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**SENATE BILL 5668**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Harris, Dozier, and Lovelett

Read first time 02/05/25. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to ensuring timely, efficient, and evidence-based  
2 additions to newborn screenings; amending RCW 70.83.020, 70.83.023,  
3 and 70.83.030; reenacting and amending RCW 43.79A.040 and 43.79A.040;  
4 adding a new section to chapter 70.83 RCW; adding a new section to  
5 chapter 43.70 RCW; creating a new section; providing an effective  
6 date; and providing an expiration date.

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

8 NEW SECTION. **Sec. 1.** The legislature recognizes the critical  
9 importance of newborn screenings in identifying rare genetic and  
10 metabolic conditions that can otherwise go undiagnosed, leading to  
11 irreversible harm. The legislature recognizes the department of  
12 health's newborn screening program currently tests newborns for 32  
13 rare congenital conditions through drops of blood collected within  
14 the first days and weeks of birth and funded through a one-time fee  
15 generally billed through the birthing facility. Further, the  
16 legislature recognizes that the federal recommended uniform screening  
17 panel is established and periodically updated through a science-based  
18 and deliberative review process by a national committee of experts in  
19 newborn screening and rare disease. It is the intent of the  
20 legislature that additions to the newborn screening panel be timely,  
21 efficient, and evidence-based, and that this be achieved by

1 leveraging the recommended uniform screening panel, ensuring intra-  
2 agency coordination, requiring focused feasibility reviews, and  
3 ensuring fees collected for newborn screenings are readily available  
4 to implement the requirements under chapter 70.83 RCW. Furthermore,  
5 the legislature intends to protect the ability of the public to  
6 petition for additions to the newborn screening panel outside of the  
7 recommended uniform screening panel.

8 **Sec. 2.** RCW 70.83.020 and 2014 c 18 s 1 are each amended to read  
9 as follows:

10 (1) It shall be the duty of the department of health to require  
11 screening tests of all newborn infants born in any setting. Each  
12 hospital or health care provider attending a birth outside of a  
13 hospital shall collect and submit a sample blood specimen for all  
14 newborns no more than ~~((forty-eight))~~ 48 hours following birth.

15 (2) The department of health shall conduct screening tests of  
16 samples for the detection of ~~((phenylketonuria and other heritable or  
17 metabolic disorders leading to intellectual disabilities or physical  
18 defects as defined))~~ the conditions listed in the newborn screening  
19 panel determined by the state board of health in rule as required  
20 under section 3 of this act: PROVIDED, That no such tests shall be  
21 given to any newborn infant whose parents or guardian object thereto  
22 on the grounds that such tests conflict with their religious tenets  
23 and practices.

24 ~~((+2))~~ (3) The sample required in subsection (1) of this section  
25 must be received by the department ~~((of health))~~ of health within  
26 ~~((seventy-two))~~ 72 hours of the collection of the sample, excluding  
27 any day that the Washington state public health laboratory is closed.

28 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.83  
29 RCW to read as follows:

30 (1) By July 1, 2026, the state board of health shall reestablish  
31 in rule the newborn screening panel that newborns must be screened  
32 under RCW 70.83.020. In reestablishing the initial newborn screening  
33 panel, the state board of health shall include:

34 (a) All conditions newborns must be screened for as required by  
35 the existing state board of health rules as of January 1, 2025;

36 (b) All conditions included in the existing federal recommended  
37 uniform screening panel as of January 1, 2025.

1 (2) Within 12 months of the addition of a new condition to the  
2 federal recommended uniform screening panel, the state board of  
3 health shall determine whether to add that new condition to the  
4 newborn screening panel. In making its determination, the state board  
5 of health must avoid duplicating research and evaluation efforts  
6 leading to the addition of the condition to the federal recommended  
7 uniform screening panel, and complete and consider the findings of a  
8 feasibility review.

9 (a) The feasibility review must identify costs to screen for the  
10 condition, federal funding available to aid implementation of the  
11 screening of the new condition, recommendations of changes to the fee  
12 charged for the newborn screening, and a timeline for including the  
13 new condition on the newborn screening panel.

14 (b) In conducting the feasibility review, the board shall consult  
15 with the health care authority to ensure consideration of impacts on  
16 state purchased health care programs under chapter 41.05 RCW and  
17 medical care programs under chapter 74.09 RCW and with the department  
18 of health.

19 (c) If the board determines that the condition should be included  
20 in the newborn screening panel, the board shall complete rule making  
21 to include the condition in the newborn screening panel within 12  
22 months of the determination.

23 (3) Members of the public may request that the state board of  
24 health consider additions to the newborn screening panel.

