



**Federal Communications Commission
Washington, DC 20554**

January 21, 2025

DA 25-78

SMALL ENTITY COMPLIANCE GUIDE

Achieving 100% Wireless Handset Model Hearing Aid Compatibility

**FCC 24-112
WT Docket No. 23-388
Released October 18, 2024**

In accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996, this Small Entity Compliance Guide (Guide) is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—comply with the rules adopted in the above-referenced Federal Communications Commission (FCC or Commission) rulemaking dockets. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small entities, the coverage may not be exhaustive. This Guide cannot anticipate all situations in which the rules apply. Furthermore, the Commission retains the discretion to adopt case-by-case approaches, where appropriate, that may differ from this Guide. Any decision regarding a particular small entity will be based on the statute and any relevant rules.

In any civil or administrative action against a small entity for a violation of rules, the content of the Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. Interested parties are free to file comments regarding this Guide in the above referenced docket and the appropriateness of its application to a particular situation. The Commission will then consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The Commission may decide to revise this Guide without public notice to reflect changes in its approach to implementing a rule, or it may clarify or update the text of the Guide. Please direct comments and recommendations, or requests for further assistance, to the FCC's Consumer Center:

1-888-CALL-FCC (1-888-225-5322)

Videophone: 1-844-4-FCC-ASL (1-844-432-2275)

Fax: 1-866-418-02

TABLE OF CONTENTS

I.	OBJECTIVES OF THE PROCEEDING	1
II.	COMPLIANCE REQUIREMENTS	1
	A. Section Heading	1
	B. Definitions.....	1
	C. Hearing Aid Compatibility Technical Standards.....	1
	D. Phase-in of Hearing Aid Compatibility Requirements.....	2
	E. Elimination of the De Minimis Exception.....	3
	F. Labeling and Disclosure Requirements.....	3
	G. Handset Model Number Designation Requirements	4
	H. Website Posting Requirements.....	4
	I. Reporting Requirements.....	4
III.	RECORDKEEPING AND REPORTING REQUIREMENTS	5
	A. Bluetooth Declaration.....	5
	B. Labeling and Disclosure Requirements.....	5
	C. Website Posting Requirements.....	5
	D. Reporting Requirements.....	5
IV.	IMPLEMENTATION DATE	6
V.	INTERNET LINKS	6

I. OBJECTIVES OF THE PROCEEDING

In the *Achieving 100% Wireless Handset Model Hearing Aid Compatibility Report and Order* (*Report and Order*), the Commission adopted a 100% hearing aid compatibility requirement that applies to all future wireless handset models offered for sale or use in the United States.¹ The *Report and Order* determined that requiring 100% of all handset models to be hearing aid-compatible is consistent with section 710(e) of the Communications Act, thereby advancing the Commission’s goal of ensuring that all Americans can access communications services on an equal basis. More specifically, the *Report and Order*: (1) modified the Commission’s hearing aid compatibility rules to require that all future handset models are hearing aid-compatible; (2) provided transition periods for compliance; (3) adopted an express, forward-looking definition of hearing aid compatibility; (4) enacted a Bluetooth coupling and functionality requirement; (5) required handset manufacturers and service providers to meet applicable volume control requirements; and (6) revised labeling, website posting, and reporting requirements.

II. COMPLIANCE REQUIREMENTS

The *Report and Order* adopted revisions to sections 20.19(a), (b), (c), (e)(4), (f), (g), (h), (i)(4)-(5) of the Commission’s wireless hearing aid compatibility rules. 47 CFR § 20.19(a), (b), (c), (e)(4), (f), (g), (h), (i)(4)-(5). These revisions implement the Commission’s 100% hearing aid compatibility requirement and include handset model deployment requirements, Bluetooth and telecoil coupling requirements, volume control requirements, and labeling, website posting, and reporting requirements.

A. Section Heading (47 CFR § 20.19)

- The Commission revised the heading of section 20.19 from “Hearing aid-compatible mobile handsets” to “Hearing loss compatible wireless handsets,” or “HLC” for short to ensure the heading more accurately reflects the scope of the section. This change clarifies for all covered entities, including small entities, that the rule section covers more than just hearing aids. For instance, the rule section covers volume control requirements that benefit consumers who use hearing aids as well as those with hearing loss that do not use hearing aids.

