

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

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**Testimony in SUPPORT of S.B. 1140 S.D. 1
RELATING TO NEWBORN HEARING SCREENING**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: 1/27/2022

Room Number: Via Videoconference

1 **Fiscal Implications:** There are no fiscal implications for the Department of Health.

2 **Department Testimony:** The Department **strongly supports** this measure to amend Hawaii
3 Revised Statutes (HRS) §321-361 to 363 to mandate the reporting of diagnostic audiologic
4 evaluation results of infants who do not pass the hearing screening test or are diagnosed as deaf
5 or hard of hearing up to the age of three years. The Department offers amendments.

6 This bill will improve the identification and follow-up of infants who are deaf or hard of hearing.
7 The DOH Newborn Hearing Screening Program (NHSP) helps children who fail hearing
8 screening to receive diagnostic testing and assists children who are deaf or hard of hearing in
9 enrolling in early intervention services to support their development of oral and/or sign language
10 communication. This is especially important since national data show that the incidence of
11 infants who are born deaf or hard of hearing in Hawaii is at least twice the incidence in other
12 states.

13 Newborn hearing screening is mandated by Hawaii Revised Statutes (HRS) §321-361 to 363
14 (2001) as a public health screening program that helps deaf or hard of hearing children reach
15 their developmental milestones and be language ready for school. The national standards for
16 early hearing detection and intervention are screening by 1 month of age, identification by 3
17 months, and enrollment in early intervention services by 6 months to support children in being
18 language ready for school.

1 In 2020, 292 newborns did not pass newborn hearing screening. Without access to all the
2 diagnostic audiologic evaluation results on these newborns, NHSP does not know what happened
3 to 98 (34%) of these newborns. The missing diagnostic audiologic evaluation results cause delay
4 for entry into early intervention services for the infants who are deaf or hard of hearing. In 2020,
5 51 infants were diagnosed with permanent hearing loss, but only 14 (27%) enrolled in early
6 intervention by 6 months of age. Timely and consistent reporting of diagnostic audiologic
7 evaluation results will allow the program staff to identify, contact, and provide support to
8 families of infants who need an evaluation before 3 months of age. Timely reporting and referral
9 to early intervention will increase the percentage of deaf and hard of hearing infants receiving
10 timely services to develop oral and/or sign language communication.

11 Mandating the reporting of diagnostic audiologic evaluation results to the DOH for newborns
12 who do not pass hearing screening will help Hawaii meet the national 1-3-6 goal to help children
13 who are deaf or hard of hearing be language ready for school. Reporting of diagnostic results to
14 NHSP is exempt from Health Insurance Portability and Accountability Act (HIPAA) regulations
15 under the public health program provisions.

16 **Offered Amendments:** The DOH offers amendments to Section 5 to (a) ensure that NHSP
17 receives reports of all hearing screening results so that NHSP can help families of newborns who
18 missed hearing screening or who failed hearing screening and need diagnostic testing; and (b)
19 ensure that NHSP also receives diagnostic audiologic evaluation results for newborns who fail
20 hearing screening so that NSHP can provide appropriate follow-up. The offered amendments are
21 bolded below:

22 **"§321-363 Rules.** The department shall adopt rules, pursuant to chapter 91, necessary
23 for the purposes of this part, including but not limited to the administration and quality of
24 newborn hearing screening; retention of records and related data; reporting of
25 [~~positive~~] hearing screening results[;] [~~for infants who have been identified as deaf or~~
26 ~~hard of hearing~~]; reporting of diagnostic audiologic evaluation [~~and~~] results for infants
27 who fail newborn hearing screening or have been identified as deaf or hard of

1 hearing; intervention for infants [~~with hearing impairment~~] who have been identified as
2 deaf or hard of hearing; informing parents about the purpose of hearing screening[;],
3 diagnostic audiologic evaluation, and intervention; and maintaining the confidentiality of
4 affected families." *Statutory material to be repealed is bracketed and stricken. New*
5 *statutory material is underscored.*

6 Thank you for the opportunity to testify on this measure.



STATE OF HAWAII
Executive Office on Early Learning
2759 South King Street
HONOLULU, HAWAII 96826

January 25, 2022

TO: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

FROM: Coleen Momohara, Interim Director
Executive Office on Early Learning

SUBJECT: Measure: S.B. No. 1140 S.D. 1 – RELATING TO NEWBORN HEARING
SCREENING
Hearing Date: Thursday January 27, 2022
Time: 9:30 a.m.
Location: Videoconference

Bill 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.)

EXECUTIVE OFFICE ON EARLY LEARNING'S POSITION: Support

Aloha. I am Coleen Momohara, Interim Director of the Executive Office on Early Learning (EOEL). EOEL supports S.B. No. 1140 S.D. 1 and defers to the Department of Health (DOH) as it relates to newborn hearing screening and reporting.

EOEL is statutorily responsible for the development of the State's early childhood system that shall ensure a spectrum of high-quality development and learning opportunities for children throughout the state, from prenatal care until the time they enter kindergarten, with priority given to underserved or at-risk children.

