

## What would CMV legislation mean for Idaho?

Every year, an estimated **150 babies** are born with CMV in Idaho.

Of those, an estimated **30 babies** will have permanent disabilities.

The healthcare costs for just one of these children can cost taxpayers as much as **\$1,800,000**. This is for the care of just **ONE CHILD** through the age of 18.

A CMV bill in the state of Idaho would provide for:

1. Increased **education** of healthcare providers
2. Increased **public awareness**
3. **Mandated CMV testing** for infants who fail their newborn hearing screens

It is estimated that to put this legislation into practice would cost the state of Idaho **\$60,000** in the first year and **\$30,000** each year after.

In other words, if CMV legislation led to the prevention of just one baby from having severe CMV related complications in the first year, it could potentially save the state **\$482,000**.

Similar legislation has been passed in **Utah, Tennessee, Hawaii, Connecticut, Illinois and Texas**.

For more information please visit:

**The National CMV Foundation**  
**Idaho CMV Advocacy Project**

[nationalcmv.org](http://nationalcmv.org)  
[idahocmv.com](http://idahocmv.com)



For more information please visit  
[idahocmv.com](http://idahocmv.com)

Or email us at  
[idahocmv@gmail.com](mailto:idahocmv@gmail.com)

IN THE SENATE

SENATE BILL NO. 1060

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO HEALTH CARE; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE  
2 ADDITION OF A NEW SECTION 56-1055, IDAHO CODE, TO PROVIDE THAT THE STATE  
3 DEPARTMENT OF HEALTH AND WELFARE SHALL MAKE AVAILABLE CERTAIN INFORMA-  
4 TION REGARDING CYTOMEGALOVIRUS.  
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 10, Title 56, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 56-1055, Idaho Code, and to read as follows:

10 56-1055. CYTOMEGALOVIRUS INFORMATION. (1) The department shall make  
11 available the following information to the public, particularly pregnant  
12 women and women who may become pregnant:

13 (a) Incidence of cytomegalovirus (CMV);

14 (b) Transmission of CMV;

15 (c) Birth defects caused by congenital CMV;

16 (d) Available preventive measures; and

17 (e) Other information relating to CMV deemed pertinent by the depart-  
18 ment.

19 (2) The department shall make available the information described in  
20 subsection (1) of this section to:

21 (a) Health care providers licensed under title 54, Idaho Code, offering  
22 care to pregnant women and infants;

23 (b) Daycare and child care programs and facilities licensed under title  
24 39, Idaho Code, and persons employed by such programs or facilities;

25 (c) School districts and persons offering health care or health educa-  
26 tion in a school district;

27 (d) Religious, ecclesiastical or denominational organizations offer-  
28 ing children's programs as part of their services, and persons employed  
29 or volunteering for such programs; and

30 (e) Other persons and entities that would benefit from such informa-  
31 tion, as determined by the department.

## **STATEMENT OF PURPOSE**

### **RS25093C1**

The purpose of the bill is to ensure the women of Idaho and their doctors have access to the most accurate and up-to-date information available regarding cytomegalovirus (CMV) prevention, infection, and treatment. Appropriate dissemination of this information will foreseeably prevent the infection of numerous babies in utero, thereby saving the State of Idaho millions of dollars in the care and treatment of various disabilities that are associated with congenital CMV infection.

### **FISCAL NOTE**

\$60,000 in the first year for educational materials and \$30,000 per year ongoing to the Department of Health & Welfare.

#### **Contact:**

Senator Lee Heider

(208) 332-1000

Representative Paulette Jordan

(208) 332-1175

**DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).**

**26-10-10 Cytomegalovirus (CMV) public education and testing.**

- (1) As used in this section "CMV" means cytomegalovirus.
- (2) The department shall establish and conduct a public education program to inform pregnant women and women who may become pregnant regarding:
  - (a) the incidence of CMV;
  - (b) the transmission of CMV to pregnant women and women who may become pregnant;
  - (c) birth defects caused by congenital CMV;
  - (d) methods of diagnosing congenital CMV; and
  - (e) available preventative measures.
- (3) The department shall provide the information described in Subsection (2) to:
  - (a) child care programs licensed under Title 26, Chapter 39, Utah Child Care Licensing Act, and their employees;
  - (b) a person described in Subsection 26-39-403(1)(c), (f), (g), (h), (j), or (k);
  - (c) a person serving as a school nurse under Section 53A-11-204;
  - (d) a person offering health education in a school district;
  - (e) health care providers offering care to pregnant women and infants; and
  - (f) religious, ecclesiastical, or denominational organizations offering children's programs as a part of worship services.
- (4) If a newborn infant fails the newborn hearing screening test(s) under Subsection 26-10-6(1), a medical practitioner shall:
  - (a) test the newborn infant for CMV before the newborn is 21 days of age, unless a parent of the newborn infant objects; and
  - (b) provide to the parents of the newborn infant information regarding:
    - (i) birth defects caused by congenital CMV; and
    - (ii) available methods of treatment.
- (5) The department shall provide to the family and the medical practitioner, if known, information regarding the testing requirements under Subsection (4) when providing results indicating that an infant has failed the newborn hearing screening test(s) under Subsection 26-10-6(1).
- (6) The department may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as necessary to administer the provisions of this section.

Enacted by Chapter 45, 2013 General Session

# FISCAL NOTE

H.B. 81 1st Sub. (Buff)

SHORT TITLE: Cytomegalovirus Public Health Initiative

SPONSOR: Menlove, R. (Menlove, R. Sub.)

2013 GENERAL SESSION

## STATE GOVERNMENT (UCA 36-12-13(2)(b))

This bill costs the Department of Health \$30,800 ongoing General Fund beginning in FY 2014 and \$4,000 one-time General Fund in FY 2013 for a 0.5 FTE educator and educational materials.

### STATE BUDGET DETAIL TABLE

	FY 2013	FY 2014	FY 2015
Revenue	\$0	\$0	\$0
Expenditure:			
General Fund	\$0	\$30,800	\$30,800
General Fund, One-Time	\$4,000	\$0	\$0
Total Expenditure	<u>\$4,000</u>	<u>\$30,800</u>	<u>\$30,800</u>
Net Impact, All Funds (Rev.-Exp.)	<u>(\$4,000)</u>	<u>(\$30,800)</u>	<u>(\$30,800)</u>
Net Impact, General/Education Funds	(\$4,000)	(\$30,800)	(\$30,800)

## LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

## DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.

## PERFORMANCE NOTE (JR 4-2-404): Not Required