

Wyoming Administrative Rules

Health, Department of

Wyoming Adult Hearing Aid Program

Chapter 1: Wyoming Adult Hearing Aid Program

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Chapter 1

Wyoming Adult Hearing Aid Program

Section 1. Authority. The Wyoming Department of Health (Department) promulgates these rules pursuant to Wyoming Statutes § 35-25-601, et. seq., the Wyoming Adult Hearing Aid Program.

Section 2. Purpose and Applicability.

(a) These rules shall apply to and govern the Wyoming Adult Hearing Aid Program (Program).

(b) Subject to available state funding, the Department shall provide hearing aids for eligible adults, including hearing aid fitting and ear molds.

(c) Eligibility, administration, and implementation of the Program under this section shall be determined by the Department or its designee. The Program shall be consistent and reflect the rules contained in this Chapter. The Department may issue manuals, bulletins, or policies to interpret these rules. The provisions contained in any manuals or bulletins shall be subordinate to the sections of these rules.

Section 3. Definitions. Except as otherwise specified in Wyoming Medicaid Rules Chapter 1, Title 35 of the Wyoming Statutes, or this Section, the terminology used in this Chapter is the standard terminology and has the standard meaning as used in health care, Medicaid, and Medicare.

(a) “Audiogram” means the visual result of an audiometry hearing test administered by an audiologist or other health professional.

(b) “Audiologist” means an individual currently licensed to practice audiology in the State of Wyoming.

(c) “Eligible Adult” means a Wyoming resident not less than eighteen (18) years of age who has been diagnosed by a physician or audiologist with a profound hearing impairment that requires hearing aids and who has a monthly modified adjusted gross family income at or below two hundred percent (200%) of the federal poverty level.

(d) “Hearing aid” means as defined by W.S. 33-35-102(a)(ii).

(e) “Hearing aid accessory” means a chest harness, tone and ear hooks, carrying cases, and other accessories that not included in the cost of the hearing aid but that are necessary to recipient’s use of the hearing aid.

(f) “Hearing aid service provider” means:

(i) All in-state Wyoming providers and out-of-state providers that are currently enrolled in the Wyoming Medicaid program to dispense hearing instruments.

(ii) Any individual or entity that has a current provider agreement, is licensed and/or certified to provide hearing services in the method being provided and is enrolled by the Department;

- (iii) An audiologist; or
- (iv) An otolaryngologist.

(g) “Hearing aid services” means the services provided by a hearing aid services provider that are necessary to dispense hearing aids and provide hearing aid accessories and repairs.

(h) “Hearing test” is an evaluation administered by a hearing aid services provider of an individual’s ability to hear that includes the following components:

- (i) Testing of air-conducted stimuli at thresholds of five hundred hertz (Hz), one thousand Hz, two thousand Hz, and four thousand Hz;
- (ii) Assessment of air-conducted speech awareness or speech reception threshold;
- (iii) Establishment of most comfortable and most uncomfortable listening levels;
- (iv) Pure-tone conduction audiometry (unless an individual’s age or capability precludes such testing).

(i) “Otolaryngologist” means a physician specializing in diseases of the ear and larynx who is board eligible or board certified by the American Board of Otolaryngology.

Section 4. Covered Hearing Aid Services. The services and supplies specified under this subsection are covered services if medically necessary, subject to any exclusions or limitations contained in these rules and the Rules and Regulations of the Wyoming Department of Health. An eligible adult for services under this Program shall receive:

- (a) Up to one (1) hearing aid per ear at a cost of not more than the rate paid for hearing aids under the Wyoming Medical Assistance and Services Act and including hearing aid insurance for loss or damage;
- (b) A hearing aid fitting at a cost of not more than the rate paid under the Wyoming Medical Assistance and Services Act; and
- (c) An initial set of ear molds at a cost of not more than the rate paid under the Wyoming Medical Assistance and Services Act.

Section 5. Eligibility.

- (a) General Requirements
 - (i) All applicants must be eighteen (18) years of age or older at the time of submission of their application.
 - (ii) Submission of a complete application as determined by the Department within the designated timeframe.
 - (iii) Individual must have hearing loss of 35 decibels (dB) in one ear, or 30 dB in both ears to qualify for this Program.

