

CHAPTER 2014-121

Committee Substitute for House Bill No. 591

An act relating to newborn health screening; amending s. 383.14, F.S.; authorizing the State Public Health Laboratory to release the results of a newborn's hearing and metabolic tests or screenings to the newborn's health care practitioner; defining the term "health care practitioner" as it relates to such release; amending s. 383.145, F.S.; updating a reference; creating s. 383.146, F.S.; requiring an audiologist to provide an opportunity for the parent or legal guardian of an infant or toddler who is diagnosed with a permanent hearing impairment to provide contact information so that he or she may receive information directly from specified service providers; requiring the Department of Health to post on its website a list of certain service providers and institutions; requiring the audiologist to transmit a consent form to such providers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

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

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

(1) SCREENING REQUIREMENTS.—To help ensure access to the maternal and child health care system, the Department of Health shall promote the screening of all newborns born in Florida for metabolic, hereditary, and congenital disorders known to result in significant impairment of health or intellect, as screening programs accepted by current medical practice become available and practical in the judgment of the department. The department shall also promote the identification and screening of all newborns in this state and their families for environmental risk factors such as low income, poor education, maternal and family stress, emotional instability, substance abuse, and other high-risk conditions associated with increased risk of infant mortality and morbidity to provide early intervention, remediation, and prevention services, including, but not limited to, parent support and training programs, home visitation, and case management. Identification, perinatal screening, and intervention efforts shall begin prior to and immediately following the birth of the child by the attending health care provider. Such efforts shall be conducted in hospitals, perinatal centers, county health departments, school health programs that provide prenatal care, and birthing centers, and reported to the Office of Vital Statistics.

(c) Release of screening results.—Notwithstanding any ~~other~~ law to the contrary, the State Public Health Laboratory may release, directly or through the Children's Medical Services program, the results of a newborn's

hearing and metabolic tests or screenings screening to the newborn's health care practitioner. As used in this paragraph, the term "health care practitioner" means a physician or physician assistant licensed under chapter 458; an osteopathic physician or physician assistant licensed under chapter 459; an advanced registered nurse practitioner, registered nurse, or licensed practical nurse licensed under part I of chapter 464; a midwife licensed under chapter 467; a speech-language pathologist or audiologist licensed under part I of chapter 468; or a dietician or nutritionist licensed under part X of chapter 468 ~~primary care physician~~.

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

383.145 Newborn and infant hearing screening.—

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

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

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

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

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

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

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

(3) The audiologist or designee shall send by secure transmission the consent form to those providers listed on the department’s website.

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

Approved by the Governor June 13, 2014.

Filed in Office Secretary of State June 13, 2014.