

HLAA Advocacy Update

BY LISE HAMLIN

With the arrival of COVID-19, HLAA shifted resources to respond to the pandemic. Old communication barriers were made new under these unprecedented circumstances: communicating in the hospital, using telemedicine, using video platforms like Zoom for school and work, and most recently, trying to communicate with everyone using face masks, all compounded communication barriers people with hearing loss confront every day. We provide tips and update our Coronavirus pages on our website with information as we receive it.

While nothing is normal under COVID-19, the pandemic did not put an end to our ongoing advocacy agenda. Many of our issues still needed our attention, albeit in different ways, or in ways heightened by the pandemic.

Hearing Loops and Other Assistive Devices and Services

Remember going to the theater, the movies, town hall meetings? Seems like a distant memory. We have long promoted assistive listening devices like hearing loops and captioning to help us in big spaces. While we put that on hold for the moment, we expect that we will return to those venues someday. When we do, HLAA will be there to advocate for access.

In the meantime, we still need accommodations to be able to communicate in face-to-face settings such as in the grocery store or the pharmacy, for takeout meals or just picking up cat food. While much attention has been devoted to the need for clear face masks, we cannot forget hearing loops or other assistive listening devices. Imagine visiting the drugstore with a hearing loop and a telecoil in your hearing devices. With those in place, clear face mask or not, we have a better shot at hearing what the pharmacist is saying. HLAA has a task force that is working on these issues and would welcome your input and support. For more information, see hearingloss.org/programs-events/get-hearing-loop.

In public places we might also use one of the Automated Speech Recognition (ASR) apps that provide speech to text on your phone like AVA, Google's Live Transcribe, Otter.ai, and Microsoft Translator. Those apps can help when masks get in the way of communication.

Employment and School

We've said this before—your civil rights do not disappear during a health emergency. We recently celebrated the 30th anniversary of the Americans with Disabilities Act (ADA). The ADA ensures people with disabilities have equal access to employment, state and local government programs and services, public places and telecommunications. If you are at work or school and now need to work remotely, you are entitled under the ADA to request an accommodation. That includes captioning or CART or a sign language interpreter—whatever tools work for you that allow you equal access to the information everyone else is getting. Don't be shy. It is your civil right under the law. Use it!

IP CTS: Internet Protocol Captioned Telephone Service

The world of captioned telephones has been changing, slowly but surely. As ASR programs, aided by artificial intelligence (AI) get smarter, so does the possibility



© Cindy Dyer

While nothing is normal under COVID-19, the pandemic did not put an end to our ongoing advocacy agenda. Many of our issues still needed our attention, albeit in different ways, or in ways heightened by the pandemic.

of greater usefulness in the captioned telephone arena. Right now, the IP CTS providers do use ASR products, but they are aided by a human being who makes corrections to mistakes in the text. The Federal Communications Commission (FCC) recently certified companies to provide fully ASR captioned telephone services, that is, without someone to correct those mistakes. The FCC will be watching the rollout, but they cannot be everywhere. They need your input. When these apps become available, if you use them, watch and see whether they provide the kind of service you need to complete a phone call. Good or bad, better or worse than what we use now, let the FCC know at consumercomplaints.fcc.gov/hc/en-us.

HAC Phones

When digital cellphones first appeared in the 1990s, HLAA was there to ensure that these phones worked with hearing aids. Not an easy task at the time. Flash forward and we have many more options in cellphones that will work well with hearing aids and cochlear implants.

Still, not every phone that is sold is hearing aid compatible. There is still the possibility that you will leave a mobile phone provider's store with a phone that does not work well with your hearing aid or cochlear implant.

HLAA and the cellphone industry have embarked on a process that is designed to help the FCC determine whether the mobile phone providers can assure 100% of phones sold are hearing aid compatible. We will also be recommending whether the current definition of what makes a phone hearing aid compatible is still applicable.

When we are done, we will report our findings to the FCC. In the meantime if you are looking for a hearing aid compatible cellphone, visit the CTIA website (CTIA.org), or the FCC at fcc.gov/hearing-aid-compatibility-wireless-telephones. If you have complaints, let us know, or reach out to the FCC at consumercomplaints.fcc.gov/hc/en-us. **HL**

Lise Hamlin is director of public policy at HLAA. Reach her at lhamlin@hearingloss.org.

Update on OTC Hearing Devices

On August 18, 2017, the bill that made Over-the-Counter (OTC) hearing devices legally available was signed into law. Under this law, adults with mild to moderate hearing loss would be able to purchase devices to address their hearing loss online or in big box stores.

The Food and Drug Administration (FDA) was charged with oversight of the law and with writing the rules for this new category of hearing devices that will be available to consumers, ensuring that the devices will be safe and effective for people with mild-to-moderate hearing loss and set standards for package labels to help buyers understand OTC hearing aids and who might benefit from them.

More than two years ago, the FDA posted the following:

July 24, 2018—Status on OTC Hearing Aids

In the FDA Reauthorization Act of 2017 (FDARA), Congress outlined certain requirements to establish a category of OTC hearing aids and the requirements that apply to them. This statutorily mandated process requires the FDA to publish proposed regulations for public comment, and then to publish final regulations.

At this time, there are *no products* that can claim to address hearing loss that are, or can claim to be OTC hearing aids within the meaning of section 520(q) of the Food, Drug & Cosmetic Act as amended by FDARA. Currently, hearing aids continue to be restricted devices, for which sales must follow applicable federal and state requirements. FDA has published a letter to clarify the status of these products. fda.gov/medical-devices/consumer-products/hearing-aids.

At this writing, that is still the case: until the FDA completes the rulemaking process, no product can claim to be an OTC hearing aid. For complaints about hearing aids in general or OTC devices you can send your complaint to the Federal Trade Commission (FTC) at ftc.gov/faq/consumer-protection/submit-consumer-complaint-ftc. **HL**