

108TH CONGRESS
2D SESSION

H. R. 4241

To amend chapter 89 of title 5, United States Code, and the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to require coverage of hearing aids under the Federal Employees Health Benefits Program and private group and individual insurance.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2004

Mr. LYNCH introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend chapter 89 of title 5, United States Code, and the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to require coverage of hearing aids under the Federal Employees Health Benefits Program and private group and individual insurance.

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 “Helping America Hear
5 Act of 2004”.

1 **SEC. 2. COVERAGE OF HEARING AIDS UNDER FEHBP PRO-**
2 **GRAM.**

3 Section 8904 of title 5, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(c) Each health benefits plan under this chapter
7 shall include coverage for the provision of at least 2 hear-
8 ing aids every 3 years, except that this subsection shall
9 not be construed as requiring the payment under such
10 plan in any 3-year period of more than \$2,000 on hearing
11 aids with respect to any individual.”.

12 **SEC. 3. COVERAGE OF HEARING AIDS UNDER PRIVATE IN-**
13 **SURANCE PLANS.**

14 (a) ERISA.—

15 (1) IN GENERAL.—Subpart B of part 7 of sub-
16 title B of title I of the Employee Retirement Income
17 Security Act of 1974 is amended by adding at the
18 end the following new section:

19 **“SEC. 714. REQUIRING COVERAGE OF HEARING AIDS.**

20 “If a group health plan provides benefits with respect
21 to hospital and surgical expenses, the plan (and any health
22 insurance issuer offering health insurance coverage in con-
23 nection with such a plan) shall provide coverage for the
24 provision of at least 2 hearing aids every 3 years, except
25 that this section shall not be construed as requiring the
26 payment under such plan in any 3-year period of more

1 than \$2,000 on hearing aids with respect to any indi-
2 vidual.”.

3 (2) CLERICAL AMENDMENT.—The table of con-
4 tents in section 1 of such Act is amended by insert-
5 ing after the item relating to section 713 the fol-
6 lowing new item:

“Sec. 714. Requiring coverage of hearing aids.”.

7 (b) INDIVIDUAL HEALTH INSURANCE.—(1) Part B
8 of title XXVII of the Public Health Service Act is amend-
9 ed by inserting after section 2752 the following new sec-
10 tion:

11 “The provisions of section 714 of the Employee Re-
12 tirement Income Security Act of 1974 2706 shall apply
13 to health insurance coverage offered by a health insurance
14 issuer in the individual market in the same manner as they
15 apply to health insurance coverage offered by a health in-
16 surance issuer in connection with a group health plan in
17 the small or large group market.”.

18 **SEC. 4. EFFECTIVE DATE.**

19 The amendments made by this Act shall apply to cov-
20 erage furnished in plan years beginning more than 60 days
21 after the date of the enactment of this Act.

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