

MAR 5 2003  
Place On Calendar

HOUSE FILE 454  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HF 190)

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:

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

HF 454

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. A person who acts in good faith in complying with this  
35 section shall not be civilly or criminally liable for

1 reporting the information required to be reported by this  
2 section.

3 Sec. 2. NEW SECTION. 135B.18A UNIVERSAL NEWBORN AND  
4 INFANT HEARING SCREENING.

5 Beginning January 1, 2004, a birthing hospital shall comply  
6 with section 135.131 relating to universal newborn and infant  
7 hearing screening.

8 EXPLANATION

9 This bill requires universal newborn and infant hearing  
10 screening beginning January 1, 2004. The bill defines  
11 "birthing hospital" to mean a licensed private or public  
12 hospital that has a licensed obstetric unit or is licensed to  
13 provide obstetric services, or a licensed birthing center  
14 associated with a hospital.

15 The bill requires that beginning January 1, 2004, all  
16 infants born in the state are to be screened for hearing loss  
17 using at least one of the prescribed methods: automated or  
18 diagnostic auditory brainstem response (ABR); otoacoustic  
19 emissions(OAE); or any other technology approved by the  
20 department.

21 The bill requires that beginning January 1, 2004, a  
22 birthing hospital that is not a birthing center is to screen  
23 every newborn delivered in the hospital for hearing loss prior  
24 to discharge of the newborn from the birthing hospital. A  
25 birthing hospital that transfers a newborn for acute care  
26 prior to completion of the newborn hearing screening is to  
27 notify the receiving facility of the status of the newborn  
28 hearing screening and the receiving facility is then  
29 responsible for completion of the newborn hearing screening.  
30 The bill directs the birthing hospital or other facility  
31 completing the hearing screening to report the results of the  
32 screening to the parent or guardian of the newborn and to the  
33 department in a manner prescribed by rule of the department.

34 The bill also provides that beginning January 1, 2004, a  
35 birthing hospital that is a birthing center is to refer the

1 newborn to a licensed audiologist, physician, or hospital for  
2 hearing loss prior to discharge of the newborn from the  
3 birthing center. The newborn hearing screening is to be  
4 completed within 30 days following discharge of the newborn.  
5 The person completing the newborn hearing screening is to  
6 report the results of the screening to the parent or guardian  
7 of the newborn and to the department in a manner prescribed by  
8 rule of the department.

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

20 The bill provides a listing of the information that a  
21 reporter of information under the bill is required to report  
22 and directs the department to adopt rules to administer the  
23 provisions of the bill including confidentiality provisions.

24 The bill provides that a person who acts in good faith in  
25 complying with the provisions of the bill is not civilly or  
26 criminally liable for reporting the information required to be  
27 reported under the bill.

28  
29  
30  
31  
32  
33  
34  
35

HOUSE FILE 454

H-1043

- 1 Amend House File 454 as follows:  
2 1. Page 2, by inserting after line 27, the  
3 following:  
4 "6A. This section shall not apply if the parent  
5 objects to the screening. If a parent objects to the  
6 screening, the birthing hospital, physician, or other  
7 health care professional required to report  
8 information to the department under this section shall  
9 provide educational information to the parent  
10 describing the screening, how the screening is  
11 conducted, and the possible consequences of treatment  
12 for and nontreatment of hearing loss. The birthing  
13 hospital, physician, or other health care professional  
14 required to report information under this section  
15 shall obtain a written refusal from the parent, shall  
16 document the refusal in the newborn's or infant's  
17 medical record, and shall report the refusal to the  
18 department in the manner prescribed by rule of the  
19 department."  
20 2. By renumbering as necessary.

By BODDICKER of Cedar  
FOEGE of Linn

H-1043 FILED MARCH 11, 2003

*Withdrawn*  
*3/3/03*

HOUSE FILE 454

H-1111

- 1 Amend House File 454 as follows:  
2 1. Page 2, by inserting after line 27, the  
3 following:  
4 "6A. This section shall not apply if the parent  
5 objects to the screening. If a parent objects to the  
6 screening, the birthing hospital, physician, or other  
7 health care professional required to report  
8 information to the department under this section shall  
9 obtain a written refusal from the parent, shall  
10 document the refusal in the newborn's or infant's  
11 medical record, and shall report the refusal to the  
12 department in the manner prescribed by rule of the  
13 department."  
14 2. By renumbering as necessary.

