

## Regular Session, 2013

**HOUSE BILL NO. 322**

BY REPRESENTATIVE THIERRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

**CHILDREN/NEWBORNS:** Requires birthing facilities to perform pulse oximetric screening for certain heart defects on each newborn in the care of those facilities

# 1 AN ACT

2 To enact Part LXXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to  
3 be comprised of R.S. 40:1300.361 through 1300.363, relative to newborn medical  
4 screening; to require birthing facilities to perform congenital heart defect screening  
5 by pulse oximetry on each newborn; to provide legislative intent; to provide  
6 definitions; and to provide for related matters.

**7 Be it enacted by the Legislature of Louisiana:**

8           Section 1. Part LXXIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes  
9       of 1950, comprised of R.S. 40:1300.361 through 1300.363, is hereby enacted to read as  
10      follows:

## PART LXXIII. NEWBORN CRITICAL CONGENITAL

## HEART DISEASE SCREENING PROGRAM

### §1300.361. Definitions

14                   A. "Birthing facility" means an inpatient or ambulatory health care facility  
15                   licensed by the Department of Health and Hospitals that provides birthing and  
16                   newborn care services.

17           B. "Congenital heart defects" (CHD) means structural abnormalities of the  
18           heart that are present at birth and range in severity from simple problems such as  
19           holes between chambers of the heart, to severe malfunctions, such as the complete

1       absence of one or more chambers or valves. CHD is the most common birth defect  
2       and is the number one cause of infant death from birth defects.

3           C. "Critical congenital heart disease" (CCHD) means that the heart defect  
4       causes severe, life-threatening symptoms and requires intervention, such as surgery,  
5       in the first few hours, days, or months of life. CCHD accounts for about twenty-five  
6       percent of all CHD.

7           B. "Pulse Oximetry Screening" means a noninvasive test that estimates the  
8       percentage of hemoglobin in blood that is saturated with oxygen to detect CHDs.

9           §1300.362. Legislative intent

10          A. The legislature finds that:

11           (1) Critical congenital heart disease can cause severe and life-threatening  
12       symptoms which require intervention within the first days of life. Early detection  
13       of CCHD and timely intervention can decrease morbidity and mortality and lead to  
14       better outcomes for affected children.

15           (2) According to the Centers for Disease Control and Prevention (CDC),  
16       CHDs occur in approximately one in one hundred ten births in the United States.  
17       About twenty-five percent of CHDs are considered CCHDs.

18           (3) Current methods for detecting CCHDs generally include prenatal  
19       ultrasound screening and repeated clinical examinations. Defects are also often not  
20       detected during routine clinical exams performed prior to a newborn baby's discharge  
21       from a birthing facility.

22           (4) When a screening for CCHD, such as pulse oximetry screening, is  
23       performed on a newborn in a birthing facility, it is effective in detecting life-  
24       threatening CHDs, which otherwise go undetected by current screening methods.  
25       The use of pulse oximetry in newborn nurseries is standard in most hospitals.

26           (5) Newborns with abnormal pulse oximetry results require immediate  
27       testing to confirm a defect and intervention. Many newborn lives could be saved by  
28       earlier detection and treatment of CCHD if birthing facilities in the state of Louisiana

1       were required to perform this simple, noninvasive newborn screening in conjunction  
2       with current CCHD screening methods.

3       §1300.363. Critical congenital heart disease screening

4           Each birthing facility in the state of Louisiana shall perform pulse oximetry  
5       screening for the identification of CCHD on every newborn in its care, unless  
6       prohibited by the parent or guardian of the newborn, prior to discharge from the  
7       birthing facility.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Thierry

HB No. 322

**Abstract:** Requires birthing facilities to perform pulse oximetry screening on newborn babies before discharge from a birthing facility.

Proposed law creates the Newborn Critical Congenital Heart Disease Screening Program to screen all La. newborns for congenital heart defects (CHDs).

Proposed law provides for definitions.

Proposed law provides legislative intent, which describes how Critical Congenital Heart Disease (CCHD) can cause severe and life-threatening symptoms, which require intervention within the first days of life.

Proposed law provides that early detection of CHDs can decrease mortality and lead to better outcomes for affected children.

Proposed law provides that CHDs occur in approximately one in 110 births in the U.S., and about 25% of CHDs are considered CCHDs.

Proposed law provides that current methods for screening for CCHDs often miss defects that can be detected by pulse oximetry screening.

Proposed law explains that lives can be saved with immediate intervention if an infant is found to have a CHD within the first days of life.

Proposed law declares that many lives can be saved by early detection and treatment thanks to this simple, noninvasive newborn screening in conjunction with current CCHD screening methods.

Proposed law requires that every birthing facility in the state of La. perform pulse oximetry screening on each newborn before discharge, unless prohibited by the parent or guardian of the newborn.

(Adds R.S. 40:1300.361-1300.363)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Health and Welfare to the  
original bill.

1. Made technical corrections.