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:

"(a) Screening for hearing impairment.

Hearing screening, diagnostic audiologic evaluation, and intervention. (a) All newborn infants shall receive a hearing screening to allow for 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 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 [and] results; 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.
Report Title:
Newborn Hearing Screening; Department of Health; Diagnostic Audiologic Evaluation

Description:
Amends the State newborn hearing screening program to mandate reporting of diagnostic audiologic evaluation results, improve hearing follow-up of infants, and update definitions and terminology. (SD1)

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