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

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

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

41-21-203. (1) * * * The physician attending a newborn child or the person attending a newborn child * * * shall provide the child tests that have been approved by the State Board of Health. However, no such tests shall be given to any child whose parents object thereto on the grounds that the test conflicts with his religious practices or tenets. The State Department of Health shall follow up all positive tests with the attending physician who notified the department thereof, or with the parents of the newborn child when the notification was made by a person other than a physician. When a test is confirmed, the services and facilities of the State Department of Health and those of other
state boards, departments and agencies cooperating with the State
Department of Health in carrying out the program shall be made
available to the extent needed by the physician.

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

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

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

(2) Not later than October 1, 2001, the State Department of
Health shall develop information materials about newborn screening
tests that are available, which shall be used by physicians and
others to provide the required information to pregnant women and
parents under Section 41-21-203.
SECTION 3. This act shall take effect and be in force from and after July 1, 2001.