## Utah

### Birth Defects Surveillance System

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<td>UT</td>
<td>STATUTE: Utah Code, Title 26, Chapter 1</td>
<td>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:… (c) investigate and control the causes of epidemic, infectious, communicable, and other diseases affecting the public health; (d) provide for the detection, reporting, prevention, and control of communicable, infectious, acute, chronic, or any other disease or health hazard which the department considers to be dangerous, important, or likely to affect the public health; (e) collect and report information on causes of injury, sickness, death, and disability and the risk factors that contribute to the causes of injury, sickness, death, and disability within the state…</td>
<td>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:</td>
<td>NOT SPECIFICALLY</td>
<td>NO</td>
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(g) establish and operate programs necessary or desirable for the promotion or protection of the public health and the control of disease or which may be necessary to ameliorate the major causes of injury, sickness, death, and disability in the state, except that the programs may not be established if adequate programs exist in the private sector;…

(p) investigate the cause of maternal and infant mortality;…

(t) establish a uniform public health program throughout the state which includes continuous service, employment of qualified employees, and a basic program of disease control, vital and health statistics, sanitation, public health nursing, and other preventive health programs necessary or desirable for the protection of public health;…

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 described in this Subsection(3);  
(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).

### 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 procedures or treatments (including diagnostics) related to the birth defect or stillbirth, and outcomes of that and other pregnancies by that mother.
| 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. |