

Attention FDA

0665 '00 APR -6 P1:48

It came to my attention that the FDA is being asked to take away my right to sign a medical waiver before purchasing a hearing aid. Instead I would be forced to have a medical exam or hearing test. Here's my views and/or experiences on several related questions?

1. Should I be forced to have a medical exam and/or hearing test before purchasing a hearing aid? If so, should the FDA pay for the exam?

If you know you have an ear problem, perhaps an ear exam may be helpful in determining your hearing loss. If you can afford to pay, that is in your favor, if not, I think FDA should pay rather than a person living without a needed medical article that could give them some pleasure in life.

2. Some people are physically unable to drive to a doctor or hearing specialist, or have had bad experiences they don't want to repeat. For instance ...

my cousin had a cancerous arm removed. He could not afford a hearing aid much as he needed it. His daughter sent for an aid through a mail order co. for \$295. It served him well and he continued to purchase them until his death.

3. Should the FDA take away my Constitutional Right, affirmed by the Supreme Court, to decide for myself my medical exams and treatment?

I think we should make our own decisions. The Dr. should give you a chance to decide. If you wish to have second opinions, then you can decide along with your family, just what you should do.

4. Should I be allowed to purchase hearing aids by mail as I choose?

If I sign the waiver, then I am the one that makes the decision. Many people cannot afford the new aids and many old people can't operate them. They need the simplest aid that gives them what they need - hearing.

Signed by: Elizabeth Rees

Date: 4/4/2000

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EXCEL Hearing Solutions

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Catherine & Jim Hovis

Your Rights are in Danger And Only You can Protect Them

Dear Excel Customer,

Your right to purchase hearing aids by mail is threatened by audiologists who want to force you to see them or doctors first. Currently you have free choice and are protected by money-back guarantees. Audiologists tried to take away your rights in 1975 and failed. The FDA ruled that it saw no abuses. They tried again in 1993 and failed. Thousands of consumers wrote to the FDA and the proposed regulation was tabled.

Now, the FDA has a new commissioner. She was not on board when audiologists tried before to take away your rights. This time they are closer than ever to succeeding.

How would this affect you? If you have the money to pay for an exam and hearing test, you may not be affected. If you are not handicapped or disabled and are easily able to reach your doctor, you may not be affected. If you have the time to wait to see your doctor and if you have a doctor near you, you may not be affected. If you do not mind the government deciding what is in your best interest, you may not be affected. However, if any of these are a concern to you, you *will* be affected!

Forcing customers to always have a medical exam or hearing test will force Excel out of business. You will be forced to purchase hearing aids costing more than twice our price. And why? This regulation is being pushed by doctors in spite of the fact that leading industry analysts have proven that Excel Customers are more satisfied with their service and product than are the customers of traditional retail dealers!

We are excited about new products you can try this year. For the first time you can test a new line of soft hearing aids. You can also get the best pricing on Premium Zinc Air batteries, thanks to our getting special price consideration on high quality Swiss-Made Renata batteries. Information about both is included.

If you want to test hearing products as you wish, please write to the FDA and tell them your views. You can send us your letter and we will forward it to the FDA commissioner. We will also copy it for several state and federal representatives. Or if you prefer, you can send your letter directly to the head of the FDA yourself, Ms. Jane Henney, MD, Commissioner Food and Drug Administration, 5600 Fishers Lane, Rockville MD 20857.

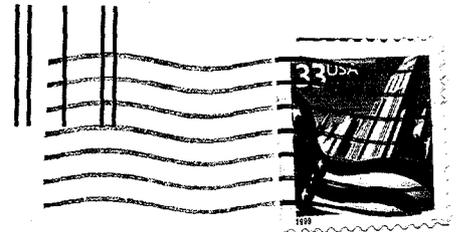
Sincerely,

Jim and Catherine Hovis

FROM

Elizabeth Rees
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STICK HERE IF NEW ADDRESS



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