25 (a) The board shall adopt standards for reviewing such requests  
26 to determine whether there is sufficient scientific evidence  
27 available to evaluate the proposed addition.

28 (b) For proposed additions that have sufficient scientific  
29 evidence to conduct an evaluation, the board shall conduct a  
30 feasibility review as described in subsection (2)(a) and (b) of this  
31 section.

32 (c) In addition to the feasibility review, the board must also  
33 consider:

34 (i) Whether screening technology exists that can be made  
35 available to mass screen newborns;

36 (ii) The availability of diagnostic testing, treatment, and  
37 interventions; and

38 (iii) The need for population-based rather than risk-based  
39 screening or other approaches.

1 (d) If the board determines that the condition should be included  
2 in the newborn screening panel, the board shall complete rule making  
3 to include the condition in the newborn screening panel within 12  
4 months of the determination.

5 (4) The board may add other new conditions to the newborn  
6 screening panel in rule if it completes the feasibility review as  
7 described in subsection (2)(a) and (b) of this section.

8 (5) The board shall adopt rules as necessary to implement and  
9 administer this section.

10 **Sec. 4.** RCW 70.83.023 and 2010 1st sp.s. c 17 s 1 are each  
11 amended to read as follows:

12 (1) The department of health under its authority in RCW  
13 43.20B.020 may charge and collect a reasonable fee from parents,  
14 guardians, or responsible parties for the costs of newborn screening.

15 (2) The department of health has the authority to collect a fee  
16 of ((eight dollars and forty cents)) \$8.40 from the parents or other  
17 responsible party of each infant screened for congenital disorders as  
18 defined by the state board of health under RCW 70.83.020 to fund  
19 specialty clinics that provide treatment services for those with the  
20 defined disorders. The fee may also be used to support organizations  
21 conducting community outreach, education, and adult support related  
22 to sickle cell disease. The fee collected under this subsection is in  
23 addition to the fee collected by the department of health for the  
24 purposes of the newborn screening under subsection (1) of this  
25 section.

26 (3) The ((fee)) fees authorized under this section may be  
27 collected through the facility where a screening specimen is  
28 obtained.

29 **Sec. 5.** RCW 70.83.030 and 1991 c 3 s 349 are each amended to  
30 read as follows:

31 Laboratories, attending physicians, hospital administrators, or  
32 other persons performing or requesting the performance of tests for  
33 ~~((phenylketonuria))~~ the diseases and conditions on the newborn  
34 screening panel under this chapter shall report to the department of  
35 health all positive tests. ((The state board of health by rule shall,  
36 when it deems appropriate, require that positive tests for other  
37 heritable and metabolic disorders covered by this chapter be reported

1 ~~to the state department of health by such persons or agencies~~  
2 ~~requesting or performing such tests.))~~

3 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.70  
4 RCW to read as follows:

5 The newborn screening revenue account is created in the custody  
6 of the state treasurer. All receipts collected under chapter 70.83  
7 RCW must be deposited into the account. Expenditures from the account  
8 may only be used for activities directly related to implementing and  
9 administering chapter 70.83 RCW. Only the secretary or the  
10 secretary's designee may authorize expenditure from the account. The  
11 account is subject to allotment procedures under chapter 43.88 RCW,  
12 but an appropriation is not required for expenditures.

13 **Sec. 7.** RCW 43.79A.040 and 2024 c 327 s 16 and 2024 c 168 s 10  
14 are each reenacted and amended to read as follows:

15 (1) Money in the treasurer's trust fund may be deposited,  
16 invested, and reinvested by the state treasurer in accordance with  
17 RCW 43.84.080 in the same manner and to the same extent as if the  
18 money were in the state treasury, and may be commingled with moneys  
19 in the state treasury for cash management and cash balance purposes.

20 (2) All income received from investment of the treasurer's trust  
21 fund must be set aside in an account in the treasury trust fund to be  
22 known as the investment income account.

23 (3) The investment income account may be utilized for the payment  
24 of purchased banking services on behalf of treasurer's trust funds  
25 including, but not limited to, depository, safekeeping, and  
26 disbursement functions for the state treasurer or affected state  
27 agencies. The investment income account is subject in all respects to  
28 chapter 43.88 RCW, but no appropriation is required for payments to  
29 financial institutions. Payments must occur prior to distribution of  
30 earnings set forth in subsection (4) of this section.

31 (4)(a) Monthly, the state treasurer must distribute the earnings  
32 credited to the investment income account to the state general fund  
33 except under (b), (c), and (d) of this subsection.

