

# SENATE BILL NO. 230

97TH GENERAL ASSEMBLY

2013

1080S.01T

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## AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to newborn screenings.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 191, RSMo, is amended by adding thereto one new  
2 section, to be known as section 191.334, to read as follows:

191.334. 1. This section shall be known and may be cited as  
2 "Chloe's Law".

3 2. Effective January 1, 2014, every newborn infant born in this  
4 state shall be screened for critical congenital heart disease in  
5 accordance with the provisions of this section.

6 3. Every newborn delivered on or after January 1, 2014, in an  
7 ambulatory surgical center, birthing center, hospital, or home shall be  
8 screened for critical congenital heart disease with pulse oximetry or in  
9 another manner as directed by the department of health and senior  
10 services in accordance with the American Academy of Pediatrics and  
11 American Heart Association guidelines. Screening shall occur prior to  
12 discharge if delivery occurs in a facility. If delivery occurs in a home  
13 the individual performing the delivery shall perform the screening  
14 within forty-eight hours of birth. Screening results shall be reported to  
15 the parents or guardians of the newborn and the department of health  
16 and senior services in a manner prescribed by the department for  
17 surveillance purposes. The facility or individual shall develop and  
18 implement plans to ensure that newborns with positive screens receive  
19 appropriate confirmatory procedures and referral for treatment as  
20 indicated.

21 4. The provisions of this section shall not apply if a parent or  
22 guardian of the newborn objects to the screening on the grounds that  
23 it conflicts with his or her religious tenets and practices. The parent

24 or guardian of any newborn who refuses to have the critical congenital  
25 heart disease screening administered after notice of the requirement  
26 for screening shall document the refusal in writing. Any refusal of  
27 screening shall be reported to the department of health and senior  
28 services in a manner prescribed by the department.

29 5. The department of health and senior services shall provide  
30 consultation and administrative technical support to facilities and  
31 persons implementing the requirements of this section including, but  
32 not limited to, assistance in:

33 (1) Developing and implementing critical congenital heart  
34 disease newborn screening protocols based on the American Academy  
35 of Pediatrics and American Heart Association guidelines;

36 (2) Developing and training facilities and persons on  
37 implementation of protocols;

38 (3) Developing and distributing educational materials for  
39 families; and

40 (4) Implementing reporting requirements.

41 6. Any rule or portion of a rule, as that term is defined in section  
42 536.010 that is created under the authority delegated in this section  
43 shall become effective only if it complies with and is subject to all of  
44 the provisions of chapter 536, and, if applicable, section 536.028. This  
45 section and chapter 536 are nonseverable and if any of the powers  
46 vested with the general assembly pursuant to chapter 536, to review, to  
47 delay the effective date, or to disapprove and annul a rule are  
48 subsequently held unconstitutional, then the grant of rulemaking  
49 authority and any rule proposed or adopted after August 28, 2013, shall  
50 be invalid and void.

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