

CHAPTER 150  
SENATE BILL No. 511

AN ACT concerning infants; relating to rule and regulation authority for the newborn infant hearing screening program; amending K.S.A. 65-1,157a and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 65-1,157a is hereby amended to read as follows: 65-1,157a. (a) This act shall be known as the newborn infant hearing screening act.

(b) Every child born in the state of Kansas, ~~within three to five days for normal births and five to eight days for premature births following~~ *within five days of birth*, unless a different time period is medically indicated, shall be given a screening examination for detection of ~~significant~~ hearing loss. The screening shall be conducted in accordance with accepted medical practices and in the manner prescribed by the secretary of health and environment.

(c) Informed consent of parents shall be obtained and if any parent or guardian of a child objects to the mandatory examination for detection of ~~significant~~ hearing loss the child is exempt from subsection (b) of this section.

(d) (1) *Any person performing any screening under this act shall provide to the secretary of health and environment such information regarding the screening examinations conducted under this act as the secretary may require by rule and regulation.*

(2) Information obtained by the secretary of health and environment under this section shall be confidential and shall not be disclosed except to notify the primary care physician and the parents or guardian of the child of the screening results.

(e) The secretary of health and environment may make application for and receive grants or other moneys which may be available from the federal government for newborn hearing screening and may enter into cooperative agreements with the federal government relating to newborn hearing screening.

(f) The secretary of health and environment shall adopt such rules and regulations as may be necessary to carry out the provisions of this section *and concerning the following matters which include but are not limited to the:*

(1) *Establishment of standards for the equipment used for any newborn infant hearing screening under this act;*

(2) *establishment of protocols to be followed in performing any newborn infant hearing screening under this act;*

(3) *establishment of standards for the qualifications and training of personnel who perform any newborn infant hearing screening under this act;*

(4) *establishment of responsibilities for any medical care facility's administrator or other personnel necessary to carry out the newborn infant hearing screening program created under this act; and*

(5) *furnishing of reports and other information necessary for the secretary to carry out the provisions of this act.*

Sec. 2. K.S.A. 65-1,157a is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved May 17, 2004.

---