

Notice

Health Insurance Act
(R.S.Q., c. A-29)

Hearing aids — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act, the text of which appears below, may be made by the Government after consultation with the Régie de l'assurance maladie du Québec or on its recommendation, on the expiry of 45 days following this publication.

The draft Regulation makes digital hearing aids accessible, adds a number of assistive listening devices, makes certain hearing aids accessible to children under 6 years of age, provides for the reinstallation of certain assistive listening devices after a person has moved, makes binaural amplification accessible, under certain conditions, to persons 19 years of age or older who are not students, extends the requirement for an overall evaluation to persons between the ages of 65 and 74, improves the quality of audiometric examinations and relaxes the requirement respecting the attestations required in relation to the allocation of assistive listening devices.

In accordance with section 72.1 of the Health Insurance Act (R.S.Q., c. A-29), complementary amendments will be made by the Régie de l'assurance maladie du Québec to Chapter V of the Regulation respecting hearing devices insured under the Health Insurance Act, with a coming into force provision concomitant with the coming into force provision in this draft Regulation.

Study of the matter by a task force under the responsibility of the Minister of Health and Social Services and representing the various organizations and associations concerned has shown that the needs of the client base will be more effectively met as a consequence of the proposed amendments.

The measures proposed by this draft Regulation will also have a positive impact on the revenue of enterprises specialized in the sale and distribution of hearing aids.

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Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the under-

signed Minister of Health and Social Services and the undersigned Minister for Youth Protection and Rehabilitation, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

PHILIPPE COUILLARD,
*Minister of Health
and Social Services*

MARGARET F. DELISLE,
*Minister for Youth Protection
and Rehabilitation*

Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, s. 3, 7th and 9th pars. and s. 69,
1st par., subpar. h.2)

1. The Regulation respecting hearing devices insured under the Health Insurance Act is amended in section 1

(1) by replacing the definition of “assistive listening device” by the following:

““assistive listening device”: the aids and devices in the text transmission category, of the following types: decoders, teletypewriters, adapted teletypewriters with a wide screen or Braille readout, adapted teletypewriters with VCO (voice carry over), and adapted teletypewriters of the dedicated modem type; the aids and devices in the sound transmission category, of the following types: telephone amplifiers, frequency modulation systems, magnetic loops, personal amplifiers, wireless frequency modulation amplification systems or wireless infrared amplification systems, and aids of the vibrotactile type; the aids and devices in the environmental control systems category, of the following types: visual and tactile aids, adapted alarm clocks (visual), adapted alarm clocks (tactile), and adapted alarm clocks (for deaf-blind persons). The visual and tactile aids and devices in the environmental control systems category are telephone monitors, door monitors, fire alarm monitors, sound monitors, baby cry monitors and signal receivers. The aids and devices of the above types and within the categories referred to above are limited to the aids and devices listed in Division II of Chapter V;”;

* The Regulation respecting hearing devices insured under the Health Insurance Act, made by Order in Council 869-93 dated 16 June 1993 (1993, *G.O.* 2, 3497), was last amended by the regulation made by Resolution CA-413-04-17 dated 13 October 2004 (2004, *G.O.* 2, 2994) of the Régie de l'assurance maladie du Québec. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

(2) by replacing the definition of “hearing aid” by the following:

“‘hearing aid’: the aids and devices in the analogue category, of the following types: in-the-ear hearing aids, behind-the-ear hearing aids, body hearing aids and eye-glass hearing aids; hearing aids in the programmable analogue category, of the following types: in-the-ear hearing aids and behind-the-ear hearing aids; hearing aids in the digital category, of the following types: in-the-ear hearing aids and behind-the-ear hearing aids. The aids and devices of the above types and within the categories referred to above are limited to the aids and devices listed in Division I of Chapter V;”;

(3) by replacing “in accordance with the 1992 Standard S3.21 of the American National Standards Institute” in paragraphs 1 to 3 of the definition of “person with a hearing handicap” by “according to American National Standards Institute Standards S3.1, S3.6 and S3.21”.

2. Section 6 is amended

(1) by replacing “75 years” in subparagraph *b* of subparagraph 1 of the first paragraph by “65 years”;

(2) by striking out “and in section 28” in the part of subparagraph 2 of the first paragraph preceding subparagraph *a*;

(3) by striking out “a programmable hearing aid or” in subparagraph *d* of subparagraph 2 of the first paragraph.

3. Section 7 is amended

(1) by replacing “for the person with a hearing handicap to be integrated into school or the workplace or to live independently at home” in the first paragraph by “to the integration of the person into school or the workplace, to the person’s independence at home or in a training environment, to the person’s participation in family life or to the person’s safety”;

(2) by inserting the following after the third paragraph:

“Despite the third paragraph, the audiogram required may be more than one year old, provided that the audiologist making the overall assessment and the recommendation is able to confirm, on the basis of the audiogram, that the person concerned meets the criteria for hearing impairment described in this Regulation.”.

