



April 6, 1999

**ENGROSSED
HOUSE BILL No. 1410**

DIGEST OF HB 1410 (Updated March 31, 1999 4:26 pm - DI 97)

Citations Affected: IC 5-10; IC 16-41; IC 27-8; noncode.

Synopsis: Infant hearing loss testing. Adds hearing examinations to the tests required under the newborn screening program. Requires state employee health plans, insurance policies, and group contracts that provide maternity benefits to pay for the tests required under the newborn screening program. Establishes the newborn hearing screening and intervention advisory board to provide advice and recommendations on issues concerning hearing impairment. Sunsets the board on July 1, 2002. Provides that a hospital shall begin providing hearing examinations as soon as the hospital possesses the necessary equipment.

Effective: July 1, 1999.

Day, Bosma

(SENATE SPONSORS — LUBBERS, SIMPSON)

January 12, 1999, read first time and referred to Committee on Ways and Means.
February 22, 1999, reported — Do Pass.
March 1, 1999, read second time, amended, ordered engrossed.
March 2, 1999, engrossed.
March 3, 1999, read third time, passed. Yeas 77, nays 20.

SENATE ACTION

March 8, 1999, read first time and referred to Committee on Health and Provider Services.
April 5, 1999, amended, reported favorably — Do Pass.

EH 1410—LS 7469/DI 77+



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April 6, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1410

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 10. The state shall cover the examinations required**
4 **under IC 16-41-17-2 under a:**

- 5 (1) **self-insurance program established or maintained under**
- 6 **section 7(b) of this chapter to provide group health coverage;**
- 7 **and**
- 8 (2) **contract entered into or renewed under section 7(c) of this**
- 9 **chapter to provide health services through a prepaid health**
- 10 **care delivery plan.**

11 SECTION 2. IC 16-41-17-2 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) Subject to
13 subsection ~~(b)~~; (c), every infant shall be given examinations at the
14 earliest feasible time for the detection of the following disorders:

- 15 (1) Phenylketonuria.
- 16 (2) Hypothyroidism.
- 17 (3) Hemoglobinopathies, including sickle cell anemia.

EH 1410—LS 7469/DI 77+



- 1 (4) Galactosemia.
 2 (5) Maple Syrup urine disease.
 3 (6) Homocystinuria.
 4 (7) Inborn errors of metabolism that result in mental retardation
 5 and that are designated by the state department.

6 **(b) Subject to subsection (c), every infant shall be given a**
 7 **physiologic hearing screening examination at the earliest feasible**
 8 **time for the detection of hearing impairments.**

9 ~~(b)~~ (c) If a parent of an infant objects in writing, for reasons
 10 pertaining to religious beliefs only, the infant is exempt from the
 11 examinations required by this chapter.

12 SECTION 3. IC 16-41-17-7 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The state
 14 department shall designate at least one (1) laboratory for testing for
 15 disorders listed in ~~section 2~~ **section 2(a)** of this chapter.

16 (b) The designated laboratories shall perform tests on all infants for
 17 the detection of disorders under **section 2(a)** of this chapter.

18 (c) This section does not prevent other facilities from conducting
 19 tests for disorders under this chapter.

20 SECTION 4. IC 16-41-17-8 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. Each hospital and
 22 physician shall:

- 23 (1) take or cause to be taken a blood sample from every infant
 24 born under the hospital's and physician's care; and
 25 (2) transport or cause to be transported each blood sample
 26 described in subdivision (1) to a laboratory designated under
 27 section 7 of this chapter;

28 for testing for the disorders listed in ~~section 2~~ **section 2(a)** of this
 29 chapter.

30 SECTION 5. IC 27-8-24-4 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. Except as provided
 32 in section 5 of this chapter, every policy or group contract that provides
 33 maternity benefits must provide minimum benefits to a mother and her
 34 newborn child that cover:

- 35 **(1) a minimum length of postpartum stay at a hospital licensed**
 36 **under IC 16-21 that is consistent with the minimum postpartum**
 37 **hospital stay recommended by the American Academy of**
 38 **Pediatrics and the American College of Obstetricians and**
 39 **Gynecologists in their Guidelines for Perinatal Care; and**
 40 **(2) the examinations to the newborn child required under**
 41 **IC 16-41-17-2.**

42 SECTION 6. [EFFECTIVE JULY 1, 1999] (a) **As used in this**

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1 SECTION, "board" refers to the newborn hearing screening and
2 intervention advisory board established under subsection (b).

3 (b) The newborn hearing screening and intervention advisory
4 board is established.

5 (c) The board consists of twelve (12) members appointed by the
6 governor as follows:

7 (1) Two (2) parents of a child with hearing loss.

