

# Communication ● Advocacy ● Equal Access

#### **Pete Ricketts**

Governor

**Margie Propp** Chairman of the Board

Lincoln

**Dr. Frank Turk** Vice Chair Omaha

**Dr. Peter Seiler** Secretary Omaha

**Dr. Marc Brennan**Board Member
Lincoln

**Jeremy Fitzpatrick**Board Member
Omaha

Candice Arteaga Board Member Greenwood

**Dr. Stacie Ray**Board Member
Lincoln

**Norm Weverka**Board Member
Brainard

**Diane Schutt** Board Member Fairbury

John Wyvill Executive Director john.wyvill@nebraska.gov December 22, 2017

Senator Adam Morfeld Nebraska Unicameral Legislature Room #1008 P.O. Box 94604 Lincoln, NE 68509

RE: LR 167 Interim Study Report

Senator Morfeld:

Thank you for sponsoring Legislative Resolution 167 (LR 167) to study ways to improve the coverage of hearing aid costs for families in Nebraska.

The NCDHH Full Board met on Friday, December 8, 2017 to review the interim study report, and it was approved. The recommendation of the Full Board is to persue legislation similar to the Georgia model, which I have enclosed. Work is currently underway with stakeholders to develop some consent legislation for the 2019 "long" session.

We appreciate your continued support of the Deaf, Deaf-Blind and Hard of Hearing

Sincerely,

John Wyvill Executive Director, NCDHH

Enclosed: LR 167 Memorandum LR 167 Georgia Report

CC:

Margie Propp, NCDHH Board Chairperson Clerk of the Nebraska Legislature Members of the LR 167 Interim Study Committee



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John Wyvill

Executive Director john.wyvill@nebraska.gov

#### **MEMORANDUM**

DATE: November 8, 2017

TO: NCDHH Full Board

FROM: John Wyvill

RE: Hearing Aid Insurance Coverage Interim Study Report

Over the last two years we have worked with an Interim Study group comprised of various stakeholders and medical professionals in an effort to work toward legislation for hearing aid insurance coverage in Nebraska. The group has coordinated to identify areas of concern, conduct necessary research and explore various ways to address the needs identified. In this group, other issues addressed are comparing other states regarding hearing aid coverage, options for insurance companies in providing coverage, and ways to improve the services being provided by hearing aid banks.

We have been in recent contact with representatives in Georgia who have successfully passed legislation for hearing aid coverage in the state. Based off of feedback and conversations with Georgia representatives as well as the research and studies conducted in the Interim Study group, the interim study workgroup is recommending to pursue similar legislation in Nebraska.

Enclosed:

LR 463 (2016)

LR 167 (2017)

Georgia Report

#### ONE HUNDRED FIFTH LEGISLATURE

#### FIRST SESSION

# **LEGISLATIVE RESOLUTION 167**

Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to examine ways to improve the coverage of hearing aid costs for Nebraska families. The study committee shall coordinate with the Commission for the Deaf and Hard of Hearing and work with interested stakeholders to identify the areas of concern, conduct necessary research, and explore various ways to address the needs identified. The issues addressed by this interim study shall include, but not be limited to:

- (1) How other states cover hearing aid costs;
- (2) Whether hearing aid coverage should be included as an essential health benefit under the federal Patient Protection and Affordable Care Act or other applicable federal provisions;
- (3) An examination of health insurance coverage options for persons requiring hearing aids; and
- (4) Recommendations on how to improve the services being provided by the hearing aid banks.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

- 1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
- 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.



# What is the Legislation?

Today, children who are born with hearing loss in our state often are not able to get hearing aids due to the fact that insurance companies are not required to cover the cost of hearing aids in Georgia as they are in other states. The Hearing Aid Coverage for Children Act would require insurance companies to provide coverage for children's hearing aids in Georgia. This legislation has been introduced several times in the House (beginning in 2011 with Rep. Edward Lindsey as sponsor) and many concessions have been added to the bill language based on concerns from small businesses and insurance companies. Current bill language exempts companies if they can illustrate that premiums would increase by more than 1 percent as well as all small businesses with 10 or fewer employees.

Our goal is to introduce legislation that will help deaf children without putting an undue burden on insurance companies or small businesses. Medicaid covers the cost of hearing aids for children in Georgia, but our working, privately insured citizens are often unable to get hearing aids for their children due to lack of coverage. Today, these are the families bearing the greatest burden and their children are unable to reach their full learning potential as a result.

