

House File 557 - Introduced

HOUSE FILE _____
BY GAYMAN

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

A BILL FOR

1 An Act providing for mandatory universal newborn and infant eye
2 examinations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2523HH 82
5 jp/es/88

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1 1 Section 1. Section 135.131, Code 2007, is amended to read
1 2 as follows:
1 3 135.131 UNIVERSAL NEWBORN AND INFANT HEARING SCREENING AND
1 4 EYE EXAMINATION.
1 5 1. For the purposes of this section, unless the context
1 6 otherwise requires:
1 7 a. "Birth center" means birth center as defined in section
1 8 135.61.
1 9 b. "Birthing hospital" means a private or public hospital
1 10 licensed pursuant to chapter 135B that has a licensed
1 11 obstetric unit or is licensed to provide obstetric services.
1 12 2. ~~Beginning January 1, 2004, all~~ All newborns and infants
1 13 born in this state shall be screened for hearing loss in
1 14 accordance with this section. The person required to perform
1 15 the hearing loss screening shall use at least one of the
1 16 following procedures:
1 17 a. Automated or diagnostic auditory brainstem response.
1 18 b. Otoacoustic emissions.
1 19 c. Any other technology approved by the department.
1 20 3. ~~Beginning January 1, 2004, a~~ A birthing hospital shall
1 21 screen every newborn delivered in the hospital for hearing
1 22 loss and perform an eye examination prior to discharge of the
1 23 newborn from the birthing hospital. A birthing hospital that
1 24 transfers a newborn for acute care prior to completion of the
1 25 hearing screening shall notify the receiving facility of the
1 26 status of the hearing screening and eye examination. The
1 27 receiving facility shall be responsible for completion of the
1 28 newborn hearing screening and eye examination. The birthing
1 29 hospital or other facility completing the hearing screening
1 30 and eye examination under this subsection shall report the
1 31 results of the screening and examination to the parent or
1 32 guardian of the newborn and to the department in a manner
1 33 prescribed by rule of the department.
1 34 4. ~~Beginning January 1, 2004, a~~ A birth center shall refer
1 35 the newborn to a licensed audiologist, physician, or hospital
2 1 for screening for hearing loss and to a qualified health care
2 2 professional for an eye examination prior to discharge of the
2 3 newborn from the birth center. The hearing screening and eye
2 4 examination shall be completed within thirty days following
2 5 discharge of the newborn. The ~~person~~ persons completing the
2 6 hearing ~~screening~~ screenings and eye examinations shall report
2 7 the results of ~~the~~ each screening or examination to the parent
2 8 or guardian of the newborn and to the department in a manner
2 9 prescribed by rule of the department.
2 10 5. ~~Beginning January 1, 2004, if~~ If a newborn is delivered
2 11 in a location other than a birthing hospital or a birth
2 12 center, the physician or other health care professional who
2 13 undertakes the pediatric care of the newborn or infant shall
2 14 ensure that the hearing screening ~~is~~ and the eye examination
2 15 are performed within three months of the date of the newborn's
2 16 or infant's birth. The physician or other health care
2 17 professional shall report the results of the hearing screening
2 18 and the eye examination to the parent or guardian of the
2 19 newborn or infant and to the department in a manner prescribed
2 20 by rule of the department.

2 21 6. A birthing hospital, birth center, physician, or other
2 22 health care professional required to report information under
2 23 subsection 3, 4, ~~or 5, or 7~~ shall report all of the following
2 24 information to the department relating to a newborn's or
2 25 infant's hearing screening, as applicable:
2 26 a. The name, address, and telephone number, if available,
2 27 of the mother of the newborn or infant.
2 28 b. The primary care provider at the birthing hospital or
2 29 birth center for the newborn or infant.
2 30 c. The results of the hearing screening or the eye
2 31 examination.
2 32 d. Any rescreenings and the diagnostic audiological
2 33 assessment procedures used or any follow-up eye examinations
2 34 and examination procedures used.

