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By: **Delegates Hixson, Rosenberg, Morhaim, Finifter, Nathan-Pulliam,  
Franchot, McKee, and Busch**

Introduced and read first time: January 25, 2001

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 21, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Department of Education - Hearing Aid Loan Bank Program -**  
3 **Establishment and Operation**

4 FOR the purpose of establishing a Hearing Aid Loan Bank Program in the State  
5 Department of Education; providing for the administration and staffing of the  
6 Program; establishing the purpose of the Program; requiring the State  
7 Superintendent of Schools to provide benefits under the Program beginning by a  
8 certain date; requiring the Director of the Program to establish a Hearing Aid  
9 Loan Bank; establishing certain criteria for the maintenance of the Hearing Aid  
10 Loan Bank; specifying certain criteria for eligibility under the Program;  
11 specifying certain conditions for borrowing a hearing aid under the Program;  
12 requiring the State Board of Education to adopt certain regulations; requiring  
13 that certain instructions be provided to a parent or legal guardian of an eligible  
14 child; requiring the Governor to include in the budget, beginning in a certain  
15 fiscal year, sufficient funds for the Program; defining certain terms; and  
16 generally relating to the Hearing Aid Loan Bank Program for eligible children.

17 BY adding to  
18 Article - Education  
19 Section 8-501 through 8-507, inclusive, to be under the new subtitle "Subtitle 5.  
20 Hearing Aid Loan Bank Program"  
21 Annotated Code of Maryland  
22 (1999 Replacement Volume and 2000 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
24 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Education**2 **SUBTITLE 5. HEARING AID LOAN BANK PROGRAM.**

3 8-501.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
5 INDICATED.6 (B) "DIRECTOR" MEANS THE DIRECTOR OF THE HEARING AID LOAN BANK  
7 PROGRAM.

8 (C) "ELIGIBLE CHILD" MEANS A CHILD WHO:

9 (1) IS A RESIDENT OF THE STATE;

10 (2) IS IDENTIFIED BY A LICENSED AUDIOLOGIST AS HAVING A HEARING  
11 LOSS;

12 (3) HAS NO IMMEDIATE ACCESS TO A HEARING AID; AND

13 (4) IS UNDER THE AGE OF 4 3 YEARS.14 (D) "LICENSED AUDIOLOGIST" MEANS AN INDIVIDUAL WHO IS LICENSED TO  
15 PRACTICE AUDIOLOGY UNDER TITLE 2 OF THE HEALTH OCCUPATIONS ARTICLE.

16 (E) "LOAN BANK" MEANS THE HEARING AID LOAN BANK.

17 (F) "PROGRAM" MEANS THE HEARING AID LOAN BANK PROGRAM.

18 8-502.

19 (A) THERE IS A HEARING AID LOAN BANK PROGRAM IN THE DEPARTMENT.

20 (B) THE PROGRAM IS ESTABLISHED FOR THE PURPOSE OF LENDING HEARING  
21 AIDS ON A TEMPORARY BASIS TO A PARENT OR LEGAL GUARDIAN OF AN ELIGIBLE  
22 CHILD TO ENSURE THAT CHILDREN UNDER THE AGE OF 4 3 YEARS WILL HAVE  
23 MAXIMUM AUDITORY INPUT DURING THE CRITICAL PERIOD OF LANGUAGE  
24 LEARNING.25 (C) SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE STATE  
26 SUPERINTENDENT SHALL PROVIDE BENEFITS UNDER THE PROGRAM BEGINNING  
27 JULY 1, 2002.

28 8-503.

29 (A) THE PROGRAM SHALL BE ADMINISTERED BY A DIRECTOR RECOMMENDED  
30 BY THE STATE SUPERINTENDENT AND APPROVED BY THE STATE BOARD.

31 (B) THE DIRECTOR SHALL:

1 (1) BE A LICENSED AUDIOLOGIST; AND

2 (2) SERVE AT THE PLEASURE OF THE STATE SUPERINTENDENT AND  
3 THE STATE BOARD.

4 (C) THE DIRECTOR MAY EMPLOY QUALIFIED STAFF AS PROVIDED FOR IN THE  
5 STATE BUDGET.

6 8-504.

7 (A) THE DIRECTOR SHALL ESTABLISH A HEARING AID LOAN BANK.

8 (B) THE DIRECTOR SHALL PROVIDE AND MAINTAIN:

9 (1) A POOL OF HEARING AIDS IN THE LOAN BANK TO LEND TO A PARENT  
10 OR LEGAL GUARDIAN OF AN ELIGIBLE CHILD;

11 (2) TESTING AND PROGRAMMING EQUIPMENT FOR HEARING AIDS IN  
12 THE LOAN BANK; AND

13 (3) SUPPLIES FOR REPAIR AND RECONDITIONING OF HEARING AIDS IN  
14 THE LOAN BANK.

15 8-505.

16 (A) UPON RECEIPT OF A PRESCRIPTION FROM A LICENSED AUDIOLOGIST, THE  
17 DIRECTOR SHALL LEND A SUITABLE HEARING AID TO A PARENT OR LEGAL  
18 GUARDIAN OF AN ELIGIBLE CHILD.

19 (B) THE LOAN PERIOD SHALL BE FOR NOT MORE THAN 6 MONTHS BUT MAY BE  
20 EXTENDED AT THE DISCRETION OF THE DIRECTOR FOR ADDITIONAL 3-MONTH  
21 PERIODS.

22 (C) A PARENT OR LEGAL GUARDIAN WHO BORROWS A HEARING AID FOR AN  
23 ELIGIBLE CHILD SHALL:

24 (1) PROVIDE PROOF OF THE NEED FOR BENEFITS UNDER THE  
25 PROGRAM;

26 (2) BE THE CUSTODIAN OF THE HEARING AID;

27 (3) RETURN THE HEARING AID IMMEDIATELY TO THE LOAN BANK UPON  
28 THE EXPIRATION OF THE LOAN PERIOD OR RECEIPT OF A SUITABLE PERMANENT  
29 HEARING AID, WHICHEVER OCCURS FIRST;

30 (4) BE RESPONSIBLE FOR THE PROPER CARE AND USE OF THE HEARING  
31 AID;

32 (5) BE RESPONSIBLE FOR ANY DAMAGE TO OR LOSS OF THE HEARING  
33 AID; AND

1           (6)     SIGN A WRITTEN AGREEMENT PROVIDED BY THE STATE  
2 SUPERINTENDENT THAT STATES THE TERM AND CONDITIONS OF THE LOAN.

3     (D)     THE DIRECTOR SHALL ENSURE THAT THE ELIGIBLE CHILD'S LICENSED  
4 AUDIOLOGIST INSTRUCTS THE PARENT OR LEGAL GUARDIAN ABOUT THE PROPER  
5 CARE AND USE OF A HEARING AID PROVIDED UNDER THE PROGRAM.

6 8-506.

7     THE GOVERNOR SHALL PROVIDE FUNDING FOR THE PROGRAM IN THE ANNUAL  
8 BUDGET OF THE DEPARTMENT BEGINNING IN FISCAL YEAR 2003 IN AN AMOUNT  
9 SUFFICIENT TO COVER THE ESTIMATED COST OF THE PROGRAM.

10 8-507.

11     THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE  
12 PROVISIONS OF THIS SUBTITLE.

13     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2001.