

As Passed by the Senate

**130th General Assembly
Regular Session
2013-2014**

S. B. No. 4

Senators Manning, Oelslager

**Cosponsors: Senators Obhof, Jones, Hite, Patton, Lehner, Beagle, Uecker,
LaRose, Gardner, Eklund, Bacon, Widener, Faber, Cafaro, Tavares, Brown,
Balderson, Coley, Hughes, Kearney, Peterson, Sawyer, Schiavoni, Turner**

—

A BILL

To enact section 3701.5010 of the Revised Code to 1
require a pulse oximetry screening for each 2
newborn born in a hospital or freestanding 3
birthing center. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3701.5010 of the Revised Code be 5
enacted to read as follows: 6

Sec. 3701.5010. (A) As used in this section: 7

(1) "Freestanding birthing center" has the same meaning as in 8
section 3702.141 of the Revised Code; 9

(2) "Hospital," "maternity unit," "newborn," and "physician" 10
have the same meanings as in section 3701.503 of the Revised Code; 11

(3) "Pulse oximetry screening" means the identification of 12
newborns that may have congenital heart defects, through the use 13
of a noninvasive test that estimates the percentage of hemoglobin 14
in blood that is saturated with oxygen. 15

(B) Except as provided in division (C) of this section, each 16

hospital and each freestanding birthing center shall conduct a 17
pulse oximetry screening on each newborn born in the hospital or 18
center, unless the newborn is being transferred to another 19
hospital. The pulse oximetry screening shall be performed before 20
discharge. If the newborn is transferred to another hospital, that 21
hospital shall conduct the pulse oximetry screening when 22
determined to be medically appropriate. 23

The hospital or center shall promptly notify the newborn's 24
parent, guardian, or custodian and attending physician of the 25
screening results. The hospital or center shall notify the 26
department of health of the screening results for each newborn 27
screened. 28

(C) No newborn shall be required to undergo pulse oximetry 29
screening if the newborn's parent objects on the grounds that 30
pulse oximetry screening conflicts with the parent's religious 31
tenets and practices. 32

(D) The director of health shall adopt rules in accordance 33
with Chapter 119. of the Revised Code establishing standards and 34
procedures for the pulse oximetry screening required by this 35
section, including all of the following: 36

(1) Designating the person or persons who will be responsible 37
for causing screenings to be performed; 38

(2) Specifying equipment to be used for and methods of pulse 39
oximetry screening; 40

(3) Identifying when the pulse oximetry screening should be 41
performed; 42

(4) Providing notice of the required screening to the 43
newborn's parent, guardian, or custodian; 44

(5) Communicating screening results to the newborn's parent, 45
guardian, or custodian and attending physician; 46

| | |
|--|----|
| <u>(6) Referring newborns who receive abnormal screening results</u> | 47 |
| <u>to providers of follow-up services.</u> | 48 |