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Late 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 the one I am employed. Hearing aids, that we work with on a daily basis are now classified as “Prescription” instead of “Restricted.” The instruments, and the technology they retain, have no changed; however, the labeling and classification has been updated.

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 same care to our hearing impaired patients. I have been a provider since May 2020 and have been able to connect people to their families and enable more effective communication. Not passing this bill will result in yet another barrier to those seeking help for their hearing impairment, further separating them from their families and daily activities due to increased difficulty in communication. 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,

Sarah F. Hart, AuD
Board Certified Audiologist