

## HB0081S02 compared with HB0081S01

~~text~~ shows text that was in HB0081S01 but was deleted in HB0081S02.

text shows text that was not in HB0081S01 but was inserted into HB0081S02.

**DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.**

**Representative Ronda Rudd Menlove** proposes the following substitute bill:

### **CYTOMEGALOVIRUS PUBLIC HEALTH INITIATIVE**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronda Rudd Menlove**

Senate Sponsor: \_\_\_\_\_

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#### **LONG TITLE**

##### **General Description:**

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

##### **Highlighted Provisions:**

This bill:

- ▶ directs the Department of Health to create a public education program to inform pregnant women and women who may become pregnant about the occurrence of CMV, the transmission of CMV, the birth defects that CMV can cause, methods of diagnosis, and available preventative measures;
- ▶ requires the Department of Health to provide this information to:
  - licensed child care programs and their employees;

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- health care facilities licensed pursuant to Title 26, Chapter 21, the Health Care Facility Licensing and Inspection Act;
  - child care programs administered by educational institutions regulated by the boards of education of this state, private education institutions that provide education in lieu of that provided by the public education system, or by parochial education institutions;
  - child care programs administered by public or private institutions of higher education, if the care is provided in connection with a course of study or program, relating to the education or study of children, that is provided to students of the institution of higher education;
  - child care programs administered at public schools by organizations other than the public schools if the care is provided under contract with the public schools or on school properties or if the public schools accept responsibility and oversight for the care provided by the organizations;
  - child care programs provided by organizations that qualify for tax exempt status under Section 501(c)(3) of the Internal Revenue Code or that are provided pursuant to a written agreement with a municipality or county;
  - child care programs provided at residential support programs that are licensed by the Department of Human Services;
  - school nurses;
  - health educators;
  - health care providers offering care to pregnant women and infants; and
  - religious, ecclesiastical, or denominational organizations offering children's programs as a component of worship services; ~~and~~
- ▶ directs medical practitioners to test infants, who fail the newborn hearing screening test(s), for CMV and inform the parents of those infants about the possible birth defects that CMV can cause and the available treatment methods ~~and~~;
- ▶ directs the Department of Health to notify medical practitioners of the CMV testing requirements; and
- ▶ grants rulemaking authority to the Department of Health.

### Money Appropriated in this Bill:

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None

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

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

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

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

**26-10-10. Cytomegalovirus (CMV) public education and testing.**

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

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

(a) the incidence of CMV;

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

(c) birth defects caused by congenital CMV;

(d) methods of diagnosing congenital CMV; and

(e) available preventative measures.

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

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

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

(c) a person serving as a school nurse under Subsection 53A-11-204;

(d) a person offering health education in a school district;

~~(e)~~ health care providers offering care to pregnant women and infants; and

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

~~(4)~~3) If a newborn infant fails the newborn hearing screening test(s) under Subsection 26-10-6(1), a medical practitioner shall:

(a) test the newborn infant for CMV before the newborn is 21 days of age, unless a

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parent of the newborn infant objects; and

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

(i) birth defects caused by congenital CMV; and

(ii) available methods of treatment.

(4) The department shall provide to a medical practitioner, information regarding the testing requirements under Subsection (3) when providing results indicating that an infant has failed the newborn hearing screening test(s) under Subsection 26-10-6(1).

(5) The ~~Department of Health~~ department may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as necessary to administer the provisions of this section.