

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1198
OFFERED BY MRS. CAPPS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Early Hearing Detec-
3 tion and Intervention Act of 2008”.

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

1 of qualified personnel and health care pro-
2 viders,”;

3 (B) by amending paragraph (1) to read as
4 follows:

5 “(1) To develop and monitor the efficacy of
6 statewide programs and systems for hearing screen-
7 ing of newborns and infants; prompt evaluation and
8 diagnosis of children referred from screening pro-
9 grams; and appropriate educational, audiological,
10 and medical interventions for children identified with
11 hearing loss. Early intervention includes referral to
12 and delivery of information and services by schools
13 and agencies, including community, consumer, and
14 parent-based agencies and organizations and other
15 programs mandated by part C of the Individuals
16 with Disabilities Education Act, which offer pro-
17 grams specifically designed to meet the unique lan-
18 guage and communication needs of deaf and hard of
19 hearing newborns, infants, toddlers, and children.
20 Programs and systems under this paragraph shall
21 establish and foster family-to-family support mecha-
22 nisms that are critical in the first months after a
23 child is identified with hearing loss.”; and

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

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

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

11 (3) in subsection (b)—

12 (A) in paragraph (1)(A), by striking
13 “hearing loss screening, evaluation, and inter-
14 vention programs” and inserting “hearing loss
15 screening, evaluation, diagnosis, and interven-
16 tion programs”; and

17 (B) in paragraph (2)—

18 (i) by striking “for purposes of this
19 section, continue” and insert the following:
20 “for purposes of this section—
21 “(A) continue”;

22 (ii) by striking the period at the end
23 and inserting “; and”; and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(B) establish a postdoctoral fellowship
2 program to foster research and development in
3 the area of early hearing detection and inter-
4 vention.”;

5 (4) in paragraphs (2) and (3) of subsection (c),
6 by striking the term “hearing screening, evaluation
7 and intervention programs” each place such term
8 appears and inserting “hearing screening, evalua-
9 tion, diagnosis, and intervention programs”;

10 (5) in subsection (e)—

11 (A) in paragraph (3), by striking “ensur-
12 ing that families of the child” and all that fol-
13 lows and inserting “ensuring that families of
14 the child are provided comprehensive, con-
15 sumer-oriented information about the full range
16 of family support, training, information serv-
17 ices, and language and communication options
18 and are given the opportunity to consider and
19 obtain the full range of such appropriate serv-
20 ices, educational and program placements, and
21 other options for their child from highly quali-
22 fied providers.”; and

23 (B) in paragraph (6), by striking “, after
24 rescreening,”; and

25 (6) in subsection (f)—

1 (A) in paragraph (1), by striking “fiscal
2 year 2002” and inserting “fiscal years 2009
3 through 2014”;

4 (B) in paragraph (2), by striking “fiscal
5 year 2002” and inserting “fiscal years 2009
6 through 2014”; and

7 (C) in paragraph (3), by striking “fiscal
8 year 2002” and inserting “fiscal years 2009
9 through 2014”.