### Who will Benefit from this Legislation?

# Georgia's Hard of Hearing Children

- Hearing loss is among the most prevalent birth defects in America affecting 2.02 per 1000 children up to age 3 in Georgia.<sup>1</sup>
- Approximately 2,000 children in Georgia are candidates for hearing aids but do not qualify for Medicaid or Peachcare (these plans cover hearing aids for children who are eligible).<sup>2</sup> A little over 800 of these children would actually be affected by the legislation as the remainder are on self-insured plans.
- Hearing aids can cost \$6,000 per pair and must be replaced every 3-5 years. This is an expense of over \$40K by the time a child reaches age 21. Less than 10% of parents surveyed were able to secure some level of hearing aid coverage through private health insurance.<sup>3</sup>
- Without access to clear sound, these children fall behind drastically in terms of literacy and language development, academics, and the ability to contribute as a productive citizen.
- With hearing aids, children can reach their fullest potential. They are able to do anything a hearing child can do with the right amplification and early intervention.

#### Georgia's Educational System and Economy

- Children who do not receive early intervention for hearing loss cost schools an additional \$420K and are faced with overall lifetime costs of \$1 million in special education, lost wages, and health complications.
- However, with appropriate early intervention, children with hearing loss can be mainstreamed in regular elementary and secondary education classrooms offsetting the above costs.
- There is a documented correlation between untreated hearing loss and unemployment.<sup>6</sup>
- Untreated hearing loss results in a loss of household income of up to \$12K per year, and this has a negative economic impact in Georgia due to unrealized taxes.<sup>7</sup>

#### Why Should I Support this Legislation?

Georgia was an early adopter for universal newborn hearing screening in 1999, but lack of access to hearing aids represents a major gap. Today, 20 other states have passed laws requiring insurance companies to cover hearing aids for children including NC, TN, OK, KY, AR and LA. Many of these states were not supportive of insurance mandates in general but made an exception because of the financial implications this legislation had in their state compared to the low premium increases required to offset the cost (we estimate \$.25 per insured citizen). Over 4,000 signatures have been gathered in Georgia illustrating that this is something that is important to our citizens. This legislation will improve both the lives

of our children and Georgia's economy and educational system.





# References

<sup>&</sup>lt;sup>1</sup> Office of Maternal and Child Health Epidemiology Report prepared for Let Georgia Hear. January 2013. Page 4.

<sup>&</sup>lt;sup>2</sup> Calculated using data from the Office of Maternal and Child Health Epidemiology Report prepared for Let Georgia Hear. January 2013. Children's Defense Fund, Feburary 2011 report, US Census data and data from the National Employer Health Insurance Survey. Keep in mind, all children identified with hearing loss will not require hearing aids. Some will not require any aids; others may only need one; and still others may only use hearing aids for a short time prior to receiving a cochlear implant. For purposes of documenting calculations with have used maximum estimates in order to remain conservative in our estimates.

<sup>&</sup>lt;sup>3</sup> Let Georgia Hear 2013 Parent Survey. Further validated in AG Bell Volta Voices March/April 2002.

<sup>&</sup>lt;sup>4</sup> Kochkin S, et al. Are 1 Million Dependents with Hearing Loss in America Being Left Behind? *Hearing Review*. September, 2007: pp. 1-2, 4-6, 9-11.

<sup>&</sup>lt;sup>5</sup> White, Karl R and Maxon, Antonia B. Universal screening for infant hearing impairment: simple, beneficial, and presently justified. Better Hearing Institute at http://www.hearingaidtaxcredit.org.

<sup>&</sup>lt;sup>6</sup> Kochkin S, et al. The Impact of Untreated Hearing Loss on Household Income May 2007: p2, 6, 11.

<sup>&</sup>lt;sup>7 5</sup>Better Hearing Institute. *Hearing Aid Assistance Tax Credit*.

# Georgia General Assembly

# 2017-2018 Regular Session - SB 206 'Hearing Aid Coverage for Children Act'

#### Sponsored By

- (1) Martin IV, P. K. 9th (4) Hill, Hunter 6th
- (2) Miller, Butch 49th
- (3) Albers, John 56th
- (5) Harbison, Ed 15th
- (6) Brass, Matt 28th

#### Sponsored In House By

Houston, Penny 170th

#### **Committees**

SC: Insurance and Labor

**HC:** Insurance

#### First Reader Summary

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide for a short title and findings; to require health plans to provide coverage for hearing aids for certain individuals; to provide for the frequency of replacing hearing aids; to provide for coverage of services and supplies; to provide options for higher priced devices; to provide for related matters; to repeal conflicting laws; and for other purposes.

