

1 A bill to be entitled

2 An act relating to newborn health screening; amending  
3 s. 383.14, F.S.; authorizing the State Public Health  
4 Laboratory to release the results of a newborn's  
5 hearing and metabolic tests or screenings to the  
6 newborn's health care practitioner; defining the term  
7 "health care practitioner" as it relates to such  
8 release; amending s. 383.145, F.S.; updating a  
9 reference; creating s. 383.146, F.S.; requiring an  
10 audiologist to provide an opportunity for the parent  
11 or legal guardian of an infant or toddler who is  
12 diagnosed with a permanent hearing impairment to  
13 provide contact information so that he or she may  
14 receive information directly from specified service  
15 providers; requiring the Department of Health to post  
16 on its website a list of certain service providers and  
17 institutions; requiring the audiologist to transmit a  
18 consent form to such providers; providing an effective  
19 date.

20  
21 Be It Enacted by the Legislature of the State of Florida:  
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23 Section 1. Paragraph (c) of subsection (1) of section  
24 383.14, Florida Statutes, is amended to read:

25 383.14 Screening for metabolic disorders, other hereditary  
26 and congenital disorders, and environmental risk factors.—

27 (1) SCREENING REQUIREMENTS.—To help ensure access to the  
28 maternal and child health care system, the Department of Health  
29 shall promote the screening of all newborns born in Florida for  
30 metabolic, hereditary, and congenital disorders known to result  
31 in significant impairment of health or intellect, as screening  
32 programs accepted by current medical practice become available  
33 and practical in the judgment of the department. The department  
34 shall also promote the identification and screening of all  
35 newborns in this state and their families for environmental risk  
36 factors such as low income, poor education, maternal and family  
37 stress, emotional instability, substance abuse, and other high-  
38 risk conditions associated with increased risk of infant  
39 mortality and morbidity to provide early intervention,  
40 remediation, and prevention services, including, but not limited  
41 to, parent support and training programs, home visitation, and  
42 case management. Identification, perinatal screening, and  
43 intervention efforts shall begin prior to and immediately  
44 following the birth of the child by the attending health care  
45 provider. Such efforts shall be conducted in hospitals,  
46 perinatal centers, county health departments, school health  
47 programs that provide prenatal care, and birthing centers, and  
48 reported to the Office of Vital Statistics.

49 (c) Release of screening results.—Notwithstanding any  
50 ~~other~~ law to the contrary, the State Public Health Laboratory  
51 may release, directly or through the Children's Medical Services  
52 program, the results of a newborn's hearing and metabolic tests

53 or screenings ~~screening~~ to the newborn's health care  
 54 practitioner. As used in this paragraph, the term "health care  
 55 practitioner" means a physician or physician assistant licensed  
 56 under chapter 458; an osteopathic physician or physician  
 57 assistant licensed under chapter 459; an advanced registered  
 58 nurse practitioner, registered nurse, or licensed practical  
 59 nurse licensed under part I of chapter 464; a midwife licensed  
 60 under chapter 467; a speech-language pathologist or audiologist  
 61 licensed under part I of chapter 468; or a dietician or  
 62 nutritionist licensed under part X of chapter 468 ~~primary care~~  
 63 ~~physician~~.

64 Section 2. Paragraphs (i) and (k) of subsection (3) of  
 65 section 383.145, Florida Statutes, are amended, to read:

66 383.145 Newborn and infant hearing screening.—

67 (3) REQUIREMENTS FOR SCREENING OF NEWBORNS; INSURANCE  
 68 COVERAGE; REFERRAL FOR ONGOING SERVICES.—

69 (i) ~~By October 1, 2000,~~ Newborn hearing screening must be  
 70 conducted on all newborns in hospitals in this state on birth  
 71 admission. When a newborn is delivered in a facility other than  
 72 a hospital, the parents must be instructed on the importance of  
 73 having the hearing screening performed and must be given  
 74 information to assist them in having the screening performed  
 75 within 3 months after the child's birth.

76 (k) A ~~Any~~ child who is diagnosed as having a permanent  
 77 hearing impairment shall be referred to the primary care  
 78 physician for medical management, treatment, and followup

79 services. Furthermore, in accordance with Part C of the  
 80 Individuals with Disabilities Education Act, Pub. L. No. 108-446  
 81 ~~105-17, Infants and Toddlers with Disabilities ~~The Infants and~~~~  
 82 ~~Toddlers Program, Individuals with Disabilities Education Act,~~  
 83 any child from birth to 36 months of age who is diagnosed as  
 84 having a hearing impairment that requires ongoing special  
 85 hearing services must be referred to the Children's Medical  
 86 Services Early Intervention Program serving the geographical  
 87 area in which the child resides.

88 Section 3. Section 383.146, Florida Statutes, is created  
 89 to read:

90 383.146 Infants and toddlers who are deaf or hard of  
 91 hearing; notice of service providers.-

92 (1) At the time that an audiologist diagnoses an infant or  
 93 toddler as having a permanent hearing impairment, the  
 94 audiologist or the audiologist's designee shall ask the child's  
 95 parent or legal guardian if he or she would like to provide  
 96 contact information to receive direct correspondence from  
 97 qualified Early Steps providers that offer early intervention  
 98 services and specialize in serving children with hearing loss. A  
 99 parent or legal guardian shall authorize the release of the  
 100 contact information by signing a consent form.

101 (2) The department shall post on its website a list of  
 102 qualified Early Steps providers of early intervention services  
 103 that specialize in serving children with hearing loss and have  
 104 notified the department of their interest to provide direct

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105 communication to families who wish to receive information about  
106 the services that they provide.

107 (3) The audiologist or designee shall send by secure  
108 transmission the consent form to those providers listed on the  
109 department's website.

110 Section 4. This act shall take effect July 1, 2014.