The Legislature

of the

State of New Mexico

49th Legislature, 2nd Session

LAWS 2010

CHAPTER 91

HOUSE BILL 201, as amended

Introduced by

REPRESENTATIVE RHONDA S. KING

REPRESENTATIVE DANICE PICRAUX

Chapter 91

AN ACT

RELATING TO PUBLIC HEALTH; AMENDING A SECTION OF THE PUBLIC HEALTH ACT TO ADD FIVE ADDITIONAL DISEASES FOR WHICH TESTING IS REQUIRED FOR NEWBORNS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-1-6 NMSA 1978 (being Laws 1973, Chapter 359, Section 6, as amended) is amended to read:

"24-1-6. TESTS REQUIRED FOR NEWBORN INFANTS.--

A. The department shall adopt screening tests for the detection of congenital diseases that shall be given to every newborn infant, except that, after being informed of the reasons for the tests, the parents or guardians of the newborn child may waive the requirements for the tests in writing. The screening tests shall include at a minimum:

(1) 3-methylcrotonyl-CoA deficiency;

(2) 3-OH 3-CH3 glutaric aciduria;

(3) argininosuccinic acidemia;

(4) mitochondrial acetoacetyl-CoA thiolase deficiency;

(5) biotinidase deficiency;

(6) carnitine uptake defect;

(7) citrullinemia;

(8) congenital adrenal hyperplasia;

(9) congenital hypothyroidism;

(10) cystic fibrosis;

(11) galactosemia;

(12) glutaric acidemia type I;

(13) Hb S/beta-thalassemia;

(14) hearing deficiency;

(15) homocystinuria;

(16) isovaleric academia;

(17) long-chain L-3-OH acyl-CoA dehydrogenase deficiency;

(18) maple syrup urine disease;

(19) medium chain acyl-CoA dehydrogenase deficiency;

(20) methylmalonic acidemia;

(21) multiple carboxylase deficiency;

(22) phenylketonuria;

(23) proponic acidemia;

(24) sickle cell anemia;

(25) trifunctional protein deficiency;

(26) tyrosinemia type I; and

(27) very long-chain acyl-CoA dehydrogenase deficiency.

B. Upon the later of either January 1, 2011 or when the secretary finds that these screening tests are reasonably available, the department shall adopt screening tests for the detection of the following genetic diseases that

shall be given to every newborn infant; except that, after being informed of the reasons for the tests, the parents or guardians of the newborn child may waive the requirements of the tests in writing. The screening tests shall include:

(1) acid maltase deficiency or glycogen storage disease type II;

(2) globoid cell leukodystrophy;

(3) Gaucher's disease;

(4) Niemann-Pick disease; and

(5) Fabry disease.

C. In determining which other congenital diseases to screen for, the secretary shall consider the recommendations of the New Mexico pediatrics society of the American academy of pediatrics.

D. The department shall institute and carry on such laboratory services or may contract with another agency or entity to provide such services as are necessary to detect the presence of congenital diseases.

E. The department shall, as necessary, carry on an educational program among physicians, hospitals, public health nurses and the public concerning congenital diseases.

F. The department shall require that all hospitals or institutions having facilities for childbirth perform or have performed screening tests for congenital diseases on all newborn infants except if the parents or guardians of a child

object to the tests in writing."

BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES

STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

DIANE D. DENISH, PRESIDENT
SENATE

LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 8th day of March, 2010

BILL RICHARDSON, GOVERNOR
STATE OF NEW MEXICO