

By Senator Garcia

38-00487-14

2014722__

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.; revising the
9 definition of "hearing impairment"; updating a cross-
10 reference; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Paragraph (c) of subsection (1) of section
15 383.14, Florida Statutes, is amended to read:

16 383.14 Screening for metabolic disorders, other hereditary
17 and congenital disorders, and environmental risk factors.—

18 (1) SCREENING REQUIREMENTS.—To help ensure access to the
19 maternal and child health care system, the Department of Health
20 shall promote the screening of all newborns born in Florida for
21 metabolic, hereditary, and congenital disorders known to result
22 in significant impairment of health or intellect, as screening
23 programs accepted by current medical practice become available
24 and practical in the judgment of the department. The department
25 shall also promote the identification and screening of all
26 newborns in this state and their families for environmental risk
27 factors such as low income, poor education, maternal and family
28 stress, emotional instability, substance abuse, and other high-
29 risk conditions associated with increased risk of infant

38-00487-14

2014722__

30 mortality and morbidity to provide early intervention,
31 remediation, and prevention services, including, but not limited
32 to, parent support and training programs, home visitation, and
33 case management. Identification, perinatal screening, and
34 intervention efforts shall begin prior to and immediately
35 following the birth of the child by the attending health care
36 provider. Such efforts shall be conducted in hospitals,
37 perinatal centers, county health departments, school health
38 programs that provide prenatal care, and birthing centers, and
39 reported to the Office of Vital Statistics.

40 (c) *Release of screening results.*—Notwithstanding any ~~other~~
41 law to the contrary, the State Public Health Laboratory may
42 release, directly or through the Children’s Medical Services
43 program, the results of a newborn’s hearing and metabolic tests
44 or screenings ~~screening~~ to the newborn’s health care
45 practitioner. As used in this paragraph, the term “health care
46 practitioner” means a physician or physician assistant licensed
47 under chapter 458; an osteopathic physician or physician
48 assistant licensed under chapter 459; an advanced registered
49 nurse practitioner, registered nurse, or licensed practical
50 nurse licensed under part I of chapter 464; a midwife licensed
51 under chapter 467; a speech-language pathologist or audiologist
52 licensed under part I of chapter 468; or a dietician or
53 nutritionist licensed under part X of chapter 468 ~~primary care~~
54 ~~physician~~.

55 Section 2. Paragraph (c) of subsection (2) and paragraphs
56 (i) and (k) of subsection (3) of section 383.145, Florida
57 Statutes, are amended to read:

58 383.145 Newborn and infant hearing screening.—

38-00487-14

2014722__

59 (2) DEFINITIONS.—

60 (c) "Hearing impairment" means a hearing loss of 16 ~~30~~ dB
61 HL or greater in the frequency region important for speech
62 recognition and comprehension in one or both ears, approximately
63 500 through 4,000 hertz.

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

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

73 (k) A ~~Any~~ child who is diagnosed as having a permanent
74 hearing impairment shall be referred to the primary care
75 physician for medical management, treatment, and followup
76 services. Furthermore, in accordance with Pub. L. No. 108-446
77 ~~105-17, Infants and Toddlers with Disabilities ~~The Infants and~~~~
78 ~~Toddlers Program,~~ Individuals with Disabilities Education Act,
79 any child from birth to 36 months of age who is diagnosed as
80 having a hearing impairment that requires ongoing special
81 hearing services must be referred to the Children's Medical
82 Services Early Intervention Program serving the geographical
83 area in which the child resides.

84 Section 3. This act shall take effect July 1, 2014.