

October 2011

## **NJAHHP Response to UnitedHealthcare Internet Hearing Aids Sales**

**1). Public Awareness Campaign:** NJAHHP to create public awareness campaign that is focused on consumer safety by emphasizing the potential health dangers of the process rather than the product (i.e. hearing aids are useful, life-enhancing devices, but without professional expertise can be applied incorrectly or inappropriately, making them ineffective or even potentially dangerous to patient hearing). Message needs to be simple and put consumers on alert.

### **Elements of Campaign:**

- **Press Release from NJAHHP (ASAP):** Short press release to major New Jersey news outlets, positioning NJAHHP ahead of the issue and warning consumers of potential dangers of purchasing hearing aids from insurance companies via the Internet without professional guidance.
- **Press Release from Healthcare Coalition:** Work on creating a coalition of like-minded organizations (NJAA, NJSHA confirmed, NJ Academy Otolaryngology, etc.) to submit a joint press release in opposition to this practice in NJ.
- **Letters to the Editor (ASAP):** NJAHHP to provide trustees with a sample letter to submit to local papers (weekly/bi-weekly community papers) as letters to the editors under their own names.
- **Website statement:** Something brief for the consumer on the home page and more technical for the members on a separate page.
- **Outreach to TV News/Dr. Oz:** Try to catch the attention of local news outlets (David reconnect with NBC 10) to do a story on this issue. Outreach to Dr. Oz's (Gran has good contact) producers to focus in on the pitfalls of hearing aid internet sales.
- **Video:** Possibly create a video demonstrating message. This could be done in-house with someone's video or phone cam—or if piece is compelling enough, can explore funding for professional production.

## **2). Outreach to Regulatory Agencies:**

- **NJ Department of Banking & Insurance:** NJAHHP to file formal complaint with NJ Department of Banking & Insurance about the questionable practice of a health insurance company profiting from selling medical devices.
  - NJAHHP to send letter to DOBI Commissioner in opposition to practice of allowing internet sales without professional guidance.
- **Outreach to Department Human Services/Div. Deaf & Hard of Hearing?**
- **Outreach to NJ Department of Human Services/Medicaid Div.**—point out that providing hearing aids without professional consultation is against state regs, as documented in Medicaid Hearing Aid Provider manual (delivery system is against state rules).
- **Role of Hearing Aid Dispensers Committee (HADEC)?**
- **Make Public Statement opposing practice to Division of Consumer Affairs**

**3). Legislative Outreach:** Begin building support of position within the Legislature. Reach out to legislators that are allies of NJAHHP (Senator Allen, Asw. Valerie Vanieri Huttel/Senator Joe Vitale—sponsors of MP3 bill). Select sponsors and build support for co-sponsors.

Use California law as model. The following is a link to an informational brochure the CA Dept of Consumer Affairs offers on purchasing hearing aids:

<http://www.dca.ca.gov/hearingaid/consumers/brochure.pdf>

Here is a link to a synopsis of the CA law:

[http://www.dca.ca.gov/hearingaid/consumers/mail\\_order.shtml](http://www.dca.ca.gov/hearingaid/consumers/mail_order.shtml)

Possible Avenues for Legislation: build grassroots network within NJAHHP (find out who NJAHHP members know/grassroots survey).

Legislative focus will be on two main points to ensure licensed hearing specialists remain part of the process. These points are:

- 1). Mail order/internet hearing aids may only be purchased through a dispenser licensed by the New Jersey Audiology Speech-Language Advisory Committee or and Hearing Aid Dispensers Board.

2). Prior to purchasing a hearing aid through mail order or the Internet, patients must provide a statement signed by a physician, audiologist or licensed dispenser that verifies direct examination within the last 6 months.

**4). Outreach to Members and Licensed Dispensers:** To make sure they are on the same page and have a message to provide their patients and the press.

**5). Coalition Building:** Reach out to like-minded organizations to build a coalition to support the cause.

**6). Designate NJAHHP Legislative Liaison to IHS:** IHS has asked NJAHHP to designate a legislative liaison for the organization to be the key contact on issues. This is an important role to ensure IHS is aware of the Association's efforts on this matter (as well as others) and vice versa. IHS is also looking for an AAO-HNS/HIS State Liaison

**7). Outreach to manufacturers:** Later stage action item?