(iv) Individual is not eligible to receive hearing aids through private insurance, Medicaid, Medicare or any other available third-party payor.

(A) If individual cost sharing exceeds \$500 for hearing aids, this is not considered full coverage as defined by Statute, and the Department shall serve as a secondary payor.

(v) Applicants shall not receive more than one (1) hearing aid, monaural or set, under this Program in any five (5) year period.

(vi) Applicants must have a monthly modified adjusted gross family income at or below two hundred percent (200%) of the federal poverty level.

(b) Medical Criteria

(i) An audiogram or other form pre-approved by the Department that reports the hearing evaluation test or dB loss must include for both right and left ears:

(A) Hearing thresholds at 250, 500, 1000, 2000, 3000, 4000, 6000, and 8000 Hz for air conduction, and

(B) 500, 1000, 2000, and 4000 Hz for bone conduction.

(ii) If the hearing test shows an average hearing loss in one ear of 35 dB or greater, based on the standard pure-tone average (PTA) (500, 1000, 2000 Hz) for that ear, a monaural aid shall be allowed.

(iii) Binaural hearing aids are reimbursed by the Department only under one of two circumstances:

(A) Must be medically verified that the individual has an average hearing loss of 30 dB based on the standard PTA for both ears.

(B) The individual is blind, and it has been medically determined that a monaural hearing aid may be contraindicated.

(iv) Hearing loss that is correctable by other means is not eligible for a hearing aid under this Program.

Section 6. Application.

(a) Timeframe

(i) If funding is available, the Department shall announce any application period no less than thirty (30) days before the opening of such period.

(ii) Applications shall be received for at least sixty (60) days per state fiscal year as announced by the Department. The Department may extend or reopen the application period as funding becomes available.

(iii) All applications received shall be documented and tracked by the Department.

(b) The Department shall establish and administer an application process.

(c) Any information received shall be protected as necessary under the Department's personally identifiable information (PII) policies and rules.

Section 7. Prioritization.

(a) Eligible individuals with the greatest hearing loss must be served first until the Program funding is exhausted. The following prioritization of eligible applicants shall be established:

(i) Hearing loss as documented in the audiogram or other form pre-approved by the Department that reports the hearing evaluation test submitted with the application.

(ii) Time and date of application submission

(A) Electronic applications shall be recorded at time of submission of a complete application.

(B) Complete applications submitted by mail shall be recorded as 12:00PM MST on the postmarked date.

(b) The Department shall maintain a waitlist to provide additional hearing aids to applicants as funding is appropriated and approved.

(i) Waitlist order shall be established based on the prioritization described above.

(ii) Waitlist shall be maintained for two (2) years from date of application submission.

(iii) An updated audiogram, or other form pre-approved by the Department, that reports the hearing evaluation test or dB loss for both right and left ears may be submitted for consideration of waitlist priority.

(iv) The waitlist shall be fulfilled as funding becomes available.

Section 8. Payment.

(a) Payment shall be made pursuant to the provider manual for this Program.

(b) This Program must not exceed Medicaid reimbursement and additional per person limits established by the Department.

(c) Reimbursement for an individual shall be limited to three thousand dollars (\$3,000.00) for both ears in a 5-year period. Additionally, the following limitations shall apply to hearing aids:

(i) Up to one (1) hearing aid per ear at a cost of not more than the rate paid for hearing aids under the Wyoming Medical Assistance and Services Act and including hearing aid insurance for loss or damage;

(ii) A hearing aid fitting at a cost of not more than the rate paid under the Wyoming Medical Assistance and Services Act; and

(iii) An initial set of ear molds at a cost of not more than the rate paid under the Wyoming Medical Assistance and Services Act.

(d) Hearing aid services provider must accept payment made pursuant to these rules as payment in full for hearing aid services. No further reimbursement or cost sharing may be sought from the eligible individual.

(e) Cost limits shall be regularly revisited by the Program to ensure medically appropriate equipment can be purchased within the cost limit established by the Department.

Section 9. Employees. The Department is authorized to hire no more than one (1) at-will employee contract position to administer and implement this Program.

Section 10. Severability. If any portion of these rules is found to be invalid or unenforceable, the remainder shall continue in effect.