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HOUSE . . . . . No. 3825

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act requiring certain information relative to Down Syndrome be provided to certain parents and families..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws, as appearing in the 2010 Official
2 Edition, is hereby amended by inserting after section 70G the following section:—

3 Section 70H.

4 (a) For the purposes of this section, the term "Down syndrome" shall mean a
5 chromosomal condition caused by an error in cell division that results in the presence of an extra
6 whole or partial copy of chromosome 21. Any facility, as defined in section 70E, physician,
7 health care provider, nurse midwife or genetic counselor who renders prenatal care, postnatal
8 care or genetic counseling, upon receipt of a positive test result from a test for Down syndrome,
9 shall provide the expectant or new parent with information provided by the department under
10 subsection (b).

11 (b) The department shall make available to any person who renders prenatal care,
12 postnatal care or genetic counseling of parents who receive a prenatal or postnatal diagnosis of
13 Down syndrome the following: (1) up-to-date, evidence-based, written information about Down

14 syndrome that has been reviewed by medical experts and national Down syndrome
15 organizations. The written information provided shall include physical, developmental,
16 educational, and psychosocial outcomes, life expectancy, clinical course, and intellectual and
17 functional development and treatment options; and (2) contact information regarding First Call
18 programs and support services, including information hotlines specific to Down syndrome,
19 resource centers or clearinghouses, national and local Down syndrome organizations such as the
20 Massachusetts Down Syndrome Congress, and other education and support programs. The
21 department may also make such information available to any other person who has received a
22 positive test result from a test for Down syndrome.

23 (c) Information provided under this section shall be culturally and linguistically
24 appropriate for women receiving a positive prenatal diagnosis or for the family of a child
25 receiving a postnatal diagnosis of Down syndrome.

26 (d) Nothing in this section shall limit the rights of any person under section 70G.