

2020 -- S 2367

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LC003860
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO HEALTH AND SAFETY -- NEWBORN SCREENING PROGRAM

Introduced By: Senators Lawson, Miller, Satchell, Nesselbush, and Cano

Date Introduced: February 13, 2020

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

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

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

20 SECTION 2. This act shall take effect on January 1, 2021.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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

5 This act would take effect on January 1, 2021.

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