

This Act directs the state commissioner of health and senior services to require each birthing facility licensed by the department of health and senior services to perform a pulse oximetry screening, a minimum of 24 hours after birth, on every newborn in its care.

Submitted as:

New Jersey

Chapter 74 of 2011

Status: Enacted into law in 2011.

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Comment:

First-in-the-Nation New Jersey Newborn Heart Defect
Screening Law Already Saving Lives

Trenton, NJ – Governor Chris Christie today toured Newton Medical Center and met with the Gordon family, whose two-month-old son, Dylan, is alive today because of detection and treatment resulting from New Jersey's first-in-the nation law requiring newborns to be screened for life-threatening heart defects before leaving the hospital.

On September 1, a day after the law mandating inclusion of pulse oximetry testing on newborns became effective, a hospital pediatrician informed Lisa and Bill Gordon of Newton that the test performed on their baby was abnormal and that he had a heart murmur. Dylan was rushed to Morristown Medical Center, where it was determined he needed specialized pediatric cardiac surgery. Dylan was transferred to Columbia University Medical Center, and several days later had the life-saving surgery correcting the abnormality discovered from the newly mandated newborn testing.

"As Governor, you sign a lot of bills into law, but it's a rare day when you know a piece of legislation you signed saved a life," said Governor Christie. "As a father of four children, I can just imagine the fear Lisa and Bill endured in those days after the diagnosis. But I can also imagine the relief and joy that overtook their fear when they realized Dylan would be fine. I'm proud to say that New Jersey has led the way in requiring this life-saving test, which demonstrates our commitment to early detection in children like Dylan."

"It is because of your law that our son's life was saved, and my husband and I are very grateful to you," the Gordons wrote in a letter to the Governor last month. "We just can't thank you enough for passing this law and we hope that other states will pass this law in the future. Our son Dylan is proof that the test is worth doing." Mrs. Gordon said she hoped to bring greater attention to this important new law by speaking publicly about Dylan's story.

"Congenital heart defects are not easily detected, but among birth defects, they are the leading cause of infant death, according to the federal Centers for Disease Control and Prevention (CDC)," said Health and Senior Services Commissioner Mary E. O'Dowd. Untreated, congenital birth defects may cause physical and mental disabilities, or even death.

"This new requirement solidifies New Jersey's position as a leader in early detection and treatment of children," said Commissioner O'Dowd. "More than 102,000 babies are born in New Jersey each year and we know this simple and inexpensive screening test will save other babies' lives."

Since Governor Christie signed the pulse oximetry law on June 2, U.S. Health and Human Services Secretary Katherine Sebelius last month added pulse oximetry to the list of nearly 60 recommended tests for newborns – a list states are not bound to follow but many do. Maryland and Indiana will implement pulse oximetry screening measures next year; other states currently considering legislation include New York, Pennsylvania, Missouri, Tennessee and Nebraska. Minnesota is operating a pulse oximetry screening pilot program at five hospitals in the state.

Dylan was released from Columbia University Medical Center on September 18 and requires a follow-up visit with his pediatric cardiologist every two months.

"Screening all newborns for pulse oximetry allows us the ability to better respond in delivering high-quality care to the most vulnerable of our patients," said Joseph DiPaolo, Director of Operations for Newton Medical Center. "With this simple, non-invasive test meaning the difference between tragedy or a healthy life for this little boy, there's no question that the law mandating pulse oximetry testing has already proved its necessity," said Sue Calvert, RN, the nurse in Newton Medical Center's Maternity Center who performed the test on Dylan. "Performing this test on each of our newborns simply makes sense."

Sponsors of the legislation in the Assembly include Assemblypersons Jason O'Donnell (D-Hudson), Connie Wagner (D-Bergen) and Ruben J. Ramos, Jr. (D-Hudson). Senate version sponsors are Senators Richard J. Codey (D-Essex) and Joseph F. Vitale (D—Middlesex).

Disposition: 21-33B-10

CSG policy task force recommendations to The Committee on Suggested State Legislation:
2013B

- ☐ Include in Volume
- ☐ Defer consideration to next task force meeting
- ☐ Reject
- ☐ No action

Comments/Note to staff:

SSL Committee Meeting: 2013B

- ☐ Include in Volume
- ☐ Defer consideration
 - ☐ next task force mtg.
 - ☐ next SSL mtg.
 - ☐ next SSL cycle
- ☐ Reject

Comments/Note to staff: