### Wisconsin

#### Newborn Genetic Testing & Surveillance System

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| WI    | STATUTE: W.S.A., Chapter 253 RULE: W.A.C., Chapter HFS 115 | **253.13 Tests for congenital disorders.**  
**253.13(1) Blood tests.** The attending physician or nurse licensed under s. 441.15 shall cause every infant born in each hospital or maternity home, prior to its discharge therefrom, to be subjected to blood tests for congenital and metabolic disorders, as specified in rules promulgated by the department. If the infant is born elsewhere than in a hospital or maternity home, the attending physician, nurse licensed under s. 441.15 or birth attendant who attended the birth shall cause the infant, within one week of birth, to be subjected to these blood tests.  
**1m) URINE TESTS.** The department may establish a urine test program to test infants for causes of congenital disorders. The state laboratory of hygiene board may | **253.13 ...(3) Exceptions.** This section shall not apply if the parents or legal guardian of the child object thereto on the grounds that the test conflicts with their religious tenets and practices. No tests may be performed under sub. (1) or (1m) unless the parents or legal guardian are fully informed of the purposes of testing under this section and have been given | HFS 115.05 Laboratory tests.  
...(2) ADDITIONAL TESTS FOR RESEARCH AND EVALUATION PURPOSES. The state department may direct the state laboratory to perform other tests on specimens for research and evaluation purposes related to congenital and metabolic disorders or laboratory procedures. In directing that additional testing be performed, the department shall ensure that all applicable laws relating to protection of human subjects of research are observed. | NO | YES |
establish the methods of obtaining urine specimens and testing such specimens, and may develop materials for use in the tests. No person may be required to participate in programs developed under this subsection.

(2) TESTS: DIAGNOSTIC DIETARY AND FOLLOW_UP COUNSELING PROGRAM; FEES. The department shall contract with the state laboratory of hygiene to perform the tests specified under this section and to furnish materials for use in the tests...

(4) CONFIDENTIALITY OF TESTS AND RELATED INFORMATION. The state laboratory of hygiene shall provide the test results to the physician, who shall advise the parents or legal guardian of the results. No information obtained under this section from the parents or guardian or from specimens from the infant may be disclosed except for use in statistical data compiled by the department without reference to the identity of any individual and except as provided in s. 146.82(2). The state laboratory of hygiene board shall reasonable opportunity to object as authorized in this subsection or in sub. (1m) to such tests.

[NOTE: Nothing was found in the Rule about informing parents about or allowing this exception]
provide to the department the names and addresses of parents of infants who have positive test results.

(5) RELATED SERVICES. The department shall …refer families of children who suffer from congenital disorders to available health services programs and shall coordinate the provision of these programs…

HFS 115.01 Authority and purpose. This chapter is promulgated under the authority of §§ 253.13(1) and 227.11 (2), Stats., to specify the congenital and metabolic disorders for which newborn infants are to be screened by means of a sample of blood taken from an infant shortly after birth and tests performed on that sample by the state laboratory of hygiene.

HFS 115.04 Congenital and metabolic disorders. Blood samples taken from newborns as required under s. 253.13 (1) Stats., shall be tested by the state laboratory…

HFS 115.05 Laboratory tests. (1) PROCEDURES. The state laboratory shall establish procedures, with the approval of the department, for obtaining blood specimens for the
testing required under s. 253.13(1), Stats., and this chapter, performing tests and reporting results of tests performed to the infant’s physician and the department as required under s. 253.13(4), Stats.

**HFS 115.06 Criteria for adding or deleting conditions.** In determining which disorders are to be added or deleted from s. HFS 115.04, the department shall seek the advice and guidance of medical consultants, staff of the state laboratory and other persons who have expertise and experience in dealing with congenital and metabolic disorders. Criteria to be considered in adding or deleting disorders shall include all of the following:…(6) The expected benefits to children and society in relation to the risks and costs associated with testing for the specific condition.  
[emphasis added]