DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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PJK:jld:md

November 25, 2008

The definition of "hearing aid" in s. 459.01 (2) covers any "wearable instrument or device." Therefore, I did not add coverage of "any other external devices." If you think that "wearable" in the current definition is more limited than "external," we can include our own definition in proposed s. 632.895 (16) that is the same as s. 459.01 (2), except that it substitutes "external" for "wearable."

I provided that the term "cochlear implant" includes any implantable instrument or device. That way the terminology in the rest of the statutory text does not have to be changed. Is this okay?

Is there a better way to phrase what occurs in the preexisting condition exclusion period under proposed s. 632.895 (16) (d) 2.? For example, I know that (at least some) autoimmune diseases are chronic and that what occurs is not the disease but an acute incidence of the symptoms or a period of illness (a flare). Do you have any suggestions for being more specific in proposed s. 632.895 (16) (d) 2. a. to d. as to what is actually occurring to make time of the essence?

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