

New Mexico

Newborn Hearing Screening

24-1-6. Tests required for newborn infants.

A. The department shall adopt screening tests for the detection of congenital diseases that shall be given to every newborn infant, except that, after being informed of the reasons for the tests, the parents or guardians of the newborn child may waive the requirements for the tests in writing. The screening tests shall include at a minimum:

- (1) 3-methylcrotonyl-CoA deficiency;
- (2) 3-OH 3-CH₃ glutaric aciduria;
- (3) argininosuccinic acidemia;
- (4) mitochondrial acetoacetyl-CoA thiolase deficiency;
- (5) biotinidase deficiency;
- (6) carnitine uptake defect;
- (7) citrullinemia;
- (8) congenital adrenal hyperplasia;
- (9) congenital hypothyroidism;
- (10) cystic fibrosis;
- (11) galactosemia;
- (12) glutaric acidemia type I;
- (13) Hb S/beta-thalassemia;
- (14) hearing deficiency;
- (15) homocystinuria;
- (16) isovaleric acidemia;
- (17) long-chain L-3-OH acyl-CoA dehydrogenase deficiency;
- (18) maple syrup urine disease;
- (19) medium chain acyl-CoA dehydrogenase deficiency;
- (20) methylmalonic acidemia;

- (21) multiple carboxylase deficiency;
- (22) phenylketonuria;
- (23) proponic acidemia;
- (24) sickle cell anemia;
- (25) trifunctional protein deficiency;
- (26) tyrosinemia type I;
- (27) very long-chain acyl-CoA dehydrogenase deficiency; and
- (28) critical congenital heart disease by means of a test performed using a pulse oximeter before the newborn infant is discharged from the hospital or birthing facility where the newborn infant was born. For the purposes of this paragraph, "pulse oximeter" means a device that measures the oxygen saturation of arterial blood.

B. Upon the later of either January 1, 2011 or when the secretary finds that these screening tests are reasonably available, the department shall adopt screening tests for the detection of the following genetic diseases that shall be given to every newborn infant; except that, after being informed of the reasons for the tests, the parents or guardians of the newborn child may waive the requirements of the tests in writing. The screening tests shall include:

- (1) acid maltase deficiency or glycogen storage disease type II;
- (2) globoid cell leukodystrophy;
- (3) Gaucher's disease;
- (4) Niemann-Pick disease; and
- (5) Fabry disease.

C. In determining which other congenital diseases to screen for, the secretary shall consider the recommendations of the New Mexico pediatric society of the American academy of pediatrics.

D. The department shall institute and carry on such laboratory services or may contract with another agency or entity to provide such services as are necessary to detect the presence of congenital diseases.

E. The department shall, as necessary, carry on an educational program among physicians, hospitals, public health nurses and the public concerning congenital diseases.

F. The department shall require that all hospitals or institutions having facilities for childbirth perform or have performed screening tests for congenital diseases on all newborn infants except if the parents or guardians of a child object to the tests in writing.

24-1-6.1. Newborn hearing testing required; department of health.

By July 1, 2001, the department of health shall adopt rules to require that infants born in health facilities licensed by the department shall be screened for hearing sensitivity prior to being discharged. The rules shall also require the testing of newborns brought to licensed health facilities after birth who have not received a hearing sensitivity screening and notification to the parents of all screened infants of the results of the hearing sensitivity screening. Nothing in this section shall be construed to require screening for hearing sensitivity of a newborn infant if the infant's parents object to the screening on the grounds that it conflicts with their religious beliefs.