

Alabama

Newborn Genetic Testing & Surveillance System

State	Statute/ Rule	Language Specific to Genetic Testing and Surveillance System	Exemption	Research Authority	Consent Required?	Dissent Allowed?
AL	<p>STATUTE: Code of Alabama, Title 1, Article 8</p> <p>RULE: A.A.C., Chapter 420-10-1</p>	<p>Section 22-20-3 — Neonatal testing for certain diseases; rules and regulations for treatment thereof.</p> <p>(a) It shall be the duty of the administrative officer or other persons in charge of each institution caring for infants 28 days or less of age, or the physician attending a newborn child or the person attending a newborn child that was not attended by a physician to cause to have administered to every such infant or child in his care a reliable test for hypothyroidism and a reliable test for phenylketonuria (PKU), such as the Guthrie test, or any other test considered equally reliable by the State Board of Health and a reliable test for sickle cell anemia, sickle cell trait, and/or abnormal hemoglobin and <i>such other tests relating to mental retardation or other heritable diseases and conditions as are designated by the Board of Health.</i></p>	<p>Section 22-20-3</p> <p>(a) ... <i>provided</i>, that no such initial screening or confirmatory tests shall be given to any child whose parents object thereto on the grounds that such tests conflict with their religious tenets and practices. In the event a test is not given to a child on account of such objections by the parents, then no physician, nurse, laboratory technician, person administering tests, hospital, institution or other health care provider shall be liable for failure to administer the test.</p>	NONE FOUND	NO	YES

*CCHF REPORT 2013: Patient Privacy and Public Trust:
How Health Surveillance Systems Are Undermining Both*

		<p>Provided, however, that the Board of Health shall designate only conditions that are detectable by mass screening of newborn infants. Initial mass screening tests and the recording of results shall be performed by the Public Health Laboratory at such times and in such manner as may be prescribed by the State Board of Health; confirmatory tests shall be undertaken by such laboratory facilities as are designated by the attending physician or parent; ... <i>[emphasis added]</i></p> <p>(b) The State Board of Health shall promulgate such rules and regulations as it considers necessary to provide for the care and treatment of those newborn infants whose tests are determined positive, including but not limited to, advising dietary treatment for such infants. The State Board of Health shall promulgate any other rules and regulations necessary to effectuate the provisions of this section including the collection of a reasonable fee for the newborn child screening program.</p>	<p><i>NOTE: The Department's Rule does not mention the right of parents to object to the testing or provide a method for parents to secure that exemption.</i></p>			
--	--	---	---	--	--	--

*CCHF REPORT 2013: Patient Privacy and Public Trust:
How Health Surveillance Systems Are Undermining Both*

		<p>420-10-.04 Reporting and Notification (1) The Alabama Department of Public Health shall report all results of ...testing to the submitting health care provider... (2) The submitting health care provider shall report all results, including positives, suspected positive results, and unsatisfactory specimens, to the physician of record... (3) The Department of Public Health may release results of newborn screening tests, including hearing screening results, to any physician registered with the Alabama Voice Response System under the terms and conditions of the system without a signed release form the parent or guardian.</p>				
--	--	---	--	--	--	--