory input during the critical period of language learning.

Section 4. [Administration.]
(A) The program shall be administered by a [director] recommended by the [state superintendent] and approved by the [state board].

(B) The [director] shall:
   (1) be a licensed audiologist; and
   (2) serve at the pleasure of the [state superintendent] and the [state board].

(C) The [director] may employ qualified staff as provided for in the state budget.

(D) The [director] shall establish a hearing aid loan bank.

(E) The [director] shall provide and maintain:
   (1) a pool of hearing aids in the loan bank to lend to a parent or legal guardian of an eligible child;
   (2) testing and programming equipment for hearing aids in the loan bank; and
   (3) supplies for repair and reconditioning of hearing aids in the loan bank.

Section 5. [Hearing Aids: Procedures, Loans.]

(A) The [director] shall lend a suitable hearing aid to a parent or legal guardian of an eligible child upon receipt of:
   (1) a prescription from a licensed audiologist; and
   (2) any documents required by the [director] to prove that the child is an eligible child.

(B) Except as provided in paragraph (2) of this subsection, the loan period shall be for not more than [six (6)] months.

   (1) The [director] may extend the original loan period for additional [three (3)]-month periods if, prior to each extension, the director determines that:

      (i) the child does not have immediate access to another hearing aid under Medicaid, the state children’s health program, or private health insurance;
      (ii) the child’s parent or legal guardian currently does not have the financial means to obtain immediate access to another hearing aid; and
      (iii) the child’s parent or legal guardian is making reasonable efforts to obtain access to another hearing aid.

(C) A parent or legal guardian who borrows a hearing aid for an eligible child shall:
   (1) be the custodian of the hearing aid;
   (2) return the hearing aid immediately to the loan bank upon the expiration of the loan period or receipt of a suitable permanent hearing aid, whichever occurs first;
   (3) be responsible for the proper care and use of the hearing aid;
   (4) be responsible for any damage to or loss of the hearing aid; and
   (5) sign a written agreement provided by the [state superintendent] that states the term and conditions of the loan.

(D) The [director] shall ensure that the eligible child’s licensed audiologist instructs the parent or legal guardian about the proper care and use of a hearing aid provided under the program.

Section 6. [Funding.] The [governor] shall include in the annual Budget Bill an appropriation that is sufficient to cover the estimated cost of the program.

Section 7. [Regulations.] The [state board] shall adopt regulations to implement the provisions of this Act, including regulations that:

   (1) For the purpose of implementing Section 5 (A) of this Act, identify the types of documents that the [director] may require a parent or legal guardian to submit to prove that a child is an eligible child; and
   (2) For the purpose of implementing Section 5 (B) of this Act, establish factors that the [director] shall consider when evaluating whether a parent or legal guardian:

      (i) has the financial means to obtain immediate access to another hearing aid; or
      (ii) is making reasonable efforts to obtain immediate access to another hearing aid.
Section 8. [Reports.]

(A) Beginning in [insert date], no later than [December 31] of each year, the [state superintendent] shall submit an annual report to the [governor] and, subject to [insert date], the [General Assembly] regarding the implementation of this Act.

(B) The annual report shall include the following information:

1. the number and ages of children who received hearing aids through the loan program that year;
2. the number of children who received hearing aids through the loan program that year and subsequently received hearing aids through medicaid, the [state’s children’s health program], or private insurance;
3. the length of each original loan;
4. the number of times that each original loan was extended and the length of each extension;
5. the number of times that hearing aids were not properly returned to the loan bank; and
6. any other information that the [state superintendent] believes is relevant to evaluating the costs and benefits of the program.

Section 9. [Severability.] [Insert severability clause.]

Section 10. [Repealer.] [Insert repealer clause.]

Section 11. [Effective Date.] [Insert effective date.]