

SENATE BILL 323 (LRB -1830)

An Act to amend 253.13 (2), 253.13 (3) and 253.13 (4); and to create 253.13 (1g) of the statutes; relating to: requiring newborn hearing screening. (FE)

2009

- 09-30. S. Introduced by Senators **Lassa, Taylor, Lehman, Schultz, Kreitlow, Risser, Miller, Darling, Coggs and Erpenbach**; cosponsored by Representatives **Dexter, Kaufert, Berceau, Black, Townsend, Schneider, Hilgenberg, Mason, Soletski, Sinicki, Jorgensen, Hixson, Lothian, Turner, Grigsby, A. Williams, Krusick, Wood, A. Ott, Molepske Jr. and Bernard Schaber.**
- 09-30. S. Read first time and referred to committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue 340

2010

- 03-02. S. Senate substitute amendment 1 offered by Senator Lassa (**LRB s0255**) 604
- 03-03. S. Public hearing held.
- 03-05. S. Senate amendment 1 to Senate substitute amendment 1 offered by Senator Lassa (**LRB a1758**) 619
- 03-16. S. Executive action taken.
- 03-17. S. Fiscal estimate received.
- 03-19. S. Report adoption of Senate Amendment 1 to Senate Substitute Amendment 1 recommended by committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue, Ayes 7, Noes 0 646
- 03-19. S. Report adoption of Senate Substitute Amendment 1 recommended by committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue, Ayes 7, Noes 0 646
- 03-19. S. Report passage as amended recommended by committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue, Ayes 6, Noes 1 646
- 03-19. S. Available for scheduling.
- 04-08. S. Referred to joint committee on Finance by committee on Senate Organization pursuant to Senate Rule 41 (1)(e) 681
- 04-08. S. Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization pursuant to Senate Rule 41 (1)(e) 681
- 04-08. S. Placed on calendar 4-13-2010 pursuant to Senate Rule 18(1) 681
- 04-13. S. Read a second time 697
- 04-13. S. Senate amendment 1 to Senate substitute amendment 1 **adopted** 697
- 04-13. S. Senate substitute amendment 1 **adopted** 697
- 04-13. S. Ordered to a third reading 697
- 04-13. S. Rules suspended 697
- 04-13. S. Read a third time and **passed**, Ayes 27, Noes 6 697
- 04-13. S. Ordered immediately messaged 701
- 04-14. A. Received from Senate 830
- 04-14. A. Read first time and referred to committee on Rules 831
- 04-15. A. Made a special order of business at 11:40 A.M. on 4-20-2010 pursuant to Assembly Resolution 23 868
- 04-20. A. Read a second time.
- 04-20. A. Ordered to a third reading.
- 04-20. A. Rules suspended.
- 04-20. A. Read a third time and **concurrred in.**
- 04-20. A. Rules suspended to order immediately messaged, Ayes 76, Noes 21.
- 04-21. S. Received from Assembly concurrred in.

MB

2009
ENROLLED BILL

09en SB-323

ADOPTED DOCUMENTS:

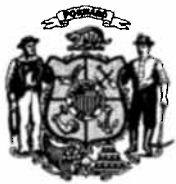
Orig Engr S SubAmdt 1 09 S0255/1

Amendments to above (if none, write "NONE"): SA1 — a 1758/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

4-22-10 JR Miller
Date Enrolling Drafter



**SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 323**

March 2, 2010 - Offered by Senator LASSA.

1 **AN ACT** *to amend* 20.435 (1) (ja), 20.435 (1) (jb), 253.115 (title) and 253.13 (2);
2 and *to create* 253.115 (1) (title), 253.115 (2) (title), 253.115 (3) (title) and
3 253.115 (4), (5), (6), (7) and (8) of the statutes; **relating to:** requiring newborn
4 hearing screening and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 20.435 (1) (ja) of the statutes, as affected by 2009 Wisconsin Act 28,
6 is amended to read:

7 20.435 (1) (ja) *Congenital disorders; diagnosis, special dietary treatment and*
8 *counseling.* The amounts in the schedule to provide diagnostic services, special
9 dietary treatment, and follow-up counseling for congenital disorders and periodic
10 evaluation of infant screening programs as specified under s. 253.13 and to provide
11 diagnostic services and referrals under s. 253.115. All moneys received by the

1 department under s. 253.13 (2), less the amounts appropriated under par. (jb), shall
2 be credited to this appropriation account.

