

HOUSE BILL No. 4278

February 15, 2001, Introduced by Reps. Kowall, Minore, Allen, Patterson, Bishop, Ehardt, Meyer, Faunce, Ruth Johnson, Spade, Vear, Vander Veen, Birkholz, George, Voorhees, Gosselin, Shulman, Garcia, Kooiman, Toy, Anderson, Richner and Raczkowski and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding part 94C.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 94C. HEARING IMPAIRED INFANTS
2 SEC. 9481. (1) AS USED IN THIS PART:
3 (A) "AUDIOLOGIST" MEANS AN INDIVIDUAL WHO WAS AWARDED A
4 MASTER'S OR A DOCTORATE DEGREE IN AUDIOLOGY FROM AN ACCREDITED
5 UNIVERSITY APPROVED BY THE DEPARTMENT.
6 (B) "HEARING IMPAIRED INFANT" MEANS A NEWBORN INFANT OR
7 OTHER INFANT WHO HAS A DISORDER OF THE AUDITORY SYSTEM OF A TYPE
8 OR DEGREE THAT CAUSES A HEARING IMPAIRMENT THAT INTERFERES WITH
9 THE DEVELOPMENT OF THE NEWBORN INFANT'S OR OTHER INFANT'S
10 LANGUAGE AND SPEECH SKILLS.

1 (C) "HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL WHO IS
2 LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED IN A HEALTH
3 PROFESSION UNDER ARTICLE 15.

4 (D) "HEARING IMPAIRMENT SCREENING" MEANS THE EMPLOYMENT OF 1
5 OR MORE OF THE FOLLOWING TESTS TO IDENTIFY WHETHER A NEWBORN
6 INFANT OR OTHER INFANT IS A HEARING IMPAIRED INFANT:

7 (i) AUDITORY BRAIN STEM RESPONSE.

8 (ii) OTOACOUSTIC EMISSIONS.

9 (iii) A TEST APPROVED BY THE DEPARTMENT.

10 (E) "HOSPITAL" MEANS A HOSPITAL LICENSED UNDER ARTICLE 17.

11 (F) "INFANT" MEANS A MINOR WHO IS 30 DAYS OLD OR OLDER BUT
12 LESS THAN 1 YEAR OF AGE.

13 (G) "NEWBORN INFANT" MEANS A MINOR WHO IS LESS THAN 30 DAYS
14 OLD.

15 (2) IN ADDITION TO THE DEFINITIONS CONTAINED IN SUBSECTION
16 (1), ARTICLE 1 CONTAINS DEFINITIONS OF GENERAL APPLICATION TO
17 THIS CODE.

18 SEC. 9483. (1) BEGINNING NOT LATER THAN OCTOBER 1, 2002,
19 EACH HOSPITAL THAT PROVIDES BIRTHING SERVICES AND EACH HEALTH
20 PROFESSIONAL WHO PROVIDES BIRTHING SERVICES OUTSIDE OF A HOSPITAL
21 SHALL HAVE A HEALTH PROFESSIONAL OR AN AUDIOLOGIST PERFORM HEAR-
22 ING IMPAIRMENT SCREENING FOR EACH NEWBORN INFANT BEFORE THE NEW-
23 BORN INFANT IS DISCHARGED FROM THE HOSPITAL OR BEFORE THE HEALTH
24 PROFESSIONAL LEAVES THE BIRTHING SITE OUTSIDE OF A HOSPITAL. IF
25 THE HEARING IMPAIRMENT SCREENING IS NOT PERFORMED WITHIN THOSE
26 TIME FRAMES DUE TO EXIGENT CIRCUMSTANCES, THE HOSPITAL OR HEALTH
27 PROFESSIONAL SHALL HAVE A HEALTH PROFESSIONAL OR AN AUDIOLOGIST

1 PERFORM THE HEARING IMPAIRMENT SCREENING WITHIN 90 DAYS AFTER
2 BIRTH.

3 (2) EACH HOSPITAL AND HEALTH PROFESSIONAL THAT PROVIDES
4 BIRTHING SERVICES AS DESCRIBED IN SUBSECTION (1) SHALL TRANSMIT
5 THE RESULTS OF THE HEARING IMPAIRMENT SCREENING PERFORMED UNDER
6 SUBSECTION (1) TO EACH OF THE FOLLOWING:

7 (A) THE DEPARTMENT.

8 (B) THE PARENT OR GUARDIAN OF THE NEWBORN INFANT OR OTHER
9 INFANT.

10 (C) THE NEWBORN INFANT'S OR OTHER INFANT'S PRIMARY CARE PHY-
11 SICIAN, IF KNOWN.

12 (D) THE NEWBORN INFANT'S OR OTHER INFANT'S PROVIDER OF
13 AUDIOLOGICAL SERVICES, IF KNOWN.

14 (3) A HEALTH PROFESSIONAL OR AN AUDIOLOGIST WHO PERFORMS A
15 HEARING IMPAIRMENT SCREENING UNDER SUBSECTION (1) AND OBTAINS AN
16 ABNORMAL RESULT ON 1 OR MORE OF THE TESTS USED IN THE HEARING
17 IMPAIRMENT SCREENING SHALL RECOMMEND TO THE PARENT OR GUARDIAN OF
18 THE NEWBORN INFANT THAT THE NEWBORN INFANT OR OTHER INFANT
19 UNDERGO AN AUDIOLOGICAL EVALUATION AS SOON AS PRACTICABLE AFTER
20 THE ABNORMAL TEST RESULT IS OBTAINED. THE HEALTH PROFESSIONAL OR
21 AUDIOLOGIST SHALL ALSO PROVIDE THE PARENT OR GUARDIAN WITH A LIST
22 OF AGENCIES AND HEALTH PROFESSIONALS AND AUDIOLOGISTS THAT PRO-
23 VIDE AUDIOLOGICAL EVALUATION SERVICES.

24 (4) A HOSPITAL WITH 100 OR FEWER BIRTHS PER YEAR MAY HAVE
25 THE HEARING IMPAIRMENT SCREENING REQUIRED UNDER THIS PART PER-
26 FORMED AT ANOTHER FACILITY.

1 SEC. 9485. THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT
2 THIS PART.