

# House File 255 - 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 2107HH 83  
5 jp/rj/8

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1 1 Section 1. Section 135.131, Code 2009, 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 and eye examination shall notify the  
1 26 receiving facility of the status of the hearing screening and  
1 27 eye examination. The receiving facility shall be responsible  
1 28 for completion of the newborn hearing screening and eye  
1 29 examination. The birthing hospital or other facility  
1 30 completing the hearing screening and eye examination under  
1 31 this subsection shall report the results of the screening and  
1 32 examination to the parent or guardian of the newborn and to  
1 33 the department in a manner prescribed by rule of the  
1 34 department.  
1 35 4. ~~Beginning January 1, 2004, a~~ A birth center shall refer  
2 1 the newborn to a licensed audiologist, physician, or hospital  
2 2 for screening for hearing loss and to a qualified health care  
2 3 professional for an eye examination prior to discharge of the  
2 4 newborn from the birth center. The hearing screening and eye  
2 5 examination shall be completed within thirty days following  
2 6 discharge of the newborn. The ~~person~~ persons completing the  
2 7 hearing ~~screening~~ screenings and eye examinations shall report  
2 8 the results of ~~the~~ each screening or examination to the parent  
2 9 or guardian of the newborn and to the department in a manner  
2 10 prescribed by rule of the department.  
2 11 5. ~~Beginning January 1, 2004, if~~ If a newborn is delivered  
2 12 in a location other than a birthing hospital or a birth  
2 13 center, the physician or other health care professional who  
2 14 undertakes the pediatric care of the newborn or infant shall  
2 15 ensure that the hearing screening ~~is~~ and the eye examination  
2 16 are performed within three months of the date of the newborn's  
2 17 or infant's birth. The physician or other health care  
2 18 professional shall report the results of the hearing screening  
2 19 and the eye examination to the parent or guardian of the  
2 20 newborn or infant and to the department in a manner prescribed

2 21 by rule of the department.  
2 22 6. A birthing hospital, birth center, physician, or other  
2 23 health care professional required to report information under  
2 24 subsection 3, 4, ~~or 5, or 7~~ shall report all of the following  
2 25 information to the department relating to a newborn's or  
2 26 infant's hearing screening, as applicable:

2 27 a. The name, address, and telephone number, if available,  
2 28 of the mother of the newborn or infant.

2 29 b. The primary care provider at the birthing hospital or  
2 30 birth center for the newborn or infant.

2 31 c. The results of the hearing screening or the eye  
2 32 examination.

2 33 d. Any rescreenings and the diagnostic audiological  
2 34 assessment procedures used or any follow-up eye examinations  
2 35 and examination procedures used.

3 1 7. All newborns and infants born in this state shall

3 2 receive an eye examination in accordance with this section.

3 3 The procedure used for an eye examination under this section

3 4 shall include but is not limited to eye dilation. In addition

3 5 to the eye examination required to be performed at or near the

3 6 time of an infant's birth in accordance with subsections 3, 4,

3 7 5, and 6, a pediatrician, physician, or other health care

3 8 professional providing care for the infant shall repeat the

3 9 eye examination when providing care for the infant subsequent

3 10 to the birth, once at or near eight weeks of age and once

3 11 during the period between six and nine months of age. The

3 12 pediatrician, physician, or other health care professional

3 13 performing an eye examination subsequent to the infant's birth

3 14 pursuant to this subsection shall report the results of the

3 15 eye examination to the parent or guardian of the infant and to

3 16 the department in a manner prescribed by rule of the

3 17 department.

3 18 ~~7- 8.~~ The department may share information with agencies

3 19 and persons involved with newborn and infant hearing

3 20 screenings and eye examinations, follow-up, and intervention

3 21 services, including the local birth-to-three coordinator or

3 22 similar agency, the local area education agency, and local

3 23 health care providers. The department shall adopt rules to

3 24 protect the confidentiality of the individuals involved.

3 25 ~~8- 9.~~ An area education agency with which information is

3 26 shared pursuant to subsection ~~7 8~~ shall report all of the

3 27 following information to the department relating to a

3 28 newborn's or infant's hearing or vision, follow-up, and

3 29 intervention services, as applicable:

3 30 a. The name, address, and telephone number, if available,

3 31 of the mother of the newborn or infant.

3 32 b. The results of the hearing screening and any

3 33 rescreenings, including the diagnostic audiological assessment

3 34 procedures used.

3 35 c. The results of the eye examination and any

4 1 reevaluation made, including the eye examination procedures

4 2 used.

4 3 e. d. The nature of any follow-up or other intervention

4 4 services provided to the newborn or infant.

4 5 ~~9- 10.~~ This section shall not apply if the parent objects

4 6 to the screening or eye examination. If a parent objects to

4 7 the screening or eye examination, the birthing hospital, birth

4 8 center, physician, or other health care professional required

4 9 to report information under subsection 3, 4, ~~or 5, 6, or 7~~ to

4 10 the department shall obtain a written refusal from the parent,

4 11 shall document the refusal in the newborn's or infant's

4 12 medical record, and shall report the refusal to the department

4 13 in the manner prescribed by rule of the department.

4 14 ~~10- 11.~~ A person who acts in good faith in complying with

4 15 this section shall not be civilly or criminally liable for

4 16 reporting the information required to be reported by this

4 17 section.

4 18 Sec. 2. Section 135B.18A, Code 2009, is amended to read as

4 19 follows:

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

4 21 AND EYE EXAMINATION.

4 22 ~~Beginning January 1, 2004, a~~ A birthing hospital as defined

4 23 in section 135.131 shall comply with section 135.131 relating

4 24 to universal newborn and infant hearing screening and eye

4 25 examinations.

4 26 EXPLANATION

4 27 This bill requires mandatory newborn and infant eye

4 28 examinations.

4 29 The bill amends current law in Code section 135.131, which

4 30 mandates universal newborn and infant hearing loss screening,

4 31 by adding the eye examination requirement. The eye

4 32 examination must utilize the eye dilation procedure.  
4 33 Under the bill, the eye examination is required shortly  
4 34 after birth, depending upon the location at which the birth  
4 35 occurred. In addition, health care practitioners who provide  
5 1 care to the infant following the birth are required to perform  
5 2 eye examinations at or near eight weeks of age and between six  
5 3 to nine months of age. As with the current hearing loss  
5 4 screening, the results of the eye examination are required to  
5 5 be reported to the infant's parent or guardian and to the  
5 6 department of public health.  
5 7 As with the hearing screening, the eye examination is not  
5 8 performed if the parent objects.  
5 9 The information sharing provisions applicable for the  
5 10 hearing screenings also apply to the eye examination  
5 11 requirement.  
5 12 The bill also makes a conforming amendment in Code section  
5 13 135B.18A, relating to the applicability of the screening  
5 14 requirement to birthing hospitals.  
5 15 LSB 2107HH 83  
5 16 jp/rj/8.1