

1 **SENATE FLOOR VERSION**

2 February 18, 2013

3 SENATE BILL NO. 851

By: David and Johnson
(Constance) of the Senate

4 and

5 Kirby of the House
6

7
8 An Act relating to public health; providing
9 legislative findings; defining term; requiring
10 birthing facilities to administer pulse oximetry
11 screenings to newborns; providing for
12 noncodification, providing for codification,
13 providing an effective date; and declaring an
14 emergency.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 The Legislature finds and declares that:

19 1. Congenital heart defects are structural abnormalities of the
20 heart that are present at birth; congenital heart defects range in
21 severity from simple problems such as holes between chambers of the
22 heart, to severe malformations, such as the complete absence of one
23 or more chambers or valves; some critical congenital heart defects
24 can cause severe and life-threatening symptoms which require
intervention within the first days of life;

1 2. Congenital heart defects are a leading cause of death among
2 infants with birth defects;

3 3. According to the United States Secretary of Health and Human
4 Services' Advisory Committee on Heritable Disorders in Newborns and
5 Children, congenital heart disease affects approximately seven to
6 nine of every one thousand live births in the United States and
7 Europe;

8 4. Hospital costs for all individuals with congenital heart
9 disease can total Two Billion Six Hundred Million Dollars
10 (\$2,600,000,000.00);

11 5. Current methods for detecting congenital heart defects
12 generally include prenatal ultrasound screening and repeated
13 clinical examinations can identify many affected newborns; these
14 screenings, alone, identify less than half of all cases, and
15 critical congenital heart defect cases are often missed during
16 routine clinical exams performed prior to a newborn's discharge from
17 a birthing facility;

18 6. Pulse oximetry is a noninvasive test that estimates the
19 percentage of hemoglobin in blood that is saturated with oxygen, and
20 when performed on newborns in delivery centers is effective at
21 detecting critical, life-threatening congenital heart defects which
22 otherwise go undetected by current screening methods; and

23 7. Newborns with abnormal pulse oximetry results require
24 immediate confirmatory testing and intervention; and many newborn

1 lives could potentially be saved by earlier detection and treatment
2 of congenital heart defects if birthing facilities in the state were
3 required to perform this simple, noninvasive newborn screening in
4 conjunction with current congenital heart disease screening methods.

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 1-550.4 of Title 63, unless
7 there is created a duplication in numbering, reads as follows:

8 1. As used in this section, "birthing facility" means an
9 inpatient or ambulatory health care facility licensed by the State
10 Department of Health that provides birthing and newborn care
11 services.

12 2. The State Department of Health shall require each birthing
13 facility to perform a pulse oximetry screening on every newborn in
14 its care prior to discharge from the birthing facility.

15 3. The State Board of Health shall promulgate rules necessary
16 to carry out the purposes of this act.

17 SECTION 3. This act shall become effective July 1, 2013.

18 SECTION 4. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
23 February 18, 2013 - DO PASS
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