B. Definitions (47 CFR § 20.19(a))

- The Commission added new definitions and updated the existing definitions to provide clarity and to aid covered entities, including small entities, with implementation of the 100% hearing aid compatibility requirement. One of these changes was to the definition of a “hearing aid-compatible handset.” A handset model is now defined as hearing aid-compatible that: (1) has an internal means for compatibility; (2) meets established technical standards for hearing aid coupling or compatibility; and (3) is usable, as the Commission has defined these terms. This change will benefit covered entities, including small entities, by providing flexibility in the technical standards used in the future for certifying handset models as hearing aid compatible.

C. Hearing Aid Compatibility Technical Standards (47 CFR § 20.19(b))

- After the end of the 100% hearing aid compatibility transition date for handset manufactures, all new handset models must be certified as meeting the relevant acoustic coupling and volume control requirements and either telecoil or Bluetooth coupling requirements.
- Handset models must come out-of-the-box with their hearing aid compatibility related acoustic and volume control functions turned on by default. Handset models may have

¹ *Achieving 100% Wireless Handset Model Hearing Aid Compatibility*, WT Docket No. 23-388, Report and Order, FCC 24-112 (2024). (*Report and Order*)

secondary settings to turn on the handset model's telecoil or Bluetooth coupling functions, depending on the secondary capability included in a particular handset model.

- The Bluetooth coupling requirement can be met using either proprietary or non-proprietary Bluetooth coupling standards until the end of a 48-month transition period to a non-proprietary Bluetooth coupling requirement. After the end of this transition period, only non-proprietary Bluetooth coupling standards may be used to meet the Bluetooth coupling requirement.
- Handset manufacturers must include with their equipment certification application a sworn declaration that provides the following information: (1) the specific Bluetooth coupling standard included in each handset model; (2) that the relevant handset model has been tested to ensure compliance with the designated Bluetooth coupling standard; and (3) after the transition to a non-proprietary Bluetooth requirement, that the included Bluetooth coupling technology is consistent with the Bluetooth functionality requirements.
- These functionality requirements include:
 - (1) Utilizes a global, low power wireless technology standard for high quality audio voice streaming;
 - (2) Is a standalone non-proprietary implementation;
 - (3) Is a qualified implementation that has undergone testing to verify that the product conforms to the specifications it claims to support;
 - (4) Offers full interoperability between hearing aids and handset models to enable inter-network, inter-provider, inter-platform and inter-handset manufacturer functionality; and
 - (5) Uses a design that meets broad, generic hearing aid requirements that addresses needed features when coupling to handset models for all forms of voice calls and associated handset model use.
- Handset models certified as hearing aid-compatible may not be modified through a software push that results in the handset model no longer meeting hearing aid compatibility certification requirements. Consumers must be notified prior to installing a software push if the software push will install new operations or bands that are not covered by the applicable hearing aid compatibility certification standards and, therefore, these new operations or bands will not meet hearing aid compatibility certification requirements.
- Handset manufacturers and service providers may continue to offer hearing aid-compatible handset models certified under older certification standards if these entities were offering these handset models prior to the end of the relevant 100% hearing aid compatibility transition period. This grandfathering provision helps all covered entities, including small entities, transition to the new hearing aid compatibility requirements.

D. Phase-in of Hearing Aid Compatibility Requirements (47 CFR § 20.19(c))

- The 100% hearing aid compatibility transition period for handset manufacturers is 24 months and for nationwide service providers it is 30 months. Non-nationwide service providers must transition over a 42-month transition period. This additional time for non-nationwide service providers will be beneficial to small and rural service providers.
- After the end of the relevant transition period, all the handset models that handset manufacturers and service providers offer for sale or use in the United States must be

certified as hearing aid compatible. These entities will not be permitted to offer for sale or use in the United States non-hearing aid-compatible handset models.

- After the end of the relevant transition period, all handset models that handset manufacturers and service providers offer must meet applicable acoustic coupling requirements and 85% of these handset models must meet telecoil coupling requirements and the remaining 15% of these handset models must meet Bluetooth coupling requirements.
- After the end of the relevant transition period, all new handset models that handset manufacturers and service providers add to their handset model portfolios must meet applicable volume control requirements.
- All handset manufacturers and service providers must make their best efforts to make available all hearing aid-compatible handset models that they offer for sale or use to consumers to test, in each retail store owned or operated by the handset manufacturer or service provider.

