

July 11, 2024

Dear Governor:

I'm the founder of the Hearing Loss Foundation- An organization created to advocate for the rights of children who are deaf or hard of hearing.

We would like to bring your immediate attention to a critical issue in your state regarding the enforcement of the Americans with Disabilities Act (ADA). **It is crucial to highlight that withholding access to sound and limiting pediatric prescription hearing aid coverage for children diagnosed with hearing loss is a clear violation of the Americans with Disabilities Act (ADA)**- A Federal Law which protects children diagnosed with hearing loss that require medically necessary prescription hearing aids for equal access to free and public education (FAPE). Your State's current Medicaid program, and Health Insurance mandate violates the ADA by limiting a child's accessibility to sound, Current mandates segregate necessity of pediatric hearing aids versus geriatric hearing aids. A discriminatory violation against every child with hearing loss, which prevents them equal access and rights to FAPE under IDEA.

We urge you to take immediate action to ensure that children with hearing loss have access to medically necessary prescription hearing aids without annual limitations or financial burdens:

STATE ACTION NEEDED:

- State mandate for Pediatric hearing aids to **increase** from current coverage to mandated Medicaid and Health Insurance coverage at 100% ***every year, with NO maximum, NO out-of-pocket, NO limitations.***
- Include: No limitations on ordering a backup set of hearing aids.

PEDIATRIC HEARING AID FACTS:

- Pediatric hearing aids are the only devices prescribed shortly after birth; vital for brain development.
- A backup set of hearing aids- due to factors such as growth, and moisture damage from sweat at recess.
- Children face significant challenges if the primary set of hearing aids stop working.
- Hearing aid repairs can only be sent by an Audiologist to the manufacturer. Turnaround time is 2-3 weeks.
- Restricting access to sound is a violation of their rights under ADA, IDEA, Section 504, Title II, and FAPE.
- The denial of coverage directly infringes upon the rights guaranteed by the ADA, which ensures non-discrimination of individuals with disabilities by allowing them to have equal access to the same opportunities as others.

Every child, regardless of their hearing status, deserves the right to access the necessary tools and resources to thrive and succeed. Failure to provide coverage for hearing aids not only perpetuates inequality but also undermines the fundamental principles of equality and justice that the ADA upholds.

Thank you for your critical attention and leadership in supporting the ADA rights for children with hearing loss. We look forward to receiving a commitment to enforce your State's ADA compliance.

Best regards,



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