

HOUSE No. 03825

Recommended by the committee on Health Care Financing as a substitute for a bill with the same title (House, No. 1528). December 1, 2011.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act Relative to Down Syndrome.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 111 of the General Laws, as appearing in the 2010 Official Edition, is
2 hereby amended by inserting after section 70G the following section:—
- 3 Section 70H.
- 4 (a) For the purposes of this section, the term “Down syndrome” shall mean a chromosomal
5 condition caused by an error in cell division that results in the presence of an extra whole or
6 partial copy of chromosome 21. Any facility, as defined in section 70E, physician, health care
7 provider, nurse midwife or genetic counselor who renders prenatal care, postnatal care or genetic
8 counseling, upon receipt of a positive test result from a test for Down syndrome, shall provide
9 the expectant or new parent with information provided by the department under subsection (b).
- 10 (b) The department shall make available to any person who renders prenatal care, postnatal care
11 or genetic counseling of parents who receive a prenatal or postnatal diagnosis of Down syndrome

12 the following: (1) up-to-date, evidence-based, written information about Down syndrome that
13 has been reviewed by medical experts and national Down syndrome organizations. The written
14 information provided shall include physical, developmental, educational, and psychosocial
15 outcomes, life expectancy, clinical course, and intellectual and functional development and
16 treatment options; and (2) contact information regarding First Call programs and support
17 services, including information hotlines specific to Down syndrome, resource centers or
18 clearinghouses, national and local Down syndrome organizations such as the Massachusetts
19 Down Syndrome Congress, and other education and support programs. The department may also
20 make such information available to any other person who has received a positive test result from
21 a test for Down syndrome.

22 (c) Information provided under this section shall be culturally and linguistically appropriate for
23 women receiving a positive prenatal diagnosis or for the family of a child receiving a postnatal
24 diagnosis of Down syndrome.

25 (d) Nothing in this section shall limit the rights of any person under section 70G.