

Withdrawn
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HUMAN RESOURCES

HOUSE FILE 190
BY FOEGE and B. HANSEN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to mandatory universal newborn and infant hearing
2 screening.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 190

1 DIVISION XV

2 UNIVERSAL NEWBORN AND INFANT HEARING SCREENING

3 Section 1. NEW SECTION. 135.131 UNIVERSAL NEWBORN AND
4 INFANT HEARING SCREENING.

5 1. For the purposes of this section, "birthing hospital"
6 means a private or public hospital licensed pursuant to
7 chapter 135B that has a licensed obstetric unit or is licensed
8 to provide obstetric services, or a licensed birthing center
9 associated with a hospital.

10 2. Beginning January 1, 2004, all infants born in this
11 state shall be screened for hearing loss in accordance with
12 this section. The person required to perform the screening
13 shall use at least one of the following procedures:

14 a. Automated or diagnostic auditory brainstem response
15 (ABR).

16 b. Otoacoustic emissions (OAE).

17 c. Any other technology approved by the department.

18 3. Beginning January 1, 2004, a birthing hospital that is
19 not a birthing center shall screen every newborn delivered in
20 the hospital for hearing loss prior to discharge of the
21 newborn from the birthing hospital. A birthing hospital that
22 transfers a newborn for acute care prior to completion of the
23 hearing screening shall notify the receiving facility of the
24 status of the hearing screening. The receiving facility shall
25 be responsible for completion of the newborn hearing
26 screening. The birthing hospital or other facility completing
27 the hearing screening under this subsection shall report the
28 results of the screening to the parent or guardian of the
29 newborn and to the department in a manner prescribed by rule
30 of the department.

31 4. Beginning January 1, 2004, a birthing hospital that is
32 a birthing center shall refer the newborn to a licensed
33 audiologist, physician, or hospital for screening for hearing
34 loss prior to discharge of the newborn from the birthing
35 center. The hearing screening shall be completed within

1 thirty days following discharge of the newborn. The person
2 completing the hearing screening shall report the results of
3 the screening to the parent or guardian of the newborn and to
4 the department in a manner prescribed by rule of the
5 department.

6 5. Beginning January 1, 2004, if a newborn is delivered in
7 a location other than a birthing hospital, the physician or
8 other health care professional who undertakes the pediatric
9 care of the newborn or infant shall ensure that the hearing
10 screening is performed within three months of the date of the
11 newborn's or infant's birth. The physician or other health
12 care professional shall report the results of the hearing
13 screening to the parent or guardian of the newborn or infant
14 and to the department in a manner prescribed by rule of the
15 department.

16 6. A birthing hospital, physician, or other health care
17 provider required to report information under this section
18 shall report all of the following information to the
19 department relating to a newborn's or infant's hearing
20 screening, as applicable:

21 a. The name, address, and telephone number, if available,
22 of the mother of the newborn or infant.

23 b. The primary care provider at the birthing hospital for
24 the newborn or infant.

25 c. The results of the hearing screening.

26 d. Any rescreenings and the diagnostic audiological
27 assessment procedures used.

28 7. The department shall adopt rules to administer this
29 section including rules to provide for the sharing of
30 information among agencies and persons involved with newborn
31 and infant hearing screenings, follow-up, and intervention
32 services, that maintain the confidentiality of the individuals
33 involved.

34 8. This section shall not apply if the parent of a newborn
35 or infant objects to the screening on the grounds that the

1 screening would conflict with tenets or practices of a
2 recognized religious denomination to which the parent adheres
3 or of which the parent is a member. If a parent objects to
4 the screening, the birthing hospital, physician, or other
5 health care professional required to report information to the
6 department under this section shall provide educational
7 information to the parent describing the screening, how the
8 screening is conducted, and the possible consequences of
9 treatment and nontreatment for hearing loss. The birthing
10 hospital, physician, or other health care professional
11 required to report information under this section shall obtain
12 a written refusal from the parent, shall document the refusal
13 in the newborn's or infant's medical record, and shall report
14 the refusal to the department in a manner prescribed by rule
15 of the department.

16 9. A person who acts in good faith in complying with this
17 section shall not be civilly or criminally liable for
18 reporting the information required to be reported by this
19 section.

20 Sec. 2. NEW SECTION. 135B.18A UNIVERSAL NEWBORN AND
21 INFANT HEARING SCREENING.

22 Beginning January 1, 2004, a birthing hospital shall comply
23 with section 135.131 relating to universal newborn and infant
24 hearing screening.

25 EXPLANATION

26 This bill requires universal newborn and infant hearing
27 screening beginning January 1, 2004. The bill defines
28 "birthing hospital" to mean a licensed private or public
29 hospital that has a licensed obstetric unit or is licensed to
30 provide obstetric services, or a licensed birthing center
31 associated with a hospital.

32 The bill requires that beginning January 1, 2004, all
33 infants born in the state are to be screened for hearing loss
34 using at least one of the prescribed methods: automated or
35 diagnostic auditory brainstem response (ABR); otoacoustic

1 emissions(OAE); or any other technology approved by the
2 department.

3 The bill requires that beginning January 1, 2004, a
4 birthing hospital that is not a birthing center is to screen
5 every newborn delivered in the hospital for hearing loss prior
6 to discharge of the newborn from the birthing hospital. A
7 birthing hospital that transfers a newborn for acute care
8 prior to completion of the newborn hearing screening is to
9 notify the receiving facility of the status of the newborn
10 hearing screening and the receiving facility is then
11 responsible for completion of the newborn hearing screening.
12 The bill directs the birthing hospital or other facility
13 completing the hearing screening to report the results of the
14 screening to the parent or guardian of the newborn and to the
15 department in a manner prescribed by rule of the department.

16 The bill also provides that beginning January 1, 2004, a
17 birthing hospital that is a birthing center is to refer the
18 newborn to a licensed audiologist, physician, or hospital for
19 hearing loss prior to discharge of the newborn from the
20 birthing center. The newborn hearing screening is to be
21 completed within 30 days following discharge of the newborn.
22 The person completing the newborn hearing screening is to
23 report the results of the screening to the parent or guardian
24 of the newborn and to the department in a manner prescribed by
25 rule of the department.

26 Additionally, the bill provides that beginning January 1,
27 2004, if a newborn is delivered in a location other than a
28 birthing hospital, the physician or other health care
29 professional who undertakes the pediatric care of the newborn
30 or infant is to ensure that the newborn hearing screening is
31 performed within three months of the date of the newborn's or
32 infant's birth. The physician or other health care
33 professional is to report the results of the newborn hearing
34 screening to the parent or guardian of the newborn or infant
35 and to the department in a manner prescribed by rule of the

1 department.

2 The bill provides a listing of the information that a
3 reporter of information under the bill is required to report
4 and directs the department to adopt rules to administer the
5 provisions of the bill including confidentiality provisions.

6 The bill provides that the provisions of the bill do not
7 apply if the parent of a newborn or infant objects to the
8 screening on the grounds that the screening would conflict
9 with tenets or practices of a recognized religious
10 denomination to which the parent adheres or of which the
11 parent is a member. The bill provides for the provision of
12 educational material to a refusing parent who objects and for
13 the documenting of such a refusal.

14 The bill provides that a person who acts in good faith in
15 complying with the provisions of the bill is not civilly or
16 criminally liable for reporting the information required to be
17 reported under the bill.

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