
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that congenital heart
2 defects are structural abnormalities of the heart that are
3 present at birth and are the number one killer of infants with
4 birth defects. Congenital heart defects range in severity from
5 simple problems, such as holes between chambers of the heart, to
6 severe malformations, such as the complete absence of one or
7 more chambers or valves. Some congenital heart defects can
8 cause severe or life-threatening symptoms that require
9 intervention within the first days of life.

10 Pulse oximetry is a non-invasive test that estimates the
11 percentage of hemoglobin in blood that is saturated with oxygen.
12 When performed on newborns in birthing facilities, pulse
13 oximetry is effective at detecting critical, life-threatening
14 congenital heart defects, which otherwise go undetected by
15 current screening methods. The legislature finds that many
16 newborn lives could potentially be saved by earlier detection
17 and treatment of congenital heart defects if birthing facilities
18 in the State were required to perform this simple, non-invasive



1 newborn screening in conjunction with current congenital heart
2 disease screening methods.

3 The purpose of this Act is to require birthing facilities
4 to perform a pulse oximetry screening or other medically
5 accepted test that measures the percentage of blood oxygen
6 saturation. This Act also establishes reporting requirements on
7 such screenings for quality improvement purposes and
8 appropriates funds for screenings on every newborn in its care
9 prior to discharge.

10 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§321- Newborn pulse oximetry screening. (a) A
14 birthing facility shall perform on every newborn in its care
15 prior to discharge of the newborn a pulse oximetry test for
16 critical congenital heart defects or other medically accepted
17 test that measures the percentage of blood oxygen saturation, as
18 approved by the guidelines of the American Academy of
19 Pediatrics.

20 (b) Subsection (a) shall not apply if the parents,
21 guardians, or other persons having custody or control of the
22 newborn, object to performance of the test required by



1 subsection (a) on the grounds that the test conflicts with their
2 religious tenets and beliefs and written objection is made a
3 part of the newborn's medical record.

4 (c) Each birthing facility shall report, at minimum, the
5 following data and information relating to the screening tests
6 performed pursuant to subsection (a) to the department for
7 quality improvement purposes:

- 8 (1) Newborns screened and not screened;
- 9 (2) Timing of screening after birth;
- 10 (3) Screening results;
- 11 (4) Outcomes of newborns who fail the screening; and
- 12 (5) Newborns detected with a critical congenital heart
13 defect who passed screening.

14 (d) For the purposes of this section, "birthing facility"
15 means an inpatient or ambulatory health care facility licensed
16 by the department of health that provides birthing and newborn
17 care services."

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so much
20 thereof as may be necessary for fiscal year 2014-2015 for a
21 program for critical congenital heart defect screening of
22 newborns using pulse oximetry or other medically accepted test



1 that measures the blood oxygen saturation as approved by the
2 guidelines of the American Academy of Pediatrics.

3 The sum appropriated shall be expended by the department of
4 health for the purposes of this Act.

5 SECTION 4. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so much
7 thereof as may be necessary for fiscal year 2014-2015 for the
8 Hawaii health systems corporation to conduct at its facilities
9 critical congenital heart defect screening of newborns using
10 pulse oximetry or other medically accepted test that measures
11 the blood oxygen saturation as approved by the guidelines of the
12 American Academy of Pediatrics.

13 The sum appropriated shall be expended by the Hawaii health
14 systems corporation for the purposes of this Act.

15 SECTION 5. New statutory material is underscored.

16 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Pulse Oximetry Screening; Congenital Heart Defects; Birthing Facilities; Newborns; Appropriation

Description:

Requires birthing facilities to perform a pulse oximetry test or other medically accepted screening on newborns to screen for critical congenital heart defects. Appropriates funds for a program to conduct such screening and to the Hawaii Health Systems Corporation to conduct such screening at its facilities. Effective July 1, 2050. (SB2194 HD1)

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