

TITLE 39  
HEALTH AND SAFETY

CHAPTER 97 [99]  
DOWN SYNDROME DIAGNOSIS INFORMATION ACT

39-9701 [39-9901]. SHORT TITLE. This chapter shall be known and may be cited as the "Down Syndrome Diagnosis Information Act."

[39-9701 [39-9901], added 2022, ch. 80, sec. 1, p. 227.]

39-9702 [39-9902]. DEFINITIONS. For purposes of this chapter:

- (1) "Department" means the department of health and welfare.
- (2) "Down syndrome" means a chromosomal condition associated with either an extra chromosome 21, in whole or in part, or an effective trisomy for chromosome 21. Trisomy 21 is the medical term for Down syndrome.
- (3) "Down syndrome organization" means any state or local nonprofit organization primarily involved in providing advocacy, support, and education to individuals with Down syndrome and their support community.
- (4) "Health care practitioner" means a physician or other health care practitioner licensed, accredited, or certified to perform specified health care services consistent with state law. "Health care practitioner" includes a genetic counselor.

(5) "Parent" means any person expecting a child who has received a test result from a prenatal screening or diagnostic test that indicates a high likelihood or the definite presence of Down syndrome, or the parent or legal guardian of a child diagnosed with Down syndrome.

[39-9702 [39-9902], added 2022, ch. 80, sec. 1, p. 227.]

39-9703 [39-9903]. APPLICABILITY. A health care practitioner who provides prenatal or postnatal care and who administers or requests administration of a prenatal or postnatal screening or diagnostic test that detects Down syndrome or receives a result from such test that indicates a high likelihood or the definite presence of Down syndrome shall deliver to the parents the information support sheet provided by the department under section 39-9704 [39-9904], Idaho Code.

[39-9703 [39-9903], added 2022, ch. 80, sec. 1, p. 228.]

39-9704 [39-9904]. SUPPORT SHEET. (1) The department shall create an up-to-date, evidence-based support sheet about Down syndrome that has been reviewed by medical experts and the Idaho Down syndrome council. The support sheet shall be provided at the time of diagnosis or when an ultrasound or test detects a high likelihood of Down syndrome. The support sheet shall be readily accessible and include the following:

- (a) A clinical course description of Down syndrome, including possible physical, developmental, educational, and psychosocial outcomes;
- (b) Options available for treatment and therapy for conditions related to Down syndrome;
- (c) Life expectancy for individuals with Down syndrome; and
- (d) Contact information for nonprofit Idaho Down syndrome organizations that provide information and support services for caregivers,

including first-call programs and information hotlines specific to Down syndrome, resource centers, and other education and support programs for Down syndrome.

(2) The department shall post the information required in this section on its website and shall include an information support sheet, in a print-friendly format, to be delivered by health care practitioners to parents as prescribed in section 39-9703 [[39-9903](#)], Idaho Code.

(3) The department shall ensure that the information on the support sheet required in this section is culturally and linguistically appropriate for caregivers.

(4) A Down syndrome organization may request that the department include the organization's informational material and contact information on the department's website. The department may add the information to the website upon request.

(5) The department shall meet annually with representatives of the Idaho Down syndrome council to ensure the information in the support sheet that is made available by the department is current.

[39-9704 [39-9904], added 2022, ch. 80, sec. 1, p. 228.]