

By the Committees on Judiciary; Children, Families, and Elder Affairs; and Health Policy; and Senators Garcia, Soto, Bean, and Richter

590-03977-14

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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.; updating a cross-
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 hearing impairment to provide contact
13 information so that he or she may receive information
14 directly from specified service providers; requiring
15 the Department of Health to post a list of certain
16 service providers on the department website; requiring
17 the audiologist or his or her designee to transmit a
18 consent form to the providers listed on the department
19 website; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:
22

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

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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 ~~other~~
50 law to the contrary, the State Public Health Laboratory may
51 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

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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, a~~
 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 shall ~~must~~ be referred to the Children's
 86 Medical Services Early Intervention Program serving the
 87 geographical area in which the child resides.

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88 Section 3. Section 383.146, Florida Statutes, is created to
89 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 his or her designee shall ask the child's parent
95 or legal guardian if he or she would like to authorize the
96 release of contact information in order to receive direct
97 correspondence from qualified Early Steps providers that offer
98 early intervention services and that specialize in serving
99 children with hearing loss. A parent or legal guardian that
100 wishes to receive the direct correspondence shall authorize the
101 release of the contact information by signing a consent form.

102 (2) The Department of Health shall post on its website a
103 list of qualified Early Steps providers of early intervention
104 services which specialize in serving children with hearing loss
105 and which have notified the department of their interest to
106 provide direct communication to families who wish to receive
107 information about the services that they provide.

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

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