

# House Bill 2630

Sponsored by Representative SANCHEZ (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Office of Deaf and Hard-of-Hearing Education within Department of Education.

Provides that office is central agency for gathering data on deaf and hard-of-hearing children for purpose of improving educational outcomes.

## A BILL FOR AN ACT

1  
2 Relating to education; creating new provisions; and amending ORS 433.321.

3       Whereas the education of children who are deaf and hard of hearing presents unique challenges  
4 because deafness is a low-incidence disability significantly impacting a child's ability to access  
5 communication at home, at school and in the community; and

6       Whereas there have been numerous advances in technology as well as a growing awareness  
7 about the importance of delivering services to children in a variety of communication modalities to  
8 support their early and continued access to communication; now, therefore,

9 **Be It Enacted by the People of the State of Oregon:**

10       **SECTION 1. (1) For the purposes of improving educational services for deaf and hard-**  
11 **of-hearing children, the Office of Deaf and Hard-of-Hearing Education is established within**  
12 **the Department of Education. The office shall be responsible for gathering data on bilaterally**  
13 **and unilaterally deaf and hard-of-hearing children in this state.**

14       **(2) The office is the central agency in Oregon responsible for gathering data on deaf and**  
15 **hard-of-hearing children.**

16       **(3) The office shall gather data from school districts and education service districts on:**

17       **(a) Results of kindergarten readiness assessments used to assess the readiness of deaf**  
18 **and hard-of-hearing children.**

19       **(b) Results of tools or assessments used to assess the language and literacy development**  
20 **of deaf and hard-of-hearing children.**

21       **(c) Results of assessments used to track deaf and hard-of-hearing children's expressive**  
22 **and receptive language and cognitive abilities compared to the child's language age-**  
23 **appropriate peers who are not deaf or hard of hearing.**

24       **(d) Whether graduating deaf and hard-of-hearing children have received a high school**  
25 **diploma, a modified diploma or an extended diploma.**

26       **(4) The office shall collaborate with the Oregon Health Authority to develop informational**  
27 **materials regarding early intervention services available to families after a newborn hearing**  
28 **screening test detects hearing loss in a newborn child.**

29       **(5) The department shall gather the data described in subsection (3) of this section an-**  
30 **nually.**

31       **(6) The department shall provide technical assistance to school districts, public charter**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **schools and education service districts to enable the school districts, public charter schools**  
 2 **and education service districts to comply with the requirements of this section.**

3 **(7) The office shall incorporate the data and analysis gathered under this section to im-**  
 4 **prove educational outcomes for deaf and hard-of-hearing children.**

5 **(8) As used in this section, “children” means children zero through 20 years of age.**

6 **SECTION 2.** ORS 433.321 is amended to read:

7 433.321. (1) In all Oregon hospitals and birthing centers where more than 200 live births occur  
 8 per year, each newborn child must receive a newborn hearing screening test. A hospital or birthing  
 9 center shall attempt to conduct the test required under this subsection prior to the discharge of the  
 10 newborn child from the facility.

11 (2) All Oregon hospitals and birthing centers where fewer than 200 live births occur per year  
 12 shall provide the parent or guardian of a newborn child with the appropriate information furnished  
 13 by the Oregon Health Authority concerning the importance of newborn hearing screening tests.

14 (3) All Oregon hospitals and birthing centers conducting newborn hearing screening tests,  
 15 within 10 days of conducting a newborn hearing screening test, shall:

16 (a) Notify the parent or guardian and the health care provider of the newborn child of the test  
 17 results;

18 (b) Provide the parent or guardian with names and contact information for diagnostic facilities  
 19 that conduct newborn hearing screening tests in the community and with materials developed pur-  
 20 suant to ORS 433.298 **and section 1 of this 2019 Act**; and

21 (c) Report to the authority the results of the test for the newborn child and information identi-  
 22 fying the newborn child.

23 (4) A diagnostic facility conducting newborn hearing screening tests, within 10 days of con-  
 24 ducting a newborn hearing screening test, shall report to the authority the results of the test for  
 25 the newborn child and information identifying the newborn child. If a diagnostic facility conducting  
 26 newborn hearing screening tests detects hearing loss in a newborn child, the diagnostic facility shall  
 27 provide to the parent or guardian materials developed pursuant to ORS 433.298 **and section 1 of**  
 28 **this 2019 Act.**

29 (5) Each public and private educational institution that provides early intervention services as  
 30 defined in ORS 343.035 shall disclose to the authority information identifying the children referred  
 31 to the educational institution with diagnosed hearing loss and the enrollment status of the children.  
 32 The institution may disclose to the authority additional information regarding children with hearing  
 33 loss who are receiving early intervention services if the educational institution has obtained consent  
 34 to disclose the information.

35 (6) The authority, in collaboration with the Child Development and Rehabilitation Center of the  
 36 Oregon Health and Science University **and the Office of Deaf and Hard-of-Hearing Education,**  
 37 shall, on an annual basis, provide to all Oregon hospitals and birthing centers the following infor-  
 38 mation:

39 (a) A description of the responsibilities created by this section;

40 (b) A list of appropriate screening devices and descriptions of training protocols to ensure that  
 41 staff members are adequately trained in the use of hearing screening equipment;

42 (c) A list of diagnostic facilities that conduct newborn hearing screening tests;

43 (d) Using evidence-based best practice standards, a recommended schedule for conducting new-  
 44 born hearing screening tests, and for referring parents and guardians to health care providers for  
 45 the purpose of diagnosing whether the newborn child has congenital cytomegalovirus, within 21 days

1 of the newborn child's date of birth;

2 (e) A list of public and private educational institutions that provide early intervention services  
3 and a description of the geographic area served by each institution; and

4 (f) Other information related to newborn hearing screening tests that the authority deems ap-  
5 propriate.

6 (7) A hospital or birthing center described in subsection (1) of this section is exempt from pro-  
7 viding newborn hearing screening tests if the parent or guardian of the newborn child objects to the  
8 testing procedure on the grounds that the procedure conflicts with the religious tenets and practices  
9 of the parent or guardian. The parent or guardian must sign a statement that the newborn child  
10 is being reared in accordance with those religious tenets and practices.

11 (8) A newborn child may not be refused the procedure described in subsection (1) of this section  
12 because of an inability of the parent or guardian to pay for the procedure.

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