

Appendix 2.2
Table of Birth Defects Legislation

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Table of State Birth Defects Legislation

State Birth Defects Legislation – April 2004				
State	Name of Birth Defects Surveillance Program	Leg/Rule	Year	Citation
Alabama	Alabama Birth Defects Surveillance and Prevention Program	Yes	2001	Code of Ala. § 22-10A-2
Alaska	Alaska Birth Defects Registry (ABDR)	Yes	1996 (enact)	7AAC 27.012
Arizona	Arizona Birth Defects Monitoring Program	Yes	1988 (enacted); 1991 (adopted); 2001 (revised)	Statute: ARS § 36-133 Rule: Title 9, Chapter 4, Articles 1 & 5 A.R.S. § 36-133 (2001)
Arkansas	Arkansas Reproductive Health Monitoring System	Yes	1985 (enacted); 1999 (revised)	Bill 214 (1985) A.C.A. § 20-16-201
California	California Birth Defects Monitoring Program	Yes	1982 (enacted); 1996 (recodified)	Health and Safety Code, Division 102, Part 2, Chapter 1, Sections 103825-103855, effective 1982. Recodified 1996: § 103825, 103855, 103830, 103835, 125050, 103840, 103850, 125000
Colorado	Colorado Responds To Children With Special Needs	Yes	1985 (enacted)	Colorado Revised Statutes 25-1.5-101 - 25-1.5-105
Connecticut	Connecticut Birth Defects Registry	Yes	1991 (enacted)	Sec. 10a-132b transferred to sec 19a-56a in 1999 § 19a-56a, 19a-56b (2001) State has 2 statutes which mandate the reporting of children with birth defects. They are: Sec. 19a-53. (Formerly Sec. 19-21). Reports of physical defects of children; Sec. 19a-54. (Formerly Sec. 19-21a). Registration of physically handicapped children; Sec. 19a-56a for Birth defects surveillance program, and Sec. 19a-56b, add Sec. 19a-56c Advisory committee.
Delaware	Delaware Birth Defects Surveillance Project	Yes	1997 (enacted)	House Bill No. 197, an act to amend Title 16 of Del. Code 16 Code §203 (2000); §201, §202
District of Columbia	District of Columbia Birth Defects Surveillance and Prevention Program	No		
Florida	Florida Birth Defects Registry	Yes	1999	Sec 381.0031 (1, 2) provides for a list of reportable diseases/conditions in Florida. Congenital anomalies were added in 1999.
Georgia	1) Metropolitan Atlanta Congenital Defects Program (MACDP) 2) Georgia Birth Defects Reporting and Information System (GBDRIS)	Yes	2002 (GBDRIS system)	MACDP: Official Code of GA (OCGA) 31-12-2 GBDRIS: Birth Defects reporting activated statewide in 2002; Citation: Add GA 31-1-3.2 and DHR Rules 290-5-3-.02 and 290-5-24
Hawaii	Hawaii Birth Defects Program	Yes	1989 (enacted) 2002 (modified)	8/15/1988 to 6/30/2002 - Hawaii Revised Statutes (HRS), Sections 321-31 and 338-2 in conjunction per Executive Chamber ruling by Governor on 6/16/1989. HRS Sections 324-1 and 324-2 for additional legislative authority (1990 Amendments). 7/1/02 to Present - Act 252 - Relating to Birth Defects (SB 2763, SD 2, HD 2, CD 1).
Idaho	No birth defects surveillance program			

