

ASSEMBLY BILL NO. 250—ASSEMBLYMEN LESLIE, MCCLAIN, MANENDO,
ANDERSON, FREEMAN, KOIVISTO, PARNELL, SMITH, TIFFANY AND
WILLIAMS

FEBRUARY 28, 2001

JOINT SPONSOR: SENATOR CARE

Referred to Committee on Health and Human Services

SUMMARY—Requires screening of certain newborn children for hearing impairments.
(BDR 40-155)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to health care; requiring hearing screenings for newborn children unless
objected to in writing by the parent or legal guardian of the newborn child;
establishing the duties of hospitals and obstetric centers concerning the provision
of hearing screenings; requiring the state board of health to adopt certain
regulations; requiring the health division of the department of human resources to
create brochures concerning hearing screenings of newborn children for
distribution to the parents and legal guardians of newborn children; and providing
other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 442 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 11, inclusive, of this act.

3 **Sec. 2.** *As used in sections 2 to 11, inclusive, of this act, unless the*
4 *context otherwise requires, the words and terms defined in sections 3, 4*
5 *and 5 of this act have the meanings ascribed to them in those sections.*

6 **Sec. 3.** *“Hearing screening” means a test or battery of tests*
7 *administered to determine the need for an in-depth hearing diagnostic*
8 *evaluation.*

9 **Sec. 4.** *“Hospital” has the meaning ascribed to it in NRS 449.012.*

10 **Sec. 5.** *“Provider of hearing screenings” means a health care*
11 *provider who, within the scope of his license or certificate, provides for*
12 *hearing screenings of newborn children in accordance with sections 2 to*
13 *11, inclusive, of this act. The term includes a licensed audiologist, a*



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1 *licensed physician or an appropriately supervised person who has*
2 *documentation that demonstrates to the state board of health that he has*
3 *completed training specifically for conducting hearing screenings of*
4 *newborn children.*

5 **Sec. 6.** 1. *Except as otherwise provided in section 8 of this act, a*
6 *licensed hospital in this state that provides services for maternity care*
7 *and the care of newborn children and a licensed obstetric center in this*
8 *state shall not discharge a newborn child who was born in the facility*
9 *until the newborn child has undergone a hearing screening for the*
10 *detection of hearing loss to prevent the consequences of unidentified*
11 *disorders.*

12 2. *The state board of health shall adopt such regulations as are*
13 *necessary to carry out the provisions of sections 2 to 11, inclusive, of this*
14 *act.*

15 **Sec. 7.** 1. *A hearing screening required by section 6 of this act*
16 *must be conducted by a provider of hearing screenings.*

17 2. *A licensed hospital and a licensed obstetric center shall hire,*
18 *contract with or enter into a written memorandum of understanding with*
19 *a provider of hearing screenings to:*

20 (a) *Conduct a program for hearing screenings on newborn children in*
21 *accordance with sections 2 to 11, inclusive, of this act;*

22 (b) *Provide appropriate training for the staff of the hospital or*
23 *obstetric center;*

24 (c) *Render appropriate recommendations concerning the program for*
25 *hearing screenings; and*

26 (d) *Coordinate appropriate follow-up services.*

27 3. *Not later than 24 hours after a hearing screening is conducted on*
28 *a newborn child, appropriate documentation concerning the hearing*
29 *screening, including, without limitation, results, interpretations and*
30 *recommendations, must be placed in the medical file of the newborn*
31 *child.*

32 4. *A licensed hospital and a licensed obstetric center shall annually*
33 *prepare and submit to the health division a written report concerning*
34 *hearing screenings of newborn children in accordance with regulations*
35 *adopted by the state board of health. The report must include, without*
36 *limitation, the number of newborn children screened and the results of*
37 *the screenings.*

38 5. *The health division shall annually prepare and submit to the*
39 *governor a written report relating to hearing tests for newborn children.*
40 *The written report must include, without limitation:*

41 (a) *A summary of the results of hearing screenings administered to*
42 *newborn children and any other related information submitted in*
43 *accordance with the regulations of the state board of health;*

44 (b) *An analysis of the effectiveness of the provisions of sections 2 to*
45 *11, inclusive, of this act in identifying loss of hearing in newborn*
46 *children; and*

47 (c) *Any related recommendations for legislation.*

48 **Sec. 8.** *A newborn child may be discharged from the licensed*
49 *hospital or obstetric center in which he was born without having*



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1 *undergone a required hearing screening or having been referred for a*
2 *hearing screening if a parent or legal guardian of the newborn child*
3 *objects in writing to the hearing screening. The hospital or obstetric*
4 *center shall place the written objection of the parent or legal guardian to*
5 *the hearing screening in the medical file of the newborn child.*
6 **Sec. 9.** *If a hearing screening conducted pursuant to section 6 of*
7 *this act indicates that a newborn child may have a hearing loss, the*
8 *physician attending to the newborn child shall recommend to the parent*
9 *or legal guardian of the newborn child that the newborn child receive an*
10 *in-depth hearing diagnostic evaluation.*
11 **Sec. 10.** *A licensed hospital and a licensed obstetric center shall*
12 *formally designate a lead physician or audiologist to be responsible for:*
13 *1. The administration of the program for conducting hearing*
14 *screenings of newborn children; and*
15 *2. Monitoring the scoring and interpretation of the test results of the*
16 *hearing screenings.*
17 **Sec. 11.** *1. The health division shall create written brochures that*
18 *use terms which are easily understandable to a parent or legal guardian*
19 *of a newborn child and include, without limitation:*
20 *(a) Information concerning the importance of screening the hearing*
21 *of a newborn child; and*
22 *(b) A description of the normal development of auditory processes,*
23 *speech and language in children.*
24 *2. The health division shall provide the brochures created pursuant*
25 *to subsection 1 to each licensed hospital and each licensed obstetric*
26 *center in this state. These facilities shall provide the brochures to the*
27 *parents or legal guardians of a newborn child.*
28 **Sec. 12.** *The provisions of subsection 1 of NRS 354.599 do not apply*
29 *to any additional expenses of a local government that are related to the*
30 *provisions of this act.*
31 **Sec. 13.** *The state board of health shall adopt regulations to carry out*
32 *the provisions of this act by January 1, 2002.*
33 **Sec. 14.** *1. This section becomes effective on July 1, 2001.*
34 *2. Sections 1 to 13, inclusive, of this act become effective:*
35 *(a) On July 1, 2001, for the purpose of adopting regulations by the state*
36 *board of health to carry out the provisions of this act; and*
37 *(b) On January 1, 2002, for all other purposes.*

