

FIRST REGULAR SESSION

HOUSE BILL NO. 222

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY (127).

0577H.011

DANA RADEMAN MILLER, Chief Clerk

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
2 known as section 209.254, to read as follows:

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

**7 2. There is hereby created in the state treasury the "Statewide Hearing Aid
8 Distribution Fund", which shall consist of moneys collected under this section. The state
9 treasurer shall be the custodian of the fund. In accordance with sections 30.170 and
10 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund
11 and, upon appropriation, moneys in the fund shall be used solely for the administration of
12 this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
13 remaining in the fund at the end of the biennium shall not revert to the credit of the
14 general revenue fund. The state treasurer shall invest moneys in the fund in the same
15 manner as other funds are invested. Any interest and moneys earned on such investments
16 shall be credited to the fund. Funding for the statewide hearing aid distribution program
17 shall not be allocated from the assistive technology trust fund established under section**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **161.930. The Missouri commission for the deaf and hard of hearing may accept gifts,**
19 **donations, grants and bequests from individuals, private organizations, foundations, or**
20 **other sources for the purpose of establishment and operation of the statewide hearing aid**
21 **distribution program.**

22 **3. The Missouri commission for the deaf and hard of hearing may promulgate rules**
23 **to implement and administer the statewide hearing aid distribution program under this**
24 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
25 **created under the authority delegated in this section shall become effective only if it**
26 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
27 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
28 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
29 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
30 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2019,**
31 **shall be invalid and void.**

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

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