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**WISCONSIN LEGISLATIVE COUNCIL  
AMENDMENT MEMO**

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**2009 Assembly Bill 488**

**Assembly Substitute  
Amendment 1**

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**2009 Assembly Bill 488**

Assembly Bill 488 (AB 488) requires the physician, nurse-midwife, or certified professional midwife who attends a birth to arrange for the infant to be tested before hospital discharge, or within 30 days of birth if the infant was not born in a hospital, to determine if the infant has hearing loss.

A hearing test may not be performed if the parents or legal guardian of the child object to the test on the grounds that the test conflicts with their religious tenets and practices. The hearing test may not be performed unless the parents or legal guardian are fully informed of the purposes of testing and have been given reasonable opportunity to object. Information obtained from the parents or legal guardian may not be disclosed except for use in statistical data, or under circumstances under which patient health care records in general may be released without informed consent.

The physician, nurse-midwife, or certified professional midwife who attended the birth must advise the parents or legal guardian of the infant of the hearing test results. The State Laboratory of Hygiene must report positive hearing screening results to the Department of Health Services (DHS) and DHS must provide follow-up services.

**Assembly Substitute Amendment 1**

Assembly Substitute Amendment 1 (ASA 1) makes the following changes to the bill:

- Requires newborns to be *screened*, rather than *tested*, for hearing loss.
- Requires the physician, nurse-midwife, or certified professional midwife who attended the birth to *ensure* that the infant is screened and that the parents are advised of the results. The

bill requires the person who attended the birth to *arrange for* the infant to be tested and to personally advise the parents of the results.

- Requires the person who attended the birth to ensure the parents or legal guardian are provided information on available resources for diagnosis and treatment of hearing loss.
- Specifies that DHS must provide referrals to intervention programs for hearing loss. The bill requires DHS to provide “follow-up services.”
- Clarifies that the person who attended the birth must send the screening results to the State Laboratory of Hygiene, which must in turn send the results to DHS.
- Requires the state lab to include, as part of the fee it charges for testing newborns for congenital disorders, the costs of administering the newborn hearing screening program. Also authorizes DHS to use those fees to administer the newborn hearing screening program and to provide referrals to intervention programs for hearing loss.

### **Legislative History**

ASA 1 was offered by Representative Dexter on March 5, 2010. On April 8, 2010, the Assembly Committee on Public Health recommended adoption of ASA 1, and passage of the bill as amended, on successive votes of Ayes, 6; Noes, 0.

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