

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**S. B. No. 389**

**Senator Weinstein**

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To enact section 3902.65 of the Revised Code 1  
regarding insurance coverage for augmentative 2  
and alternative communication tools. 3

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

**Section 1.** That section 3902.65 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 3902.65.** (A) As used in this section, "augmentative 6  
and alternative communication tool" means any instrument, 7  
apparatus, equipment, software application, or system designed 8  
or offered for the purpose of supplementing, enhancing, or 9  
replacing speech for individuals with significant expressive 10  
communication disabilities, including any of the following: 11

(1) Electronic speech-generating devices and voice output 12  
communication aids; 13

(2) Symbol and text-based communication boards, books, and 14  
displays; 15

(3) Communication and text-to-speech software applications 16  
designed for tablets, smartphones, or computers; 17

(4) A tablet, smartphone, or computer on which 18  
communication or text-to-speech software applications can be 19

|                                                                         |    |
|-------------------------------------------------------------------------|----|
| <u>installed;</u>                                                       | 20 |
| <u>(5) Switch-activated devices and adaptive hardware</u>               | 21 |
| <u>interfaces;</u>                                                      | 22 |
| <u>(6) Eye-gaze systems and other alternative access methods;</u>       | 23 |
| <u>(7) All related accessories, mounting systems, carrying</u>          | 24 |
| <u>cases, protective covers, switches, charging equipment, and</u>      | 25 |
| <u>interface devices necessary for the operation of such</u>            | 26 |
| <u>communication tools.</u>                                             | 27 |
| <u>(B) On and after the effective date of this section, and</u>         | 28 |
| <u>notwithstanding section 3901.71 of the Revised Code, a health</u>    | 29 |
| <u>benefit plan shall provide coverage for augmentative and</u>         | 30 |
| <u>alternative communication tools for a covered person twenty-two</u>  | 31 |
| <u>years of age or younger in accordance with this section when</u>     | 32 |
| <u>prescribed, recommended, or provided by any of the following:</u>    | 33 |
| <u>(1) A licensed speech-language pathologist;</u>                      | 34 |
| <u>(2) A qualified assistive technology professional;</u>               | 35 |
| <u>(3) A physician;</u>                                                 | 36 |
| <u>(4) Any other health care provider acting within that</u>            | 37 |
| <u>person's scope of practice.</u>                                      | 38 |
| <u>(C) Except as provided in division (D) of this section,</u>          | 39 |
| <u>coverage provided by a health benefit plan under division (B) of</u> | 40 |
| <u>this section shall include the full cost, up to six thousand</u>     | 41 |
| <u>dollars, of one medically necessary augmentative and alternative</u> | 42 |
| <u>communication tool.</u>                                              | 43 |
| <u>(D) If a speech-language pathologist determines and</u>              | 44 |
| <u>provides documentation to a health plan issuer demonstrating</u>     | 45 |
| <u>that a person who is eligible for coverage under this section is</u> | 46 |

unable to achieve effective communication using an augmentative 47  
and alternative communication device covered under division (C) 48  
of this section, despite appropriate evaluation, training, and 49  
use, a health benefit plan shall cover the full cost, up to 50  
twenty thousand dollars, of an enhanced augmentative and 51  
alternative communication tool. 52

(E) The coverage required under divisions (C) and (D) of 53  
this section shall include all of the following: 54

(1) (a) Except as provided in division (E) (1) (b) of this 55  
section, replacement of the device not less than once every five 56  
years; 57

(b) A health benefit plan shall cover replacement of an 58  
augmentative and alternative communication tool prior to the 59  
five-year replacement period when a licensed speech-language 60  
pathologist documents that the tool is no longer able to provide 61  
effective communication and that repair or modification is not 62  
sufficient due to one or more of the following circumstances: 63

(i) Physical growth or anatomical changes affecting access 64  
or mounting; 65

(ii) Changes in motor abilities or access method; 66

(iii) Changes in communication needs or goals; 67

(iv) Failure, degradation, or incompatibility of essential 68  
access components; 69

(v) Inability of the communication tool to support 70  
effective communication despite appropriate training, 71  
adjustment, and repair. 72

(2) (a) Any services necessary to evaluate, select, 73  
customize, fit, configure, program, and train the covered person 74

and, when appropriate, the covered person's parent, guardian, or 75  
designated caregiver in the effective use of the communication 76  
tool, as provided by a licensed speech-pathologist or other 77  
qualified health care provider acting within the provider's 78  
scope of practice; 79

(b) With regard to coverage provided under division (D) of 80  
this section, a health benefit plan shall also cover both of the 81  
following: 82

(i) Advanced or alternative access methods; 83

(ii) Specialized configuration, advanced access 84  
calibration, programming, and training for the covered person 85  
and, when appropriate, the covered person's parent, guardian, or 86  
designated caregiver, as necessary to support effective 87  
communication. 88

(3) The necessary repair, maintenance, and replacement of 89  
any damaged or failed components of a covered augmentative and 90  
alternative communication tool that are required to maintain 91  
effective communication; 92

(4) A temporary replacement or loaner communication tool 93  
sufficient to ensure continuity of effective communication when 94  
a covered augmentative and alternative communication tool is 95  
temporarily unavailable due to repair or maintenance. 96

(F) A health benefit plan shall not make coverage under 97  
this section conditional upon ongoing usage-tracking data or 98  
quantitative use thresholds. 99

(G) Nothing in this section shall be construed as 100  
requiring coverage for replacement of an augmentative and 101  
alternative communication tool solely due to the availability of 102  
newer technology or updated device models. 103