

HB 2685-3  
(LC 1226)  
2/21/25 (VSR/ps)

Requested by Representative PHAM H

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2685**

1 On page 2 of the printed bill, delete lines 32 through 35.

2 In line 36, delete “(d)” and insert “(c)”.

3 On page 3, line 2, delete “and after a newborn is discharged from the  
4 hospital or birth center”.

5 Delete lines 10 through 45.

6 On page 4, delete lines 1 through 35 and insert:

7 **“SECTION 2. ORS 433.321, as amended by section 1 of this 2025 Act, is**  
8 **amended to read:**

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

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

18 “(3) All Oregon hospitals and birthing centers conducting newborn hear-  
19 ing screening tests, within 10 days of conducting a newborn hearing screen-  
20 ing test, shall:

21 “(a) Notify the parent or guardian and the health care provider of the

1 newborn child of the test results;

2 “(b) Provide the parent or guardian with names and contact information  
3 for diagnostic facilities that conduct newborn hearing screening tests in the  
4 community and with materials developed pursuant to ORS 433.298; and

5 “(c) Report to the authority the results of the test for the newborn child  
6 and information identifying the newborn child.

7 “(4) A diagnostic facility conducting newborn hearing screening tests,  
8 within 10 days of conducting a newborn hearing screening test, shall report  
9 to the authority the results of the test for the newborn child and information  
10 identifying the newborn child. If a diagnostic facility conducting newborn  
11 hearing screening tests detects hearing loss in a newborn child, the diag-  
12 nostic facility shall provide to the parent or guardian materials developed  
13 pursuant to ORS 433.298.

14 “(5) Each public and private educational institution that provides early  
15 intervention services as defined in ORS 343.035 shall disclose to the author-  
16 ity information identifying the children referred to the educational institu-  
17 tion with diagnosed hearing loss and the enrollment status of the children.  
18 The institution may disclose to the authority additional information regard-  
19 ing children with hearing loss who are receiving early intervention services  
20 if the educational institution has obtained consent to disclose the informa-  
21 tion.

22 “(6) The authority shall, on an annual basis, provide to all Oregon hos-  
23 pitals and birthing centers the following information:

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

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

28 “(c) A list of diagnostic facilities that conduct newborn hearing screening  
29 tests;

30 “(d) Using evidence-based best practice standards, a recommended sched-

1   ule for conducting newborn hearing screening tests;

2       “[(e) *An expanded targeted screening protocol to identify newborns that*  
3   *should receive testing for cytomegalovirus within 14 days of birth and prior*  
4   *to discharge from the hospital or birthing center;*]

5       “[(f)] (e) A recommended protocol for infant and early childhood diag-  
6   nostic testing and care following a positive screening result for  
7   cytomegalovirus;

8       “[(g)] (f) A list of public and private educational institutions that provide  
9   early intervention services and a description of the geographic area served  
10  by each institution; and

11      “[(h)] (g) Other information related to newborn hearing screening tests  
12  or cytomegalovirus that the authority deems appropriate.

13      “[(7)(a) *If a newborn has a positive screening result for cytomegalovirus, the*  
14  *hospital or birthing center shall notify the parent or guardian and the health*  
15  *care provider of the newborn.*]

16      “[(b) *A health benefit plan, as defined in ORS 743B.005, shall provide*  
17  *payment, coverage or reimbursement for the cost of cytomegalovirus testing*  
18  *conducted in accordance with the expanded targeted screening protocol adopted*  
19  *by the authority under this section.*]

20      “[(c) *The authority shall adopt rules to establish the expanded targeted*  
21  *screening protocol for cytomegalovirus described in this section based on*  
22  *symptoms that could be attributed to cytomegalovirus, using evidence-based*  
23  *best practices and standards.*]

24      “[(8)(a) *Except as provided in paragraph (b) or (c) of this subsection, all*  
25  *hospitals and birthing centers shall comply with the screening protocol estab-*  
26  *lished by the department under subsection (7) of this section.*]

27      “[(b) *A hospital or birthing center is exempt from conducting newborn*  
28  *screening for cytomegalovirus under this section if the parent or guardian of*  
29  *the newborn objects to the testing in writing.*]

30      “[(c) *A hospital or birthing center in a health maintenance organization,*

1 *as defined in ORS 750.005, shall conduct newborn screening for*  
2 *cytomegalovirus under this section within 14 days of birth.]*

3 “[~~(9)~~] (7) A hospital or birthing center described in subsection (1) of this  
4 section is exempt from providing newborn hearing screening tests if the  
5 parent or guardian of the newborn child objects to the testing procedure on  
6 the grounds that the procedure conflicts with the religious tenets and prac-  
7 tices of the parent or guardian. The parent or guardian must sign a state-  
8 ment that the newborn child is being reared in accordance with those  
9 religious tenets and practices.

10 “[~~(10)~~] (8) A newborn child may not be refused the procedure described  
11 in subsection (1) of this section because of an inability of the parent or  
12 guardian to pay for the procedure.”.

13 On page 5, delete lines 23 through 28 and insert:

14 **“SECTION 5. No later than January 1, 2026, the Oregon Health**  
15 **Authority shall establish by rule the expanded targeted screening**  
16 **protocol for cytomegalovirus described in ORS 433.321 (7)(c), as**  
17 **amended by section 1 of this 2025 Act.”.**

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