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**SUBSTITUTE HOUSE BILL 2023**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Schual-Berke, Hinkle, Cody, Campbell, Darneille, Walsh, Morrell, Seaquist, Hunter, Hunt, Dunshee, Ericks, Haigh, Simpson, Ormsby and Sells)

READ FIRST TIME 02/21/07.

1 AN ACT Relating to newborn screening fees; amending RCW 70.83.040;  
2 adding a new section to chapter 74.09 RCW; providing an effective date;  
3 and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.83.040 and 2005 c 518 s 938 are each amended to  
6 read as follows:

7 When notified of positive screening tests, the state department of  
8 health shall offer the use of its services and facilities, designed to  
9 prevent mental retardation or physical defects in such children, to the  
10 attending physician, or the parents of the newborn child if no  
11 attending physician can be identified.

12 The services and facilities of the department, and other state and  
13 local agencies cooperating with the department in carrying out programs  
14 of detection and prevention of mental retardation and physical defects  
15 shall be made available to the family and physician to the extent  
16 required in order to carry out the intent of this chapter and within  
17 the availability of funds. The department has the authority to collect  
18 a reasonable fee, from the parents or other responsible party of each  
19 infant screened to fund specialty clinics that provide treatment

1 services for hemoglobin diseases, phenylketonuria, congenital adrenal  
2 hyperplasia, congenital hypothyroidism, and(~~(, during the 2005-07~~  
3 ~~fiscal biennium,~~) other disorders defined by the board of health under  
4 RCW 70.83.020. The fee may be collected through the facility where the  
5 screening specimen is obtained.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.09 RCW  
7 to read as follows:

8 Payments for medical assistance shall include the cost of newborn  
9 screening fees used to fund specialty clinics in accordance with RCW  
10 70.83.040. If such payments are found to be in conflict with federal  
11 requirements that are a prescribed condition to the allocation of  
12 federal funds to the state, the conflicting part of this act is  
13 inoperative solely to the extent of the conflict and with respect to  
14 the agencies directly affected, and this finding does not affect the  
15 operation of the remainder of this act in its application to the  
16 agencies concerned.

17 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
18 preservation of the public peace, health, or safety, or support of the  
19 state government and its existing public institutions, and takes effect  
20 July 1, 2007.

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