



128th MAINE LEGISLATURE

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Legislative Document

No. 87

S.P. 36

In Senate, January 11, 2017

An Act To Require Screening for Cytomegalovirus in Newborn Infants

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator BREEN of Cumberland.
Cosponsored by Representative DENNO of Cumberland and
Senators: GRATWICK of Penobscot, MILLETT of Cumberland, Representatives: COOPER of
Yarmouth, LONGSTAFF of Waterville, MADIGAN of Waterville.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1534** is enacted to read:

3 **§1534. Cytomegalovirus public education and testing**

4 **1. Required testing.** A hospital, birthing center or other birthing service shall test
5 newborn infants, or cause them to be tested, for the presence of cytomegalovirus by
6 means of a saliva or urine sample no later than 21 days after birth.

7 **2. Religious objection exemption.** The requirement under this section that a
8 newborn infant must be tested for the presence of cytomegalovirus does not apply to a
9 child if the parents of that child object on the grounds that a test conflicts with their
10 religious tenets and practices.

11 **3. Report.** A hospital, birthing center or other birthing service that tests a newborn
12 infant pursuant to this section shall report to the department aggregate data on the testing,
13 including, but not limited to, the number of infants born, the number tested for
14 cytomegalovirus, the results of the screening and testing and the type of screening sample
15 used.

16 **4. Public education.** The department shall provide public educational resources to
17 inform pregnant women and women who may become pregnant that include, but are not
18 limited to, information regarding the incidence of cytomegalovirus, the transmission of
19 cytomegalovirus during and before pregnancy, birth defects caused by congenital
20 cytomegalovirus, methods of diagnosing congenital cytomegalovirus, available
21 preventive measures and resources for the family of an infant born with congenital
22 cytomegalovirus. The department may solicit and accept the assistance of relevant
23 medical associations or community resources to develop, promote and distribute the
24 public educational resources.

25 **5. Rulemaking.** The department may adopt rules to implement this section. Rules
26 adopted pursuant to this subsection are routine technical rules as defined in Title 5,
27 chapter 375, subchapter 2-A.

28 **SUMMARY**

29 This bill requires the testing of all newborn infants for cytomegalovirus by a saliva or
30 urine sample no later than 21 days after birth. The Department of Health and Human
31 Services is required to develop public educational materials regarding cytomegalovirus
32 for pregnant women and women who may become pregnant.