Source:
Colorado Statutes/TITLE 25 HEALTH/DISEASE CONTROL/ARTICLE 4 DISEASE CONTROL/PART 10 NEWBORN SCREENING AND GENETIC COUNSELING AND EDUCATION ACT/25-4-1004.7. Newborn hearing screening - legislative declaration - advisory committee - report - repeal.

25-4-1004.7. Newborn hearing screening - legislative declaration - advisory committee - report - repeal.

(1) (a) The general assembly finds, determines, and declares:

(I) That hearing loss occurs in newborn infants more frequently than any other health condition for which newborn infant screening is required;

(II) That eighty percent of the language ability of a child is established by the time the child is eighteen months of age and that hearing is vitally important to the healthy development of such language skills;

(III) That early detection of hearing loss in a child and early intervention and treatment has been demonstrated to be highly effective in facilitating a child's healthy development in a manner consistent with the child's age and cognitive ability;

(IV) That children with hearing loss who do not receive such early intervention and treatment frequently require special educational services and that such services are publicly funded for the vast majority of children with hearing needs in the state;

(V) That appropriate testing and identification of newborn infants with hearing loss will facilitate early intervention and treatment and may therefore serve the public purposes of promoting the healthy development of children and reducing public expenditure; and

(VI) That consumers should be entitled to know whether the hospital at which they choose to deliver their infant provides newborn hearing screening.

(b) For these reasons the general assembly hereby determines that it would be beneficial and in the best interests of the development of the children of the state of Colorado that newborn infants' hearing be screened.

(2) (a) (I) There is hereby established an advisory committee on hearing in newborn infants for the purpose of collecting the informational data specified in paragraph (b) of subsection (3) of this section, and for the purpose of providing recommendations to hospitals, other health care institutions, the department of public health and environment, and the public concerning, but not necessarily limited to, the following:

(A) Appropriate methodologies to be implemented for hearing screening of newborn infants, which methodologies shall be objective and physiologically based and which shall not include a requirement that the initial newborn hearing screening be performed by an audiologist;

(B) The number of births sufficient to qualify a hospital or health institution to arrange otherwise for hearing screenings; and

(C) Guidelines for reporting and the means to assure that identified children receive referral for appropriate follow-up services.

(II) The advisory committee on hearing in newborn infants shall consist of at least seven members who shall be appointed by the executive director of the department of public health and environment. Members appointed

to the committee shall have training, experience, or interest in the area of hearing conditions in children.

(III) The members of the advisory committee on hearing in newborn infants shall serve without compensation.

(IV) Repealed.

(b) This subsection (2) is repealed, effective July 1, 2013.

(3) (a) It is the intent of the general assembly that newborn hearing screening be conducted on no fewer than ninety-five percent of the infants born in hospitals, using procedures recommended by the advisory committee on hearing in newborn infants, created in subsection (2) of this section. Toward that end, every licensed or certified hospital shall educate the parents of infants born in such hospitals of the importance of screening the hearing of newborn infants and follow-up care. Education shall not be considered a substitute for the hearing screening described in this section. Every licensed or certified hospital shall report annually to the advisory committee concerning the following:

(I) The number of infants born in the hospital;

(II) The number of infants screened;

(III) The number of infants who passed the screening, if administered; and

(IV) The number of infants who did not pass the screening, if administered.

(b) The advisory committee on hearing in newborn infants shall determine which hospitals or other health care institutions in the state of Colorado are administering hearing screening to newborn infants on a voluntary basis and the number of infants screened.

(I) to (IV) Repealed.

(c) Repealed.

(4) (a) If the number of infants screened falls below eighty-five percent, the board of health shall promulgate rules requiring hearing screening of newborn infants pursuant to section 24-4-103, C.R.S., of the "State Administrative Procedure Act".

(b) Such rules, if promulgated, shall address those hospitals with a low volume of births, as determined by the state board of health based upon recommendations by the advisory committee on hearing in newborn infants, which may arrange otherwise for newborn infant hearing screening.

(5) A physician, nurse, midwife, or other health professional attending a birth outside a hospital or institution shall provide information, as established by the department, to parents regarding places where the parents may have their infants' hearing screened and the importance of such screening.

(6) The department shall encourage the cooperation of local health departments, health care clinics, school districts, and any other appropriate resources to promote the screening of newborn infants' hearing for those infants born outside a hospital or institution.

Source: L. 97: Entire section added, p. 1118, § 1, effective July 1. **L. 2005:** (2)(a)(I), (2)(b), (3)(a), IP(3)(b), and (4)(a) amended and (2)(a)(IV), (3)(b)(I) to (3)(b)(IV), and (3)(c) repealed, p. 252, §§ 3, 4, 5, effective July 1.