

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 2188

By: Blancett

AS INTRODUCED

An Act relating to schools; requiring hearing screening for certain students within certain timeframe; specifying screenings be conducted by certain personnel; providing for notification of certain information; directing advisory committee to make certain suggestions; providing composition; directing State Board of Health to adopt certain rules; requiring State Department of Health to maintain a statewide registry; recommending certain students receive certain hearing examination; requiring certain person to forward written report to certain parties; specifying contents of report; allowing school attendance in event of failure of certain parties to furnish certain report; providing for school districts to notify certain parents of certain requirements; directing the State Board of Education to adopt certain rules; directing the State Department of Education to issue certain annual report; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.286 of Title 70, unless there is created a duplication in numbering, reads as follows:

1 1. "Audiologist" means a person licensed by the State of
2 Oklahoma to practice audiology under Section 1603 of Title 59 of the
3 Oklahoma Statutes;

4 2. "Board" means the State Board of Health;

5 3. "Commissioner" means the State Commissioner of Health of the
6 State of Oklahoma;

7 4. "Comprehensive hearing exam" means a clinical assessment and
8 tests administered by a licensed audiologist to assess a person's
9 level of hearing as well as detect any abnormality or diseases;

10 5. "Department" means the State Department of Health;

11 6. "Draining ear" means an ear is not able to be screened due
12 to a postulant drainage from the ear canal;

13 7. "Equipment" means the necessary items needed to carry out a
14 hearing screening pursuant to this act and consists of the
15 following:

- 16 a. a properly calibrated pure tone audiometer,
- 17 b. a properly calibrated tympanometer,
- 18 c. an otoacoustic emission device (DPOAE and/or TPOAE),
- 19 or
- 20 d. a tablet computer with audio port; a clinically
- 21 validated auditory assessment tablet-based software
- 22 that uses both high-frequency tones and speech
- 23 screening; high-resolution headphones that provide
- 24 ambient noise attenuation;

1 8. "Hearing screening" means the process or system used to
2 identify students who may be at risk of having or developing hearing
3 problems that may adversely affect their ability to acquire
4 knowledge, skill or learning, for the purpose of recommending
5 further evaluation by an audiologist;

6 9. "A hearing screening app" means a software application that
7 determines relative auditory pathway integrity for speech
8 understanding using speech-in-quiet, speech-in-noise, and tones-in-
9 noise methods, in addition to pure tones at 6000Hz and 8000Hz;

10 10. "Hard-of-hearing" (HOH) means having some residual hearing
11 and therefore not considered deaf;

12 11. "Hearing screening provider" means a person who has
13 successfully completed hearing screening training using curricula
14 approved by the Department, submitted an application to the
15 Department, and has been approved by the Department as being a
16 hearing screening provider;

17 12. "Hearing screening registry" is a system for collecting and
18 maintaining in a structured manner the names of individuals that
19 have been approved by the Department as hearing screening providers;

20 13. "Hearing screening trainer" is a person who has been
21 approved as a hearing screening provider approved by the Department
22 to provide training to potential hearing screening providers;

1 14. "Infant and Children's Health Advisory Council" means the
2 advisory council to the Board and Department in the area of infant
3 and child health issues including vision and audiology screening;

4 15. "Middle ear pathology" refers to the presence of either
5 outer ear obstructions by a foreign object and/or middle ear
6 pressure and/or fluid and/or deformation of middle ear ossicles;

7 16. "Noise induced hearing loss" referred to as NIHL is the
8 loss of hearing sensitivity due to excessive exposure at damaging
9 levels of noise;

10 17. "Pure tone" means a hearing screening that determines
11 relative hearing sensitivity for pure tone frequencies; and

12 18. "Referral" means parent or guardian notification that the
13 student's screening results indicate a need for a comprehensive
14 hearing exam by an audiologist.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1210.287 of Title 70, unless
17 there is created a duplication in numbering, reads as follows:

18 A. 1. The State Department of Health, in coordination with the
19 State Department of Education, shall require hearing screenings of
20 all children in pre-kindergarten, kindergarten, first, second,
21 third, fifth, seventh, and eleventh grades, or children in
22 comparable age groups referred for testing. This includes any child
23 in any grade being recommended for a hearing screening by a parent
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1 and/or educator. The timing of screenings shall be followed as set
2 forth in paragraph 1, 3, and 4 of subsection G in this section.

