

CHAPTER 190
SB 348-FN – FINAL VERSION

02/08/12 0420s
11Apr2012... 1568h

2012 SESSION

12-2892
01/04

SENATE BILL ***348-FN***

AN ACT relative to the pulse oximetry test for newborns.

SPONSORS: Sen. Barnes, Jr., Dist 17

COMMITTEE: Health and Human Services

ANALYSIS

This bill adds the pulse oximetry test to the medical screenings required for newborns.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to the pulse oximetry test for newborns.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 190:1 Name of Act. This act shall be known as “Parker’s Law” after Parker Bolton who was born
2 with a severe congenital heart defect (CHD) known as hypoplastic left heart syndrome (HLHS).
3 Parker spent his first 3 months in a hospital and before the age of 2½ he underwent 3 open heart
4 surgeries. Because of early intervention and excellent medical care, Parker is expected to lead a
5 normal life. Although he still has to undergo more surgeries and may need a full heart transplant in
6 the future, he has proven to be a very resilient and happy child.

7 190:2 Findings. The general court finds and declares that:

8 I. Congenital heart defects (CHDs) are structural abnormalities of the heart that are present
9 at birth. CHDs range in severity from simple problems such as holes between chambers of the heart,
10 to severe malformations, such as the complete absence of one or more chambers or valves. Some
11 critical CHDs can cause severe and life-threatening symptoms which require intervention within the
12 first days of life.

13 II. According to the United States Secretary of Health and Human Services’ Advisory
14 Committee on Heritable Disorders in Newborns and Children, congenital heart disease affects
15 approximately 7 to 9 of every 1,000 live births in the United States and Europe. The federal Centers
16 for Disease Control and Prevention states that CHD is the leading cause of infant death due to birth
17 defects.

18 III. Current methods for detecting CHDs generally include prenatal ultrasound screening
19 and repeated clinical examinations. While prenatal ultrasound screenings can detect some major
20 congenital heart defects, these screenings, alone, identify less than half of all CHD cases, and critical
21 CHD cases are often missed during routine clinical exams performed prior to a newborn’s discharge
22 from a birthing facility.

23 IV. Pulse oximetry is a non-invasive test that estimates the percentage of hemoglobin in
24 blood that is saturated with oxygen. When performed on a newborn a minimum of 24 hours after
25 birth, pulse oximetry screening is often more effective at detecting critical, life-threatening CHDs
26 which otherwise go undetected by current screening methods. Newborns with abnormal pulse
27 oximetry results require immediate confirmatory testing and intervention.

28 V. Many newborn lives could potentially be saved by earlier detection and treatment of

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1 CHDs if the state required health care providers attending newborn children to perform this simple,
2 non-invasive newborn screening in conjunction with current CHD screening methods.

3 190:3 New Section; Newborn Screening Tests; Pulse Oximetry Test Required. Amend RSA 132
4 by inserting after section 10-a the following new section:

5 132:10-aa Newborn Screening; Pulse Oximetry Test Required. The physician, hospital, nurse
6 midwife, midwife, or other health care provider attending a newborn child shall perform a pulse
7 oximetry screening, according to the recommendations of the American Academy of Pediatrics, on
8 every newborn child.

9 190:4 Exception. Amend RSA 132:10-c to read as follows:

10 132:10-c Exception. The provisions of RSA 132:10-a, **10-aa**, and 10-b shall not apply if the
11 parents of such child object thereto.

12 190:5 Effective Date. This act shall take effect 60 days after its passage.

13

14 Approved: June 11, 2012

15 Effective Date: August 10, 2012