

CHAPTER 3
EARLY HEARING DETECTION AND INTERVENTION (EHDI) PROGRAM

EARLY HEARING DETECTION AND INTERVENTION (EHDI) PROGRAM

641—3.1(135) Definitions. For the purposes of this chapter, the following definitions will apply:

“Applicant” means a child for whom assistance under this program is being requested.

“Area education agency” or *“AEA”* means an intermediate educational unit created by Iowa Code chapter 273.

“Audiologist” means a person licensed pursuant to Iowa Code chapter 147 or certified by the Iowa board of educational examiners pursuant to 282—15.3(272) or a person appropriately licensed in the state where the person practices.

“Audiology assistant” means a person who works under the supervision of an Iowa-licensed speech pathologist or audiologist, does not meet the requirements to be licensed as a speech pathologist or audiologist, and meets the minimum requirements set forth in 645—Chapter 300.

“Audiometrist” means a technician who has received special training in the use of pure-tone audiometry equipment. An audiometrist conducts the hearing tests selected and interpreted by an audiologist, who supervises the process.

“Birth center” means *“birth center”* as defined in Iowa Code section 135.61.

“Birthing hospital” means a private or public hospital licensed pursuant to Iowa Code chapter 135B that has a licensed obstetric unit or is licensed to provide obstetric services.

“Congenital cytomegalovirus” or *“cCMV”* means an infection where cytomegalovirus is transmitted to the fetus in the prenatal period.

“Contractor” means the entity selected by the department to act as third-party administrator for claims payment related to hearing aids and audiologic services for children.

“Cytomegalovirus” or *“CMV”* means a kind of herpes virus that usually produces very mild symptoms in an infected person but may cause severe neurological damage in a person with a weakened immune system and in a newborn.

“Department” means the Iowa department of public health.

“Diagnostic audiologic assessment” means physiologic or behavioral procedures completed by an audiologist to evaluate and diagnose hearing loss.

“Discharge” means a release from a birthing hospital to the parent or legal guardian of the child.

“Early ACCESS” means Iowa’s Individuals with Disabilities Education Act (IDEA), Part C, program for infants and toddlers. It is a statewide, comprehensive, interagency system of integrated early intervention services that supports eligible children and their families as defined in 281—Chapter 120.

“Early hearing detection and intervention advisory committee” or *“EHDI advisory committee”* means the committee appointed by the department to advise the director of the department regarding issues related to hearing health care for children and to make recommendations about the design and implementation of the early hearing detection and intervention program.

“Guardian” means a person who is not the parent of a minor child, but who has legal authority to make decisions regarding life or program issues for the child. A guardian may be a court or a juvenile court. “Guardian” does not mean conservator, as defined in Iowa Code section 633.3, although a person who is appointed to be a guardian may also be appointed to be a conservator.

“Health care professional” means a licensed physician, nurse practitioner, physician assistant, certified midwife, registered nurse, licensed practical nurse, patient care technician, certified nursing assistant, licensed audiologist, audiology assistant, audiometrist, hearing aid specialist, speech-language pathologist or other licensed or certified professional for whom hearing screening is within the professional’s scope of practice.

“Hearing loss” means a permanent unilateral or bilateral hearing loss of greater than 30 dB HL in the frequency region important for speech recognition (500-4000 Hz).

“*Hearing screening*” means a physiological measurement of hearing of a newborn or infant with a “pass” or “refer” result. Screening is used to determine the newborn’s or infant’s need for further testing and must be performed bilaterally, when applicable.

“*Initial screening*” or “*newborn hearing screening*” means a screening performed in a birthing hospital, birth center or facility other than a birthing hospital within the first month of life.

“*Newborn hearing screening*” means a physiological test to separate those newborns with normal hearing from those newborns who may have hearing thresholds of greater than 30 dB HL in either ear in the frequency region important for speech recognition (500-4000 Hz).

“*Normal hearing*” means hearing thresholds in both ears of 30 dB HL or less in the frequency region important for speech recognition (500-4000 Hz).

