

By the Committee on Health Policy; and Senators Richter and Bean

588-02802-13

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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.

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

21
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; or 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.