

**By** the Committees on Judiciary; Children, Families, and Elder Affairs; and Health Policy; and Senators Garcia, Soto, Bean, and Richter

590-03977-14

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1                                   A bill to be entitled  
2       An act relating to newborn health screening; amending  
3       s. 383.14, F.S.; authorizing the State Public Health  
4       Laboratory to release the results of a newborn's  
5       hearing and metabolic tests or screenings to the  
6       newborn's health care practitioner; defining the term  
7       "health care practitioner" as it relates to such  
8       release; amending s. 383.145, F.S.; updating a cross-  
9       reference; creating s. 383.146, F.S.; requiring an  
10      audiologist to provide an opportunity for the parent  
11      or legal guardian of an infant or toddler who is  
12      diagnosed with a hearing impairment to provide contact  
13      information so that he or she may receive information  
14      directly from specified service providers; requiring  
15      the Department of Health to post a list of certain  
16      service providers on the department website; requiring  
17      the audiologist or his or her designee to transmit a  
18      consent form to the providers listed on the department  
19      website; providing an effective date.

20  
21 Be It Enacted by the Legislature of the State of Florida:  
22

23           Section 1. Paragraph (c) of subsection (1) of section  
24   383.14, Florida Statutes, is amended to read:

25           383.14 Screening for metabolic disorders, other hereditary  
26   and congenital disorders, and environmental risk factors.—

27           (1) SCREENING REQUIREMENTS.—To help ensure access to the  
28   maternal and child health care system, the Department of Health  
29   shall promote the screening of all newborns born in Florida for

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30 metabolic, hereditary, and congenital disorders known to result  
31 in significant impairment of health or intellect, as screening  
32 programs accepted by current medical practice become available  
33 and practical in the judgment of the department. The department  
34 shall also promote the identification and screening of all  
35 newborns in this state and their families for environmental risk  
36 factors such as low income, poor education, maternal and family  
37 stress, emotional instability, substance abuse, and other high-  
38 risk conditions associated with increased risk of infant  
39 mortality and morbidity to provide early intervention,  
40 remediation, and prevention services, including, but not limited  
41 to, parent support and training programs, home visitation, and  
42 case management. Identification, perinatal screening, and  
43 intervention efforts shall begin prior to and immediately  
44 following the birth of the child by the attending health care  
45 provider. Such efforts shall be conducted in hospitals,  
46 perinatal centers, county health departments, school health  
47 programs that provide prenatal care, and birthing centers, and  
48 reported to the Office of Vital Statistics.

49 (c) *Release of screening results.*—Notwithstanding any ~~other~~  
50 law to the contrary, the State Public Health Laboratory may  
51 release, directly or through the Children's Medical Services  
52 program, the results of a newborn's hearing and metabolic tests  
53 or screenings ~~screening~~ to the newborn's health care  
54 practitioner. As used in this paragraph, the term "health care  
55 practitioner" means a physician or physician assistant licensed  
56 under chapter 458; an osteopathic physician or physician  
57 assistant licensed under chapter 459; an advanced registered  
58 nurse practitioner, registered nurse, or licensed practical

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59 nurse licensed under part I of chapter 464; a midwife licensed  
60 under chapter 467; a speech-language pathologist or audiologist  
61 licensed under part I of chapter 468; or a dietician or  
62 nutritionist licensed under part X of chapter 468 ~~primary care~~  
63 ~~physician.~~

64 Section 2. Paragraphs (i) and (k) of subsection (3) of  
65 section 383.145, Florida Statutes, are amended to read:

66 383.145 Newborn and infant hearing screening.—

67 (3) REQUIREMENTS FOR SCREENING OF NEWBORNS; INSURANCE  
68 COVERAGE; REFERRAL FOR ONGOING SERVICES.—

69 (i) ~~By October 1, 2000,~~ Newborn hearing screening must be  
70 conducted on all newborns in hospitals in this state on birth  
71 admission. When a newborn is delivered in a facility other than  
72 a hospital, the parents must be instructed on the importance of  
73 having the hearing screening performed and must be given  
74 information to assist them in having the screening performed  
75 within 3 months after the child's birth.

76 (k) A ~~Any~~ child who is diagnosed as having a permanent  
77 hearing impairment shall be referred to the primary care  
78 physician for medical management, treatment, and followup  
79 services. Furthermore, in accordance with Part C of the  
80 Individuals with Disabilities Education Act, Pub. L. No. 108-446  
81 ~~105-17, Infants and Toddlers with Disabilities ~~The Infants and~~~~  
82 ~~Toddlers Program, Individuals with Disabilities Education Act, a~~  
83 ~~any~~ child from birth to 36 months of age who is diagnosed as  
84 having a hearing impairment that requires ongoing special  
85 hearing services shall ~~must~~ be referred to the Children's  
86 Medical Services Early Intervention Program serving the  
87 geographical area in which the child resides.

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88 Section 3. Section 383.146, Florida Statutes, is created to  
89 read:

90 383.146 Infants and toddlers who are deaf or hard of  
91 hearing; notice of service providers.-

92 (1) At the time that an audiologist diagnoses an infant or  
93 toddler as having a permanent hearing impairment, the  
94 audiologist or his or her designee shall ask the child's parent  
95 or legal guardian if he or she would like to authorize the  
96 release of contact information in order to receive direct  
97 correspondence from qualified Early Steps providers that offer  
98 early intervention services and that specialize in serving  
99 children with hearing loss. A parent or legal guardian that  
100 wishes to receive the direct correspondence shall authorize the  
101 release of the contact information by signing a consent form.

102 (2) The Department of Health shall post on its website a  
103 list of qualified Early Steps providers of early intervention  
104 services which specialize in serving children with hearing loss  
105 and which have notified the department of their interest to  
106 provide direct communication to families who wish to receive  
107 information about the services that they provide.

108 (3) The audiologist or his or her designee shall send by  
109 secure transmission the consent form to those providers listed  
110 on the department's website.

111 Section 4. This act shall take effect July 1, 2014.