



## Ohio Administrative Code Rule 3701-40-01 Definitions.

Effective: December 1, 2019

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As used in this chapter of the AdministrativeCode:

(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 that will result in type and degree of hearing loss.

(K) "Director" means the director of health or designee.

(L) "Discharge" means the release of a patient from a hospital or freestanding birthing center to a non-institutional setting.

(M) "Early intervention services" means developmental services selected in collaboration with the parents of a child, birth through age two, who is eligible for services under part C and designed to meet the developmental needs of the child and the needs of the child's family to assist appropriately in the child's development as identified in the individualized family service plan.

(N) "Freestanding birthing center" has the same meaning as the term defined in section 3702.141 of the Revised Code.

(O) "Filed" means received by the director.

(P) "Guardian" has the same meaning as the term is defined in section 2111.01 of the Revised Code.

(Q) "Healthcare facility" means any of the following:

(1) A hospital that is registered under section 3701.07 of the Revised Code;

(2) A freestanding birthing center as defined in section 3702.141 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 diagnostic hearing evaluations.
- (R) "Hearing clerk" means an integrated perinatal health information systems (IPHIS) user with the ability to enter data on the hearing screening tab.
- (S) "Hearing loss" refers to a loss of hearing in one or both ears in the frequency region important for speech recognition and comprehension.
- (T) "Hearing screening" means the use of a physiologic test that results in a pass or non pass result in each ear to identify newborns and infants who may be at risk for hearing loss.
- (U) "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.
- (V) "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.
- (W) "Infant" means a child who is at least thirty days but less than twenty-four months old.
- (X) "Level classification" means the level designation of the maternity unit and newborn care nursery that determines the services that may be provided.
- (Y) "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.
- (Z) "Medical home" means the primary care team led by a physician managing health care delivery for patients with the goal of maximizing health outcomes.



- (AA) "Newborn" means a child who is less than thirty days old.
- (BB) "Neonatal care services level II" as defined in rule 3701-7-08 of the Administrative Code.
- (CC) "Neonatal care services level III" as defined in rule 3701-7-09 of the Administrative Code.
- (DD) "Neonatal care services level IV" as defined in rule 3701-7-10 of the Administrative Code.
- (EE) "Newborn care nursery" means a distinct portion of a hospital in which inpatient care is provided to infants. Newborn care nursery includes a distinct portion of a hospital in which intensive care is provided to infants.
- (FF) "Non pass result (Refer)" means the newborn did not pass the hearing screening in the test ear at the time of screening and requires diagnostic hearing evaluation if the newborn did not pass the second screening.
- (GG) "Objection" means parent, guardian, or custodian of the newborn or infant opposes to a hearing screening for religious tenets and practices.
- (HH) "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.
- (II) "Pass result" means the newborn did pass the hearing screening in the test ear at the time of screening and does not require a diagnostic hearing evaluation; but is likely to demonstrate a low risk for hearing loss.
- (JJ) "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.
- (KK) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.



(LL) "Physiological screening" means a screening method that can detect a response to acoustic stimulation from the cochlea or the brainstem.

(MM) "Provider" means the hospital or freestanding birthing facility that provided a hearing screening under rules 3701-40-02 and 3701-40-06 of the Administrative Code.

(NN) "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>.

(OO) "Risk factor" means any attribute, characteristic, or exposure that increases the likelihood of developing hearing loss as defined in joint committee on infant hearing.

(PP) "Screening methods" means automated otoacoustic emissions screening and automated auditory brainstem evoked response.

(QQ) "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.

(RR) "Transfer" means the release of a patient from a hospital or free standing birthing center to another healthcare facility, which undertakes responsibility for the patient.

(SS) "Infant hearing subcommittee" as defined in section 3701.507 of the Revised Code.