

PROPOSAL

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Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.51 Audiology Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-105, Annotated Code of Maryland

Notice of Proposed Action

[21-124-P]

The Secretary of Health proposes to amend Regulation .05 under **COMAR 10.09.51 Audiology Services**.

Statement of Purpose

The purpose of this action is to clarify Medicaid coverage policy for hearing aid replacement. Specifically, the proposed action clarifies that participants younger than 21 years old are eligible to receive one hearing aid replacement every 5 years, unless the Department approves more frequent replacement. Additionally, it establishes that participants 21 years old or older are eligible to receive one hearing aid replacement every 5 years, unless the Department approves more frequent replacement, but no more than one hearing aid replacement extraneous to the manufacturer's warranty or the Department's expected lifetime of the device.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:

This proposal clarifies Medicaid coverage for hearing aid replacement. Presently the regulations do not specify a limitation on replacements. Specifically, the proposed action clarifies that participants younger than 21 years old are eligible to receive one hearing aid replacement every 5 years, unless the Department approves more frequent replacement. Participants 21 years old or older are eligible to receive one hearing aid replacement every 5 years, unless the Department approves more frequent replacement, up to a maximum of one hearing aid replacement extraneous to the manufacturer's warranty.

Opportunity for Public Comment

Comments may be sent to Jason Caplan, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 12, 2021. A public hearing has not been scheduled.

.05 Limitations.

A. Covered audiology services, including hearing aids, cochlear implants, and auditory osseointegrated devices are limited to:

(1)—(2) (text unchanged)

(3) [Replacement] *One replacement* of unilateral or bilateral hearing aids [once every 5 years unless the Program approves more frequent replacement;]:

(a) *Every 5 years for participants younger than 21 years old, unless the Program approves more frequent replacement;*

or

(b) *Every 5 years for participants 21 years old or older, unless the Program approves more frequent replacement, but no more than 1 replacement extraneous to the devices' warranty;*

(4)—(13) (text unchanged)

B. (text unchanged)

DENNIS R. SCHRADER
Secretary of Health