

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2408

BY DELEGATE BYRD AND CAPITO

[Introduced January 15, 2019; Referred
to the Committee on Health and Human Resources]

1 A BILL to amend and reenact §16-22-3 of the Code of West Virginia, 1931, as amended, relating
 2 to requiring hospitals and birthing centers to also test newborn infants for spinal muscular
 3 atrophy.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 22. DETECTION AND CONTROL OF PHENYLKETONURIA,
 GALACTOSEMIA, HYPOTHYROIDISM, AND CERTAIN OTHER DISEASES IN
 NEWBORN CHILDREN.**

**§16-22-3. Tests for diseases specified by the state Public Health Commissioner; reports;
 assistance to afflicted children; Public Health Commissioner to propose rules.**

1 (a) The hospital or birthing center in which an infant is born, the parents or legal guardians,
 2 the physician attending a newborn child, or any person attending a newborn child not under the
 3 care of a physician shall require and ensure that each such child be tested for phenylketonuria,
 4 galactosemia, hypothyroidism, sickle cell anemia, ~~and certain other diseases specified by the~~
 5 ~~Bureau for Public Health. The Bureau for Public Health shall also require testing for congenital~~
 6 adrenal hyperplasia, cystic fibrosis, and biotinidase deficiency, ~~No later than July 1, 2008, the~~
 7 ~~Bureau for Public Health shall also require testing for isovaleric acidemia, glutaric acidemia type~~
 8 I, 3-Hydroxy-3-methylglutaric aciduria, multiple carboxylase deficiency, methylmalonic acidemia-
 9 mutase deficiency form, 3-methylcrotonyl-CoA carboxylase deficiency, methylmalonic acidemia,
 10 Cbl A and Cbl B forms, propionic acidemia, beta-ketothiolase deficiency, medium-chain acyl-CoA
 11 dehydrogenase deficiency, very long-chain acyl-CoA dehydrogenase deficiency, long-chain
 12 hydroxyacyl-CoA dehydrogenase deficiency, trifunctional protein deficiency, carnitine uptake
 13 defeat, maple syrup urine disease, homocystinuria, citrullinemia type I, argininosuccinate
 14 acidemia, tyrosinemia type I, hemoglobin S/Beta-thalassemia, sickle C disease, spinal muscular
 15 atrophy and hearing deficiency, and other diseases as specified by the Bureau for Public Health.

16 (b) A positive result on any test specified in §16-22-3(a) of this code, or a positive result

17 for any other diseases specified by the Bureau for Public Health, shall be promptly reported to the
18 Bureau for Public Health by the director of the laboratory performing such test.

19 (c) Newborn screenings shall be considered a covered benefit reimbursed to the birthing
20 facilities by Public Employees Insurance Agency, the state Children's Health Insurance Program,
21 the Medicaid program and all health insurers whose benefit package includes pregnancy
22 coverage and who are licensed under chapter 33 of this code.

23 (d) The Bureau for Public Health shall propose rules for legislative approval in accordance
24 with §29-3-1 *et seq.* of this code. These legislative rules shall include:

25 (1) A means for the Bureau for Public Health, in cooperation with other state agencies,
26 and with attending physicians, to provide medical, dietary and related assistance to children
27 determined to be afflicted with any disease specified in §16-22-3(a) of this code and certain other
28 diseases specified by the Bureau for Public Health; ~~and~~

29 (2) A means for payment for the screening provided for in this section; and

30 (3) Anything further considered necessary by the Bureau for Public Health to implement
31 the provisions of this section.

NOTE: The purpose of this bill is to require hospitals and birthing centers to also test newborn infants for spinal muscular atrophy.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.