A BILL FOR AN ACT

RELATING TO NEWBORN HEARING SCREENING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 321-361, Hawaii Revised Statutes, is amended to read as follows:

"[1]§321-361[1] Definitions. As used in this part, unless the context clearly indicates otherwise:

"Audiologist" means a professional licensed in the State to diagnose and treat hearing and balance functions of the human audio-vestibular system.

"Deaf or hard of hearing" means any type and degree of permanent hearing loss as assessed by a licensed audiologist or physician specialized in hearing function.

"Department" means the department of health.

"Diagnostic audiologic evaluation" means an evaluation of the sensitivity of a person's sense of hearing as assessed by a licensed audiologist or physician specialized in hearing function.

"Hearing impaired infant" means an infant who has an impairment that is a dysfunction of the auditory system of any
type or degree sufficient to interfere with the acquisition and
development of speech and language skills."

"Hearing screening" means objective procedures to detect
possible hearing loss and determine the need for diagnostic
audiologic and medical evaluations.

"Infant" means a child from birth to thirty-six months of age.

["Management" means the habilitation of the hearing
impaired infant.]

["Screening" means a test or battery of tests administered
to determine the need for a professional examination."

SECTION 2. Section 321-362, Hawaii Revised Statutes, is
amended to read as follows:

"§321-362 Duties. It shall be the duty and responsibility of the department to:

(1) Establish, implement, and evaluate a statewide
[program for early identification of, and intervention
for, hearing impairment in infants;] system for
hearing screening and diagnostic audiologic evaluation
to identify infants who are deaf or hard of hearing,
and for the referral to and enrollment in early
intervention services for infants who have been
identified as deaf or hard of hearing;

(2) Establish standards and guidelines for [the] hearing
screening, identification, diagnosis, intervention,
and monitoring of infants [with hearing impairment and
infants at risk for delayed onset of hearing
impairment] who are deaf or hard of hearing or have
been identified with a risk indicator for developing
delayed-onset or progressive hearing loss or both;

(3) Develop a plan in conjunction with the department of
[education's statewide center for students with
hearing or visual impairments] education to involve
the parents or guardians with the medical and
educational follow-up [and management] of infants who
have been identified as [hearing impaired or at risk
of delayed onset of hearing impairments] deaf or hard
of hearing or who have been identified with a risk
indicator for developing delayed-onset or progressive
hearing loss or both; and

(4) Collect and analyze program data in relation to the
duties and responsibilities of the department."
SECTION 3. Section 321-362.5, Hawaii Revised Statutes, is amended to read as follows:

"[[]§321-362.5[] Screening for hearing impairment.]

Hearing screening, diagnostic audiolologic evaluation, and intervention. (a) All newborn infants shall be screened for hearing impairment for early identification of children with hearing loss and for the promotion of their development of language and communication. receive a hearing screening to allow early identification and intervention to maximize social, emotional, and language outcomes for children who are deaf or hard of hearing.

(b) The person in charge of each birthing facility caring for newborn infants and the responsible physician attending the birth of a newborn or the person assisting the birth of a child not attended by a physician shall ensure that every infant in the person's care be screened for hearing impairment. receives a hearing screening. This section shall not apply if the parent, guardian, or other person having custody or control of the child objects to the hearing screening in writing on the grounds that the hearing screening conflicts with their religious beliefs. The written objection shall be made a part of the infant's medical record."
(c) Birthing facilities [screening newborn infants for hearing impairment] shall report newborn hearing screening results to the department [for the purpose of the department ensuring a statewide system for the screening, diagnostic evaluation, and intervention for all newborn infants with hearing impairment].

(d) Audiologists and physicians specialized in hearing function performing diagnostic audiologic evaluations of infants shall report diagnostic audiologic evaluation results as determined by the department.

SECTION 4. Section 321-363, Hawaii Revised Statutes, is amended to read as follows:

"§321-363 Rules. The department shall adopt rules, pursuant to chapter 91, necessary for the purposes of this part, including but not limited to administration and quality of newborn hearing screening; retention of records and related data; reporting of [positive] hearing screening results; reporting of diagnostic audiologic evaluation results; [and] intervention for infants [with hearing impairment] who have been identified as deaf or hard of hearing; informing parents about the purpose of hearing screening, diagnostic audiologic
evaluation, and intervention; and maintaining the confidentiality of affected families."

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

INTRODUCED BY: __________

BY REQUEST

JAN 2 2 2019
Report Title:
Newborn Hearing Screening

Description:
Amends the Newborn Hearing Screening statute to mandate reporting of diagnostic audiologic evaluation results to improve hearing follow-up of infants and to update definitions and terminology.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.
DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO NEWBORN HEARING SCREENING.

PURPOSE: The purpose of this Act is to mandate the reporting of diagnostic audiologic evaluation results to the Department to improve hearing follow-up and to update definitions and terminology.


JUSTIFICATION: Newborn hearing screening is a mandated public health screening program. The goal of newborn hearing screening is to screen newborns by one month of age, identify infants who are deaf or hard of hearing by three months of age, and have that infant enrolled in intervention services by six months of age so that the child can reach developmental milestones and be language-ready to enter school.

The current statute does not allow the state newborn hearing screening program to routinely access diagnostic audiologic evaluation results. The program needs to know the results of diagnostic audiologic evaluations in order to ensure that babies who are deaf or hard of hearing are identified and receive appropriate services, including enrollment in early intervention services. Currently, only about half of infants identified as deaf or hard of hearing are enrolled in an early intervention program.

Early identification, diagnosis, and intervention of hearing loss in newborns and infants are especially important for our

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state since the available data shows that Hawaii is ranked as having the highest incidence of congenital hearing loss in the country.

Impact on the public: Increased surveillance for infants who do not pass newborn hearing screening will ensure that they receive diagnostic audiologic evaluation. For infants who are confirmed as deaf or hard of hearing, the amendments will support efforts to enroll the infants in early intervention services. These efforts lead to deaf and hard of hearing children being language-ready to enter school.

Impact on the department and other agencies: The Newborn Hearing Screening Program will need to continue working with the Early Intervention Section to document enrollment in early intervention services.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HTH CC.

OTHER AFFECTED AGENCIES: Department of Education.

EFFECTIVE DATE: Upon approval.