

118TH CONGRESS
2D SESSION

S. _____

To amend the Public Health Service Act to provide for congenital Cytomegalovirus screening of newborns.

IN THE SENATE OF THE UNITED STATES

Mr. BLUMENTHAL (for himself, Mr. MARSHALL, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Public Health Service Act to provide for congenital Cytomegalovirus screening of newborns.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Stop CMV Act of 2024”.

5 **SEC. 2. SCREENING OF CONGENITAL CYTOMEGALOVIRUS.**

6 Part A of title XI of the Public Health Service Act
7 is amended by inserting after section 1116 (42 U.S.C.
8 300b–15) the following:

1 **“SEC. 1116A. SCREENING OF CONGENITAL**
2 **CYTOMEGALOVIRUS.**

3 “(a) IN GENERAL.—Each hospital or other health
4 care entity caring for infants who are 21 days or less of
5 age (as designated by the Secretary) may administer, or
6 cause to have administered, to every such infant in its care
7 a test for congenital Cytomegalovirus in accordance with
8 this section.

9 “(b) PROCESS.—

10 “(1) IN GENERAL.—In carrying out this sec-
11 tion, the chief executive officer for health in each
12 State may prescribe standards and procedures for
13 the administration of testing under subsection (a),
14 including recording the results of such tests, track-
15 ing activities, conducting follow-up reviews, and car-
16 rying out educational activities.

17 “(2) DISSEMINATION OF INFORMATION.—In
18 carrying out this section, the chief executive officer
19 for health in each State may prescribe standards
20 and procedures setting forth the manner in which
21 testing information is disseminated to a parent or
22 guardian of the infant to be tested.

23 “(3) FAILURE TO PRESCRIBE.—If a State has
24 not prescribed standards and procedures that are
25 approved as provided for in paragraph (4) by the
26 date that is 2 years after the date of enactment of

1 the Stop CMV Act of 2024, the Discretionary Advi-
2 sory Committee on Heritable Disorders in Newborns
3 and Children established under section 1111 (re-
4 ferred to in this section as the ‘Advisory Com-
5 mittee’) shall prescribe appropriate standards and
6 procedures which may be implemented by such
7 State.

8 “(4) REVIEW AND APPROVAL.—The standards
9 and procedures prescribed under this subsection
10 shall be subject to review and approval by the Advi-
11 sory Committee. In reviewing or prescribing stand-
12 ards and procedures as required under this sub-
13 section, the Advisory Committee shall consider
14 standards and procedures adopted in other States
15 with respect to the screening of congenital
16 Cytomegalovirus, the standards and procedures
17 adopted in such State with respect to the screening
18 of infants for other heritable diseases, and any sci-
19 entific evidence the Advisory Committee considers
20 relevant to provide for the screening of infants for
21 congenital Cytomegalovirus.

22 “(c) GRANTS.—

23 “(1) HEALTH RESOURCES AND SERVICES AD-
24 MINISTRATION.—

1 “(A) IN GENERAL.—The Secretary, acting
2 through the Administrator of the Health Re-
3 sources and Services Administration, shall
4 award grants to States that prescribe standards
5 and procedures in accordance with paragraphs
6 (1) and (2), to be distributed by the States to
7 entities described in subsection (a) to admin-
8 ister tests in accordance with that subsection.

9 “(B) AUTHORIZATION OF APPROPRIA-
10 TIONS.—There is authorized to be appropriated
11 to carry out subparagraph (A) such sums as
12 may be necessary for each of fiscal years 2024
13 and 2025.

14 “(2) CENTERS FOR DISEASE CONTROL AND
15 PREVENTION.—

16 “(A) IN GENERAL.—The Secretary, acting
17 through the Director of the Centers for Disease
18 Control and Prevention, shall award grants to,
19 or enter into cooperative agreements with,
20 States to provide technical assistance to State
21 agencies or designated entities of States—

22 “(i) to develop, maintain, and improve
23 data collection systems relating to con-
24 genital Cytomegalovirus; and

1 “(ii) to assist in the education and
2 training of health care providers, patients,
3 and the general public regarding the risk
4 reduction or prevention, symptoms, diag-
5 nosis, and treatment of congenital
6 Cytomegalovirus, including, as necessary,
7 through the publication of scientific, evi-
8 dence-based educational materials on
9 Internet webpages maintained by State
10 agencies or designated entities of States.

11 “(B) AUTHORIZATION OF APPROPRIA-
12 TIONS.—There is authorized to be appropriated
13 to carry out subparagraph (A) such sums as
14 may be necessary for each of fiscal years 2024
15 and 2025.

16 “(3) NATIONAL INSTITUTES OF HEALTH.—

17 “(A) IN GENERAL.—The Director of the
18 National Institutes of Health shall—

19 “(i) for the purposes of this section,
20 establish a program, or expand existing
21 programs, of research and development on
22 the efficacy of new screening techniques
23 and technology relating to congenital
24 Cytomegalovirus, including clinical studies

1 of screening methods, studies on efficacy of
2 intervention, and related research; and

3 “(ii) establish a program, or expand
4 existing programs, of research and develop-
5 ment into congenital Cytomegalovirus
6 diagnostics, prevention, treatments includ-
7 ing public health awareness campaigns,
8 risk reduction, and vaccine development,
9 and cures or treatments (during pregnancy
10 and after birth).

11 “(B) FUNDING.—The Director of the Na-
12 tional Institutes of Health shall carry out sub-
13 paragraph (A) using amounts available to the
14 Director and not otherwise obligated.”.

15 **SEC. 3. ADVISORY COMMITTEE ON HERITABLE DISORDERS**
16 **IN NEWBORNS AND CHILDREN.**

17 Section 1111(b) of the Public Health Service Act (42
18 U.S.C. 300b–10(b)) is amended—

19 (1) in paragraph (7) by striking “and” after
20 the semicolon;

21 (2) by redesignating paragraph (8) as para-
22 graph (9); and

23 (3) by inserting after paragraph (7) the fol-
24 lowing:

1 “(8) carry out activities under section 1116A;
2 and”.