3 2. Exemption criteria for a school hearing screening is as
4 follows:

5 a. a child entering public school or public charter
6 school in this state shall provide certification to
7 school personnel that the student passed a hearing
8 screening meeting the criteria set forth by this act
9 as a minimum, within the previous six (6) months or
10 during the school year. Such screening shall be
11 conducted by personnel listed on the statewide
12 registry as maintained by the State Department of
13 Health, which may include, but not be limited to,
14 Oklahoma-licensed audiologists,

15 b. a student enrolled in pre-kindergarten, kindergarten,
16 first, second, third, seventh, and eleventh grade at a
17 public school or public charter school, in this state
18 shall provide, within thirty (30) days of the
19 beginning of the school year, certification to school
20 personnel that the student passed a hearing screening
21 within the previous six (6) months. Such screening
22 shall be conducted by personnel listed on the
23 statewide registry as maintained by the State
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Department of Health; which may include, but not be limited to, Oklahoma-licensed audiologists, or

c. the parent or guardian of a deaf or hard-of-hearing student, who provides within thirty (30) days of the beginning of the school year, certification to school personnel the most recent hearing test by a licensed audiologist which is within the last six (6) months.

B. Hearing screenings shall, at a minimum, utilize the equipment and procedures specified under Title 70 of the Oklahoma Statutes and comply with the following criteria based on the methodology used:

1. For a pure tone audiometer, perform a four-frequency, pure tone hearing screening on each of the student's ears with response recorded at each of the following frequencies and intensities:

- a. 1000 Hz at 20 dB HL,
- b. 2000 Hz at 20 dB HL,
- c. 4000 Hz at 20 dB HL, and
- d. 6000 Hz at 20 dB HL;

2. For a combination of a tympanometer and a pure tone audiometer:

- a. produce a tympanogram showing the probability of middle ear fluid by using a tympanometer and/or any new middle ear screening tool determined by the

Department to be a comparable screening tool. A tympanometer will show the following results:

- (1) peak acoustic immittance in mmho, ml, or compliance for a 226 Hz probe tone, or
- (2) tympanometric width in daPa, and

b. obtain the results of a four-frequency, pure tone hearing screening on each of the student's ears with response recorded at each of the following frequencies and intensities:

- (1) 1000 Hz at 20 dB HL,
- (2) 2000 Hz at 20 dB HL, and
- (3) 4000 Hz at 20 dB HL; 6000 Hz at 20dB; or

3. For an otoacoustic emissions device (OAE) device:

- a. measure responses of the cochlea to no less than four test frequencies, and
- b. device display screen indicates pass for all four frequencies;

4. All equipment must meet the American National Standards Institute (ANSI) standards and manufacturer specifications. This equipment must be calibrated annually to ensure accuracy. The equipment model and calibration date must be on all screening forms; and

5. Schools opting to use speech screenings must use a tablet meeting the same ANSI standards as an audiometer and an evidence-

1 based, clinically validated assessment software using pure tones and
2 speech software, or any new hearing screening tool determined by the
3 Department to be a comparable screening tool that utilizes both
4 methods.

5 C. The following hearing acuity criteria shall be used as a
6 basis for referring a child for further evaluation by an
7 audiologist:

8 1. Refer on a clinically validated tablet-based auditory
9 assessment software using both high-frequency pure tones and speech
10 testing for two screenings and/or referring the pure tone
11 frequencies at any frequency in one or both ears;

12 2. A draining ear; or

13 3. A refer on OAEs in one or both ears at any frequency.

14 D. Training for performing hearing screenings in schools shall
15 be provided by the Department and at a minimum, include how to
16 perform a hearing screening, criteria for passing, the various
17 methods to screen hearing, and resources to use when a child is
18 referred twice.

