
A BILL FOR AN ACT

RELATING TO HEALTH.

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:

"~~{~~**§321-361**~~}~~ **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 audiologic 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.

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.

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