

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

To: Public Health and
Welfare; Appropriations

HOUSE BILL NO. 717
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 41-21-201, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT, IN ADDITION TO THE NAMED CONDITIONS COVERED IN
3 THE COMPREHENSIVE NEWBORN SCREENING PROGRAM, THE PROGRAM SHALL
4 INCLUDE SUCH OTHER CONDITIONS AS SPECIFIED BY THE STATE BOARD OF
5 HEALTH, UPON THE ADVICE AND RECOMMENDATIONS OF A GENETICS ADVISORY
6 COMMITTEE; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO MAINTAIN A
7 LIST OF EACH OF THE CONDITIONS INCLUDED IN THE NEWBORN SCREENING
8 PROGRAM, WHICH SHALL BE MADE AVAILABLE TO PHYSICIANS AND OTHER
9 HEALTH CARE PROVIDERS WHO ARE REQUIRED TO PROVIDE FOR THE TESTING
10 OF NEWBORN INFANTS; TO AMEND SECTION 41-21-203, MISSISSIPPI CODE
11 OF 1972, TO REQUIRE THE PHYSICIAN OR OTHER HEALTH CARE PROVIDER
12 ATTENDING A NEWBORN INFANT TO SCREEN THE INFANT, USING
13 BOARD-APPROVED TESTS, TO DETECT THE NAMED CONDITIONS AND THE OTHER
14 CONDITIONS SPECIFIED BY THE BOARD OF HEALTH FOR THE NEWBORN
15 SCREENING PROGRAM; TO PROVIDE THAT THE TESTS PROVIDED UNDER THE
16 NEWBORN SCREENING PROGRAM MUST BE EVALUATED IN LABORATORIES
17 LOCATED IN THE UNITED STATES; TO DELETE THE REQUIREMENT FOR HEALTH
18 CARE PROVIDERS TO NOTIFY PREGNANT WOMEN AND PARENTS OF NEWBORNS
19 THAT ADDITIONAL NEWBORN SCREENING TESTS ARE AVAILABLE; TO REQUIRE
20 THE DEPARTMENT OF HEALTH TO PROVIDE ONGOING SURVEILLANCE OF THE
21 NEWBORN SCREENING PROGRAM TO DETERMINE ITS EFFICACY AND COST
22 EFFECTIVENESS; AND FOR RELATED PURPOSES.

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

24 **SECTION 1.** This act shall be known and may be cited as the
25 "Ben Haygood Comprehensive Newborn Screening Program."

26 **SECTION 2.** Section 41-21-201, Mississippi Code of 1972, is
27 amended as follows:

28 41-21-201. (1) The State Department of Health shall
29 establish, maintain and carry out a comprehensive newborn
30 screening program designed to detect hypothyroidism,
31 phenylketonuria (PKU), hemoglobinopathy, congenital adrenal
32 hyperplasia (CAH), galactosemia, and such other conditions as
33 specified by the State Board of Health and as recommended by the
34 American Academy of Pediatrics. The State Board of Health shall
35 adopt any rules and regulations necessary to accomplish the
36 program.



37 (2) The State Board of Health shall determine and specify
38 the conditions that will be included in the comprehensive newborn
39 screening program in addition to those conditions named in
40 subsection (1) of this section, upon the advice and
41 recommendations of a genetics advisory committee and in accordance
42 with the recommendations of the American Academy of Pediatrics.
43 The advisory committee shall be appointed by the Executive
44 Director of the State Department of Health, and shall include at
45 least two (2) pediatricians and one (1) consumer representative
46 from a family that has experience with a newborn infant with an
47 abnormal screening test. The State Department of Health shall
48 maintain a list of each of the conditions included in the
49 comprehensive newborn screening program, which shall be made
50 available to physicians and other health care providers who are
51 required to provide for newborn screening testing under Section
52 41-21-203.

53 (3) * * * The State Department of Health shall develop
54 information materials about newborn screening tests that are
55 available, which may be used by physicians and other health care
56 providers to inform pregnant women and parents * * *.

57 **SECTION 3.** Section 41-21-203, Mississippi Code of 1972, is
58 amended as follows:

59 41-21-203. (1) All newborn infants shall be screened by the
60 physician or other health care provider attending the infant,
61 using tests that have been approved by the State Board of Health,
62 to detect those conditions listed in Section 41-21-201 and the
63 other conditions specified by the State Board of Health for the
64 comprehensive newborn screening program. However, no such tests
65 shall be given to any child whose parents object thereto on the
66 grounds that the test conflicts with his religious practices or
67 tenets. The tests provided under the comprehensive newborn
68 screening program shall be evaluated in laboratories located in
69 the United States. The State Department of Health shall follow up



70 all positive tests with the attending physician or other health
71 care provider who notified the department thereof, and with the
72 parents of the newborn child * * *. The services and facilities
73 of the State Department of Health and those of other state boards,
74 departments and agencies cooperating with the State Department of
75 Health in carrying out the comprehensive newborn screening program
76 shall be made available to all newborn infants with abnormal
77 screening tests.

78 (2) The State Department of Health shall provide ongoing
79 epidemiologic surveillance of the comprehensive newborn screening
80 program to determine the efficacy and cost effectiveness of
81 screening newborn infants.

82 **SECTION 4.** This act shall take effect and be in force from
83 and after October 1, 2002.