“*Parent*” means:

1. A biological or adoptive parent of a child;
2. A guardian, but not the state if the child is a ward of the state;
3. A person acting in the place of a parent, such as a grandparent or stepparent with whom a child lives, or a person who is legally responsible for the child’s welfare;
4. A surrogate parent who has been assigned in accordance with 281—120.68(34CFR303); or
5. A foster parent, if:
 - A biological parent’s authority to make the decisions required of parents under state law has been terminated; and
 - The foster parent has an ongoing, long-term parental relationship with the child; is willing to make the decisions required of a parent; and has no interest that would conflict with the interests of the child.

“*Physician*” means an individual licensed under Iowa Code chapter 148, 150, or 150A.

“*Primary care provider*” means a licensed physician, nurse practitioner, physician assistant or certified midwife who undertakes primary pediatric care responsibility for an infant or child to provide ongoing medical care and referrals to promote overall health and well-being.

“*Protocol*” means a document which guides decision making and provides the criteria to be used regarding screening, diagnosis, management, and treatment of children related to hearing health care. Early hearing detection and intervention protocols not otherwise specified in this chapter are available on the department’s website at www.idph.iowa.gov.

“*Provider*” means a licensed audiologist, otolaryngologist or hearing aid specialist who agrees to provide hearing aids or audiologic services to eligible patients.

“*Rescreen*” means a newborn hearing screening performed after two weeks of age on an infant who did not pass the initial screening.

“*Resident*” means an individual who is a legal resident of the state of Iowa.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16; ARC 3745C, IAB 4/11/18, effective 5/16/18]

641—3.2(135) Purpose. The overall purpose of this chapter is to establish administrative rules in accordance with Iowa Code section 135.131 relative to the following:

1. Universal hearing screening of all newborns and infants in Iowa.
2. Facilitating the transfer of data to the department to enhance the capacity of agencies and practitioners to provide services to children and their families.
3. Establishing procedures for infants who were not screened or do not pass their initial hearing screening to receive appropriate follow-up to determine if the infants have normal hearing or have hearing loss.
4. Establishing the procedure for distribution of funds to support the purchase of hearing aids and audiologic services for children.
5. Establishing the procedure for documentation of parent refusal of newborn testing for congenital cytomegalovirus.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16; ARC 3745C, IAB 4/11/18, effective 5/16/18]

641—3.3(135) Goal and outcomes. The goal of universal hearing screening of all newborns and infants in Iowa is early detection of hearing loss to allow children and their families the earliest possible opportunity to obtain appropriate early intervention services.
[ARC 8232B, IAB 10/7/09, effective 11/11/09]

641—3.4(135) Program components.

3.4(1) The EHDI coordinator assigned within the department provides administrative oversight, including follow-up activities, for the EHDI program within Iowa.

3.4(2) The EHDI advisory committee represents the interests of the people of Iowa and assists in the development of programming that ensures the availability and access to quality hearing health care for Iowa children.

3.4(3) The EHDI program has an association with the Iowa Title V maternal and child health programs to promote comprehensive services for infants and children with special health care needs.

3.4(4) The EHDI program provides hearing screening surveillance and follow-up for infants and children under the age of three. Follow-up may include:

a. Contact with the parent or legal guardian of an infant who was not screened or does not pass the initial hearing screening, outpatient hearing screening or diagnostic audiologic assessment.

b. Contact with the infant's primary care provider to ensure the infant receives appropriate follow-up no later than the recommended time line as outlined in the Joint Committee on Infant Hearing position statement at www.jcih.org.

c. Contact with the birthing hospital or health care professional for inquiries on missing results, data entry discrepancies and recommendations for additional referrals.

d. Referrals to family support or early intervention service providers for infants or toddlers diagnosed with a hearing loss.

e. Technical assistance to birthing facilities, primary care providers and health care professionals regarding best practices related to newborn hearing screening, diagnosis and follow-up best practices.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.5(135) Screening the hearing of all newborns. All newborns and infants born in Iowa, except those born with a condition that is incompatible with life, shall be screened for hearing loss. The person required to perform the screening shall use at least one of the following procedures:

1. Automated or screening auditory brainstem response, or

2. Evoked otoacoustic emissions.

[ARC 8232B, IAB 10/7/09, effective 11/11/09]

641—3.6(135) Procedures required of birthing hospitals. Each birthing hospital in Iowa shall follow these procedures:

3.6(1) Each birthing hospital shall designate an employee of the hospital to be responsible for the newborn hearing screening program in that institution. If a birthing hospital contracts with a third party for newborn screening services, the hospital retains ultimate responsibility for screening and reporting.

