

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1347

By: Kirby

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5
6 AS INTRODUCED

7 An Act relating to public health and safety; creating
8 Fayelen's Law; stating legislative findings;
9 requiring birthing facility to perform certain
10 screening on newborns; requiring State Board of
11 Health to promulgate rules; defining term; providing
12 for codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-516A of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 This section shall be known and may be cited as "Fayelen's Law".

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1-516B of Title 63, unless there
20 is created a duplication in numbering, reads as follows:

21 A. The Legislature finds that:

22 1. Congenital heart defects are structural abnormalities of the
23 heart that are present at birth. Congenital heart defects range in
24 severity from simple problems such as holes between chambers of the

1 heart, to severe malformations, such as the complete absence of one
2 or more chambers or valves. Some critical congenital heart defects
3 can cause severe and life-threatening symptoms which require
4 intervention within the first days of life;

5 2. Congenital heart defects are the number one killer of
6 infants with birth defects;

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

12 4. Hospital costs for all individuals with congenital heart
13 disease can total Two Billion Six Hundred Million Dollars
14 (\$2,600,000,000.00) a year;

15 5. Current methods for detecting congenital heart defects
16 generally include prenatal ultrasound screening and repeated
17 clinical examinations can identify many affected newborns. These
18 screenings, alone, identify less than one-half (1/2) of all cases,
19 and critical congenital heart defect cases are often missed during
20 routine clinical examinations performed prior to a newborn's
21 discharge from a birthing facility;

22 6. Pulse oximetry is a noninvasive test that estimates the
23 percentage of hemoglobin in blood that is saturated with oxygen;
24 when the test is performed on newborns in delivery centers, it is

1 effective at detecting critical, life-threatening congenital heart
2 defects which otherwise go undetected by current screening methods;
3 and

4 7. Newborns with abnormal pulse oximetry results require
5 immediate confirmatory testing and intervention. Many newborn lives
6 could potentially be saved by earlier detection and treatment of
7 congenital heart defects if birthing facilities in the State of
8 Oklahoma were required to perform this simple, noninvasive newborn
9 screening in conjunction with current congenital heart disease
10 screening methods.

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

14 C. The State Board of Health shall promulgate rules necessary
15 to carry out the purposes of this section.

16 D. For the purposes of this section, "birthing facility" means
17 an inpatient or ambulatory health care facility licensed by the
18 State Department of Health that provides birthing and newborn care
19 services.

20 SECTION 3. This act shall become effective November 1, 2013.

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