

## CHAPTER 77

### CYTOMEGALOVIRUS PUBLIC HEALTH INITIATIVE AND NEWBORN TESTING

S.F. 51

**AN ACT** relating to a cytomegalovirus public health initiative and the testing of newborns for congenital cytomegalovirus.

*Be It Enacted by the General Assembly of the State of Iowa:*

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

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

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

2. An attending health care provider shall provide to a pregnant woman during the first trimester of the pregnancy the informational materials published under [this subsection](#). The center for congenital and inherited disorders shall make the informational materials available to attending health care providers upon request.

3. The department shall publish the informational materials on its internet site and shall specifically make the informational materials available electronically to child care facilities and child care homes as defined in [section 237A.1](#), school nurses, hospitals, attending health care providers, and other health care providers offering care to pregnant women and infants.

Sec. 2. Section 135.131, Code 2017, is amended by adding the following new subsection:

NEW SUBSECTION. 8A. a. If the results of the newborn hearing screening performed under [this section](#) demonstrate that the newborn has hearing loss, the birthing hospital, birth center, physician, or other health care professional required to ensure that the hearing screening is performed on the newborn under [this section](#), shall do all of the following:

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

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

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

Approved April 20, 2017