

EXPLANATORY STATEMENT

Commonwealth of Australia

Hearing Services Administration Act 1997

HEARING SERVICES (PARTICIPANTS IN THE VOUCHER SYSTEM) AMENDMENT DETERMINATION 2010 (No. 1)

Subsection 13(1) of the *Hearing Services Administration Act 1997* (the Act) provides that the Minister may, by writing, determine persons in specified classes of eligible persons to be participants in the voucher system of the Australian Government Hearing Services Program (the Program), and the hearing services that may be available to such persons in the event that they are issued with a voucher by the Minister.

Under the Program, eligible people can receive hearing services including free hearing assessment, hearing rehabilitation and, if appropriate, hearing devices.

On 22 September 1997, Ms Patricia Worth, then Parliamentary Secretary to the Minister for Health and Family Services, on behalf of the Minister for Health and Family Services made the *Hearing Services (Participants in the Voucher System) Determination 1997* (the Determination). The Determination, as amended, sets out classes of eligible persons who are participants in the voucher system and the classes of hearing services available to them under the Program.

Since its inception in 1997, the Program has been an uncapped program with no restriction to the fitting of hearing devices, except for the financial eligibility criteria for the Program. It is generally accepted within Australia and internationally that a level of hearing loss of 25 decibels or greater indicates a mild hearing loss. In 2008-09, approximately 12,500 or 11 per cent of clients fitted with hearing devices under the Program had a level of hearing loss less than or equal to 23 decibels. This represents 7.7 per cent of all fittings, including replacements, under the Program in 2008-09.

The *Hearing Services (Participants in the Voucher System) Amendment Determination 2010 (No. 1)* (the Amendment Determination) amends the Determination to implement the Minimum Hearing Loss Threshold (MHLT) announced in the 2009-10 Budget.

Effective from 1 July 2010, to be eligible for provision of a hearing device, participants in the Voucher System must generally have a level of hearing loss that is greater than 23 decibels in the ear to be fitted.

The threshold of hearing loss that is greater than 23 decibels recognises that some clients who fall just below the threshold of mild hearing loss may receive clinical benefit from being fitted with a hearing device.

The Amendment Determination also provides for participants who do not meet the hearing loss threshold of greater than 23 decibels, but who meet additional criteria that demonstrate a clinical need for the provision of a hearing device, to be fitted with a hearing device. The additional criteria have been developed in consultation with hearing services industry and consumer representatives.

Details of the Amendment Determination are set out in the Attachment.

Consultation

The Office of Hearing Services has consulted with industry about the implementation of the MHLT. All qualified practitioners were invited to comment on the proposed additional criteria under the MHLT in November 2009. The Office also met with industry and consumer representatives in February 2010 to finalise the additional criteria enabling a person who has a hearing loss of 23 decibels or less to receive a hearing device under the Program.

ATTACHMENT

NOTES ON SECTIONS – HEARING SERVICES (PARTICIPANTS IN THE VOUCHER SYSTEM) AMENDMENT DETERMINATION 2010 (No. 1)**1. Name of Determination**

This section provides that the determination may be cited as the *Hearing Services (Participants in the Voucher System) Amendment Determination 2010 (No. 1)*.

2. Commencement

This section provides that the Amendment Determination commences on 1 July 2010.

3. Amendment of *Hearing Services (Participants in the Voucher System) Determination 1997*

This section provides that Schedule 1 of the Amendment Determination amends the Determination.

Schedule 1 Amendments

Item [1] inserts two new definitions into section 3 of the Determination, ‘type 1 hearing loss’ and ‘type 2 hearing loss’. A participant has type 1 hearing loss where their three frequency average hearing loss when tested at 0.5, 1 and 2 kilohertz is greater than 23 decibels. Participants with type 1 hearing loss are eligible to receive a hearing device under the Program.

A participant has type 2 hearing loss where their three frequency average hearing loss when tested at 0.5, 1 and 2 kilohertz is 23 decibels or less. Participants with type 2 hearing loss are eligible to receive a hearing device if they meet the additional criteria specified in new section 9, to be inserted by item [8].

Item [2] inserts a definition of the Wishes and Needs Tool (WANT). The WANT is a tool to assess a participant’s motivation to use hearing devices. The WANT is a self report instrument developed by the National Acoustics Laboratory to measure a person’s attitude and motivation to use hearing aids. The instrument consists of two questions with high content validity, each scored on a scale from one to five, that are added together to calculate the measurement score for the participant. The National Acoustics Laboratory found a high correlation between the measurement score and outcomes achieved for people fitted with a hearing device. This document may be accessed from the Department of Health and Ageing website at www.health.gov.au/hear.