By UPMEYER of Hancock  
BODDICKER of Cedar  
FOEGE of Linn

H-1111 FILED MARCH 19, 2003

*Adopted 3/3/03*

Substituted for  
SF 407 4/21/03

HOUSE FILE 454  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HF 190)

(As Amended and Passed by the House March 31, 2003)

Passed House, Date Passed 4/24/03 3/31/03 Passed Senate, Date Passed 4/21/03  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved 5/1/03

**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:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

House Amendments \_\_\_\_\_

HF 454

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

DIVISION XV

UNIVERSAL NEWBORN AND INFANT HEARING SCREENING

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

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

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

- a. Automated or diagnostic auditory brainstem response (ABR).
- b. Otoacoustic emissions (OAE).
- c. Any other technology approved by the department.

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

4. Beginning January 1, 2004, a birthing hospital that is a birthing center shall refer the newborn to a licensed audiologist, physician, or hospital for screening for hearing loss prior to discharge of the newborn from the birthing 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. This section shall not apply if the parent objects to  
29 the screening. If a parent objects to the screening, the  
30 birthing hospital, physician, or other health care  
31 professional required to report information to the department  
32 under this section shall obtain a written refusal from the  
33 parent, shall document the refusal in the newborn's or  
34 infant's medical record, and shall report the refusal to the  
35 department in the manner prescribed by rule of the department.

1 8. The department shall adopt rules to administer this  
2 section including rules to provide for the sharing of  
3 information among agencies and persons involved with newborn  
4 and infant hearing screenings, follow-up, and intervention  
5 services, that maintain the confidentiality of the individuals  
6 involved.

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

11 Sec. 2. NEW SECTION. 135B.18A UNIVERSAL NEWBORN AND  
12 INFANT HEARING SCREENING.

13 Beginning January 1, 2004, a birthing hospital shall comply  
14 with section 135.131 relating to universal newborn and infant  
15 hearing screening.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

HOUSE FILE 454

S-3125

1 Amend House File 454, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting  
4 clause and inserting the following:

5 "DIVISION XV

6 UNIVERSAL NEWBORN AND INFANT HEARING SCREENING

7 Section 1. NEW SECTION. 135.131 UNIVERSAL  
8 NEWBORN AND INFANT HEARING SCREENING.

9 1. For the purposes of this section, unless the  
10 context otherwise requires:

11 a. "Birth center" means birth center as defined in  
12 section 135.61.

13 b. "Birthing hospital" means a private or public  
14 hospital licensed pursuant to chapter 135B that has a  
15 licensed obstetric unit or is licensed to provide  
16 obstetric services.

17 2. Beginning January 1, 2004, all newborns and  
18 infants born in this state shall be screened for  
19 hearing loss in accordance with this section. The  
20 person required to perform the screening shall use at  
21 least one of the following procedures:

22 a. Automated or diagnostic auditory brainstem  
23 response.

24 b. Otoacoustic emissions.

25 c. Any other technology approved by the  
26 department.

27 3. Beginning January 1, 2004, a birthing hospital  
28 shall screen every newborn delivered in the hospital  
29 for hearing loss prior to discharge of the newborn  
30 from the birthing hospital. A birthing hospital that  
31 transfers a newborn for acute care prior to completion  
32 of the hearing screening shall notify the receiving  
33 facility of the status of the hearing screening. The  
34 receiving facility shall be responsible for completion  
35 of the newborn hearing screening. The birthing  
36 hospital or other facility completing the hearing  
37 screening under this subsection shall report the  
38 results of the screening to the parent or guardian of  
39 the newborn and to the department in a manner  
40 prescribed by rule of the department.

41 4. Beginning January 1, 2004, a birth center shall  
42 refer the newborn to a licensed audiologist,  
43 physician, or hospital for screening for hearing loss  
44 prior to discharge of the newborn from the birth  
45 center. The hearing screening shall be completed  
46 within thirty days following discharge of the newborn.  
47 The person completing the hearing screening shall  
48 report the results of the screening to the parent or  
49 guardian of the newborn and to the department in a  
50 manner prescribed by rule of the department.

S-3125

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

13 6. A birthing hospital, birth center, physician,  
14 or other health care professional required to report  
15 information under subsection 3, 4, or 5, shall report  
16 all of the following information

17 to the department relating to a newborn's or  
18 infant's hearing screening, as applicable:

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

21 b. The primary care provider at the birthing  
22 hospital or birth center for the newborn or infant.

23 c. The results of the hearing screening.

24 d. Any rescreenings and the diagnostic  
25 audiological assessment procedures used.

26 7. The department may share information with  
27 agencies and persons involved with newborn and infant  
28 hearing screenings, follow-up, and intervention  
29 services, including the local birth-to-three  
30 coordinator or similar agency, the local area  
31 education agency, and local health care providers.  
32 The department shall adopt rules to protect the  
33 confidentiality of the individuals involved.

