

By: Representatives Holland, Scott (17th),
Scott (80th)

To: Public Health and
Welfare

HOUSE BILL NO. 986
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 41-21-203, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE HEALTH CARE PROVIDERS PROVIDING PRENATAL CARE TO A
3 PREGNANT WOMAN TO NOTIFY THE WOMAN THAT THERE ARE NEWBORN
4 SCREENING TESTS AVAILABLE THAT MAY BE GIVEN TO HER CHILD IN
5 ADDITION TO THE TESTS REQUIRED BY THE STATE, AND TO PROVIDE TO THE
6 WOMAN THE MOST RECENT INFORMATION OF THE HEALTH DEPARTMENT
7 REGARDING THOSE TESTS; TO REQUIRE THE PHYSICIAN OR OTHER HEALTH
8 CARE PROVIDER ATTENDING A NEWBORN CHILD TO NOTIFY THE PARENTS THAT
9 THERE ARE NEWBORN SCREENING TESTS AVAILABLE THAT MAY BE GIVEN TO
10 THE CHILD IN ADDITION TO THE TESTS REQUIRED BY THE STATE, AND TO
11 PROVIDE TO THE PARENTS THE MOST RECENT INFORMATION OF THE HEALTH
12 DEPARTMENT REGARDING THOSE TESTS; TO AMEND SECTION 41-21-201,
13 MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2210, 2001
14 REGULAR SESSION, TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO
15 DEVELOP INFORMATION MATERIALS ABOUT NEWBORN SCREENING TESTS THAT
16 ARE AVAILABLE, WHICH SHALL BE USED BY PHYSICIANS AND OTHERS TO
17 PROVIDE THE REQUIRED INFORMATION TO PREGNANT WOMEN AND PARENTS
18 UNDER SECTION 41-21-203; TO AUTHORIZE THE STATE DEPARTMENT OF
19 HEALTH TO PROVIDE FOR TESTING FOR CONGENITAL ADRENAL HYPERPLASIA
20 (CAH) AS PART OF ITS NEWBORN SCREENING PROGRAM; AND FOR RELATED
21 PURPOSES.

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

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

25 41-21-203. (1) * * * The physician attending a newborn
26 child or the person attending a newborn child * * * shall provide
27 the child tests that have been approved by the State Board of
28 Health. However, no such tests shall be given to any child whose
29 parents object thereto on the grounds that the test conflicts with
30 his religious practices or tenets. The State Department of Health
31 shall follow up all positive tests with the attending physician
32 who notified the department thereof, or with the parents of the
33 newborn child when the notification was made by a person other
34 than a physician. When a test is confirmed, the services and
35 facilities of the State Department of Health and those of other

36 state boards, departments and agencies cooperating with the State
37 Department of Health in carrying out the program shall be made
38 available to the extent needed by the physician.

39 (2) In addition to the requirements of subsection (1) of
40 this section, (a) any clinic, hospital, physician or health care
41 provider providing prenatal care to a pregnant woman shall notify
42 the woman that there are newborn screening tests available that
43 may be given to her child in addition to the tests that are
44 required by the state, and shall provide to the woman the most
45 recent information developed by the State Department of Health
46 regarding these tests; and (b) the physician or other health care
47 provider attending a newborn child shall notify the parents that
48 there are newborn screening tests available that may be given to
49 the child in addition to the tests that are required by the state,
50 and shall provide to the parents the most recent information
51 developed by the State Department of Health regarding these tests.

52 SECTION 2. Section 41-21-201, Mississippi Code of 1972, as
53 amended by Senate Bill No. 2210, 2001 Regular Session, is amended
54 as follows:

55 41-21-201. (1) The State Department of Health is * * *
56 authorized to establish, maintain and carry out a newborn
57 screening program designed to detect hypothyroidism,
58 phenylketonuria (PKU), hemoglobinopathy, congenital adrenal
59 hyperplasia (CAH) and galactosemia which may result in mental
60 retardation or medical complications in children. The State Board
61 of Health is authorized to adopt rules and regulations necessary
62 to accomplish the program.

63 (2) Not later than October 1, 2001, the State Department of
64 Health shall develop information materials about newborn screening
65 tests that are available, which shall be used by physicians and
66 others to provide the required information to pregnant women and
67 parents under Section 41-21-203.

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