

SENATE BILL NO. 308—SENATORS CARE, WIENER,
TITUS, CARLTON, AMODEI AND RHOADS

MARCH 9, 2001

JOINT SPONSOR: ASSEMBLYWOMAN LESLIE

Referred to Committee on Human Resources and Facilities

SUMMARY—Requires hospitals and obstetric centers to administer hearing tests to infants born in those facilities. (BDR 40-1036)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 a hospital or obstetric center to administer a hearing test to each infant born in the hospital or obstetric center within a certain period; requiring the hospital or obstetric center to submit to the health division of the department of human resources a written report setting forth the results of the hearing tests; requiring the state board of health to establish an advisory committee concerning hearing tests for infants; requiring the health division to prepare and submit annually to the governor a written report concerning hearing tests for infants; 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 6, inclusive, of this act.
3 **Sec. 2. 1. *Except as otherwise provided in subsection 3, a hospital***
4 ***or obstetric center shall administer to each infant born in the hospital or***
5 ***obstetric center a test of the hearing of the infant. The hospital or***
6 ***obstetric center shall:***
7 ***(a) Administer the test within 30 days after the infant is born; and***
8 ***(b) Provide the results of the test to the parent or legal guardian of the***
9 ***infant within 10 days after the test is administered, including, without***
10 ***limitation, a statement of whether the infant has a hearing impairment.***
11 **2. On or before February 1 of each year, each hospital or obstetric**
12 **center shall submit a written report to the health division. The report**
13 **must include, without limitation:**



- 1 (a) The number of infants who were administered hearing tests at the
- 2 hospital or obstetric center during the immediately preceding year and
- 3 the results of those hearing tests;
- 4 (b) The number of infants who were found to have a hearing
- 5 impairment; and
- 6 (c) Any other information required by the health division.
- 7 3. A hospital or obstetric center shall not:
- 8 (a) Administer a hearing test to an infant pursuant to the provisions of
- 9 this section if, before the test is administered, either parent or the legal
- 10 guardian of the infant submits a written statement to the hospital or
- 11 obstetric center indicating that the parent or legal guardian objects to the
- 12 administration of the test; or
- 13 (b) Refuse to administer such a test solely because the parent or legal
- 14 guardian of the infant is unable to pay for the test.
- 15 **Sec. 3.** The state board of health shall establish an advisory
- 16 committee concerning hearing tests for infants. The advisory committee
- 17 shall:
- 18 1. Provide advice to the health division concerning the duties of the
- 19 health division in carrying out the provisions of sections 2 to 6, inclusive,
- 20 of this act;
- 21 2. Assist the health division in:
- 22 (a) Providing to each hospital and obstetric center the information
- 23 required pursuant to the provisions of section 4 of this act; and
- 24 (b) Preparing the report required to be submitted to the governor
- 25 pursuant to the provisions of section 5 of this act; and
- 26 3. Perform any other duty assigned to the advisory committee by the
- 27 health division.
- 28 **Sec. 4.** The health division shall provide annually to each hospital
- 29 and obstetric center specified in subsection 1 of section 2 of this act
- 30 information relating to hearing tests for infants. The information must
- 31 be prepared in cooperation with the University of Nevada School of
- 32 Medicine and include, without limitation:
- 33 1. A statement setting forth the duties of the hospital or obstetric
- 34 center pursuant to the provisions of sections 2 to 6, inclusive, of this act;
- 35 2. A list of the facilities in this state that provide services relating to
- 36 hearing tests for infants, including the geographic areas served by those
- 37 facilities; and
- 38 3. Any other information concerning hearing tests for infants
- 39 deemed appropriate by the health division.
- 40 **Sec. 5.** The health division shall annually prepare and submit to the
- 41 governor a written report relating to hearing tests for infants. The written
- 42 report must include, without limitation:
- 43 1. A summary of the results of hearing tests administered to infants
- 44 and any other information submitted to the health division by a hospital
- 45 or obstetric center for the immediately preceding year pursuant to the
- 46 provisions of section 2 of this act;
- 47 2. An analysis of the effectiveness of the provisions of sections 2 to 6,
- 48 inclusive, of this act in identifying loss of hearing in infants; and



1 **3. Any recommendations for legislation relating to hearing tests**
2 **administered to infants pursuant to the provisions of sections 2 to 6,**
3 **inclusive, of this act.**

4 **Sec. 6. The state board of health may adopt regulations to carry out**
5 **the provisions of sections 2 to 6, inclusive, of this act.**

6 **Sec. 7.** NRS 442.003 is hereby amended to read as follows:

7 442.003 As used in this chapter, unless the context requires otherwise:

8 1. "Advisory board" means the advisory board on maternal and child
9 health.

10 2. "Department" means the department of human resources.

11 3. "Director" means the director of the department of human resources.

12 4. "Fetal alcohol syndrome" includes fetal alcohol effects.

13 5. "Health division" means the health division of the department of
14 human resources.

15 6. **"Hearing impairment" means a loss of hearing of 30 decibels or**
16 **greater in the range of frequencies necessary for speech recognition and**
17 **comprehension in one or both ears, as set forth in the most current**
18 **guidelines by the American Speech-Hearing Association.**

19 7. **"Hospital" has the meaning ascribed to it in NRS 449.012.**

20 8. "Obstetric center" has the meaning ascribed to it in NRS 449.0155.

21 ~~17~~ 9. "Provider of health care or other services" means:

22 (a) A person who has been certified as a counselor or an administrator
23 of an alcohol and drug abuse program pursuant to chapter 458 of NRS;

24 (b) A physician or a physician's assistant who is licensed pursuant to
25 chapter 630 of NRS and who practices in the area of obstetrics and
26 gynecology, family practice, internal medicine, pediatrics or psychiatry;

27 (c) A licensed nurse;

28 (d) A licensed psychologist;

29 (e) A licensed marriage and family therapist;

30 (f) A licensed social worker; or

31 (g) A holder of a certificate of registration as a pharmacist.

32 **Sec. 8.** NRS 442.325 is hereby amended to read as follows:

33 442.325 1. Except as otherwise provided in subsection 2, the chief
34 administrative officer of each hospital and obstetric center or his
35 representative shall:

36 (a) Prepare and make available to the state health officer or his
37 representative a list of:

38 (1) Patients who are under 7 years of age and have been diagnosed
39 with one or more birth defects; and

40 (2) Patients discharged with adverse birth outcomes; and

41 (b) Make available to the state health officer or his representative the
42 records of the hospital or obstetric center regarding:

43 (1) Patients who are under 7 years of age and have been diagnosed
44 with one or more birth defects; and

45 (2) Patients discharged with adverse birth outcomes.

46 2. The name of a patient must be excluded from the information
47 prepared and made available pursuant to subsection 1 if the patient or, if
48 the patient is a minor, a parent or legal guardian of the patient has
49 requested in writing to exclude the name of the patient from that



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1 information in the manner prescribed by the state board of health pursuant
2 to NRS 442.320. The provisions of this subsection do not relieve the chief
3 administrative officer of the duty of preparing and making available the
4 information required by subsection 1.

5 3. The state health officer or his representative shall abstract from the
6 records and lists required to be prepared and made available pursuant to
7 this section such information as is required by the state board of health for
8 inclusion in the system.

9 ~~4. As used in this section, "hospital" has the meaning ascribed to it in~~
10 ~~NRS 449.012.~~

11 **Sec. 9.** This act becomes effective upon passage and approval for the
12 purpose of adopting regulations by the state board of health to carry out the
13 provisions of sections 2 to 6, inclusive, of this act and on January 1, 2002,
14 for all other purposes.

