

**IC 16-35-8 Chapter 8. Hearing Aid Assistance**

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**IC 16-35-8-1 "Child"**

Sec. 1. As used in this chapter, "child" means a child who is:

- (1) at least three (3) years of age and less than seven (7) years of age; or
- (2) enrolled in a public school, state accredited nonpublic school (as defined in IC 20-18-2-18.7), or nonaccredited nonpublic school in kindergarten through grade 12.

*As added by P.L.119-2009, SEC.1. Amended by P.L.149-2017, SEC.4; P.L.92-2020, SEC.9.*

**IC 16-35-8-2 "Fund"**

Sec. 2. As used in this chapter, "fund" refers to the hearing aid fund established by section 3 of this chapter.

*As added by P.L.119-2009, SEC.1.*

**IC 16-35-8-3 Hearing aid fund; established**

Sec. 3. The hearing aid fund is established for the purpose of providing hearing aid assistance to eligible children through the hearing aid assistance program established by section 9 of this chapter.

*As added by P.L.119-2009, SEC.1.*

**IC 16-35-8-4 Fund administration**

Sec. 4. The fund shall be administered by the state department.

*As added by P.L.119-2009, SEC.1.*

**IC 16-35-8-5 Fund contents; expenditure limits**

Sec. 5. (a) The fund consists of appropriations from the general assembly, gifts, bequests, and other sources of funding.

(b) Expenditures for the program may not exceed the amounts appropriated, gifted, bequeathed, or provided to the fund.

*As added by P.L.119-2009, SEC.1. Amended by P.L.149-2017, SEC.5.*

**IC 16-35-8-6 Fund expenses**

Sec. 6. The expenses of administering the fund shall be paid from money in the fund.

*As added by P.L.119-2009, SEC.1.*

**IC 16-35-8-7 Fund investments**

Sec. 7. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

*As added by P.L.119-2009, SEC.1.*

**IC 16-35-8-8 Nonreversion; appropriation**

Sec. 8. (a) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(b) There is annually appropriated to the state department from the fund an amount sufficient for the purposes of this chapter.

*As added by P.L.119-2009, SEC.1.*

**IC 16-35-8-9 Hearing aid assistance program; established; criteria**

Sec. 9. (a) The hearing aid assistance program is established.

(b) The following eligibility criteria apply for funding through the hearing aid assistance program:

(1) The hearing aid must be:

(A) prescribed for a child by a physician who is licensed under IC 25-22.5; and

(B) prescribed, fitted, and dispensed for the child by an audiologist who is licensed under IC 25-35.6.

(2) The child has not received funding from the fund for a hearing aid for the applicable ear during the previous three (3) years.

*As added by P.L.119-2009, SEC.1. Amended by P.L.109-2012, SEC.13; P.L.149-2017, SEC.6.*

**IC 16-35-8-10 Application for funding; payment from fund**

Sec. 10. (a) The parent or guardian of a child may at any time apply to the state department for funding through the hearing aid assistance program.

(b) Upon receipt of an application made under subsection (a), if the state department determines that the child is eligible under section 9(b) of this chapter, the state department may, subject to subsection (c), pay from the fund an amount per hearing aid not to exceed a maximum amount per hearing aid determined by the state department.

(c) The state department shall issue guidelines establishing a cost participation standard for the amount of a parent's or guardian's expected contribution toward the purchase of a hearing aid for which assistance is granted under this chapter. The state department shall post the guidelines on the state department's Internet web site.

*As added by P.L.119-2009, SEC.1. Amended by P.L.149-2017, SEC.7; P.L.108-2019, SEC.205.*

**IC 16-35-8-11 School assistance with applications**

Sec. 11. A public or nonpublic school may identify eligible children and assist the parents or guardians of the eligible children in submitting applications to the state department under this chapter.

*As added by P.L.119-2009, SEC.1.*

**IC 16-35-8-12 Funding priority**

Sec. 12. (a) The state department shall give funding priority to applications under this chapter for eligible children who are less than fourteen (14) years of age.

(b) The funding priority described in subsection (a) has the highest priority. However, the state department may issue guidelines establishing additional funding priorities to give to applications that are submitted under this chapter. If the state department issues guidelines under this subsection, the state department shall post the guidelines on the state department's Internet web site.

*As added by P.L.119-2009, SEC.1. Amended by P.L.108-2019, SEC.206.*

**IC 16-35-8-13 Hearing aid refurbishing program**

Sec. 13. (a) The state department may, if economically feasible, create a hearing aid refurbishing program through which hearing aids that are no longer used by eligible children

and other individuals are collected and refurbished for the use of other individuals.

(b) The state department may enter into an agreement with another organization to implement this section.

*As added by P.L.119-2009, SEC.1.*

**IC 16-35-8-14            Administrative rules**

Sec. 14. The state department may adopt rules under IC 4-22-2 to implement this chapter.

*As added by P.L.119-2009, SEC.1.*