



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC MODIFIES HEARING AID COMPATIBILITY RULES TO IMPROVE ACCESS FOR AMERICANS WITH HEARING LOSS TO WIRELESS HANDSETS

Washington, D.C. – In a First Report and Order (Order) released today, the Federal Communications Commission (FCC) modified its hearing aid compatibility rules. The rule changes address issues related to both radio frequency (RF) interference reduction and inductive coupling capability with hearing aids operating in telecoil mode.

Many of the rule changes were proposed by representatives of both the wireless industry and the deaf and hard of hearing community in a “Joint Consensus Plan,” on which the FCC sought comment in November 2007. The modifications expand the rules first adopted by the Commission in 2003 that required wireless service providers and handset manufacturers to offer a certain number of digital wireless phone handset models that are compatible with the use of hearing aids.

In today’s Order, the FCC modified its rules consistent with the Joint Consensus Plan in a number of respects. For instance, the new rules require that handset manufacturers now must meet technical standards for RF interference reduction on one-third of the handset models they offer. In addition, wireless service providers must meet the RF interference reduction standard either on a minimum of 8 handset models in 2008 (increasing to 10 by 2010) or on 50 percent of the handset models they offer to consumers.

The FCC also modified its existing requirement that handset manufacturers and service providers offer at least two handset models with inductive coupling capability. Handset manufacturers and service providers will be required to increase, between now and 2011, the numbers of models they offer that meet inductive coupling capability standards.

In addition, today’s Order adopted a handset “refresh” requirement for manufacturers. Manufacturers must now ensure that a certain percentage of their hearing aid-compatible handset models are newly issued that year. A comparable requirement was imposed on wireless service providers, who must now offer customers a range of hearing aid-compatible handsets with differing levels of functionality (e.g., operating capabilities, features offered, prices). These new rules will help to ensure the continued availability of a variety of different hearing aid-compatible handset models for people with hearing loss.

To be certified as hearing aid-compatible under today’s Order, handsets that operate over multiple frequency bands and air interfaces with established hearing aid compatibility standards must meet those standards in all of their operating modes.

The FCC did not decide today how to treat future handsets that may operate in part over frequency bands or air interfaces that do not yet have such standards. The FCC recognized, however, that some phones on the market already include Wi-Fi capabilities for which no hearing aid compatibility standards currently exist. As an interim measure, phones with Wi-Fi capability that otherwise meet hearing aid compatibility standards may be counted as hearing aid-compatible. However, the manufacturer and service provider must clearly disclose that these phones have not been rated with respect to their Wi-Fi operation.

The FCC also adopted an updated version of the technical standard for measuring hearing aid compatibility in both acoustic coupling and inductive coupling modes. In order to enable an efficient transition to the new standard, the FCC established a phase-in period that will allow manufacturers through 2009 to rely on either the 2007 version of the standard or the previous 2006 version. The FCC also created a streamlined mechanism for implementing future revisions of the standard.

Finally, to assist the FCC in monitoring the implementation of the new requirements adopted today, and to provide information to the public, wireless service providers and manufacturers must continue to file annual reports on the status of their compliance with the requirements, and for the first time must post information on hearing aid compatibility on their websites.

Action by the Commission on February 26, 2008, by First Report and Order (FCC 08-68). Chairman Martin and Commissioners Copps, Adelstein, Tate, and McDowell. Separate statements issued by Commissioners Copps, Adelstein, Tate, and McDowell.

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