

# House Bill 2754

Sponsored by Representative BARKER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires newborn child with hearing loss to be referred to health care provider for purpose of diagnosing whether newborn child has cytomegalovirus.

Directs Oregon Health Authority to compile and disseminate information on congenital cytomegalovirus.

## A BILL FOR AN ACT

1  
2 Relating to cytomegalovirus; creating new provisions; and amending ORS 433.321.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 433.321 is amended to read:

5 433.321. (1) In all Oregon hospitals and birthing centers [*with*] **where** more than 200 live births  
6 **occur** per year, each newborn child [*shall*] **must** receive a newborn hearing screening test [*within*  
7 *one month of the date of birth*]. A hospital or birthing center shall attempt to conduct the test re-  
8 quired under this subsection prior to the discharge of the **newborn** child from the facility.

9 (2) All Oregon hospitals and birthing centers [*with*] **where** fewer than 200 live births **occur** per  
10 year shall provide the parent or guardian of a newborn child with the appropriate information fur-  
11 nished by the Oregon Health Authority concerning the importance of newborn hearing screening  
12 tests.

13 (3) All Oregon hospitals and birthing centers conducting newborn hearing screening tests  
14 [*shall*], within 10 days of [*the*] **conducting a newborn hearing screening** test, **shall**:

15 (a) Notify the parent or guardian and the health care provider [*for*] **of** the newborn child of the  
16 test results;

17 (b) [*With the results of the test,*] Provide **the parent or guardian with** names and contact in-  
18 formation for diagnostic facilities **that conduct newborn hearing screening tests** in the commu-  
19 nity; and

20 (c) Report to the authority the results of the test for the newborn child and information identi-  
21 fying the newborn child.

22 (4) A diagnostic facility conducting newborn hearing **screening** tests [*shall report*], within 10  
23 days of [*the*] **conducting a newborn hearing screening** test, **shall report** to the authority the re-  
24 sults of the test for the newborn child and information identifying the newborn child. **If a diagnostic**  
25 **facility conducting newborn hearing screening tests detects hearing loss in a newborn child,**  
26 **the diagnostic facility shall provide to the parent or guardian materials developed pursuant**  
27 **to section 2 of this 2017 Act and refer the parent or guardian of the newborn child to a health**  
28 **care provider for the purpose of diagnosing whether the newborn child has cytomegalovirus.**

29 (5) Each public and private educational institution that provides early intervention services as  
30 defined in ORS 343.035 shall disclose to the authority information identifying the children referred

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 to the educational institution with diagnosed hearing loss and the enrollment status of the children.  
 2 The institution may disclose to the authority additional information regarding children with hearing  
 3 loss who are receiving early intervention services if the educational institution has obtained consent  
 4 to disclose the information.

5 (6) The authority, in collaboration with the Child Development and Rehabilitation Center of the  
 6 Oregon Health and Science University, shall, on an annual basis, provide to all Oregon hospitals  
 7 and birthing centers the following information:

8 (a) A description of the responsibilities created by this section;

9 (b) A list of appropriate screening devices and descriptions of training protocols to ensure that  
 10 staff members are adequately trained in the use of **hearing** screening equipment;

11 (c) A list of [*newborn hearing screening testing and*] diagnostic facilities **that conduct newborn**  
 12 **hearing screening tests;**

13 (d) **A schedule for conducting newborn hearing screening tests, and for referring parents**  
 14 **and guardians to diagnostic facilities that conduct newborn hearing screening tests and to**  
 15 **health care providers, under which all newborn hearing screening tests and referrals de-**  
 16 **scribed in subsections (1) to (4) of this section will be completed with respect to a newborn**  
 17 **child within 21 days of the newborn child's date of birth;**

18 [(d)] (e) A list of public and private educational institutions that provide early intervention  
 19 services and a description of the geographic area served by each institution; and

20 [(e)] (f) Other information related to newborn hearing screening tests that the authority deems  
 21 appropriate.

22 (7) A hospital or birthing center [*directed to provide newborn hearing screening tests under this*  
 23 *section*] **described in subsection (1) of this section** is exempt from providing [*such services*] **new-**  
 24 **born hearing screening tests** if the parent or guardian of the newborn child objects to the testing  
 25 procedure on the grounds that the procedure conflicts with the religious tenets and practices of the  
 26 parent or guardian. The parent or guardian must sign a statement that the newborn [*infant*] **child**  
 27 is being [*so*] reared **in accordance with those religious tenets and practices.**

28 (8) [*No*] **A newborn child may not** be refused the procedure described in subsection (1) of this  
 29 section because of an inability of the parent or guardian to pay for the procedure.

30 **SECTION 2. (1) The Oregon Health Authority shall compile information on the following:**

31 (a) **The transmission of congenital cytomegalovirus;**

32 (b) **The signs and symptoms of congenital cytomegalovirus;**

33 (c) **The potential complications associated with congenital cytomegalovirus; and**

34 (d) **Treating and managing congenital cytomegalovirus.**

35 (2) **The authority shall disseminate the information described in subsection (1) of this**  
 36 **section to hospitals, birthing centers, diagnostic facilities that conduct newborn hearing**  
 37 **screening tests, health care providers and the public. The authority must disseminate the**  
 38 **information through print publications. The authority also may disseminate the information**  
 39 **through electronic publications, video productions or any other method determined to be**  
 40 **cost-effective by the authority.**