

1 **CYTOMEGALOVIRUS PUBLIC HEALTH INITIATIVE**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Ronda Rudd Menlove**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the Utah Health Code and directs the Department of Health to
10 establish a public education program regarding the dangers of congenital
11 cytomegalovirus (CMV) and the methods of prevention of CMV.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ directs the Department of Health to create a public education program to inform
15 pregnant women and women who may become pregnant about the occurrence of
16 CMV, the transmission of CMV, the birth defects that CMV can cause, methods of
17 diagnosis, and available preventative measures;

18 ▶ requires the Department of Health to provide this information to:

- 19 • licensed child care programs and their employees;
- 20 • health care facilities licensed pursuant to Title 26, Chapter 21, Health Care
21 Facility Licensing and Inspection Act;
- 22 • child care programs administered by educational institutions regulated by the
23 boards of education of this state, private education institutions that provide
24 education in lieu of that provided by the public education system, or by
25 parochial education institutions;
- 26 • child care programs administered by public or private institutions of higher
27 education, if the care is provided in connection with a course of study or



28 program, relating to the education or study of children, that is provided to students of the
29 institution of higher education;

30 • child care programs administered at public schools by organizations other than
31 the public schools if the care is provided under contract with the public schools
32 or on school properties or if the public schools accept responsibility and
33 oversight for the care provided by the organizations;

34 • child care programs provided by organizations that qualify for tax exempt status
35 under Section 501(c)(3) of the Internal Revenue Code or that are provided
36 pursuant to a written agreement with a municipality or county;

37 • child care programs provided at residential support programs that are licensed
38 by the Department of Human Services; and

39 • religious, ecclesiastical, or denominational organizations offering children's
40 programs as a component of worship services; and

41 ▶ directs medical practitioners to test infants, for whom two separate hearing tests
42 indicate hearing loss, for CMV and inform the parents of those infants about the
43 possible birth defects that CMV can cause and the available treatment methods.

44 **Money Appropriated in this Bill:**

45 None

46 **Other Special Clauses:**

47 None

48 **Utah Code Sections Affected:**

49 ENACTS:

50 **26-10-10**, Utah Code Annotated 1953



52 *Be it enacted by the Legislature of the state of Utah:*

53 Section 1. Section **26-10-10** is enacted to read:

54 **26-10-10. Cytomegalovirus (CMV) public education.**

55 (1) As used in this section "CMV" means cytomegalovirus.

56 (2) The department shall establish and conduct a public education program to inform
57 pregnant women and women who may become pregnant regarding:

58 (a) the incidence of CMV;

59 (b) the transmission of CMV to pregnant women and women who may become
60 pregnant;

61 (c) birth defects caused by congenital CMV;

62 (d) methods of diagnosing congenital CMV; and

63 (e) available preventative measures.

64 (3) The department shall provide the information described in Subsection (2) to:

65 (a) child care programs licensed under Title 26, Chapter 39, Utah Child Care Licensing
66 Act, and their employees;

67 (b) a person described in Subsection 26-39-403(1)(c), (f), (g), (h), (j), or (k); and

68 (c) religious, ecclesiastical, or denominational organizations offering children's
69 programs as a part of worship services.

70 (4) If tests for hearing loss under Subsection 26-10-6(1) issued to a newborn infant
71 between two and five days of age and between seven and 28 days of age both indicate hearing
72 loss, a medical practitioner shall:

73 (a) test the newborn infant for CMV; and

74 (b) provide to the parents of the newborn infant information regarding:

75 (i) birth defects caused by congenital CMV; and

76 (ii) available methods of treatment.

Legislative Review Note
as of 1-4-13 11:57 AM

Office of Legislative Research and General Counsel