

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 3037**

BY DELEGATES YOUNG, THOMPSON, EVANS, ZUKOFF,

AND ROWAN

[Introduced March 10, 2021; Referred  
to the Committee on the Banking and Insurance then  
the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
 2 designated §33-60-1, §33-60-2, and §33-60-3, relating to health insurance policy  
 3 coverage of hearing aids; naming the act; requiring the Insurance Commissioner of West  
 4 Virginia to set minimum coverage rates; requiring health insurance policy coverage of  
 5 hearing aids.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 60. REQUIRED COVERAGE FOR HEALTH INSURANCE - HEAR ACT.**

**§33-60-1. Title – Article to be known as the Hearing Enhancement Aid Reimbursement (HEAR) Act.**

1 This act shall be known as the Hearing Enhancement Aid Reimbursement Act (HEAR)  
 2 Act.

**§33-60-2. Purpose; Provide a maximum cost**

1 The purpose of this article shall be to provide coverage for hearing aids at annually  
 2 determined minimum coverage rates, as determined by the West Virginia Insurance  
 3 Commissioner, to all individuals covered under a health insurance coverage plan who has  
 4 medically documented hearing loss.

**§33-60-3. Health coverage plans required to**

1 (a) Notwithstanding the provisions of §33-1-1 et seq. of this code, an insurer subject to  
 2 §33-15-1 et seq., §33-16-1 et seq., §33-24-1 et seq., §33-25-1 et seq., and §33-25A-1 et seq. of  
 3 this code which issues or renews a health insurance policy on or after July 1, 2021, shall provide  
 4 for coverage for the purchase of a hearing aid for each deaf or hard of hearing ear for every  
 5 person covered under the policy in accordance with the following:

6 (1) The Insurance Commissioner of West Virginia shall annually set and promulgate  
 7 minimum coverage rates for adult and child hearing aids for each hard of hearing or deaf ear.

8 (2) At a minimum, the Insurance Commissioner of West Virginia must provide rates that  
 9 would allow for 100% coverage of reasonable and customary hearing aids.

10           (3) The Insurance Commissioner of West Virginia shall select and promulgate an  
11 approved list of audiologist and hearing aid dealers every two years. This list shall name providers  
12 licensed in West Virginia for which health insurance policies subject to this chapter must provide  
13 coverage in accordance with this section.

14           (4) The hearing loss for which hearing aid coverage applies in each deaf or hard of hearing  
15 ear must be documented by a physician or audiologist licensed in West Virginia.

16           (b) A covered person may choose a higher priced hearing aid and may pay the difference  
17 in cost above the minimum coverage amount without any financial or contractual penalty to the  
18 covered person or to the provider of the hearing aid.

NOTE: The purpose of this bill is to set health insurance coverage minimum coverage requirements for hearing aids.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.