3.6(2) Prior to the discharge of the newborn, each birthing hospital shall provide hearing screening to every newborn delivered in the hospital, except in the following circumstances:

a. The newborn is transferred for acute care prior to completion of the hearing screening.

b. The newborn is born with a condition that is incompatible with life.

3.6(3) If a newborn is transferred for acute care, the birthing hospital shall notify the receiving facility of the status of the hearing screening. The receiving facility shall then be responsible for completion of the newborn hearing screening prior to discharge of the newborn from the nursery.

3.6(4) Newborn hearing screening shall be performed by a health care professional.

3.6(5) The birthing hospital shall report newborn hearing screening results to the parent or guardian in written form.

3.6(6) The birthing hospital shall report newborn hearing screening results to the department pursuant to 641—3.9(135).

3.6(7) The birthing hospital shall report the results of the hearing screening to the primary care provider of the newborn or infant upon the newborn's or infant's discharge from the birthing hospital. If the newborn or infant was not tested prior to discharge, the birthing hospital shall report the status of the hearing screening to the primary care provider of the newborn or infant.

3.6(8) The birthing hospital shall follow the hearing screening protocols prescribed by the department.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.7(135) Procedures required of birth centers. Each birth center in Iowa shall follow these procedures:

3.7(1) Each birth center shall designate an employee of the birth center to be responsible for the newborn hearing screening program in that institution.

3.7(2) Prior to discharge of the newborn, each birth center shall refer every newborn delivered in the birth center to a health care professional for a newborn hearing screening. Before discharge of the newborn, the birth center shall arrange an appointment for the newborn hearing screening no more than 15 days from the date of discharge and report the appointment time, date and location to the parent.

3.7(3) The health care professional to whom the newborn is referred for screening shall complete the screening within 30 days of the newborn's discharge from the birth center, unless the parent fails to attend the appointment. If the parent fails to attend the appointment, the health care professional shall document such failure in the medical or educational record and shall report such failure to the department.

3.7(4) The health care professional who completes the newborn hearing screening shall report screening results to the parent in written form.

3.7(5) The health care professional who completes the newborn hearing screening shall report screening results to the department pursuant to 641—3.9(135).

3.7(6) The health care professional who completes the newborn hearing screening shall report the results of the hearing screening to the primary care provider of the newborn or infant.

3.7(7) The person who completes the screening shall follow the hearing screening protocols prescribed by the department.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.8(135) Procedures to ensure that children born in locations other than a birth center or birthing hospital receive a hearing screening.

3.8(1) The primary care provider who undertakes primary pediatric care of a newborn delivered in a location other than a birthing hospital or birth center shall refer the newborn to a health care professional for completion of the newborn hearing screening no later than one month of age. The health care professional shall arrange an appointment for the newborn hearing screening and report to the parent the appointment time, date, and location.

3.8(2) The health care professional who completes the newborn hearing screening shall report screening results to the parent in written form.

3.8(3) The health care professional who completes the newborn hearing screening shall report screening results to the department pursuant to 641—3.9(135). If the parent fails to attend the appointment, the facility shall document such failure in the medical or educational record and shall report such failure to the department.

3.8(4) The health care professional who completes the newborn hearing screening shall report the results of the hearing screening to the primary care provider of the newborn or infant.

3.8(5) The person who completes the newborn hearing screening shall follow the hearing screening protocols prescribed by the department.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.9(135) Reporting hearing screening results and information to the department and child's primary care provider. Any birthing hospital, birth center, physician, audiologist or other health care professional required to report information pursuant to Iowa Code section 135.131 shall report all of the following information to the department relating to each newborn's hearing screening within six

working days of the birth of the newborn and within six working days of any hearing rescreen, utilizing the department's designated reporting system.

3.9(1) The name, date of birth, and gender of the newborn.

3.9(2) The name, address, and telephone number, if available, of the mother of the newborn. If the mother is not the person designated as legally responsible for the child's care, the name, address, and telephone number of the parent, as defined in 641—3.1(135), shall be reported.

