

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 41

Introduced by Riepe, 12; Cavanaugh, M., 6; DeBoer, 10; Raybould, 28.

Read first time January 09, 2025

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to communicable diseases; to amend section
- 2 71-502.03, Reissue Revised Statutes of Nebraska; to change
- 3 requirements relating to blood tests for pregnant women; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 71-502.03, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 71-502.03 (1) Every physician, or other person authorized by law to
4 practice obstetrics, who is attending a pregnant woman in the state for
5 conditions relating to her pregnancy during the period of gestation or at
6 delivery shall take or cause to be taken a sample of the blood of such
7 woman at the time of the first examination, third trimester examination,
8 and birth and shall submit such sample to an approved laboratory for a
9 standard serological test for syphilis. Every other person permitted by
10 law to attend pregnant women in the state, but not permitted by law to
11 take blood samples, shall cause such a sample of the blood of such
12 pregnant women to be taken by a physician, duly licensed to practice
13 either medicine and surgery or obstetrics, or other person authorized by
14 law to take such sample of blood and have such sample submitted to an
15 approved laboratory for a standard serological test for syphilis. The
16 results of all such laboratory tests shall be reported to the Department
17 of Health and Human Services on standard forms prescribed and furnished
18 by the department. For the purpose of this section, a standard
19 serological test shall be a test for syphilis approved by the department
20 and shall be made at a laboratory approved to make such tests by the
21 department. Such laboratory tests, as are required by this section, shall
22 be made on request at the Department of Health and Human Services
23 Laboratory. A fee may be established by rule and regulation by the
24 department to defray no more than the actual cost of such tests. Such fee
25 shall be deposited in the state treasury and credited to the Health and
26 Human Services Cash Fund. In reporting every birth and stillbirth,
27 physicians and others required to make such reports shall state on the
28 portion of the certificate entitled For Medical and Health Use Only
29 whether a blood test for syphilis has been made upon a specimen of blood
30 taken from the woman who bore the child for which a birth or stillbirth
31 certificate is filed and the approximate date when the specimen was

1 taken. No birth certificate shall show the result of such test. If no
2 test was made, the reason shall be stated. The department shall provide
3 the necessary clerical, printing, and other expenses in carrying out this
4 section.

5 (2) Every physician or other person authorized by law to practice
6 obstetrics who is attending a pregnant woman in the state for conditions
7 relating to her pregnancy during the period of gestation shall administer
8 or cause to be administered a test of the pregnant woman's blood for the
9 presence of the human immunodeficiency virus infection unless the
10 pregnant woman has given written informed consent that she does not want
11 to be tested.

12 **Sec. 2.** Original section 71-502.03, Reissue Revised Statutes of
13 Nebraska, is repealed.