The Newborn Hearing Screening Program in Hawaii is a mandated program to support infants and toddlers who are deaf or hard of hearing. Early identification of children who are born deaf or hard of hearing is critical to ensure families have resources necessary to help their children acquire language, spoken and/or visual, and achieve age-appropriate communicative, cognitive, academic, social, and emotional development. According to the National Association of the Deaf, although nationally, about 95% of newborns have a hearing screening before they leave the hospital, children who are suspected of being deaf or hard of hearing may not receive necessary follow-up evaluations they need to confirm their hearing status. Furthermore, national data show that the incidences of infants who are born deaf or hard of hearing in Hawaii are at least twice the incidences in other states.

In 2019, the Department of Health reported that 183 of 250 infants received diagnostic audiological evaluations and only 25% of infants diagnosed with permanent hearing loss enrolled in early intervention by 6 months of age.

As we work to increase access to quality early learning opportunities for our keiki, early identification and treatment of hearing problems support children in their readiness for learning, school performance, and academic achievement. Timely and consistent diagnostic audiological evaluations and reporting of those evaluations will allow program staff to identify and provide the necessary support to families of infants who may be deaf or hard of hearing.

Thank you for the opportunity to provide testimony on this bill.

DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
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January 27, 2022

The Honorable Senator Karl Rhoads, Chair
Senate Committee on Judiciary
The Thirty-First Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Senator Rhoads and Committee Members:

SUBJECT: SB1140 SD1 Relating to Newborn Hearing Screening


The Hawaii State Council on Developmental Disabilities **STRONGLY SUPPORTS SB1440 SD 1** which 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.

Timely reporting and referral to early intervention will increase the percentage of deaf and hard of hearing infants receiving timely services to develop oral and/or sign language communication. Mandating the reporting of diagnostic audiologic evaluation results for newborns who do not pass hearing screening will help Hawaii meet the national 1-3-6 goal to help children who are deaf or hard of hearing be language ready for school.

The Council respectfully defers to the Department of Health for further guidance.

Thank you for the opportunity to submit testimony in **strong support of SB1440 SD1.**

Sincerely,


Danyrt Bartoldus
Executive Administrator

Date: January 25, 2022

To: Senate Committee on the Judiciary
The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair
And members of the Committee

From: Early Childhood Action Strategy

Re: **Support for SB1140 SD1**, Relating to Newborn Hearing Screening

Early Childhood Action Strategy (ECAS) is a statewide cross-sector partnership designed to improve the system of care for Hawai'i's youngest children and their families. ECAS partners are working to align priorities for children prenatal to age eight, streamline services, maximize resources, and improve programs to support our youngest keiki.

ECAS supports passage of SB1140 SD1, which amends the newborn hearing screening statute to mandate reporting of diagnostic audiologic evaluation results to improve hearing follow-up of infants. As such, this measure will improve the identification and follow-up of infants who are deaf or hard of hearing. The Newborn Hearing Screening Program assists children under age 3 years who are deaf or hard of hearing in enrolling in early intervention services to support their development of oral and/or sign language communication. Studies show that children who are deaf or hard of hearing who receive early hearing screening, diagnostic testing, and early intervention services have better vocabulary outcomes, reach language and communication milestones, and are language ready for school.

This is especially important since national data show that the incidence of infants who are born deaf or hard of hearing in Hawaii is at least twice the incidence in other states.

SB1140 SD1 will help to ensure:

- Timely reporting of diagnostic information helps to identify deaf or hard of hearing infants early
- Early identification and referral for intervention services is important to ensure deaf/hard of hearing children can reach developmental milestones and be language ready for school
- The reporting of audiologic evaluation results helps to meet the national 1-3-6 screening, diagnostic and early intervention goals for newborn hearing screening.

Thank you for this opportunity to provide testimony in support of this measure.

SB-1140-SD-1

Submitted on: 1/21/2022 6:38:13 PM

Testimony for JDC on 1/27/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Victoria Anderson	Individual	Support	No

Comments:

Please support this important bill.

Testimony of
John M. Kirimitsu
Legal and Government Relations Consultant

B Before:
Senate Committee on Judiciary
The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair

January 27, 2022
9:30 am
Via Videoconference

SB 1140, SD1, Relating to Newborn Hearing Screening

Chair, Vice Chair, and committee members, thank you for this opportunity to provide testimony on this measure requiring diagnostic audiologic results of newborn hearing screening to be provided to the DOH.

Kaiser Permanente Hawaii supports this measure.

Newborn hearing screening is required by Hawaii state law to identify hearing loss as soon as possible so that children can receive timely early intervention services. Hawaii has been a recognized national leader in implementing universal newborn hearing screening. In fact, Hawaii was one of the first states (along with Rhode Island) to implement a statewide newborn hearing screening program in which 95% or more of all newborns were screened.

Because of the need for prompt identification of and intervention for childhood hearing loss, universal newborn hearing screening programs currently operate in all U.S. states. With the federal government's help, every state has established an Early Hearing Detection and Intervention Program. As a result, about 98% of babies have their hearing screened before 1 month of age. NIH Publication No. 21-4968, October 2021.

Currently, Kaiser provides the statutorily required screening results of those infants who do not pass the hearing test to the DOH via HI-TRACK, a streamlined system that connects birthing facilities to the DOH screening database. Kaiser supports statewide efforts to screen newborns for hearing loss, coordinating hospital screening activities statewide, and maintaining statewide data on hearing screening results and follow-up.

Thank you for your consideration.