

By Senator Richter

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1                   A bill to be entitled  
2           An act relating to children who are deaf or hard of  
3           hearing; providing legislative findings; requiring  
4           health care providers to provide an opportunity for a  
5           child's parent or legal guardian to provide contact  
6           information so that he or she may receive information  
7           from specified service providers when the hearing loss  
8           is identified; requiring the Department of Health to  
9           register certain service providers and institutions;  
10          allowing a parent or legal guardian to request  
11          services from a participating service provider;  
12          providing that the level of services received is based  
13          on the child's individualized education program or  
14          individual and family service plan; providing for  
15          eligibility; providing a funding formula; requiring  
16          the department to develop standards for participating  
17          service providers; authorizing the department to adopt  
18          rules; providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

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22           Section 1. Children who are deaf or hard of hearing;  
23 instruction.-

24           (1) The Legislature finds that children who are deaf or  
25 hard of hearing are entitled to an individual and family service  
26 plan, as defined in s. 411.202, Florida Statutes, or an  
27 individualized education program, as defined in s. 1003.55,  
28 Florida Statutes, to better accommodate the specific needs of  
29 the child and his or her family. The Legislature also finds that

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30 the instruction of children who are deaf or hard of hearing  
31 should be expanded to include center-based programs and  
32 services. Allowing a child's parent or legal guardian the  
33 opportunity to provide his or her mailing address or e-mail  
34 address to registered service providers will enhance access to  
35 information about critical services and service providers.

36 (2) (a) In cooperation with the Department of Education, the  
37 Department of Health shall develop standards for the selection  
38 of registered service providers or institutions to provide the  
39 services or instruction identified in paragraph (b) to children  
40 who are deaf or hard of hearing.

41 (b) At the time that a child's hearing loss is identified,  
42 the health care provider shall ask the child's parent or legal  
43 guardian to provide a mailing address or an e-mail address if he  
44 or she wishes to receive correspondence from registered  
45 providers or institutions that offer diagnostic and evaluation  
46 services; speech and language pathology services; interpretation  
47 and auditory amplification; auditory-oral education; services  
48 provided by a certified listening and spoken language  
49 specialist; and other such services as approved by department  
50 rule.

51 (c) In addition to newborn hearing screening providers  
52 offering services pursuant to s. 383.145, the Department of  
53 Health shall register service providers or institutions that  
54 provide services or instruction to children who are deaf or hard  
55 of hearing and are currently licensed, approved, or accredited  
56 by:

- 57 1. The Florida Kindergarten Council;
- 58 2. The Florida Council of Independent Schools;

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59       3. The John M. McKay Scholarships for Students with  
60 Disabilities Program; or

61       4. The Office of Early Learning.

62       (d) Other institutions or direct service providers may not  
63 participate unless the Department of Health approves them for  
64 inclusion on the list of registered providers.

65       (3) A parent or legal guardian of a deaf or hard of hearing  
66 child may request services from a registered service provider or  
67 institution. The level of services is determined by the child's  
68 individualized education program or individual and family  
69 service plan. A child is eligible for services with a registered  
70 provider or institution under this section until the end of the  
71 school year in which he or she reaches the age of 7 years or  
72 after completion of grade 2, whichever occurs first. The amount  
73 allocated for a child eligible for services under this section  
74 must be equivalent to the base student allocation in the Florida  
75 Education Finance Program multiplied by the support level V cost  
76 factor specified in the matrix of services established in s.  
77 1011.62, Florida Statutes.

78       (4) The Department of Health shall adopt by rule the  
79 standards for the selection of service providers and may adopt  
80 other rules necessary to implement and administer this section.

81       Section 2. This act shall take effect July 1, 2013.