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## 2017—The Year History Was Made (Again)

***I am writing something for the history books. Whether you agree with it or not, whether it helps you or not, it's historic.***

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**DATELINE—New Year's Eve, Washington, D.C. Metro Area**—After ringing in 2017, like most of you, I went to sleep with a feeling of hope about what the new year might bring. I also thought about the possibility of something big happening...or *not happening*.

Right before the holidays, there was a bill introduced in Congress called the Over-the-Counter Hearing Aid Act of 2016 by Senators Elizabeth Warren (D-MA) and Chuck Grassley (R-IA). This was the first legislative rumbling we heard. However, Congress was going into recess for the holidays and if this bill were to gain any kind of traction it had to be reintroduced in the new Congress, under the new administration, in 2017.

On March 21, 2017, the Over-the-Counter Hearing Aid Act of 2017 was reintroduced in the Senate by Sens. Warren and Grassley, but a companion bill was also introduced in the House of Representatives by Reps. Joe Kennedy III (D-MA) and Marsha Blackburn (R-TN).

The Over-the-Counter Hearing Aid Act of 2017 would make certain types of hearing aids available over the counter for adults with mild to moderate hearing loss. In addition, the proposed legislation would require the Food and Drug Administration (FDA) to write regulations ensuring that this new category of OTC (over-the-counter) hearing aids meets the same high standards for safety, consumer labeling and manufacturing protections as are all medical devices, giving consumers the option of purchasing an FDA-regulated device at lower cost.

The bill's passage was never certain, the opposition to it was organized and formidable, and we knew we would have to fight for consumers through it all. To make a very long and varied story short, President Trump signed the bill into law on August 18, 2017.

### #NASEMHearing

"Hearing loss affects more than individuals. It's a public health concern.

Improving access to and affordability of hearing health care means finding solutions that span society. Learn more at [nas.edu/hearing](http://nas.edu/hearing)."



### Why Now?

Let's take a step back. HLAA was the only consumer-group sponsor of a study conducted by the National Academies of Sciences, Engineering, and Medicine (NAS) on the affordability and accessibility of hearing health care for adults in the United States. The NAS is a private, nonprofit institution that provides independent, objective analysis and advice to the nation and conducts other activities to solve complex problems and inform public policy decisions related to science, technology, and medicine. The Academies operate under an 1863 congressional charter to the National Academy of Sciences, signed by President Lincoln. The aim of the Health and Medicine division of the NAS is to help those in government and the private sector make informed health decisions by providing evidence upon which they can rely.

Out of the study came the report, *Hearing Health Care for Adults: Improving Access and Affordability*, issued in June 2016. It offered 12 recommendations to improve hearing health care, spanning topics such as promoting hearing health care in wellness visits, empowering consumers and patients in their use of hearing health care, reaching underserved and vulnerable populations, and others. HLAA is taking the lead on Recommendation #11, *Improve Publicly Available Information on Hearing Health*. (You can find the report listing all the recommendations at [nas.edu/hearing](http://nas.edu/hearing).)

Recommendation #7, however, sparked the interest of almost everyone, whether they were for, against, neutral or unsure about it. Recommendation #7 states: *Implement a New Food and Drug Administration Category for Over-the-Counter Wearable Hearing Devices.*

This specific recommendation garnered quick attention from the FDA, HLAA, consumers, the Federal Trade Commission, other government entities, the National Institute on Deafness and Other Communication Disorders (NIDCD, a division of the National Institutes of Health), researchers, industry, audiologists and other providers, and Congress.

Once Congress introduced the bill as the Over-the-Counter Hearing Aid Act, it got even more attention, including from the media. Calls from TV, radio, print and digital media flooded our office for comments and interviews from the one organization that represents consumers with hearing loss. It was an interesting story to them because there was both support and opposition to the bill and it was practically the only thing coming out of Congress that was bipartisan.

### Why Did HLAA Support This Bill?

For years we have received letters, phone calls and emails from people saying they can't afford hearing aids. Here are the facts:

- 80 percent of people who could benefit from hearing aids don't get them.
- Untreated hearing loss can lead to depression, isolation, anxiety, falls and there's even a possible link between untreated hearing loss and cognitive decline.
- It takes 7–10 years for a person to seek help after learning he or she has a hearing loss. Cost and access are a deterrent, but so is stigma.

- There aren't enough trained audiologists and hearing instrument specialists to serve everyone in the United States who could potentially benefit from a hearing aid.

The hope for this new category of hearing aids is that it might encourage some people to get help who otherwise would not seek it. We hope it drives innovation, lowers the cost of all hearing aids and opens wide the conversation that hearing loss should be prevented, screened for and tested. We hope it drives people to audiologists for important services and perhaps even other hearing aids. We can't predict the future, but HLAA will be there to work with the FDA to ensure safety, standards, and consumer protection with these new devices.

### Don't Wait

Many of you have already done something about your hearing loss and are in the good care of your audiologist. If you hear of friends and family who might not want to do anything until OTC products are on the market, please tell them not to wait to get their hearing checked. First, these devices might not be suitable for them, and second, we are not likely to see them on the market for at least two years.

### History is Made

*Your organization*, once again, is part of history. For years we have fought for you—people with hearing loss—and made sure that people who use technology, amplification and who want to stay in the hearing world are represented. Some examples include the Hearing Aid Compatibility Act of 1988 ensuring that all landline phones are hearing aid compatible, and we continue the work on wireless phones; the landmark Americans with Disabilities Act of 1990, when HLAA Founder Rocky Stone was on

November 7, 2016

To: Barbara Kelley

Just wondering if you could help my husband, Mike. He's 75 years old and very hard of hearing and using his uncle's old aids and now they have to be taped together. They are falling apart all the time. We cannot afford new ones as we are on Social Security and very tight budgets. Would you know of or do you have a way for him to get a set of hearing aids he can use? Otherwise, he can't hear me. Thanks.

Sincerely,  
Mary

*Here is a sample of the thousands of letters, emails and calls we get from people who are not able to afford hearing aids.*

the Access Board and helped write the regulations (with your input) for communication access for people who use technology and to ensure that sign language was not the only accommodation. These are only a few examples of how HLAA has represented you.

On a personal note, I am so proud of HLAA and its members. During the many hours we spent on Capitol Hill or with the media, HLAA was greeted with open arms as the leading consumer organization for people with hearing loss. Thanks to you—our members and supporters, the national office staff, and the HLAA Board of Trustees—our reputation is stellar and our voice, along with yours, is heard.

As we celebrate the founding of this organization in November 1979, I think highlighting our work this year is a strong way to close out 2017. I wish you, especially our veterans who are honored in this issue, a happy holiday season and a hopeful 2018. **HLM**