E. Elimination of the *De Minimis* Exception (47 CFR § 20.19(e)(4))

- The Commission eliminated the *de minimis* exception applicable to handset manufacturers and service providers based on the 100% hearing aid compatibility transition periods. After the end of the relevant transition period, handset manufacturers and service providers may no longer claim *de minimis* status.

F. Labeling and Disclosure Requirements (47 CFR § 20.19(f))

- The hearing aid compatibility rules require certain information to be included on a handset model's printed external package label and other information to be included within the handset model's packaging either in the form of a printed insert or printed handset user manual.
- The external information includes a statement that the handset model is hearing aid-compatible and whether the handset model meets telecoil or Bluetooth coupling requirements or both and, if it meets Bluetooth coupling requirements, which Bluetooth coupling standard the handset model includes. The external package label must also list the handset model's actual conversational gain with and without hearing aids.
- The printed package insert or printed handset user manual requirements give consumers more detail information regarding the handset model's hearing aid compatibility, including how to turn the handset model's coupling functions on and off and whether the handset model includes bands or operations that have not been certified as hearing aid compatible.
- Handset manufacturers and service providers may use digital labeling technology to deliver to consumers the information required to be included within a handset model's packaging if the handset manufacturer or service provider fully complies with the external printed package labeling requirements and maintains a publicly accessible website where the internal packaging information can be easily found by consumers. The information must be presented in a straight-forward fashion using plain language. Handset manufacturers and service providers that choose this option must provide consumers with both a Quick-Response (QR) code and the related website address where the required information can be located.
- The option to use digital labeling technology benefits covered entities, including small entities, by allowing them flexibility in how they deliver to consumers the information required to be included within a handset model's packing.

G. Handset Model Number Designation Requirements (47 CFR § 20.19(g))

- Where a handset manufacturer or service provider makes a physical change to a handset model, the handset model must be given a model number designation distinct from that of the handset model prior to its alteration. A physical change is defined as hardware or software changes that causes a variation in the form, features, or capabilities of a handset model as compared to the handset model prior to these alterations.
- Handset models being recertified as hearing aid-compatible under updated certification standards must meet all aspects of the updated certification standard and may not meet parts of one standard and parts of other standards.
- Handset models recertified as hearing aid-compatible under updated certification standards must have the labeling, disclosure, and website posting information related to the handset model updated within 30 days of the updated certification.

H. Website Posting Requirements (47 CFR § 20.19(h))

- The hearing aid compatibility website posting requirements require handset manufacturers and service providers who maintain publicly accessible websites to list all of their currently offered handset models, and certain technical information related to these handset models, including the hearing aid compatibility functions of these handset models. This information must be easy for consumers to locate and must be updated within 30 days of any relevant changes.
- Additionally, handset manufacturers and service providers must post on their publicly accessible websites point-of-contact information that consumers can use to contact knowledgeable company employees with questions they might have about the compatibility of the handset models that the company offers.

I. Reporting Requirements (47 CFR § 20.19(i)(4)-(5))

- After the 100% hearing aid compatibility requirement becomes effective for handset manufacturers, they will stop filing FCC Form 655 reports and start filing FCC Form 855 certifications. Service providers will continue to file FCC Form 855 certifications.
- FCC Form 855 will be updated to ensure it collects information relevant to ensuring compliance with the 100% hearing aid compatibility requirement. The form will collect information concerning acoustic, telecoil, and Bluetooth coupling, volume control functionality, and compliance with labeling and website posting requirements.
- The deadline for filing FCC Form 855 will continue to be January 31 each year, and the form will continue cover the previous calendar year from January 1 through December 31. The FCC Form 855 filing window will continue to open on the first business day in January and if January 31 falls on a non-business day the filing window will close on the next business day.
- Using FCC Form 855 will benefit all covered entities, including small entities, because the form is a streamlined form that is estimated to take a half hour to fill out and file.

III. RECORDKEEPING AND REPORTING REQUIREMENTS

The new recordkeeping and reporting requirements are detailed above in the Compliance Requirements section. The Commission adopted revised information collection requirements for all handset manufacturers and service providers, including small entities.

A. Bluetooth Declaration (47 CFR § 20.19(b)(3))

- Handset manufacturers must include a sworn declaration with their equipment authorization application verifying the specific Bluetooth coupling standard included in each handset model used to meet the handset model deployment benchmarks for Bluetooth coupling.