34 (b) The following accounts and funds must receive their  
35 proportionate share of earnings based upon each account's or fund's  
36 average daily balance for the period: The 24/7 sobriety account, the  
37 Washington promise scholarship account, the Gina Grant Bull memorial  
38 legislative page scholarship account, the Rosa Franklin legislative

1 internship program scholarship account, the Washington advanced  
2 college tuition payment program account, the Washington college  
3 savings program account, the accessible communities account, the  
4 Washington achieving a better life experience program account, the  
5 Washington career and college pathways innovation challenge program  
6 account, the community and technical college innovation account, the  
7 agricultural local fund, the American Indian scholarship endowment  
8 fund, the behavioral health loan repayment and scholarship program  
9 account, the Billy Frank Jr. national statuary hall collection fund,  
10 the foster care scholarship endowment fund, the foster care endowed  
11 scholarship trust fund, the contract harvesting revolving account,  
12 the Washington state combined fund drive account, the commemorative  
13 works account, the county 911 excise tax account, the county road  
14 administration board emergency loan account, the toll collection  
15 account, the developmental disabilities endowment trust fund, the  
16 energy account, the energy facility site evaluation council account,  
17 the fair fund, the family and medical leave insurance account, the  
18 Fern Lodge maintenance account, the fish and wildlife federal lands  
19 revolving account, the natural resources federal lands revolving  
20 account, the food animal veterinarian conditional scholarship  
21 account, the forest health revolving account, the fruit and vegetable  
22 inspection account, the educator conditional scholarship account, the  
23 game farm alternative account, the GET ready for math and science  
24 scholarship account, the Washington global health technologies and  
25 product development account, the grain inspection revolving fund, the  
26 Washington history day account, the industrial insurance rainy day  
27 fund, the juvenile accountability incentive account, the law  
28 enforcement officers' and firefighters' plan 2 expense fund, the  
29 local tourism promotion account, the low-income home rehabilitation  
30 account, the medication for people living with HIV rebate revenue  
31 account, the newborn screening revenue account, the homeowner  
32 recovery account, the multiagency permitting team account, the  
33 northeast Washington wolf-livestock management account, the pollution  
34 liability insurance program trust account, the produce railcar pool  
35 account, the public use general aviation airport loan revolving  
36 account, the regional transportation investment district account, the  
37 rural rehabilitation account, the Washington sexual assault kit  
38 account, the stadium and exhibition center account, the youth  
39 athletic facility account, the self-insurance revolving fund, the  
40 children's trust fund, the Washington horse racing commission

1 Washington bred owners' bonus fund and breeder awards account, the  
2 Washington horse racing commission class C purse fund account, the  
3 individual development account program account, the Washington horse  
4 racing commission operating account, the life sciences discovery  
5 fund, the Washington state library-archives building account, the  
6 reduced cigarette ignition propensity account, the center for deaf  
7 and hard of hearing youth account, the school for the blind account,  
8 the Millersylvania park trust fund, the public employees' and  
9 retirees' insurance reserve fund, the school employees' benefits  
10 board insurance reserve fund, the public employees' and retirees'  
11 insurance account, the school employees' insurance account, the long-  
12 term services and supports trust account, the radiation perpetual  
13 maintenance fund, the Indian health improvement reinvestment account,  
14 the department of licensing tuition recovery trust fund, the student  
15 achievement council tuition recovery trust fund, the tuition recovery  
16 trust fund, the industrial insurance premium refund account, the  
17 mobile home park relocation fund, the natural resources deposit fund,  
18 the Washington state health insurance pool account, the federal  
19 forest revolving account, the Washington saves administrative  
20 treasury trust account, and the library operations account.

21 (c) The following accounts and funds must receive 80 percent of  
22 their proportionate share of earnings based upon each account's or  
23 fund's average daily balance for the period: The advance right-of-way  
24 revolving fund, the advanced environmental mitigation revolving  
25 account, the federal narcotics asset forfeitures account, the high  
26 occupancy vehicle account, the local rail service assistance account,  
27 and the miscellaneous transportation programs account.

28 (d) Any state agency that has independent authority over accounts  
29 or funds not statutorily required to be held in the custody of the  
30 state treasurer that deposits funds into a fund or account in the  
31 custody of the state treasurer pursuant to an agreement with the  
32 office of the state treasurer shall receive its proportionate share  
33 of earnings based upon each account's or fund's average daily balance  
34 for the period.

35 (5) In conformance with Article II, section 37 of the state  
36 Constitution, no trust accounts or funds shall be allocated earnings  
37 without the specific affirmative directive of this section.

38 **Sec. 8.** RCW 43.79A.040 and 2024 c 327 s 17 and 2024 c 168 s 11  
39 are each reenacted and amended to read as follows:

1 (1) Money in the treasurer's trust fund may be deposited,  
2 invested, and reinvested by the state treasurer in accordance with  
3 RCW 43.84.080 in the same manner and to the same extent as if the  
4 money were in the state treasury, and may be commingled with moneys  
5 in the state treasury for cash management and cash balance purposes.

