

## Union Calendar No. 14

111TH CONGRESS  
1ST SESSION

# H. R. 1246

[Report No. 111–44]

To amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2009

Mrs. CAPPS (for herself, Mrs. EMERSON, and Ms. SUTTON) introduced the following bill; which was referred to the Committee on Energy and Commerce

MARCH 23, 2009

Additional sponsors: Mr. LOBIONDO, Mrs. MALONEY, Ms. ZOE LOFGREN of California, Mr. GORDON of Tennessee, Ms. SCHAKOWSKY, Mr. GONZALEZ, Mr. GRIJALVA, Mr. BRALEY of Iowa, Ms. WOOLSEY, and Ms. CASTOR of Florida

MARCH 23, 2009

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

To amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Early Hearing Detec-  
3 tion and Intervention Act of 2009”.

4 **SEC. 2. EARLY DETECTION, DIAGNOSIS, AND TREATMENT**  
5 **OF HEARING LOSS.**

6       Section 399M of the Public Health Service Act (42  
7 U.S.C. 280g–1) is amended—

8           (1) in the section heading, by striking “**IN-**  
9 **FANTS**” and inserting “**NEWBORNS AND IN-**  
10 **FANTS**”;

11          (2) in subsection (a)—

12           (A) in the matter preceding paragraph (1),  
13 by striking “screening, evaluation and interven-  
14 tion programs and systems” and inserting  
15 “screening, evaluation, diagnosis, and interven-  
16 tion programs and systems, and to assist in the  
17 recruitment, retention, education, and training  
18 of qualified personnel and health care pro-  
19 viders,”;

20           (B) by amending paragraph (1) to read as  
21 follows:

22           “(1) To develop and monitor the efficacy of  
23 statewide programs and systems for hearing screen-  
24 ing of newborns and infants; prompt evaluation and  
25 diagnosis of children referred from screening pro-  
26 grams; and appropriate educational, audiological,

1 and medical interventions for children identified with  
2 hearing loss. Early intervention includes referral to  
3 and delivery of information and services by schools  
4 and agencies, including community, consumer, and  
5 parent-based agencies and organizations and other  
6 programs mandated by part C of the Individuals  
7 with Disabilities Education Act, which offer pro-  
8 grams specifically designed to meet the unique lan-  
9 guage and communication needs of deaf and hard of  
10 hearing newborns, infants, toddlers, and children.  
11 Programs and systems under this paragraph shall  
12 establish and foster family-to-family support mecha-  
13 nisms that are critical in the first months after a  
14 child is identified with hearing loss.”; and

15 (C) by adding at the end the following:

16 “(3) To develop efficient models to ensure that  
17 newborns and infants who are identified with a hear-  
18 ing loss through screening receive follow-up by a  
19 qualified health care provider. These models shall be  
20 evaluated for their effectiveness, and State agencies  
21 shall be encouraged to adopt models that effectively  
22 increase the rate of occurrence of such follow-up.

23 “(4) To ensure an adequate supply of qualified  
24 personnel to meet the screening, evaluation, diag-  
25 nosis, and early intervention needs of children.”;

1 (3) in subsection (b)—

2 (A) in paragraph (1)(A), by striking  
3 “hearing loss screening, evaluation, and inter-  
4 vention programs” and inserting “hearing loss  
5 screening, evaluation, diagnosis, and interven-  
6 tion programs”; and

7 (B) in paragraph (2)—

8 (i) by striking “for purposes of this  
9 section, continue” and insert the following:  
10 “for purposes of this section—

11 “(A) continue”;

12 (ii) by striking the period at the end  
13 and inserting “; and”; and

14 (iii) by adding at the end the fol-  
15 lowing:

16 “(B) establish a postdoctoral fellowship  
17 program to foster research and development in  
18 the area of early hearing detection and inter-  
19 vention.”;

20 (4) in paragraphs (2) and (3) of subsection (c),  
21 by striking the term “hearing screening, evaluation  
22 and intervention programs” each place such term  
23 appears and inserting “hearing screening, evalua-  
24 tion, diagnosis, and intervention programs”;

25 (5) in subsection (e)—

1 (A) in paragraph (3), by striking “ensur-  
2 ing that families of the child” and all that fol-  
3 lows and inserting “ensuring that families of  
4 the child are provided comprehensive, con-  
5 sumer-oriented information about the full range  
6 of family support, training, information serv-  
7 ices, and language and communication options  
8 and are given the opportunity to consider and  
9 obtain the full range of such appropriate serv-  
10 ices, educational and program placements, and  
11 other options for their child from highly quali-  
12 fied providers.”; and

13 (B) in paragraph (6), by striking “, after  
14 rescreening,”; and  
15 (6) in subsection (f)—

16 (A) in paragraph (1), by striking “fiscal  
17 year 2002” and inserting “fiscal years 2010  
18 through 2015”;

19 (B) in paragraph (2), by striking “fiscal  
20 year 2002” and inserting “fiscal years 2010  
21 through 2015”; and

22 (C) in paragraph (3), by striking “fiscal  
23 year 2002” and inserting “fiscal years 2010  
24 through 2015”.

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11<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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