

LEGISLATIVE BILL 1203

Approved by the Governor March 28, 1972

Introduced by Fern Hubbard Orme, 29th District

AN ACT relating to public health and welfare; to adopt a birth defects prevention program as prescribed; and to provide duties for the Director of Health.

Be it enacted by the people of the State of Nebraska,

Section 1. It is hereby found that the occurrence of malformation or inherited disease at the time of birth is a tragedy for the child, the family, and the community, and a matter of vital concern to the public health. In order to provide for the protection and promotion of the health of the citizens of the state, the Department of Health shall have the responsibility for the implementation and development of scientific investigations and research concerning the causes, methods of prevention, treatment, and cure of birth defects.

Sec. 2. The Director of Health shall establish within the Department of Health a birth defects registry for the purpose of initiating and conducting investigations of the causes, mortality, methods of prevention, treatment, and cure of birth defects and allied diseases.

Sec. 3. The Department of Health shall have and may exercise the following powers and duties:

(1) To conduct scientific investigations and surveys of the causes, mortality, methods of prevention, treatment, and cure of birth defects;

(2) To publish at least annually the results of such investigations and surveys for the benefit of the public health and to annually collate such publications for distribution to scientific organizations and qualified scientists and physicians;

(3) To carry on programs of professional education and training of medical students, physicians, nurses, scientists, and technicians in the causes, methods of prevention, treatment, and cure of birth defects;

(4) To conduct and support clinical counseling services in medical facilities; and

(5) To secure necessary scientific, educational, training, technical, administrative, and operational personnel and services including laboratory facilities by contract or otherwise from public or private entities in order to carry out the purposes of this section.

Sec. 4. (1) Birth defects and allied diseases shall be reported by physicians, hospitals, and persons in attendance at births in the manner and on such forms as may be prescribed by the Department of Health. Such reports may be included in the monthly report to the department on births as required by section 71-610, Reissue Revised Statutes of Nebraska, 1943; Provided, that such reports shall be forwarded to the department no later than the tenth day of the succeeding month after the birth. When objection is made by either parent to furnishing information relating to the medical and health condition of a live-born child because of conflict with religion, such information shall not be required to be entered as provided in this section.

(2) Such reports and information shall be kept confidential and shall not be admissible as evidence in any legal action or proceeding of any kind or character before any court or before any other tribunal, board, agency, or person. The department may publish analyses of such reports and information for scientific and public health purposes in such a manner as to assure that the identities of the individuals concerned cannot be ascertained.