

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 615 - HB 674

March 10, 2015

SUMMARY OF ORIGINAL BILL: Requires the Department of Health (DOH) to add additional information to the newborn screening brochure, which is distributed for the purpose of informing families about the purpose and process of the Birth Defects Registry. States that no revisions shall be made to existing pamphlet until a new printing of the pamphlet occurs and that existing stock of the pamphlet may be distributed until the supply is exhausted. Requires specimens to be kept for one year and to be kept separate from the form containing identifying information. Substitutes “person” for “healthcare provider,” in statute, effectively making a healthcare provider liable for any failure to collect a newborn screening specimen, which, except for certain exemptions for religious purposes is required and any failure of a healthcare provider to perform such screening is a Class C misdemeanor.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$8,500/One-Time
\$78,100/Recurring

SUMMARY OF AMENDMENT (003926): Removes requirement in the original bill that a family review and sign an acknowledgement of receiving information about newborn testing prior to any testing being performed. Removes language requiring the personal identification form and relative specimen be kept separate.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 68-5-401, all infants born in Tennessee are required to have a newborn screening specimen submitted to the Tennessee State Laboratory to be screened for certain genetic conditions. This requirement is waived for individuals who seek exemption for a religious belief through a written statement to the Department of Health (DOH); otherwise, a failure to submit to the screening of such test is a Class C misdemeanor.
- Newborn screenings are performed to detect genetic defects that would result in intellectual disability or physical dysfunction.
- Each newborn screening test is partially paid for by a fee, authorized by DOH Rule 1200-15-01-.05. The fee is collected by a birth hospital and as of January 1, 2015, the

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fee was \$125 per specimen. Collection of this fee is not intended to offset the entire cost of testing incurred by DOH. This legislation will not result in an increase in such fee.

- All specimens and personal identification forms are kept for one year to permit time for the infant's doctor to request additional tests, if required. After one year, both the specimen and form are destroyed. If a certain specimen is needed for over one year, the specimen will be kept, but the form will be destroyed to protect the privacy of the newborn.
- No significant increase in the number of Class C misdemeanors issued as a result of this legislation.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Jeffrey L. Spalding, Executive Director

/jdb