

REFERENCE TITLE: newborn screening program; fee

State of Arizona  
Senate  
Fifty-fourth Legislature  
Second Regular Session  
2020

# **SB 1571**

Introduced by  
Senator Brophy McGee

AN ACT

AMENDING SECTION 36-694, ARIZONA REVISED STATUTES; RELATING TO THE NEWBORN SCREENING PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-694, Arizona Revised Statutes, is amended to  
3 read:

4 36-694. Report of blood tests; newborn screening program;  
5 committee; fee; definitions

6 A. When a birth or stillbirth is reported, the attending physician  
7 or other person required to ~~make a~~ report ~~of~~ the birth shall state on the  
8 certificate whether a blood test for syphilis was made on a specimen of  
9 blood taken from the woman who bore the child or from the umbilical cord  
10 at delivery, as required by section 36-693, and the approximate date when  
11 the specimen was taken.

12 B. When a birth is reported, the attending physician or person who  
13 is required to ~~make a~~ report ~~on~~ the birth shall order or cause to be  
14 ordered tests for certain congenital disorders, including hearing  
15 disorders. The results of tests for these disorders must be reported to  
16 the department of health services. The department of health services  
17 shall specify in rule the disorders, the process for collecting and  
18 submitting specimens and the reporting requirements for test results.

19 C. When a hearing test is performed on a newborn, the initial  
20 hearing test results and any subsequent hearing test results must be  
21 reported to the department of health services as prescribed by department  
22 rules.

23 D. The director of the department of health services shall  
24 establish a newborn screening program within the department to ensure that  
25 the testing for congenital disorders and the reporting of hearing test  
26 results required by this section are conducted in an effective and  
27 efficient manner. The newborn screening program shall include an  
28 education program for the general public, the medical community, parents  
29 and professional groups. The director shall designate the state  
30 laboratory as the only testing facility for the program, except that the  
31 director may designate other laboratory testing facilities for conditions  
32 or tests added to the newborn screening program on or after July 24,  
33 2014. If the director designates another laboratory testing facility for  
34 any condition or test, the director shall require the facility to follow  
35 all of the privacy and sample destruction time frames that are required of  
36 the state laboratory.

37 E. The newborn screening program shall establish and maintain a  
38 central database of newborns and infants who are tested for hearing loss  
39 and congenital disorders that includes information required in rule. Test  
40 results are confidential subject to the disclosure provisions of sections  
41 12-2801 and 12-2802.

42 F. If tests conducted pursuant to this section indicate that a  
43 newborn or infant may have a hearing loss or a congenital disorder, the  
44 screening program shall provide follow-up services to encourage the  
45 child's family to access evaluation services, specialty care and early  
46 intervention services.

1 G. The director shall establish a committee to provide  
2 recommendations and advice to the department on at least an annual basis  
3 regarding tests that the committee believes should be included in the  
4 newborn screening program. Any recommendation by the committee that a  
5 test be added to the newborn screening program shall be accompanied by a  
6 cost-benefit analysis.

7 H. The committee shall include the following members who are  
8 appointed by the director and who serve without compensation or  
9 reimbursement of expenses at the pleasure of the director:

10 1. Seven physicians who are licensed pursuant to title 32, chapter  
11 13 or 17 and who represent the medical specialties of endocrinology,  
12 pediatrics, neonatology, family practice, otology and obstetrics.

13 2. A neonatal nurse practitioner who is licensed and certified  
14 pursuant to title 32, chapter 15.

15 3. An audiologist who is licensed pursuant to chapter 17, article 4  
16 of this title.

17 4. A representative of an agency that provides services under part  
18 C of the individuals with disabilities education act.

19 5. At least one parent of a child with a hearing loss or a  
20 congenital disorder.

21 6. A representative from the insurance industry who is familiar  
22 with health care reimbursement issues.

23 7. The director of the Arizona health care cost containment system  
24 administration or the director's designee.

25 8. A representative of the hospital or health care industry.

26 I. The director may establish by rule a fee that the department may  
27 collect for ~~operation of~~ OPERATING the newborn screening program,  
28 including contracting for the testing pursuant to this section. The fee  
29 ~~for the first specimen and hearing test~~ shall not exceed ~~thirty-six~~  
30 ~~dollars~~ \$117.

31 J. For the purposes of this section:

32 1. "Infant" means a child who is twenty-nine days of age to two  
33 years of age.

34 2. "Newborn" means a child who is not more than twenty-eight days  
35 of age.

36 Sec. 2. Requirements for enactment: two-thirds vote

37 Pursuant to article IX, section 22, Constitution of Arizona, this  
38 act is effective only on the affirmative vote of at least two-thirds of  
39 the members of each house of the legislature and is effective immediately  
40 on the signature of the governor or, if the governor vetoes this act, on  
41 the subsequent affirmative vote of at least three-fourths of the members  
42 of each house of the legislature.