2 35 7. All newborns and infants born in this state shall
3 1 receive an eye examination in accordance with this section.
3 2 The procedure used for an eye examination under this section
3 3 shall include but is not limited to eye dilation. In addition
3 4 to the eye examination required to be performed at or near the
3 5 time of an infant's birth in accordance with subsections 3, 4,
3 6 5, and 6, a pediatrician, physician, or other health care
3 7 professional providing care for the infant shall repeat the
3 8 eye examination when providing care for the infant subsequent
3 9 to the birth, once at or near eight weeks of age and once
3 10 during the period between six and nine months of age. The
3 11 peditrician, physician, or other health care professional
3 12 performing an eye examination subsequent to the infant's birth
3 13 pursuant to this subsection shall report the results of the
3 14 eye examination to the parent or guardian of the infant and to
3 15 the department in a manner prescribed by rule of the
3 16 department.

3 17 ~~7- 8.~~ 8. The department may share information with agencies
3 18 and persons involved with newborn and infant hearing
3 19 screenings and eye examinations, follow-up, and intervention
3 20 services, including the local birth-to-three coordinator or
3 21 similar agency, the local area education agency, and local
3 22 health care providers. The department shall adopt rules to
3 23 protect the confidentiality of the individuals involved.

3 24 ~~8- 9.~~ 9. An area education agency with which information is
3 25 shared pursuant to subsection ~~7~~ 8 shall report all of the
3 26 following information to the department relating to a
3 27 newborn's or infant's hearing or vision, follow-up, and
3 28 intervention services, as applicable:

3 29 a. The name, address, and telephone number, if available,
3 30 of the mother of the newborn or infant.
3 31 b. The results of the hearing screening and any
3 32 rescreenings, including the diagnostic audiological assessment
3 33 procedures used.

3 34 c. The results of the eye examination and any
3 35 reexamination made, including the eye examination procedures
4 1 used.

4 2 ~~e- d.~~ d. The nature of any follow-up or other intervention
4 3 services provided to the newborn or infant.

4 4 ~~9- 10.~~ 10. This section shall not apply if the parent objects
4 5 to the screening or eye examination. If a parent objects to
4 6 the screening or eye examination, the birthing hospital, birth
4 7 center, physician, or other health care professional required
4 8 to report information under subsection 3, 4, ~~or 5, 6, or 7~~ to
4 9 the department shall obtain a written refusal from the parent,
4 10 shall document the refusal in the newborn's or infant's
4 11 medical record, and shall report the refusal to the department
4 12 in the manner prescribed by rule of the department.

4 13 ~~10- 11.~~ 11. A person who acts in good faith in complying with
4 14 this section shall not be civilly or criminally liable for
4 15 reporting the information required to be reported by this
4 16 section.

4 17 Sec. 2. Section 135B.18A, Code 2007, is amended to read as
4 18 follows:

4 19 135B.18A UNIVERSAL NEWBORN AND INFANT HEARING SCREENING
4 20 AND EYE EXAMINATION.

4 21 ~~Beginning January 1, 2004, a~~ A birthing hospital as defined
4 22 in section 135.131 shall comply with section 135.131 relating
4 23 to universal newborn and infant hearing screening and eye
4 24 examinations.

EXPLANATION

4 25 This bill requires mandatory newborn and infant eye
4 26 examinations.

4 27 The bill amends current law in Code section 135.131, which
4 28 mandates universal newborn and infant hearing loss screening,
4 29 by adding the eye examination requirement. The eye
4 30 examination must utilize the eye dilation procedure.
4 31

4 32 Under the bill, the eye examination is required shortly
4 33 after birth, depending upon the location at which the birth
4 34 occurred. In addition, health care practitioners who provide
4 35 care to the infant following the birth are required to perform
5 1 eye examinations at or near eight weeks of age and between six
5 2 to nine months of age. As with the current hearing loss
5 3 screening, the results of the eye examination are required to
5 4 be reported to the infant's parent or guardian and to the
5 5 department of public health.

5 6 As with the hearing screening, the eye examination is not
5 7 performed if the parent objects.

5 8 The information sharing provisions applicable for the
5 9 hearing screenings also apply to the eye examination
5 10 requirement.

5 11 The bill also makes a conforming amendment in Code section
5 12 135B.18A, relating to the applicability of the screening
5 13 requirement to birthing hospitals.

5 14 LSB 2523HH 82

5 15 jp:rj/es/88