

February 23, 2023

The Honorable Alexander Hoehn-Saric, Chair
The Honorable Peter A. Feldman, Commissioner
The Honorable Richard L. Trumka, Jr., Commissioner
The Honorable Mary T. Boyle, Commissioner
US Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Dear Commissioners:

The American Academy of Audiology (“the Academy”) commends the US Consumer Product Safety Commission (CPSA) on its efforts for efficient and expedient implementation of Reese’s Law to effect safety measures with batteries for the protection of children. As the largest organization of, by, and for audiologists, the Academy has an interest in how the implementation of this law may impact patients who use hearing devices that require batteries.

We understand that the effective date for Section 3(a) of Reese’s Law, child-resistant packaging, was February 12, 2023. We further understand that the battery manufacturers had indicated previously that it would take up to 24 months to modify the packaging for batteries to be in compliance. With the legislation just enacted in August 2022, the battery manufacturers reportedly have not had sufficient time to make the requisite packaging changes to be in compliance with the law.

Given the 18-month gap between the effective date of the new requirements and the projected timeline for delivery of new packaging for batteries, the Academy is concerned about the inevitability of limited access to batteries for hearing aids, external processors for cochlear implants, and other hearing devices. We strongly encourage the Commission to consider any and all options at its disposal to ensure that audiology patients do not experience challenges in procuring any supply of batteries needed for the continued use of their devices. Effective and consistent use of hearing devices is important to the patient’s ability to communicate and maintain relationships, as well to prevent injury and minimize the impact on other health comorbidities. We encourage the Commission to work with all impacted stakeholders to address this issue, and the Academy stands ready to provide our input as needed to ensure continuity of care for hearing devices users

Thank you for your consideration. Should you have any questions, please do not hesitate to contact Susan Pilch, JD, Senior Director of Government Relations, spilch@audiology.org.

Sincerely,



Virginia Ramachandran, AuD, PhD
President