



State of Tennessee
PUBLIC CHAPTER NO. 199

HOUSE BILL NO. 761

By Representatives Montgomery, Maggart, Sargent, Curtiss, Gilmore, Naifeh, Fitzhugh, Pitts, Sontany, Shepard, Favors, Elam, Todd, Haynes, Swann, Jones, Sparks, Camper, Moore, Eldridge, Roach, Kent Williams, Harrison, McDaniel, McCormick, Wirgau, Harry Brooks, Don Miller, Shaw, Towns, Ragan, Carr, Odom, Curtis Johnson, Coley, Alexander, Hawk, Cooper, Hardaway, Parkinson, Brown, Bass, Richardson, Larry Miller, Lois DeBerry, Stewart

Substituted for: Senate Bill No. 607

By Senators Overbey, Ketron, Faulk, Gresham, Burks, Tate, Marrero, Haynes, Stewart, Harper and Mr. Speaker Ramsey

AN ACT to amend Tennessee Code Annotated, Title 56, relative to health insurance coverage for hearing aids for children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is amended by adding the following as a new section:

56-7-2368.

(a) As used in this section, unless the context otherwise requires:

(1) "Child" or "children" means any person under eighteen (18) years of age; and

(2) "Hearing aid" means any wearable, nonexperimental, nondisposable instrument or device designed for the ear and used to aid or compensate for impaired human hearing, including earmolds and services necessary to select, fit, and adjust the hearing aid, but excluding batteries, cords, and other assistive listening devices such as FM systems.

(b) Every individual or group health insurance policy providing coverage on an expense-incurred basis, every policy or contract issued by a hospital or medical service corporation, every individual or group service contract issued by a health maintenance organization, and every self-insured group arrangement to the extent not preempted by federal law, which is delivered, issued for delivery, or renewed in this state on or after January 1, 2012, shall provide coverage of up to one thousand dollars (\$1,000) per individual hearing aid per ear, every three (3) years, for every child covered by such policy whether as a dependent of the policy holder or otherwise.

(c) The insured may choose a hearing aid exceeding one thousand dollars (\$1,000) and pay the difference in cost above the amount of coverage required by this section. Reimbursement shall be provided according to the respective principles and policies of the insurer.

(d) The insurer may require the policyholder to provide a prescription by a licensed audiologist or physician or show proof through other suitable documentation of the need for a hearing aid, and this section shall not preclude the insurer from conducting managed care, medical necessity, or utilization review or prevent the operation of such policy provisions as deductibles, coinsurance, allowable charge limitations, coordination of benefits or provisions restricting coverage to services by licensed, certified or carrier-approved providers or facilities.

(e) This section shall not apply to insurance coverage providing benefits for the following:

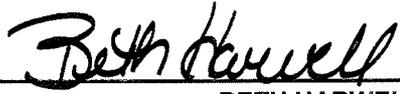
- (1) Hospital confinement indemnity;
- (2) Disability income;
- (3) Accident only;
- (4) Long term care;
- (5) Medicare supplement;
- (6) Limited benefit health;
- (7) Specified disease indemnity;
- (8) Sickness or bodily injury or death by accident, or both; and
- (9) Other limited benefit policies.

(f) This section shall not apply to TennCare or any successor program provided for in title 71, chapter 5.

SECTION 2. This act shall take effect January 1, 2012, the public welfare requiring it, and shall apply to policies or contracts issued on or after January 1, 2012.

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PASSED: May 11, 2011



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 18th day of May 2011



BILL HASLAM, GOVERNOR