

# ASSEMBLY, No. 5561

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 5, 2023

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**SYNOPSIS**

Establishes programs to address needs of toddlers and certain children who are deaf or hard of hearing.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/15/2023)

1 AN ACT concerning services for children who are deaf or hard of  
2 hearing and supplementing Title 26 of the Revised Statutes and  
3 Title 18A of the New Jersey Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. a. The State's early intervention program established  
9 pursuant to section 2 of P.L.1993, c.309 (C.26:1A-36.7) shall  
10 conduct activities to address the specific needs of toddlers who are  
11 deaf or hard of hearing and are receiving early intervention  
12 services, as well as the needs of the toddler's parent or guardian.  
13 The activities shall include, but not be limited to:

14 (1) holding two meetings per year between the toddler, the  
15 toddler's parent or guardian, and a language team, which meeting  
16 shall continue until the toddler's sign or spoken language  
17 development meets the objective criteria and developmental  
18 benchmarks set forth by the early intervention program; and

19 (2) pairing the toddler's parent or guardian with a mentor who  
20 shall:

21 (a) be deaf or hard of hearing;

22 (b) provide guidance to, and share personal insights with, the  
23 toddler's parent or guardian about the mentor's experiences living  
24 day to day as a person who is deaf or hard of hearing;

25 (c) play an active role in the toddler's language development as a  
26 member of the toddler's language team pursuant to paragraph (1) of  
27 this subsection; and

28 (d) be trained as a SKI-HI deaf mentor in accordance with the  
29 SKI-HI Deaf Mentor Manual training program.

30 b. Each toddler who is deaf or hard of hearing and is receiving  
31 early intervention services shall be automatically enrolled to receive  
32 the services provided by a language team pursuant to paragraph (1)  
33 of subsection a. of this section, except that the toddler's parent or  
34 guardian shall have the option to decline such services.

35 c. The early intervention program shall allow a toddler who is  
36 deaf or hard of hearing and is receiving early intervention services  
37 and the toddler's parent or guardian to participate in the activities  
38 conducted pursuant to subsection a. of this section until the toddler  
39 turns three years of age, whereupon the child may be eligible to  
40 participate in activities under section 2 of P.L. ,  
41 c. (C. )(pending before the Legislature as this bill)

42 d. As used in this section:

43 "Language team" means a team consisting of a pediatric  
44 audiologist, a teacher of the deaf or hard of hearing, a deaf mentor,  
45 and a speech and language pathologist.

46 "Pediatric audiologist" means a licensed professional trained to  
47 test, diagnose, evaluate, and manage the presence, extent, and  
48 reason for hearing loss and other hearing-related issues in infants

1 and children, and to provide recommendations for interventions or  
2 rehabilitation, including, but not limited to, prescribing hearing aids  
3 or other assistive devices.

4 “Speech and language pathologist” means a licensed professional  
5 trained to identify, assess, and rehabilitate persons with speech,  
6 voice, or language disorders.

7  
8 2. The Department of Education, in consultation with the  
9 Department of Health, shall conduct activities to address the  
10 specific needs of children between the ages of three and five who  
11 are deaf or hard of hearing and have previously received early  
12 intervention services pursuant to section of P.L.1993, c.309  
13 (C.26:1A-36.7), as well as the needs of child’s parent or guardian.  
14 The activities shall include, but not be limited to:

15 (1) holding two meetings per year between the child, the child’s  
16 parent or guardian, and a language team, which meeting shall  
17 continue until the child’s sign or spoken language development  
18 meets the objective criteria and developmental benchmarks set forth  
19 by the early intervention program; and

20 (2) pairing the child’s parent or guardian with a mentor who  
21 shall:

22 (a) be deaf or hard of hearing;

23 (b) provide guidance to, and share personal insights with, the  
24 child’s parent or guardian about the mentor’s experiences living day  
25 to day as a person who is deaf or hard of hearing;

26 (c) play an active role in the child’s language development as a  
27 member of the child’s language team pursuant to paragraph (1) of  
28 this subsection; and

29 (d) be trained as a SKI-HI deaf mentor in accordance with the  
30 SKI-HI Deaf Mentor Manual training program.