6 (2) All income received from investment of the treasurer's trust  
7 fund must be set aside in an account in the treasury trust fund to be  
8 known as the investment income account.

9 (3) The investment income account may be utilized for the payment  
10 of purchased banking services on behalf of treasurer's trust funds  
11 including, but not limited to, depository, safekeeping, and  
12 disbursement functions for the state treasurer or affected state  
13 agencies. The investment income account is subject in all respects to  
14 chapter 43.88 RCW, but no appropriation is required for payments to  
15 financial institutions. Payments must occur prior to distribution of  
16 earnings set forth in subsection (4) of this section.

17 (4) (a) Monthly, the state treasurer must distribute the earnings  
18 credited to the investment income account to the state general fund  
19 except under (b), (c), and (d) of this subsection.

20 (b) The following accounts and funds must receive their  
21 proportionate share of earnings based upon each account's or fund's  
22 average daily balance for the period: The 24/7 sobriety account, the  
23 Washington promise scholarship account, the Gina Grant Bull memorial  
24 legislative page scholarship account, the Rosa Franklin legislative  
25 internship program scholarship account, the Washington advanced  
26 college tuition payment program account, the Washington college  
27 savings program account, the accessible communities account, the  
28 Washington achieving a better life experience program account, the  
29 Washington career and college pathways innovation challenge program  
30 account, the community and technical college innovation account, the  
31 agricultural local fund, the American Indian scholarship endowment  
32 fund, the behavioral health loan repayment and scholarship program  
33 account, the Billy Frank Jr. national statuary hall collection fund,  
34 the foster care scholarship endowment fund, the foster care endowed  
35 scholarship trust fund, the contract harvesting revolving account,  
36 the Washington state combined fund drive account, the commemorative  
37 works account, the county 911 excise tax account, the county road  
38 administration board emergency loan account, the toll collection  
39 account, the developmental disabilities endowment trust fund, the  
40 energy account, the energy facility site evaluation council account,



1 the fair fund, the family and medical leave insurance account, the  
2 Fern Lodge maintenance account, the fish and wildlife federal lands  
3 revolving account, the natural resources federal lands revolving  
4 account, the food animal veterinarian conditional scholarship  
5 account, the forest health revolving account, the fruit and vegetable  
6 inspection account, the educator conditional scholarship account, the  
7 game farm alternative account, the GET ready for math and science  
8 scholarship account, the Washington global health technologies and  
9 product development account, the grain inspection revolving fund, the  
10 Washington history day account, the industrial insurance rainy day  
11 fund, the juvenile accountability incentive account, the law  
12 enforcement officers' and firefighters' plan 2 expense fund, the  
13 local tourism promotion account, the low-income home rehabilitation  
14 account, the medication for people living with HIV rebate revenue  
15 account, the newborn screening revenue account, the homeowner  
16 recovery account, the multiagency permitting team account, the  
17 northeast Washington wolf-livestock management account, the produce  
18 railcar pool account, the public use general aviation airport loan  
19 revolving account, the regional transportation investment district  
20 account, the rural rehabilitation account, the Washington sexual  
21 assault kit account, the stadium and exhibition center account, the  
22 youth athletic facility account, the self-insurance revolving fund,  
23 the children's trust fund, the Washington horse racing commission  
24 Washington bred owners' bonus fund and breeder awards account, the  
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26 individual development account program account, the Washington horse  
27 racing commission operating account, the life sciences discovery  
28 fund, the Washington state library-archives building account, the  
29 reduced cigarette ignition propensity account, the center for deaf  
30 and hard of hearing youth account, the school for the blind account,  
31 the Millersylvania park trust fund, the public employees' and  
32 retirees' insurance reserve fund, the school employees' benefits  
33 board insurance reserve fund, the public employees' and retirees'  
34 insurance account, the school employees' insurance account, the long-  
35 term services and supports trust account, the radiation perpetual  
36 maintenance fund, the Indian health improvement reinvestment account,  
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38 achievement council tuition recovery trust fund, the tuition recovery  
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14 custody of the state treasurer pursuant to an agreement with the  
15 office of the state treasurer shall receive its proportionate share  
16 of earnings based upon each account's or fund's average daily balance  
17 for the period.

18 (5) In conformance with Article II, section 37 of the state  
19 Constitution, no trust accounts or funds shall be allocated earnings  
20 without the specific affirmative directive of this section.

21 NEW SECTION. **Sec. 9.** Section 7 of this act expires July 1,  
22 2030.

23 NEW SECTION. **Sec. 10.** Section 8 of this act takes effect July  
24 1, 2030.

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