
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1455 Session of
2021

INTRODUCED BY CRUZ, KINSEY, BOBACK, SCHLOSSBERG, HILL-EVANS,
HOWARD, SANCHEZ, LEE, LONGIETTI, McNEILL AND GILLEN,
MAY 20, 2021

REFERRED TO COMMITTEE ON HEALTH, MAY 20, 2021

AN ACT

1 Providing for cytomegalovirus education and newborn screening.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the CMV Education
6 and Newborn Screening Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Birthing facility." An inpatient or ambulatory health care
12 facility licensed by the department that provides birthing and
13 newborn care services.

14 "Certified nurse-midwife." An individual licensed by
15 the State Board of Medicine to practice midwifery under section
16 35 of the act of December 20, 1985 (P.L.457, No.112), known as
17 the Medical Practice Act of 1985.

1 "CMV." Cytomegalovirus.

2 "Department." The Department of Health of the Commonwealth.

3 "Direct-entry midwife." An independent practitioner educated
4 in the discipline of midwifery through self-study,
5 apprenticeship, a midwifery school or a college or university-
6 based program distinct from the discipline of nursing. The term
7 includes certified professional midwives, traditional midwives,
8 Amish, Mennonite or Plain midwives and other specific cultural
9 or spiritual community-based midwives not licensed by the State
10 Board of Medicine as a certified nurse-midwife.

11 "Health care practitioner." The term shall have the same
12 meaning as defined in section 103 of the act of July 19, 1979
13 (P.L.130, No.48), known as the Health Care Facilities Act.

14 "Newborn child." A child under 28 days of age.

15 Section 3. Informational publications by department.

16 (a) General rule.--The department shall make the following
17 available on the department's publicly accessible Internet
18 website:

19 (1) Up-to-date, evidence-based information about CMV
20 that has been reviewed by medical experts and national CMV
21 organizations. The information provided shall include the
22 following:

23 (i) The incidence of CMV.

24 (ii) The transmission of CMV to pregnant women and
25 women who may become pregnant.

26 (iii) Birth defects caused by congenital CMV.

27 (iv) Methods of diagnosing congenital CMV.

28 (v) Available preventive measures.

29 (vi) Treatment options.

30 (vii) Any other information the department deems

1 necessary.

2 (2) Contact information regarding support programs and
3 services, including the following:

4 (i) Information hotlines specific to CMV.

5 (ii) Relevant resource centers or clearinghouses.

6 (iii) National and local CMV organizations.

7 (iv) Educational and support programs.

8 (b) Form.--The information provided in accordance with this
9 act shall conform to the applicable standard or standards
10 provided in the enhanced "National Standards for Culturally and
11 Linguistically Appropriate Services in Health and Health Care,"
12 as adopted by the United States Department of Health and Human
13 Services, in effect on the effective date of this section.

14 Section 4. Dissemination of information on CMV.

15 (a) Requirement.--A certified nurse-midwife, direct-entry
16 midwife or health care practitioner that assumes responsibility
17 for the prenatal care of a pregnant woman or a woman who may
18 become pregnant shall provide the educational information
19 regarding CMV made available by the department under section 3.

20 (b) Compliance.--Delivery of information prepared by the
21 department in accordance with section 3 shall constitute
22 compliance with this section.

23 Section 5. CMV newborn screening.

24 (a) General rule.--Except as provided for in subsection
25 (b), the department shall require a birthing facility or a
26 certified nurse-midwife, direct-entry midwife or health care
27 practitioner that assumes care of a newborn child to screen the
28 newborn child for CMV before the newborn child is 21 days of age
29 if:

30 (1) the newborn child fails the newborn hearing

1 screening under the act of November 30, 2001 (P.L.849,
2 No.89), known as the Infant Hearing Education, Assessment,
3 Reporting and Referral (IHEARR) Act; or

4 (2) the parent or guardian of a newborn child requests
5 that the newborn child be screened for CMV.

6 (b) Exception.--A screening under subsection (a) may not be
7 performed if a parent or guardian of the newborn child dissents
8 on the grounds that the screening conflicts with a religious
9 belief or practice.

10 Section 6. Regulations.

11 The department shall promulgate regulations necessary to
12 effectuate the provisions of this act.

13 Section 7. Effective date.

14 This act shall take effect in 90 days.