

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

As Engrossed: S3/18/03

# A Bill

Act 1293 of 2003  
SENATE BILL 610

5 By: Senator Gullett  
6 By: Representative Dees  
7

## For An Act To Be Entitled

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9 AN ACT TO INCREASE TESTING FOR PROBLEMS WITH  
10 METABOLISM IN NEWBORNS; TO IMPROVE HEALTH  
11 COVERAGE FOR NEWBORNS WITH METABOLIC DISORDERS;  
12 AND FOR OTHER PURPOSES.  
13  
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## Subtitle

15 AN ACT TO INCREASE TESTING FOR PROBLEMS  
16 WITH METABOLISM IN NEWBORNS; TO IMPROVE  
17 HEALTH COVERAGE FOR NEWBORNS WITH  
18 METABOLIC DISORDERS.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 20-15-302(a), concerning testing of  
25 newborns, is amended to read as follows:

26 (a)(1) All newborn infants shall be tested for phenylketonuria,  
27 hypothyroidism, ~~and galactosemia, and sickle-cell anemia.~~ ~~In addition, all~~  
28 ~~non-Caucasian newborn infants shall be tested for sickle-cell anemia, by such~~  
29 ~~procedures and in such manner as is prescribed by the Department of Health.~~

30 (2) In addition, all newborn infants shall be tested for other  
31 genetic disorders of metabolism and employing procedures approved by the  
32 State Board of Health.

33 (b)(1) Medicaid shall reimburse the hospital that performs the tests  
34 required under subdivisions (a)(1) and (a)(2) of this section for the cost of  
35 the tests.

36 (2) The reimbursement shall be in addition to the hospital's per



1 diem payments for the newborn infant.

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3 SECTION 2. Arkansas Code § 20-15-304 is amended to read as follows:  
4 20-15-304. Administration by Department of Health.

5 It shall be the duty of the Department of Health:

6 (1) To enforce the provisions of this subchapter;

7 (2) To prescribe the tests that may be administered in  
8 compliance with this subchapter;

9 (3) To promulgate regulations in conjunction with the Insurance  
10 Commissioner establishing:

11 (A) What persons and institutions shall be required to  
12 obtain specimens from newborn infants in compliance with this subchapter;

13 (B) The amount to be charged by the central laboratory for  
14 processing the specimens; and

15 (C) The method of billing the charges to the persons and  
16 institutions;

17 (4) To furnish copies of this subchapter and the rules  
18 promulgated pursuant to it to physicians, hospitals, or other institutions or  
19 persons required by its regulations to have tests administered to newborn  
20 infants;

21 (5) To establish a central laboratory and to equip, staff, and  
22 operate the laboratory for the purpose of receiving specimens from  
23 physicians, hospitals, and institutions and to ~~conduct tests~~ assure tests are  
24 conducted and report findings resulting from the tests;

25 (6) To monitor positive test results and to assist in treatment  
26 and care of affected infants, such follow-up procedures to begin no later  
27 than ten (10) days from the time a specimen is diagnosed as positive; and

28 (7) To disseminate information and advice to the public  
29 concerning the dangers and effects of phenylketonuria, hypothyroidism,  
30 galactosemia, and sickle-cell anemia, and all other disorders of metabolism  
31 for which screening is performed by or for the State of Arkansas.

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33 SECTION 3. Arkansas Code § 23-79-129(a), concerning health  
34 insurance coverage of newborn infants, is amended to read as follows:

35 (a)(1) Every accident and health insurance policy, contract,  
36 certificate, or health care plan sold, delivered, issued, or offered for

1 sale, issue, or delivery in this state, other than coverage limited to  
 2 expenses from accidents or specified diseases, whether an individual or group  
 3 policy, contract, certificate, or plan, which covers the insured and members  
 4 of the insured's family, shall include coverage for newborn infant children  
 5 by the insured from the moment of birth.

6 (2) The coverage of newborn children shall be the same as is provided  
 7 for other members of the insured's family and shall include coverage for  
 8 illness, injury, congenital defects, premature birth, and tests for  
 9 hypothyroidism, phenylketonuria, ~~and galactosemia, and, in the case of non-~~  
 10 ~~Caucasian newborn infants, tests for~~ sickle-cell anemia, and all other  
 11 disorders of metabolism for which screening is performed by or for the State  
 12 of Arkansas, as well as any testing of newborn infants hereafter mandated by  
 13 law, and subject to minimum benefits required by § 23-99-404, shall also  
 14 include coverage to pay for routine nursery care and pediatric charges for a  
 15 well newborn child for up to five (5) full days in a hospital nursery or  
 16 until the mother is discharged from the hospital following the birth of the  
 17 child, whichever is the lesser period of time.

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 19 /s/ Gullett

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 22 APPROVED: 4/14/2003  
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