



## Gov. Newsom Vetoes SB 635, Dealing Crushing Blow to Thousands of CA Kids

In a victory for deep-pocketed special interests and a crushing blow to thousands of vulnerable children in California, Governor Newsom announced he has vetoed SB 635 (Menjivar – Portantino), the Let California Kids Hear Act.

“We are heartbroken and once again devastated by Governor Newsom’s decision,” said Let California Kids Hear co-founder Michelle Marciniak. “Tens of thousands of children were counting on the Governor to act on their behalf. Instead, he is allowing a developmental emergency 25 years in the making to continue on his watch. The Governor is fond of saying all children deserve the opportunity to thrive. What about our children?”

The bill would have required private health plans in California to cover hearing aids for children, providing deaf and hard-of-hearing kids with foundational access to sound to connect with their world. Here in California, only 1 in 10 private health plans cover hearing aids, calling them “elective” or “cosmetic,” and cost families an average of \$6,000 every four years. Parents are forced to go into debt, delay time-sensitive treatment, or forgo hearing aids altogether. This is a pediatric health equity issue that begins at birth, and without early invention, costs California taxpayers hundreds of millions of dollars every year. SB 635 would have changed that.

The bill was co-authored by Sen. Caroline Menjivar and Sen. Anthony Portantino. It passed every legislative committee and the Assembly and Senate without a single no vote. It was also the first time in two decades the health plans did not come out in formal opposition.

“On behalf of the children who advocated alongside their parents, as well as doctors, medical experts, advocacy organizations and the 160 organizations that signed on in support through the Children’s Movement, we thank Senator Menjivar and Senator Portantino for their leadership on this issue, as well as the entire Legislature for their support,” Marciniak continued. “They are true champions for our children.”

Governor Newsom’s veto statement indicates that the state will devote additional resources to the Hearing Aid Coverage for Children Program (HACCP), launched in 2021, saying that the Governor is “...committed to ensuring that hearing impaired children can have access to the services and supports they need, including hearing aids”.

“The mere use of the phrase “hearing impaired” children – highly offensive to those in the deaf and hard-of-hearing community – is indicative of how out-of-touch the Newsom Administration is on this issue,” Marciniak said.

“The HACCP program is the same broken program that was Newsom’s alternative to signing a similar bill five years ago. It has served fewer than 255 kids with \$32.8M in taxpayer dollars over two years,” Marciniak continued. “This is the same program he tried to cut before it even launched during the pandemic, the program Kaiser – largest health plan in the state – won’t participate in, the program the Senate and Assembly have conducted oversight hearings on for two years, and the same program the Governor cut in May by 83% while maintaining twice the funding for his vendor to administer it. By doubling down on this program, proven to be ineffective, the Governor is failing some of the most vulnerable children and continuing to shift the cost to taxpayers in the state,” Marciniak said.

The Legislature said enough was enough, as calls were rolling in from families in districts across California who were unable to access the benefit. Lawmakers in Georgia ran a similar program (with less red tape), and when it failed, they course-corrected and passed a mandate in 2018. Now, more than 30 U.S. states mandate coverage for hearing aids for children through commercial plans and/or the state exchange. California must do the same.

“The story that haunts me most as a mother is that children are showing up at the age of five at centers across the state unable to say their name because they haven’t had access to sound. This is California. This is unacceptable,” Marciniak said.

“Let me be clear: we will keep fighting for these children to have access to hear to address this market failure,” Marciniak said. “We must – and we will – do better. Every child in California deserves the opportunity to have the best start in life, to reach their full potential, and that should include deaf and hard-of-hearing children.”