July 2, 2015

The Honorable Ronald D. Kouchi, President and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki, Speaker and Members of the House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 2, 2015, the following bill was signed into law:

HB467 HD1 SD1 RELATING TO HEALTH ACT 212 (15)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i
A BILL FOR AN ACT

RELATING TO HEALTH.

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

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

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

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

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

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

(b) Subsection (a) shall not apply if the parents,
 guardians, or other persons having custody or control of the
newborn object to performance of the test required by subsection
(a) on the grounds that the test conflicts with their religious
tenets and beliefs and written objection is made a part of the
newborn's medical record."
(c) Each birthing facility shall report critical congenital heart defect screening data to the department of health for quality assurance and improvement activities. At a minimum, the data shall include:

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

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

SECTION 3. New statutory material is underscored.

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

APPROVED this 2 day of JUL, 2015

GOVERNOR OF THE STATE OF HAWAII