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Illinois	Adverse Pregnancy Outcomes Reporting System	Yes	1985 (enacted)	IL Health and Hazardous Substances Registry Act (410 ILCS 525); 235 ILCS 5/6-24a (2001)
Indiana	Indiana Birth Defects and Problems Registry	Yes	2001 (enacted)	IC 16-38-4, Rule 410 IAC 21-3
Iowa	Iowa Birth Defects Registry	Yes	1983 (enacted); 2001, 2003 (revised)	IA Code 136A.1, 136A.2, 136A.3, 136A.5, 136A.6; 135.40 Administrative Code of IA 641-1.3(139A); 641-4.1, 641-4.7(136A) (revised 2001) The administrative rules for the Birth Defects Institute (which includes the Registry and other programs such as newborn screening) are undergoing revision in procedures for newborn screening & prenatal screening, but the revision does not affect the Registry's rules.
Kansas	Birth Defects Reporting System	Yes	1979 (enacted)	KSA 65-102
Kentucky	Kentucky Birth Surveillance Registry	Yes	1992 (enacted); 1997	KRS 211.651-211.670 (1992); HB372 KRS §211.660, §211.665, §211.670 (2001) KY SB 219 (2002)
Louisiana	Louisiana Birth Defects Monitoring Network	Yes	2001 (enacted)	R.S. 40:31.41-40.31.48, Act No. 194 (2002)
Maine	Maine Birth Defects Program	Yes	1999	22MRSA c. 1687
Maryland	Maryland Birth Defects Reporting and Information System	Yes	1982	Health-General Article, Section 18-206; Annotated Code of MD
Massachusetts	Massachusetts Center For Birth Defects Research and Prevention, Birth Defects Monitoring Program	Yes	1963 (enacted); 2002 (revised)	Massachusetts General Laws, Chapter 111, Section 67E. In 2002 the Massachusetts Legislature amended this statute, expanding the birth defects monitoring program. The new law: 1) increases mandated reporting up to age three; 2) requires physicians to report to MDPH within 30 days of diagnosis; 3) sets out requirements for the use of this data; 4) requires MDPH to promulgate regulations governing the operation of the Birth Defects Monitoring Program.
Michigan	Michigan Birth Defects Registry	Yes	1988	Public Health Act 236 of 1988
Minnesota	Minnesota Birth Defects Information System	Yes	2004	MS 144.2215
Mississippi	Mississippi Birth Defects Registry	Yes	1997	Sec. 41-21-205 of MS Code
Missouri	Missouri Birth Defects Registry	No		
Montana	Montana Birth Outcomes Monitoring System	No		
Nebraska	Nebraska Birth Defects Registry	Yes	1972	Laws 1972, LB 1203, §1, §2, §3, §4 (alternate citation: Public Health and Welfare [Codes] §71-645, §71-646, §71-647, §71-648, §71-649)
Nevada	Nevada Birth Defects Registry	Yes	1999	NRS 442.300-442.330; regulation - NAC 442
New Hampshire	New Hampshire Birth Conditions Program	No		
New Jersey	Special Child Health Services Registry	Yes	1983 (enacted); 2000 (readopted)	Bill 757, NJSA 26:8, NJAC 8:20 (enacted 8-4-1983 with effective date of 3-4-1985)

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New Mexico	New Mexico Birth Defects Prevention and Surveillance System	Yes	2000 (enacted)	In January 2000, birth defects became a reportable condition. These conditions are updated by the Office of Epidemiology. This did not involve legislation, only a change in regulations.
New York	New York State Congenital Malformations Registry	Yes	1982	Public Health Law Art. 2, Title, II, Sect 225(5)(t) and Art. 2 Title I, sect 206(1)(j): Codes, Rules and Regulations, Chap 1, State Sanitary Code, part 22.3
North Carolina	North Carolina Birth Defects Monitoring Program	Yes	1995; 2001 (adopted rules)	15A NCAC 26C.0101-0106 NC adopted rules in 2001 to support the statute.
North Dakota	North Dakota Birth Defects Monitoring System	Yes		ND Centry Code 50-10
Ohio	Ohio Connections for Children with Special Needs	Yes	2000 (enacted)	House Bill 354 The legislation authorizes the state to have a birth defects system, but until funding is identified/ secured, does not require the Ohio Dept. of Health to implement a system. The document is available at: www.legislature.state.oh.us/BillText123/123_HB_534_5_Y.htm
Oklahoma	Oklahoma Birth Defects Registry	Yes	1992	63 O.S. Sec 1-550.2 (1992)
Oregon	No birth defects surveillance program			
Pennsylvania	Pennsylvania Follow-Up Outreach, Referral and Education For Families	No		
Puerto Rico	Puerto Rico Folic Acid Campaign and Birth Defects Surveillance System	No		
Rhode Island	Rhode Island Birth Defects Surveillance Program	Yes	2003	House 5390, Senate 105 (Title 23, Chapter 13.3 of the General Laws)
South Carolina	South Carolina Birth Defects Surveillance And Prevention	No		
South Dakota	No birth defects surveillance program			
Tennessee	Tennessee Birth Defects Surveillance Project	Yes	2000	TCA 68-5-506
Texas	Texas Birth Defects Monitoring Division	Yes	1993 (enacted)	Health and Safety Code, Title 2, Subtitle D, Section 1, Chapter 87.
Utah	Utah Birth Defect Network	Yes	1999	Birth Defect Rule (R398-5)
Vermont	Vermont Birth Information Network	Yes	2003	Act 32
Virginia	Virginia Congenital Anomalies Reporting and Education system	Yes	198 (enacted); 1986, 1988 (amended)	Bill 396, HL 32.1.69.1, Art. 8 1985 (1986)
Washington	Washington State Birth Defects Surveillance System	Yes	2004	HB1105, notifiable conditions WAC 246-101 (2000)

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West Virginia	West Virginia Congenital Abnormalities Registry, Education and Surveillance System	Yes	1991 (enacted); 2002 (updated)	HB1747, SS Sec: 16-5-12a (1991); 16-40-1 (2002) *old legislation is still in effect but additional legislation that now calls for advisory committee to the Birth Defects Information System has been added in a different section of code. *this occurred during the 2002 session - SB 672. *new code citation is 16-40-1 *legislative rules are in process of being completed for inclusion during the 2004 session.
Wisconsin	Wisconsin Birth Defects Prevention and Surveillance Program	Yes	2003	1999 WA 114 Statute 253.12; HFS 116--effective April 1, 2003
Wyoming	No birth defects surveillance program			