

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To define hearing impairment, to require hospitals and maternity centers to establish a newborn hearing screening program, and to require certain health insurance carriers to provide coverage for screenings provided by a hospital or maternity center prior to discharge.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Newborn Hearing Screening Act of 2000".

Sec. 2. For the purposes of this act, the term:

(1) "Health benefit plan" shall have the same meaning as provided in section 101(20) of the Health Insurance Portability and Accountability Federal Law Conformity and Non-Fault Motor Vehicle Insurance Act of 1998.

(2) "Health insurer" shall have the same meaning as provided in section 101(22) of the Health Insurance Portability and Accountability Federal Law Conformity and Non-Fault Motor Vehicle Insurance Act of 1998.

(3) "Hearing impairment" means a dysfunction of the auditory system, of any type or degree, which is sufficient to interfere with the acquisition and development of speech and language skills, with or without the use of sound amplification.

Sec. 3. (a) Each hospital and maternity center in the District of Columbia shall establish a newborn hearing screening program to ensure that all newborns in the hospital or maternity center are screened for hearing impairment before discharge, subject to the limitations stated in subsection (d) of this section.

(b) Each test shall be conducted by an audiologist, otolaryngologist, or other qualified person, in accordance with accepted medical practices.

(c) The screening program shall consist of at least one of the following tests:

(1) Auditory brain stem response;

(2) Otoacoustic emissions; or

(3) Other appropriate nationally recognized, objective physiological screening

test.

(d) Each hospital and maternity center shall inform the parent of the newborn of the availability of the hearing screening and shall perform the hearing screening unless the procedure is contrary to the parent's religious beliefs or parental consent is withheld.

(e) Each hospital and maternity center shall document a parent's consent or refusal to participate in its newborn hearing screening program.

(f) The results of the screening, and recommendations for follow-up testing and treatment when appropriate, shall be provided to the parent and the child's primary care health care provider, if known, before discharge.

Sec. 4. All health insurer health benefit plans shall reimburse for newborn hearing screenings conducted under this act.

Sec. 5. The Mayor, pursuant to title I of the District of Columbia Administrative Procedure Act shall issue rules to implement the provisions of this act.

Sec. 6. There are no additional personal services or nonpersonal services costs associated with this legislation. Therefore, it has no fiscal impact. This act is subject to the availability of appropriations.

Sec. 7. (a) Section 3 shall apply on the first day of the month 120 days following the effective date of this act.

(b) Section 4 shall apply to all health benefit plans issued or reissued beginning on the first day of the month 120 days following the effective date of this act.

Sec. 8. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

ENROLLED ORIGINAL

December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia