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FISCAL IMPACT REPORT

SPONSOR Trujillo, CA/Pacheco ORIGINAL DATE 1/22/16
LAST UPDATED 2/11/16 HB 70/aHRPAC

SHORT TITLE Hearing Aid Option Information SB _____

ANALYST Chilton

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		
	NFI		

SOURCES OF INFORMATION

Responses Received From

Commission on the Deaf and Hard of Hearing (CDHH)
Regulation and Licensing Department (RLD)
Department of Health (DOH)

SUMMARY

Synopsis of House Regulatory and Public Affairs Committee Amendment

The amendment adds words in four lines of the bill to be certain that the information provided to hearing aid purchasers complies with the "latest" standards provided by updated and amended versions of the Americans for Disabilities Act.

Synopsis of Original Bill

This bill would require that all persons authorized to dispense a hearing aid in New Mexico inform potential customers of the availability of audio switch technology (also called telecoils), a part of many but not all hearing aids, which enable the hearing aid to serve as a personal loudspeaker in settings where loop technology is used. These settings include some churches, performing arts venues, and lecture halls. Many telephones are also equipped with technology that interacts with hearing aids with telecoils. A majority of hearing aid users have embraced this technology, but some smaller and/or less expensive hearing aids do not include it.

The bill also requires that the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Board develop written material that would be provided to each purchaser of hearing aids.

FISCAL IMPLICATIONS

None identified by responding agencies. Personnel time would be required to develop any materials to be given to patients by hearing aid dispensers and to enforce the new requirement.

SIGNIFICANT ISSUES

DOH notes the importance of hearing in children. Approximately one in 1000 children are born with severe or profound hearing loss, and others acquire hearing loss in early childhood. Prompt provision of hearing technology minimizes the impact of the hearing deficit on speech and on learning. A recent commentary in *The Journal of the American Medical Association* (January 21, 2016) indicates the importance of adequate treatment of hearing deficits in the elderly, indicating that 40% of those older than 60, 60% of those over 70, and 80% of those over 80 years of age have mild to severe hearing deficits. Hearing deficits in the elderly, the article continues, is associated with depression, inability to function in a work environment, and even falls – those with mild hearing impairment have a fall risk of three times and those with moderate hearing loss of five times, the risk of the normally-hearing elderly. It notes that only 20% of the elderly with hearing loss are presently using hearing aid technology.

Loop technology is explained by the American with Disabilities Act National Network (ADaT.org) as consisting of “an amplifier and a wire antenna embedded in the floor or walls or taped to the surface around a designated seating area. It sets up a magnetic field that can be picked up by some users with hearing aids or others wearing a telecoil equipped receiver and an ear piece.”

According to the Hearing Loss Association of America, five states already have adopted this requirement (FL, AZ, NY, RI, UT). The Arizona statute, for example, contains the statement, “A bill of sale shall contain language that verifies that the client has been informed about audio switch technology, including benefits such as increased access to telephones and assistive listening devices. If the hearing device purchased by the client has audio switch technology, the client shall be informed of the proper use of the technology. The client shall be informed that an audio switch is also referred to as a telecoil, Tcoil, or T-switch.”

RELATIONSHIP

SB 70 makes a very similar requirement, but also includes an appropriation of \$50,000 to develop informational material to be given to hearing aid customers.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Lack of a requirement that information be provided about telecoil or audio switch technology would continue the current situation where many purchasers of these expensive devices (hearing aids) would not know of their availability. Adapting hearing aids without telecoils is sometimes possible, but is much more expensive than buying aids equipped with the telecoil before purchase. The Hearing Loss Association of Albuquerque, Las Cruces, and Santa Fe estimates that “less than 30 percent of hard of hearing customers are making informed decisions when buying hearing aids.” CDHH notes that such a requirement is especially important, given that hearing aids are expensive, usually \$1,600 to \$8,000 for a pair, and are not often covered by health insurance, including Medicaid.

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