

Document: Final Rule, **Register Page Number:** 28 IR 2354
Source: May 1, 2005, Indiana Register, Volume 28, Number 8

Disclaimer: This document was created from the files used to produce the official CD-ROM Indiana Register.

**TITLE 410 INDIANA STATE DEPARTMENT OF
HEALTH**

LSA Document #04-161(F)

DIGEST

Amends 410 IAC 21-3-8 and 410 IAC 21-3-9 to remove birth weight less than 2,500 grams and stillbirth as reportable conditions, require reporting of both pervasive developmental disorders and fetal alcohol spectrum disorder that is recognized in a child before five years of age, and amend the maximum age of a child whose diagnosis must be reported to the registry and whose report must be included in the registry from two years to three years. Repeals 410 IAC 21-3-6. Effective 30 days after filing with the secretary of state.

410 IAC 21-3-6
410 IAC 21-3-8
410 IAC 21-3-9

SECTION 1. 410 IAC 21-3-8 IS AMENDED TO READ AS FOLLOWS:

410 IAC 21-3-8 Reporting requirements

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 8. (a) The following shall be reported by a person who must report as required by section 7 of this rule to the registry:

(1) Every birth problem, **except a pervasive developmental disorder or a fetal alcohol spectrum disorder**, listed in section 9 of this rule that:

(A) has been diagnosed in a child before that child's ~~second~~ **third** birthday; **or**

~~(2) Every birth problem listed in section 9 of this rule that (B) was diagnosed at the time of a child's death up to two (2) three~~
(3) years of age. or at expulsion or extraction of a fetus after twenty (20) weeks of gestation.

(2) A pervasive developmental disorder or a fetal alcohol spectrum disorder listed in section 9 of this rule that was diagnosed before a child's fifth birthday.

(b) Reports to the registry must be made within sixty (60) days of diagnosis.

(c) Only diagnoses of birth problems in children who are Indiana residents shall be reported.

(d) The registry shall provide the required forms for birth problems reporting. (*Indiana State Department of Health; 410 IAC 21-3-8; filed Jul 8, 2002, 1:55 p.m.: 25 IR 3758; filed Mar 30, 2005, 3:00 p.m.: 28 IR 2355*)

SECTION 2. 410 IAC 21-3-9 IS AMENDED TO READ AS FOLLOWS:

410 IAC 21-3-9 Reportable birth problems

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 9. The following categories along with those conditions identified in the International Classification of Diseases – Ninth Revision, Clinical Modification, 1998 (ICD-9-CM) are birth problems:

(1) A structural deformation.

(2) A developmental malformation.

(3) A genetic, inherited, or biochemical disease.

(4) Birth weight less than two thousand five hundred (2,500) grams.

(5) (4) A condition of a chronic nature, including central nervous system hemorrhage or infection of the central nervous system, that may result in a need for long term health care.

(6) Stillbirth.

(5) A pervasive developmental disorder.

(6) A fetal alcohol spectrum disorder.

(7) Any other severe disability that is recognized in a child after birth and before the child becomes two (2) three (3) years of age.

(8)	ICD-9-CM Codes	Name
	155-208	Neoplasms
	216-216.9	Neoplasms
	230-234	Neoplasms
	246.1	Dyshormonogenic goiter
	250	Diabetes mellitus
	257.8	Other testicular dysfunction
	279	Disorders involving the immune mechanism
	282	Hereditary hemolytic anemias
	284.0	Constitutional aplastic anemia
	286.0-286.5	Coagulation defects
	287.3	Primary thrombocytopenia
	288	Diseases of white blood cells
	289.6	Familial polycythemia
	299.00-299.99	Pervasive developmental disorders including autism, childhood disintegrative disorder, Asperger's syndrome, Rett syndrome, and pervasive developmental disorders not otherwise specified
	330	Cerebral degenerations usually manifest childhood
	335	Anterior horn cell disease
	359	Muscular dystrophies and myopathies
	362.21	Retrolental fibroplasia
	362.7	Hereditary retinal dystrophies
	365.14	Glaucoma of childhood
	378	Strabismus and other disorders of binocular eye movement
	379.51	Congenital nystagmus
	524.0-524.1	Anomalies of jaw Congenital anomalies
	740-742	Central nervous system
	743-744	Orofacial
	745-747	Cardiovascular
	748	Respiratory
	749-750.29	Orofacial
	750.3-751	Gastrointestinal
	752-753	Genitourinary
	754-756	Musculoskeletal
	757	Integument
	758	Chromosome and syndromes
	759	Other and unspecified congenital anomalies
	760.71	Fetal alcohol syndrome

(Indiana State Department of Health; 410 IAC 21-3-9; filed Jul 8, 2002, 1:55 p.m.: 25 IR 3758; filed Mar 30, 2005, 3:00 p.m.: 28 IR 2355)

SECTION 3. 410 IAC 21-3-6 IS REPEALED.

LSA Document #04-161(F)

Notice of Intent Published: July 1, 2004; 27 IR 3099

Proposed Rule Published: November 1, 2004; 28 IR 655

Hearing Held: November 22, 2004

Approved by Attorney General: March 3, 2005

Approved by Governor: March 30, 2005

Filed with Secretary of State: March 30, 2005, 3:00 p.m.

IC 4-22-7-5(c) Notice from Secretary of State Regarding Documents Incorporated by Reference: None Received by Publisher