

SENATE BILL 242

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CF HB 109

By: ~~Senator Hershey~~ Senators Hershey, Beidle, Benson, and Klausmeier

Introduced and read first time: January 14, 2022

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 12, 2022

CHAPTER _____

1 AN ACT concerning

2 **Maryland Department of Health – System for Newborn Screening –**
3 **Requirements**

4 FOR the purpose of requiring the system for newborn screening in the Maryland
5 Department of Health to include screening for each core condition listed in the U.S.
6 Department of Health and Human Services' Recommended Uniform Screening
7 Panel; and generally relating to the system for newborn screening.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 13–111
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2021 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Health – General**

16 13–111.

17 (a) The Department shall establish a coordinated statewide system for screening
18 all newborn infants in the State for certain hereditary and congenital disorders associated
19 with severe problems of health or development, except when the parent or guardian of the
20 newborn infant objects.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) Except as provided in § 13–112 of this subtitle, the Department’s public health
2 laboratory is the sole laboratory authorized to perform tests on specimens from newborn
3 infants collected to screen for hereditary and congenital disorders as determined under
4 subsection (d)(2) of this section.

5 (c) The system for newborn screening shall include:

6 (1) Laboratory testing and the reporting of test results; and

7 (2) Follow–up activities to facilitate the rapid identification and treatment
8 of an affected child.

9 (d) In consultation with the State Advisory Council on Hereditary and Congenital
10 Disorders, the Department shall:

11 (1) Establish protocols for a health care provider to obtain and deliver test
12 specimens to the Department’s public health laboratory;

13 (2) Determine the screening tests that the Department’s public health
14 laboratory is required to perform;

15 (3) Maintain a coordinated statewide system for newborn screening that
16 carries out the purpose described in subsection (c) of this section that includes:

17 (i) Communicating the results of screening tests to the health care
18 provider of the newborn infant;

19 (ii) Locating newborn infants with abnormal test results;

20 (iii) Sharing newborn screening information between hospitals,
21 health care providers, treatment centers, and laboratory personnel;

22 (iv) Delivering needed clinical, diagnostic, and treatment
23 information to health care providers, parents, and caregivers; and

24 (v) Notifying parents and guardians of newborn infants that
25 laboratories other than the Department’s public health laboratory are authorized to
26 perform postscreening confirmatory or diagnostic tests on newborn infants for hereditary
27 and congenital disorders; and

28 (4) Adopt regulations that set forth the standards and requirements for
29 newborn screening for hereditary and congenital disorders that are required under this
30 subtitle, including:

31 (i) Performing newborn screening tests;

1 (ii) Coordinating the reporting, follow-up, and treatment activities
2 with parents, caregivers, and health care providers; and

3 (iii) Establishing fees for newborn screening that do not exceed an
4 amount sufficient to cover the administrative, laboratory, and follow-up costs associated
5 with the performance of screening tests under this subtitle.

6 (e) (1) (I) **NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
7 DEPARTMENT SHALL SCREEN FOR EACH CORE CONDITION LISTED IN THE U.S.
8 DEPARTMENT OF HEALTH AND HUMAN SERVICES' RECOMMENDED UNIFORM
9 SCREENING PANEL.**

10 (II) **ON OR AFTER JANUARY 1, 2023, THE DEPARTMENT SHALL
11 INCLUDE IN THE SYSTEM FOR NEWBORN SCREENING ANY CORE ~~OR SECONDARY~~
12 CONDITION ADDED TO THE RECOMMENDED UNIFORM SCREENING PANEL WITHIN 2
13 YEARS AFTER THE ADDITION OF THE CONDITION TO THE PANEL.**

14 (2) Notwithstanding any other provision of law, if the Secretary of Health
15 and Human Services issues federal recommendations on critical congenital heart disease
16 screening of newborns, the Department shall adopt the federal screening recommendations.

17 (f) (1) The Secretary shall pay all fees collected under the provisions of this
18 subtitle to the Comptroller.

19 (2) The Comptroller shall distribute the fees to the Newborn Screening
20 Program Fund established under § 13-113 of this subtitle.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.