Item [3] makes a consequential amendment to section 6(1) of the Determination by deleting reference to subsections 7 and 8 and replacing with reference to sections 7, 8 and 9. Subsection 6(1) as amended provides that subject to subsection 6(1) and sections 7, 8 and 9 of the Determination, column 2 of Table B specifies the hearing services that are available under a voucher to a participant who comes within the class of persons specified in Table A and is mentioned in column 1 in Table B.

Item [4] substitutes Table B in its entirety, deleting two items for classes 1 and 2 (3 and 3A), and including four new items for classes 1 and 2 (3 to 6) to implement the MHLT. The new table also renumbers the items for ease of reference. New items 3 to 6 are described below.

For classes 1 and 2 in column 1, items 3 and 4 in column 2 implement the MHLT by providing that participants with type 1 hearing loss in at least one ear may be fitted with a hearing device to the affected ear where that device meets the specifications approved by the Minister and has been approved by the Minister on the basis that the device is either:

- (a) a device for fitting at no cost to the participant and is clinically necessary and appropriate for the participant (item 3); or
- (b) a device which can be fitted at a cost to the participant and is clinically suitable for the participant (item 4)

For classes 1 and 2 in column 1, items 5 and 6 in column 2 provide that participants with type 2 hearing loss in one ear who meet the additional requirements established in subsection 9(2) (discussed in item [8]) may be fitted with a hearing device to the affected ear where that device meets the specifications approved by the Minister and has been approved by the Minister on the basis that the device is either:

- (a) a device for fitting at no cost to the participant and is clinically necessary and appropriate for the participant (item 5); or
- (b) a device which can be fitted at a cost to the participant and is clinically suitable for the participant (item 6).

Item [5] amends subsection 7(2) of the Determination to provide that for items 4 and 6 in column 2 of Table B, the services are only available if the participant accepts personal responsibility for paying the extra charges incurred because they chose a hearing device approved by the Minister as a device for which the participant may be asked to make a payment to the provider. This is a technical amendment consequential on the renumbering of the items in Table B.

Items [6] and [7] renumber reference to items in column 2 of Table B to be consistent with the numbering contained in the substituted Table B (refer to item [4]).

Item [8] inserts a new section 9 which provides the detail of the additional criteria that must be met for a participant with type 2 hearing loss to be eligible for a hearing device under the Program. For participants in classes 1 and 2 specified in Table A of the Determination, the additional criteria that must be met for the participant to be eligible to receive a hearing device are:

- (a) the participant receives a score of 5 or greater on the WANT with a score of 2 or greater for each response; and
- (b) the participant has:
 - i. high frequency average hearing loss in the ear to be fitted with the hearing device; or
 - ii. tinnitus that can be alleviated through the use of a hearing device; or
 - iii. previously received a hearing device under the Program and can demonstrate use of that device to the satisfaction of their contracted service provider; or
 - iv. a visual impairment that reduces their ability to see mouth movements that cannot be corrected by medical or optometrical treatment.

New section 9 gives effect to the criteria agreed with the hearing industry through the consultation process.

- The requirement for a score of 5 or greater on the WANT, with an average score of 2 on each question, means that all participants with type 2 hearing loss will be required to demonstrate that they are motivated to use the hearing device if they are fitted with one.
- Participants with hearing loss at high frequencies may experience difficulty differentiating some speech sounds which makes it difficult for them to understand speech, particularly in background noise. These participants may receive clinical benefit from the fitting of a hearing device as it assists them to distinguish the speech sounds at high frequencies and therefore makes speech easier to understand.
- Some types of tinnitus interfere with the person's ability to understand speech and this can be alleviated through the use of a hearing device. Clinical benefit will be derived where the participant's ability to discriminate speech is improved through use of the hearing device.
- Participants who have previously received a hearing device under the Program who have type 2 hearing loss may be fitted with a new device if they are able to demonstrate to the satisfaction of the contracted service provider that they have used their previously fitted device. The participant's use of the previously fitted hearing device is taken as evidence that the participant derives some clinical benefit from the use of the hearing device.
- Some types of visual impairment that cannot be corrected through medical or optometrical treatment may reduce the person's ability to see mouth movements. Consequently, the person's ability to use visual cues to assist their understanding of speech can reduce their ability to communicate effectively with others. A participant with this type of visual impairment may therefore derive clinical benefit from fitting of a hearing device by improving the audibility of speech.