

2021 -- S 0234 SUBSTITUTE A

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LC001548/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO HEALTH AND SAFETY -- NEWBORN SCREENING PROGRAM

Introduced By: Senators Lawson, Miller, Cano, Goldin, Valverde, Quezada, Bell,
DiMario, and Murray

Date Introduced: February 10, 2021

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-13-14 of the General Laws in Chapter 23-13 entitled "Maternal
2 and Child Health Services for Children with Special Health Care Needs" is hereby amended to read
3 as follows:

4 **23-13-14. Newborn screening program.**

5 (a) The physician attending a newborn child shall cause that child to be subject to newborn
6 screening tests for metabolic, endocrine, and hemoglobinopathy disorders, and other conditions for
7 which there is a medical benefit to the early detection and treatment of the disorder, and an
8 assessment for developmental risk. The department of health shall make rules and regulations
9 pertaining to screenings, diagnostic, and treatment services as accepted medical practice shall
10 indicate. Such rules and regulations shall include, at a minimum, newborn screening tests for all
11 disorders and conditions for which there is a medical benefit to the early detection and treatment
12 of the disorder or condition listed in the current version of the federal Recommended Uniform
13 Screening Panel (RUSP) issued by the Secretary of the U.S. Department of Health and Human
14 Services, and shall include newborn screening tests for all new disorders or conditions for which
15 there is a medical benefit to the early detection and treatment of the disorder or condition added to
16 the federal RUSP within two (2) years after the disorder or condition is added; provided, if the
17 director of health determines in writing that it is not practicable to include a new disorder or
18 condition within two (2) years, the time period may be extended for the shortest amount of time
19 necessary, as determined by the director. The provisions of this section shall not apply if the parents

1 of the child object to the tests on the grounds that those tests conflict with their religious tenets and
2 practices.

3 (b) In addition, the department of health is authorized to establish by rule and regulation a
4 reasonable fee structure for the newborn screening and disease control program, which includes
5 but is not limited to screening, diagnostic, and treatment services. The program shall be a covered
6 benefit and be reimbursable by all health insurers, as defined in § 27-38.2-2(4), providing health
7 insurance coverage in Rhode Island except for supplemental policies which only provide coverage
8 for specific diseases, hospital indemnity Medicare supplements, or other supplemental policies.
9 The department of human services shall pay for the program where the patient is eligible for
10 medical assistance under the provisions of chapter 8 of title 40. The charges for the program shall
11 be borne by the hospitals or other health-care facilities where births occur in the absence of a third-
12 party payor. Nothing in this section shall preclude the hospital or health care facility from billing
13 the patient directly.

14 (c) There is created within the general fund a restricted receipt account to be known as the
15 "newborn screening account" to implement the provisions of § 23-13-13 and § 23-13-14. All funds
16 received pursuant to § 23-13-13 and § 23-13-14 shall be deposited in the account. Funding
17 dedicated exclusively to implement the provisions of § 23-13-13 and § 23-13-14 and received by
18 the department of health from sources other than those identified in § 23-13-13 and § 23-13-14 may
19 also be deposited in the newborn screening account. The general treasurer is authorized and directed
20 to draw his or her orders on the account upon receipt of properly authenticated vouchers from the
21 department of health.

22 SECTION 2. This act shall take effect on January 1, 2022.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- NEWBORN SCREENING PROGRAM

1 This act would mandate the rules and regulations of the department of health pertaining to
2 newborn screening to include at a minimum, newborn screening tests for all disorders and
3 conditions for which there is a medical benefit to the early detection and treatment of the disorder
4 or condition listed in the current federal Recommended Uniform Screening Panel and include new
5 disorders or conditions within two (2) years unless it is not practicable to include a new disorder.

6 This act would take effect on January 1, 2022.

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