8 (2) One (1) individual who is deaf or hearing impaired.

9 (3) One (1) otolaryngologist.

10 (4) One (1) audiologist.

11 (5) One (1) neonatologist or neonatal nurse.

12 (6) One (1) pediatrician or family medical practitioner who is
13 licensed under IC 25-22.5 whose practice includes services for
14 children with hearing loss.

15 (7) One (1) teacher of children with hearing loss.

16 (8) One (1) representative of the health insurance industry.

17 (9) One (1) representative of the state department of health.

18 (10) One (1) representative of the department of education,
19 division of special education programs.

20 (11) One (1) representative of the office of the secretary of
21 family and social services.

22 (d) Initial appointments to the board must be made not later
23 than August 1, 1999. Not more than six (6) members of the board
24 may be from the same political party.

25 (e) The governor shall appoint the chair and vice chair from
26 among the board members. The chair and vice chair serve at the
27 pleasure of the governor.

28 (f) If a vacancy of a member appointed under subsection (c)
29 occurs on the board, the governor shall appoint a successor to
30 finish the term of the member. The governor must appoint a
31 person to fill a vacancy on the board not more than sixty (60) days
32 after the vacancy occurs.

33 (g) The board shall meet upon the call of the chair. However, the
34 board shall meet not less than four (4) times per year. Seven (7)
35 board members constitute a quorum. Seven (7) affirmative votes
36 are required for the board to take an action.

37 (h) The state department of health shall provide staff support to
38 the commission.

39 (i) Members of the board shall serve without compensation.

40 (j) The board shall do the following:

41 (1) Provide the state department of health with advice on
42 issues involving hearing impairment concerning:

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- 1 (A) educational programs under IC 16-41-17-3;
- 2 (B) appropriate tests under IC 16-41-17-4;
- 3 (C) detection plans and procedures under IC 16-41-17-5;
- 4 (D) the format and information contained in reports under
- 5 IC 16-41-17-6;
- 6 (E) uniform reporting procedures;
- 7 (F) centralized coordination, tracking, and follow-up; and
- 8 (G) appropriate diagnosis and management of affected
- 9 newborns and counseling and support programs for
- 10 newborns' families.
- 11 (2) Provide governmental agencies and private organizations
- 12 that serve children with hearing impairments with advice and
- 13 recommendations concerning:
- 14 (A) coordination of medical, social, and educational
- 15 services;
- 16 (B) appropriate treatment of hearing impaired children
- 17 and counseling and support programs for the childrens'
- 18 families; and
- 19 (C) any other area that would assist children with hearing
- 20 impairments and their families.
- 21 (k) This SECTION expires July 1, 2002.
- 22 SECTION 7. [EFFECTIVE JULY 1, 1999] (a) Notwithstanding
- 23 IC 16-41-17, as amended by this act, a hospital, as defined by
- 24 IC 16-18-2-179(a), shall begin providing a physiologic hearing
- 25 examination as required under IC 16-41-17-2(b) as soon as the
- 26 hospital possesses the equipment needed to perform the
- 27 examination.
- 28 (b) This SECTION expires July 1, 2000.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1410, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 22, nays 2.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1410 be amended to read as follows:

Page 1, line 14, before "hearing" insert "**physiologic**".

Page 2, line 37, delete "eleven (11)" and insert "**twelve (12)**".

Page 2, line 39, delete "One (1) parent" and insert "**Two (2) parents**".

Page 3, line 10, delete "division of disability, aging," and insert "**office of the secretary of family and social services.**"

Page 3, delete line 11.

Page 3, line 13, delete "five (5)" and insert "**six (6)**".

Page 3, line 24, delete "Six (6)" and insert "**Seven (7)**".

Page 3, line 25, delete "Six (6)" and insert "**Seven (7)**".

(Reference is to HB 1410 as printed February 23, 1999.)

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1410, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10-8-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 10. The state shall cover the examinations required under IC 16-41-17-2 under a:**

- (1) self-insurance program established or maintained under section 7(b) of this chapter to provide group health coverage; and**
- (2) contract entered into or renewed under section 7(c) of this chapter to provide health services through a prepaid health care delivery plan."**

Page 4, line 13, delete ":".

Page 4, line 14, delete "(1)".

Page 4, run in lines 13 through 14.

Page 4, line 14, delete "; or" and insert "**, shall begin providing a physiologic hearing examination as required under IC 16-41-17-2(b) as soon as the hospital possesses the equipment needed to perform the examination."**

Page 4, delete lines 15 through 18.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1410 as reprinted March 2, 1999.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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