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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

RELATING TO HEALTH AND SAFETY -- NEWBORN SCREENING PROGRAM

Introduced By: Representatives Walsh, and Ajello

Date Introduced: May 04, 2011

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 23-13-14 of the General Laws in Chapter 23-13 entitled "Maternal  
2 and Child Health Services for Children with Special Health Care Needs" is hereby amended to  
3 read as follows:

4           **23-13-14. Newborn screening program.** -- (a) The physician attending a newborn child  
5 shall cause that child to be subject to newborn screening tests for metabolic, endocrine, and  
6 hemoglobinopathy disorders, and other conditions ~~including assessment for developmental risk~~  
7 for which there is a medical benefit to the early detection and treatment of the disorder, and an  
8 assessment for developmental risk. The department of health shall make rules and regulations  
9 pertaining to screenings, diagnostic, and treatment services as accepted medical practice shall  
10 indicate. The provisions of this section shall not apply if the parents of the child object to the tests  
11 on the grounds that those tests conflict with their religious tenets and practices.

12           (b) In addition, the department of health is authorized to establish by rule and regulation  
13 a reasonable fee structure for the newborn screening and disease control program, which includes  
14 but is not limited to screening, diagnostic, and treatment services. The program shall be a covered  
15 benefit and be reimbursable by all health insurers, as defined in section 27-38.2-2(1), providing  
16 health insurance coverage in Rhode Island except for supplemental policies which only provide  
17 coverage for specific diseases, hospital indemnity Medicare supplements, or other supplemental  
18 policies. The department of human services shall pay for the program where the patient is eligible  
19 for medical assistance under the provisions of chapter 8 of title 40. The charges for the program

1 shall be borne by the hospitals or other health-care facilities where births occur in the absence of  
2 a third-party payor. Nothing in this section shall preclude the hospital or health care facility from  
3 billing the patient directly.

4 (c) There is created within the general fund a restricted receipt account to be known as  
5 the "newborn screening account" to implement the provisions of section 23-13-13 and section 23-  
6 13-14. All funds received pursuant to section 23-13-13 and section 23-13-14 shall be deposited in  
7 the account. Funding dedicated exclusively to implement the provisions of section 23-13-13 and  
8 section 23-13-14 and received by the department of health from sources other than those  
9 identified in section 23-13-13 and section 23-13-14 may also be deposited in the newborn  
10 screening account. The general treasurer is authorized and directed to draw his or her orders on  
11 the account upon receipt of properly authenticated vouchers from the department of health.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would require attending physicians of newborns to screen for all conditions for  
2   which there is a medical benefit to the early detection and treatment thereof and also to perform  
3   an assessment for developmental risk.

4           This act would take effect upon passage.

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