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Federal Communications Commission
 Office of Secretary

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February 20, 2003

John Muleta
 Federal Communications Commission
 Wireless Telecommunications Bureau
 445 12th Street, SW
 Washington, DC 20554

Re: WT Docket No. 01-309

Dear Mr. Muleta:

On behalf of the Hearing Industries Association (HIA), which represents companies that manufacture over 90% of the nearly 2 million hearing aids dispensed in the United States annually, I wanted to follow-up on the Bureau's informal request that we provide information on RF immunity in hearing aids.

In 1995, the industry became aware of the interference problem in hearing aids caused by digital cellular phone technology. We were very concerned that millions of Americans who use our products every day would not be able to take advantage of this new technology. During the intervening period, HIA member companies have expended a great deal of time, effort and resources to understand the interference problem and build increased immunity into our products.

As you know, the great majority of hearing aids sold in the US are custom products and, in a sense, unique to the needs of each individual user. Our attempts to quantify the industry's progress in building immunity have been hampered by this fact, as each hearing aid has a unique shape (which affects placement of electronic components). Thus, test variations between custom made products may be larger than behind-the-ear products.

In response to FCC's informal request, HIA member companies participated in a number of conference calls that focused on progress in building RF immunity into their products and identifying hearing aids currently in the marketplace that provide for the greatest level of immunity. Following is a summary of the conclusions:

- Hearing aids designed and manufactured through the 1990's, especially analog devices, though showing continued improvement, provide modest immunity to RF radiation. In various tests the industry found devices that worked well with some cell phones, but from a statistical standpoint the majority of these aids performed inadequately.

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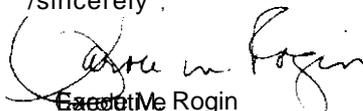
- Hearing aids designed and manufactured more recently have a substantially higher degree of immunity.
- Due to the custom construction of most hearing aids and US Food and Drug Administration claim substantiation regulations, no blanket claims can yet be made regarding the immunity of any one model or type hearing aid, though in most cases a statistically significant number of newer products tested provide good immunity to RF emissions
- While lowering or blocking RF emissions from telephone handsets will go a long way to solving the RF interference problem, it does not address the issue of inductive telecoil coupling used by many hearing aid wearers including those with more severe hearing losses

It is HIA's desire to work with our customers, the wireless industry and the Commission to solve this problem. In order to assure that a reasonable number of hearing aids will work with cellular mobile phones it is necessary that digital cellular phones attain a rating of U3 and U3T with respect to the ANSI C63.19 specification section 7.2 and 7.3 respectively. It must be noted, U3T includes both the RF interference and the audio band inductive interference as discussed in section 7.3 of the ANSI referenced document

Should the Commission choose to require handsets to meet this rating, HIA member companies can identify hearing aids that have been designed to meet higher immunity levels as compatible with digital handsets that meet the aforementioned requirement. Further, HIA member companies, as a policy, will continue to provide at least a 30 day trial period on hearing aids respective companies consider to be compatible and offer a full refund should the hearing aid not meet the customer's expectations

In sum, the hearing aid manufacturing industry is concerned about this issue and willing to go to considerable length to insure that our customers can utilize digital cellular technology. We only ask that the Commission and wireless industry do their part so that the millions of Americans that wear hearing aids can too use and benefit from digital cellular telecommunications.

/sincerely ,


 Executive Director

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