

TITLE 23

Health and Safety

CHAPTER 23-13

Maternal and Child Health Services for Children with Special Health Care Needs

SECTION 23-13-13

§ 23-13-13 Testing for hearing impairments. – (a) It is declared to be the public policy of this state that every newborn infant be evaluated by procedures approved by the state department of health for the detection of hearing impairments, in order to prevent many of the consequences of these disorders. No hearing impairment test shall be made as to any newborn infant if the parents of that child object to the test on the grounds that a hearing impairment test would conflict with their religious tenets or practices.

(b) The physician attending a newborn child shall cause the child to be subject to hearing impairment tests as described in department of health regulations.

(c) In addition, the department of health is authorized to establish by rules and regulations a reasonable fee structure for hearing impairment testing to cover program costs not otherwise covered by federal grant funds specifically secured for this purpose. This testing shall be a covered benefit reimbursable by all health insurers, as defined in § 27-38.2-2(1) except for supplemental policies that only provide coverage for specific diseases, hospital indemnity, Medicare supplement, or other supplemental policies. The department of human services shall pay for hearing impairment testing when the patient is eligible for medical assistance under the provisions of chapter 8 of title 40. In the absence of a third party payor the charges for hearing impairment testing shall be paid by the hospital or other health care facility where the birth occurred. Nothing in this section shall preclude the hospital or health care facility from billing the patient directly. Those fees shall be deposited into a restricted receipt account entitled the "newborn screening account".

(d) There is created a hearing impairments testing advisory committee which shall advise the director of the department of health regarding the validity and cost of testing procedures. That advisory committee shall:

- (1) Meet at least four (4) times per year;
- (2) Be chaired by the director or his or her designee;
- (3) Be composed of seven (7) members appointed by the director from the following professions or organizations:
 - (i) A representative of the health insurance industry;
 - (ii) A pediatrician, designated by the R.I. chapter of the American Academy of Pediatrics;
 - (iii) An audiologist, designated by the R.I. chapter of the American Speech and Hearing Association;

- (iv) Two (2) representatives of hospital neonatal nurseries;
- (v) A representative of special education designated by the department of elementary and secondary education; and
- (vi) The director of health or his or her designee.