

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1868**  
99TH GENERAL ASSEMBLY

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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.

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**AN ACT**

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

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*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  
2 section, to be known as section 209.245, to read as follows:

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

9       **2. There is hereby created in the state treasury the "Statewide  
10 Hearing Aid Distribution Fund", which shall consist of moneys collected  
11 under this section. The state treasurer shall be the custodian of the  
12 fund. In accordance with sections 30.170 and 30.180, the state treasurer  
13 may approve disbursements. The fund shall be a dedicated fund and,  
14 upon appropriation, moneys in the fund shall be used solely for the  
15 administration of this section. Notwithstanding the provisions of  
16 section 33.080 to the contrary, any moneys remaining in the fund at the  
17 end of the biennium shall not revert to the credit of the general  
18 revenue fund. The state treasurer shall invest moneys in the fund in  
19 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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