## Status History

Jul/01/2017 - Effective Date

May/08/2017 - Act 174

May/08/2017 - Senate Date Signed by Governor

Apr/07/2017 - Senate Sent to Governor

Mar/30/2017 - Senate Agreed House Amend or Sub Mar/20/2017 - House Passed/Adopted By Substitute

Mar/20/2017 - House Third Readers

Mar/15/2017 - House Committee Favorably Reported By Substitute

Mar/09/2017 - House Second Readers

Mar/06/2017 - House First Readers

Mar/03/2017 - Senate Passed/Adopted

Mar/03/2017 - Senate Third Read

Mar/01/2017 - Senate Read Second Time

Feb/28/2017 - Senate Committee Favorably Reported

Feb/21/2017 - Senate Read and Referred

Feb/17/2017 - Senate Hopper

#### **Footnotes**

3/30/2017 Senate agreed to House Substitute

#### Votes

Mar/30/2017 - Senate Vote #303 Mar/20/2017 - House Vote #284 Yea(46) Yea(155) Nay(5) Nay(5) NV(3) NV(10) Exc(1) Exc(10)

All Nur	All Numbers for State of GA			Source
Pop	Population, 2014 estimate	10,06	10,097,343	
Indiv	Individuals Covered by SHBP	65	650,000	2
Indiv	Individuals Receiving Coverage through Private Insurance	2,15	2,158,355	
				And a second
Tota	Total SHBP paid out for \$3K limit coverage Jan '15-Nov '15	\$ 114,7	114,769.88	DCH
Ann	Annualized for all of 2015 (\$114,769.88/11)*12	\$ 125,2	125,203.51	The second secon
Tota	Total SHBP Increase after benefit increase from \$1,500 - \$3,000	\$ 49,8	49,811.00	DCH
Incre	Increase per enrollee (\$49,811/650K)	မ	0.08	WHITE WAS THE TAXABLE OF TAXABLE OF THE TAXABLE OF TA
Cure	Curent cost per enrollee (\$125,203.51 / 650K)	မ	0.19	
Cos	Cost if coverage raised to \$6k (\$125,203.51 * 2))	\$ 250,407.01	07.01	
Cos	Cost per enrollee for \$6k (\$250,401.01 / 650K employees)	49	0.39	
		မာ	0.03	\$ 0.01
Esti	Estimated Cost Associated with Legislation (2,158,355 * \$.39)	\$ 831,4	831,488.04	\$ 0.00
				The state of the s
Sou	Sources:	THE OUT THE BOOK OF THE BEAT O		
1 US (	1 US Census Data, http://www.census.gov/content/dam/Census/library/publications/2015/demo/p60-253.pdf	/p60-253.pc	*5	The state of the s
2 Stat	2 State Health Plan Could Cover Children's Hearing Aids, 11 Alive, January 20, 2014.			0.001428571
3 2014	3 2014 Supplemental Health Care Exhibit, Office of Insurance & Safety Fire Commissioner	The state of the s		
		THE THE TREE TREE TO SERVICE THE TREE TREE TREE TREE TREE TREE TREE		Action with the state of the st
Key As	Key Assumptions/Considerations:			
-Currer	-Current bill language stipulates coverage for children 0-18 \$3000 per ear every 48 months, consider changing to be consistent with	sider chang	ing to b	e consistent with
SHBP		•	)	
-Assun	-Assumption is that incidence of hearing loss and age breakout is the same in the SHBP population and privately insured population	ion and priv	ately in	sured population
-Private	-Privately insured individuals would choose to access the benefit similarly to those in the SHBP			



# **Estimated Cost to Provide Insurance Benefit to Children**

# Estimated number of children with hearing loss (birth through age 22) = 4,260

This number was calculated using projected US Census Data multiplied by the CDC EHDI Hearing Screening and Follow up Survey, 2009 data which indicates a national prevalence of hearing loss at 1.4 per 1,000.

# Estimated number of children with hearing loss receiving Medicaid = 1,747

This number was calculated using the Medicaid prevalence of 41% from the Children's Defense Fund 2011 Report for GA.