34 8. An area education agency with which information  
35 is shared pursuant to subsection 7 shall report all of  
36 the following information to the department relating  
37 to a newborn's or infant's hearing, follow-up, and  
38 intervention services, as applicable:

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

41 b. The results of the hearing screening and any  
42 rescreenings, including the diagnostic audiological  
43 assessment procedures used.

44 c. The nature of any follow-up or other  
45 intervention services provided to the newborn or  
46 infant.

47 9. This section shall not apply if the parent  
48 objects to the screening. If a parent objects to the  
49 screening, the birthing hospital, birth center,  
50 physician, or other health care professional required

S-3125

Page 3

1 to report information under subsection 3, 4, or 5 to  
2 the department shall obtain a written refusal from the  
3 parent, shall document the refusal in the newborn's or  
4 infant's medical record, and shall report the refusal  
5 to the department in the manner prescribed by rule of  
6 the department.

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

11 Sec. 2. NEW SECTION. 135B.18A UNIVERSAL NEWBORN  
12 AND INFANT HEARING SCREENING.

13 Beginning January 1, 2004, a birthing hospital as  
14 defined in section 135.131 shall comply with section  
15 135.131 relating to universal newborn and infant  
16 hearing screening."

By NANCY BOETTGER

S-3125 FILED APRIL 2, 2003

*Adopted 4/2/03*

---

SENATE AMENDMENT TO  
HOUSE FILE 454

H-1380

1 Amend House File 454, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting  
4 clause and inserting the following:

5 "DIVISION XV

6 UNIVERSAL NEWBORN AND INFANT HEARING SCREENING

7 Section 1. NEW SECTION. 135.131 UNIVERSAL

8 NEWBORN AND INFANT HEARING SCREENING.

9 1. For the purposes of this section, unless the  
10 context otherwise requires:

11 a. "Birth center" means birth center as defined in  
12 section 135.61.

13 b. "Birthing hospital" means a private or public  
14 hospital licensed pursuant to chapter 135B that has a  
15 licensed obstetric unit or is licensed to provide  
16 obstetric services.

17 2. Beginning January 1, 2004, all newborns and  
18 infants born in this state shall be screened for  
19 hearing loss in accordance with this section. The  
20 person required to perform the screening shall use at  
21 least one of the following procedures:

22 a. Automated or diagnostic auditory brainstem  
23 response.

24 b. Otoacoustic emissions.

25 c. Any other technology approved by the  
26 department.

27 3. Beginning January 1, 2004, a birthing hospital  
28 shall screen every newborn delivered in the hospital  
29 for hearing loss prior to discharge of the newborn  
30 from the birthing hospital. A birthing hospital that  
31 transfers a newborn for acute care prior to completion  
32 of the hearing screening shall notify the receiving  
33 facility of the status of the hearing screening. The  
34 receiving facility shall be responsible for completion  
35 of the newborn hearing screening. The birthing  
36 hospital or other facility completing the hearing  
37 screening under this subsection shall report the  
38 results of the screening to the parent or guardian of  
39 the newborn and to the department in a manner  
40 prescribed by rule of the department.

41 4. Beginning January 1, 2004, a birth center shall  
42 refer the newborn to a licensed audiologist,  
43 physician, or hospital for screening for hearing loss  
44 prior to discharge of the newborn from the birth  
45 center. The hearing screening shall be completed  
46 within thirty days following discharge of the newborn.  
47 The person completing the hearing screening shall  
48 report the results of the screening to the parent or  
49 guardian of the newborn and to the department in a  
50 manner prescribed by rule of the department;

H-1380

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

13 6. A birthing hospital, birth center, physician,  
14 or other health care professional required to report  
15 information under subsection 3, 4, or 5, shall report  
16 all of the following information

17 to the department relating to a newborn's or  
18 infant's hearing screening, as applicable:

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

21 b. The primary care provider at the birthing  
22 hospital or birth center for the newborn or infant.

23 c. The results of the hearing screening.

24 d. Any rescreenings and the diagnostic  
25 audiological assessment procedures used.

26 7. The department may share information with  
27 agencies and persons involved with newborn and infant  
28 hearing screenings, follow-up, and intervention  
29 services, including the local birth-to-three  
30 coordinator or similar agency, the local area  
31 education agency, and local health care providers.  
32 The department shall adopt rules to protect the  
33 confidentiality of the individuals involved.

