

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. B. No. 93

**Senator Brown
Cosponsor: Senator Yuko**

A BILL

To amend section 1739.05 and to enact sections 1
1751.76 and 3923.86 of the Revised Code to 2
require health insurers to offer coverage for 3
hearing aids. 4

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

Section 1. That section 1739.05 be amended and sections 6
1751.76 and 3923.86 of the Revised Code be enacted to read as 7
follows: 8

Sec. 1739.05. (A) A multiple employer welfare arrangement 9
that is created pursuant to sections 1739.01 to 1739.22 of the 10
Revised Code and that operates a group self-insurance program 11
may be established only if any of the following applies: 12

(1) The arrangement has and maintains a minimum enrollment 13
of three hundred employees of two or more employers. 14

(2) The arrangement has and maintains a minimum enrollment 15
of three hundred self-employed individuals. 16

(3) The arrangement has and maintains a minimum enrollment 17

of three hundred employees or self-employed individuals in any 18
combination of divisions (A) (1) and (2) of this section. 19

(B) A multiple employer welfare arrangement that is 20
created pursuant to sections 1739.01 to 1739.22 of the Revised 21
Code and that operates a group self-insurance program shall 22
comply with all laws applicable to self-funded programs in this 23
state, including sections 3901.04, 3901.041, 3901.19 to 3901.26, 24
3901.38, 3901.381 to 3901.3814, 3901.40, 3901.45, 3901.46, 25
3901.491, 3902.01 to 3902.14, 3923.041, 3923.24, 3923.282, 26
3923.30, 3923.301, 3923.38, 3923.581, 3923.602, 3923.63, 27
3923.80, 3923.84, 3923.85, 3923.86, 3923.851, 3924.031, 28
3924.032, and 3924.27 of the Revised Code. 29

(C) A multiple employer welfare arrangement created 30
pursuant to sections 1739.01 to 1739.22 of the Revised Code 31
shall solicit enrollments only through agents or solicitors 32
licensed pursuant to Chapter 3905. of the Revised Code to sell 33
or solicit sickness and accident insurance. 34

(D) A multiple employer welfare arrangement created 35
pursuant to sections 1739.01 to 1739.22 of the Revised Code 36
shall provide benefits only to individuals who are members, 37
employees of members, or the dependents of members or employees, 38
or are eligible for continuation of coverage under section 39
1751.53 or 3923.38 of the Revised Code or under Title X of the 40
"Consolidated Omnibus Budget Reconciliation Act of 1985," 100 41
Stat. 227, 29 U.S.C.A. 1161, as amended. 42

(E) A multiple employer welfare arrangement created 43
pursuant to sections 1739.01 to 1739.22 of the Revised Code is 44
subject to, and shall comply with, sections 3903.81 to 3903.93 45
of the Revised Code in the same manner as other life or health 46
insurers, as defined in section 3903.81 of the Revised Code. 47

Sec. 1751.76. (A) As used in this section, "hearing aid" means any wearable instrument or device designed or offered for the purpose of aiding or compensating for impaired human hearing, including all attachments, accessories, and parts thereof, except batteries and cords, that is distributed by a hearing aid dealer licensed under Chapter 4747. of the Revised Code. 48
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(B) Notwithstanding section 3901.71 of the Revised Code, a health insuring corporation that offers coverage for basic health care services shall also offer coverage for hearing aids as a rider to any policy, contract, or agreement providing coverage for basic health care services. 55
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(C) Coverage for hearing aids shall be subject to all of the following: 60
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(1) The benefit provided shall be not less than one thousand five hundred dollars per year over the course of three years. 62
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(2) The coverage shall be provided to persons of all ages. 65

(3) The benefit shall not be subject to any deductible or copayment requirements. The coverage may be subject to coinsurance requirements. 66
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(4) The coverage required under this section shall include the purchase of related services and supplies including the initial assessment, fitting, adjustments, and auditory training that is provided according to accepted professional standards. 69
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Sec. 3923.86. (A) As used in this section: 73

(1) "Basic health care services" has the same meaning as in section 1751.01 of the Revised Code. 74
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(2) "Hearing aid" means any wearable instrument or device 76
designed or offered for the purpose of aiding or compensating 77
for impaired human hearing, including all attachments, 78
accessories, and parts thereof, except batteries and cords, that 79
is distributed by a hearing aid dealer licensed under Chapter 80
4747. of the Revised Code. 81

(B) Notwithstanding section 3901.71 of the Revised Code, a 82
sickness and accident insurer that offers coverage for basic 83
health care services shall also offer coverage for hearing aids 84
as a rider to any individual or group policy providing coverage 85
for basic health care services. 86

(C) Coverage for hearing aids shall be subject to all of 87
the following: 88

(1) The benefit provided shall be not less than one 89
thousand five hundred dollars per year over the course of three 90
years. 91

(2) The coverage shall be provided to persons of all ages. 92

(3) The benefit shall not be subject to any deductible or 93
copayment requirements. The coverage may be subject to 94
coinsurance requirements. 95

(4) The coverage required under this section shall include 96
the purchase of related services and supplies including the 97
initial assessment, fitting, adjustments, and auditory training 98
that is provided according to accepted professional standards. 99

(D) This section does not apply to any sickness and 100
accident insurer that does not offer coverage for basic health 101
care services. 102

Section 2. That existing section 1739.05 of the Revised 103

Code is hereby repealed. 104

Section 3. Section 1739.05 of the Revised Code is 105
presented in this act as a composite of the section as amended 106
by both Sub. H.B. 463 and Sub. S.B. 319 of the 131st General 107
Assembly. The General Assembly, applying the principle stated in 108
division (B) of section 1.52 of the Revised Code that amendments 109
are to be harmonized if reasonably capable of simultaneous 110
operation, finds that the composite is the resulting version of 111
the section in effect prior to the effective date of the section 112
as presented in this act. 113