

JAN 23 2015

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# 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 few 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



1 in the State were required to perform this simple, non-invasive  
2 newborn screening in conjunction with current congenital heart  
3 disease screening methods.

4 The purpose of this Act is to require birthing facilities  
5 to perform a pulse oximetry screening or other medically  
6 accepted test that measures the percentage of blood oxygen  
7 saturation.

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

11 "§321- Newborn pulse oximetry screening. (a) Prior to  
12 discharge of every newborn in its care, a birthing facility  
13 shall conduct on each newborn a pulse oximetry test for critical  
14 congenital heart defects or other medically accepted test that  
15 measures the percentage of blood oxygen saturation, as approved  
16 by the guidelines of the American Academy of Pediatrics.

17 (b) Subsection (a) shall not apply if the parents,  
18 guardians, or other persons having custody or control of the  
19 newborn, object to performance of the test required by  
20 subsection (a) on the grounds that the test conflicts with their



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1 religious tenets and beliefs and written objection is made a  
2 part of the newborn's medical record.

3 (c) For the purposes of this section, "birthing facility"  
4 means an inpatient or ambulatory health care facility licensed  
5 by the department of health that provides birthing and newborn  
6 care services."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

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# S.B. NO. 337

**Report Title:**

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

**Description:**

Requires birthing facilities to perform a pulse oximetry test or other medically accepted screening on newborns to screen for critical congenital heart defects.

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