## Delaware

### Newborn Genetic Testing & Surveillance System

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<tr>
<th>State</th>
<th>Statute/Rule</th>
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<tr>
<td>DE</td>
<td>16 D.C. §122 (1) and 16 DC §122(3)(h)</td>
<td>§ 122. Powers and duties of the Department of Health and Social Services. The Department shall have the following general powers and duties: (1) Supervision of all matters relating to the preservation of the life and health of the people of the State… (3) Adopt, promulgate, amend, and repeal regulations consistent with law, which regulations shall not extend, modify or conflict with any law of this State or the reasonable implications</td>
<td>4107. 10.0 Religious Exemption From Testing: …10.2 In the event a religious exemption is claimed from the requirements for testing for Hereditary Disorders, the person otherwise responsible for submitting the specimen for testing shall be responsible for submitting a completed affidavit to the Delaware Newborn Screening Program Office, signed by the infant's parent or legal guardian, using the following language: 1. (I) (We) (am) (are) the (parent(s)) (legal guardian(s)) of (name of child) 2. (I) (We) hereby (swear) (affirm) that (I) (we) subscribe to a belief in a relation to a Supreme Being involving duties superior to those arising from any human relation.</td>
<td>4107. …8.0 Confidentiality Of Records …8.1 The Newborn Screening Program shall maintain and treat as confidential all newborn screening communications with institutions, families and health care providers. The Newborn Screening Program shall maintain and treat as confidential all newborn screening communications with institutions, families and health care providers.</td>
<td>NO</td>
<td>YES-religious</td>
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thereof, and which shall be enforced by all state and local public health officials, to:…

h. Control the practice of non-nurse midwives including the issuance of permits and protect and promote the health of all mothers and children…

4107. Testing of Newborn Infants For Metabolic, Hematologic and Endocrinologic Disorders. Under the authority granted to the Department of Health and Social Services, Division of Public Health under 16 Del.C. §122(1), 16 Del.C. §122(3)(h), and 29 Del.C. §7904 the Department of Health and Social Services, Division of Public

3. (I) (We) further (swear) (affirm) that our belief is sincere and meaningful and occupies a place in (my) (our) life parallel to that filled by the orthodox belief in God.

4. This belief is not a political, sociological or philosophical view of a merely personal moral code.

5. This belief causes (me) (us) to request an exemption from the requirements for testing for Hereditary Disorders by the Delaware Newborn Screening Program for ________________ (name of child).

4107. 10.3 The Newborn Screening Refusal Form will be provided through the Newborn Screening Program Office.

record of every newborn in whom a diagnosis of one or more of the various metabolic, hematologic, or endocrinologic disorders is confirmed.
Health, State of Delaware adopts the following regulations pertaining to the testing of newborns for various disorders.

**PURPOSE:** …Each newborn delivered in the state must be provided a panel of screening tests to identify certain metabolic, hematologic and endocrinologic disorders that may result in developmental delay, mental retardation, serious medical conditions, or death.

| 8.2 Information may be disclosed by the Newborn Screening Program in summary forms, which do not identify individuals. Individuals or institutions requesting summary data must submit a proposal to the Newborn Screening Program and to the Institutional Review Board of the Division of Public Health. |