



732876

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/27/2012	.	
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The Committee on Health Regulation (Sobel) recommended the following:

1           **Senate Amendment to Amendment (416374) (with title**  
2 **amendment)**

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4           Between lines 4 and 5  
5 insert:

6           Section 1. Section 383.146, Florida Statutes, is created to  
7 read:

8           383.146 Newborn screening for critical congenital heart  
9 disease.—

10           (1) DEFINITIONS.—As used in this section, the term:

11           (a) "Department" means the Department of Health.

12           (b) "Newborn" means an age range from birth through 29



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13 days.

14 (c) "Screening" means measuring blood oxygen saturation  
15 using pulse oximetry to determine whether a newborn needs  
16 additional diagnostic evaluation for critical congenital heart  
17 disease.

18 (2) REQUIREMENTS FOR SCREENING OF NEWBORNS; REFERRAL FOR  
19 ONGOING SERVICES.-

20 (a) Each licensed hospital that provides maternity and  
21 newborn care services shall ensure that, prior to discharge, all  
22 newborns are screened for the detection of critical congenital  
23 heart disease.

24 (b) Each licensed birth center that provides maternity and  
25 newborn care services shall ensure that, prior to discharge, all  
26 newborns are screened for the detection of critical congenital  
27 heart disease.

28 (c) If the parent or legal guardian of the newborn objects  
29 to the screening, the screening must not be completed,  
30 notwithstanding any other provision of this section. In such  
31 case, the physician, midwife, or other person who is attending  
32 the newborn shall maintain a record that the screening has not  
33 been performed and attach a written objection that must be  
34 signed by the parent or guardian.

35 (d) For home births, the health care provider in attendance  
36 is responsible for the screening.

37 (e) Appropriate documentation of the screening completion,  
38 results, interpretation, and recommendations must be placed in  
39 the medical record within 24 hours after completion of the  
40 screening procedure.

41 (f) Each hospital shall formally designate a lead physician



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42 who is responsible for programmatic oversight of newborn  
43 congenital heart disease screening. Each licensed birth center  
44 shall designate a licensed health care provider to provide such  
45 programmatic oversight. Such physician or health care provider  
46 shall ensure that the appropriate referrals are completed  
47 following a positive screening test result.

48 (g) By October 1, 2012, screening for critical congenital  
49 heart disease must be conducted on all newborns in hospitals and  
50 birth centers in this state following birth admission.

51 (3) RULES.—After consultation with the Genetics and Newborn  
52 Screening Advisory Council, the department shall adopt and  
53 enforce rules requiring that every newborn in this state be  
54 screened for critical congenital heart disease. The department  
55 shall adopt such additional rules as are necessary for the  
56 administration of this section, including rules providing  
57 definitions of terms, rules relating to the methods used and  
58 time or times for testing as accepted medical practice  
59 indicates, rules relating to charging and collecting fees for  
60 the administration of the newborn screening program required by  
61 this section, rules for processing requests and releasing test  
62 and screening results, and rules requiring mandatory reporting  
63 of the results of tests and screenings for this condition to the  
64 department.

65 (4) POWERS AND DUTIES OF THE DEPARTMENT.—The department  
66 shall administer and provide services required pursuant to this  
67 section and shall:

68 (a) Furnish to all physicians, county health departments,  
69 perinatal centers, birth centers, and hospitals forms on which  
70 the results of tests for critical congenital heart disease shall



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71 be reported to the department.

72 (b) Have the authority to charge and collect fees  
73 sufficient to administer the newborn screening program required  
74 under this section.

75

76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78 Delete lines 264 - 265

79 and insert:

80 An act relating to health care; creating s. 383.146,  
81 F.S.; providing definitions; providing requirements  
82 for screening newborns for critical congenital heart  
83 disease; providing an exception; requiring that the  
84 physician, midwife, or other person attending the  
85 newborn maintain a record if the screening has not  
86 been performed and attach a written objection signed  
87 by the parent or guardian; requiring appropriate  
88 documentation of the screening completion in the  
89 medical record; requiring that each hospital and each  
90 licensed birth center designate a lead physician and a  
91 licensed health care provider, respectively, to  
92 provide programmatic oversight for the screening;  
93 requiring that the screening for critical congenital  
94 heart disease be conducted on all newborns in  
95 hospitals and birth centers in this state; authorizing  
96 the Department of Health to adopt rules to administer  
97 the screening program; providing powers and duties of  
98 the department; amending s. 499.003, F.S.; revising  
99 the