

STEVEN F. FREEDMAN, MD

March 21, 2023

Chairwoman Donovan

House Committee on Health and Human Services

Rhode Island State House

Smith Street

Providence, RI 02903

RE: H 5874

Dear Chairwoman Donovan,

I write today in support of H 5874 – An Act related to Business and Professions -Hearing Aid Dealers and Fitters. This act provides a mindful and necessary correction to outdated and irresponsible regulations resulting from recent ruling by the FDA section 802.421.

The result of the interpretation of current Rhode Island laws after the FDA ruling create a condition in the Otological field of care that will damage patient access to devices in a timely manner, create undue burden on Audiology professionals to provide care and place certifications outside the Rhode Island Department of Health. An example of the existing language to be corrected is:

Rhode Island has a trigger law that will come into effect. This is the text of the regulation:

No person, firm, association or corporation shall sell or attempt to sell or otherwise make available any hearing aid instrument or hearing prosthetic device to a prospective consumer

or purchaser unless that consumer or purchaser has first obtained and presented to the seller a certificate of need on forms prescribed and furnished by the Director, signed by a physician duly licensed in the state under the provisions of R.I. Gen. Laws Chapter 5-37,

attesting thereon that pursuant to an **ontological examination no more than six (6) months prior to the sale of the hearing aid, it is his/her diagnosis that the prospective patient-purchaser has a hearing impediment of such a nature as to indicate the need for a hearing aid instrument or hearing prosthetic device.**

Unintended consequences of such outdated language remove the ability for Doctors specializing in Audiology who are not also Physicians to require additional approvals to act on prescribed devices. Often, these additional approvals would come from other medical professionals who are not specialized in hearing health or disorders simply to fulfill the law. The current regulations place an additional burden on patients, stress Physicians and demote qualified medical professionals within this medical community. This situation is a step in the wrong direction. Changes to current Rhode Island law are overdue.

H 5874 has been written in conjunction with The Rhode Island Academy of Audiologists and endorsed by Rhode Island Hearing Instrument Specialists across the state. This act will correct the current outdated language and replace it with regulations that recognize medical professionals in Rhode Island and update regulations to match the modern medical climate.

This act is needed in order to reduce barriers to care for those in need especially our senior citizens of Rhode Island. This act is needed to preserve patient access to critical hearing devices. This act is needed to maintain the standard of care across New England and prevent Rhode Island from becoming an outlier in the medical community as it relates to hearing health and quality of life.

The proposed language of this bill places Rhode Island back in alignment with our neighboring states, improves patient experience and restores the access to grant such care in the hands of those who have the most experience to do so.

As a resident of Middletown (D-12), Doctor of Audiology and a licensed Audiologist in RI, I urge the Rhode Island Senate to support H 5874.

Respectfully submitted,



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