# Estimated number of children with hearing loss covered by self insured plans (excluded from mandate by federal ERISA law) = 1,235

Calculation: 4,260 X 29% (estimated individuals on self-insured plans from CDC) = 1,235

# Estimated number of children with hearing loss who would access benefit = 1,278

Calculation: 4,260 - 1,747 - 1,235= 1,278.

# Estimated number of children accessing benefit annually = 426

This number was calculated using the assumption that the number of children accessing the insurance benefit would be spread across the recommended benefit period of 3 years (i.e. 1/3 of the children accessing the benefit each year over the 36 mo. benefit period. 1,278 children / 3 years = 426 children per year.

# Estimated cost of benefit per year = \$2,556,000

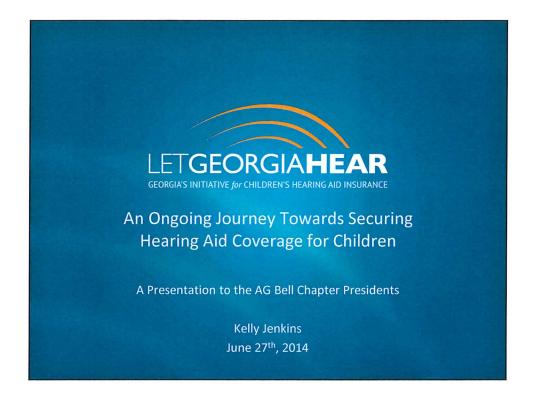
Hearing aids cost approximately \$6,000 per pair.  $426 \times $6,000 = $2,556,000$ .

# **Estimated number of insured Georgians = 6,735,725**

Based on US Census data for Georgia.

# Estimated insurance premium increase per insured GA citizen = \$.38

\$2,556,000 annual estimated cost of hearing aid insurance benefit / 6,735,725 insured GA residents



- Personal Backstory and Creation of Let Georgia Hear
- High Level Strategy
- Success to Date
- Major Hurdles to Overcome
- Future Plans

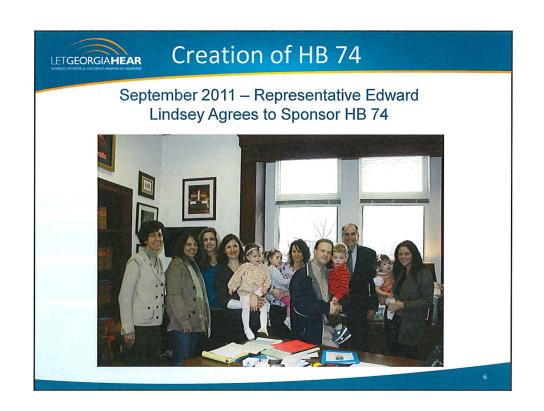


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Sloane Jenkins
-4 year old
-Ballerina
-Gymnast
-Little Sister
-Horseback rider

....and a child with progressive bilateral hearing loss & sparkly pink hearing aids!

# A parent-led initiative whose goal is to secure insurance coverage for children's hearing aids in the state of Georgia.



# WIN January 2012 – HB 74 is Introduced into Georgia House of Representatives BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA: 8 SECTION 1. 9 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating generally to insurance, is amended by adding a new Code section to read as follows: 11 '33-24-59.16. 12 (a) This Code section shall be known and may be cited as the 'Hearing Aid Coverage for Children Act.' 14 (b) The General Assembly finds and declares that:

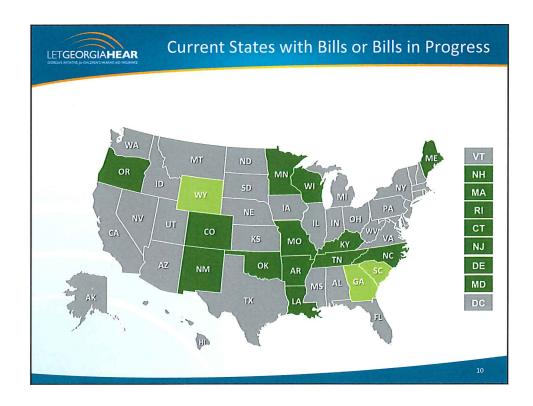
# LETGEORGIAHEAR

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# A Few Facts and Obstacles to Consider