3 SECTION 2. 20.435 (1) (jb) of the statutes is amended to read:

4 20.435 (1) (jb) *Congenital disorders; operations.* From all moneys received
5 under s. 253.13 (2), the amounts in the schedule to be used to administer the ~~program~~
6 programs under s. ss. 253.115 and 253.13 and for the costs of consulting with
7 appropriate experts as specified in s. 253.13 (5).

8 SECTION 3. 253.115 (title) of the statutes is amended to read:

9 253.115 (title) **Newborn hearing screening programs.**

10 SECTION 4. 253.115 (1) (title) of the statutes is created to read:

11 253.115 (1) (title) DEFINITIONS.

12 SECTION 5. 253.115 (2) (title) of the statutes is created to read:

13 253.115 (2) (title) SCREENING PROGRAM REPORT.

14 SECTION 6. 253.115 (3) (title) of the statutes is created to read:

15 253.115 (3) (title) HOSPITAL SCREENING PROGRAM.

16 SECTION 7. 253.115 (4), (5), (6), (7) and (8) of the statutes are created to read:

17 253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the physician,
18 nurse-midwife licensed under s. 441.15, or certified professional midwife licensed
19 under s. 440.982 who attended the birth shall ensure that the infant is screened for
20 hearing loss before being discharged from a hospital, or within 30 days of birth if the
21 infant was not born in a hospital.

22 (5) ~~DIAGNOSTIC AND~~ FOLLOW-UP SERVICES. The department shall provide
23 ~~necessary services for confirmation of the presence of hearing loss and referral to~~
24 intervention programs.

INS. SAI-2

INS. SAI-4

INS. SAI-3

1 **(6) EXCEPTIONS.** (a) Subsection (4) does not apply if the parents or legal
2 guardian of the child object to a screen for hearing loss on the grounds that the test
3 conflicts with their religious tenets and practices.

4 (b) No screening may be performed under sub. (4) unless the parents or legal
5 guardian are fully informed of the purposes of a screen for hearing loss and have been
6 given reasonable opportunity to object under par. (a) to the screen.

7 **(7) SCREENING RESULTS.** (a) The physician, nurse–midwife licensed under s.
8 441.15, or certified professional midwife licensed under s. 440.982 who is required
9 to ensure that the infant is screened for hearing loss under sub. (4) shall do all of the
10 following:

11 1. Ensure the parents or legal guardian are advised of the screening results.

12 2. If the infant has an abnormal hearing screening result, ensure the parents
13 or legal guardian are provided information on available resources for diagnosis and
14 treatment of hearing loss.

15 3. Send to the state laboratory of hygiene board screening results and the
16 infant's risk factors to contract a hearing loss.

17 (b) The state laboratory of hygiene board shall send the information provided
18 under par. (a) 3. to the department.

19 **(8) CONFIDENTIALITY.** Except as provided under pars. (a) 3. and (b), no
20 information obtained under this section from the parents or legal guardian may be
21 disclosed except for use in statistical data compiled by the department without
22 reference to the identity of any individual and except as provided in s. 146.82 (2).

23 **SECTION 8.** 253.13 (2) of the statutes, as affected by 2009 Wisconsin Act 28, is
24 amended to read:



**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 323**

March 5, 2010 - Offered by Senator LASSA.

SAI-2

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 1, line 11: delete "diagnostic services and".
- 3 **2.** Page 2, line 22: delete "DIAGNOSTIC AND" and substitute "REFERRAL TO".
- 4 **3.** Page 2, line 23: delete "necessary services for confirmation of the presence
- 5 of hearing loss and referral" and substitute "referrals".
- 6 **4.** Page 2, line 24: after "programs" insert "for hearing loss".
- 7 (END)

SAI-3

SAI-4