## Wyoming

### Newborn Genetic Testing & Surveillance System

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<tr>
<td>WY</td>
<td>WY STATUTE: W.S.A. Title 35, Chapter 1, Article 1  W.S.A. Title 35, Chapter 4, Article 8  RULE: W.C.R. 6959, Chapter 1, Sections 1-8</td>
<td>35-4-801. <strong>Screening required for detection of metabolic diseases and hearing defects in newborn children; conduct of screening; exceptions; fees.</strong>  (a) Every child born in the state of Wyoming, within three (3) to five (5) days for full term children and five (5) to eight (8) days for premature children following birth unless a different time period is medically indicated, shall be given medical examinations for detection of remedial inborn errors of metabolism major hearing defects and any other metabolic or genetic diseases pursuant to subsection (b) of this section. The screening shall be conducted in accordance with accepted medical practices and in the manner prescribed by the state department of health.  (b) The specific tests to be done shall be</td>
<td>35-4-801. …(c) Informed <strong>consent</strong> of parents shall be obtained and if any parent or guardian of a child <strong>objects to</strong> a mandatory examination the child is exempt from subsection (a) of this section… [emphasis added]</td>
<td>NO LAW FOUND</td>
<td>YES, but NO: WY law uses the word “consent” but also uses “objects to” which is “dissent.” Current DOH practice appears to be opt-out (dissent), not opt-in (consent).</td>
<td>YES</td>
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determined by a committee consisting of the following: (i) The state health officer in the department of health; (ii) The president of the Wyoming state medical society; (iii) A member designated by the Wyoming state pediatric society; (iv) A member designated by the Wyoming obstetric/gynecological society.

…(d) Following consultation with the committee described in subsection (b) of this section, the department of health may provide by rule and regulation for the assessment of a fee, payable to the department, to cover the reasonable cost of the screenings required by this section. Fees collected pursuant to this subsection shall be deposited into a separate account and are continuously appropriated to the department of health for purposes of the newborn screening program required by this section.

WCR 6959, Chapter 1, Section 4. Definitions. …Specific genetic and metabolic tests to be done in Wyoming as by the committee designated in W.S. 35-4-801, Section (b), are as follows:…(g) Any other genetic released. No test shall be performed until the written consent of the natural parents, the custodial parent, the guardian, or the adoptive parents is obtained. If any parent or guardian objects to the mandatory testing for a child, then the objection shall be in written form and the child exempt from such testing. [emphasis added]

[DOH PRACTICE]: From “News from the Wyoming Department of Health” press release, June 30, 2006:

“Under Wyoming law, newborns are initially screened between 24-48 hours after birth unless parents sign a waiver opting out of the program.”
metabolic disease for which testing may hereinafter be required on the basis of action taken by the designated committee. [emphasis added]