

By the Committee on Health Policy; and Senator Garcia

588-02465-14

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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; creating s. 383.146, F.S.; requiring a
11 health care practitioner to provide an opportunity for
12 the parent or legal guardian of a child who is
13 diagnosed with a hearing impairment to provide contact
14 information so that he or she may receive information
15 directly from specified service providers; requiring
16 the health care practitioner to transmit the
17 information; requiring the Department of Health to
18 post a list of certain service providers and
19 institutions; authorizing the department to adopt
20 rules; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Paragraph (c) of subsection (1) of section
25 383.14, Florida Statutes, is amended to read:

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

28 (1) SCREENING REQUIREMENTS.—To help ensure access to the
29 maternal and child health care system, the Department of Health

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

50 (c) *Release of screening results.*—Notwithstanding any ~~other~~
51 law to the contrary, the State Public Health Laboratory may
52 release, directly or through the Children's Medical Services
53 program, the results of a newborn's hearing and metabolic tests
54 or screenings ~~screening~~ to the newborn's health care
55 practitioner. As used in this paragraph, the term "health care
56 practitioner" means a physician or physician assistant licensed
57 under chapter 458; an osteopathic physician or physician
58 assistant licensed under chapter 459; an advanced registered

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59 nurse practitioner, registered nurse, or licensed practical
60 nurse licensed under part I of chapter 464; a midwife licensed
61 under chapter 467; a speech-language pathologist or audiologist
62 licensed under part I of chapter 468; or a dietician or
63 nutritionist licensed under part X of chapter 468 ~~primary care~~
64 ~~physician.~~

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

68 383.145 Newborn and infant hearing screening.—

69 (2) DEFINITIONS.—

70 (c) "Hearing impairment" means a hearing loss of 16 ~~30~~ dB
71 HL or greater in the frequency region important for speech
72 recognition and comprehension in one or both ears, approximately
73 500 through 4,000 hertz.

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

76 (i) ~~By October 1, 2000,~~ Newborn hearing screening must be
77 conducted on all newborns in hospitals in this state on birth
78 admission. When a newborn is delivered in a facility other than
79 a hospital, the parents must be instructed on the importance of
80 having the hearing screening performed and must be given
81 information to assist them in having the screening performed
82 within 3 months after the child's birth.

83 (k) A ~~Any~~ child who is diagnosed as having a permanent
84 hearing impairment shall be referred to the primary care
85 physician for medical management, treatment, and followup
86 services. Furthermore, in accordance with Pub. L. No. 108-446
87 105-17, Infants and Toddlers with Disabilities ~~The Infants and~~

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88 ~~Toddlers Program~~, Individuals with Disabilities Education Act,
89 any child from birth to 36 months of age who is diagnosed as
90 having a hearing impairment that requires ongoing special
91 hearing services must be referred to the Children's Medical
92 Services Early Intervention Program serving the geographical
93 area in which the child resides.

94 Section 3. Section 383.146, Florida Statutes, is created to
95 read:

96 383.146 Children who are deaf or hard of hearing; notice of
97 service providers.-

98 (1) At the time that a health care practitioner diagnoses a
99 child as having a permanent hearing impairment, the health care
100 practitioner shall ask the child's parent or legal guardian if
101 he or she would like to provide a mailing address or an e-mail
102 address to receive direct correspondence from providers or
103 institutions that offer speech and language pathology services,
104 auditory-oral education, instruction with American Sign
105 Language, or other such services as approved by rule of the
106 Department of Health. A parent or legal guardian shall authorize
107 the release of the mail or e-mail address by signing a consent
108 form.

109 (2) The health care practitioner shall fax the form to
110 those providers and institutions that:

111 (a) Are licensed, approved, or listed in this state by the
112 Children's Medical Services Early Steps Program to provide
113 direct services to children who are deaf or hard of hearing; and

114 (b) Have notified the Department of Health of their
115 interest in providing direct communication to families about
116 their services.

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117 (3) The Department of Health shall post a list of the
118 providers and institutions specified in subsection (2) on its
119 website and may adopt rules as necessary to implement and
120 administer this section.

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