3.9(3) The name of the primary care provider for the newborn upon the newborn's discharge from the birthing hospital or birth center.

3.9(4) The results of the newborn hearing screening, either "pass," "refer," or "not screened," for each ear separately.

3.9(5) The results of any rescreening, either "pass" or "refer," and the diagnostic audiologic assessment procedures used for each ear separately.

3.9(6) Known risk indicators for hearing loss of the infant or child.

3.9(7) If the parent fails to attend the appointment, the facility shall document such failure in the medical or educational record and shall report such failure to the department.

3.9(8) The person who completes the newborn hearing screening shall report the results of the hearing screening to the primary care provider of the infant or child.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.10(135) Conducting and reporting screening results and diagnostic audiologic assessments to the department and child's primary care provider. Any health care professional conducting newborn hearing screens, rescreens, or diagnostic audiologic assessments shall report the results within six working days for any child under three years of age to the department utilizing the department's designated reporting system. The health care professional shall conduct the diagnostic hearing assessment in accordance with the Pediatric Audiologic Diagnostic Protocol prescribed by the department at www.idph.iowa.gov. Results of a hearing screen, rescreen or diagnostic audiologic assessment shall be reported as follows.

3.10(1) Reports shall include:

- a. The name, date of birth, and gender of the child.
- b. The name, address, and telephone number, if available, of the mother of the child. If the mother is not the person designated as legally responsible for the child's care, the name, address, and telephone number of the parent, as defined in 641—3.1(135), shall be reported.
- c. The name of the primary care provider for the child.
- d. Known risk indicators for hearing loss.
- e. The date the child is fit with a hearing aid(s) or a cochlear implant(s), if applicable.
- f. The date of referral to early intervention, if applicable.
- g. The date of referral to family support, if applicable.

3.10(2) Results of the newborn hearing screening shall be reported as either "pass" or "refer" for each ear separately.

3.10(3) Results of the hearing rescreen shall be reported as either "pass" or "refer" for each ear separately.

3.10(4) If an assessment results in a diagnosis of normal hearing for both ears, this shall be reported.

3.10(5) Any diagnosis of hearing loss shall also be reported except for transient conductive hearing loss lasting for less than 90 days in the professional judgment of the practitioner. This exception will apply only if the child passed the initial hearing screening or rescreening or had a diagnostic assessment resulting in normal hearing for both ears.

3.10(6) Diagnostic audiologic assessment results shall include a statement of the severity (mild, moderate, moderately severe, severe, profound, or undetermined) and type (sensorineural, conductive, mixed, or undetermined) of hearing loss.

3.10(7) Any health care professional conducting newborn hearing screens, rescreens, or diagnostic audiologic assessments shall report the results to the primary care provider of the infant or child.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.11(135) Congenital cytomegalovirus (cCMV) testing for newborns who do not pass the initial newborn hearing screening. If the newborn hearing screen indicates potential hearing loss, as evidenced when a newborn does not pass the initial newborn hearing screening, the birthing hospital, birth center, physician, or other health care professional required to ensure that the hearing screening is performed shall do the following:

3.11(1) Test the newborn or ensure that the newborn is tested for cCMV before the newborn is 21 days of age.

3.11(2) Provide information to the parent of the newborn regarding the birth defects caused by cCMV and early intervention and treatment resources and services available for children diagnosed with cCMV.

3.11(3) If a parent objects to the testing, follow the procedures in 641—3.13(135).

This rule is intended to implement Iowa Code sections 135.131(9) “a” and 136A.5B.

[ARC 3745C, IAB 4/11/18, effective 5/16/18]

641—3.12(135) Sharing of information and confidentiality. Reports, records, and other information collected by or provided to the department relating to a child’s newborn hearing screening, rescreen, diagnostic audiologic assessment, and early intervention enrollment are confidential records pursuant to Iowa Code section 22.7.

3.12(1) Personnel of the department shall maintain the confidentiality of all information and records used in the review and analysis of newborn hearing screenings, rescreens, diagnostic audiologic assessments, and early intervention enrollment, including information which is confidential under Iowa Code chapter 22 or any other provisions of state law.

