

CHAPTER 68

HEALTH AND ENVIRONMENT

SENATE BILL 05-150

BY SENATOR(S) Sandoval, Hagedorn, Hanna, Johnson, Mitchell, Shaffer, Groff, Williams, and Windels;
also REPRESENTATIVE(S) Green, Berens, Boyd, Carroll T., Coleman, Frangas, McFadyen, Ragsdale, and Todd.

AN ACT**CONCERNING THE CONTINUATION OF THE ADVISORY COMMITTEE ON HEARING IN NEWBORN INFANTS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Repeal. 2-3-1203 (3) (r) (I), Colorado Revised Statutes, is repealed as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(r) July 1, 2005:

(I) ~~The advisory committee on hearing in newborn infants in the department of public health and environment established in section 25-4-1004.7 (2), C.R.S.;~~

SECTION 2. 2-3-1203 (3) (z), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(z) July 1, 2013:

(IV) THE ADVISORY COMMITTEE ON HEARING IN NEWBORN INFANTS IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT ESTABLISHED IN SECTION 25-4-1004.7 (2), C.R.S.;

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 3. 25-4-1004.7 (2) (a) (I), (2) (b), and (3) (a), Colorado Revised Statutes, are amended to read:

25-4-1004.7. Newborn hearing screening - legislative declaration - advisory committee - report - repeal. (2) (a) (I) There is hereby established an advisory committee on hearing in newborn infants for the purpose of collecting the informational data specified in paragraph (b) of subsection (3) of this section, ~~and reporting such information to the general assembly by December 1, 1998;~~ and for the purpose of providing recommendations to hospitals, other health care institutions, the department of public health and environment, and the public concerning, but not necessarily limited to, the following:

(b) This subsection (2) is repealed, effective July 1, ~~2005~~ 2013.

(3) (a) It is the intent of the general assembly that ~~by July 1, 1999,~~ newborn hearing screening be conducted on no fewer than ~~eighty-five~~ NINETY-FIVE percent of the infants born in hospitals, using procedures recommended by the advisory committee on hearing in newborn infants, created in subsection (2) of this section. ~~Toward that end, on and after July 1, 1997,~~ every licensed or certified hospital shall educate the parents of infants born in such hospitals of the importance of screening the hearing of newborn infants and follow-up care. Education shall not be considered a substitute for the hearing screening described in this section. Every licensed or certified hospital shall report annually to the advisory committee concerning the following:

SECTION 4. The introductory portion to 25-4-1004.7 (3) (b) and 25-4-1004.7 (4) (a), Colorado Revised Statutes, are amended to read:

25-4-1004.7. Newborn hearing screening - legislative declaration - advisory committee - report - repeal. (3) (b) The advisory committee on hearing in newborn infants shall determine which hospitals or other health care institutions in the state of Colorado are administering hearing screening to newborn infants on a voluntary basis and the number of infants screened. ~~The advisory committee on hearing in newborn infants shall report to the general assembly by December 1, 1998, concerning the following:~~

(4) (a) If the number of infants screened ~~does not equal or exceed eighty-five percent by July 1, 1999, or falls below eighty-five percent, at any time thereafter;~~ the board of health shall promulgate rules requiring hearing screening of newborn infants pursuant to section 24-4-103, C.R.S., of the "State Administrative Procedure Act".

SECTION 5. Repeal. 25-4-1004.7 (2) (a) (IV), (3) (b) (I), (3) (b) (II), (3) (b) (III), (3) (b) (IV), and (3) (c), Colorado Revised Statutes, are repealed.

SECTION 6. Effective date. This act shall take effect July 1, 2005.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 14, 2005