

By: Representatives Holland, Scott (17th)

To: Public Health and Welfare

HOUSE BILL NO. 986

1 AN ACT TO AMEND SECTION 41-21-203, MISSISSIPPI CODE OF 1972,
 2 TO REQUIRE THE PHYSICIAN ATTENDING A NEWBORN CHILD, OR THE PERSON
 3 ATTENDING A NEWBORN CHILD THAT WAS NOT ATTENDED BY A PHYSICIAN, TO
 4 NOTIFY THE PARENTS OF THE NEWBORN CHILD THAT THERE ARE NEWBORN
 5 SCREENING TESTS AVAILABLE THAT MAY BE GIVEN TO THE CHILD IN
 6 ADDITION TO THE REQUIRED TESTS, AND TO PROVIDE THE PARENTS WITH
 7 INFORMATION ABOUT THOSE TESTS; TO AMEND SECTION 41-21-201,
 8 MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF
 9 HEALTH TO DEVELOP INFORMATION MATERIALS ABOUT AVAILABLE NEWBORN
 10 SCREENING TESTS, WHICH MAY BE USED BY PHYSICIANS AND OTHERS TO
 11 PROVIDE THE REQUIRED INFORMATION TO PARENTS UNDER SECTION
 12 41-21-203; AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 SECTION 1. Section 41-21-203, Mississippi Code of 1972, is
 15 amended as follows:

16 41-21-203. (1) The physician attending a newborn child, or
 17 the person attending a newborn child that was not attended by a
 18 physician, shall provide the child tests that have been approved
 19 by the State Board of Health. However, no such tests shall be
 20 given to any child whose parents object thereto on the grounds
 21 that the test conflicts with his religious practices or tenets.
 22 The State Department of Health shall follow up all positive tests
 23 with the attending physician who notified the department thereof,
 24 or with the parents of the newborn child when the notification was
 25 made by a person other than a physician. When a test is
 26 confirmed, the services and facilities of the State Department of
 27 Health and those of other state boards, departments and agencies
 28 cooperating with the State Department of Health in carrying out
 29 the program shall be made available to the extent needed by the
 30 physician.

31 (2) In addition to the requirements of subsection (1) of
32 this section, the physician attending a newborn child, or the
33 person attending a newborn child that was not attended by a
34 physician, shall notify the parents of the newborn child that
35 there are newborn screening tests available that may be given to
36 the child in addition to the required tests, and shall provide the
37 parents with information about those tests.

38 SECTION 2. Section 41-21-201, Mississippi Code of 1972, is
39 amended as follows:

40 41-21-201. (1) The State Department of Health is * * *
41 authorized to establish, maintain and carry out a newborn
42 screening program designed to detect hypothyroidism,
43 phenylketonuria (PKU), hemoglobinopathy and galactosemia which may
44 result in mental retardation or medical complications in children.
45 The State Board of Health is authorized to adopt rules and
46 regulations necessary to accomplish the program.

47 (2) The State Department of Health shall develop information
48 materials about available newborn screening tests, which may be
49 used by physicians and others to provide the required information
50 to parents under Section 41-21-203.

51 SECTION 3. This act shall take effect and be in force from
52 and after July 1, 2001.