SENATE BILL 242

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 – Requirements

3 FOR the purpose of requiring the system for newborn screening in the Maryland
4 Department of Health to include screening for each core condition listed in the U.S.
5 Department of Health and Human Services’ Recommended Uniform Screening
6 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.
(b) Except as provided in § 13–112 of this subtitle, the Department’s public health laboratory is the sole laboratory authorized to perform tests on specimens from newborn infants collected to screen for hereditary and congenital disorders as determined under subsection (d)(2) of this section.

(c) The system for newborn screening shall include:

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

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

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

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

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

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

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

(ii) Locating newborn infants with abnormal test results;

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

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

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

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

(i) Performing newborn screening tests;
(ii) Coordinating the reporting, follow-up, and treatment activities with parents, caregivers, and health care providers; and

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

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

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

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.