



2013 SENATE BILL 523

1 **AN ACT** *to repeal* 253.13 (1m); *to renumber and amend* 253.13 (4); *to amend*
2 253.13 (1), (2) and (3) and 253.13 (4) (title); and *to create* 253.13 (4) (b) of the
3 statutes; **relating to:** tests administered to newborns for congenital disorders.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 253.13 (1), (2) and (3) of the statutes are amended to read:
5 253.13 (1) ~~BLOOD TESTS~~ TESTS; REQUIREMENTS. The attending physician or nurse
6 licensed under s. 441.15 shall cause every infant born in each hospital or maternity
7 home, prior to its discharge therefrom, to be subjected to blood tests for congenital
8 and metabolic disorders, as specified in rules promulgated by the department. If the
9 infant is born elsewhere than in a hospital or maternity home, the attending
10 physician, nurse licensed under s. 441.15, or birth attendant who attended the birth
11 shall cause the infant, within one week of birth, to be subjected to these blood tests.

SENATE BILL 523**SECTION 1**

1 **(2) TESTS; DIAGNOSTIC, DIETARY AND FOLLOW-UP COUNSELING PROGRAM; FEES.** The
2 department shall contract with the state laboratory of hygiene to perform the any
3 tests ~~specified~~ under this section that are laboratory tests and to furnish materials
4 for use in the tests. The department shall provide necessary diagnostic services,
5 special dietary treatment as prescribed by a physician for a patient with a congenital
6 disorder as identified by tests under sub. ~~(1) or (1m)~~ this section, and follow-up
7 counseling for the patient and his or her family. The department shall impose a fee,
8 by rule, for tests performed under this section sufficient to pay for services provided
9 under the contract. The department shall include as part of the fee established by
10 rule amounts to fund the provision of diagnostic and counseling services, special
11 dietary treatment, and periodic evaluation of infant screening programs, the costs
12 of consulting with experts under sub. (5), the costs of administering the hearing
13 screening program under s. 253.115, and the costs of administering the congenital
14 disorder program under this section and shall credit these amounts to the
15 appropriation accounts under s. 20.435 (1) (ja) and (jb).

16 **(3) EXCEPTIONS.** This section shall not apply if the parents or legal guardian
17 of the child object thereto on the grounds that the test conflicts with their religious
18 tenets and practices or with their personal convictions. No tests may be performed
19 under sub. ~~(1) or (1m)~~ this section unless the parents or legal guardian are fully
20 informed of the purposes of testing under this section and have been given
21 reasonable opportunity to object as authorized in this subsection ~~or in sub. (1m)~~ to
22 such tests.

23 **SECTION 2.** 253.13 (1m) of the statutes is repealed.

24 **SECTION 3.** 253.13 (4) (title) of the statutes is amended to read:

25 253.13 **(4) (title)** ~~CONFIDENTIALITY OF TESTS AND RELATED INFORMATION~~ REPORTING.

