

## **IC 16-35-8**

### **Chapter 8. Hearing Aid Assistance**

#### **IC 16-35-8-1**

##### **"Child"**

Sec. 1. As used in this chapter, "child" means a child enrolled in a public school, accredited nonpublic school, or nonaccredited nonpublic school in kindergarten through grade 12.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-2**

##### **"Fund"**

Sec. 2. As used in this chapter, "fund" refers to the hearing aid fund established by section 3 of this chapter.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-3**

##### **Hearing aid fund; established**

Sec. 3. The hearing aid fund is established for the purpose of providing hearing aid assistance to eligible children through the hearing aid assistance program established by section 9 of this chapter.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-4**

##### **Fund administration**

Sec. 4. The fund shall be administered by the state department.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-5**

##### **Fund contents**

Sec. 5. The fund consists of appropriations from the general assembly, gifts, bequests, and other sources of funding.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-6**

##### **Fund expenses**

Sec. 6. The expenses of administering the fund shall be paid from money in the fund.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-7**

##### **Fund investments**

Sec. 7. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

*As added by P.L.119-2009, SEC.1.*

### **IC 16-35-8-8**

#### **Nonreversion; appropriation**

Sec. 8. (a) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(b) There is annually appropriated to the state department from the fund an amount sufficient for the purposes of this chapter.

*As added by P.L.119-2009, SEC.1.*

### **IC 16-35-8-9**

#### **Hearing aid assistance program; established; criteria; central information location**

Sec. 9. (a) The hearing aid assistance program is established.

(b) The following eligibility criteria apply for funding through the hearing aid assistance program:

(1) The hearing aid must be:

(A) prescribed for a child by a physician who is licensed under IC 25-22.5; and

(B) prescribed, fitted, and dispensed for the child by an audiologist who is licensed under IC 25-35.6.

(2) The child has not received funding from the fund for a hearing aid for the applicable ear during the previous three (3) years.

(3) Reimbursement is not available through any of the following or is not sufficient to pay the full amount required for a hearing aid:

(A) A policy of accident and sickness insurance (IC 27-8-5).

(B) A health maintenance organization contract (IC 27-13).

(C) The Medicaid program (IC 12-15).

(D) The children's health insurance program (IC 12-17.6).

(E) The federal Medicare program or any other federal assistance program.

(c) The state department may use appropriate internal and external resources to administer the hearing aid assistance program in a cost effective manner.

(d) External foundations and other organizations that provide hearing aid assistance may register with the state department to provide a centralized location from which deaf and hard of hearing individuals can obtain information regarding additional sources of hearing aid assistance.

*As added by P.L.119-2009, SEC.1. Amended by P.L.109-2012, SEC.13.*

### **IC 16-35-8-10**

#### **Application for funding; payment from fund**

Sec. 10. (a) The parent or guardian of a child may at any time apply to the state department for funding through the hearing aid assistance program.

(b) Upon receipt of an application made under subsection (a), if the state department determines that the child is eligible under section

9(b) of this chapter, the state department may pay from the fund any amount not reimbursed through a source described in section 9(b)(3) of this chapter, not to exceed one thousand five hundred dollars (\$1,500) per hearing aid.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-11**

##### **School assistance with applications**

Sec. 11. A public or nonpublic school may identify eligible children and assist the parents or guardians of the eligible children in submitting applications to the state department under this chapter.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-12**

##### **Funding priority**

Sec. 12. The state department shall give funding priority to applications under this chapter for eligible children who are less than fourteen (14) years of age.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-13**

##### **Hearing aid refurbishing program**

Sec. 13. (a) The state department may, if economically feasible, create a hearing aid refurbishing program through which hearing aids that are no longer used by eligible children and other individuals are collected and refurbished for the use of other individuals.

(b) The state department may enter into an agreement with another organization to implement this section.

*As added by P.L.119-2009, SEC.1.*

#### **IC 16-35-8-14**

##### **Administrative rules**

Sec. 14. The state department may adopt rules under IC 4-22-2 to implement this chapter.

*As added by P.L.119-2009, SEC.1.*