
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that newborn hearing
2 screening is mandated by part XXIX of chapter 321, Hawaii
3 Revised Statutes, as a public health screening program that
4 helps deaf or hard of hearing children reach their developmental
5 milestones and be language-ready for school.

6 The legislature further finds that the national standards
7 for early hearing detection and intervention are hearing
8 screening by the age of one month, diagnostic audiologic
9 evaluation by age three months, and enrollment in early
10 intervention services by age six months. Studies show that
11 children who are deaf or hard of hearing who receive early
12 hearing screening and appropriate follow-up treatment and
13 support have better vocabulary outcomes, reach their language
14 and communication milestones, and are language-ready for school.

15 The legislature also finds that the department of health's
16 statewide newborn hearing screening program does not receive
17 diagnostic audiologic evaluation results for all newborns who do



1 not pass newborn hearing screening. Consistent reporting of
2 diagnostic audiologic evaluation results will allow the program
3 to ensure that all infants who do not pass hearing screening
4 receive a diagnostic audiologic evaluation and appropriate
5 follow-up treatment and support. Timely diagnostic audiologic
6 evaluation results will also facilitate referrals into early
7 intervention services for infants who are deaf or hard of
8 hearing.

9 The purpose of this Act is to ensure that timely diagnostic
10 audiologic evaluation reports related to follow-up treatment and
11 support of newborns who did not pass newborn hearing screening
12 are provided to the department of health.

13 SECTION 2. Section 321-361, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[+]§321-361[+] **Definitions.** As used in this part, unless
16 the context clearly indicates otherwise:

17 "Audiologist" means an individual licensed as an
18 audiologist pursuant to chapter 468E.

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



1 "Department" means the department of health.

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

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

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

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

15 [~~"Management" means the habilitation of the hearing~~
16 ~~impaired infant.~~

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

19 SECTION 3. Section 321-362, Hawaii Revised Statutes, is
20 amended to read as follows:



1 "§321-362 Duties. It shall be the duty and responsibility
2 of the department to:

- 3 (1) Establish, implement, and evaluate a statewide
4 ~~[program for early identification of, and intervention~~
5 ~~for, hearing impairment in infants,]~~ system for
6 hearing screening and diagnostic audiologic evaluation
7 to identify infants who are deaf or hard of hearing,
8 and for referral and enrollment of these infants into
9 early intervention services;
- 10 (2) Establish standards and guidelines for ~~[the]~~ hearing
11 screening, identification, diagnosis, intervention,
12 and monitoring of infants ~~[with hearing impairment and~~
13 ~~infants at risk for delayed onset of hearing~~
14 ~~impairment,]~~ who are deaf or hard of hearing or have
15 been identified with a risk indicator for developing
16 delayed-onset or progressive hearing loss, or both;
- 17 (3) Develop a plan in conjunction with the department of
18 ~~[education's statewide center for students with~~
19 ~~hearing or visual impairments]~~ education to involve
20 ~~[the]~~ parents ~~[or]~~ and guardians ~~[with the]~~ in any
21 medical and educational follow-up ~~[and management of]~~



1 for infants who [have been identified as hearing-
 2 impaired or at risk of delayed onset of hearing
 3 impairments,] are deaf or hard of hearing, or who have
 4 been identified with a risk indicator for developing
 5 delayed-onset or progressive hearing loss, or both;
 6 and

7 (4) Collect and analyze program data in relation to the
 8 duties and responsibilities of the department."

9 SECTION 4. Section 321-362.5, Hawaii Revised Statutes, is
 10 amended to read as follows:

11 "[~~+~~] §321-362.5 [~~]~~ ~~Screening for hearing impairment.]~~
 12 Hearing screening, diagnostic audiologic evaluation, and
 13 intervention. (a) All newborn infants shall [~~be screened for~~
 14 ~~hearing impairment for early identification of children with~~
 15 ~~hearing loss and for the promotion of their development of~~
 16 ~~language and communication.] receive a hearing screening to
 17 allow early identification and intervention to maximize social,
 18 emotional, and language outcomes for children who are deaf or
 19 hard of hearing.~~

20 (b) The person in charge of each birthing facility caring
 21 for newborn infants and the responsible physician attending the

1 birth of a newborn or the person assisting the birth of a child
2 not attended by a physician shall ensure that every infant in
3 the person's care [~~be screened for hearing impairment.~~] receives
4 a hearing screening. This section shall not apply if the
5 parent, guardian, or other person having custody or control of
6 the child objects to the hearing screening in writing on the
7 grounds that the hearing screening conflicts with their
8 religious beliefs. The written objection shall be made a part
9 of the infant's medical record.

10 (c) Birthing facilities [~~screening newborn infants for~~
11 ~~hearing impairment]~~ shall report newborn hearing screening
12 results to the department [~~, for the purpose of the department~~
13 ~~ensuring a statewide system for the screening, diagnostic~~
14 ~~evaluation, and intervention for all newborn infants with~~
15 ~~hearing impairment]~~.

16 (d) Audiologists and physicians specialized in hearing
17 function who perform diagnostic audiologic evaluations of
18 infants shall report diagnostic audiologic evaluation results to
19 the department."

20 SECTION 5. Section 321-363, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "§321-363 Rules. The department shall adopt rules,
2 pursuant to chapter 91, necessary for the purposes of this part,
3 including but not limited to administration and quality of
4 newborn hearing screening; retention of records and related
5 data; reporting of [~~positive~~] hearing screening results;
6 reporting of diagnostic audiologic evaluation [~~and~~] results;
7 intervention for infants [~~with hearing impairment,~~] who have
8 been identified as deaf or hard of hearing; informing parents
9 about the purpose of hearing screening[~~+~~], diagnostic audiologic
10 evaluation, and intervention; and maintaining the
11 confidentiality of affected families."

12 SECTION 6. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Newborns; Hearing Screening; Diagnostic Audiologic Evaluations;
Early Intervention

Description:

Amends the statewide newborn hearing screening program to require reporting of diagnostic audiologic evaluation results to improve hearing follow-up treatment and support of infants. Updates definitions and terminology. (HD1)

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

