
A BILL FOR AN ACT

RELATING TO NEWBORN HEARING SCREENING.

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

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



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

8 The purpose of this Act is to:

- 9 (1) Ensure that timely diagnostic audiologic evaluation
10 reports related to follow-up of newborns who did not
11 pass newborn hearing screening, or when an infant's
12 hearing status changes, are provided to the department
13 of health; and
14 (2) Update definitions and terminology.

15 SECTION 2. Section 321-361, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By adding four new definitions to be appropriately
18 inserted and to read:

19 "Audiologist" means an individual licensed as an
20 audiologist pursuant to chapter 468E.



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

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

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

11 2. By deleting the definition of "hearing-impaired
12 infant".

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

17 3. By deleting the definition of "management".

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

20 4. By deleting the definition of "screening".



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

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

5 "**§321-362 Duties.** It shall be the duty and responsibility
6 of the department to:

- 7 (1) Establish, implement, and evaluate a statewide
8 [~~program for early identification of, and intervention~~
9 ~~for, hearing impairment in infants,]~~ system for
10 hearing screening and diagnostic audiologic evaluation
11 to identify infants who are deaf or hard of hearing,
12 and for referral and enrollment of such infants into
13 early intervention services;
- 14 (2) Establish standards and guidelines for [the] hearing
15 screening, identification, diagnosis, intervention,
16 and monitoring of infants [~~with hearing impairment and~~
17 ~~infants at risk for delayed onset of hearing~~
18 ~~impairment,]~~ who are deaf or hard of hearing or have
19 been identified with a risk indicator for developing
20 delayed-onset or progressive hearing loss, or both;



- 1 (3) Develop a plan in conjunction with the department of
2 ~~[education's statewide center for students with~~
3 ~~hearing or visual impairments]~~ education to involve
4 ~~[the]~~ parents ~~[or]~~ and guardians ~~[with the]~~ in any
5 medical and educational follow-up ~~[and management of]~~
6 for infants ~~[who have been identified as hearing-~~
7 ~~impaired or at risk of delayed onset of hearing~~
8 ~~impairments;]~~ who are deaf or hard of hearing, or who
9 have been identified with a risk indicator for
10 developing delayed-onset or progressive hearing loss,
11 or both; and
- 12 (4) Collect and analyze program data in relation to the
13 duties and responsibilities of the department."

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

- 16 "~~[§]321-362.5[§] Screening for hearing impairment.]~~
17 Hearing screening, diagnostic audiologic evaluation, and
18 intervention. (a) All newborn infants shall ~~[be screened for~~
19 ~~hearing impairment for early identification of children with~~
20 ~~hearing loss and for the promotion of their development of~~
21 ~~language and communication.]~~ receive a hearing screening to



1 allow early identification and intervention to maximize social,
2 emotional, and language outcomes for children who are deaf or
3 hard of hearing.

4 (b) The person in charge of each birthing facility caring
5 for newborn infants and the responsible physician attending the
6 birth of a newborn or the person assisting the birth of a child
7 not attended by a physician shall ensure that every infant in
8 the person's care [~~be screened for hearing impairment.~~] receives
9 a hearing screening. This section shall not apply if the
10 parent, guardian, or other person having custody or control of
11 the child objects to the hearing screening in writing on the
12 grounds that the hearing screening conflicts with their
13 religious beliefs. The written objection shall be made a part
14 of the infant's medical record.

15 (c) Birthing facilities [~~screening newborn infants for~~
16 ~~hearing impairment~~] shall report newborn hearing screening
17 results to the department [~~, for the purpose of the department~~
18 ~~ensuring a statewide system for the screening, diagnostic~~
19 ~~evaluation, and intervention for all newborn infants with~~
20 ~~hearing impairment~~].



1 (d) Audiologists, and physicians specialized in hearing
2 function, performing diagnostic audiologic evaluations of
3 infants shall report diagnostic audiologic evaluation results to
4 the department."

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

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

18 SECTION 6. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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



Report Title:

Newborn; Hearing Screening; Diagnostic Tests

Description:

Amends the newborn hearing screening statute to mandate reporting of diagnostic audiologic evaluation results to improve hearing follow-up of infants. Updates definitions and terminology. (SD1)

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