- Twenty Other States Have Passed this type of Legislation
- Self Insured Plans (which account for a majority of insurance plans in Georgia) are not required to comply with any state insurance mandates due to Federal ERISA Regulations
- Medicaid Already Covers the Cost of Children's Hearing Aids indicating their medical necessity
- Hearing Aids are not covered by the Affordable Care Act's Essential Health Benefits Plan in Georgia
- The Insurance Lobby and the Small Business Lobby have extensive relationships and influence in the Georgia Legislature
- Georgia has resisted the Affordable Care Act and the legislature is generally opposed to any insurance mandates
- Georgia Established a Special Advisory Commission for Mandated Health Insurance Benefits to review all mandates, roll back many and make formal recommendations to General Assembly







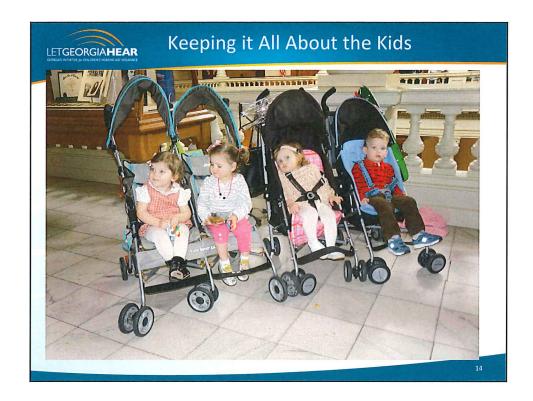


# The Power of the Personal Relationship

# Sara and my motto:

"Why Make Enemies When You Can Make Friends?"

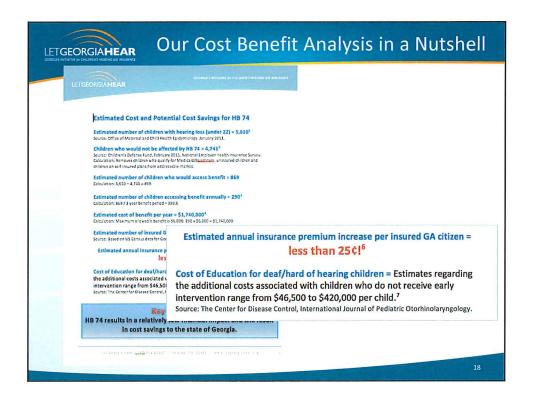
- Many personal visits and interactions at the Capitol
- Open-mindedness when listening to opposition and consideration of their position
- Reaching out to "opposition" such as insurance lobby and small business lobby to make a personal connection
- Hosting legislative breakfasts with free hearing screenings
- Making remarks about the willingness of certain legislators to listen to us when given opportunity in media
- And most importantly making it personal by ...





# We did a lot of homework: - Combed through pages of research both academic and educational - Discussed needs with educational institutions and policymakers - Developed relationships with the CDC to get information on potential cost savings of EHDI And Made a lot of Marketing Collateral: - One-sheeters - Whitepapers - Cost Benefit Analyses - All printed and financed by our parent volunteers!





















# Online Media Results

Online Newsletter with 3,409 subscribers used to...

- -Trigger Letter Writing Campaigns
- -Get Information Out about Hearings in order to pack the room
- -Solicit Donations
- -Keep followers up to date

#### Let Georgia Hear Update

Dear << Test First Name >>

Thank you so much for signing our petition to get insurance coverage for children's hearing aids. The legislative session concluded on March 20th, and though our bill has not yet passed, we wanted to take a moment to reflect on our recent

- Over 3,700 petition signatures
   Over 450 members in our
- Facebook group
- Governor Deal has allocated over \$800K to the State Health Benefit Plan to pro hearing aid coverage for



Many of you have asked how you can contribute financially to this effort, and we have recognized that many of you need help NOW for your children. We are thrilled to announce our partnership with the <u>Global Medical Relief Fund</u>. This amazing organization has set up a hearing aid fund which will assist children in our state who are in need of hearing aids while we continue to fight for this legislation. However, we need your help! Please consider doing the following to help hard of hearing children in Georgia:

# **LETGEORGIAHEAR**

# Online Media Results

Below are the results from our survey, which was taken by 109 parents and caregivers:

- •Over 1/3 of parents surveyed had to wait longer than 3 months to get hearing aids for their children after learning of their hearing loss.
- •31% of parents surveyed reported that the high cost of hearing aids delayed their ability to obtain hearing aids for their child.
- •12% of our respondents had TWO children in their household with documented hearing loss.
- •Less than 10% of parents were able to receive ANY funding via their insurance.
- •30% reported that if cost were not an issue, they would have chosen a different/more expensive device for their child.
- •77% of children surveyed wear bilateral hearing aids and the remainder (23%) wear unilateral aids.

