
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
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 and submit related annual data to the department of
7 health for quality improvement activities.

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



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

3 (c) A birthing facility subject to this section shall
4 submit an annual minimum data set to the department of health
5 for quality improvement activities. The minimum data set shall
6 include:

- 7 (1) Newborns screened and not screened;
- 8 (2) Timing of screening after birth;
- 9 (3) Pulse oximetry results;
- 10 (4) Outcomes of the newborns that fail the pulse oximetry
11 screening; and
- 12 (5) Infants that pass pulse oximetry screening but are
13 later found to have a critical congenital heart
14 defect.

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

19 SECTION 3. New statutory material is underscored.

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



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. Requires birthing facilities to submit an annual minimum data set related to pulse oximetry testing to the department of health. (SD1)

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