

February 5, 2023

Late Testimony

Chair Joseline A. Peña-Melnyk  
House Health & Government Operations Committee  
Taylor House Office Building, Room 241  
6 Bladen Street  
Annapolis, MD 21401

RE: HB401 Practice Audiology-Definition  
Position: SUPPORT

Madam Chair Peña-Melnyk, Vice Chair Ariana Kelly, and  
Committee Members,

I am writing this letter to express my support as a member of the Maryland Academy of Audiology (MAA) in regard to the legislation to codify the FDA OTC hearing aid language.

Since I have been practicing audiology in the state of Maryland, my team and I have worked diligently in order to ensure the best outcomes for our patients. Since the passing of the FDA OTC legislation, we have continued to order, fit, and sell hearing aids. We have continued to do so in order to ensure that our patients are receiving excellent care with as limited restriction points as possible. With this new terminology, I am concerned that patients with hearing loss and/or tinnitus will now have more barriers to entry than before. On average, it will take an individual several years to have their hearing evaluated after first noticing difficulty. I am concerned that adding another barrier will only increase this already prolonged window.

In addition, since the words “order” and “prescription” were termed by the FDA, the devices themselves have stayed the exact same. These new “prescription” hearing aids are not different than that of the “restricted” hearing aids as they were labeled prior to October 2022. The only thing that has changed with these devices since the passing of the legislation was the labeling and classification, nothing with the actual technology has been changed. Unless HB401 is passed, which would allow Audiologists to “prescribe” hearing aids that are now “prescription”, it will stop us from providing the adequate hearing health care that our patients need.

Please codify this legislation to ensure that Maryland law is consistent with federal law. Thank you for your time.

Sincerely,



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