

**SUBSTITUTE FOR
HOUSE BILL NO. 5522**

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding part 94A.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 94A. HEARING IMPAIRED INFANTS
2 SEC. 9451. (1) AS USED IN THIS PART:
3 (A) "AUDIOLOGIST" MEANS AN INDIVIDUAL WHO WAS AWARDED A
4 MASTER'S OR A DOCTORATE DEGREE IN AUDIOLOGY FROM AN ACCREDITED
5 UNIVERSITY APPROVED BY THE DEPARTMENT.
6 (B) "HEARING IMPAIRED INFANT" MEANS A NEWBORN INFANT OR
7 OTHER INFANT WHO HAS A DISORDER OF THE AUDITORY SYSTEM OF A TYPE
8 OR DEGREE THAT CAUSES A HEARING IMPAIRMENT THAT INTERFERES WITH
9 THE DEVELOPMENT OF THE NEWBORN INFANT'S OR OTHER INFANT'S
10 LANGUAGE AND SPEECH SKILLS.

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1 (C) "HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL WHO IS
2 LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED IN A HEALTH
3 PROFESSION UNDER ARTICLE 15.

4 (D) "HEARING IMPAIRMENT SCREENING" MEANS THE EMPLOYMENT OF 1
5 OR MORE OF THE FOLLOWING TESTS TO IDENTIFY WHETHER A NEWBORN
6 INFANT OR OTHER INFANT IS A HEARING IMPAIRED INFANT:

7 (i) AUDITORY BRAIN STEM RESPONSE.

8 (ii) OTOACOUSTIC EMISSIONS.

9 (iii) A TEST APPROVED BY THE DEPARTMENT.

10 (E) "HOSPITAL" MEANS A HOSPITAL LICENSED UNDER ARTICLE 17.

11 (F) "INFANT" MEANS A MINOR WHO IS 30 DAYS OLD OR OLDER BUT
12 LESS THAN 1 YEAR OF AGE.

13 (G) "NEWBORN INFANT" MEANS A MINOR WHO IS LESS THAN 30 DAYS
14 OLD.

15 (2) IN ADDITION TO THE DEFINITIONS CONTAINED IN SUBSECTION
16 (1), ARTICLE 1 CONTAINS DEFINITIONS OF GENERAL APPLICATION TO
17 THIS CODE.

18 SEC. 9453. (1) [BEGINNING NOT LATER THAN OCTOBER 1, 2001,]
EACH HOSPITAL THAT PROVIDES BIRTHING SERV-

19 ICES AND EACH HEALTH PROFESSIONAL WHO PROVIDES BIRTHING SERVICES
20 OUTSIDE OF A HOSPITAL SHALL HAVE A HEALTH PROFESSIONAL OR AN
21 AUDIOLOGIST PERFORM HEARING IMPAIRMENT SCREENING FOR EACH NEWBORN
22 INFANT BEFORE THE NEWBORN INFANT IS DISCHARGED FROM THE HOSPITAL
23 OR BEFORE THE HEALTH PROFESSIONAL LEAVES THE BIRTHING SITE OUT-
24 SIDE OF A HOSPITAL. IF THE HEARING IMPAIRMENT SCREENING IS NOT
25 PERFORMED WITHIN THOSE TIME FRAMES DUE TO EXIGENT CIRCUMSTANCES,
26 THE HOSPITAL OR HEALTH PROFESSIONAL SHALL HAVE A HEALTH

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1 PROFESSIONAL OR AN AUDIOLOGIST PERFORM THE HEARING IMPAIRMENT
2 SCREENING WITHIN 90 DAYS AFTER BIRTH.

3 (2) EACH HOSPITAL AND HEALTH PROFESSIONAL [THAT PROVIDES
4 BIRTHING SERVICES AS] DESCRIBED IN SUB-

5 SECTION (1) SHALL TRANSMIT THE RESULTS OF THE HEARING IMPAIRMENT
6 SCREENING PERFORMED UNDER SUBSECTION (1) TO EACH OF THE
7 FOLLOWING:

8 (A) THE DEPARTMENT.

9 (B) THE PARENT OR GUARDIAN OF THE NEWBORN INFANT OR OTHER
10 INFANT.

11 (C) THE NEWBORN INFANT'S OR OTHER INFANT'S PRIMARY CARE PHY-
12 SICIAN, IF KNOWN.

13 (D) THE NEWBORN INFANT'S OR OTHER INFANT'S PROVIDER OF
14 AUDIOLOGICAL SERVICES, IF KNOWN.

15 (3) A HEALTH PROFESSIONAL OR AN AUDIOLOGIST WHO PERFORMS A
16 HEARING IMPAIRMENT SCREENING UNDER SUBSECTION (1) [AND OBTAINS AN
17 ABNORMAL RESULT ON 1 OR MORE OF THE TESTS USED IN THE HEARING
18 IMPAIRMENT SCREENING] SHALL RECOMMEND

19 TO THE PARENT OR GUARDIAN OF [THE] NEWBORN INFANT [

20

21] THAT THE NEWBORN INFANT OR OTHER INFANT UNDERGO
22 AN AUDIOLOGICAL EVALUATION AS SOON AS PRACTICABLE AFTER THE
23 [ABNORMAL TEST RESULT IS OBTAINED]. THE HEALTH PROFESSIONAL OR
24 AUDIOLOGIST

25 SHALL ALSO PROVIDE THE PARENT OR GUARDIAN WITH A LIST OF AGENCIES
26 AND HEALTH PROFESSIONALS AND AUDIOLOGISTS THAT PROVIDE AUDIOLOGI-
CAL EVALUATION SERVICES.

(4) A HOSPITAL WITH 100 OR FEWER BIRTHS PER YEAR MAY HAVE
THE HEARING IMPAIRMENT SCREENING REQUIRED UNDER THIS PART PER-
FORMED AT ANOTHER FACILITY.

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1 SEC. 9455. THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT
2 THIS PART.