

House Bill 745

By: Representatives Welch of the 110<sup>th</sup>, Ramsey of the 72<sup>nd</sup>, Cooper of the 41<sup>st</sup>, Manning of the 32<sup>nd</sup>, Watson of the 163<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to health, so as to provide for legislative findings  
3 relating to newborn screening for congenital heart defects; to require the Department of  
4 Public Health to study whether pulse oximetry screening should be a standard test for all  
5 newborns for the detection of congenital heart defects; to provide for a report to legislative  
6 committees; to provide for automatic repeal; to provide for related matters; to repeal  
7 conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 The General Assembly finds and declares that:

- 11 (1) Congenital heart defects (CHDs) are structural abnormalities of the heart that are  
12 present at birth; CHDs range in severity from simple problems, such as holes between  
13 chambers of the heart, to severe malformations, such as the complete absence of one or  
14 more chambers or valves; some critical CHDs can cause severe and life-threatening  
15 symptoms which require intervention within the first days of life;
- 16 (2) According to the United States Secretary of Health and Human Services' Advisory  
17 Committee on Heritable Disorders in Newborns and Children, congenital heart disease  
18 affects approximately seven to nine of every 1,000 live births in the United States and  
19 Europe; the federal Centers for Disease Control and Prevention states that CHD is the  
20 leading cause of infant death due to birth defects;
- 21 (3) Current methods for detecting CHDs generally include prenatal ultrasound screening  
22 and repeated clinical examinations, but while prenatal ultrasound screenings can detect  
23 some major CHDs, these screenings, alone, identify less than one-half of all CHD cases,  
24 and critical CHD cases are often missed during routine clinical exams performed prior to  
25 a newborn's discharge from a birthing facility;

26 (4) Pulse oximetry is a noninvasive test that estimates the percentage of hemoglobin in  
27 blood that is saturated with oxygen; when performed on a newborn a minimum of 24 hours  
28 after birth, pulse oximetry screening is often more effective at detecting critical,  
29 life-threatening CHDs which otherwise go undetected by current screening methods;  
30 newborns with abnormal pulse oximetry results require immediate confirmatory testing and  
31 intervention; and

32 (5) Many newborn lives could potentially be saved by earlier detection and treatment of  
33 CHDs if birthing facilities were required to perform this simple, noninvasive newborn  
34 screening in conjunction with current CHD screening methods.

## 35 **SECTION 2.**

36 Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to  
37 general provisions relative to health, is amended by adding a new Code section to read as  
38 follows:

39 "31-1-3.3.

40 (a) The Department of Public Health shall undertake a study to determine whether pulse  
41 oximetry screening should be implemented as a standard test for newborn infants in this  
42 state to aid in detecting congenital heart defects.

43 (b) The study undertaken by the department shall include the review of available data and  
44 research findings on this issue to determine whether pulse oximetry screening should be  
45 performed as a standard test in conjunction with other current screening methods for  
46 congenital heart defects. Said study shall evaluate the fiscal impacts of implementing pulse  
47 oximetry screening in Georgia. The department shall complete and submit a report to the  
48 Senate Health and Human Services Committee and the House Committee on Health and  
49 Human Services no later than the fifth day of the 2013 regular session of the General  
50 Assembly. Such report shall include the results, conclusions, and recommendations of the  
51 department, including whether proposed legislation should be introduced.

52 (c) This Code section shall stand repealed on January 31, 2013."

## 53 **SECTION 3.**

54 All laws and parts of laws in conflict with this Act are repealed.