

118TH CONGRESS
2D SESSION

S. 4829

To direct the Administrator of the Centers for Medicare & Medicaid Services to clarify that implanted active middle ear hearing devices are prosthetics and are not subject to the hearing aid coverage exclusion under the Medicare program.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2024

Ms. KLOBUCHAR (for herself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To direct the Administrator of the Centers for Medicare & Medicaid Services to clarify that implanted active middle ear hearing devices are prosthetics and are not subject to the hearing aid coverage exclusion under the Medicare program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hearing Device Cov-
5 erage Clarification Act”.

1 **SEC. 2. ACTIVE MIDDLE EAR IMPLANT COVERAGE.**

2 (a) IN GENERAL.—Not later than 60 days after the
3 date of enactment of this Act, the Administrator of the
4 Centers for Medicare & Medicaid Services shall clarify that
5 implanted active middle ear hearing devices are pros-
6 thetics that are not subject to the hearing aid coverage
7 exclusion under section 1862(a)(7) of the Social Security
8 Act (42 U.S.C. 1395y(a)(7)).

9 (b) PROSTHETIC DEFINED.—The term “prosthetic”
10 has the meaning given such term in section 414.202 of
11 title 42, Code of Federal Regulations (or a successor regu-
12 lation).

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