

# House Bill 3140

Sponsored by Representative KENY-GUYER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Health Authority to adopt rules requiring hospitals and freestanding birthing centers, depending on number of live births performed at hospital or freestanding birth center each year, to screen infants for controlled substances or notify parents or legal guardians of importance of screening infants for controlled substances.

## A BILL FOR AN ACT

1  
2 Relating to screening infants for controlled substances.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Freestanding birthing center" has the meaning given that term in ORS 442.015.**

6 (b) **"Hospital" has the meaning given that term in ORS 442.015.**

7 (c) **"Live birth" has the meaning given that term in ORS 432.005.**

8 (2) **The Oregon Health Authority shall adopt rules requiring:**

9 (a) **Except as provided in subsection (3) of this section, a hospital or freestanding birthing**  
10 **center at which 200 or more live births are performed each year to screen the infant that is**  
11 **the product of the live birth for controlled substances that entered the bloodstream of the**  
12 **infant while the infant was in utero before discharging the infant; and**

13 (b) **A hospital or freestanding birthing center at which fewer than 200 live births are**  
14 **performed each year to provide notice to a parent or legal guardian of the infant that is the**  
15 **product of the live birth of the importance of screening the infant for controlled substances**  
16 **that entered the bloodstream of the infant while the infant was in utero before discharging**  
17 **the infant.**

18 (3) **The authority may adopt rules by which a hospital or freestanding birthing center**  
19 **that is subject to subsection (2)(a) of this section may screen an infant after discharging the**  
20 **infant if:**

21 (a) **The hospital or freestanding birthing center cannot reasonably screen the infant be-**  
22 **fore discharging the infant; and**

23 (b) **The hospital or freestanding birthing center makes an appointment to screen the in-**  
24 **fant no later than one month from the date of live birth.**

25 (4) **Rules adopted under subsection (2)(a) of this section must prohibit the disclosure of**  
26 **personally identifiable information related to the screening of an infant except:**

27 (a) **For purposes related to diagnosing or treating the infant; or**

28 (b) **To a parent or legal guardian of the infant.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.