

Attention FDA

0634 '00 APR -6 P1:46

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? *Absolutely!*

Hearing aids do no more than amplify sound. Some do it better than others and some reduce background noise. Most are over priced and I don't need a doctor to tell me I have a hearing loss.

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 ...

Seeing a doctor is always expensive. My cousin, after seeing a doctor, was persuaded to buy an hearing aid - one for \$2000.00. After an unsatisfactory trial period, she returned it and forfeited 50.00!

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

Absolutely not!! They are not an elected body and thus do not represent the people.

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

Yes. I look for quality and price. I have found this with EXCEL. When I am again in need of hearing aids, I, not the FDA, will scrutinize my options.

Signed by: Robert J. Brandl Date: 2/6/00



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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

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