

ACT No. 17

2023 Regular Session

HOUSE BILL NO. 200

BY REPRESENTATIVE LAFLEUR

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AN ACT

To amend and reenact R.S. 40:1081.2(A)(1) and (5) and (B), relative to the state's newborn screening panel; to require the laboratory established by the Louisiana Department of Health to provide certain tests; to require the provision of a genetic conditions list; to establish guidelines for the genetic conditions list; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1081.2(A)(1) and (5) and (B) are hereby amended and reenacted to read as follows:

§1081.2. Tests

A.(1) The physician attending a newborn child, or the person attending a newborn child who was not attended by a physician, shall, except as may be otherwise provided in this Section, cause the child to be subjected to tests for ~~phenylketonuria, congenital hypothyroidism, sickle cell diseases, biotinidase deficiency, congenital adrenal hyperplasia, carnitine uptake defect, long-chain 3-hydroxyacyl-CoA dehydrogenase deficiency, medium-chain acyl-CoA dehydrogenase deficiency, trifunctional protein deficiency, very long-chain acyl-CoA dehydrogenase deficiency, glutaric acidemia type I, 3-hydroxy-3-methylglutaryl-CoA lyase deficiency, isovaleric acidemia, 3-methylcrotonyl-CoA carboxylase deficiency, methylmalonic acidemia (CBL A,B), beta ketothiolase, methylmalonic acidemia (MUT), propionic acidemia, multiple carboxylase deficiency, argininosuccinate acidemia, citrullinemia type I, homocystinuria, maple syrup urine disease, tyrosinemia type I, mucopolysaccharidosis type I (MPS I),~~

glycogen storage disorder type II (Pompe), and other all genetic or other congenital conditions ~~that have been approved~~ listed in the rule promulgated by the Louisiana Department of Health pursuant to Subsection B of this Section; however, no such tests shall be given to any child whose parents or guardians object thereto. ~~Effective July 1, 2007, cystic fibrosis shall be included in the tests that the newborn child shall be subject to by the physician attending the newborn child or the person attending the newborn child who was not attended by a physician.~~

* * *

(5) The laboratory established by the Louisiana Department of Health pursuant to R.S. 40:1081.1(B) shall provide testing for each condition listed in the rule promulgated by the Louisiana Department of Health pursuant to Subsection B of this Section; however, such ~~The tests testing required in Paragraph (A)(1) and the services and facilities required by Paragraphs (3) and (4) of this Subsection of this Section~~ shall be subject to available ~~funding for the laboratory tests, follow-up, and treatment.~~

B.(1) Pursuant to the rule adopted in accordance with the Administrative Procedure Act, The the Louisiana Department of Health shall set forth a list of, after consultation with medical geneticists from each of the state's medical schools and by rule adopted in accordance with the Administrative Procedure Act, add to the genetic or other congenital conditions for which a newborn shall be tested for in Subsection A of this Section; however, no approved test for any genetic or other congenital condition added shall be given to any child whose parents or guardians object thereto.

(2) At least annually, the list shall be reviewed by the state health officer, in consultation with departmental genetic disease advisory subject matter experts, to determine whether additional conditions, including conditions added to the United States Department of Health and Human Services' Recommended Uniform Screening Panel (RUSP), should be recommended to the secretary of the department for inclusion therein.

1 (3) After adding a condition to the list by rulemaking, the Louisiana
 2 Department of Health shall request a legislative appropriation for any funding
 3 necessary for conducting the test and providing the services required in accordance
 4 with Subsection A of this Section.

5 (4) The department shall provide an annual report to the legislature,
 6 beginning March 1, 2024, of any condition added to the RUSP and the department's
 7 review and determination on the condition.

8 Section 2. This Act shall become effective upon signature by the governor or, if not
 9 signed by the governor, upon expiration of the time for bills to become law without signature
 10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 12 effective on the day following such approval.

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____