31 b. Each child between the ages of three and five who is deaf or  
32 hard of hearing and has previously received early intervention  
33 services, shall be automatically enrolled to receive the services  
34 provided by a language team pursuant to paragraph (1) of  
35 subsection a. of this section, except that the child’s parent or  
36 guardian shall have the option to decline such services.

37 c. The early intervention program shall allow a child between  
38 the ages of three and five who is deaf or hard of hearing and has  
39 previously received early intervention services, and the child’s  
40 parent or guardian, to participate in the activities conducted  
41 pursuant to subsection a. of this section until the child enters  
42 kindergarten or elementary school, as applicable.

43 d. As used in this section:

44 “Language team” means a team consisting of a pediatric  
45 audiologist, a teacher of the deaf or hard of hearing, a deaf mentor,  
46 and a speech and language pathologist.

47 “Pediatric audiologist” means a licensed professional trained to  
48 test, diagnose, evaluate, and manage the presence, extent, and

1 reason for hearing loss and other hearing-related issues in infants  
2 and children, and to provide recommendations for interventions or  
3 rehabilitation, including, but not limited to, prescribing hearing aids  
4 or other assistive devices.

5 "Speech and language pathologist" means a licensed professional  
6 trained to identify, assess, and rehabilitate persons with speech,  
7 voice, or language disorders.

8  
9 3. Pursuant to the "Administrative Procedure Act," P.L.1968,  
10 c.410 (C.52:14B-1 et seq.), the Commissioner of Health and the  
11 Commissioner of Education, shall adopt rules and regulations  
12 necessary to implement the provisions of this act.

13  
14 4. This act shall take effect on the 90th day following  
15 enactment, but the Commissioner of Health and the Commissioner  
16 of Education, may take such anticipatory administrative action in  
17 advance as shall be necessary for implementation of the act.

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#### STATEMENT

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22 This bill establishes requirements to provide certain services to  
23 children who are deaf or hard of hearing, as well as their parents or  
24 guardians, to help the child achieve certain benchmarks in the  
25 development of the child's sign or spoken language.

26 Specifically, the bill provides for children and their parents or  
27 guardians participating in the program to participate in certain  
28 including, but not be limited to: (1) holding two meetings per year  
29 between the child, the child's parent or guardian, and a language  
30 team until the child's sign or spoken language development meets  
31 the objective criteria and developmental benchmarks set forth by  
32 the early intervention program; and (2) pairing the child's parent or  
33 guardian with a mentor.

34 The mentor will be required to: provide guidance to, and share  
35 personal insights with, the parent or guardian about living day to  
36 day as a person who is deaf or hard of hearing; be a member of the  
37 child's language team and play an active role in the child's  
38 language development; and be trained as a SKI-HI deaf mentor in  
39 accordance with the SKI-HI Deaf Mentor Manual training program.

40 In the case of a toddler who is under the age of three, these  
41 activities will be provided by through the Department of Health's  
42 (DOH) early intervention program. In the case of a child between  
43 the ages of three and five, the activities will be provided through the  
44 Department of Education (DOE). The DOE program will be limited  
45 to children who previously received services through the early  
46 intervention program. A child receiving services under the DOE  
47 may continue in the program until the child enters kindergarten or

1 elementary school. A toddler aging out of the DOH program may  
2 be eligible for the DOE program.

3 A child who is deaf or hard of hearing and is eligible to receive  
4 the services outlined in the bill is to be automatically enrolled to  
5 receive the services provided by a language team unless the child's  
6 parent or guardian declines the services.

7 As defined in the bill: "language team" means a team consisting  
8 of a pediatric audiologist, a teacher of the deaf or hard of hearing, a  
9 deaf mentor, and a speech and language pathologist; "pediatric  
10 audiologist" means a licensed professional trained to test, diagnose,  
11 evaluate, and manage the presence, extent, and reason for hearing  
12 loss and other hearing-related issues in infants and children, and to  
13 provide recommendations for interventions or rehabilitation,  
14 including, but not limited to, prescribing hearing aids or other  
15 assistive devices; and "speech and language pathologist" means a  
16 licensed professional trained to identify, assess, and rehabilitate  
17 persons with speech, voice, or language disorders.