34 8. An area education agency with which information  
35 is shared pursuant to subsection 7 shall report all of  
36 the following information to the department relating  
37 to a newborn's or infant's hearing, follow-up, and  
38 intervention services, as applicable:

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

41 b. The results of the hearing screening and any  
42 rescreenings, including the diagnostic audiological  
43 assessment procedures used.

44 c. The nature of any follow-up or other  
45 intervention services provided to the newborn or  
46 infant.

47 9. This section shall not apply if the parent  
48 objects to the screening. If a parent objects to the  
49 screening, the birthing hospital, birth center,  
50 physician, or other health care professional required

H-1380

Page 3

1 to report information under subsection 3, 4, or 5 to  
2 the department shall obtain a written refusal from the  
3 parent, shall document the refusal in the newborn's or  
4 infant's medical record, and shall report the refusal  
5 to the department in the manner prescribed by rule of  
6 the department.

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

11 Sec. 2. NEW SECTION. 135B.18A UNIVERSAL NEWBORN  
12 AND INFANT HEARING SCREENING.

13 Beginning January 1, 2004, a birthing hospital as  
14 defined in section 135.131 shall comply with section  
15 135.131 relating to universal newborn and infant  
16 hearing screening."

RECEIVED FROM THE SENATE

H-1380 FILED APRIL 21, 2003

House concurred 4/24/03

HOUSE FILE 454

AN ACT

RELATING TO MANDATORY UNIVERSAL NEWBORN AND INFANT HEARING  
SCREENING.

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

DIVISION XV

UNIVERSAL NEWBORN AND INFANT HEARING SCREENING

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

1. For the purposes of this section, unless the context  
otherwise requires:

a. "Birth center" means birth center as defined in section  
135.61.

b. "Birthing hospital" means a private or public hospital  
licensed pursuant to chapter 135B that has a licensed  
obstetric unit or is licensed to provide obstetric services.

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

- a. Automated or diagnostic auditory brainstem response.
- b. Otoacoustic emissions.
- c. Any other technology approved by the department.

3. Beginning January 1, 2004, a birthing hospital shall  
screen every newborn delivered in the hospital for hearing  
loss prior to discharge of the newborn from the birthing  
hospital. A birthing hospital that transfers a newborn for  
acute care prior to completion of the hearing screening shall  
notify the receiving facility of the status of the hearing

screening. The receiving facility shall be responsible for  
completion of the newborn hearing screening. The birthing  
hospital or other facility completing the hearing screening  
under this subsection shall report the results of the  
screening to the parent or guardian of the newborn and to the  
department in a manner prescribed by rule of the department.

4. Beginning January 1, 2004, a birth center shall refer  
the newborn to a licensed audiologist, physician, or hospital  
for screening for hearing loss prior to discharge of the  
newborn from the birth center. The hearing screening shall be  
completed within thirty days following discharge of the  
newborn. The person completing the hearing screening shall  
report the results of the screening to the parent or guardian  
of the newborn and to the department in a manner prescribed by  
rule of the department.

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

6. A birthing hospital, birth center, physician, or other  
health care professional required to report information under  
subsection 3, 4, or 5, shall report all of the following  
information to the department relating to a newborn's or  
infant's hearing screening, as applicable:

- a. The name, address, and telephone number, if available,  
of the mother of the newborn or infant.
- b. The primary care provider at the birthing hospital or  
birth center for the newborn or infant.
- c. The results of the hearing screening.

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

7. The department may share information with agencies and persons involved with newborn and infant hearing screenings, follow-up, and intervention services, including the local birth-to-three coordinator or similar agency, the local area education agency, and local health care providers. The department shall adopt rules to protect the confidentiality of the individuals involved.

8. An area education agency with which information is shared pursuant to subsection 7 shall report all of the following information to the department relating to a newborn's or infant's hearing, follow-up, and intervention services, as applicable:

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

b. The results of the hearing screening and any rescreenings, including the diagnostic audiological assessment procedures used.

c. The nature of any follow-up or other intervention services provided to the newborn or infant.

9. This section shall not apply if the parent objects to the screening. If a parent objects to the screening, the birthing hospital, birth center, physician, or other health care professional required to report information under subsection 3, 4, or 5 to the department shall obtain a written refusal from the parent, shall document the refusal in the newborn's or infant's medical record, and shall report the refusal to the department in the manner prescribed by rule of the department.

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

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

Beginning January 1, 2004, a birthing hospital as defined in section 135.131 shall comply with section 135.131 relating to universal newborn and infant hearing screening.

---

CHRISTOPHER C. RANTS  
Speaker of the House

---

MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 454, Eightieth General Assembly.

---

MARGARET THOMSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2003

---

THOMAS J. VILSACK  
Governor