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SENATE FILE 233
BY BOETTGER and RAGAN

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

A BILL FOR

1 An Act relating to mandatory newborn and infant hearing
2 screening.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 233
HUMAN RESOURCES

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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

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

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

16 6. A birthing hospital, birth center, physician, or other
17 health care professional required to report information under
18 this section shall report all of the following information to
19 the 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 or
24 birth center for 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 as defined
6 in section 135.131 shall comply with section 135.131 relating
7 to universal newborn and infant 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. The bill defines "birth center"
14 as a facility or institution which is not an ambulatory
15 surgical center or a hospital or in a hospital in which births
16 are planned to occur following a normal, uncomplicated, low-
17 risk pregnancy.

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

24 The bill requires that beginning January 1, 2004, a
25 birthing hospital is to screen every newborn delivered in the
26 hospital for hearing loss prior to discharge of the newborn
27 from the birthing hospital. A birthing hospital that
28 transfers a newborn for acute care prior to completion of the
29 newborn hearing screening is to notify the receiving facility
30 of the status of the newborn hearing screening and the
31 receiving facility is then responsible for completion of the
32 newborn hearing screening. The bill directs the birthing
33 hospital or other facility completing the hearing screening to
34 report the results of the screening to the parent or guardian
35 of the newborn and to the department in a manner prescribed by

1 rule of the department.

2 The bill also provides that beginning January 1, 2004, a
3 birth center is to refer the newborn to a licensed
4 audiologist, physician, or hospital for hearing loss prior to
5 discharge of the newborn from the birth center. The newborn
6 hearing screening is to be completed within 30 days following
7 discharge of the newborn. The person completing the newborn
8 hearing screening is to report the results of the screening to
9 the parent or guardian of the newborn and to the department in
10 a manner prescribed by rule of the department.

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

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

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

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