19 E. The statewide registry will maintain a list of individuals
20 who have been trained to screen hearing using all methods. This
21 training is good for three (3) years. The registry will also
22 maintain a list of pediatric audiologists who can provide services
23 to schools who need further testing for referred students.

1 F. Licensed audiologists are exempt from training but will be
2 included on the statewide registry and referral list at their
3 request.

4 G. This section shall recognize the need to use a gradient
5 method to allow schools to learn, adapt, and implement hearing
6 screenings in the schools. The gradient method is listed as
7 follows:

8 1. First year hearing screenings for children may include any
9 of the methods listed therein. Any child being evaluated for
10 special education services, and/or is referred by a parent/educator,
11 shall be screened using speech and high-frequency pure tones;

12 2. The second year hearing screenings for children may include
13 any of the methods listed therein with the exception of special
14 education students. Any child who is being evaluated/reevaluated
15 for special education services and/or is referred by a
16 parent/educator shall be screened using speech and high-frequency
17 pure tones; and

18 3. The third year hearing screenings for all children being
19 evaluated for or are in special education services, and/or is
20 referred by a parent/educator shall use speech and high-frequency
21 pure tones.

22 H. 1. The Department shall make recommendations on:

- 23 a. qualifications for initial recognition and renewal of
24 recognition of hearing screeners, and

1 b. qualifications for initial recognition and renewal of
2 recognition of hearing screener trainers; provided,
3 Oklahoma licensed audiologists shall be exempt from
4 any training requirements;

5 2. The Department shall:

6 a. establish and thereafter maintain a statewide
7 registry, available via the Internet, which shall
8 contain a list of approved hearing screeners and
9 audiologists who seek to be listed to provide
10 services, and

11 b. maintain a list of approved hearing screener trainers;

12 3. After notice and hearing, the Department may deny, refuse,
13 suspend, or revoke approval to an applicant who has a history of:

14 a. noncompliance or incomplete or partial compliance with
15 the provisions of this section or the rules adopted by
16 the Board to implement the provisions of this section,

17 b. referring persons to a business in which the applicant
18 has a financial interest or a business which is owned
19 or operated by someone within the third degree of
20 consanguinity or affinity of the applicant, or

21 c. conduct which demonstrates that the applicant is
22 providing services in a manner which does not warrant
23 public trust; and
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1 4. The Board, giving consideration to the recommendations of
2 the Council, shall promulgate rules to implement the provisions of
3 this section.

4 I. 1. The parent or guardian of each student who fails the
5 hearing screening required in subsection A of this section shall
6 receive a recommendation to undergo a comprehensive hearing
7 examination performed by an Oklahoma-licensed audiologist.

8 2. The Oklahoma-licensed audiologist shall forward a written
9 report of the results of the comprehensive hearing examination to
10 the Department, the student's school, parent or guardian, and
11 primary health care provider designated by the parent or guardian.
12 The report shall include, but not be limited to:

- 13 a. date of report,
- 14 b. name, address, and date of birth of the student,
- 15 c. name of the student's school,
- 16 d. type of examination,
- 17 e. a summary of significant findings, including
18 diagnoses, medication used, duration of action of
19 medication, treatment, prognosis, whether or not a
20 return visit is recommended and, if so, when,
- 21 f. recommended educational adjustments for the child, if
22 any, which may include: preferential seating in the
23 classroom, the use of hearing aids, specific
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1 interventions, FM systems, and any other
2 recommendations, and

3 g. name, address, credentials, and signature of the
4 examiner.

5 J. No student shall be prohibited from attending school for a
6 parent's or guardian's failure to furnish a report of the student's
7 hearing screening or an examiner's failure to furnish the results of
8 a student's comprehensive hearing examination required by this
9 section.

10 K. School districts shall notify parents or guardians of
11 students who enroll in kindergarten, first, second, third, seventh,
12 and eleventh grade for the 2026-2027 school year and each year
13 thereafter of the requirements of this section.

14 L. The State Board of Education shall adopt rules for the
15 implementation of this section except as provided in subsection B of
16 this section. The State Department of Education shall issue a
17 report annually on the impact and effectiveness of this act.

18 SECTION 3. This act shall become effective June 1, 2025.
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