

(REPRINTED WITH ADOPTED AMENDMENTS)

THIRD 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 newborn children for hearing impairments under certain circumstances. (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 or referrals for such screenings; providing exceptions; 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 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, or has been referred for such a hearing*
12 *screening.*

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

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

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

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

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

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

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

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

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

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

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

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

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



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

2 **Sec. 8.** *A newborn child may be discharged from the licensed*
3 *hospital or obstetric center in which he was born without having*
4 *undergone a required hearing screening or having been referred for a*
5 *hearing screening if a parent or legal guardian of the newborn child*
6 *objects in writing to the hearing screening. The hospital or obstetric*
7 *center shall place the written objection of the parent or legal guardian to*
8 *the hearing screening in the medical file of the newborn child.*

9 **Sec. 9.** *If a hearing screening conducted pursuant to section 6 of*
10 *this act indicates that a newborn child may have a hearing loss, the*
11 *physician attending to the newborn child shall recommend to the parent*
12 *or legal guardian of the newborn child that the newborn child receive an*
13 *in-depth hearing diagnostic evaluation.*

14 **Sec. 10.** *A licensed hospital and a licensed obstetric center shall*
15 *formally designate a lead physician or audiologist to be responsible for:*

16 1. *The administration of the program for conducting hearing*
17 *screenings of newborn children; and*

18 2. *Monitoring the scoring and interpretation of the test results of the*
19 *hearing screenings.*

20 **Sec. 11.** 1. *The health division shall create written brochures that*
21 *use terms which are easily understandable to a parent or legal guardian*
22 *of a newborn child and include, without limitation:*

23 (a) *Information concerning the importance of screening the hearing*
24 *of a newborn child; and*

25 (b) *A description of the normal development of auditory processes,*
26 *speech and language in children.*

27 2. *The health division shall provide the brochures created pursuant*
28 *to subsection 1 to each licensed hospital and each licensed obstetric*
29 *center in this state. These facilities shall provide the brochures to the*
30 *parents or legal guardians of a newborn child.*

31 **Sec. 12.** (Deleted by amendment.)

32 **Sec. 13.** The state board of health shall adopt regulations to carry out
33 the provisions of this act by January 1, 2002.

34 **Sec. 14.** 1. This section becomes effective on July 1, 2001.

35 2. Sections 1 to 13, inclusive, of this act become effective:

36 (a) On July 1, 2001, for the purpose of adopting regulations by the state
37 board of health to carry out the provisions of this act; and

38 (b) On January 1, 2002, for all other purposes.

