

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.

Act 1931 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: H4/1/05

A Bill

HOUSE BILL 2428

5 By: Representative Harrelson  
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8 **For An Act To Be Entitled**

9 AN ACT TO REQUIRE SCREENING OF NEWBORNS FOR  
10 *CYSTIC FIBROSIS; TO CREATE JOSHUA'S LAW; AND FOR*  
11 *OTHER PURPOSES.*  
12  
13

14 **Subtitle**

15 *JOSHUA'S LAW*  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 20-15-302 is amended to read as follows:

21 20-15-302. Testing of newborns.

22 (a)(1)(A) All newborn infants shall be tested for phenylketonuria,  
23 *hypothyroidism, galactosemia, cystic fibrosis, and sickle-cell anemia.*

24 (B) In addition, if reliable and efficient  
25 testing techniques are available, all newborn infants shall be tested for  
26 other genetic disorders of metabolism by employing procedures approved by the  
27 State Board of Health.

28 (2)(A) Medicaid shall reimburse the hospital that performs the  
29 tests required under subdivision (a)(1) of this section for the cost of the  
30 tests.

31 (B) The reimbursement shall be in addition to the  
32 hospital's per diem payments for the newborn infant.

33 (b) All positive test results shall be sent immediately to the  
34 Department of Health.

35 (c)(1) The department shall establish and maintain a program of



1 reviewing and following up on positive cases so that measures may be taken to  
2 prevent mental retardation or other permanent disabilities.

3 (2)(A) Information on newborn infants and their families  
4 compiled under this section may be used by the department and persons or  
5 public or private entities designated by the department.

6 (B) Information used under subdivision (c)(2)(A) of this  
7 section may not refer to or disclose the identity of any person.

8 (3) All materials, data, and information received by the  
9 department are confidential and are not subject to examination or disclosure  
10 as public information under the Freedom of Information Act of 1967, § 25-19-  
11 101 et seq.

12 (d)(1) The department shall conduct an intensive educational and  
13 training program among physicians, hospitals, public health nurses, and the  
14 public concerning the disorders covered under this section.

15 (2) The program shall include information concerning:

16 (A) The nature of the disorders;

17 (B) Testing for the detection of these disorders; and

18 (C) Treatment modalities for these disorders.

19 (e) The provisions of this section shall not apply if the parents or  
20 legal guardian of a newborn infant object to the testing on medical,  
21 religious, or philosophical grounds.

22 (f) Testing for cystic fibrosis under this section shall be  
23 implemented only if funding is available.

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25 /s/ Harrelson

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28 APPROVED: 04/11/2005

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