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Late Written Testimony

February 4, 2023

Chair Joseline A. Pena-Melnyk
House Health & Government Operation Committee
Taylor House Office Bldg., Room 241
6 Bladen St.
Annapolis, MD 21401

RE: HB401 Practice Audiology –Definition
Position: SUPPORT

Madam Chair Pena-Melnyk, Vice Chair Ariana Kelly, and Committee Members:

As you all are aware, the FDA recently passed a ruling allowing for the sale of Over The Counter (OTC) hearing aids. The purpose of this ruling was to make hearing aids not only more affordable, but more accessible for everyone needing them.

Included in this ruling was a reclassification of hearing aids currently sold by private practices such as mine. Hearing aids that my practice have been selling for many years are now classified as “Prescription” instead of “Restricted.” Nothing has changed regarding the technology of these instruments other than the labeling and classification.

Unless HB401 is passed allowing Audiologists to “prescribe” or write a “prescription” for the sale of a “Prescription” hearing aid, it will prevent us from providing the very same care to our hearing impaired patients that we have been providing since the creation of the field of Audiology after WWII. I personally have been providing care to patients for 40 years now, and am proud to say that I have changed the lives of thousands of patients through my work with fitting hearing aids to these individuals. The same hearing aids that are now labeled as “Prescription.”

Not passing this bill will result in yet another barrier to those seeking help for their hearing impairment. Having to go to a physician prior to obtaining hearing aids for a “prescription” will result in significantly fewer hearing impaired individuals obtaining the prescription hearing aids they may need.

The FDA is a known conservative organization and they have stated that they did not mean the “Prescription” label to create a barrier due to Audiologists not being able to “prescribe” hearing aids. Please pass this legislation to ensure that Maryland law is consistent with federal law and the intent of the FDA’s ruling to make hearing aids more affordable and accessible.

Best Regards,

A handwritten signature in black ink that reads 'Jana Brown, AuD, FAAA'.

Jana Brown, AuD
Board Certified Audiologist