

## Summary - Universal Newborn Hearing Screening - Rules Revision - November 12, 2013

Ohio Administrative Code, 3701-40 recently underwent a five year rule review and several of the UNHS rules were amended. The revised rules contain some new requirements as well as retaining most of the requirements as the prior rules. In many instances the information has been moved to consolidate requirements for primary stakeholders. Many of the key revisions are outlined in this Summary.

Please review the full text of the revised UNHS Rules at [www.odh.ohio.gov](http://www.odh.ohio.gov). Click on *Rules*, click on *Final Rules*, and then click on *3701-40*. The revised rules will need to be incorporated into the Hospital Protocol for your facility. If you have any questions, please contact your Infant Hearing Program Audiology Consultant.

### **3701-40-01: Definitions**

This rule has been extensively revised to include new definitions and to consolidate all definitions in Chapter 40 rules. Among the changes in 3701-40-01: **(D) is a new definition of Birth clerk, (O) is a new definition of Hearing clerk, and (R) is a new definition of hearing loss. 3701-40-01 (DD) includes a new definition for Pass result, and (KK) is a new definition of screening method; while (II) is the Joint Commission on Infant Hearing Position Statement, a national set of guidelines, used by the Ohio UNHS program.**

### **3701-40-02 Hospital and Birthing Center Requirements**

This rule requires hospitals to designate a hearing coordinator, develop and implement written protocols for screening, and communicate the screening results to families and professionals.

**NEW: 3701-40-02 (4) requires hospitals to report non-pass infants and infants not screened prior to discharge to the primary care provider within 48 hours of discharge.** While the information may be entered in the infant's chart, the hospital program must make alternative arrangements---email, fax, etc---if the primary care provider does not routinely receive screening results within 48 hours.

**NEW 3701-40-02 (5) and (6) require hospitals to provide the parents or guardian with written hearing screening results **for each ear, type of hearing screening, and risk factors for hearing loss, assistance with scheduling a follow-up evaluation for non-pass and not screened infants, written materials on the importance of hearing screening, and locations of pediatric audiologists within 60 miles for follow-up evaluations.****

**3701-40-02 (8) requires hospitals and birthing facilities to annually provide ODH with an expanded listing of hearing screening personnel that include the names and contact information for the hearing screening coordinator, supervising physician or audiologist annually or when changes occur. **This requirement has been expanded to include the birth clerk and hearing clerk.****

**3701-40-02 (9) Hospitals are required to send UNHS screening reports to ODH within 10 days of initial screening, discharge or transfer.** This report includes information on the infants screening results for both ears, including dates of screening and test type. Reports are required for infants who were not screened and the reason(s) why and for reports and objection forms for infants whose parents, guardian or custodian objected. **NEW: All reports are required to be sent within 10 days.**

**3701-40-03 Boards of Health:**

This rule requires boards of health to provide registrants with certain written information, to obtain a signature for receipt of the material, a list of audiology facilities within a 60 mile radius of the family's residence, and to provide an annual report.

**NEW: 3701-40-03 (A) requires the Board to provide the materials to the parent or guardian within 10 days of notification, providing an additional five days for compliance.**

**3701-40-04 Objections to Hearing Screening:**

This rule provides for parental objection to screening and documentation of objection. It has not been amended.

**3701-40-05 Qualifications of Personnel Conducting Hearing Screening:**

This rule requires audiologist or physician oversight of screening personnel.

**3701-40-05 (B) and (C)** requires individuals conducting hearing screenings to complete training annually, including competency with newborn screening equipment and documentation of training prior to administration of hearing screenings.

**3701-40-06 Hearing Screening and Equipment Requirements:**

This rule outlines requirements for a hospital or free-standing birthing center to provide physiologic hearing screening of all newborns. 3701-40-06 (A) clarifies the requirement to screen newborns admitted to or transferred into a hospital

**NEW 3701-40-06 (B) and (C) require hospitals and free standing birthing centers to conduct a second physiologic screening on both ears when the first screening on either ear was a non-pass.**

Please note that the current **HEA 4632** form has "N/A" listed for the second screening. **This option is no longer acceptable and the next printing of HEA 4632s will reflect the change.**

**3701-40-06 (D) limits hospital hearing screening to two complete hearing screenings unless there is clearly an equipment or administrative error in administering the screening.**

**3701-40-06 (F)** requires hospitals have a contingency plan for continued screening when regular screening equipment malfunctions or is not available.

**3701-40-07 Reimbursement for Hearing Screening:**

**NOTE:** This rule has been amended only to clarify and enumerate the directions. The requirements for hospitals that wish to claim reimbursement for a hearing screening when it is not bundled with the maternity/deliver charges remains unchanged.

**3701-40-08 Hearing Evaluations:**

3701-40-08 (A) requires that non-pass infants be immediately referred to an audiologist for further examination.

3701-40-08 (B) states the evaluation should follow Joint Committee on Infant Hearing protocols.

**NEW:** 3701-40-08 (C) requires audiologists to report results of hearing evaluation confirming the hearing status for infants within seven business days.

**3701-40-09 Hearing Screening Tracking and Follow Up:**

**NEW:** This rule was amended to update the list of entities that report to or receive information from the Department of Health for newborn and infant hearing screening, tracking, and early intervention, and other public health purposes, and to require them to maintain patient confidentiality.

**Rule 3701-40-10 Ohio Department of Health Training and Materials:**

3701-40-10 (A) requires the Department to provide educational programs and make them available to hospitals, audiologists, and boards of health

3701-40-10 (D) requires the Department to provide written materials on hearing loss for families and listings of facilities providing pediatric screening and hearing evaluations.