3.12(2) No individual or organization providing information to the department in accordance with this rule shall be deemed to be or held liable for divulging confidential information.

3.12(3) The department shall not release confidential information except to the following persons and entities under the following conditions:

a. The parent or guardian of an infant or child for whom the report is made.

b. A local birth-to-three coordinator with the Early ACCESS program or an agency under contract with the department to administer the children with special health care needs program.

c. A health care professional or primary care provider.

d. A representative of a federal or state agency, to the extent that the information is necessary to perform a legally authorized function of that agency.

e. A representative of a state agency, or an entity bound by that state, to the extent that the information is necessary to perform newborn hearing screening follow-up. The state agency or the entity bound by that state shall be subject to confidentiality regulations that are the same as or more stringent than those in the state of Iowa. The state agency or the entity bound by that state shall not use the information obtained from the department to market services to patients or nonpatients or identify patients for any purposes other than those expressly provided in this rule.

3.12(4) Research purposes. All proposals for research using the department’s data to be conducted by persons other than program staff shall first be submitted to and accepted by the researchers’ institutional review board. Proposals shall then be reviewed and approved by the department before research can commence.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16; ARC 3745C, IAB 4/11/18, effective 5/16/18]

641—3.13(135) Procedure to accommodate parental objection. These rules shall not apply if the parent objects to the hearing screening, diagnostic audiologic assessment, or cCMV testing.

3.13(1) If a parent objects to the screening, the birthing hospital, birth center, physician, or other health care professional shall obtain a written refusal from the parent or guardian on the department newborn hearing screening or diagnostic audiologic assessment refusal form and shall maintain the original copy of the written refusal in the newborn’s, infant’s or child’s medical record.

3.13(2) The birthing hospital, birth center, physician, or other health care professional shall send a copy of the written newborn hearing screening or diagnostic audiologic assessment refusal form to the department within six days of the birth of the newborn.

3.13(3) If a parent objects to a hearing rescreen or diagnostic audiologic assessment orally to a department EHDI staff member during follow-up, the staff member shall document the refusal in the department's designated reporting system and mail to the parent or guardian the department newborn hearing screening or diagnostic audiologic assessment refusal form in an attempt to obtain a written refusal to be maintained in the newborn's, infant's or child's medical record.

3.13(4) If a parent objects to cCMV testing, the birthing hospital, birth center, physician, or other health care professional required to ensure cCMV testing shall obtain, on the department cCMV testing refusal form, a written refusal from the parent or guardian, shall maintain the original copy of the written refusal in the child's medical record, and shall send a copy of the written refusal to the department within 21 days of the child's birth.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16; ARC 3745C, IAB 4/11/18, effective 5/16/18]

641—3.14(135) Civil/criminal liability. A person who acts in good faith in complying with these rules shall not be held civilly or criminally liable for reporting the information required.

[ARC 8232B, IAB 10/7/09, effective 11/11/09]

641—3.15(135) Early hearing detection and intervention advisory committee.

3.15(1) Membership. The membership of the advisory committee shall be geographically representative of stakeholders with an interest in and concern for newborn hearing screening and follow-up. The advisory committee shall be appointed by the department director and consist of no more than 25 members and include the state EHDI coordinator. The EHDI coordinator will assist in facilitation of committee meetings. Membership will include a minimum of one representative from each of the following areas:

- a. Advocate (e.g., office of deaf services).
- b. Audiology.
- c. Children with special health care needs program.
- d. Deaf/hard-of-hearing community.
- e. Early intervention services.
- f. Ears, nose and throat specialist/otolaryngologists.
- g. Family support.
- h. Iowa Hospital Association or designee.
- i. Hospitals (preferably hearing screening coordinator).
- j. Parent(s) of deaf or hard-of-hearing child.
- k. Family practice physician.
- l. Pediatrician.
- m. Representation from a state agency that is not the department.

3.15(2) Meetings. The committee shall meet three times per year. Location and times will be prescribed by the department.

3.15(3) Voting. The committee will make its recommendations by consensus. In the event that consensus cannot be reached within a reasonable time frame, there will be a majority rule, as in a simple majority of those present or more than 50 percent. At least 50 percent of the members must be present.

