



130th MAINE LEGISLATURE

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Legislative Document

No. 1747

S.P. 603

In Senate, December 2, 2021

An Act To Require Screening for Cytomegalovirus in Certain Newborn Infants

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on November 30, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BREEN of Cumberland.
Cosponsored by Representative MILLETT of Waterford and
Senators: CARNEY of Cumberland, CLAXTON of Androscoggin, Representatives: GRIFFIN
of Levant, MILLETT of Cape Elizabeth.

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.** If a newborn infant fails 2 hearing tests or has other risk factors
5 for cytomegalovirus, a hospital, birthing center or other birthing service shall test the
6 newborn infant, or cause the infant to be tested, for the presence of cytomegalovirus by
7 means of a saliva or urine sample before hospital discharge or, if the infant was born outside
8 a clinical setting, not later than the 21st day after the date of birth.

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

13 **3. Report.** A hospital, birthing center or other birthing service that tests or causes to
14 be tested a newborn infant pursuant to this section shall report to the department aggregate
15 data on the testing, including the number of infants born, the number tested for
16 cytomegalovirus, the results of the screening and testing and the type of screening sample
17 used.

18 **4. Public education.** The department shall provide public educational resources to
19 pregnant women and women who may become pregnant that include information regarding
20 the incidence of cytomegalovirus, the transmission of cytomegalovirus during and before
21 pregnancy, birth defects caused by congenital cytomegalovirus, methods of diagnosing
22 congenital cytomegalovirus, available preventive measures and resources for the family of
23 an infant born with congenital cytomegalovirus. The department may solicit and accept
24 the assistance of relevant medical associations or community resources to develop, promote
25 and distribute the public educational resources.

26 **5. Rulemaking.** The department may adopt rules to implement this section. Rules
27 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
28 375, subchapter 2-A.

29 **SUMMARY**

30 This bill requires newborn infants who do not pass 2 hearing tests or who have other
31 risk factors to be tested for cytomegalovirus. It also requires the Department of Health and
32 Human Services to provide information to pregnant women and women who may become
33 pregnant on the risks of cytomegalovirus.