



# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

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Legislative Document

No. 1747

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S.P. 603

In Senate, December 2, 2021

### **An Act To Require Screening for Cytomegalovirus in Certain Newborn Infants**

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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.