3.15(4) Service, vacancies and attendance.

a. Each committee member is appointed to serve a term of three years. Members may serve longer at the request of the department director unless their absence at meetings exceeds that permitted by the attendance policy. Terms for existing members will begin at the first of the year or as positions vacate. The term for a new member replacing a member before the member's term is up will begin when the vacancy is filled.

b. Vacancies will be filled within six months. The term will begin when the vacancy is filled. The EHDI coordinator will work with advisory committee members, EHDI program staff and associations to identify new members. Names and short biographies will be given to the department director to make a final determination for committee member vacancies.

c. Committee members are expected to be present in person for advisory committee meetings with the exception of extenuating circumstances that have been communicated to the state EHDI coordinator. Any member who cannot attend the scheduled meetings should notify the state EHDI coordinator at least 24 hours prior to the start of the regularly scheduled meeting. If there are extenuating circumstances and a member can send a representative, the member is encouraged to do so. Appointed members may be recommended for dismissal from the committee if the members miss more than two meetings per year. [ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.16 Reserved

HEARING AIDS AND AUDIOLOGIC SERVICES FUNDING PROGRAM

641—3.17(83GA, HF811) Eligibility criteria. The enrollment process to determine eligibility for services under this program includes the following requirements:

3.17(1) Age. Individuals are eligible from birth through 20 years of age.

3.17(2) Residency. Individuals must currently reside in Iowa.

3.17(3) The applicant must not be eligible for hearing aids or audiologic services under Title XIX or HAWK-I.

[ARC 8232B, IAB 10/7/09, effective 11/11/09]

641—3.18(83GA, HF811) Covered services.

3.18(1) Funding does not cover either the surgical costs associated with a cochlear or Baha implant or the cost of the devices.

3.18(2) Funding does not pay for services covered by insurance.

3.18(3) The following hearing aids and audiologic services may be provided through the hearing aids and audiologic services funding program:

1. Repair/modification of hearing aid
2. Hearing aid, monaural, behind the ear
3. Hearing aid dispensing fee, monaural
4. Hearing aid, binaural, in the ear
5. Hearing aid, binaural, behind the ear
6. Hearing aid dispensing fee, binaural
7. Hearing aid, bicros, glasses
8. Ear mold/insert, not disposable, any type
9. Battery for use in hearing aid
10. Hearing aid supplies, accessories
11. Assistive listening device, not otherwise specified
12. Assistive listening device, dispensing
13. Service handling charge
14. Service charge, ear mold
15. Annual charge, ear mold
16. Pure tone audiometry, air only
17. Pure tone audiometry, air and speech audiometry threshold
18. Speech audiometry threshold
19. Speech audiometry threshold with speech
20. Comprehensive audiometry threshold evaluation
21. Tympanometry (impedance testing)
22. Conditioning play audiometry
23. Auditory-evoked potentials for evoked response audiometry, comprehensive
24. Auditory-evoked potentials for evoked response audiometry, limited
25. Visual reinforcement audiometry
26. Evoked otoacoustic emissions, limited
27. Hearing aid examination and selection, monaural

28. Hearing aid examination and selection, binaural
29. Hearing aid check, monaural
30. Hearing aid check, binaural
31. Electroacoustic evaluation for hearing aid, monaural
32. Electroacoustic evaluation for hearing aid, binaural
33. Office/outpatient visit related to audiologic services
34. Consultations related to audiologic services

3.18(4) The department may elect to cover additional services not otherwise restricted in these rules.
[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.19(83GA, HF811) Application procedures.

3.19(1) A child, or the parent or guardian of a child, desiring hearing aids or audiologic services may apply to the contractor.

3.19(2) The following information shall be provided to the contractor by the applicant to be considered for eligibility under this program:

- a. Patient's first name, middle initial and last name.
- b. Patient's date of birth.
- c. Patient's address, including city, state and ZIP code.
- d. Parent/guardian's first name, middle initial and last name.
- e. Parent/guardian's telephone number.
- f. Parent/guardian's email address.
- g. Parent/guardian's or child's medical insurance plan coverage.
- h. Hearing aid/audiologic service provider name and telephone number.
- i. Whether the request is for hearing aids or audiologic services or both.
- j. Estimated service costs.

