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# A BILL FOR AN ACT

RELATING TO HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that congenital heart  
2 defects are structural abnormalities of the heart that are  
3 present at birth and are the number one killer of infants with  
4 birth defects. Congenital heart defects range in severity, from  
5 simple problems such as holes between chambers of the heart, to  
6 severe malformations such as the complete absence of one or more  
7 chambers or valves. Some congenital heart defects can cause  
8 severe or life-threatening symptoms that require intervention  
9 within the first few days of life.

10           Pulse oximetry is a non-invasive test that estimates the  
11 percentage of hemoglobin in blood that is saturated with oxygen.  
12 When performed on newborns in birthing facilities, pulse  
13 oximetry is effective at detecting critical, life-threatening  
14 congenital heart defects, which otherwise go undetected by  
15 current screening methods. The legislature finds that many  
16 newborn lives can potentially be saved by earlier detection and  
17 treatment of congenital heart defects if birthing facilities in  
18 the State are required to perform this simple, non-invasive



1 newborn screening in conjunction with current congenital heart  
2 disease screening methods.

3 The purpose of this Act is to require birthing facilities  
4 to perform a pulse oximetry test or other medically accepted  
5 test that measures the percentage of blood oxygen saturation.

6 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9 "§321- Newborn pulse oximetry screening. (a) Prior to  
10 discharge of any newborn in its care, a birthing facility shall  
11 perform on the newborn a pulse oximetry test for critical  
12 congenital heart defects or other medically accepted test that  
13 measures the percentage of blood oxygen saturation, as approved  
14 by the guidelines of the American Academy of Pediatrics.

15 (b) Subsection (a) shall not apply if the parents,  
16 guardians, or other persons having custody or control of the  
17 newborn object to performance of the test required by subsection  
18 (a) on the grounds that the test conflicts with their religious  
19 tenets and beliefs and written objection is made a part of the  
20 newborn's medical record.



1        (c) Each birthing facility shall report critical  
2 congenital heart defect screening data to the department of  
3 health for quality assurance and improvement activities. At a  
4 minimum, the data shall include:

- 5        (1) Newborns screened and not screened;  
6        (2) The timing of screening after birth;  
7        (3) Pulse oximetry results;  
8        (4) The outcomes of newborns who fail pulse oximetry  
9        screening; and  
10       (5) Infants who are detected with a critical congenital  
11       heart defect and who pass pulse oximetry screening.

12       (d) For the purposes of this section, "birthing facility"  
13 means an inpatient or ambulatory health care facility licensed  
14 by the department of health that provides birthing and newborn  
15 care services."

16       SECTION 3. New statutory material is underscored.

17       SECTION 4. This Act shall take effect on July 1, 2015.



**Report Title:**

Pulse Oximetry Screening; Congenital Heart Defects; Birthing Facilities; Newborns

**Description:**

Requires birthing facilities to perform a pulse oximetry test or other medically accepted screening on newborns to screen for critical congenital heart defects. Requires birthing facilities to report certain critical congenital heart defect screening data to the DOH. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

