

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1868

99TH GENERAL ASSEMBLY

Reported from the Committee on Seniors, Families and Children, May 7, 2018, with recommendation that the Senate Committee Substitute do pass.

4148S.04C

ADRIANE D. CROUSE, Secretary.

AN ACT

To amend chapter 209, RSMo, by adding thereto one new section relating to a statewide hearing aid distribution program.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 209, RSMo, is amended by adding thereto one new section, to be known as section 209.245, to read as follows:

209.245. 1. Subject to appropriations, the Missouri commission for the deaf and hard of hearing shall establish a statewide hearing aid distribution program to provide financial assistance to allow individuals who are deaf or hard of hearing and whose household income is at or below the federal poverty level to obtain hearing aids. All assessment for need and distribution of hearing aids shall be performed by audiologists or hearing instrument specialists licensed under chapters 345 and 346.

2. There is hereby created in the state treasury the "Statewide Hearing Aid Distribution Fund", which shall consist of moneys collected under this section. The state treasurer shall be the custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys

20 earned on such investments shall be credited to the fund. Funding for
21 the statewide hearing aid distribution program shall not be allocated
22 from the assistive technology trust fund established under section
23 161.930. The Missouri commission for the deaf and hard of hearing may
24 accept gifts, donations, grants, and bequests from individuals, private
25 organizations, foundations, or other sources for the purpose of
26 establishment and operation of the statewide hearing aid distribution
27 program.

28 3. The Missouri commission for the deaf and hard of hearing may
29 promulgate rules to implement and administer the statewide hearing
30 aid distribution program under this section. Any rule or portion of a
31 rule, as that term is defined in section 536.010, that is created under
32 the authority delegated in this section shall become effective only if it
33 complies with and is subject to all of the provisions of chapter 536 and,
34 if applicable, section 536.028. This section and chapter 536 are
35 nonseverable, and if any of the powers vested with the general
36 assembly pursuant to chapter 536 to review, to delay the effective date,
37 or to disapprove and annul a rule are subsequently held
38 unconstitutional, then the grant of rulemaking authority and any rule
39 proposed or adopted after August 28, 2018, shall be invalid and void.

40 4. The Missouri commission for the deaf and hard of hearing may
41 enter into contracts as necessary to carry out the statewide hearing aid
42 distribution program including, but not limited to, contracts with
43 disability organizations.

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