3.19(3) Applicants will be enrolled in the program on a first-come, first-served basis upon the date the application is received by the contractor.

3.19(4) The contractor will provide written notification to the applicant regarding determination of eligibility or noneligibility and the applicant's right to appeal a denial. For those applicants deemed eligible, an enrollee number will be assigned by the contractor.

3.19(5) An applicant must submit a renewal application form on an annual basis, accompanied by all information requested by the department.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.20(83GA, HF811) Hearing aids and audiologic services funding wait list.

3.20(1) If an applicant is eligible for hearing aid and audiologic services funding and sufficient funds are available to provide services to the applicant, the contractor shall enroll the applicant upon approval by the department. If the applicant is eligible for hearing aid and audiologic services funding and sufficient funds are not available to provide services to the applicant, the contractor upon approval by the department shall place the applicant's name on the hearing aid and audiologic services funding wait list in the order provided for in this rule.

3.20(2) The contractor, upon approval by the department, shall place names on the wait list in the following order:

- a. Applicants under the age of three diagnosed with a hearing loss who are in need of hearing aids.
- b. Applicants in need of hearing aids or audiologic services.
- c. All other applicants, who shall be placed on the wait list in chronological order based upon the date of receipt of a completed application by the contractor upon approval by the department.

[ARC 8232B, IAB 10/7/09, effective 11/11/09]

641—3.21(83GA, HF811) Reimbursement of providers.

3.21(1) To receive reimbursement for hearing aids and audiologic services, the provider must complete a provider information sheet and I-9 form provided by the department.

3.21(2) The provider must be a Title XIX provider.

3.21(3) Reimbursement of hearing aids and audiologic services will be paid directly to the provider based on Title XIX reimbursement rates.

- a. Bills will be adjusted accordingly by the department prior to payment.
- b. Reimbursement for hearing aids or supplemental hearing devices includes the costs of shipping and handling.

3.21(4) Hearing aids and audiologic services funding shall be the payor of last resort.

3.21(5) Payment through this funding source is considered payment in full for covered services. If a third party liability (TPL) payment equals or exceeds the Title XIX allowance, no further reimbursement is provided.

3.21(6) The provider shall submit bills after an enrollee number is assigned to the applicant and the audiologic service is provided or hearing aid is fitted.

3.21(7) The provider shall submit the following documents:

- a. Centers for Medicare and Medicaid Services Form CMS 1500. Forms will be furnished by the providers and will include the applicant's enrollee number in the upper right-hand corner of the form.
- b. Manufacturer's invoice for hearing devices as prescribed by the department.
- c. Applicant's explanation of benefits or documentation of a telephone contact made by the provider to the patient's private insurance company including: date of contact, name of insurance representative, name of insurance company, applicant's policy number and coverage limitations for hearing evaluations and devices.

[ARC 8232B, IAB 10/7/09, effective 11/11/09; ARC 2290C, IAB 12/9/15, effective 1/13/16]

641—3.22(83GA, HF811) Appeals. The department shall cause an applicant to be notified of the department's decision to approve or deny an application or to place an applicant on the child hearing aids and audiologic services wait list. In the event an applicant is dissatisfied with the department's decision, the applicant may submit a formal appeal in writing to the EHDI advisory committee. Such request shall be delivered in person or shall be mailed by certified mail, return receipt requested, to EHDI Advisory Committee, Iowa Department of Public Health, Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319. Upon receipt of such an appeal, the EHDI advisory committee shall review the case and issue a written determination within 15 days of receipt of the request. The decision shall refer to the applicant by initials or other nonidentifying means. The EHDI advisory committee's decision shall be final and binding. This appeal process does not constitute a contested case proceeding as defined in Iowa Code chapter 17A.

[ARC 8232B, IAB 10/7/09, effective 11/11/09]

These rules are intended to implement Iowa Code section 135.131 as amended by 2009 Iowa Acts, House File 314, division II, and 2009 Iowa Acts, House File 811, division IV, section 60(2) "c."

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[Filed ARC 3745C (Notice ARC 3519C, IAB 12/20/17), IAB 4/11/18, effective 5/16/18]

Appendix A
Pediatric Audiologic Diagnostic Protocol
Rescinded IAB 12/9/15, effective 1/13/16