B. Labeling and Disclosure Requirements (47 CFR § 20.19(f))

- Handset manufacturers and service providers are required to include certain information on a handset model's external printed package label and include additional information within handset model's packaging either in the form of a printed package insert or a printed handset manual.
- As an alternative to including printed package inserts or printed handset manuals, handset manufacturers and service providers may use digital labeling technology to deliver to consumers the information required to be included within handset models packaging. To use this option, handset manufacturers and service providers must comply with the external printed package label rules and maintain a publicly accessible website.

C. Website Posting Requirements (47 CFR § 20.19(h))

- Handset manufacturers and service providers who maintain publicly accessible websites must post to their websites a list of the handset models they offer along with certain technical information about these handset models, including the compatibility features of these handset models. The information must be presented in a straightforward fashion using plain language that is easy for consumers to understand, and the information must be updated within 30 days of any relevant changes.
- Handset manufacturers and service providers who maintain publicly accessible websites must post point-of-contact information that consumers can use to contact knowledgeable company employees with questions they might have about the compatibility of the handset models that the company offers.

D. Reporting Requirements (47 CFR § 20.19(i)(4)-(5))

- After the 100% hearing aid compatibility requirement becomes effective for handset manufacturers, they will stop filing FCC Form 655 reports and start filing FCC Form 855 certifications. Service providers will continue to file FCC Form 855 certifications.
- The deadline for filing FCC Form 855 certifications will continue to be January 31 each year, and the form will cover the previous calendar year from January 1 through December 31. The FCC Form 855 filing window will open on the first business day in January and if January 31 falls on a non-business day the filing window will close on the next business day.

IV. IMPLEMENTATION DATE

Section Heading (47 CFR § 20.19): The revised section heading became effective December 13, 2024.

Definitions (47 CFR § 20.19(a)): The revised definitions became effective December 13, 2024.

Hearing Aid Compatibility Technical Standards (47 CFR § 20.19(b)): The revised hearing aid compatibility technical standards take effect on or after December 14, 2026. The Bluetooth declaration rule (47 CFR § 20.19(b)(3)(iii)) will take effect once OMB completes its review of the paperwork associated with this rule, and the Commission publishes a notice in the Federal Register announcing the effective date of this rule. The non-proprietary Bluetooth coupling rule takes effect beginning December 13, 2028.

Phase-in of Hearing Aid Compatibility Requirements (47 CFR § 20.19(c)): The 100% hearing aid compatibility rule for handset manufacturers takes effect after December 14, 2026. The 100% hearing aid compatibility rule for nationwide service providers takes effect after June 14, 2027. The 100% hearing aid compatibility rule for non-nationwide service providers takes effect after June 13, 2028.

Elimination of the *De Minimis* Exception (47 CFR 20.19(e)(4)): Beginning December 14, 2026, handset manufacturers will no longer be able to claim *de minimis* status. Beginning June 14, 2027, nationwide service providers may no longer claim *de minimis* status, and beginning June 13, 2028, non-nationwide service providers may no longer claim *de minimis* status.

Labeling and Disclosure Requirements (47 CFR § 20.19(f)): These rules will take effect after OMB completes its review of the paperwork associated with these rules, and the Commission publishes a notice in the Federal Register announcing the effective date of these rules.

Handset Model Number Designation Requirements (47 CFR § 20.19(g)): These rules became effective December 13, 2024.

Website Posting Requirements (47 CFR § 20.19(h)): These rules will take effect after OMB completes its review of the paperwork associated with these rules, and the Commission publishes a notice in the Federal Register announcing the effective date of these rules.

Reporting Requirements (47 CFR § 20.19(i)(4)-(5)): These rules will take effect after OMB completes its review of the paperwork associated with these rules, and the Commission publishes a notice in the Federal Register announcing the effective date of these rules.

V. INTERNET LINKS

A copy of the *Report and Order* is available at: <https://www.fcc.gov/document/fcc-adopts-100-wireless-handset-model-hearing-aid-compatibility-rules>.

A copy of the Federal Register Summary of the *Report and Order* is available at: <https://www.federalregister.gov/documents/2024/11/13/2024-25088/achieving-100-wireless-handset-model-hearing-aid-compatibility>.