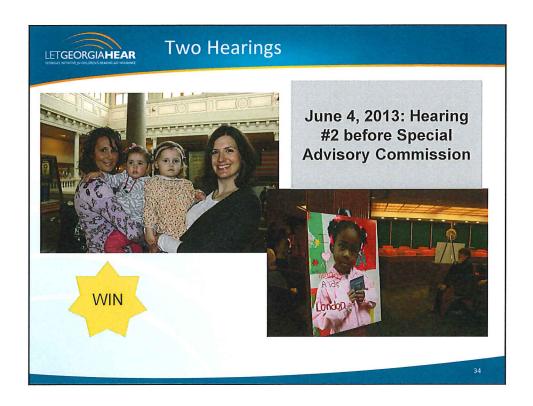


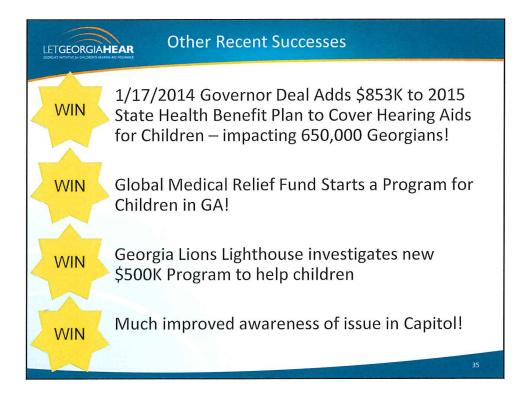




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# Hurdles to Overcome in Georgia

- •Availability of FIGHTING legislative sponsorship
- •Special Advisory Commission In process of rolling back mandates, hearing this year uncertain
- •Strong Opposition from Insurance and Small Business Lobby
- Need for professional lobbying support
- •Funding Many legislators campaigns are backed by insurance companies, we do not have a similar advantage

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# LETGEORGIAHEAR

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# Things to Consider

- Volunteer Passion and Availability & Strong Parent Involvement
- Budget
- · Current Legislative Environment
- Openness to Concession
- Media & Legislative Connections

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# LETGEORGIAHEAR

# Possible Future Plans

- •Introduce a Companion Bill in Senate.
- •Develop and Expand Let America Hear Nationwide network of states working towards same goal. Currently we have 11 states participating.
- •Engagement of hearing aid manufacturers and others with a vested interest in bill passage try go get professional lobbying support.
- •Monitor the State Health Benefit Plan and how claims are processed.
- •Monitor financial results in other states who have passed bills.
- Encourage self insured plans to comply voluntarily.
- •Investigate opportunities to get hearing aids for children in the Essential Health Benefits plan.

# **Timeline of Events**

September 2011 - Letter to Representative Edward Lindsey

January 2012 - HB 74 is Introduced in Georgia House of Representatives

February 5, 2013 – Hearing before the Georgia House Insurance Committee

**June 4, 2013** – Hearing before the Special Advisory Commission for Mandated Health Insurance Benefits

November 2014 - Special Advisory Commission Votes Against HB 74

January 2014 - HB 74 Reintroduced by Rep. Lindsey

**January 2014** – Governor Nathan Deal makes groundbreaking announcement to allocate \$853K for children's hearing aids in State Employee Health Benefit Plan – over 650K Georgians impacted

April 2014 - Representative Penny Houston agrees to sponsor revised version of HB 74

Ongoing – Talks with Georgia Lions Lighthouse to work on expanding coverage for children's hearing aids with additional funding of \$550K

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# LETGEORGIAHEAR

# Questions?

Kelly Jenkins info@letgeorgiahear.org

#### ONE HUNDRED FOURTH LEGISLATURE

#### SECOND SESSION

# **LEGISLATIVE RESOLUTION 463**

Introduced by Campbell, 25.

PURPOSE: The purpose of this interim study is to examine ways to improve the coverage of hearing aid costs for Nebraska families. The study committee shall coordinate with the Commission for the Deaf and Hard of Hearing and work with interested stakeholders to identify the areas of concern, conduct necessary research, and explore various ways to address the needs identified. The issues addressed by this interim study shall include, but not be limited to:

- (1) How other states cover hearing aid costs;
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NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

- 1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
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