

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 661
HOUSE BILL 890

AN ACT TO ESTABLISH A NEWBORN SCREENING PROGRAM WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 130A of the General Statutes is amended by adding the following new section to read:

"§ 130A-125. Screening of newborns for metabolic and other hereditary and congenital disorders.

(a) The Department shall establish and administer a Newborn Screening Program. The program shall include, but shall not be limited to:

- (1) Development and distribution of educational materials regarding the availability and benefits of newborn screening.
- (2) Provision of laboratory testing.
- (3) Development of follow-up protocols to assure early treatment for identified children, and the provision of genetic counseling and support services for the families of identified children.
- (4) Provision of necessary dietary treatment products or medications for identified children as medically indicated and when not otherwise available.

(b) The Commission shall adopt rules necessary to implement the Newborn Screening Program. The rules shall include, but shall not be limited to, the conditions for which screening shall be required, provided that screening shall not be required when the parents or the guardian of the infant object to such screening. If the parents or guardian object to the screening, the objection shall be presented in writing to the physician or other person responsible for administering the test, who shall place the written objection in the infant's medical record.

(c) The Department is authorized to establish and collect a reasonable fee for laboratory tests performed pursuant to this section by the State Public Health Laboratory. Such fees shall be based on the actual cost of performing the tests. All fees collected by the Department shall be used to supplement and not supplant funds appropriated for the Newborn Screening Program. Fees collected by the Department pursuant to this section shall not revert to the General Fund at the end of each fiscal year, but shall remain in the Department to be used to support the Newborn Screening Program, subject to appropriation by the General Assembly."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of July, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives