## Utah

### Birth Defects Surveillance System

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| UT    | STATUTE: Utah Code, Title 26, Chapter 1  
       | RULE: R398-5 | **26-1-30. Powers and duties of department**…(2) In addition to all other powers and duties of the department, it shall have and exercise the following powers and duties:…
       | R398-5-3 Reporting by Hospitals and Birthing Centers. Each hospital or birthing center that admits a patient and detects a birth defect as a result of any outcome of pregnancy, or admits a child under 24 months of age with a birth defect, or is presented with the event of a stillbirth shall report or cause to report to the department within 40 days of discharge the following:
       | NOT SPECIFICALLY | NO | NO |
26-10-1. Definitions. As used in this chapter:…

(3) "Services to children with disabilities" means:

(a) the early location of children with a disability, provided that any program of prenatal diagnosis for the purpose of detecting the possible disease or disabilities of an unborn child will not be used for screening, but rather will be utilized only when there are medical or genetic indications that warrant diagnosis; (b) the provision for children described in Subsection (3)(a) of preventive, diagnosis, and treatment services, including medical care, hospitalization, and other institutional care and aftercare, appliances, and facilitating services directed toward the diagnosis of the condition of those children or toward the restoration of the children to maximum physical and mental health; (c) the development, strengthening, and improvement of standards and techniques relating to such services and care delivery;)

(3) mother’s name
(4) mother’s date of birth;
(5) delivery hospital;
(6) birth defects diagnoses;
(7) mother’s state of residency at delivery;
(8) child’s sex; and
(9) mother’s zip code

R398-5-5. Record Abstraction.
Hospitals, birthing centers, and clinics as well as community health care providers shall allow personnel from the department or its contractors to abstract information from the mother’s and child’s files on their demographic characteristics, family history of birth defects, prenatal and postnatal
| (d) | the training of personnel engaged in the provision, development, strengthening, or improvement of services and care described in this Subsection(3); and (e) necessary administrative services connected with Subsections (3)(a), (b), and (c). |

### 26-10-2. Maternal and child health and crippled children's services provided by department.

The department shall, as funding permits, provide for maternal and child health services and services for children with a disability if the individual needs the services and the individual cannot reasonably obtain the services from other sources.

### R398-5. Birth Defects Reporting.

#### R398-5-1. Purpose and Authority.

This rule establishes reporting requirements for birth defects and stillbirths in Utah and for related test results. Sections 26-1-30(2)(c), (d), (e), (g), (p), (t), 26-10-1(2), and 26-10-2 authorize this rule.

### R398-5-6. Liability.

As provided in Title 26, Chapter 25, persons who report, either voluntarily or as required by this rule, information covered by this rule may not be held liable for reporting the information to the Department of Health.