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HOUSE BILL NO. 387

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions
on January 23, 2014)

(Patron Prior to Substitute—Delegate Comstock)

A BILL to amend and reenact § 32.1-67 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-65.1, relating to critical congenital heart defect screening requirement.

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-67 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 32.1-65.1 as follows:

§ 32.1-65.1. Critical congenital heart defect screening required.

In order to prevent disability or death, the Board shall require every hospital in the Commonwealth having a newborn nursery to perform a critical congenital heart defect screening test using pulse oximetry or other Board-approved screening test that is based on standards set forth by the American Academy of Pediatrics on every newborn in its care when such infant is at least 24 hours old but no more than 48 hours old or, in cases in which the infant is discharged from the hospital prior to reaching 24 hours of age, prior to discharging the infant.

Any infant whose parent or guardian objects thereto on the grounds that such tests conflict with his religious practices or tenets shall not be required to receive such screening tests.

The physician or health care provider in charge of the infant's care after delivery shall cause such tests to be performed.

§ 32.1-67. Duty of Board for follow-up and referral protocols; regulations.

Infants identified with any condition for which newborn screening is conducted pursuant to § 32.1-65 or 32.1-65.1 shall be eligible for the services of the Children with Special Health Care Needs Program administered by the Department of Health. The Board of Health shall promulgate such regulations as may be necessary to implement Newborn Screening Services and the Children with Special Health Care Needs Program. The Board's regulations shall include, but not be limited to, a list of newborn screening tests conducted pursuant to §§ 32.1-65 and 32.1-65.1, notification processes conducted pursuant to § 32.1-66, follow-up procedures, appropriate referral processes, and services available for infants and children who have a heritable disorder or genetic disease identified through Newborn Screening Services.

2. That the Board of Health shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

3. That the Board of Health shall convene a work group of health care providers and other stakeholders, which shall include representatives of the Department of Health, Department of Health Professions, Virginia Commonwealth University Health System, University of Virginia Health System, Eastern Virginia Medical School, American Heart Association, Children's National Medical Center, March of Dimes Virginia Chapter, Virginia Chapter of the American Academy of Pediatrics, Virginia Hospital and Health Care Association, Medical Society of Virginia, Inova Fairfax Hospital, Carilion Clinic, and Virginia Chapter of the American College of Cardiology, to provide information and recommendations for the development of regulations to implement the provisions of this act.