

ACT No. 407

HOUSE BILL NO. 322

BY REPRESENTATIVES THIERRY, ADAMS, ARMES, BADON, BARROW, BILLIOT, WESLEY BISHOP, BROSSETT, BROWN, BURRELL, CHANEY, COX, DIXON, DOVE, FRANKLIN, GISCLAIR, HARRISON, HOFFMANN, HONORE, HOWARD, JAMES, JEFFERSON, LEGER, MILLER, MORENO, PIERRE, PRICE, PYLANT, REYNOLDS, SMITH, ST. GERMAIN, STOKES, PATRICK WILLIAMS, AND WILLMOTT AND SENATORS ALLAIN, APPEL, BROOME, BROWN, CLAITOR, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GUILLORY, HEITMEIER, KOSTELKA, LONG, MILLS, MORRELL, MURRAY, NEVERS, RISER, JOHN SMITH, AND THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact Part LXXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 40:1300.361 through 1300.363, relative to newborn medical
4 screening; to require birthing facilities to perform congenital heart defect screening
5 by pulse oximetry on each newborn; to provide legislative intent; to provide
6 definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part LXXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes
9 of 1950, comprised of R.S. 40:1300.361 through 1300.363, is hereby enacted to read as
10 follows:

11 PART LXXIII. NEWBORN CRITICAL CONGENITAL

12 HEART DISEASE SCREENING PROGRAM

13 §1300.361. Definitions

14 A. "Birthing facility" means an inpatient or ambulatory health care facility
15 licensed by the Department of Health and Hospitals that provides birthing and
16 newborn care services.

17 B. "Congenital heart defects" (CHD) means structural abnormalities of the
18 heart that are present at birth and range in severity from simple problems, such as

1 holes between chambers of the heart, to severe malfunctions, such as the complete
2 absence of one or more chambers or valves. CHD is the most common birth defect
3 and is the number one cause of infant death from birth defects.

4 C. "Critical congenital heart disease" (CCHD) means a heart defect that
5 causes severe, life-threatening symptoms and requires intervention, such as surgery,
6 in the first few hours, days, or months of life. CCHD accounts for about twenty-five
7 percent of all CHD.

8 D. "Pulse Oximetry Screening" means a noninvasive test that estimates the
9 percentage of hemoglobin in blood that is saturated with oxygen to detect CHDs.

10 §1300.362. Legislative intent

11 A. The legislature finds that:

12 (1) Critical congenital heart disease can cause severe and life-threatening
13 symptoms that require intervention within the first days of life. Early detection of
14 CCHD and timely intervention can decrease morbidity and mortality and lead to
15 better outcomes for affected children.

16 (2) According to the Centers for Disease Control and Prevention (CDC),
17 CHDs occur in approximately one in one hundred ten births in the United States.
18 About twenty-five percent of CHDs are considered CCHDs.

19 (3) Current methods for detecting CCHDs generally include prenatal
20 ultrasound screening and repeated clinical examinations. Defects are also often not
21 detected during routine clinical exams performed prior to a newborn baby's discharge
22 from a birthing facility.

23 (4) When a screening for CCHD, such as pulse oximetry screening, is
24 performed on a newborn in a birthing facility, it is effective in detecting life-
25 threatening CHDs, which otherwise go undetected by current screening methods.
26 The use of pulse oximetry in newborn nurseries is standard in most hospitals.

27 (5) Newborns with abnormal pulse oximetry results require immediate
28 testing to confirm a defect and allow intervention. Many newborns could be saved
29 by earlier detection and treatment of CCHD if birthing facilities in the state of

1 Louisiana were required to perform this simple, noninvasive newborn screening in
2 conjunction with current CCHD screening methods.

3 §1300.363. Critical congenital heart disease screening

4 Each birthing facility in the state of Louisiana shall perform pulse oximetry
5 screening for the identification of CCHD on every newborn in its care prior to
6 discharge from the birthing facility, unless prohibited by the parent or guardian of
7 the newborn.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____