

**3701-40-01 Definitions.**

As used in this chapter of the Administrative Code:

- (A) "Address," in the case of an individual, means the individual's residence and, in the case of a government agency, means the office at which the records pertaining to a particular child are maintained.
- (B) "Attending physician" means the newborn's or infant's primary care physician who will provide care for the newborn or infant after discharge. If there is no known primary care physician, the physician treating the infant or newborn while the newborn or infant is in the hospital will be deemed the attending physician.
- (C) "Audiologist" means an individual authorized under the section 4753.07 of the Revised Code to practice audiology.
- (D) "Birth clerk" means an integrated perinatal health information system (IPHIS) user with the ability to enter data to create birth records.
- (E) "Board of health" means the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code.
- (F) "Certified nurse-midwife" means a registered nurse who holds a valid certificate of authority issued under Chapter 4723 of the Revised Code that authorizes the practice of nursing as a certified nurse-midwife in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.
- (G) "Certified nurse practitioner" means a registered nurse who holds a valid certificate of authority issued under Chapter 4723 of the Revised Code that authorizes the practice of nursing as a certified nurse practitioner in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.
- (H) "Custodian" means a government agency, or an individual, other than a parent or guardian, with legal or permanent custody of a child as defined in section 2151.011 of the Revised Code.
- (I) "Department" means the Ohio department of health.
- (J) "Diagnostic hearing evaluation" means evaluation through the use of a battery of pediatric audiology test procedures by an audiologist.
- (K) "Director" means the director of health in the state of Ohio or person designated by the director of health.
- (L) "Discharge" means the release of a patient from a hospital or freestanding birthing center to a non-institutional setting.
- (M) "Freestanding birthing center" has the same meaning as the term is defined in section 3702.51 of the Revised Code.
- (N) "Filed" means received by the director.
- (O) "Guardian" has the same meaning as the term is defined in section 2111.01 of the

Revised Code.

- (P) "Healthcare facility" means any of the following:
- (1) A hospital that is registered under section 3701.07 of the Revised Code;
  - (2) A free standing birthing center as defined in section 3702.51 of the Revised Code; or
  - (3) A building, office, clinic, or other location in which a physician or an audiologist is licensed to practice in Ohio and provides hearing evaluations.
- (Q) "Hearing clerk" means an integrated perinatal health information systems (IPHIS) user with the ability to enter data on the hearing screening tab.
- (R) "Hearing loss" refers to a permanent loss of hearing in one or both ears in the frequency region important for speech recognition and comprehension.
- (S) "Hearing screening" means the use of a physiologic test in each ear to identify newborns and infants who may have hearing loss.
- (T) "Hospital" means an institution classified and registered as a hospital under section 3701.07 of the Revised Code that has a maternity unit or newborn nursery.
- (U) "In collaboration with a physician or audiologist" means a formal arrangement between the individual conducting the screening and the physician or audiologist responsible for the oversight of the facility's hearing screening program. The formal arrangement must provide that the physician or audiologist is continuously available to communicate with the individual conducting the screening.
- (V) "Infant" means a child who is at least thirty days but less than twenty-four months old.
- (W) "Maternity unit" means any unit or place in a hospital where women are regularly received and provided care during all or part of the maternity cycle, except that "maternity unit" does not include an emergency department or similar place dedicated to providing emergency health care.
- (X) "Medical home" means the primary care team led by a physician managing health care delivery for patients with the goal of maximizing health outcomes.
- (Y) "Newborn" means a child who is less than thirty days old.
- (Z) "NICU" means neonatal intensive care unit" and is a facility in which a neonatologist provides primary care for the infant.
- (AA) "Non pass result (Refer)" means the newborn did not pass the hearing screening in the test ear at the time of screening and requires follow up.
- (BB) "Nursery" means any area, including an individual patient room, in a hospital or freestanding birthing center where a newborn or infant is housed prior to being discharged into the custody of his or her parent, guardian, or custodian other than for transport to another hospital. Nurseries are divided into three categories:
- (1) Level I Nursery: a unit that provides basic, well-infant care.

- (2) Level II Nursery: a unit that provides specialty care by a neonatologist.
- (3) Level III Nursery: a unit that provides both specialty and subspecialty care including the provision of life support.
- (CC) "Parent" means either parent, unless the parents are separated or divorced or their marriage has been dissolved or annulled, in which case "parent" means the parent who is the residential parent and legal custodian.
- (DD) "Pass result" means the newborn did pass the hearing screening in the test ear at the time of screening and does not require follow up; but is likely to demonstrate a low risk for hearing loss.
- (EE) "Patient-identifying information" means individually identifiable information relating to the past, present or future physical or mental health or condition of an individual, provision of health care to an individual, or the past, present or future payment for health care provided to an individual.
- (FF) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.
- (GG) "Physiological screening" means a screening method that can detect a response to acoustic stimulation from the cochlea or the brainstem.
- (HH) "Provider" means the hospital or freestanding birthing facility that provided a hearing screening under rule 3701-40-02 of this Administrative Code.
- (II) "Recommendations from the joint committee on infant hearing" means the year 2007 position statement: "Principles and Guidelines for Early Hearing Detection and Intervention Programs," as published in Pediatrics, volume 120, number 4, October 2007, pages 898-921. The web link is <http://pediatrics.aappublications.org/content/120/4/898.full>.
- (JJ) "Regional infant hearing program" means a regional program that is funded by the Ohio department of health, to provide statewide coverage for follow along and tracking of newborns or infants who do not pass a newborn or infant hearing screening, and provide services for families with newborns, infants and toddlers who are deaf and hard of hearing.
- (KK) "Screening methods" means automated otoacoustic emissions screening and automated auditory brainstem evoked response.
- (LL) "Third party payer" means any person or agency, government or otherwise, other than the department of health, that provides reimbursement for hearing screenings for newborns and infants.
- (MM) "Transfer" means the release of a patient from a hospital or freestanding birthing center to another healthcare facility, which undertakes responsibility for the patient.

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