

## ACT 173

H.B. NO. 166

A Bill for an Act Relating to Health.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 333-1, Hawaii Revised Statutes, is repealed.

SECTION 2. Part IV, chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read:

**“§321- Tests for phenylketonuria, hypothyroidism, and other metabolic diseases.** (a) The department of health may specify diseases to be screened for in newborn infants and methods to be employed, to best prevent mortality and morbidity within the population of the State.

(b) The person in charge of each institution caring for newborn infants and the responsible physician attending the birth of a newborn or the person assisting the birth of a child not attended by a physician, shall ensure that every infant in the person’s care be tested for phenylketonuria, hypothyroidism, and any other disease that may be specified by the department of health; provided that this section shall not apply if the parents, guardian, or other person having custody or control of the child object thereto on the grounds that the tests conflict with their religious tenets and beliefs and written objection is made a part of the infant’s medical record.

(c) The department of health shall adopt rules pursuant to chapter 91, necessary for the purposes of this section, including, but not limited to:

(1) Administration of newborn screening tests;

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- (2) Quality and cost control of screening tests;
- (3) Keeping of records and related data;
- (4) Reporting of positive test results;
- (5) Guidelines for care, treatment, and follow up of infants with positive test results;
- (6) Informing parents about the purposes of these tests; and
- (7) Maintaining the confidentiality of affected families.”

**SECTION 3.** Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>1</sup>

**SECTION 4.** This Act shall take effect on January 1, 1986.

(Approved June 1, 1985.)

**Note**

1. Edited pursuant to HRS §23G-16.5.