

**Senate File 51 - Introduced**

SENATE FILE 51

BY ZAUN

**A BILL FOR**

1 An Act relating to a cytomegalovirus public health initiative  
2 and the testing of newborns for congenital cytomegalovirus.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 136A.5B Cytomegalovirus public  
2 health initiative.

3 1. In accordance with the duties prescribed in section  
4 136A.3, the center for congenital and inherited disorders  
5 shall collaborate with state and local health agencies  
6 and other public and private organizations to develop and  
7 publish or approve and publish informational materials to  
8 educate and raise awareness of cytomegalovirus and congenital  
9 cytomegalovirus among women who may become pregnant, expectant  
10 parents, parents of infants, attending health care providers,  
11 and others, as appropriate. The materials shall include  
12 information regarding all of the following:

- 13 a. The incidence of cytomegalovirus and congenital  
14 cytomegalovirus.
- 15 b. The transmission of cytomegalovirus to a pregnant woman  
16 or a woman who may become pregnant.
- 17 c. Birth defects caused by congenital cytomegalovirus.
- 18 d. Methods of diagnosing congenital cytomegalovirus.
- 19 e. Available preventive measures to avoid cytomegalovirus  
20 infection by women who are pregnant or who may become pregnant.
- 21 f. Early interventions, treatment, and services available  
22 for children diagnosed with congenital cytomegalovirus.

23 2. An attending health care provider shall provide to a  
24 pregnant woman during the first trimester of the pregnancy the  
25 informational materials published under this subsection. The  
26 center for congenital and inherited disorders shall make the  
27 informational materials available to attending health care  
28 providers upon request.

29 3. The department shall publish the informational  
30 materials on its internet site and shall specifically make the  
31 informational materials available to child care facilities and  
32 child care homes as defined in section 237A.1, school nurses,  
33 hospitals, attending health care providers, and other health  
34 care providers offering care to pregnant women and infants.

35 Sec. 2. Section 135.131, Code 2017, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 8A. a. If the results of the newborn  
3 hearing screening performed under this section demonstrate that  
4 the newborn has hearing loss, the birthing hospital, birth  
5 center, physician, or other health care professional required  
6 to ensure that the hearing screening is performed on the  
7 newborn under this section, shall do all of the following:

8 (1) Test the newborn or ensure that the newborn is tested  
9 for congenital cytomegalovirus before the newborn is twenty-one  
10 days of age.

11 (2) Provide information to the parent of the newborn  
12 including information regarding the birth defects caused by  
13 congenital cytomegalovirus and early intervention and treatment  
14 resources and services available for children diagnosed with  
15 congenital cytomegalovirus.

16 b. This subsection shall not apply if the parent objects to  
17 the testing. If a parent objects to the testing, the birthing  
18 hospital, birth center, physician, or other health care  
19 professional required to test or to ensure that the newborn is  
20 tested for congenital cytomegalovirus under this subsection  
21 shall obtain a written refusal from the parent, shall document  
22 the refusal in the newborn's or infant's medical record, and  
23 shall report the refusal to the department in the manner  
24 prescribed by rule of the department.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with  
27 the explanation's substance by the members of the general assembly.

28 This bill requires the center for congenital and inherited  
29 disorders to collaborate with state and local health agencies  
30 and other public and private organizations to develop and  
31 publish or approve and publish informational materials to  
32 educate and raise awareness of cytomegalovirus and congenital  
33 cytomegalovirus among women who may become pregnant, expectant  
34 parents, parents of infants, attending health care providers,  
35 and others, as appropriate. The bill specifies the information

1 to be included in the materials. The bill requires that  
2 an attending health care provider (defined as a licensed  
3 physician, nurse practitioner, certified nurse midwife,  
4 or physician assistant) shall provide the informational  
5 materials to a pregnant woman during the first trimester of the  
6 pregnancy. The center for congenital and inherited disorders  
7 shall make the materials available to attending health care  
8 providers upon request.

9 The bill also directs the department of public health to  
10 publish the informational materials on its internet site and  
11 to specifically make the materials available to child care  
12 facilities and child care homes, school nurses, hospitals,  
13 attending health care providers, and other health care  
14 professionals offering care to pregnant women and infants.

15 The bill also requires that if the results of a newborn's  
16 hearing screening demonstrate that the newborn has hearing  
17 loss, the birthing hospital, birth center, physician, or  
18 other health care professional required to ensure that the  
19 hearing screening is performed on the newborn, shall test the  
20 newborn or ensure that the newborn is tested for congenital  
21 cytomegalovirus before the newborn is 21 days of age and  
22 provide information to the parent of the newborn regarding  
23 congenital cytomegalovirus. The congenital cytomegalovirus  
24 testing requirement does not apply if the parent objects to the  
25 testing. If a parent objects, the birthing hospital, birth  
26 center, physician, or other health care professional shall  
27 obtain a written refusal from the parent, document the refusal  
28 in the newborn's or infant's medical record, and report the  
29 refusal to the department of public health.