4. Section 9 is amended by replacing “of the same type, in the case of an assistive listening device, or of the same category, in the case of a hearing aid,” by “of the same category and same type”.

5. Section 17 is amended by replacing “similar to a category provided for in Chapter V in the case of a hearing aid, or similar to a type provided for in Chapter V in the case of an assistive listening device” by “of the same category and same type as a hearing device listed in Chapter V and”.

6. Section 19 is amended by inserting “type” after “in-the-ear” in the third paragraph.

7. Section 23 is amended

(1) by inserting “or employment for remuneration or a benefit, including as a self-employed worker, a worker benefiting from support for workplace integration and job retention or a trainee developing employability skills”;

(2) by striking out “also” in subparagraph 3 of the second paragraph;

(3) by adding the following after the second paragraph:

“Similarly, a person with a hearing deficiency who, on (*insert the date of coming into force of this Regulation*), is under 19 years of age and already has a binaural device continues to be eligible for the device even after attaining 19 years of age.”.

8. Section 24 is amended by replacing “VII” in the third paragraph by “IV”.

9. Section 26 is amended by replacing “VII” in the fourth paragraph by “IV”.

10. Section 27 is amended by inserting “type” after “in-the-ear”.

11. Section 28 is revoked.

12. The following is added after section 28:

“**28.1.** The Board shall assume the cost of purchase or replacement of hearing aids that operate only with a directional microphone or with multi-microphone technology for a person who is between 8 and 18 years of age and for a person who is 19 years of age or older and is studying or on a job placement or is working for

remuneration or a benefit, including as a self-employed worker, a worker benefiting from support for workplace integration and job retention or a trainee developing employability skills.”.

13. Section 29 is amended by replacing “in accordance with 1992 Standard 3.21 of the American National Standards Institute” by “according to American National Standards Institute Standards S3.1, S3.6 and S3.21”.

14. Section 30 is amended

(1) by inserting the following after subparagraph 5 of the first paragraph:

“(6) the removal and installation of the dedicated modem teletypewriter by the distributor.”;

(2) by inserting the following after subparagraph 2 of the second paragraph:

“(2.1) \$82.09 for an adapted teletypewriter with VCO (voice carry over) “;

(3) by adding “with a wide screen or Braille readout” at the end of subparagraph 3 of the second paragraph;

(4) by inserting the following after subparagraph 3 of the second paragraph:

“(3.1) \$112.88 for a dedicated modem teletypewriter.”;

(5) by replacing subparagraph 8 of the second paragraph by the following:

“(8) \$71.83 for a wireless frequency modulation amplification system or a wireless infrared amplification system.”.

15. The following is inserted after section 31:

“**31.1.** The Board shall pay the distributor 60% of the lump-sum amounts provided for in subparagraph 10 of the second paragraph of section 30 for the reinstallation of the devices listed in that subparagraph following a move.”.

16. Section 34 is amended by inserting “with a wide screen or Braille readout” after “teletypewriter”.

17. The following is added after section 34:

“**34.1.** The Board shall assume the cost of purchase or replacement of an adapted teletypewriter with VCO (voice carry over) for a person with a hearing deficiency

who is capable of using one and is able to decode a written message and transmit a message by voice, and whose hearing loss is measured at not less than 71 decibels, or at not less than 55 decibels where that person has a marked difficulty with auditory discrimination.

34.2. The Board shall assume the cost of purchase or replacement of a dedicated modem teletypewriter for a person with a hearing deficiency who is capable of using one and is able to decode and transmit a message by voice, and whose hearing loss is measured at not less than 71 decibels, or at not less than 55 decibels where that person has a marked difficulty with auditory discrimination.”.

18. Section 40 is amended by replacing “infrared relay system” in the first paragraph by “wireless frequency modulation amplification system or wireless infrared amplification system”.

19. The following is inserted after section 40:

“**40.1.** The Board shall assume the cost of purchase or replacement of a vibrotactile aid for a person with a hearing deficiency if the device is being furnished to the person instead of a hearing aid.”.

20. Section 42 is amended

(1) by striking out “, smoke” in the third paragraph;

(2) by inserting the following after the third paragraph:

“In addition, the Board shall assume the cost of purchasing or replacing only one smoke detector per floor per dwelling.”;

(3) by replacing “3” by “four” in the fourth paragraph.

21. In the Regulation,

(1) the words “a hearing handicap” are replaced by the words “a hearing deficiency”, wherever they appear;

(2) the words “a visually handicapped person” are replaced by the words “a person with a visual deficiency”, wherever they appear.

22. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.