



HOUSE BILL No. 5522

March 21, 2000, Introduced by Reps. Kowall, Bovin, Hager, Tabor, Mortimer, Pappageorge, Koetje, Vear, Richner, Rick Johnson, Lockwood, Godchaux, Gielegem, Allen, Daniels, Minore and Birkholz and referred to the Committee on Health Policy.

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) "HEARING IMPAIRED INFANT" MEANS A NEWBORN INFANT OR
4 OTHER INFANT WHO HAS A DISORDER OF THE AUDITORY SYSTEM OF A TYPE
5 OR DEGREE THAT CAUSES A HEARING IMPAIRMENT THAT INTERFERES WITH
6 THE DEVELOPMENT OF THE NEWBORN INFANT'S OR OTHER INFANT'S LAN-
7 GUAGE AND SPEECH SKILLS.

8 (B) "HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL WHO IS
9 LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED IN A HEALTH
10 PROFESSION UNDER ARTICLE 15.

1 (C) "HEARING IMPAIRMENT SCREENING" MEANS THE EMPLOYMENT OF 1
2 OR MORE OF THE FOLLOWING TESTS TO IDENTIFY WHETHER A NEWBORN
3 INFANT OR OTHER INFANT IS A HEARING IMPAIRED INFANT:

4 (i) AUDITORY BRAIN STEM RESPONSE.

5 (ii) OTOACOUSTIC EMISSIONS.

6 (iii) A TEST APPROVED BY THE DEPARTMENT.

7 (D) "HOSPITAL" MEANS A HOSPITAL LICENSED UNDER ARTICLE 17.

8 (E) "INFANT" MEANS A MINOR WHO IS 30 DAYS OLD OR OLDER BUT
9 LESS THAN 1 YEAR OF AGE.

10 (F) "NEWBORN INFANT" MEANS A MINOR WHO IS LESS THAN 30 DAYS
11 OLD.

12 (2) IN ADDITION TO THE DEFINITIONS CONTAINED IN SUBSECTION
13 (1), ARTICLE 1 CONTAINS DEFINITIONS OF GENERAL APPLICATION TO
14 THIS CODE.

15 SEC. 9453. (1) EACH HOSPITAL THAT PROVIDES BIRTHING SERV-
16 ICES AND EACH HEALTH PROFESSIONAL WHO PROVIDES BIRTHING SERVICES
17 OUTSIDE OF A HOSPITAL SHALL PERFORM HEARING IMPAIRMENT SCREENING
18 FOR EACH NEWBORN INFANT BEFORE THE NEWBORN INFANT IS DISCHARGED
19 FROM THE HOSPITAL OR BEFORE THE HEALTH PROFESSIONAL LEAVES THE
20 BIRTHING SITE OUTSIDE OF A HOSPITAL. IF THE HEARING IMPAIRMENT
21 SCREENING IS NOT PERFORMED WITHIN THOSE TIME FRAMES DUE TO EXI-
22 GENT CIRCUMSTANCES, THE HOSPITAL OR HEALTH PROFESSIONAL SHALL
23 PERFORM THE HEARING IMPAIRMENT SCREENING WITHIN 90 DAYS AFTER
24 BIRTH.

25 (2) EACH HOSPITAL AND HEALTH PROFESSIONAL DESCRIBED IN SUB-
26 SECTION (1) SHALL TRANSMIT THE RESULTS OF THE HEARING IMPAIRMENT

1 SCREENING PERFORMED UNDER SUBSECTION (1) TO EACH OF THE
2 FOLLOWING:

3 (A) THE DEPARTMENT.

4 (B) THE PARENT OR GUARDIAN OF THE NEWBORN INFANT OR OTHER
5 INFANT.

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

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

10 (3) EACH HOSPITAL AND HEALTH PROFESSIONAL DESCRIBED IN SUB-
11 SECTION (1) SHALL RECOMMEND TO THE PARENT OR GUARDIAN OF EACH
12 NEWBORN INFANT DELIVERED BY THE HOSPITAL OR HEALTH PROFESSIONAL
13 AND DETERMINED TO BE A HEARING IMPAIRED INFANT THAT THE NEWBORN
14 INFANT OR OTHER INFANT UNDERGO AN AUDIOLOGICAL EVALUATION AS SOON
15 AS PRACTICABLE AFTER THE DETERMINATION IS MADE. THE HOSPITAL OR
16 HEALTH PROFESSIONAL SHALL ALSO PROVIDE THE PARENT OR GUARDIAN
17 WITH A LIST OF AGENCIES AND HEALTH PROFESSIONALS THAT PROVIDE
18 AUDIOLOGICAL EVALUATION SERVICES.

19 (4) A HOSPITAL WITH 500 OR FEWER BIRTHS PER YEAR MAY HAVE
20 THE HEARING IMPAIRMENT SCREENING REQUIRED UNDER THIS PART PER-
21 FORMED AT ANOTHER FACILITY.

22 SEC. 9455. THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT
23 THIS PART.