

## (REPRINTED WITH ADOPTED AMENDMENTS)

## SECOND REPRINT

A.B. 250

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*



\* A B 2 5 0 R 2 \*

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

12 2. *The requiremenets of subsection 1 do not apply to a hospital in*  
13 *which fewer than 500 childbirths occur annually.*

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

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

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

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

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

26 (c) *Render appropriate recommendations concerning the program for*  
27 *hearing screenings; and*

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

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

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

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

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

46 (b) *An analysis of the effectiveness of the provisions of sections 2 to*  
47 *11, inclusive, of this act in identifying loss of hearing in newborn*  
48 *children; and*

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



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

