

REFERENCE TITLE: health care insurance; hearing aids

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SB 1268

Introduced by
Senators Mendez: Gonzales, Quezada, Rios; Representative Salman

AN ACT

AMENDING TITLE 20, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-123; AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-826.05; AMENDING TITLE 20, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1057.18; AMENDING TITLE 20, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1342.07; AMENDING TITLE 20, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 20-1402.05 AND 20-1404.05; AMENDING TITLE 20, CHAPTER 13, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-2333; RELATING TO HEALTH CARE INSURANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 20-123, to read:

4 20-123. Coverage rates for hearing aids; approved provider
5 list; definition

6 A. THE DEPARTMENT SHALL ANNUALLY ESTABLISH MINIMUM COVERAGE RATES
7 AND COVERAGE LIMITS FOR ADULT AND CHILD HEARING AIDS FOR EACH DEAF OR HARD
8 OF HEARING EAR THAT WOULD ALLOW FOR AT LEAST ONE HUNDRED PERCENT COVERAGE
9 OF REASONABLE AND CUSTOMARY HEARING AIDS.

10 B. EVERY TWO YEARS THE DEPARTMENT SHALL ESTABLISH AN APPROVED LIST
11 OF AUDIOLOGISTS WHO ARE LICENSED PURSUANT TO TITLE 36, CHAPTER 17,
12 ARTICLE 4 AND HEARING AID DISPENSERS WHO ARE LICENSED PURSUANT TO
13 TITLE 36, CHAPTER 17, ARTICLE 2 THAT HEALTH CARE INSURERS IN THIS STATE
14 SHALL USE TO PROVIDE SERVICES FOR THEIR SUBSCRIBERS, ENROLLEES AND
15 INSUREDS.

16 C. FOR THE PURPOSES OF THIS SECTION, "HEALTH CARE INSURER" MEANS A
17 SERVICE CORPORATION, HEALTH CARE SERVICES ORGANIZATION, DISABILITY
18 INSURER, GROUP DISABILITY INSURER, BLANKET DISABILITY INSURER OR
19 ACCOUNTABLE HEALTH PLAN.

20 Sec. 2. Title 20, chapter 4, article 3, Arizona Revised Statutes,
21 is amended by adding section 20-826.05, to read:

22 20-826.05. Subscription contracts; hearing aids

23 A. A SUBSCRIPTION CONTRACT SHALL PROVIDE COVERAGE IN ACCORDANCE
24 WITH SECTION 20-123 FOR THE PURCHASE OF A HEARING AID FOR EACH DEAF OR
25 HARD OF HEARING EAR FOR A SUBSCRIBER WHO IS COVERED UNDER THE SUBSCRIPTION
26 CONTRACT.

27 B. A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR
28 17 OR AN AUDIOLOGIST WHO IS LICENSED PURSUANT TO TITLE 36, CHAPTER 17,
29 ARTICLE 4 SHALL DOCUMENT THE HEARING LOSS FOR WHICH HEARING AID COVERAGE
30 APPLIES IN EACH DEAF OR HARD OF HEARING EAR.

31 C. A SUBSCRIBER MAY CHOOSE A HIGHER PRICED HEARING AID AND MAY PAY
32 THE DIFFERENCE IN COST ABOVE THE MINIMUM COVERAGE AMOUNT WITHOUT ANY
33 FINANCIAL OR CONTRACTUAL PENALTY TO THE SUBSCRIBER OR TO THE HEARING AID
34 PROVIDER.

35 Sec. 3. Title 20, chapter 4, article 9, Arizona Revised Statutes,
36 is amended by adding section 20-1057.18, to read:

37 20-1057.18. Evidences of coverage; hearing aids

38 A. AN EVIDENCE OF COVERAGE SHALL PROVIDE COVERAGE IN ACCORDANCE
39 WITH SECTION 20-123 FOR THE PURCHASE OF A HEARING AID FOR EACH DEAF OR
40 HARD OF HEARING EAR FOR AN ENROLLEE WHO IS COVERED UNDER THE EVIDENCE OF
41 COVERAGE.

42 B. A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR
43 17 OR AN AUDIOLOGIST WHO IS LICENSED PURSUANT TO TITLE 36, CHAPTER 17,
44 ARTICLE 4 SHALL DOCUMENT THE HEARING LOSS FOR WHICH HEARING AID COVERAGE
45 APPLIES IN EACH DEAF OR HARD OF HEARING EAR.

1 C. AN ENROLLEE MAY CHOOSE A HIGHER PRICED HEARING AID AND MAY PAY
2 THE DIFFERENCE IN COST ABOVE THE MINIMUM COVERAGE AMOUNT WITHOUT ANY
3 FINANCIAL OR CONTRACTUAL PENALTY TO THE ENROLLEE OR TO THE HEARING AID
4 PROVIDER.

