

119TH CONGRESS
2D SESSION

S. 3739

To direct the Secretary of Veterans Affairs to carry out a demonstration project on coverage by the Department of Veterans Affairs of over-the-counter hearing aids, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2026

Mrs. BLACKBURN (for herself, Mr. SCHIFF, and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to carry out a demonstration project on coverage by the Department of Veterans Affairs of over-the-counter hearing aids, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Hearing Aid
5 Improvement Act of 2026”.

1 **SEC. 2. DEMONSTRATION PROJECT ON COVERAGE BY DE-**
2 **PARTMENT OF VETERANS AFFAIRS OF OVER-**
3 **THE-COUNTER HEARING AIDS.**

4 (a) ESTABLISHMENT OF DEMONSTRATION
5 PROJECT.—Beginning not later than one year after the
6 date of the enactment of this Act, the Secretary of Vet-
7 erans Affairs (in this section referred to as the “Sec-
8 retary”) shall commence a project (in this section referred
9 to as the “demonstration project”) to demonstrate and
10 evaluate the fiscal impact of covering FDA-cleared, over-
11 the-counter hearing aids under section 1707(b) of title 38,
12 United States Code, in the same or similar manner as cov-
13 erage is provided for prescription hearing aids under such
14 section.

15 (b) DURATION.—The Secretary shall carry out the
16 demonstration project for a period of two years.

17 (c) ELIGIBLE PARTICIPANTS.—A veteran is eligible
18 to participate in the demonstration project if—

19 (1) the veteran is enrolled in the system of an-
20 nual patient enrollment established and operated
21 under section 1705(a) of title 38, United States
22 Code;

23 (2) an audiologist determines, through a clinical
24 evaluation of the veteran, that—

1 (A) furnishing an over-the-counter hearing
2 aid to the veteran for mild-to-moderate hearing
3 loss is medically necessary;

4 (B) the veteran has no red flag conditions
5 or contraindications for over-the-counter hear-
6 ing aid use, as specified by the Food and Drug
7 Administration; and

8 (3) the veteran has access to a mobile phone
9 device and mobile data or Wi-Fi, or any successor
10 technology, to operate over-the-counter hearing aid
11 functionality.

12 (d) LOCATIONS.—The Secretary shall carry out the
13 demonstration project at not fewer than two medical facili-
14 ties of the Department of Veterans Affairs selected by the
15 Secretary across different Veterans Integrated Services
16 Networks and that have a demonstrated ability to reduce
17 access barriers and provide services to a diverse veteran
18 population in both rural and urban settings and sur-
19 rounding areas.

20 (e) PROJECT DESIGN.—

21 (1) IN GENERAL.—The Secretary shall design
22 the demonstration project to demonstrate the effec-
23 tiveness of FDA-cleared, over-the-counter hearing
24 aids compared to professionally fitted prescription
25 hearing aids by an audiologist according to the

1 audiological best practices of the Department of Vet-
2 erans of Affairs, including the fiscal impact on the
3 Department of providing permanent coverage of
4 over-the-counter hearing aids under section 1707(b)
5 of title 38, United States Code.

6 (2) DESIGN ELEMENTS.—

7 (A) IN GENERAL.—The Secretary shall en-
8 sure the demonstration project includes the fol-
9 lowing study groups:

10 (i) An FDA-cleared, over the counter
11 hearing aid group.

12 (ii) An audiologist-fitted prescription
13 hearing aid group.

14 (B) PARTICIPANTS.—The Secretary shall
15 allocate an approximately equal number of par-
16 ticipants in the demonstration project to each
17 group specified in subparagraph (A).

18 (f) MEASUREMENT OF BENEFITS.—To the maximum
19 extent possible, in carrying out the demonstration project,
20 the Secretary shall measure both self-reported benefits
21 and speech recognition in noise among a diverse veteran
22 population and evaluate the fiscal impact over a two-year
23 follow-up period of permanent coverage of over-the-
24 counter hearing aids under section 1707(b) of title 38,
25 United States Code, for the FDA-cleared, over-the-counter

1 hearing aids found under the demonstration project to be
2 most beneficial.

3 (g) CONSULTATION.—In conducting the demonstra-
4 tion project, the Secretary shall consult with organizations
5 that represent consumers with mild-to-moderate hearing
6 loss and other stakeholder organizations.

7 (h) REPORTS.—

8 (1) INTERIM REPORT.—Not later than one year
9 after the commencement of the demonstration
10 project, the Secretary shall submit to the Committee
11 on Veterans' Affairs of the Senate and the Com-
12 mittee on Veterans' Affairs of the House of Rep-
13 resentatives a report that describes the progress and
14 preliminary findings from the demonstration project.

15 (2) FINAL REPORT.—

16 (A) IN GENERAL.—Not later than 180
17 days after the last day of the demonstration
18 project and after solicitation and consideration
19 of formal written input on the project from or-
20 ganizations specified under subsection (g), the
21 Secretary shall submit to the Committee on
22 Veterans' Affairs of the Senate and the Com-
23 mittee on Veterans' Affairs of the House of
24 Representatives a final report on the project.

1 (B) ELEMENTS.—The report required
 2 under subparagraph (A) shall include an eval-
 3 uation of the fiscal impact on the Department
 4 of Veterans Affairs of providing permanent cov-
 5 erage of over-the-counter hearing aids under
 6 section 1707(b) of title 38, United States Code,
 7 and such other findings and recommendations
 8 as the Secretary determines appropriate.

9 (i) FDA-CLEARED, OVER-THE-COUNTER HEARING
 10 AID DEFINED.—In this section, the term “FDA-cleared,
 11 over-the-counter hearing aid” means a device—

12 (1) cleared by the Food and Drug Administra-
 13 tion;

14 (2) fully regulated by the Food and Drug Ad-
 15 ministration under section 520(q) of the Federal
 16 Food, Drug, and Cosmetic Act (21 U.S.C. 360j(q));
 17 and

18 (3) that contains features that allow personal-
 19 ization through technology, such as hearing tests,
 20 software, and smart phone applications.

21 **SEC. 3. COMPTROLLER GENERAL STUDY AND REPORT ON**
 22 **VETERANS HEARING AID BENEFITS.**

23 (a) STUDY.—The Comptroller General of the United
 24 States shall conduct a study on the furnishing to veterans
 25 with mild-to-moderate hearing loss under section 1707(b)

1 of title 38, United States Code, of assistance for hearing
2 aids and related examinations.

3 (b) ELEMENTS.—The study required under sub-
4 section (a)—

5 (1) shall include an examination of—

6 (A) the number of individuals in the
7 United States with mild-to-moderate hearing
8 loss who need hearing aids;

9 (B) the medical coverage of such individ-
10 uals relating to obtaining hearing aids; and

11 (C) the effectiveness of such medical cov-
12 erage in meeting such need; and

13 (2) may include an examination of contract de-
14 sign for purchasing hearing aid devices.

15 (c) REPORT.—

16 (1) IN GENERAL.—Not later than 18 months
17 after the date of the enactment of this Act, the
18 Comptroller General shall submit to Congress a re-
19 port on the study conducted under subsection (a).

20 (2) RECOMMENDATIONS.—The report required
21 under paragraph (1) shall include such recommenda-
22 tions on changes to programs and benefits of the
23 Department of Veterans Affairs, including the estab-
24 lishment of new programs and benefits, as would

- 1 meet the needs of veterans with mild-to-moderate
- 2 hearing loss.