5 Sec. 4. Title 20, chapter 6, article 4, Arizona Revised Statutes,
6 is amended by adding section 20-1342.07, to read:

7 20-1342.07. Disability policies; hearing aids

8 A. A DISABILITY POLICY SHALL PROVIDE COVERAGE IN ACCORDANCE WITH
9 SECTION 20-123 FOR THE PURCHASE OF A HEARING AID FOR EACH DEAF OR HARD OF
10 HEARING EAR FOR AN INSURED WHO IS COVERED UNDER THE DISABILITY POLICY.

11 B. A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR
12 17 OR AN AUDIOLOGIST WHO IS LICENSED PURSUANT TO TITLE 36, CHAPTER 17,
13 ARTICLE 4 SHALL DOCUMENT THE HEARING LOSS FOR WHICH HEARING AID COVERAGE
14 APPLIES IN EACH DEAF OR HARD OF HEARING EAR.

15 C. AN INSURED MAY CHOOSE A HIGHER PRICED HEARING AID AND MAY PAY
16 THE DIFFERENCE IN COST ABOVE THE MINIMUM COVERAGE AMOUNT WITHOUT ANY
17 FINANCIAL OR CONTRACTUAL PENALTY TO THE INSURED OR TO THE HEARING AID
18 PROVIDER.

19 Sec. 5. Title 20, chapter 6, article 5, Arizona Revised Statutes,
20 is amended by adding sections 20-1402.05 and 20-1404.05, to read:

21 20-1402.05. Group disability policies; hearing aids

22 A. A GROUP DISABILITY POLICY SHALL PROVIDE COVERAGE IN ACCORDANCE
23 WITH SECTION 20-123 FOR THE PURCHASE OF A HEARING AID FOR EACH DEAF OR
24 HARD OF HEARING EAR FOR AN INSURED WHO IS COVERED UNDER THE GROUP
25 DISABILITY POLICY.

26 B. A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR
27 17 OR AN AUDIOLOGIST WHO IS LICENSED PURSUANT TO TITLE 36, CHAPTER 17,
28 ARTICLE 4 SHALL DOCUMENT THE HEARING LOSS FOR WHICH HEARING AID COVERAGE
29 APPLIES IN EACH DEAF OR HARD OF HEARING EAR.

30 C. AN INSURED MAY CHOOSE A HIGHER PRICED HEARING AID AND MAY PAY
31 THE DIFFERENCE IN COST ABOVE THE MINIMUM COVERAGE AMOUNT WITHOUT ANY
32 FINANCIAL OR CONTRACTUAL PENALTY TO THE INSURED OR TO THE HEARING AID
33 PROVIDER.

34 20-1404.05. Blanket disability policies; hearing aids

35 A. A BLANKET DISABILITY POLICY SHALL PROVIDE COVERAGE IN ACCORDANCE
36 WITH SECTION 20-123 FOR THE PURCHASE OF A HEARING AID FOR EACH DEAF OR
37 HARD OF HEARING EAR FOR AN INSURED WHO IS COVERED UNDER THE BLANKET
38 DISABILITY POLICY.

39 B. A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR
40 17 OR AN AUDIOLOGIST WHO IS LICENSED PURSUANT TO TITLE 36, CHAPTER 17,
41 ARTICLE 4 SHALL DOCUMENT THE HEARING LOSS FOR WHICH HEARING AID COVERAGE
42 APPLIES IN EACH DEAF OR HARD OF HEARING EAR.

1 C. AN INSURED MAY CHOOSE A HIGHER PRICED HEARING AID AND MAY PAY
2 THE DIFFERENCE IN COST ABOVE THE MINIMUM COVERAGE AMOUNT WITHOUT ANY
3 FINANCIAL OR CONTRACTUAL PENALTY TO THE INSURED OR TO THE HEARING AID
4 PROVIDER.

5 Sec. 6. Title 20, chapter 13, article 1, Arizona Revised Statutes,
6 is amended by adding section 20-2333, to read:

7 20-2333. Health benefits plans; hearing aids

8 A. A HEALTH BENEFITS PLAN SHALL PROVIDE COVERAGE IN ACCORDANCE WITH
9 SECTION 20-123 FOR THE PURCHASE OF A HEARING AID FOR EACH DEAF OR HARD OF
10 HEARING EAR FOR AN ENROLLEE WHO IS COVERED UNDER THE HEALTH BENEFITS PLAN.

11 B. A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR
12 17 OR AN AUDIOLOGIST WHO IS LICENSED PURSUANT TO TITLE 36, CHAPTER 17,
13 ARTICLE 4 SHALL DOCUMENT THE HEARING LOSS FOR WHICH HEARING AID COVERAGE
14 APPLIES IN EACH DEAF OR HARD OF HEARING EAR.

15 C. AN ENROLLEE MAY CHOOSE A HIGHER PRICED HEARING AID AND MAY PAY
16 THE DIFFERENCE IN COST ABOVE THE MINIMUM COVERAGE AMOUNT WITHOUT ANY
17 FINANCIAL OR CONTRACTUAL PENALTY TO THE ENROLLEE OR TO THE HEARING AID
18 PROVIDER.